

Minutes of Commission Meeting

Regular Meeting | Wednesday, June 14, 2017 at 10:00 AM

Location: Coverdell Legislative Office Building
Room 606, 18 Capitol Square SW
Atlanta, GA 30334

PRESENT:

Commission Members:

Mary Paige Adams, Chair
Dennis Cathey, Vice-Chair
Jake Evans, Commission Member
James D. Kreyenbuhl, Commission Member

Office of the Attorney General:

Christian Fuller, Assistant Attorney-General

Commission Staff:

Stefan Ritter, Executive Secretary
Robert Lane, Deputy Executive Secretary
Bethany Whetzel, Deputy Executive Secretary
Nancy Sandberg, Legal Administrative Assistant
Chris Phelps, Paralegal
Natalie Harper, Auditor
Maria Bazile, IT
DeAngelo Hall, Videographer

MEETING CALLED TO ORDER:

The meeting was called to order at 10:14 AM.

DISCUSSION REGARDING AND DETERMINATION OF COMMISSION'S OFFICERS:

Chair Jordan resigned effective May 12, 2017 by letter to Governor Nathan Deal. Elections were held for Chair and Vice Chair. Mary Paige Adams was voted as the new Chair and Dennis Cathey was voted as the new Vice-Chair.

Motioned by: Commissioner Kreyenbuhl

Seconded by: Commissioner Evans

Carried: 4 to 0

APPROVAL OF COMMISSION MEETING MINUTES:

Minutes of the March 23, 2017 Commission Meeting were motioned and approved with one correction on page 5 of 6, In the Matter of Janie Reid, delete where it states "Commissioner Kreyenbuhl recused himself", as Commissioner Kreyenbuhl did not recuse himself in the case.

Motioned by: Chair Adams

Seconded by: Vice-Chair Cathey

Carried: 4 to 0

REVIEW OF INITIAL DECISIONS FROM OFFICE OF STATE ADMINISTRATIVE HEARINGS:

After hearing from Executive Secretary Stefan Ritter, Assistant Attorney General Christian Fuller and counsel for the Respondent, Stephen Humphreys and with discussion among the Commissioners, it was motioned and

approved that the Initial Decision by Judge Howells is final by operation of law on May 26, 2017 in the following cases: 2012-0032, 2012-0033, 2014-0036, 2014-0037, 2014-0045 and 2014-0046 In the Matter of Carolyn Cosby.

Motioned by: Commissioner Kreyenbuhl

Seconded by: Chair Adams

Carried: 4 to 0

PRELIMINARY HEARINGS:

The following cases were motioned and approved as follows:

- 2009-0045: In the Matter of J. Wayne Garner (RL):
It was motioned and approved to find reasonable grounds to believe that violations have occurred.
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0
- 2010-0053: In the Matter of Neil Craig Prewett (RL):
It was decided that because of the problems with obtaining service, that this case would be continued to facilitate service by Sheriff's Process Server.
- 2015-0051PC: In the Matter of Clinton Dean Young (RL):
It was motioned and approved to find reasonable grounds to believe that violations have occurred.
Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 4 to 0

The following cases were moved from Preliminary Hearings to Consent Orders:

- 2014-0018: In the Matter of David C. Belton, Jr. (RL)
- 2012-0014 and 2012-0061: In the Matter of Osborn Nesbitt (BW)
- 2014-0070: In the Matter of Virgil Watkins, Jr. (BW)
- 2015-0062: In the Matter of Mary Ann Whipple-Lue (BW)

MOTION TO DISMISS

It was motioned and approved to accept the Motion to Dismiss and Order to Grant Dismissal as presented for the following:

- 2012-005: In the Matter of Bill Heath (BW)
Motioned by: Chair Adams
Seconded by: Commissioner Evans
Carried: 4 to 0

RULES:

Executive Secretary Stefan Ritter presented new proposed Rule 189-7-.03: Duties of Local Filing Officer to Commission. Public Comments were received from Joan Jones, Johns Creek City Clerk; Karen Jordan, GMC/FOA – President Elect; Evelyn Scott, City of Atlanta Clerk and Rusi Patel, Georgia Municipal Association. It was motioned and approved to table voting on Rule 189-7-.03 and put on the Agenda for the next regularly scheduled meeting in September 2017, unless issues can be solved at a special call meeting.

Motioned by: Chair Adams

*Seconded by: Commissioner Evans
Carried: 4 to 0*

CONSENT ORDERS:

The following Consent Orders were motioned and approved as presented:

- 2014-0018: In the Matter of David C. Belton, Jr. (RL):
It was motioned and approved to accept the Consent Order as presented upon receipt of original.
*Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0*
- 2016-0051: In the Matter of Johnny James Searce (BW):
*Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 4 to 0*

(The meeting broke for lunch and Commissioner Evans excused himself for the remainder of the meeting.)

