

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

AGENDA

PLACE: State Capitol
Room 341
Atlanta, Georgia

DATE: November 19, 2004

TIME: 10:00 a.m.

HEARINGS

In the Matter of Bill Stephens A

In the Matter of Sonny Perdue(continued) B

In the Matter of Jimmy Skipper C

REGULAR MEETING

Meeting called to order

Reading & approval of the Minutes of October 15, 2004

Meeting D

Old Business:

George Anderson v Stan Watson E

New Business:

Stan Kaady v Richard Hoard F

George Anderson v John Oxendine G - L

Bryan Tolar v George Hills M

Michael V. Moon v Robert Lavender N

John Thompson v Melvin Everson O

David Simons v Emory Bazemore P - Q

Request for Finding of Probable Cause to Open an Investigation

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 19, 2004**

Present:

**Sam G. Nicholson, Chairman
Steve Farrow, Vice Chairman
Jack Williams
Emmett Bowers
David Moskowitz**

HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

IN THE MATTER OF BILL STEPHENS: This matter was continued, and the Chairman instructed the parties to be prepared to go forward with an Administrative Procedure Act hearing at the next meeting.

IN THE MATTER OF SONNY PERDUE: This matter was continued upon the motion of counsel for the Respondent.

IN THE MATTER OF JIMMY SKIPPER: A Consent Order finding violations and assessing civil penalties totaling \$2,000.00 (\$1,000.00 for violations in 2001 and \$1,000.00 for violations in 2002) was adopted. The Respondent is ordered to repay his campaign account from personal funds all amounts paid for legislative housing costs for June, 2004 and for all months thereafter.

**Motion made by Mr. Bowers
*Having no second, motion failed***

**Motion made by Mr. Bowers
*In Favor: Mr. Bowers, Mr. Farrow, Mr. Williams
Opposed: Mr. Nicholson, Mr. Moskowitz***

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.

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

Seconded by Mr. Bowers

The Minutes of the October 15, 2004 meeting were approved as presented.

Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Moskowitz

OLD BUSINESS

GEORGE ANDERSON V STAN WATSON: This matter was tabled in order to allow the staff additional time to work on a resolution with the Respondent.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Moskowitz

NEW BUSINESS

STAN KAADY V RICHARD HOARD: A Consent Order finding a violation and assessing a civil penalty of \$75.00 and late filing fees totaling \$75.00 was adopted.

Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Moskowitz

GEORGE ANDERSON V JOHN OXENDINE:

Case # 060-00-004-01-02

Case # 2002-0074

Case # 2002-0075

Case # 2003-0055

Case # 2004-0052

Case # 2004-0053

These matters were continued upon the motion of counsel for the Respondent.

BRYAN TOLAR V GEORGE HILLS: Finding no violation of the Ethics in Government Act, the Commission dismissed this matter.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Farrow

MICHAEL V. MOON V ROBERT LAVENDER: Finding no violation of the Ethics in Government Act, the Commission dismissed this matter.

Motion made by Mr. Bowers
Carried Unanimously

Seconded by Mr. Williams

JOHN THOMPSON V MELVIN EVERSON: A Consent Order finding violations and assessing civil penalties totaling \$300.00 was adopted. Respondent is also ordered to pay late fees of \$225.00.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Farrow

DAVID SIMONS V EMORY BAZEMORE:

Case # 2004-0024: Finding no violation of the Ethics in Government Act, the Commission dismissed this matter.

Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Moskowitz

Case # 2004-0040: A Consent Order finding violations and assessing civil penalties totaling \$250.00 was adopted. Respondent is ordered to file amended Campaign Contribution Disclosure Reports that include all information required by the Ethics in Government Act.

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Bowers

The Commission approved a request to find probable cause to open an investigation of Gold Kist, Inc. regarding possible violations of O.C.G.A. §§ 21-5-31(a) and 21-5-334(e).

Motion made by Mr. Moskowitz
Carried Unanimously

Seconded by Mr. Williams

IN THE MATTER OF GOLD KIST: A Consent Order finding violations and assessing civil penalties totaling \$18,380.00 was adopted. Respondent is ordered to pay \$1,875.00 in late fees.

Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Bowers

The Commission approved a request to find probable cause to open investigations of Beverly Enterprises, Inc. , Oxford Construction Company and Ambling Companies, Inc. regarding possible violations of O.C.G.A. § 21-5-34(e).

Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Williams

COMMENTS FROM THE ATTORNEY GENERAL'S OFFICE

Mr. Ritter introduced a DeBrae Kennedy as a new attorney with the Attorney General's office. Ms. Kennedy will begin helping out with some of the State Ethics Commission matters.

REPORT OF THE EXECUTIVE SECRETARY:

The Executive Secretary reviewed a letter drafted for the Chairman's signature addressing and granting a 2% increase for the staff (all except the Executive Secretary) of the State Ethics Commission. The Executive Secretary will receive the \$1,600.00 cap allowed.

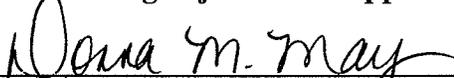
Motion made by Mr. Farrow
Carried Unanimously

Seconded by Mr. Moskowitz

The Executive Secretary also discussed the meeting earlier in the week with the Office of Planning and Budget to discuss the remainder of this year's budget and the budget for the upcoming fiscal year.

The Commission set January 7, 2005 as the next meeting date.

The meeting adjourned at approximately 12:08 p.m.

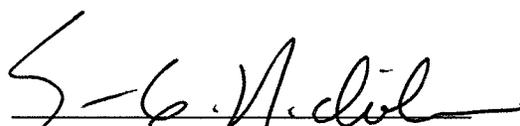


Donna M. May, Compliance Coordinator

Official Minutes Statement

The foregoing Minutes for the November 19, 2004, meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on January 7, 2005.

STATE ETHICS COMMISSION

By: 

Sam G. Nicholson, Chairman