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

AGENDA

PLACE: Citizens Hall  
       Douglas County Courthouse  
       Douglasville, Georgia

DATE: January 7, 2005

TIME: 10:00 a.m.

HEARINGS

In the Matter of Vernon Jones ................................................. A

In the Matter of Bill Stephens ................................................ B

In the Matter of Sonny Perdue ................................................. C

REGULAR MEETING

Meeting called to order

Reading & approval of the Minutes of November 19, 2004  
Meeting ................................................................. D
Old Business:

George Anderson v Tommy Irvin ............................................. E - F
George Anderson v Stan Watson .......................................... G
George Anderson v John Oxendine ...................................... H - M

New Business:

Neill Herring v Randy Brogdon............................................. N
Bobby Kahn v John Conger ................................................ O
United Distributors (Probable Cause) ................................. P
VOLPAC (Probable Cause) .................................................. Q

Request for Finding of Probable Cause to Open an Investigation

Comments from the Attorney General’s Office

Report of the Executive Secretary

Future Commission Meeting Date
MINUTES OF THE
STATE ETHICS COMMISSION
MEETING HELD
January 7, 2005

Present:
Sam G. Nicholson, Chairman
Steve Farrow, Vice Chairman
Jack Williams
Emmett Bowers
David Moskowitz

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

IN THE MATTER OF VERNON JONES                                CASE #2004-0008
The complaint alleging a violation of the prohibition of agency of government
contributions by means of a website link to the Respondent’s re-election campaign
was dismissed.

Motion made by Mr. Moskowitz                                    Seconded by Mr. Williams
Carried Unanimously

CASE # 2003-0019
The Commission adopted a Consent Order in which the Respondent admitted
violations including contribution limit violations. The sanction called for remedial
action including refunding contributions over the limits and the payment by the
Respondent of a $7,500.00 civil penalty from personal funds.

Motion made by Mr. Moskowitz                                    Seconded by Mr. Farrow
Carried Unanimously

IN THE MATTER OF BILL STEPHENS                                   CASE #2003-0021
The Commission heard cross-motions to enforce settlement agreement, and the
Commission adopted the language of the version of the Consent Order put forth by
counsel for the Respondent.

Motion made by Mr. Nicholson                                    Seconded by Mr. Farrow
In Favor: Mr. Nicholson, Mr. Farrow, Mr. Williams, Mr. Bowers
Opposed: Mr. Moskowitz
IN THE MATTER OF SONNY PERDUE CASE # 2004-0002
This matter was continued by agreement of counsel.

REGULAR MEETING

The Commission adopted the Findings of Fact and Conclusions of Laws 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. Farrow Seconded by Mr. Bowers
Carried Unanimously

The minutes of the November 17, 2004 meeting were approved as presented.

Motion made by Mr. Moskowitz Seconded by Mr. Farrow
Carried Unanimously

OLD BUSINESS

GEORGE ANDERSON v TOMMY IRVIN: The Commission adopted a Consent Order covering Case No. 2002-0073 and Case No. 2003-0048. The Consent Order dismissed an allegation of accepting a contribution from a regulated entity, and it found violations of O.C.G.A. § 21-5-33 by making expenditures from campaign funds for unauthorized purposes. The Respondent was ordered to file appropriate amendments, and he was required to repay his campaign from personal funds for various expenditures totaling $7,893.53.

Motion made by Mr. Farrow Seconded by Mr. Moskowitz
Carried Unanimously

GEORGE ANDERSON v STAN WATSON CASE #2003-0056
Based on a letter from counsel for the Respondent received in the afternoon of the day before the hearing, the Commission agreed to a third and final continuance of the matter.

Motion made by Mr. Bowers Seconded by Mr. Williams
Carried Unanimously
GEORGE ANDERSON v JOHN OXENDINE: The Commission adopted a Consent Order in Case No. 060-98-002-02-02. The Consent Order ordered payment of $750.00 in civil penalties for violations by accepting a contribution made on behalf of a regulated entity and for failing to disclose occupations of in-kind contributors.

Motion made by Mr. Moskowitz  
Carried Unanimously

Seconded by Mr. Bowers

The following matters were continued by agreement:
  Case # 060-00-004-01-02
  Case # 2002-0074
  Case # 2002-0075
  Case # 2003-0055
  Case # 2004-0052
  Case # 2004-0053

NEW BUSINESS

NEILL HERRING v RANDY BROGDON CASE #2004-0017
Following a contested preliminary hearing the Commission found there were not reasonable grounds to believe the Ethics in Government Act had been violated, and the complaint was dismissed.

Motion made by Mr. Williams
In favor: Mr. Williams, Mr. Bowers, Mr. Nicholson, Mr. Moskowitz
Mr. Farrow recused himself

Seconded by Mr. Bowers

BOBBY KAHN v JOHN CONGER CASE #2004-0022
The Commission found no violation, but ordered the Respondent to cease and desist from any activity which would violate the prohibition of agency of government contributions to candidates.

Motion made by Mr Moskowitz
Carried Unanimously

Seconded by Mr. Farrow
IN THE MATTER OF UNITED DISTRIBUTORS, INC.             CASE #2004-0076
The Commission continued this case to allow time for review of a proposed Consent Order.

IN THE MATTER OF VOLPAC                        CASE #2005-001

A Consent Order finding violations and assessing civil penalties totaling $2,300.00
was adopted. Respondent was also ordered to pay a $75.00 late fee.

Motion made by Mr. Moskowitz                Seconded by Mr. Bowers
Carried Unanimously

REPORT OF THE EXECUTIVE SECRETARY

The Executive Secretary briefed the Commission on various matters including
budget, personnel, educational outreach, and progress toward implementing
electronic reporting by lobbyists. He advised that the Georgia Building Authority is
in the process of installing the cooling system to safeguard the computer servers.

The Commission adopted a resolution thanking Donna May for her service to the
Commission as Compliance Coordinator.

The Commission set February 25, 2005 as the next meeting date.

The meeting adjourned at approximately 12:06 p.m.

C. Theodore Lee, Executive Secretary

Official Minutes Statement

The foregoing Minutes for the January 7, 2005 meeting for the State Ethics Commission were approved
and adopted by the Commission at the Commission’s meeting on February 25, 2005.

STATE ETHICS COMMISSION

By: Sam G. Nicholson, Chairman