

STATE ETHICS COMMISSION

Commission Meeting Minutes

February 22, 2007

Auditorium

Capitol Education Center

Atlanta, Georgia

Present:

William H. Jordan, Chairman
Sonny Watson, Vice Chairman
Emmett Bowers, Member
Griffin B. Pollard, Jr., Member
James C. Gatewood, Member

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

REGULAR MEETING

Motion was made to nominate Mr. William H. Jordan as the Chairman of the Commission.

Moved by Mr. Bowers
Carried Unanimously

Seconded by Mr. Watson

Motion was made to nominate Mr. Sonny Watson as the Vice-Chairman of the Commission.

Moved by Mr. Jordan
Carried Unanimously

Seconded by Mr. Pollard

The Commission expressed thanks for the service of former Chairman Mr. Williams and former Vice-Chairman Mr. Farrow.

The minutes of November 30, 2006 meeting were approved as presented.

Motion made by Mr. Watson
Carried Unanimously

Seconded by Mr. Bowers

Mr. Pollard and Mr. Gatewood abstained from voting due to their absence at the previous meeting.

The Commission welcomed Ms. Kay Baker Bieble, Deputy Executive Secretary as a new member of the Commission staff.

PRELIMINARY HEARINGS

IN THE MATTER OF SOUTHWEST GA ALLIANCE FOR PROGRESS

CASE NO. 2005-0031

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government by giving excess contribution to a PAC that was promoting a local referendum.

Moved by: Mr. Bowers

Seconded by: Mr. Watson

Point of Order was recognized by Mr. Jordan to enter into a substitute motion to find reasonable grounds to believe that the Ethics in Government Act was violated and set this matter down for Administrative hearing.

Moved by: Mr. Watson

Seconded by: Mr. Gatewood

In favor: Mr. Watson, Mr. Gatewood, Mr. Jordan, Mr. Pollard

Opposed: Mr. Bowers

Motion carried.

IN THE MATTER OF MARK TAYLOR

CASE NO. 2005-0032

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers

Seconded by: Mr. Pollard

Carried Unanimously

IN THE MATTER OF DOROTHY LORD

CASE NO. 2005-0033

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers

Seconded by: Mr. Gatewood

Carried Unanimously

IN THE MATTER OF RALPH REED

CASE NO. 2005-0044

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Gatewood

Seconded by: Mr. Pollard

Carried Unanimously

IN THE MATTER OF JIMMY F. BROWN

CASE NO. 2005-0089

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Pollard
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF JOHNNY D. BROWN

CASE NO. 2005-0090

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF MICHAEL B. KING

CASE NO. 2005-0092

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by failing to file Campaign Contribution Disclosure Reports.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

Motion was made to dismiss the allegation that the Respondent acted as campaign manager and personal attorney to Mayor of City of Riverdale while in his capacity as District Attorney due to lack of jurisdiction in this matter.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Gatewood

IN THE MATTER OF LARRY MANN

CASE NO. 2005-0093

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF LESTER HARMON

CASE NO. 2005-0094

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Gatewood

IN THE MATTER OF ROBERT C. HANNAH

CASE NO. 2005-0100

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Pollard

**IN THE MATTER OF COMMITTEE TO CONTINUE
BALDWIN COUNTY'S PROGRESS**

CASE NO. 2005-0101

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by failing to list the names of Chairman and Treasure of the committee in newspaper advertisements.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Gatewood

The Commission found reasonable grounds to believe that the Respondent violated the Ethics in Government Act by failing to timely file Campaign Contribution Disclosure Reports.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by failing to establish a separate bank account designated specifically for donations.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF STEVE BROWN

CASE NO. 2005-0102

This matter was continued until the next meeting.

IN THE MATTER OF ROBERT W. HAGAN

CASE NO. 2005-0105

This matter was set down for an Administrative hearing because the Respondent waived preliminary hearing (see attached letter).

The Commission found reasonable grounds to believe that the Respondent violated the Ethics in Government Act by using city funds for personal use and consequently set the matter down for an Administrative hearing.

Moved by: Mr. Gatewood

Seconded by: Mr. Bowers

In Favor: Mr. Gatewood, Mr. Bowers, Mr. Pollard, Mr. Watson

Opposed: Mr. Jordan

Motion carried.

The Commission found reasonable grounds to believe that the Respondent violated the Ethics in Government Act by failing to timely file Campaign Contribution Disclosure Reports and failing to timely disclose the qualifying fee.

Moved by: Mr. Bowers

Seconded by: Mr. Pollard

Motion was made to amend the previous motion to resolve the allegations of failing to timely file Campaign Contribution Disclosure Report and failing to timely disclose the qualifying fee by Cease and Desist Order.

