

MINUTES
DeKalb County Board of Ethics
January 10, 2006

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

OTHERS PRESENT: Ron Marshall
Gwen Marshall
Al Nixon
Rodney Johnson
Dwight Thomas, Esq. (Atty. for Vernon Jones, CEO
DeKalb County)
Mark W. Forsling, Esq. (Atty. for Legacy Investment
Group, LLC)
Robert H. Benfield (Atty. for Donald Broussard)
Donald J. Broussard (DeKalb Planning Commissioner)
Kathie Gannon (DeKalb County Board of Commissioners)
Deborah Hamilton
Johnny Fogle
Viola Davis
Julia Steinich

CALL TO ORDER AND APPROVAL OF MINUTES

Aubrey Villines, Chair of the Board of Ethics, called the meeting to order at approximately 7:09 p.m. The Chair asked for any corrections or modifications to the minutes of the prior meeting, no corrections were made and a motion to approve the minutes was properly made and seconded, the minutes were approved.

OLD BUSINESS

Ron Marshall's "lawsuit" filed against the Board of Ethics

Attorney Irving discussed with the Board that he had looked into the suit filed against the Board. He informed us that the suit had been dismissed *sua sponte* and communicated that he would mail the Board members copies of the Final Order.

Allegations of Misconduct by CEO Jones and Merit Employees

Complaint initially filed on July 9, 2004, alleged that CEO Vernon Jones improperly used county employees, to campaign during his re-election bid during the summer of 2004.

The Board, upon recommendation of Atty. Irving, decided to only hear allegation #8 of the Complaint.

Al Nixon, Chief Inspector for County Construction and Rodney Johnson, Assistant Director of Human Development, the DeKalb County Employees named by Ron Marshall as the employees that helped the CEO campaign, were subpoenaed by the Board and both were in attendance.

Ron Marshall began questioning Al Nixon concerning his involvement in CEO Jones re-election. Marshall presented an email listing of dates that he recalled seeing both Nixon and Johnson at campaign events. Mr. Nixon presented to the Board a copy of his timesheets disputing that there were times in which he campaigned and was on the clock for DeKalb County. Mr. Nixon asserted his willingness to help CEO Jones but he emphatically denied doing so to earn favor from the CEO. He reasserted his position to Board member Stanley Baum. Mr. Rodney Johnson, not fully understanding why he was asked to attend the proceedings, informed the Board that he was not comfortable continuing with any of the proceedings without obtaining Counsel. Ron Marshall wanted to proceed with questioning that addressed the issue of whether or not Nixon and Johnson violated the County Employee's Handbook Policies but he was informed, by the Chair (Mr. Villines), that the Board had no jurisdiction over the Policies outlined in the employee's handbook. Mr. Nixon, also stated he would prefer to seek legal counsel.

Mrs. Killingsworth made a Motion to dismiss the Complaint. The Motion passed by a vote of 5-0. The Complaint was dismissed.

The Broussard Matter

Legacy Investment Group, LLC brought a complaint against DeKalb Planning Commissioner Donald J. Broussard, alleging that

NEW BUSINESS

A Complaint drafted by Barry Milteer was addressed. The Board determined that the Milteer case was not within the Board's jurisdiction and the Complaint was dismissed.

It was decided that the next meeting date would February 7, 2006, at 7:00 p.m. in the Maloof Building, at which time the Board will discuss the Briefs that are to be drafted by both sides in the Broussard case.

There being no further discussion, the meeting was adjourned at approximately 9:10 p.m.

Respectfully submitted,



Bryan Smith, Member
DeKalb County Board of Ethics