



# Georgia Government Transparency and Campaign Finance Commission

200 Piedmont Avenue SE | Suite 1402, West Tower | Atlanta, Georgia 30334

404-463-1980 | www.ethics.georgia.gov

## Regular Meeting | Wednesday, December 10, 2014 | 10:00 AM

# Minutes of Commission Meeting

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

### PRESENT:

#### Commission Members:

Hillary Stringfellow, Chair  
R. Lawton Jordan III, Vice Chair  
Heath Garrett, Commission Member  
Dennis Cathey, Commission Member  
Mary Paige Adams, Commission Member

#### Commission Staff:

Robert Lane, Staff Attorney  
Bethany Whetzel, Staff Attorney  
Nancy Sandberg, Legal Administrative Assistant  
Joel Perkins, IT  
Andrew Booth, IT/Videographer

#### Office of the Attorney General:

Kelley Campanella, Attorney General's Office

#### Outside Legal Counsel:

Jonathan Hawkins, Attorney

### SUMMARY OF SUBJECTS ACTED UPON:

Subject	Summary
Meeting Called to Order	<ul style="list-style-type: none"> <li>Meeting was called to order at 10:06 AM</li> </ul>
Opening Comments of the Chair	<ul style="list-style-type: none"> <li>Chair welcomed everyone.</li> <li>Chair stated that one item would be added to the Agenda: General Public Comments at the end. It was not printed on the Agenda, but the Commission will receive public comments at the end. If comments are specific and relevant to an item being discussed there will be opportunity to throughout the day to do so as appropriate</li> </ul>
Approval of Commission Meeting Minutes	<ul style="list-style-type: none"> <li>Motioned and approved to adopt the Commission Meeting minutes of September 30, 2014 as prepared with no corrections or revisions. <i>Motioned by: Commissioner Adams</i> <i>Seconded by: Commissioner Cathey</i> <i>Carried: 5 to 0</i></li> </ul>

Subject	Summary
Proposed Rules Presentation	<ul style="list-style-type: none"> <li>• Chair introduced Jonathan Hawkins as outside counsel that the Commission has previously contracted with to assist the previous staff attorney with proposed rules and Advisory Opinions to give a presentation of the proposed rules and opening documents he has produced.</li> <li>• Chair also noted that the Commission has received three (3) public comments on the proposed rules that have been properly notice by posting on our website for 30 days closing on November 7<sup>th</sup>.</li> <li>• Jonathan stated that he used the previous set of rules on the books as a starting point, taking the rules as they previously were and he reorganized, regrouped and revised them as needed. He did not want to delete, change or take away those rules without the public having an opportunity to see what was already in them and make comment. He stated that he had numerous requests through the Commission and tried to answer those requests, make new rules and placing them in the correct grouping where he felt was proper. What he has put before the Commission is a large document. He does not intend to go through each rule individually, but is open to questions and public comment.</li> <li>• Chair asked to make a general comment before taking public comment. That by studying this body of work that has been provided to the Commission prior to today' meeting, that it is not ready to adopt it in its entirety, but what she envisions after today's meeting is that there be the appointment of a subcommittee of 1 or 2 commissioners, Jonathan, and the two staff attorneys to go through each of the rules listed on the table of contents, making substantive comments and making a sort of cheat sheet with a recommendation of passage or revision to each of these proposed rules.</li> <li>• Chair stated that there is not time today to go over each rule in its entirety during the meeting and asked for public comment.</li> <li>• There was no public comment.</li> <li>• It was motioned and approved that the rules not be approved today and to grant the Chair the authority to appoint a subcommittee of one or two commissioners, Jonathan Hawkins and the two staff attorneys to revise and consider these rules, revisions and to prepare a sheet instructing passage or amendment with changes or alterations at the February meeting of the Commission. It is the intent of this subcommittee to provide specificity, guidance and recommendations to be adopted as stated or changed, so that they rules won't need amending after passage.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul>

