

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: March 22, 2004

TIME: 10:00 a.m.

HEARINGS

- In the Matter of Derek Good A**
- In the Matter of Doug LeQuire B**
- In the Matter of Jeff Dugan C**
- In the Matter of Clarence T. Martin D**
- In the Matter of Henry Lamar Willis E**
- In the Matter of Larry Keith Morey F**
- In the Matter of Lester Peek G**

REGULAR MEETING

Meeting called to order

Reading & approval of the Minutes of February 6, 2004

Meeting H

Old Business:

George Anderson v Cleta Winslow..... I

In the Matter of Linda Schrenko J

New Business:

George Anderson v Sam Peavy, Jr. K

George Anderson v John L. Davis L

George Anderson v Henry Lee Cookcontinued..... M

George Anderson v Laura Searcy..... N

**Craig Harfoot v Cobb Chamber, Redevelopment Powers and
Advantage Cobb O**

Channing Ruskell v David Cannon, Jr. P

Brian L. Clark/Wayne H. Preston v George Morris, Sr. Q

Charles Gray v Robert Proctor R

Harry Scott v William Howzecontinued..... S

Comments of the Attorney General's Office

Report of the Executive Secretary

Future Commission Meeting Date

**MINUTES OF THE
STATE ETHICS COMMISSION
MEETING HELD
March 22, 2004**

Present:

**Sam G. Nicholson, Chairman
Billy N. Jones, Vice Chairman
Emmett Bowers
Steve Farrow**

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

IN THE MATTER OF DEREK GOOD: This matter was continued due to the absence of witnesses who had been subpoenaed to appear.

IN THE MATTER OF DOUG LEQUIRE: The Commission voted to have a Consent Order drawn up assessing civil penalties of \$100.00.

**Moved by Mr. Bowers
*Carried Unanimously***

Seconded by Mr. Farrow

IN THE MATTER OF JEFF DUGAN: A Consent Order was adopted assessing civil penalties of \$250.00. The Chairman asked what the sense of the Commission was regarding the Consent Order as outlined by the Senior Assistant Attorney General.

The Vote was Unanimous in favor of the proposal.

IN THE MATTER OF CLARENCE T. MARTIN: A Consent Order was adopted assessing civil penalties of \$150.00.

**Moved by Mr. Farrow
*Carried Unanimously***

Seconded by Mr. Bowers

IN THE MATTER OF HENRY LAMAR WILLIS: A Consent Order was adopted in this matter assessing civil penalties of \$100.00.

**Moved by Mr. Bowers
*Carried Unanimously***

Seconded by Mr. Farrow

IN THE MATTER OF LARRY KEITH MOREY: A Consent Order was adopted. Respondent has sixty (60) days from the date of the order to file the required Campaign Contribution Disclosure Reports and pay \$300.00 in late fees.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Bowers

IN THE MATTER OF LESTER PEEK: A Consent Order was adopted in this matter assessing civil penalties of \$300.00.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Farrow

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.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Bowers

The Minutes of the February 6, 2004 meeting were approved as presented.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Farrow

OLD BUSINESS

GEORGE ANDERSON V CLETA WINSLOW: A Consent Order was adopted in this matter assessing civil penalties of \$150.00.

Moved by Mr. Farrow
Carried Unanimously

Seconded by Mr. Bowers

LINDA SCHRENKO: Counsel for the Respondent represented that he had reviewed bank records for the campaign and could account for approximately \$7,500.00 in bank charges, NSF charges, and bounced checks written to the campaign. Counsel further explained that Respondent is not physically or financially able to further respond to the matter. The Commission voted, that taking into consideration that Respondent has paid \$5,000.00 in civil penalties in relation to this matter and there appearing to be no reasonable prospect that the cited accounting discrepancies were likely to be resolved through further efforts, the case would be closed.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Bowers

NEW BUSINESS

GEORGE ANDERSON V SAM PEAVY, JR.: The Commission adopted a Compliance Agreement.

Moved by Mr. Bowers
Carried Unanimously

Seconded by Mr. Farrow

GEORGE ANDERSON V JOHN DAVIS: This matter was continued at the request of the staff.

GEORGE ANDERSON V HENRY LEE COOK: This matter was continued at the request of Counsel for the Respondent.

