

**STATE ETHICS COMMISSION
205 Jesse Hill Jr. Drive, S.E.
Suite 478 – East Tower
Atlanta, Georgia 30334**

AGENDA

LOCATION: Douglas County Courthouse
Citizen's Hall
Douglasville, Georgia

DATE: January 4, 2006

TIME: 10:00 a.m.

HEARINGS

In the Matter of John Oxendine.....A

**In the Matter of Dahlberg, Pitts, Silverman, Collins, Bickers, Amos,
Daniels, and Pitts Campaign 2001 (Continued).....B**

In the Matter of Lawton G. Taylor.....C

In the Matter of Laura Searcy.....D

REGULAR MEETING

Meeting called to order

Reading & approval of the Minutes.....E

In the Matter Charles Walker.....F

Comments from the Attorney General's Office

Report of the Executive Secretary

Future Commission Meeting Date

State Ethics Commission Meeting Continued:

Election of Officers

Executive Meeting

**MINUTES OF THE
STATE ETHICS COMMISSION
MEETING HELD**

**January 4, 2006
Douglas County Courthouse
Citizen's Hall
Douglasville, Georgia**

Present:

**Steve Farrow, Chairman
Jack Williams, Vice Chairman
Emmett Bowers
David Moskowitz
Sonny Watson**

The meeting commenced at approximately 10:06 a.m.

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

IN THE MATTER OF LAWTON TAYLOR

CASE NO. 2004-0043

The Commission adopted a Consent Order finding violations and assessing civil penalties of \$2,250.00.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Watson

IN THE MATTER OF JOHN OXENDINE

CASE NO.'s 060-00-004-001-02, 2002-0074, 2002-0075, 2003-0055, 2004-0052

The Commission dismissed the two allegations that the Respondent had violated State Ethics Commission Rule 189-3-.01.

Motion made by Mr. Williams
Carried Unanimously

Seconded by Mr. Bowers

A motion was made to set the allegation that the Respondent had violated O.C.G.A. § 21-5-33 and § 21-5-34 for an Administrative Procedure Act hearing. The motion did not carry, and the allegation was dismissed.

Motion made by Mr. Williams
In favor: Moskowitz, Williams
Opposed: Farrow, Watson, Bowers

Seconded by Mr. Moskowitz

The Commission dismissed the three allegations that the Respondent had violated

the "ordinary and necessary" requirements of O.C.G.A. § 21-5-33.

Motion made by Mr. Bowers
In favor: Bowers, Watson, Williams
Opposed: Moskowitz, Farrow

Seconded by Mr. Watson

The Commission dismissed the allegation that the Respondent had violated State Ethics Commission Rule 189-3-.01.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Bowers

The Commission dismissed the allegation that the Respondent had violated State Ethics Commission Rule 189-3-.01.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Farrow

The Commission dismissed the remaining two allegations that the Respondent had violated State Ethics Commission Rule 189-3-.01.

Motion made by Mr. Bowers
In favor: Bowers, Watson, Farrow, Williams
Opposed: Moskowitz

Seconded by Mr. Watson

IN THE MATTER OF LAURA SEARCY

CASE NO. 2003-0018

A motion was made to clarify the Commission's sanction of the Consent Order in Case No. 2003-0018 as a final order for the Respondent to pay the school board for all previous attorneys fees, including an additional amount of \$1,554.95. The motion did not carry, and the matter was dismissed.

Motion made by Mr. Moskowitz
In favor: Moskowitz
Opposed: Farrow, Williams, Bowers, Watson

Seconded by Mr. Williams

REGULAR MEETING

The Commission adopted the Findings of Fact and Conclusions of Law reached in the Administrative Procedure Act hearings as the Findings of Fact and Conclusions of Law of the State Ethics Commission.

Motion made by Mr. Watson
Carried Unanimously

Seconded by Mr. Williams

The minutes of the November 17, 2005 meeting were approved as presented.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Bowers

NEW BUSINESS

GEORGE ANDERSON V. CHARLES WALKER

CASE NO. 2005-0010

Due to the Respondent's recent criminal conviction and sentencing, the Commission voted to dismiss the pending case.

Motion made by Mr. Williams
Carried Unanimously

Seconded by Mr. Bowers

REPORT OF THE EXECUTIVE SECRETARY

The Executive Secretary briefed the Commission on the upcoming legislation of H.B. 48, set to commence on January 9, 2006. The Executive Secretary emphasized the budgetary constraints and other burdens on the Commission due to the enactment of the legislation without inclusion of a fiscal note. It was also mentioned that the legislature would be petitioned for a supplemental budget, and that the requested appropriations would need to be continued into the next few years to ensure smooth and continuous operation.

