



**MEDIA CONTACT**

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**FOR IMMEDIATE RELEASE**

July 27, 2023

## DeKalb County Ethics Board to Reschedule the August 17, 2023 Regular Meeting to August 3, 2023

**DECATUR, Ga.** – The DeKalb County Board of Ethics will conduct a meeting on Thursday, August 3, 2023 at 6:00 p.m. The meeting will be held via Zoom at <https://dekalbcountyga.zoom.us/j/88137432677>.

Join by phone at **602-333-0032** or **888-270-9936** and use conference code **171493**.

**Agenda**

- I. Call to Order and Welcome to the Public
- II. Adoption of Agenda
- III. Approval of the Minutes of the Regular Board Meeting of January 19, 2023
- IV. Approval and Correction of the Minutes of the Special Called Meeting of March 13, 2023
- V. Approval of the Minutes of the Special Called Meeting of July 20, 2023
- VI. Introduction of the Board Members
- VII. Cases (Jurisdictional Issues)
  - A. 2023-2 Deonta David v. Debra DeBerry
  - B. 2023-3 Marcus Ivey v. Joanna Steiner Helsby
  - C. 2023-4 D'Mante Dontrell Anderson v. Maile A. Gershwin
  - D. 2023-5 Marcus Ivey v. Anne M. Long
  - E. 2023-6 Marcus Ivey v. Asha Jackson
  - F. 2023-7 Clementine Broom v. Alberdine Robinson
- VIII. Administrative Items (see Attachments)

- A. Board Rule Changes
  - 1. Rule 8.3: Participation by Alternate Board Member (Attachment 1)
  - 2. Rule 4.7 and 4.9: Response to Allegations and Extension of Time (Attachment 2)
- B. Staff Salary
- IX. Public Comment
- X. Board Interim Chair Comments
- XI. Announcement of Next Regular Meeting Date of Thursday, September 21, 2023
- XII. Adjournment

## ATTACHMENTS

### Attachment 1 to Agenda:

#### Motion (Item VI. A):

#### Rule 8. Alternate Board Members

##### Current Rules:

8.1 Lack of Quorum. Alternate board members shall only serve with all the rights and obligations of full board members under the following circumstances which cause the Ethics Board to lack a quorum: 1) Members of the Board are absent during a public meeting of the Board; 2) Members have a conflict of interest which prevents them from participating in a particular matter; 3) Recusal of a board member from participating for any reason; 4) Vacancy of a position on the Ethics Board.

8.2 Temporary Appointment of Alternate Board Member. When a lack of quorum exists on the Ethics Board due to the circumstances described in Rule 8.1 above, the Chair of the Board shall appoint an alternate to participate.

##### Amendments:

#### 8.3 Participation by Alternate Board Member.

(a) If an alternate is participating in a meeting due to lack of a quorum, the alternate may participate as a full member with respect to all business taking place during that particular meeting. If an alternate is asked to participate in a particular matter due to a conflict of interest and/or recusal of another board member, the alternate shall only participate in the business involving the matter in which the recusal or conflict exists.

(b) In addition to serving to make a quorum due to the circumstances described in Rule 8.1, Alternate board members may contribute to the work of the Board by being included in, and fully participating in, the discussions of the Board on all matters taken up during meetings of the Board, including any executive sessions of such meetings. However, Alternate Board members shall not have the right to make or second motions or to vote on motions during such meetings unless appointed to make a quorum as described in Rule 8.1."

**Rationale: Motion to amend "Rules of the Board of Ethics" to make it clear that Alternate Board Members can fully participate in Board meetings, including all discussions during those meetings, while still making it clear that alternates will not be allowed to make or second motions or to vote.**

### Attachment 2 to Agenda:

#### 4.7 Response to Allegations and Extension of Time.

(a) The respondent shall **may** file a written response to the complaint within thirty days of its

receipt.; provided that nothing shall preclude the ethics officer from agreeing to an extension of time upon request of the respondent. The ethics officer may agree to a thirty-day extension upon written request from the respondent, for good cause shown. If the ethics officer receives a timely written request within five days of the original deadline, the ethics officer may extend this matter for another 30 days from the original deadline.

(b) The ethics officer may agree to a reasonable extension of time upon written request from a complainant or respondent. The request for an extension must occur within five days of the original deadline. A one-time discretionary extension shall be for a maximum period of thirty days from the original deadline. Requested extensions beyond thirty days shall be subject to the Board of Ethics approval, but the Board of Ethics shall not extend beyond sixty days.

**Rationale: Remove confusing language and the public does not like to refer to another rule to get a further explanation. Rule change was originally submitted to make it discretionary to reply because only some respondents actual replied. I also picked 5 days for both 4.7 and 4.8 because that may give us proper notice before the board meeting, but I originally picked seven days.**

**Rationale: There must be a deadline to file extension and also change it from any kind of requests to a written request to have a record. In addition, potential witnesses are not considered parties unless they are the complainant or respondent.**

4.9 Reports to the Board. The ethics officer shall file annually with the Board of Ethics, the Chief Executive Officer, and the Commission on the first Tuesday of each February a written report describing the activities of the ethics officer in carrying out the goals of his or her office and the code of ethics and reporting on the ethical health of DeKalb County.

**Rationale: This is more in line on how the statute reads in Ethics Code 22A(i)(3)(H). Please see the statute below:**

**Filing with the Board of Ethics, the Chief Executive, and the Commission on the first Tuesday of each February a written report describing the activities of the ethics officer in carrying out the goals of his or her office and the code of ethics and reporting on the ethical health of DeKalb County.**