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Advisory Opinion	<ul style="list-style-type: none"> <li>• Advisory Opinion No. 2013-03: A lengthy request and questions were submitted by Stephan Passantino of McKenna Long &amp; Aldridge, an item discussed at September 30<sup>th</sup> Commission meeting, as it deals with uniformity and clarity of identified issues working in conjunction with the previous reporting forms for Political Action Committees (PAC) and the new rules that will be coming out in the February meeting. With the questions that came out of the advisory opinion, the proposed new reporting form was created by the Commission staff and IT personnel, which incorporates and answers most of those questions raised and makes it easier to understand.</li> <li>• Jonathan Hawkins explained questions not answered in the new form that are answered in the Advisory Opinion.</li> <li>• Stefan Passantino stated that there is now clarity in the issues that were raised in his request for an Advisory Opinion. There is only one issue concerning reporting requirements if you are a PAC or outside committee in excess of \$25,000 and carryover balances from previous years and the additional proposed rule that needs clarification. He expressed that the solution to this is seek change in the Statute.</li> <li>• Motioned and approved Advisory Opinion 2013-03 with the form attached as exhibited with the instructions that the form be placed on our website and then used upon approval of the Advisory Opinion.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul>
Staff Attorney Presentations	<ul style="list-style-type: none"> <li>• Case Management -Attorney Robert Lane gave an update. At the September meeting it was noted that the Commission had a total of 213 cases open and active of which 183 were in-house and 30 cases were shown to be at the AG's office. As of December 1, 2014, there are a total of 222 open and active cases; 194 cases in-house, and 2 cases at the AG's office have been located, resolved and closed, leaving 28 cases at the AG's office being investigated as to where they are at in the process, some cases date back to 2004. We have received 16 new complaints since the September meeting of which 8 were accepted for further investigation and 8 were deemed unfounded.</li> </ul>

<b>Subject</b>	<b>Summary</b>
Staff Attorney Presentations ( <i>continued</i> )	<p>Since July 1<sup>st</sup> we have received to date 35 new complaints. We closed out 9 cases at the September meeting and will close out 40 cases in today's meeting. We have 5 or 6 cases to be referred to the Attorney General's office if found to be Probable Cause.</p> <ul style="list-style-type: none"> <li>• Chair asked that the status of the cases currently at the Attorney General's office be put on the Agenda for February to see which ones can be cleared up, find out what is in collection and where they are in the process.</li> <li>• <i>GMA Late Fees Memo</i> – Attorney Robert Lane stated that since mid-October we have received 403 self-reporting calls due to a memo that was sent out to Local filers concerning in anticipation of our office implementing random auditing of late fees, the calls are beginning to taper off. As of today, we have audited 105 of those calls to make sure late fees are correct and that their filings are correct. We have been able to rectify those filings where it is just an error of selecting the correct filing period type. We have sent 112 certified proper notices where we have found violations of late fees.</li> <li>• <i>Random Audits</i> –Attorney Robert Lane stated that they hope to implement the random audit procedure after January 1, 2015. There was some discussion about the random audit practice of previous years, which went beyond the 4 corners of the complaint. It was discussed and motioned that when a complaint is filed, the commission would audit what is necessary to investigate that complaint, but not every filing of the person that is the subject of the complaint as was done in the past. Making that shift in policy allows the commission to stay within the statutory scheme of the law and rules of the complaint and do the random audits within the law to maximize compliance and to not discourage self-reporting.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul> <p>“As a policy of this Commission, when a complaint is received, we should audit filings that is necessary to investigate that complaint thereto, but it is not necessary to audit every filing of an individual who is the subject of the complaint. And rather it is our hope and practice that it will allow us to commence random audits beginning January 1<sup>st</sup>, 2015. Which will probably be the first time in the last five years we have been able to undertake the way an audit is produced truthfully, the only way it should be and the way this commission carries out its own investigative authority.”</p>

