

**STATE ETHICS COMMISSION  
205 Jesse Hill Jr. Drive SE  
Suite 478 – East Tower  
Atlanta, Georgia 30334**

**AGENDA**

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**LOCATION:** State Capitol  
Room 341  
Atlanta, Georgia

**DATE:** November 17, 2005

**TIME:** 10:00 a.m.

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**HEARINGS**

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- In the Matter of Preston Haliburton.....A**
- In the Matter of James Odom.....B**
- In the Matter of Gregory Greene.....C**
- In the Matter of George W. Thorndyke, Jr.....D**
- In the Matter of Lawton G. Taylor (Continued).....E**

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**REGULAR MEETING**

**Meeting called to order**

**Reading & approval of the Minutes of the September 21, 2005  
Meeting .....F**

**New Business:**

**Richardson Housing Group (Probable Cause).....G**

**Leah Sears (Probable Cause).....H**

**Brett Warren Ladd v Leah Sears.....I**

**George Anderson v Grant Brantley.....J**

**Kevin Morris v Tom Knox.....K**

**Jeffrey Brickman v Gwendolyn Keyes.....L**

**George Anderson v Bill Stephens.....M**

**George Anderson v Sonny Perdue.....N**

**Mark Spix v Leah Sears, Bensonetta Lane, Gail Tusan,  
Wendy Shoob, and Juanita Hicks.....O**

**James H. Burnham v Leah Sears & Democratic Party  
of Georgia.....P**

**Bobby Kahn v Sonny Perdue and Georgia Republican Party.....Q**

**Comments from the Attorney General’s Office**

**Report of the Executive Secretary**

**Future Commission Meeting Date**

**MINUTES OF THE  
STATE ETHICS COMMISSION  
MEETING HELD  
November 17, 2005  
State Capitol  
Room 341  
Atlanta, Georgia**

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**Present:**

**Steve Farrow, Chairman  
Jack Williams, Vice Chairman  
Emmett Bowers  
David Moskowitz  
Sonny Watson**

The meeting commenced at approximately 10:07 a.m.

**HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT**

**IN THE MATTER OF PRESTON HALIBURTON CASE NO. 2005-0063**

The Commission adopted a Consent Order finding violations and assessing civil penalties of \$1,500.00.

**Motion made by Mr. Moskowitz**  
*Carried Unanimously*

**Seconded by Mr. Bowers**

**IN THE MATTER OF JAMES ODOM CASE NO. 2005-0035**

The Commission adopted a Consent Order finding violations and assessing civil penalties of \$1,000.00.

**Motion made by Mr. Watson**  
*Carried Unanimously*

**Seconded by Mr. Farrow**

**IN THE MATTER OF GREGORY GREENE CASE NO. 2005-0061**

The Commission adopted a Consent Order finding violations and assessing civil penalties of \$1,500.00.

**Motion made by Mr. Williams**  
*Carried Unanimously*

**Seconded by Mr. Bowers**

**IN THE MATTER OF GEORGE W. THORNDYKE, JR. CASE NO. 2004-0039**

The Commission adopted a Consent Order finding violations and assessing civil penalties of \$500.00.

Motion made by Mr. Moskowitz  
*Carried Unanimously*

Seconded by Mr. Watson

**IN THE MATTER OF LAWTON W. TAYLOR CASE NO. 2004-0043**

The matter was continued at the request of counsel for the Respondent.

**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  
*Carried Unanimously*

Seconded by Mr. Bowers

The minutes of the September 21, 2005 meeting were approved as presented.

Motion made by Mr. Bowers  
*Carried Unanimously*

Seconded by Mr. Moskowitz

**NEW BUSINESS**

**RICHARDSON HOUSING GROUP (PROBABLE CAUSE) CASE NO. 2005-0108**

The Commission found probable cause to open an investigation to determine whether there were reasonable grounds to believe that the Ethics in Government Act had been violated.

Motion made by Mr. Moskowitz  
*Carried Unanimously*

Seconded by Mr. Williams

After admission by the Respondent that the Ethics in Government had been violated, the Commission adopted a consent order assessing civil penalties in the amount of \$1,490.00. The Respondent was also ordered to pay late filing fees in the amount of \$450.00.

Motion made by Mr. Bowers  
*Carried Unanimously*

Seconded by Mr. Watson

**LEAH SEARS (PROBABLE CAUSE)**

**CASE NO. 2004-0065**

The Commission found there were 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*

Seconded by Mr. Moskowitz

**BRETT LADD V. LEAH SEARS**

**CASE NO. 2004-0059**

The Commission found there were 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. Watson  
*Carried Unanimously*

Seconded by Mr. Bowers

**GEORGE ANDERSON V. GRANT BRANTLEY**

**CASE NO. 2004-0054**

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

Motion made by Mr. Moskowitz  
*Carried Unanimously*

Seconded by Mr. Williams

**MARK SPIX V. LEAH WARD SEARS, BENSONETTA LANE, GAIL TUSAN,  
WENDY SHOOB, AND JUANITA HICKS**

**CASE NO. 2004-0050**

The Commission found that there were not reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Motion made by Mr. Moskowitz  
*Carried Unanimously*

Seconded by Mr. Watson

**GEORGE ANDERSON V. SONNY PERDUE**

**CASE NO. 2005-0004**

The Commission found that there were not reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.

