

# STATE ETHICS COMMISSION

## *Commission Meeting Minutes*

August 24, 2006  
State Capitol  
Room 341  
Atlanta, Georgia

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### Present:

Jack Williams, Chairman  
Steve Farrow, Vice Chairman  
Emmett Bowers, Member  
William H. Jordan, Member  
Sonny Watson, Member

The meeting commenced at approximately 10:01 a.m.

### Swearing-in Ceremony

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Mr. Jack Williams, Chairman, collectively administered an Oath of Special Agents for Special Agents Robert Bentivegna, Lanny Mosley, Louis Torres, and Phillip West.

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Mr. Jack Williams, Chairman, presented a plaque to Mr. Steve Farrow, former Chairman and presently Vice Chairman, on behalf of the Commission acknowledging Mr. Farrow's leadership and service as the Chairman of the State Ethics Commission.

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### Office of State Administrative Hearings

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Judge Lois Oakley was invited to the Commission meeting to discuss the agreement between the Office of State Administrative Hearings and the State Ethics Commission.

The Commission adopted the proposed agreement between the Office of State Administrative Hearings and the Commission as presented.

Moved by: Mr. Jordan  
*Carried Unanimously*

Seconded by: Mr. Bowers

The Commission was in recess for approximately five minutes.

## HEARINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

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### **IN THE MATTER OF BOB HANNER**

**CASE NO. 2002-0072**

Witness Heard: Mr. Corban Reese, Auditor for the State Ethics Commission  
Mr. Bob Hanner, Representative – Dist. 148

Ms. DeBrae Kennedy, Assistant Attorney General, informed the Commission that Section U in the Notice of Hearing was withdrawn.

Motion was made to dismiss the allegation that the Respondent had improperly used campaign funds to pay for lodging.

Moved by: Mr. Farrow  
*In Favor: Mr. Williams, Mr. Farrow, Mr. Jordan, and Mr. Watson*  
*Opposed: Mr. Bowers*  
*The motion carried.*

Seconded by: Mr. Jordan

Motion was made to dismiss the allegation that the Respondent had improperly used campaign funds for financing his car payments. Also, the Commission emphasized that the best practice is to keep detailed travel logs to account for all mileage reimbursed.

Moved by: Mr. Farrow  
*In Favor: Mr. Watson, Mr. Farrow, Mr. Jordan, and Mr. Bowers*  
*Opposed: Mr. Williams*  
*The motion carried.*

Seconded by: Mr. Watson

The Commission was in recess for approximately five minutes.

### **IN THE MATTER OF DANIEL W. LEE**

**CASE NO. 2005-0067**

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of Eight Hundred dollars (\$800).

Moved by: Mr. Farrow  
*Carried Unanimously*

Seconded by: Mr. Williams

### **IN THE MATTER OF LESTER JACKSON**

**CASE NO. 2005-0029**

The Commission adopted a Consent Order finding violations and assessing civil penalties in the amount of One Thousand dollars (\$1,000).

Moved by: Mr. Bowers  
*Carried Unanimously*

Seconded by: Mr. Watson

**IN THE MATTER OF ROB SMITH**

**CASE NO. 2004-0014**

The Commission dismissed this matter based on the Motion to Dismiss filed by the Attorney General's office.

Moved by: Mr. Williams  
*Carried Unanimously*

Seconded by: Mr. Bowers

**IN THE MATTER OF BILL CAMPBELL**

**CASE NO. 2001-0070,**  
**CASE NO. 2001-0086,**  
**CASE NO. 2001-0129**

The Commission dismissed these matters due to Mr. Campbell's criminal conviction in Federal Court.

Moved by: Mr. Bowers  
*Carried Unanimously*

Seconded by: Mr. Farrow

**REGULAR MEETING**

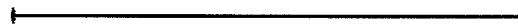


The Commission laid the motion to approve the June 29, 2006 meeting minutes on the table until the staff could conduct a review to ensure accuracy of the recorded votes.

Motion made by Mr. Farrow  
*Carried Unanimously*

Seconded by Mr. Williams

**OTHER BUSINESS**



The Chairman, Mr. Williams, ruled not to consider the letter request made by Attorney Michael Bowers and Attorney Robert S. Highsmith, Jr. in the matter of Mark Taylor by invoking Commission Rule 189-2-.06. The Chairman further stated that any actions required by the Commission on an issue should be filed in the form of a motion. The motion should be served to the Respondent in proper amount of time to respond in writing. Mr. Williams announced that if there was no objection by any of the Commission members, the ruling of the Chair would stand.