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Subject	Summary
<p>Staff Attorney Presentations (<i>continued</i>)</p>	<ul style="list-style-type: none"> <li>• Chair asked to be noted for the record, “that this is a positive change in our commission, we are most appreciative of the input from both of the staff attorneys and the auditor. I think that it is really a positive way forward.”</li> <li>• <i>Late Fee Update</i>- Attorney Robert Lane gave an update on the Fees collected since July 1, 2014, the beginning of the 2015 Fiscal Year. <ul style="list-style-type: none"> <li>○ Late Fees (CCDR/PFDS): <ul style="list-style-type: none"> <li>Total Collected: \$43,100.00</li> <li>Total Remitted to Treasury: \$34,675.00</li> <li>Total Retained: \$8,425.00</li> </ul> </li> <li>○ Total Collected: \$6,480</li> <li>○ Total Remitted to Treasury: \$5,780.00</li> <li>○ Total Retained: \$700.00 Lobbyist Registration and Late Fees: <ul style="list-style-type: none"> <li>Total Collected: \$6,480</li> <li>Total Remitted to Treasury: \$5,780.00</li> <li>Total Retained: \$700.00</li> </ul> </li> <li>○ Civil Penalties: \$6,950.00 (All remitted to the Treasury)</li> <li>○ Miscellaneous Retained Revenue from copies and Open Records Act: \$346.42</li> </ul> </li> <li>• Chair, Hillary Stringfellow took a moment out of the meeting to recognize and introduce the Auditor, Natalie Harper (who had previously been out of the room) and the newly hired Office Administrator, Erwin Yap.</li> <li>• The chair reminded the audience that at the last meeting in September, there were 5 or 6 late fee appeals that had previously been denied by commission staff that had sought further review and consideration from the Commission. She had asked Ms. Whetzel to do in the interest of continuity and treating everyone the same, to go back a look at what the commission’s criteria was/is and if there was none to develop criteria. The Commission has authority to waive or reduce late fees on two grounds, one is by financial hardship and the other is by undue hardship on the filer. Ms. Whetzel was asked to be prepared today to share the criteria that she would propose on the Matrix for considering those late fee waivers so that everyone asking for a waiver would be asked to submit the same documentation and evidence of proof and then after we adopt this criteria.</li> </ul>

Subject	Summary
Staff Attorney Presentations ( <i>continued</i> )	<ul style="list-style-type: none"> <li>• There are 81 pending waiver request that she can then immediately submit using the criteria as proposed, to be adopted by the Commission and get those cleared up rather quickly.</li> <li>• <i>Late Fees Waivers</i>- Attorney Bethany Whetzel explained that at the last meeting she gave a brief overview of late fees and as Robert mentioned the Late Fees amounts collected. As a result of people self-reporting, we have also had a spike in the number of late fees. As the Chair stated, the Commission has authority to waive or suspend late fees when the imposition of such fee would pose an undue hardship or if there are no items to be included in the report. We have determined that an undue hardship is when a filer’s current financial circumstances make paying a late fee an undue hardship or that due to personal circumstances the filer suffered an undue hardship at the time of the filing. She then gave an update of the statistics as of December 1<sup>st</sup>, that there have been 213 hardship waivers submitted. Of those: <ul style="list-style-type: none"> <li>○ Denied: 108 (However, many lobbyist late fees were reduced to the initial late fee.)</li> <li>○ Granted: 16</li> <li>○ Partially Granted and Denied: 6</li> <li>○ Deemed Unnecessary: 2</li> <li>○ Currently Pending: 81 (After review, more than half of these will be denied using the criteria proposed.)</li> </ul> </li> <li>• <i>Proposed Criteria for Financial Hardship Waivers</i> – Attorney Bethany Whetzel presented the proposal that the documentation provided by the filer for financial hardships comprise of current tax returns and bank statements for the last 6 months; and then they can provide any other documentation that would support their hardship waiver such as, bankruptcy proceedings, debt recovery, payment programs or excessive medical bills, something that is out of the ordinary. The criteria for granting a hardship waiver would be that the total of late fees would exceed 33% of their monthly net income, so that the late fees would have to exceed 1/3 of their monthly net income for there to be some kind of waiver granted. If the late fees exceed the 33% of monthly net income, it is not a “get out of jail free card”, the filer would have to pay some kind of penalty and we would waive the fee to an amount less than the 33%. That is the proposed criteria for financial hardships. This is a starting point as to where to begin in a way to try to be fair to everyone who presents a financial hardship. The commission asked what documents would be required to be submitted</li> </ul>

