

DeKalb County

Board of Ethics

c/o Clerk of the Governing Authority

Manuel J. Maloof Center

1300 Commerce Drive

Decatur, Georgia 30030

www.co.dekalb.ga.us/ethics/

AGENDA

August 11, 2004

1. Call to Order
2. Introduction of Board Members in Attendance
3. Introduction of Members of the Public in Attendance
4. Adoption of the Minutes of the Previous Meetings
5. Old Business
 - Adopt Formal Reprimand of Commissioner Lou Walker
6. New Business
 - Schedule additional meeting dates for the remainder of 2004
 - Adopt a procedure for assignment of individual investigations to Board members
 - Adopt a procedure for notifying all individuals under the jurisdiction of the Board of Ethics of the jurisdiction and rules of the Board
 - Adopt a procedure for obtaining legal counsel to assist with Board investigations of complaints filed with the Board
7. Preliminary Investigations/Hearings
 - Preliminary Investigation Addressing the Complaint filed against CEO Vernon Jones by George Anderson
 - Preliminary Investigation Addressing the Complaint filed against Commissioner Hank Johnson by Joanne Rose
8. Adjourn

(Next Meeting: Special Session, September 14, 2004, at 7:00 p.m.)

DeKalb County Board of Ethics

c/o Office of the Clerk, Department of Finance

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Minutes of The Board of Ethics

August 11, 2004

Members Present: Patricia Killingsworth, Chair, Aubrey Villines, Vice Chair,

Stanley Baum, Bryan Smith, Teri Lee Thompson, Jule Lassiter, Veronica Higgs

Others Present: Josie Dean, Viola Davis, Ron & Gwen Marshall, John Steinichen, Jim Murtagh, Gus Boring, James Washburn, Joan Rose, Jim. Sweeney, Michael Kovachic, George Anderson, Carol Ayliffe, Daniel Broussard

Call to Order and approval of Minutes:

Patricia Killingsworth, Chair of the Ethics Board, called the meeting to order at 7:20 p.m. The Chair asked that a moment of silence be observed in memory of former Commissioner, Lou Walker, and former DeKalb County CEO, Manuel Maloof. This was followed by introductions by both board members and members of the public.

Stanley Baum moved to adopt Minutes of the meetings of May 11, 2004 and June 3, 2004. The minutes of May 11, 2004 were adopted with the following corrections: Daniel Broussard should read **Donald Broussard**, Dan Broussard should read **Don** Broussard, and the DeKalb County Board of Commissioners should read **DeKalb County Zoning Board of Appeals**.

Old Business:

Adoption of Formal Reprimand of Commissioner Lou Walker:—

Mr. James Washburn was recognized before stating that he was not speaking on behalf of Commissioner Lou Walker who was now deceased, but as a citizen. He said he did not think it appropriate to continue with the matter at this time and urged the Board to consider the matter closed and not issue a formal reprimand.

Mr. Baum recommended that the minutes should reflect that a reprimand was issued. He further stated that we have an obligation to complete what was started. Mr. Villines agreed that the record should reflect where we have arrived. Mr. Lassiter stated that Mr. Kovachic and others should have an opportunity to be heard.

There were some discussions on how to bring closure to the matter.

Stanley Baum moved to adopt the Reprimand as drafted; however, Mr. Villines proposed a substitute with two minor changes, as outlined below:

The Board, after open deliberations, found unanimously (7-0) that Commissioner Lou Walker had violated Section 22 (A) of the DeKalb County Code of Ethics in failing to disclose his business relationship with the City of Atlanta prior to a Commission vote on a related matter. Upon further open deliberations the BOE unanimously determined that the appropriate punishment in this particular circumstance would be a public reprimand.

On a vote of 5 in favor and 2 abstaining, the Reprimand was formally adopted with the changes. In conclusion, the chair stated that the board's official position is that the Reprimand has been publicly stated; in public forum, at the actual hearing and in a public document.

New Business:

The Chair stated that with several other complaints pending they need to set a monthly schedule through the end of the year. It was agreed that regular board meetings will be held on November 10th and December 8, 2004.

Two new complaints were brought to the board.

The first complaint filed against CEO Vernon Jones by George Anderson.

The Chair indicated that the preliminary investigation into this complaint would not be addressed at this meeting. Although the complaint was filed in a timely manner due to her schedule notice was not sent out on time. Also, a letter requesting a continuance was received via fax from Mr. Thomas, CEO Jones' counsel. Mr. Lassiter apologized to Mr. Anderson for the lack of communication. Mr. Lassiter moved for a continuance, seconded by Mr. Villines. September 21, 2004 at 7:00 p.m. was scheduled for hearing this complaint.

Assignment of individual investigations to Board members:-

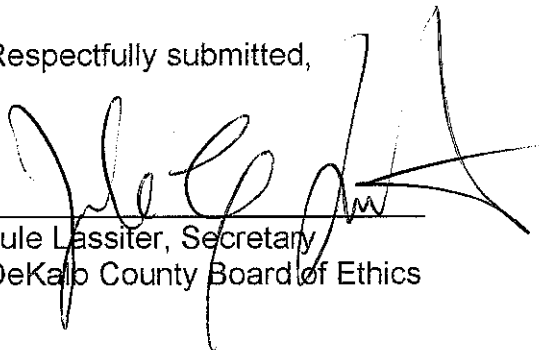
Mr. Villines indicated that he would like to see a case manager appointed for each complaint filed and this should prevent any perceived or potential conflict of interest. Cases would be assigned on a rotation basis and would help to relieve the Chair of some of the paperwork generating from the increased amount of complaints. After some discussion Mr. Bryan Smith was assigned as case manager for the complaint filed by Mr. Anderson. The second Complaint was filed against Commissioner Hank Johnson by Joanne Rose; this was assigned to Mr. Villines, and will be heard on October 14, 2004 at 7:00. Ms. Rose was instructed to communicate with Mr. Villines.

The Chair stated that a procedure should be adopted to notify individuals under the jurisdiction of the BOE of the jurisdiction and rules of the Board. Mr. Baum suggested that they contact the chairperson of these boards to get on their agenda, so as to advise them of the role of the BOE, and answer any questions they may have. Board members were given a copy of all Boards and it was agreed that Board members could select the boards they would like to address.

The Chair stated that a procedure should be adopted for obtaining legal counsel to assist the BOE with investigating of complaints field with the Board. Mr. Villines advised the Board that he had tried to contact the DA several times to ask for his assistance in appointing an attorney to attend our meetings and assist the BOE on a limited case by case basis. Mr. Lassiter said he had spoken with Richard Stogner regarding the cost associated with obtaining special representation, and was advised that they are not opposed to funding on a limited basis.

There being no further business the meeting was adjourned.

Respectfully submitted,



Jule Lassiter, Secretary
DeKalb County Board of Ethics