Motion made by Mr. Bowers  
*Carried Unanimously*

Seconded by Mr. Williams

**BOBBY KAHN V. GOVERNOR SONNY PERDUE AND GEORGIA  
REPUBLICAN PARTY**

**CASE NO. 2004-0072**

The Commission dismissed the allegation that the Respondent exceeded contribution limits set forth in O.C.G.A. § 21-5-41(h) through the Georgia

**Republican Party's purchase of advertisements to benefit Governor Perdue's 2002 campaign.**

**Motion made by Mr. Williams**  
*Carried Unanimously*

**Seconded by Mr. Bowers**

**The Commission dismissed the allegation that the Respondent had exceeded contribution limits set forth in O.C.G.A. § 21-5-41(h) through Georgia Republican Party's purchase of television air time to benefit Governor Perdue's 2002 campaign.**

**Motion made by Mr. Bowers**  
*Carried Unanimously*

**Seconded by Mr. Watson**

**A motion was made to set down the matter for an Administrative Procedure Act hearing based on the allegation that the Respondent had exceeded contribution limits set forth in O.C.G.A. § 21-5-41 through Georgia Republican Party's furnishing and mailing of campaign literature purporting to benefit Governor Perdue's 2002 campaign. The motion failed.**

**Motion made by Mr. Williams**  
*In favor: Williams, Farrow*  
*Opposed: Watson, Moskowitz, Bowers*

**Seconded by Mr. Farrow**

**JAMES BURNHAM V. LEAH SEARS, COMMITTEE TO RE-ELECT LEAH SEARS, AND DEMOCRATIC PARTY OF GEORGIA      CASE NO. 2004-0071**

**The Commission found that there were not reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.**

**Motion made by Mr. Williams**  
*In favor: Williams, Moskowitz, Bowers, Watson*  
*Opposed: Farrow*

**Seconded by Mr. Moskowitz**

**KEVIN MORRIS V. TOM KNOX      CASE NO. 2004-0029**

**The Commission adopted a Consent Order finding violations and assessing civil penalties of \$300.00.**

**Motion made by Mr. Moskowitz**  
*Carried Unanimously*

**Seconded by Mr. Watson**

**JEFFREY BRICKMAN V. GWENDOLYN KEYES      CASE NO. 2004-0080**

**The Commission continued the matter after learning of the Respondent's filing of amended reports.**

**Motion made by Mr. Moskowitz**  
*Carried Unanimously*

**Seconded by Mr. Farrow**

*Mr. Williams recused himself in this matter.*

**GEORGE ANDERSON V. BILL STEPHENS**

**CASE NO. 2004-0055**

**The Commission found that there were not reasonable grounds to believe that the Ethics in Government Act had been violated, and the matter was dismissed.**

**Motion made by Mr. Bowers**

**Seconded by Mr. Farrow**

*In favor: Bowers, Farrow, Watson*

*Opposed: Moskowitz, Williams*

#### **COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE**

**Assistant Attorney General DeBrae Kennedy discussed the drafting of a new Commission Rule that would allow the hearing of Administrative Procedure Act cases to take place under an administrative law judge. Holding hearings in this particular manner would allow the State Ethics Commission to expedite the process of resolving older and/or more complex cases, as well as complying with the new statute of limitations to go into effect in January 2006 under H.B. 48.**

**Chairman Steve Farrow and Vice Chairman Jack Williams agreed to meet with Dennis Dunn, Deputy Attorney General, to discuss this particular rule in more detail.**

#### **REPORT OF THE EXECUTIVE SECRETARY**

**The Executive Secretary briefed the Commission on the agency's budget matters and furnished the Commission with a copy of the November 8, 2005 Powerpoint presentation made to the Governor's Office of Planning and Budget.**

**Another matter discussed was the issue of introduction of lengthy and complex evidence and other exhibits at preliminary hearings by counsel of Respondents for review by the Commission. The Commission emphasized the strict enforcement of the Commission rule that only allows the fourteen day period in which to file such documents or other evidence.**

**The Commission set January 4, 2006 as the next meeting date.**

**The meeting adjourned at approximately 4:41 p.m.**

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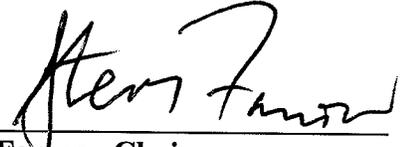
**C. Theodore Lee, Executive Secretary**

#### **Official Minutes Statement**

The foregoing Minutes for the November 17, 2005 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on January 4, 2006.

STATE ETHICS COMMISSION

By:

A handwritten signature in black ink, appearing to read "Steve Farrow", written over a horizontal line.

Steve Farrow, Chairman