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Subject	Summary
<p>Staff Attorney Presentations (<i>continued</i>)</p>	<p>Ms. Whetzel responded a current tax return and bank statements for the last 6 months, in order to get a clear picture of the filer’s financial position. The Commissioners inquired as to whether the filer must sign an affidavit, Ms. Whetzel affirmed that they are required to sign an affidavit and that in the past there was no requirement for documentation, and that the filer would be taken on their word if they were to say they were on a fixed income. The Chair, suggested that the Late Fee Hardship Waiver form should be revised to include the documentation requirements, that way if one is filing a hardship waiver on a financial basis the filer could just go ahead and attach the documentation at the time they file the request. Commissioner Garrett asked that there be a quarterly report to see whether this proposed matrix continues to work. Also Ms. Whetzel noted that the form has been revised, as have the instructions to be posted to the website upon approval of the criteria.</p> <ul style="list-style-type: none"> <li>• She also noted that the appeal process remains the same, so if someone was not pleased with the decision that the staff made, they would have an opportunity to appeal it to the Commissioners. These fees only apply with a late filing of their CCDR, their Personal Financial Disclosure report or if they are a registered Lobbyist with late Disclosure Reports. It was <b>motioned and approved</b> to accept the proposed criteria for Hardship Waivers in regard to granting Late Fee Waiver Requests for Financial Reasons as presented.                     <p style="margin-left: 40px;"><i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></p> </li> <li>• <i>Proposed Criteria for Undue Hardship Waivers</i> – Ms. Whetzel explained that with an Undue Hardship something occurs at the time of the filing that circumstances out of the filers control that prevents or causes a filer to miss the filing deadline. The hardship should have occurred or be ongoing on or about the filing deadline. For undue Hardship waivers the filer must provide evidence that caused them to miss the deadline, focusing in on showing that the hardship should have occurred or should have been ongoing on or about the filing deadline. Examples of undue hardship would be ongoing medical treatment, a medical emergency, a death in the family, or a natural disaster.</li> </ul>

Subject	Summary
Staff Attorney Presentations ( <i>continued</i> )	<p>So there is really not hard and fast criteria for the evidence portion of the hardship waiver. It is just that they have to provide some documentation to support the evidence of an undue hardship. The chair asked for comments. Doug Chalmers raised the question if it will be applied prospectively or retroactively to old waivers or new waivers. The chair stated that what she had asked Ms. Whetzel to do was to take the 81 current waiver requests that have not been considered and the waivers that were previously denied and are waiting the appeal process. She asked to take the 81 in totality and apply the proposed criteria to them and to grant those that the criteria apply and deny those that would be denied. She reminded everyone that if they are dissatisfied with the results, then they still have the right to file an appeal. It was <b>motioned and approved</b> to accept the proposed criteria for hardship Waivers in regard to granting Late Fee Waiver Request for reasons of Undue Hardship.</p> <p style="text-align: center;"><i>Motioned by: Commissioner Garrett</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></p> <ul style="list-style-type: none"> <li>• <i>Zero Report Waiver</i> – Ms. Whetzel stated that the commission has the discretion to waiver Late Fees when a filer has nothing to report on the next report. This would only apply to Campaign Contribution Disclosure Reports and Lobbyist Disclosure Reports. What is being proposed is that when the filer request that a fee be waived, that they must request in writing that the fee be waived because the filer had nothing to report. The late fee waiver would only be considered if the delinquent report has been filed prior to receiving a notice of the late fees. It is proposed that this would be applied only to CCDRs due after April 20, 2012 and in that a maximum of three late fees will be waived, because although someone may not have something to report they do have a duty to make that report, and three late fees is half of an Election Cycle, which is a good cut-off point. There was discussion amongst the Commissioners as to different scenarios and contact off filers with late reports, which is being coordinated with the commission’s IT department. Ms. Whetzel stated that this proposed criteria deals more with Candidate than it does with others as they are the ones who are stating that they had nothing to report, a zero report. They do receive notices that their reports are due. The Chair stated that we could leave the Zero Report Waivers at three with the staff to grant and if there were more than three, that they be placed on the Agenda for the next Quarterly meeting to be brought before the Commissioners for their consideration.</li> </ul>

