AGENDA

PLACE: State Capitol
       Room 341
       Atlanta, Georgia

DATE: April 15, 2005

TIME: 10:00 a.m.

HEARINGS

In the Matter of Minnie Ruthe Lewis.................................A

In the Matter of Gregg Howze........................................B

In the Matter of Dottie Crews
  (continued by request of Attorney General)......................C

In the Matter of Liane Levetan......................................CC

In the Matter of Patrick Gartland..................................D

In the Matter of Tom Scott..........................................E

REGULAR MEETING

Meeting called to order

Reading & approval of the Minutes of February 25, 2004
Meeting .................................................................F
New Business:

Joyce Mitchum and Burch Horton v Greg Stone......................G-H
John Cole Vodicka and Stanley Evans v Rob Smith ...................I
Gary Freedman v Citizens League of Henry County.....................J
George Anderson v Jacqueline Barrett..................................K
Steven Wagner v Harvey Glen Cooper..................................L
Robert Griggs v John Dunn..............................................M
Mark Grams v George Wade Thorndyke, Jr..............................N
Dee Ann Harper v Lawton G. Taylor, Sr................................O
Lisa Forrester v W. E. Bozeman........................................P
Donald E. Smith v Johnson County Board of Commissioners
(continued)........................................................................Q
Carole Scott, George Anderson, and Cheryl Nowetner v Daniel
Lee....................................................................................R
George Anderson v Stan Watson..........................................S

Comments from the Attorney General’s Office

Report of the Executive Secretary

Future Commission Meeting Date
MINUTES OF THE
STATE ETHICS COMMISSION
MEETING HELD
April 15, 2005
State Capitol
Atlanta, Georgia

Present:
Steve Farrow, Chairman
Jack Williams, Vice-Chairman
Emmett Bowers
David Moskowitz
Sonny Watson

The meeting was called to order at approximately 10:06 a.m.

Mr. Sonny Watson was officially welcomed as a member to the State Ethics Commission.

The Commission elected Steve Farrow as Chairman of the State Ethics Commission.

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

The Commission elected Jack Williams as Vice-Chairman of the State Ethics Commission.

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

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

IN THE MATTER OF MINNIE RUTHE LEWIS CASE #2003-0016

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of $250.00.

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

IN THE MATTER OF W. GREGG HOWZE CASE # 2003-0023

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of $20,000.00.
IN THE MATTER OF DOTTIE CREWS  CASE #2003-0041

The matter was continued by request of the Attorney General.

IN THE MATTER OF LIANE LEVETAN  CASE #2004-0045, 2004-0046

The Commission rejected the proposed Consent Order finding a violation and assessing a civil penalty of $750.00. The Commission entered an order finding a violation and assessing a civil penalty of $100.00.

Motion made by Mr. Williams  Seconded by Mr. Moskowitz

*Carried Unanimously*

IN THE MATTER OF PATRICK GARTLAND  CASE #2004-0006

Following advice from the Department of Law, the Commission adopted an Order dismissing the case.

Motion made by Mr. Bowers  Seconded by Mr. Williams

*In favor: Mr. Farrow
Opposed: Mr. Moskowitz*

Mr. Watson abstained from voting in the matter.

IN THE MATTER OF TOM SCOTT  CASE #2004-0010

The Commission adopted a Consent Order finding a violation and assessing a civil penalty in the amount of $100.00.

Motion made by Mr. Williams  Seconded by Mr. Moskowitz

*Carried Unanimously*

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. Williams  Seconded by Mr. Bowers

*Carried Unanimously*

The minutes of the February 25, 2005 meeting were approved as presented.
Motion made by Mr. Bowers
*In favor: Mr. Farrow, Mr. Williams*

Mr. Watson abstained from voting in the matter.

NEW BUSINESS

JOYCE MITCHUM AND BURCH HORTON V. GREG STONE
CASE #2004-0041, 2004-0042

The Commission found reasonable grounds to believe the Ethics in Government Act had been violated, and the matters were set down for an Administrative Procedure Act hearing.

Motion made by Mr. Moskowitz
*Carried Unanimously*

JOHN COLE VODICKA AND STANLEY EVANS V. ROB SMITH
CASE #2004-0014

The Commission found reasonable grounds to believe the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

Motion made by Mr. Bowers
*Carried Unanimously*

GARY FREEDMAN V. CITIZENS LEAGUE OF HENRY COUNTY
CASE #2004-0010

The Commission found reasonable grounds to believe the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

Motion made by Mr. Moskowitz
*Carried Unanimously*

GEORGE ANDERSON V. JACQUELYN BARRETT CASE #2004-0021

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

Motion made by Mr. Moskowitz
*Carried Unanimously*

Seconded by Mr. Moskowitz

Seconded by Mr. Farrow

Seconded by Mr. Moskowitz

Seconded by Mr. Farrow

Seconded by Mr. Williams
STEVEN R. WAGNER V. H. GLEN COOPER

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

ROBERT GRIGGS V. JOHN DUNN

CASE #2004-0030

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

MARK GRAMS V. GEORGE THORNDYKE

CASE #2004-0039

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

DEE ANN HARPER V. LAWTON G. TAYLOR, SR.

CASE #2004-0043

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

LISA FORRESTER V. W.E. BOZEMAN

CASE #2004-0056

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

Motion made by Mr. Bowers
Seconded by Mr. Moskowitz
Carried Unanimously
DONALD SMITH V. JOHNSON COUNTY BOARD OF COMMISSIONERS
CASE #2004-0062

The matter was continued upon request of counsel.

CAROL SCOTT, GEORGE ANDERSON, AND CHERYL NOWETNER V.
DANIEL LEE
CASE #2004-0067

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

GEORGE ANDERSON V. STAN WATSON
Case #2003-0056

The Commission found reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was set down for an Administrative Procedure Act hearing.

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

The Commission found probable cause to open an investigation of Horace Bond regarding possible violations of O.C.G.A. § 21-5-34 and O.C.G.A. § 21-5-50.

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

REPORT OF THE EXECUTIVE SECRETARY

The Executive Secretary briefed the Commission on fiscal challenges resulting from the failure to appropriate funds to implement H.B. 48, and he discussed the continuation budget for the State Ethics Commission as enacted in H.B. 85.

Also presented was a proposed draft of Commission Rule 189.6-.05, which related to contributions by partnerships.

The Executive Secretary formally introduced Corban Reese, the newest State Ethics Commission staff member, to the Commission.

The Executive Secretary gave an overview of developments since the last meeting, and the future months, including the recent visit with Dr. Carlos Botero, Governor of the Department of Risaralda in Columbia.
He also advised of some upcoming commitments, including requested presentations to the Georgia Election Officials Association in May and to the Georgia Chamber of Commerce in June, concerning changes made by House Bill 48.

The Commission set June 17, 2005, as the next meeting date.

The meeting adjourned at approximately 3:32 p.m.

C. Theodore Lee, Executive Secretary

Official Minutes Statement

The foregoing Minutes for the April 15, 2005 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission’s meeting on June 17, 2005.

STATE ETHICS COMMISSION

By: Steve Parrow, Chairman