

MINUTES
DeKalb County Board of Ethics
March 20, 2006

MEMBERS PRESENT: Aubrey Villines, Chair
Pat Killingsworth
Stanley Baum
Teri Thompson
Bryan Smith
Veronica Higgs
Stephen W. Irving, *Counsel for the Board*

OTHERS PRESENT: Ron Marshall
Gwen Marshall
George Anderson
Dwight Thomas, Esq. (Atty. for Vernon Jones, CEO
DeKalb County)
D.B. Cooper
Carolyn Brooks
Sgt. Robert Cordero (Rockdale Co. Sheriff's Office)
Don Cargill (Chairman, Rockdale Co. Board of Elections)
Don Broussard
Michelle Terrell
Viola Davis

CALL TO ORDER AND APPROVAL OF MINUTES

Aubrey Villines, Chair of the Board of Ethics, called the meeting to order at approximately 7:11 p.m. The Chair asked for any corrections or modifications to the minutes of the prior meeting. Following recommended corrections to the minutes, a motion to approve the minutes was properly made and seconded. The minutes were approved with four (4) members voting to approve the minutes and with one member (Veronica Higgs) abstaining from voting on approval of the minutes.

OLD BUSINESS

The Broussard Matter

The Chair, Aubrey Villines, suggested that every Board of Ethics member conduct research concerning the Broussard matter. The Board of Ethics decided that the Broussard matter will be heard on Tuesday, April 4, 2006 and there will be no new evidence introduced and a final decision is to be rendered.

Complaint questioning CEO Vernon Jones' Residency

George Anderson filed a complaint alleging that CEO Jones "engaged in an activity that is prohibited by a law that is applicable to him by virtue of being a member of the

governing authority". George Anderson also alleges that CEO Jones also violated O.C.G.A. 21-2-561, stating, "Any person who registers to vote knowing that such person does not possess the qualifications required by law ...who knowingly gives false information in registering shall be guilty of a felony".

Mr. Anderson introduced a Mapquest photocopy of a property listed as 3350 Flat Shoals Road, Conyers, Georgia 30094. This property is alleged to be CEO Jones' property. Mr. Anderson asserts that CEO Jones receives no DeKalb County services (i.e., utilities, police, fire, etc.) and Mr. Anderson believes that CEO Jones' polling destination is at Conyers High School, in Rockdale, County.

Attorney Dwight Thomas, counsel for CEO Jones, requested that any potential witnesses in the Complaint be asked to leave the hearing while evidence was being presented. Sgt. Rod Cordeiro of the Rockdale Sheriff's Office, as well, Don Cargill, Chairman of the Rockdale County Board of Elections adjourned to the adjoining room. Mr. Anderson called Mr. Cargill and asked him if 3350 Flat Shoals was in Rockdale County. Cargill responded, "No" and he further explained that 3350 Flat Shoals in Conyers, Georgia is actually in DeKalb, County. Cargill explained that a voter registration form from the State of Georgia listing CEO Jones' address in Rockdale County was an error. Cargill had a statement from the Clerk, in Rockdale County, which expressed that the matter had been thoroughly investigated and the Rockdale, County officials are confident that CEO Jones is a legal resident of DeKalb County.

Attorney Thomas also produced a letter from the DeKalb County Board of Elections that showed that DeKalb County officials have also determined that CEO Jones' property is in DeKalb County. Board member Killingsworth expressed that she does not view our Body as the appropriate entity to even decide residency of members of the governing authority. She stated, "We are here for ethical violations of DeKalb County Officials".

A motion to dismiss the Complaint was properly made and promptly seconded. The Complaint was unanimously dismissed.

George Anderson v. CEO Jones Re: Rape Investigation

George Anderson filed a complaint alleging that CEO Jones "engaged in an activity that is prohibited by a law that is applicable to him by virtue of being a member of the governing authority". Mr. Anderson alleges that CEO Jones "used his position as an elected official to pressure everyone involved (including the alleged rape victim) to cease and desist from further investigation/inquiry".

Attorney Thomas filed a Motion to Dismiss due to lack of Subject Matter Jurisdiction on February 22, 2006. Attorney Thomas addressed the Board of Ethics and explained that DeKalb County District Attorney's Office (DCDA) has decided not to pursue the matter after the DCDA has investigated the matter. Attorney Thomas also stated that the Georgia Bureau of Investigations (GBI) has also investigated the matter and not pursued the case, at the time of our hearing. Attorney Thomas' last point was that our Board has no

jurisdiction over felony criminal matters. Thomas further moved for sanctions for frivolous filings.

Board member, Patricia Killingsworth, moved that we dismiss the Complaint, the motion was properly seconded, by Teri Thomas and the Complaint was dismissed with four members (Killingsworth, Smith, Baum and Thomas) voting in favor and one member (Higgs) abstaining.

NEW BUSINESS

There was no new business and the next scheduled meeting is April 4, 2006.

There being no further discussion, the meeting was adjourned at approximately 8:17 p.m.

Respectfully submitted,



Bryan Smith, Member
DeKalb County Board of Ethics