

DeKalb County Board of Ethics
Thursday, September 28, 2017
4:00 p.m.
Conference Room A, Clark Harrison Building
330 W. Ponce de Leon Avenue
Decatur, Georgia 30030

Minutes

Members Present:

Robert Tatum
Dan DeWoskin
Brian Deutsch
Shermanetta Carter

Members Absent:

Edward Queen

Board Affiliates Present:

Stacey Kalberman, Ethics Officer
LaTonya Nix Wiley, Deputy Ethics Officer
Gene Chapman, Board Counsel
Suzanne Amato, Administrative Assistant

Attendees:

Mark Niesse
Stephen Binney
Joe Arrington
Terry Phillips
Viet Tran
Shaundra Stafford
Chris Matheison
Shaheen Williams
Cornelia Lewis
T. Davis

I. **Call to order**

Dan DeWoskin called the meeting to order at 4:00 p.m.

II. **Adoption of Agenda**

The members reviewed the agenda. Robert Tatum made a motion to adopt the agenda and Shermanetta Carter seconded the motion. The motion passed with a vote of 4-0.

III. Review and Approve Meeting Minutes from August 17, 2017

The members reviewed the minutes from the meeting held on August 17, 2017. Brian Deutsch made a motion to approve the minutes and Robert Tatum seconded the motion. The motion passed with a vote of 4-0.

IV. Unfinished Business

A. Reports on Open Cases

1. LaTonya Wiley stated that she is making the Probable Cause Reports regarding Kelvin Walton and Nina Hall available to the members for informational purposes only. She will send the reports to the respondents and offer them the opportunity to respond. She expects that she will put the probable cause hearing on the agenda for the Board's November meeting.
2. LaTonya Wiley stated that she is making the Probable Cause Reports regarding Vaughn Irons and Terrell Davis available to the members for informational purposes only as well. She will send the reports to the respondents and offer them the opportunity to respond. She expects that she will put the probable cause hearing on the agenda for the Board's October meeting.
3. Stacey Kalberman stated that she will defer reporting on the item concerning Calvin Thompson until the next meeting.
4. LaTonya Wiley stated that Items 4, 5, and 7 will be discussed later in the meeting.

V. New Business

- A. Proposed Amendments to Ethics Rules. LaTonya Wiley presented proposed revisions to the Rules of Procedure for the Board. The members declined to change the first sentence in Rule 4.5 that requires the ethics officer to determine within five business days of receipt whether an ethics complaint alleges a violation of the Code of Ethics. After discussion, Robert Tatum made a motion to approve all other proposed changes to the Rules of Procedure and Shermanetta Carter seconded the motion. The motion passed with a vote of 4-0.
- B. LaTonya Wiley presented the proposal for the appointment of a conflicts hearing officer for the complaints against the Ethics Officer, members of the Board of Ethics, and Darren Summerville. The proposed engagement of former Justice Leah Ward Sears would encompass the complaints of: (1) Rhea Johnson against Stacey Kalberman and Dan DeWoskin; (2) Amos King against Stacey Kalberman and the Board of Ethics; (3) Vernon Jones against Stacey Kalberman; and (4) Rhea Johnson against Shermanetta Carter, Brian Deutsch, Robert Tatum, Stacey Kalberman, and Darren Summerville. The Board suspended the discussion to review the 2017 budget.
- C. Stacey Kalberman discussed the status of the 2017 budget and presented proposed changes to address current and anticipated needs. After discussion, the members determined that the proposed adjustments to the classification of funds was acceptable and that the ethics officer should have discretion to use funds from the education budget to pay the fees of the conflicts hearing officer as needed. After making changes to the

proposed Resolution, Brian Deutsch made a motion to adopt the Resolution with changes and Robert Tatum seconded the motion. The motion passed with a vote of 4-0. Dan DeWoskin asked the ethics officer to circulate the final version of the Resolution to the members to ensure its accuracy before he signs it. The Resolution is made a part of the minutes.

- D. The Board resumed its discussion of the proposal for the engagement of Ms. Sears. After discussion, Robert Tatum made a motion to appoint Ms. Sears as conflict hearing officer per the terms of her engagement letter and authorize the Chair to sign the engagement letter. Shermanetta Carter seconded the motion. The motion passed with a vote of 4-0.
- E. Advisory Opinion 2017-1. Stacey Kalberman presented the proposed advisory opinion and discussed the circumstances giving rise to the request to clarify language in the Code of Ethics. Ms. Kalberman stated that the particular question of conflict of interest is moot, but there is need for a clear interpretation of the pertinent language in the Code of Ethics so parties will have direction for future situations. After discussion, Brian Deutsch made a motion to adopt Advisory Opinion 2017-1 and Robert Tatum seconded the motion. The motion passed with a vote of 4-0.

VI. Administrative

- A. Expense Approval and Budget Review. Stacey Kalberman presented the proposed budget for 2018 and discussed the issues involving the changes and modifications to the budget. After discussion, Brian Deutsch made a motion to accept the 2018 budget proposal and Robert Tatum seconded the motion. The motion passed with a vote of 4-0.
- B. Public Comment. Steve Binney made remarks.

VII. Adjournment

Robert Tatum made a motion to adjourn and Shermanetta Carter seconded the motion. The motion passed with a vote of 4-0 and the meeting adjourned at 5:50 p.m.

Approved:



Chair

10 / 19 / 2017

Date