

DEKALB COUNTY BOARD OF ETHICS

MINUTES

August 10, 2005

Members Present

Aubrey Villines
Teri Thompson
Veronica Higgs
Bryan Smith
Stanley Baum

Others Present

Ron Marshall
Dwight Thomas
Viola Davis
Mike Bell

CALL TO ORDER AND APPROVAL OF MINUTES

Aubrey Villines, Chair of the Board of Ethics ("Board"), called the meeting to order at 7:05 p.m. The Chair asked whether any corrections or modifications were needed to the minutes of the May 11, 2005 meeting. The only correction needed was to Paragraph Three regarding the name of the party who filed the complaint against the Board. The name ___ should replace the name "Common Cause."

OLD BUSINESS

Allegations of Misconduct by CEO Jones and Merit Employees

Ron Marshall notified the Board that the names of the county merit employees who campaigned for Chief Executive Officer Vernon Jones ~~during work hours~~ are Rodney Johnson (telephone number 404-371-2673) and Al Nixon. Mr. Baum advised Mr. Marshall that the merit system employees are not under the jurisdiction of the Board, although Mr. Jones is under the Board's jurisdiction. Also, Mr. Marshall was reminded that he must determine the dates and times that the employees are alleged to have campaigned for Mr. Jones. Board Member Veronica Higgs will chair that hearing.

Allegations of Misconduct by CEO Jones and Reverend Wiley Jackson of The Gospel Tabernacle.

The Board addressed the complaint by Mr. Marshall wherein he alleges misconduct by CEO Jones when he inappropriately allowed state-issued grant money to go to Reverend

Wiley Jackson's church. Mr. Marshall stated that the State of Georgia is now suing DeKalb County for return of the money (\$149,000).

Mr. Villines noted that assuming the commissioners, after due diligence, voted to give the money to a private entity, the question now is whether Vernon Jones and Mike Bell (DeKalb County Department of Finance) are now responsible for the allocation of that money.

Mr. Marshall maintained that the request for the money should have been voted upon by the commissioners as required by the State Ethics Board.

Attorney Thomas stated that there is no ongoing litigation and stated that Mr. Bell, who approved the measure, is present to answer any questions from Mr. Marshall and the Board.

Mr. Bell testified to the following:

- (1) During the 2001 General Assembly then-State Senator Connie Stokes procured a grant for inner city youths;
- (2) On July 9, 2001, DeKalb County received written notification that a grant had been approved in the amount of \$185,000 for inner city youths;
- (3) The State legislature designated the money. Action Community Development ("ACD") is the name of the organization that would receive the money;
- (4) Reverend Wiley Jackson served on the Board of ACD;
- (5) On July 24, 2001, the Dekalb County Board of Commissioners signed a resolution to accept the grant that was initially procured by Ms. Stokes and the State Department of Community Affairs.

Mr. Baum interjected the following question: What are the County's responsibilities with regard to the grant? Mr. Bell stated that the money was to be passed to ACD and that ACD must be a "not-for-profit" organization. The State notifies the County that the money was to be used for computer training. As early as 1999, an auditor is required to audit and such grants.

Attorney Thomas asked Mr. Bell to discuss the CEO's involvement with the grant. Mr. Bell stated, "Very little." As the Financial Director, Mr. Bell stated that after he (Bell) signs off on the paperwork and he then forwards it to CEO Jones who signs it after Bell has reviewed it.

According to Mr. Bell the County was not aware that the money was going to Wiley Jackson, and that the Law Department did become concerned. Mr. Marshall stated that he was concerned with the way the money was used last year by Rev. Jackson. Mr.

Marshall added that CEO Jones and Rev. Jackson have been friends since college and that Rev. Jackson contributed to Mr. Jones' campaign. According to Mr. Marshall, Mr. Jones persuaded the Commissioners to pass the resolution awarding the money to ACD and Rev. Jackson.

Mr. Bell provided a copy of the Board of Commissioners Business Agenda/Minutes dated July 24, 2001. Under the caption "Recommendations," it is noted that the Board of Commissioners "[a]pprove accepting and appropriating \$185,000 to Grant Fund for Action Community Development, Inc. to be used for a computer lab to provide training for inner-city youth in DeKalb County; and [a]uthorize the Chief Executive Officer to execute the necessary documents for acceptance of the grant."

Mr. Villines questioned whether Mr. Marshall was asking the Board to inquire as to what action, if any, the Commissioners took in approving the award of money to ACD. Whereupon a discussion was held regarding whether the Board has the authority to question action taken by another elected body, and whether the Board should, under any circumstance, inquire into legislative actions.

A Motion to Dismiss the complaint against Mr. Jones was made by Teri Thompson and seconded by Bryan Smith. The motion passed by a vote of three to one (Stanley Baum).

NEW BUSINESS

A new complaint has been filed against the Board by Mr. Marshall and has been forwarded to the Board of Commissioners.

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

Respectfully submitted,

Teri L. Thompson
Secretary