There being no objection to the ruling of the Chair, the aforementioned ruling was adopted.

**MOTION FOR RECONSIDERATION AND NEW HEARING**

Motion was made to dismiss the Motion for Reconsideration and New Hearing filed by Mr. James Finley in the Matter of James Finley, No. 2005-0058.

Moved by: Mr. Williams  
*Carried Unanimously*

Seconded by: Mr. Bowers

Mr. Jordan abstained from voting due to his absence during the hearing in the Matter of James Finley, No. 2005-0058.

## **CONSIDERATION OF AMENDMENT TO RULE 189-2**

Motion was made to adopt the amendment to Rule 189-2 with the suggested changes that were recommended by Mr. Jordan.

Moved by: Mr. Jordan  
*Carried Unanimously*

Seconded by: Mr. Farrow

The Commission was in recess from 12:30 p.m. to 1:30 pm.

The meeting was reconvened at approximately 1:31 p.m.

**The Commission laid the following Agenda items - Discussion of Campaign Committee Expenditure On Candidate/Officeholders' Legal Expenses, Discussion of Preliminary Hearing Procedures, Discussion of any Proposed Legislation, and Discussion of Late Filing Fees on the table until next meeting in order to enter in an Executive Session.**

Moved by: Mr. Williams  
*Carried Unanimously*

Seconded by: Mr. Farrow

Motion was made to enter in a closed Executive Session for discussion of an employment issue.

Moved by: Mr. Bowers  
*Carried Unanimously*

Seconded by: Mr. Watson

Motion was made to adjourn the Executive Session so as to return to the Regular Meeting at approximately 2:45 p.m.

Moved by: Mr. Williams  
*Carried Unanimously*

Seconded by: Mr. Watson

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



- There were no comments from the Attorney General's office.

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



- There were no comments from the Executive Secretary.

## FUTURE MEETING DATE

The Commission set following dates for their future meetings following the September 21, 2006 meeting:

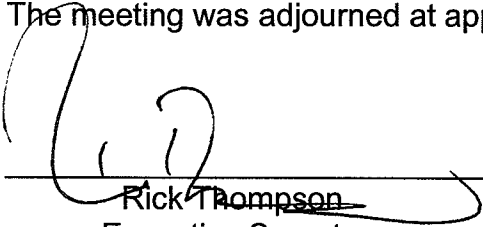
September 28, 2006 at 10:00 a.m. special meeting via conference call  
October 19, 2006  
November 30, 2006

Motion was made to adjourn the meeting.

Moved by Mr. Farrow  
*Carried Unanimously*

Seconded by Mr. Bowers

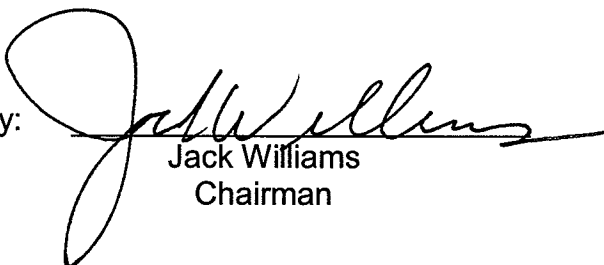
The meeting was adjourned at approximately 2:55 p.m.

  
Rick Thompson  
Executive Secretary

### Official Minutes Statement

*The foregoing Minutes for the August 24, 2006 meeting for the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on September 21, 2006.*

## STATE ETHICS COMMISSION

By:   
Jack Williams  
Chairman

**STATE OF GEORGIA**

**COUNTY OF FULTON**

**AFFIDAVIT SUPPORTING CLOSING  
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. § 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

**COMES NOW, Jack Williams**, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of these statutory requirements outlined above.

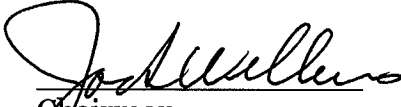
1. I am the presiding officer of the State Ethics Commission.
2. I am over the age of 18 and in all over aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **August 24, 2006** this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed.

To conduct a meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action, dismissal or periodic evaluation or rating of a public officer or employee, except for the receipt of evidence, the taking of any vote on said issue and any discussion of filling a vacancy on this entity. O.C.G.A. § 50-14-3(6).

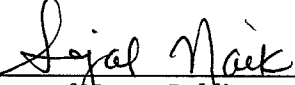
**FURTHER THE AFFIANT SAYETH NOT.**

**State Ethics Commission**

By:

  
Chairman

Sworn to and subscribed before me  
This 30<sup>th</sup> day of ~~October~~, 2006.  
November

  
Signature of Notary Public