

STATE ETHICS COMMISSION

205 Jesse Hill Jr. Drive S.E.
 Suite 478 – East Tower
 Atlanta, Georgia 30334
 www.ethics.georgia.gov

Present:

William H. Jordan, Chairman
 Sonny Watson, Vice Chairman
 Emmett Bowers, Member
 Griffin B. Pollard, Jr., Member
 James C. Gatewood, Member (arrived 11:03 a.m.)

The meeting commenced at approximately 11:01 a.m.

REGULAR MEETING

The minutes of April 5, 2007 meeting were approved.

Motion made by Mr. Watson
Carried Unanimously

Seconded by Mr. Pollard

The Commission welcomed Tom Plank Jr., who is a new staff attorney with the State Ethics Commission.

PRELIMINARY HEARINGS

IN THE MATTER OF REID A. BOWMAN

CASE NO. 2006-0008

Allegation 1 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 2 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

Allegation 3 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF ROBERT B. BAKER, JR.

CASE NO. 2006-0007

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

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF KAREN C. HANDEL

CASE NO. 2006-0011, 2006-0017

This matter was continued until the next regularly scheduled commission meeting.

IN THE MATTER OF KAREN C. HANDEL

CASE NO. 2006-0015

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

Moved by: Mr. Bowers

Seconded by: Mr. Pollard

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

Recused: Gatewood

Motion carried.

IN THE MATTER OF DERRICK TYRONE BOAZMAN

CASE NO 2006-0020

Allegation 1 - The Commission set this matter down for an APA hearing.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

Allegation 2 - The Commission set this matter down for an APA hearing.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Bowers

Request was made by the complainant to move item "I" Jack Murphy up due to a physical therapy appointment.

Request was made to table item "F" until the next meeting.

IN THE MATTER OF JACK MURPHY**CASE NO. 2006-0018, 2006-0019**

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

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF JOHN JORDAN & SUPPORTERS OF MOUNTAIN PROTECTION**CASE NO. 2006-0022**

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

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF RALPH REED**CASE NO. 2006-0016**

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

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Pollard

IN THE MATTER OF BRIAN TAM**CASE NO. 2006-0036**

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

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

The Commission was in recess for five minutes.

IN THE MATTER OF JOHN HEARD**CASE NO. 2006-0029**

Allegation 1 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Jordan

Allegation 2 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Jordan

Allegation 3 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Gatewood

IN THE MATTER OF CHARLES BANNISTER

CASE NO. 2006-0031

Motion was made to dismiss allegations 1,2,3,4 outlined in the Investigatory Report. associated

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Watson

Motion was made for the defendant to cease and desist in relation to allegations 4 and 5.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Jordan

Request was made for additional time on 6 and 7 by complainant.

Motion was amended to dismiss allegations 1, 2, 3, and 4, and allegations 5-7 are set down for an APA hearing.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF H.S. "CHIP" RANDALL, III

CASE NO. 2006-0030

Allegation 1 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 2 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 3 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF DOUGLAS C. DEAN

CASE NO. 2006-0023, 2006-0038

The Commission set this matter down for an APA hearing.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF KENNETH B. HODGES, III

CASE NO. 2005-0025

This matter was continued until the next regular scheduled commission meeting.

IN THE MATTER OF ED HARBISON

CASE NO. 2006-0032

Complaint requested that the commission decide on the statute of limitations issue before the next meeting and that this matter be tabled until the next meeting.

Request was declined and the commission ruled to review all allegations from July 10, 2003.

Allegation 1 - The Commission set this allegation down for an APA hearing.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 2 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Watson

IN THE MATTER OF LESTER HARMON

CASE NO. 2006-0034

Allegation 1 - The Commission set this allegation down for an APA hearing.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Watson

Allegation 2 - The Commission set this allegation down for an APA hearing.

Moved by: Mr. Watson
Carried Unanimously

Seconded by: Mr. Jordan

Allegations 3, 4 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 5 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Bowers
Carried Unanimously

Seconded by: Mr. Gatewood

The Commission was in recess for five minutes.

IN THE MATTER OF JODIE E. ROSSER

CASE NO. 2006-0021

This matter was considered out of order from the other cases by request of the respondent council.

