

MINUTES

DeKalb County Board of Ethics

February 17, 2010

MEMBERS PRESENT: Bryan Smith, Chair
Teri Thompson, Acting Secretary
Bobbie Sanford
Isaac Blythers

CALL TO ORDER

The meeting was called to order at 6:45 p.m. by Chair Bryan Smith.

ADOPTION OF AGENDA

The Agenda was reviewed and approved as provided.

OLD BUSINESS

Appointment of Board of Ethics Members

The following members have been appointed by the CEO: Bobbie Sanford and Isaac Blythers. The Commissioners have appointed the following: Thelma Greer (absent due to illness) and Susan Nugent. There was also discussion as to whether one of the appointments by the Commissioners has elected not to be a member of the Board of Ethics.

Ed McBrayer (PATH), Development Authority

Due to a lack of a quorum because of the failure of the CEO and the Commissioners to appoint and select members this matter was not concluded. Additionally, Attorney Stephen Irving was working on submitting written interrogatories to the parties in an effort to resolve the matter.

Gerald Bryant, Board of Tax Assessors

Due to a lack of a quorum because of the failure of the CEO and the Commissioners to appoint and select members this matter was not concluded. According to Bobbie Sanford, Mr. Bryant may no longer be on the Board of Tax Assessors.

Open Records Request by Attorney Hayden Pace

Attorney Steve Irving responded and the matter was resolved.

NEW BUSINESS

Updating Members' Contact Information

Each member gave Chair Bryan Smith his or her contact information so that this information can be posted on the DeKalb County website. Bryan will schedule a meeting with Gordon Burkette, CEO Liaison.

Ethics Code Book for New Members

Bryan will schedule a meeting for the exclusive purpose of explaining and reviewing the Code of Ethics to all new members.

Complaint against Commissioner Sharon Barnes Sutton

For the limited purpose of discussing the issue of filing a complaint against Commissioner Sutton, Bryan moved that he be permitted to vacate his position as Chair and to designate Teri Thompson as Chair. The motion was seconded and the vote was unanimous.

The essence of the complaint that Bryan is initiating is whether Commissioner Sutton has violated the Code of Ethics by issuing bad checks which resulted in a warrant, and using her influence as a county commissioner to avoid getting arrest. The officers who stopped Commissioner Sutton were disciplined for failing to arrest her.

The following Code Section applies: Section 22 (A) (c) (1) addresses the conduct of governing authorities; Section 22 (A) (c) (2) (A) provides that no member shall request or receive gifts or favors. Section 22 (A) (c) (7) prohibits any member of the governing authority from engaging in any activity that is prohibited by law.

Bryan moved that the Board of Ethics should initiate a preliminary investigation of Commissioner Sutton to determine whether she violated Sections Section 22 (A) (c) (2) (A) and Section 22 (A) (c) (7) of the Code of Ethics. The motion carried and the vote was unanimous. Thereafter, Bryan resumed his position as Chair of the Board.

The next step in this process is for the Board of Ethics to file a written complaint. The respondent has twenty (20) days to respond.

Needs of the Board of Ethics

Members discussed the immediate needs of the Board which included the having a person designated to take minutes, provide copies, etc. It was suggested that a county employee

could be selected to do so and be given compensatory time for the time expended at the Board of Ethics meetings.

There is an ongoing need for supplies to include refreshments. The members also discussed that we consider who will maintain our records and where our records will be maintained. This matter is more urgent in light of the filing of complaints which may contain confidential information such as one regarding Commissioner Sutton.

The members also expressed concern regarding the absence of Board counsel and the need to have another person selected by Steve in his absence.

Amendment to Board Rules

Isaac moved to amend the Board Rules regarding the times and location of our meetings from 7:00 p.m. to 6:00 p.m. and from the Maloof Building to the Harrison Building. The motion carried and the vote was unanimous.

ADJOURNMENT

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Teri L. Thompson
Acting Secretary