

State Ethics Commission

Commission Meeting Minutes

September 27, 2007

200 Piedmont Avenue

Suite 1416 – West Tower

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 was called to order by Chairman William H. Jordan at approximately 9:31

The minutes were read and adopted with the correction of two scribe errors.

Moved by Mr. Jordan
Carried unanimously

Seconded by Mr. Pollard

Old Business

In the Matter of Jodie E. Rosser (2006-0021)

The case was presented by Ms. Kay B. Biebel.

The Commission determined that all criteria for dismissal had been met.

Motion to dismiss.

Moved by Mr. Jordan
Carried unanimously

Seconded by Mr. Pollard.

Preliminary Hearings

In the Matter of Richard Vollrath (2006-0041)

The case was presented by Ms. Kay B. Biebel.

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated in Respondent's campaign for re-election.

Motion to dismiss.

Moved by Mr. Bower

Seconded by Mr. Gatewood.

Carried unanimously

In the Matter of Kevin Levitas (2006-0047)

The case was presented by Ms. Kay B.Biebel.

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated in receiving in-kind contributions.

Motion to dismiss.

Moved by Mr. Bower

Seconded by Mr. Watson

Carried unanimously

In the Matter of Angela L. Graham (2006-0027)

The case was presented by Mr. Tom Plank.

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

Motion to set down.

Moved by Mr. Pollard

Seconded by Mr. Gatewood

Carried unanimously

In the Matter of Connie Stokes (2006-0026)

Presented by Ms. Kay B.Biebel.

A request for continuance by the Respondent was received.

Matter was continued.

In the Matter of Joe Lockwood (2006-0049)

The case was presented by Ms. Kay B. Biebel.

The Commission found reasonable grounds on the allegation that the Respondent did not file a Personal Financial Disclosure Statement within fifteen days after qualifying for Mayor of the City of Milton nor did he file a Declaration of Intent to accept Campaign Contributions.

Motion to set down.
Moved by Mr. Gatewood
Carried unanimously

Seconded by Mr. Jordan

The meeting adjourned for a break at approximately 10:50 and resumed at approximately 10:58.

In the Matter of Mark Taylor (2006-0043, 2006-0040, 2006-0054, 2006-0058)

The case was presented by Mr. Tom Plank.

In case 2006-0040 Allegation 1, the Commission found no reasonable grounds that the Respondent violated the Ethics in Government Act by accepting contributions that exceeded the contribution limits.

Motion to dismiss.
Moved Mr. Jordan
Carried unanimously

Seconded Mr. Bowers

In Allegation 2 the Commission found no reasonable grounds that the Respondent violated the Ethics in Government Act of the maximum allowable contribution limits.

Motion to dismiss
Moved Mr. Bowers
Carried unanimously

Seconded Mr. Pollard

In case 2006-0058 Allegation 1, the Commission found no reasonable grounds that the Respondent violated the Ethics in Government Act by not returning contributions, designated for a primary run-off, within 30 days.

Motion to dismiss
Moved by Mr. Jordan
Carried unanimously

Seconded by Mr. Gatewood

In Allegation 2 the Commission found no reasonable grounds that the Respondent violated the Ethics in Government Act by continuing to designate primary run-off funds when there was no primary runoff.

Motion to dismiss
Moved by Mr. Jordan
Opposed Mr. Watson
Motion carried

Seconded by Mr. Bowers

In Allegation 3 the Commission found no reasonable grounds that the Respondent violated the Ethics in Government Act by receiving funds in excess of the contribution limits for a primary run-off.

Motion to dismiss

Moved by Mr. Jordan

Seconded by Mr. Bowers

Opposed Mr. Watson

Motion carried

In the Matter of Sonny Perdue (2006-0043, 2006-0059)

The case was presented by Ms. Kay B. Biebel.

In Allegation 1 the Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated by failing to list ownership interest in Perdue Plantation, LLC on Respondent's Personal Financial Disclosure Statement.

Motion to dismiss

Moved by Mr. Watson

Seconded by Mr. Bowers

Carried unanimously

In Allegation 2 the Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated by failing to list "General Partner" in Perdue Family Limited Partnership for the years 1998, 2000 and 2001.

Motion to dismiss

Moved by Mr. Watson

Seconded by Mr. Bowers

Carried unanimously

In the Matter of Houston County Commission (2006-0052)

The case was presented by Mr. Tom Plank.

The Commission found that there were no reasonable grounds to believe that the Ethics in Government Act had been violated in accepting contributions.

Motion to dismiss

Moved by Mr. Bowers

Seconded by Mr. Gatewood

Carried unanimously

In the Democratic Party of GA (2005-0052)

The case was presented by Mr. Tom Plank

The Commission found that there were no reasonable grounds to believe that the Respondent violated the Ethics in Government Act by improperly accepting contributions that were made.

Motion to dismiss

Moved by Mr. Bowers

Seconded by Mr. Jordan

Carried unanimously

The Commission tabled Allegation 2 to determine if an amendment had been filed which would resolve the issue.

Moved by Mr. Bowers

Seconded by Mr. Watson

Carried unanimously

The Commission adjourned for lunch at approximately 12:44 and returned at approximately 1:30

Waiver of Preliminary Hearing

The following cases waived their Preliminary Hearing:

In the Matter of Rachel Kelly Jackson (PC2007-0004)

In the Matter of Timothy Shelnut (2006-0033)

In the Matter of James Toby Roberts Sr. (2006-0053, 2006-0062, 2006-0063)

In the Matter of Verna Phillips (2006-0051)

In the Matter of Brenda Nishiyama Willis (2006-0037)

In the Matter of John Eaves (2006-0056)

In the Matter of Kevin R. Kenerly (2006-0055)

Consent Order

The Consent Order was presented by Attorney General Stefan Ritter.

In the Matter of Jackie Scott (2004-0009)

A Consent Order was entered.

Other Business

In the Matter of Phil Summers (2004-0084)

The case was presented by Ms. Kay B.Biebel.

The Commission was advised, since no action was initiated within 30 days by the Commission, the initial decision issued by the Administrative Law Judge became the final decision by operation of law.

Motion to accept.

Moved by Commissioner Pollard

Seconded by Commissioner Bowers

Carried unanimously

Request for an Advisory Opinion regarding council members filing PFDS under O.C.G.A §21.5.50

Advisory Opinion 2007 Adopted

Request for an Advisory Opinion regarding an attorney representing a client with a zoning matter is not required to register and report as a lobbyist.

The Advisory Opinion was presented by Ms. Kay Baker Biebel

Advisory Opinion 2007 Adopted

Request for an Advisory Opinion on the value of flights offered to candidates.

The matter was discussed and staff was directed to research and prepare an opinion on the value of flights. The proposed decision will be discussed at a teleconference to be announced.

The Advisory Opinion was presented by Ms. Kay Baker Biebel

The meeting adjourned at approximately 2:44.