

DEKALB COUNTY BOARD OF ETHICS

MINUTES

November 14, 2005

Members Present

Stanley Baum, Acting Chair
Veronica Higgs, Member
Pat Killingsworth, Member
Bryan Smith, Member
Teri Thompson, Member

Others Present

George Anderson
Steve Carr
Viola Davis
Tom Doolittle
Steve Irving, Attorney
Gwen Marshall
Ron Marshall

CALL TO ORDER AND APPROVAL OF MINUTES

Stanley Baum, acting Chair, called the meeting to order at 7:30 p.m. The minutes from the last meeting were presented for approval. Mr. Marshall indicated that "during working hours should be deleted." The minutes were approved with corrections.

Steve Irving was introduced as attorney for the Ethics Board. He was selected by the county Commission's Law Department from a short list of nominees. He is an independent attorney chosen to represent the Ethics Board. He is a graduate of Mercer University Law School and has been a member of the State Bar of Georgia since 1979. Attorney Irving has a general civil practice.

OLD BUSINESS

Allegation of Misconduct by Chief Executive Officer Vernon Jones regarding Campaigning by County Employees

Mr. Baum expressed his concern that no subpoenas had been issued with regard to the merit system employees who were campaigning for Vernon Jones. Mr. Marshall stated that he had given the names to Veronica Higgs, the contact person for this matter. Ms. Higgs indicated that she had not received such information from Mr. Marshall. Mr. Marshall stated that the two employees are Al Nixon and Rodney Johnson. Both are full-time employees of DeKalb County.

The issue is whether they were campaigning while getting paid as employees of the County. According to Mr. Marshall, individuals cannot campaign if they are members of the merit system. Mr. Baum stated that he wants to schedule a preliminary hearing to address said allegations and to give Mr. Jones' counsel an opportunity to respond and appear before the Board of Ethics.

Mr. Marshall stated that Mr. Nixon's telephone number is 404-371-2673; and, Mr. Johnson works in the Development Department. Mr. Baum stated that it is inappropriate for Board members to contact individuals regarding complaints of their participation in elections. Ms. Killingsworth moved that the Board contact the parties for a scheduled hearing date and investigate the issue on the written complaint. She further moved that Mr. Johnson and Mr. Nixon be given notice of the hearing and the opportunity to be present. Mr. Smith seconded the motion. The votes were as follows: Four in favor, and one abstention (Teri Thompson).

Complaints filed against the Board of Ethics

Mr. Marshall stated that he has filed two complaints against the Board and that neither has been answered. Mr. Marshall further stated that he filed the second complaint for the Board's failure to answer the first complaint. Mr. Baum stated that the initial complaint that was filed against the Board was sent to the Board of Commissioners. Ms. Killingsworth moved that Attorney Irving handle all such matters and to check on the status of the complaints.

NEW BUSINESS

Complaint filed against Donald Broussard

On March 22, 2005, an attorney representing Legacy Group, LLC, filed a complaint against Mr. Broussard. The preliminary hearing is scheduled for December 19, 2005.

Meeting and Hearing Dates

January 10, 2005 – Preliminary Hearing on campaigning by employees

February 8, 2005 – Board of Ethics meeting

Board of Ethics 2006 Slate

Aubrey Villines, Chair
Teri Thompson, Vice Chair
Bryan Smith, Secretary

Complaints to be Filed in the Future

Mr. Marshall indicated that he will be filing the following complaints in the future:

- (1) Misconduct by Vernon Jones based on the filing of rape charges. Ms. Killingsworth reminded Mr. Marshall that the criminal charges were dismissed against Mr. Jones;
- (2) Misconduct by the Board of Ethics for failure to respond to previous complaints;
- (3) Misconduct by Vernon Jones based on his Rockdale County residency.

Ms. Killingsworth moved that all such matters be referred to Attorney Irving. The motion carried.

There being no further discussion, the meeting was adjourned at 8:30.

Respectfully submitted,

Teri L. Thompson
Secretary