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Subject	Summary
<p>Staff Attorney Presentations (<i>continued</i>)</p>	<p>It was <b>motioned and approved</b> to accept the proposed Zero Report waiver.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></p> <ul style="list-style-type: none"> <li> <p><i>Proposed Waiver of Late Fees Incurred Prior to January 15, 2011 or Outside the Statute of Limitations</i></p> <p>– Ms. Whetzel stated that they noticed that they still have a lot of \$75 late fees for the years 2005, 2008 and 2009, where we don't retain any of the late fees prior to 2011 and most importantly it is out of the Statute of Limitations as per O.C.G.A. §21-5-13. Thru our computer system we are able to put a code in where any Late Fee that is outside the statute of limitation would be waived or forgiven, that way we wouldn't be seeking collection on late fees that are outside the statute of limitations. There are two ways that can happen, one would be to waive the fees for report late filed for 2005 thru 2010 and/or you can waive the late fees just outside the statute of limitation, because there are two different statutes of limitations depending on your status as a public official, local or county commissioner are elected for 4 years and their statute of limitations is 5 years, state wide are 5 years, and legislators the statute of limitations is 3 years, because they are only in office for two years. It can be crafted in a way that where the candidates with a 4 year term that we would only forgive outside the 5 years.</p> <p>For the offices with only 2 year terms we would only be seeking Late Fees 3 years back. Commissioner Cathey stated that the late fees are already time barred since they are outside the statute of limitations and should be purged from the system, we have essentially waived them due to inaction. Commissioner Adams stated that she has to agree with Commissioner Cathey and that it is the appropriate action to follow the statutes on this and waive by inaction. The chair granted that it would be okay to not pursue these late fees that are outside the statute of limitations and to take them out of the system, so that they are not showing on our website as being outstanding. Commissioner Garrett inquired if this applies to any of the 213 cases, to which Ms. Whetzel replied no, it does not apply to any of the cases and that with the audits that they do not go outside the statutes of limitations.</p> </li> </ul>

<b>Subject</b>	<b>Summary</b>
Order to Day Renewal of Registration for Lobbyist with Unpaid Late Fees, Fines, or Unfiled Reports	<ul style="list-style-type: none"> <li>• It was motioned and approved to deny lobbyist renewal for the calendar year of 2015 to each person registered with current outstanding late fees, fines and/or unfiled reports and not currently under appeal.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Garrett</i>  <i>Carried: 5 to 0</i></li> </ul>
Administrative Dismissals voted on by the Commission	<ul style="list-style-type: none"> <li>• Administrative Dismissals – motioned and approved by the Commission: <ul style="list-style-type: none"> <li>○ 2012-0001NJ – SGSDFG  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 4 to 0 (Commissioner Garrett had stepped out of the room for a phone call)</i></li> <li>○ 2012-0054 – South Forsyth Conservative Voters Guide  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2013-0052 – Paul Tamaroff, et al  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0035 – Better Georgia Inc.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul> <p>It was motioned and approved to grant through proposed Consent Order Attorney Fees for Better Georgia Inc. - Dr. Burnham is to pay \$500 the respondent Better Georgia Inc. to offset respondent's attorney fees, and to adopt the proposed Consent Order.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></p> </li> </ul>
Break for Lunch and Executive Session	<ul style="list-style-type: none"> <li>• Motioned and approved to break for lunch at 11:57 AM and enter into executive session to discuss personnel at 11:57 AM.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>• It was motioned and approved exit Executive Session and reconvene the Regular Meeting at 12:55 PM.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul>

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Break for Lunch and Executive Session ( <i>continued</i> )	<ul style="list-style-type: none"> <li>• From the Executive Session a motion from closed session was made and approved to open the Executive Director/Secretary position, to begin the process of acceptance of applications from December 15, 2014 to January 15, 2015 and for the position to be filled as soon as practical.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul>
Public Comments from those who are unable to stay for the Public Comments at the end.	<ul style="list-style-type: none"> <li>• Mr. William Perry of Common Core to applaud the work of the Staff Attorneys and that it is exciting to see the Commission functioning again, especially after such a long time, and that they are taking the steps to move forward and not to get to comfortable not to take steps backward. He advocated the Commissioners to look into considering waivers for Zero reporting because of the broadening of Lobbyist and the question of what a Lobbyist is, advocating for those who register, but may have a small expenditure, say for gas, that may need only to report once a year for those.</li> </ul>
Administrative Dismissals voted on by the Commission ( <i>Continued from prior to break for Lunch/Executive Session</i> )	<ul style="list-style-type: none"> <li>• Returned to the Administrative Dismissals remaining, the following Administrative Dismissals were motioned and approved:                         <ul style="list-style-type: none"> <li>○ 2012-0050 – Brandon Beach  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Adams</i>  <i>Carried: 5 to 0</i></li> <li>○ 2013-0027 - Real Pac Inc. (Motion was approved with the preface that each and every allegation by the complainant brought before the Commission has been thoroughly investigated, found to be without merit and, thus the Commission moves for Administrative Dismissal)  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul> </li> </ul>