FUTURE MEETING DATE

The Commission set February 23, 2006 as the next meeting date.

ELECTION OF OFFICERS

The Commission voted to table the issue of election of officers indefinitely.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Williams

EXECUTIVE SESSION

The Commission voted to meet in an Executive Session to discuss personnel matters.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Watson

Following the return of the Commission members to the regular meeting room, the Commission voted to reconvene in the Open Meeting.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Williams

The Commission decided by majority vote to terminate C. Theodore Lee as Executive Secretary of the State Ethics Commission.

Motion made by Mr. Bowers

Seconded by Mr. Watson

*In favor: Farrow, Williams, Bowers, Watson
Opposed: Moskowitz*

The Commission voted to meet in a second Executive Session to discuss personnel matters.

Motion made by Mr. Moskowitz

Seconded by Mr. Williams

Carried Unanimously

Following the return of the Commission members to the regular meeting room, the Commission voted to reconvene in the Open Meeting.

Motion made by Mr. Watson

Seconded by Mr. Williams

Carried Unanimously

The Commission voted to promote Rick Thompson to the position of Interim Executive Secretary with an annual salary of \$85,000.

Motion made by Mr. Bowers

Seconded by Mr. Williams

Carried Unanimously

The meeting adjourned at approximately 4:33 p.m.



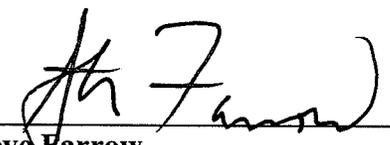
**Rick Thompson
Interim Executive Secretary**

Official Minutes Statement

The foregoing Minutes for the January 4, 2006 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on February 23, 2006.

STATE ETHICS COMMISSION

By:


**Steve Farrow
Chairman**

STATE OF GEORGIA

COUNTY OF FULTON

**AFFIDAVIT SUPPORTING CLOSING
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

COMES NOW, Steve Farrow, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of these statutory requirements outlined above.

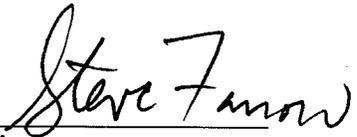
1. I am the presiding officer of the State Ethics Commission.
2. I am over the age of 18 and in all over aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **January 4, 2006** this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed.

To conduct a meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action, dismissal or periodic evaluation or rating of a public officer or employee, except for the receipt of evidence, the taking of any vote on said issue and any discussion of filling a vacancy on this entity. O.C.G.A. § 50-14-3(6).

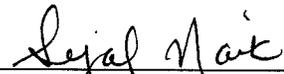
FURTHER THE AFFIANT SAYETH NOT.

State Ethics Commission

By:


Chairman

Sworn to and subscribed before me
This 30th day of ~~October~~, 2006.
November


Signature of Notary Public

Sworn to, and subscribed, before me this
23rd day of February, 2006

Virginia R. Morris
NOTARY PUBLIC

My Commission Expires: Notary Public Douglas County, Georgia
My Commission Expires July 8, 2008
[SEAL]

STATE OF GEORGIA

COUNTY OF DOUGLAS

AFFIDAVIT OF CHAIRMAN

STEPHEN B. FARROW, Chairman of the State Ethics Commission, being duly sworn, states under oath that the following is true and accurate:

-1-

The State Ethics Commission met in a duly advertised meeting on January 4, 2006.

-2-

During such meeting, the Council voted to go into executive session on two occasions.

-3-

The Meeting of the State Ethics Commission was called to order at 10:00 a.m.

-4-

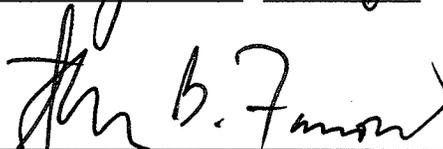
The subject matter of the two closed portions of the meeting were both devoted entirely to the following matters within the exceptions provided in the open meeting law:

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of State Ethics Commission employees as provided in O.C.G.A. § 50-14-3(6);

-5-

No evidence was received nor hearing of argument on any charges against any employee while the Commission was in executive session. Any votes on these matters were taken in public and minutes of the public meeting are available to the public.

This 23rd day of February, 2006.



STEPHEN B. FARROW
Chairman, State Ethics Commission