GEORGE ANDERSON V LAURA SEARCY: A Consent Order was adopted in this matter. Respondent has forty-five (45) days to repay to the Cobb County Board of Education all funds previously paid out on her behalf as legal fees for representation in Anderson v. Searcy (State Ethics Commission Case No. 2002-0019, dismissed March 21, 2003).

Moved by Mr. Nicholson
Carried Unanimously

Seconded by Mr. Farrow

CRAIG HARFOOT V COBB CHAMBER, REPAC, ADVANTAGE COBB: This matter was set down for an Administrative Procedure Act hearing. Cobb County Government was added as a Respondent in relation to their role in the mailing out of fliers.

Moved by Mr. Nicholson
Carried Unanimously

Seconded by Mr. Farrow

CHANNING RUSKELL V DAVID CANNON, JR.: Allegations involving false date of receipt of the July 15, 2002 48 Hour Report (Allegation 2), unauthorized expenditures (in Allegation 6), and certain allegations of contribution limits violations (those in Allegation 7) were dismissed. The remainder of the complaint was set down for an Administrative Procedure Act hearing.

Moved by Mr. Nicholson
Carried Unanimously

Seconded by Mr. Jones

BRIAN L. CLARK/WAYNE H. PRESTON V GEORGE MORRIS, SR.: The allegation involving failure to properly disclose in-kind contributions was set down for an Administrative Procedure Act hearing. The remainder of the complaint involving conflict of interest was dismissed as beyond the jurisdiction of the State Ethics Commission.

Moved by Mr. Farrow
Carried Unanimously

Seconded by Mr. Jones

CHARLES GRAY V ROBERT PROCTOR: This matter was set down for an Administrative Procedure Act hearing.

Moved by Mr. Jones
Carried Unanimously

Seconded by Mr. Bowers

HARRY SCOTT V WILLIAM HOWZE: This matter was continued at the request of Counsel for the Respondent.

COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE

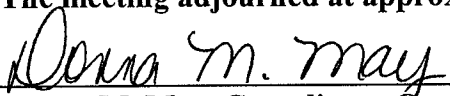
Mr. Ritter asked the Chairman if, as a matter of procedure, it would be helpful to the Commission to provide a brief summary of law for some cases to address any legal questions that might come up. The Chairman agreed it would be helpful.

REPORT OF THE EXECUTIVE SECRETARY:

The Executive Secretary updated the Commission on legislation currently pending in the General Assembly. He informed them that Brian Hess, Director of Information Services, is now on board. He further explained that the staff still has a considerable caseload and it is now the season for it to increase.

The Commission set May 10, 2004 as the next meeting.

The meeting adjourned at approximately 1:05 p.m.




Donna M. May, Compliance Coordinator

Official Minutes Statement

The foregoing Minutes for the March 22, 2004, meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on May 10, 2004.

STATE ETHICS COMMISSION

By 

Billy N. Jones, Vice-Chairman
and Acting Chairman

**AGENDA OF MATTERS ACTED UPON
STATE ETHICS COMMISSION
MEETING HELD
March 22, 2004**

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

Consent Orders were adopted in the matters involving Doug LeQuire, Jeff Dugan, Clarence T. Martin, Henry Lamar Willis, Larry Keith Morey, and Lester Peek.

The matter of Derek Good was continued.

REGULAR MEETING

The Commission approved the minutes of the February 6, 2004 meeting as presented.

The Commission held preliminary hearings and took the following actions:

Consent Orders were adopted George Anderson v Clela Winslow, and George Anderson v Laura Searcy.

A Compliance Agreement was adopted in the matter of George Anderson v Sam Peavy, Jr.

Matters involving David Cannon, Jr., George Morris, Sr., and Robert Proctor were set down for an Administrative Procedure Act hearing.

The matter of Linda Schrenko was closed.

Craig Harfoot v Cobb Chamber of Commerce, RePAC and Advantage Cobb was set down for an Administrative Procedure Act Hearing. Cobb County Government was added as a Respondent.

The matters involving John Davis, Henry Lee Cook, and William Howze were continued.

The Commission set May 10, 2004 as a tentative date for the next meeting.

The meeting adjourned at approximately 1:05 p.m.

Present:

Sam Nicholson, Chairman
Billy N. Jones, Vice Chairman
Emmett Bowers
Steve Farrow


C. Theodore Lee, Executive Secretary