- 2012-0014 and 2012-0061: In the Matter of Osborn Nesbitt (BW):
It was motioned and approved to accept the Consent Order as presented.
*Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0*
- 2014-0070: In the Matter of Virgil Watkins, Jr. (BW):
It was motioned and approved to accept the Consent Order as presented upon receipt of original.
*Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0*
- 2015-0062: In the Matter of Mary Ann Whipple-Lue (BW):
It was motioned and approved to accept the Consent Order as presented upon receipt of original.
*Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 3 to 0*
- 2012-0047: In the Matter of Michael Ray James (RL):
It was motioned and approved to accept the Consent Order as presented.
*Motioned by: Commissioner Kreyenbuhl
Seconded by: Vice-Chair Cathey
Carried: 3 to 0*
- 2010-0061: In the Matter of Sandra Lucille Murray (RL):
It was motioned and approved to accept the Consent Order as presented.
*Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 3 to 0*

- 2016-0061PC: In the Matter of Bebe Ann S. Heiskell (RL):
It was motioned and approved to accept the Consent Order as presented.
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0

- 2012-0084: In the Matter of Vivian Creighton Bishop (BW):
It was motioned and approved to accept the Consent Order as presented.
Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 3 to 0

- 2016-0014: In the Matter of Griffin Lotson (RL):
It was motioned and approved to accept the Consent Order as presented.
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0

- 2015-0048 & 2016-0056:: In the Matter of Debra Denise Thomas (BW):
It was motioned and approved to accept the Consent Order upon receipt of original.
Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 3 to 0

- 2016-0008: In the Matter of DeKalb Strong (BW):
It was motioned and approved to accept the Consent Order as presented.
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0

ADVISORY OPINIONS

It was motioned and approved to accept as presented the following Advisory Opinions:

- A.O. 2017-01: When to Reset a Campaign Balance
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0

- A.O. 2017-02: Filing Schedule for a Term Barred Official
Motioned by: Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 3 to 0

- A.O. 2017-03: Payment of Qualifying Fee by Candidate
Motioned by: Chair Adams
Seconded by: Vice-Chair Cathey
Carried: 3 to 0

COMMENTS BY THE EXECUTIVE SECRETARY:

Executive Secretary, Stefan Ritter gave the following presentations:

- Administrative Dismissal Summaries since the last meeting were presented by Memorandum for the following:
 - ◆ 2016-0065: In the Matter of Meagan Hanson (RL)
 - ◆ 2016-0070: In the Matter of Isaac Darryl Payton (BW)
 - ◆ 2015-0064(a) &(b): In the Matter of Tucker 2015, Inc. (BW)
 - ◆ 2016-0034: In the Matter of Linda Flory, Cherokee Citizens for Qualified Law Enforcement (BW)
- Report on Case Backlog:

This year to date, we have 8 new cases, of which five (5) were received since the last meeting. As of today, over 160 backlogged cases are closed, with the exception of those in collections. This brings our total up to 100% of those cases which have been closed.
- Update on Collections Cases:

Of the fifty-four (54) cases at the Department of Law – Collections Division, we have managed to get it down to sixteen (16) open cases. Ten (10) cases are in active repayment and six (6) cases are still being acted on.
- Office Space Update:

Construction has been completed and we are now in the process of arranging the files and resolving furniture issues. An open house is anticipated when the furniture issues are resolved.
- Department of Audits – Follow-up Audit:

The Department of Audits will be doing a follow-up audit in August or September to the Audit that was done October 15, 2014. We feel confident that we have addressed and continue to address the issues brought forth in that audit.
- Employee Update:

We look to hire three (3) new employees in the near future. The Governor approved a 2% increase for salaries and pensions based on merit. Our budget appears to be stable and not suspected to go down. We have underspent for two years now, giving back approximately \$300,000 to the State, since we were unable to hire due to space issues in the past.

ATTORNEY GENERAL'S COMMENTS:

Christian Fuller gave an update on the pending cases in their office, including those that are in various stages of sending to Office of State Administrative Hearings (OSAH).

COMMENTS OF THE PUBLIC:

There were no public comments.

MEETING ADJOURNED:

It was motioned and approved to adjourn the meeting at 1:57 p.m.

Motioned by: Chair Adams

Seconded by: Vice-Chair Cathey

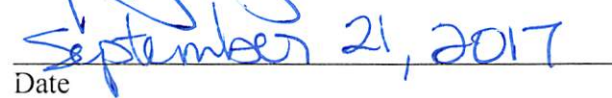
Carried: 3 to 0

Official Minutes Statement

The foregoing Minutes for the June 14, 2017 meeting of the Georgia Government Transparency and Campaign Finance Commission were approved and adopted by the Commission at the Commission's meeting on September 21, 2017.



Mary Paige Adams, Chair



Date