Subject	Summary
<p>Motion for Attorney's Fees voted on by the Commission</p>	<ul style="list-style-type: none"> <li>• Motion for Attorney's Fees: <ul style="list-style-type: none"> <li>○ 2013-0035 – Better Georgia Inc. Motion for Attorney's Fees was already adopted through Consent Order during the Administrative Dismissal prior to the lunch break. Previously it was motioned and approved to grant through proposed Consent Order Attorney Fees for Better Georgia Inc. - Dr. Burnham is to pay \$500 the respondent Better Georgia Inc. to offset respondent's attorney fees <i>Motioned by: Commissioner Jordan</i> <i>Seconded by: Commissioner Cathey</i> <i>Carried: 5 to 0</i></li> <li>○ 2014-0005- Kay K. Allen At the September meeting it was decided to continue to this meeting in order to personally serve and determine the reason the Complainant was unable to appear at the September meeting, before deciding whether to award attorney's fees, and to look at whether Mr. Johnson's act in filing the complaint was frivolous. There was a motion to split the fees and award 40% attorney fees of \$1,347.50, there was no second and the motion died. <i>Motioned by: Commissioner Jordan</i> <i>Seconded by: No Second</i> <i>Not Carried – Motion Died</i> A second motion was made to find the complaint not frivolous and to deny the award of attorney fees; and to direct the commission attorneys during the rule making process to define "frivolous" under the Act moving forward. The motion to deny attorney fees was approved. <i>(Chair, Hillary Stringfellow abstained from the vote)</i> <i>Motioned by: Commissioner Garrett</i> <i>Seconded by: Commissioner Cathey</i> <i>Carried to Deny: 3 to 1</i></li> </ul> </li> </ul>
<p>Motion to Reattach Respondent – Carolyn Cosby to Citizen's Review &amp; Recommendation Committee</p>	<ul style="list-style-type: none"> <li>• Motion to Reattach Carolyn Cosby to 2012-0032 Citizen's Review &amp; Recommendation Committee: <ul style="list-style-type: none"> <li>○ The Chair asked that it be noted for the record, that Ms. Cosby received timely notice of today's hearing about the matter before the commission, but she has been engaged with the commission attempting to set aside, undo, postpone, delay her attendance today, none of which was granted as with merit. And then the doctor's excuse that came in last night provide the most recent attempt.</li> <li>○</li> </ul> </li> </ul>

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Subject	Summary
<p>Motion to Reattach Respondent – Carolyn Cosby to Citizen’s Review &amp; Recommendation Committee  <i>Continued)</i></p>	<ul style="list-style-type: none"> <li>○ The Chair doesn’t see any reason to delay the hearing since Ms. Cosby has been properly noticed. She has five items before the commission today, and she is not present. After asking if there was an objection, finding no objection, the commission proceeded.</li> <li>● On April 24, 2013 this case came before the Commission to remove the respondent and find Probable Cause to refer to the Attorney General. Counsel misrepresented Ms. Cosby’s part; additional evidence was found that she was chairman of Citizen’s Review &amp; Recommendation Committee. The case was procedurally and properly referred to the Attorney General’s office. It was motioned and approved to reattach Carolyn Crosby to the case 2012-0032 Citizen’s Review &amp; Recommendation Committee.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul>
<p>Preliminary Hearing for Probable Cause voted on by the Commission</p>	<ul style="list-style-type: none"> <li>● Preliminary Hearing for Probable Cause:                         <ul style="list-style-type: none"> <li>○ 2014-0036 - Carolyn Cosby &amp; Canton Tea Party, which is the same facts and circumstances as 2012-0033, which we found probable cause to refer to the Attorney General’s office, it is a continuation of the same. <b>Motioned and approved</b> to refer to the Attorney General’s Office for prosecution with the finding of Probable Cause  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0045 &amp; 2014-0046 are being combined for presentation as they are interconnected.</li> </ul> </li> <li>2014-0045 – Carolyn Cosby &amp; Expose Bobo Boondoggle Now                      Motioned and approved to refer to the Attorney General’s Office for prosecution with the finding of Probable Cause  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul>