Moved by: Mr. Jordan

Seconded by: Mr. Bowers

Carried Unanimously

Motion was made to table the vote on the allegation of inaccuracy in the totals of the contributions and expenditures in Campaign Contribution Disclosure Reports to allow the staff and the Respondent time to work on this matter to bring the Reports in compliance with the Ethics in Government Act.

Moved by: Mr. Jordan

Seconded by: Mr. Watson

Carried Unanimously

Motion was made to dismiss the allegation that the Respondent violated the Ethics in Government Act by accepting contributions without opening a separate campaign depository account.

Moved by: Mr. Bowers

Seconded by: Mr. Watson

Substitute motion was entered to the previous motion to find reasonable grounds to believe that the Respondent violated the Ethics in Government Act by accepting contributions without opening a separate campaign depository account and to resolve this allegation by Cease and Desist Order.

Moved by: Mr. Jordan

Seconded by: Mr. Gatewood

Carried Unanimously

COMPLIANCE ORDERS

Motion was made to collectively hear the matters of Billy C. Dudley, No. 2005-0095; John W. Pullen, No. 2005-0096; Larry R. Pope, No. 2005-0097; Bruce W. Veal, No. 2005-0098; and James L. McAffey, Jr., No. 2005-0099 and to adopt the Compliance Orders as presented.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Gatewood

CONSENT ORDERS

IN THE MATTER OF STAN WATSON

CASE NO. 2003-0056

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of Two Thousand Three Hundred dollars (\$2,300.00).

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF WILLIAM E. SMITH, JR.

CASE NO. 2005-0011

The Commission adopted terms of the Consent Order finding violations and assessing civil penalties in the amount of One Thousand Three Hundred Fifty dollars (\$1,350.00) and ordered that the Consent Order be finalized upon the signature of the Respondent.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF JERRY SHEARIN

CASE NO. 2004-0028

The Commission adopted terms of the Consent Order finding violations and assessing civil penalties in the amount of One Thousand dollars (\$1,000.00) and to reimburse Four Thousand dollars (\$4,000.00) in contributions to the reported contributor and further ordered that the Consent Order be finalized upon the signature of the Respondent.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Bowers

The Commission was in recess for approximately ten minutes.

OTHER BUSINESS

DISCUSSION OF AN ADVISORY OPINION

The Commission discussed the letter of Mr. Shawn Davis requesting an Advisory Opinion on the completion of lobbyist registrations.

ADJUSTMENTS OF CONTRIBUTION LIMITS

The Commission accepted the following increases in the contribution limits pursuant to O.C.G.A. 21-5-41(k):

The \$5,000 contribution limit has increased to \$5,700;
the \$3,000 contribution limit has increased to \$3,400;
the \$2,000 contribution limit has increased to \$2,300; and
the \$1,000 contribution limit has increased to \$1,100.

The Commission further ordered to date and to post a memorandum from Mr. William H. Jordan, Chairman, on the Commission's website addressing the increase in the contribution limits, and to draft a rule that would address the procedures for the change in contribution limits as outlined in O.C.G.A. 21-5-41(k).

BUDGET/LEGISLATIVE PACKET

Following points were discussed:

- Extension of Session till April, 2007
- Relocating to 14th floor of West Tower
- Legislative bill requiring public officers for all of Georgia to file CCDRs with the Commission electronically, harsher penalties for not filing reports, and other changes to the Act.

COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE

Attorney General's offices welcomed the new commissioners and briefed them on the role of the Attorney General's office. Attorney General's office is available to provide opinion and day to day advice to the Commission. Also, they are rescheduling four cases that were set down for an Administrative hearing to Office of State Administrative Hearings.

REPORT OF THE EXECUTIVE SECRETARY

There were no comments from the Executive Secretary.

FUTURE MEETING DATE

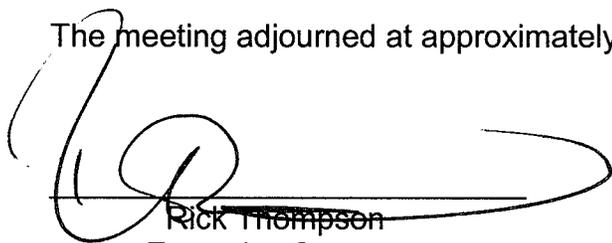
The Commission set **April 5, 2007** and **May 24, 2007** as the next meeting dates following the February 22, 2007 meeting.

The Motion was made to adjourn the meeting.

Motion made by Mr. Watson

Seconded by Mr. Bowers

The meeting adjourned at approximately 12:51 p.m.



Rick Thompson
Executive Secretary

Official Minutes Statement

The foregoing Minutes for the February 22, 2007 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on April 5, 2007.

STATE ETHICS COMMISSION

By: 

William H. Jordan
Chairman