Allegation 1 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 2 - The Commission found no reasonable grounds to believe that the Ethics in Government Act had been violated, and this allegation was dismissed.

Moved by: Mr. Gatewood
Carried Unanimously

Seconded by: Mr. Bowers

Allegation 3 - The Commission followed the recommendation of the staff.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Gatewood

IN THE MATTER OF CATHY COX

CASE NO. 2005-0104

The Commission discussed Statutory Limits. Dismissed.

The Commission was in recess for approximately one hour for lunch.

The session reconvened at approximately 3:00 p.m.

Motion was made to dismiss five years prior to the date of filing of this complaint (October 24, 2000).

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Watson

Motion was made to table the remainder of the allegations and for a new report to be provided at the next meeting.

Moved by: Bowers
Carried Unanimously

Seconded by: Mr. Jordan

IN THE MATTER OF ABATE OF GEORGIA, INC. MOTO PAC **CASE NO. 2006-0005**

The Respondent waived their right for a preliminary hearing. Therefore, the matter will be scheduled for an Administrative Procedure Act hearing.

IN THE MATTER OF DEMOCRATIC PARTY OF GA

CASE NO. 2005-0009

This matter was continued until the next regularly scheduled commission meeting.

IN THE MATTER OF FULTON COUNTY TAX PAYERS

CASE NO. 20060004, 2006-0013

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Jordan
Carried Unanimously

Seconded by: Mr. Bowers

IN THE MATTER OF DAVID W. WALDROP

CASE NO. 2006-0028

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Jordan

Seconded by: Mr. Bowers

Carried Unanimously

IN THE MATTER OF JUSTIN WIEDEMAN

CASE NO. 2006-0012

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Bowers

Seconded by: Mr. Pollard

Carried Unanimously

IN THE MATTER OF MARTIN J SCOTT

CASE NO. 2004-0091

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Watson

Seconded by: Mr. Jordan

Carried Unanimously

IN THE MATTER OF WILLIAM G. USRY & FLINT RIVER REGIONAL WATER COUNCIL

CASE NO. 2006-0006

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Pollard

Seconded by: Mr. Gatewood

Carried Unanimously

IN THE MATTER OF CITIZENS FOR GOOD GOVERNMENT

CASE NO. 2006-0009

The Commission adopted the consent order as presented by staff.

Moved by: Mr. Pollard

Seconded by: Mr. Jordan

Carried Unanimously

Other Business

Request for finding of Probable Cause

IN THE MATTER OF REALTORS PAC

CASE NO. 2006-0009

The Commission found probable cause to open an investigation in this matter.

Moved by: Mr. Jordan

Seconded by: Mr. Watson

Carried Unanimously

IN THE MATTER OF RACHEL KELLY JACKSON

CASE NO. 2006-0009

The Commission found probable cause to open an investigation in this matter.

Moved by: Mr. Jordan

Seconded by: Mr. Bowers

Carried Unanimously

REQUEST FOR AN ADVISORY OPINION

The Commission adopted the advisory opinion regarding the use of campaign finds to host a retirement party for a judge

Moved by: Mr. Gatewood

Seconded by: Mr. Jordan

Carried Unanimously

The Commission adopted the advisory opinion regarding the issue of lobbyist reporting and registration.

Moved by: Mr. Pollard

Seconded by: Mr. Jordan

Carried Unanimously

DISCUSSION FOR AN ADVISORY OPINION

Whether council members should be included in the requirement for appointed officials to file personal financial disclosure statements.

REQUEST FOR RECONSIDERATION

IN THE MATTER OF MARGIE MCCLEOD

CASE NO. 2005-0077

Motion was made to reconsider the order and dismiss the underlying allegation.

Moved by: Mr. Jordan

Seconded by: Mr. Pollard

Carried Unanimously

Reports & Announcements

COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE

Status of Limitation by next meeting

REPORT OF THE EXECUTIVE SECRETARY

No Comments

FUTURE MEETING DATES

The Commission set **September 27, 2007, and November 15, 2007** as the next meeting dates following the July 26, 2007 meeting.

PUBLIC COMMENTS

No members of the public made comments.

The Motion was made to adjourn the meeting.

The meeting adjourned at approximately 4:00p.m.