<b>Subject</b>	<b>Summary</b>
Preliminary Hearing for Probable Cause voted on by the Commission ( <i>continued</i> )	<p>2014-0046 – Carolyn Cosby &amp; Citizen’s to Oppose Spiraling Taxation (COST, LLC) Motioned and approved to refer to the Attorney General’s Office for prosecution with the finding of Probable Cause  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></p> <ul style="list-style-type: none"> <li>○ 2013-0003 Larry Evans  Motion and approved to assess \$1,575 Late Fees and Civil Penalty of \$3,900 with final Civil Penalty payment due June 1, 2016 and adopt Consent Order as presented  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0001 &amp; 2014-0064 Robert L. Henderson  Motion and approved to delay vote on Probable Cause until February meeting, put on the Agenda for February meeting unless they are resolved by Consent Order.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Adams</i>  <i>Carried: 5 to 0</i></li> <li>○ 2012-0057 William Hendrix  Motioned and approved to refer to the Attorney General’s Office with finding of Probable Cause, with Attorney Robert Lane reaching out to respondent for a last 30 day opportunity at resolving by Consent Order.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Adams</i>  <i>Carried: 5 to 0</i></li> </ul>
Break	A break was taken at 3:03 PM and the meeting resumed at 3:11 PM.
Compliance Orders voted on by the Commission	<ul style="list-style-type: none"> <li>● Compliance Orders: <ul style="list-style-type: none"> <li>○ 2014-0044 &amp; 2014-0045 Karen Handel  Motioned and approved to adopt as presented.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0029 Darlene Taylor  Motioned and approved as presented.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul> </li> </ul>

# Georgia Government Transparency and Campaign Finance Commission

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Subject	Summary
Consent Orders voted on by the Commission <i>(continued)</i>	<ul style="list-style-type: none"> <li>• Consent Orders:                             <ul style="list-style-type: none"> <li>○ 2013-0055 Thomas Wilson                                      Motioned and approved to assess \$550 Civil Penalty.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2010-0060PC – Larry Chisholm                                      Motioned and approved to assess \$750 Civil Penalty.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0038 James Orlando Sells                                      Motioned and approved to assess \$750 Late Fees and \$1,200 Civil Penalty.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>○ 2011-0063 H. Ford Gravitt                                      Motioned and approved to assess \$600 Civil Penalty.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2014-0024 &amp; 2014-0026 Anthony “Tony” Crowe                                      Motioned and approved to assess \$100 Civil Penalty.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> <li>○ 2013-0054 Paul McCorkle                                      Motioned and approved to assess \$125 in Penalties and \$200 Civil Penalty.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul> </li> </ul>

Subject	Summary
<p>Consent Orders voted on by the Commission <i>(continued)</i></p>	<ul style="list-style-type: none"> <li>• Consent Orders: <ul style="list-style-type: none"> <li>○ 2014-0050 Helen Goreham Motioned and approved to assess \$375 Late Fees and \$900 Civil Penalty. <i>(Commissioner Garrett recused himself from the vote)</i> <i>Motioned by: Commissioner Cathey</i> <i>Seconded by: Commissioner Jordan</i> <i>Carried: 4 to 0</i></li> <li>○ 2014-0009 Michael E. Williams Motioned and approved to assess \$125 Late Fees and \$250 Civil Penalty. <i>Motioned by: Commissioner Jordan</i> <i>Seconded by: Commissioner Cathey</i> <i>Carried: 5 to 0</i></li> <li>○ 2013-0035 &amp; 2012-0077 Richard Stanoff Motioned and approved to assess \$125 Late Fees and \$200 Civil Penalty. <i>Motioned by: Commissioner Garrett</i> <i>Seconded by: Commissioner Jordan</i> <i>Carried: 5 to 0</i></li> <li>○ 2013-0050 Clay Kissner Motioned and approved to assess \$625 Late Fees and \$2,000 Civil Penalty. <i>Motioned by: Commissioner Adams</i> <i>Seconded by: Commissioner Garrett</i> <i>Carried: 5 to 0</i></li> <li>○ 2012-0076 (A)(B) Russell Davis Motioned and approved to assess \$500 Late Fees and \$400 Civil Penalty. <i>Motioned by: Commissioner Cathey</i> <i>Seconded by: Commissioner Jordan</i> <i>Carried: 5 to 0</i></li> <li>○ 2013-0044 &amp; 2013-0045 Matthew Riedemann Motioned and approved to assess \$125 Late Fees and \$400 Civil Penalty. <i>Motioned by: Commissioner Cathey</i> <i>Seconded by: Commissioner Jordan</i> <i>Carried: 5 to 0</i></li> <li>○ 2014-0020 Don Clark Motioned and approved to assess \$250 Civil Penalty. <i>Motioned by: Commissioner Adams</i> <i>Seconded by: Commissioner Jordan</i> <i>Carried: 5 to 0</i></li> </ul> </li> </ul>

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Subject	Summary
Consent Orders voted on by the Commission <i>(continued)</i>	<ul style="list-style-type: none"> <li>• Consent Orders:                             <ul style="list-style-type: none"> <li>○ 2012-0071 Brian Walton Whiteside                                      Motioned and approved to assess \$625 Late Fees and \$1,600 Civil Penalty.  <i>Motioned by: Commissioner Adams</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> <li>○ 2012-0074 &amp; 2013-0033 Benjamin “Randy” Newman                                      Motioned and approved to assess \$150 Civil Penalty.  <i>Motioned by: Commissioner Jordan</i>  <i>Seconded by: Commissioner Cathey</i>  <i>Carried: 5 to 0</i></li> </ul> </li> </ul>
Public Comments	<ul style="list-style-type: none"> <li>• Comments were received by Lydia Tisdale, who presented the Commission with a copy of the newest edition of the Georgia Sunshine Laws.</li> <li>• Commissioner Dennis Cathey commended the entire staff and attorneys on the case load management and that the commission is back to working as it should.</li> </ul>
Meeting Adjourned	<ul style="list-style-type: none"> <li>• Meeting motioned and adjourned at 3:34 PM.  <i>Motioned by: Commissioner Cathey</i>  <i>Seconded by: Commissioner Jordan</i>  <i>Carried: 5 to 0</i></li> </ul>

## Official Minutes Statement

The foregoing Minutes for the December 10, 2014 meeting of the Georgia Government Transparency and Campaign Finance Commission were approved and adopted by the Commission at the Commission’s meeting on ~~February 25~~, 2015.

*March 26,*

*Hillary Stringfellow*  
 \_\_\_\_\_  
 Hillary Stringfellow, Chair

*March 26, 2015*  
 \_\_\_\_\_  
 Date

County of Fulton,  
State of Georgia

Affidavit of Presiding Officer

**GEORGIA GOVERNMENT TRANSPARENCY  
AND CAMPAIGN FINANCE COMMISSION**

Personally appeared before the undersigned officer, duly authorized to administer oaths, Hillary Stringfellow, Chair of the Georgia Government Transparency and Campaign Finance Commission (the "Commission"), who, being sworn, states the following under oath:

1.

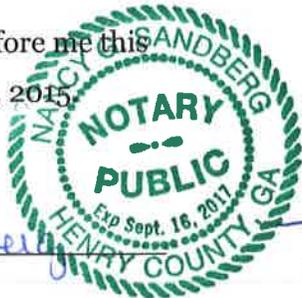
I am the Chair of the Commission. I am giving this Affidavit as required by O.C.G.A. § 50-14-4(b) to explain the closing to the public a part of a meeting of the Commission. I have personal knowledge of the fact stated in this Affidavit.

2.

On December 10, 2014, the Commission met in an open meeting in room 606 at the Coverdell Legislative Office Building in Atlanta and I presided. By a vote of 5 to 0, the Commission closed a portion of its meeting to the public in order to discuss and deliberate upon personnel. No other topic was discussed during the closed portion, over which I presided. The meeting was closed in accord with the specific exception to open meetings under O.C.G.A. § 50-14-3(6) ("Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee...").

Sworn to and subscribed before me this

26<sup>th</sup> day of March, 2015



Nancy G. Sandberg  
Notary Signature  
Nancy G. Sandberg, Notary Public  
Notary Print Name

Hillary Stringfellow  
Hillary Stringfellow, Chair  
Georgia Government Transparency and  
Campaign Finance Commission

My Commission expires Sept. 16, 2017