



**Draft**  
**DeKalb County Board of Ethics**  
**Regular Meeting**  
Thursday November 16, 2023  
6:00 p.m.  
Zoom meeting

**Minutes**

**Board Members Present:**

Tammy Greer – Board Chair  
Robert Dallas – Board Vice Chair  
Rosa Darden Waymon  
George Ference  
James Scott Mathews  
Thomas Clements  
Chiquita Wright

**Alternate Members Present:**

Bill Clark

**Board Staff Present:**

Elisa Murphy, Ethics Officer  
Kristin Rodgers, Ethics Administrator  
Hakim Hilliard, General Counsel  
Leondra Taylor, Court Reporter

**County Technology Personnel Present:**

John Matelski, DeKalb County IT  
2Host

**Attendees (names as designated on Zoom platform)**

David Metzger  
Joe Hughes  
Margaret Anderson  
Representative Viola Davis  
Loretta Washington  
Lk23  
Mario Evans  
Clarence Williams  
Claudette Leak  
Ed Williams

Richard Misitano  
Sbinney  
Scott A. Towler  
Tristen Waite  
Mayisha Rashad  
iPhone (118 woods)  
Rhea Johnson  
Nadine Ali, Inspiring Hope  
XXX-XXX-X182  
Voices for Rockdale  
Katherine Oates  
k-bo iphone  
bill  
Benjamin Cohen  
Sandy Cohen  
Mrs. McKnight  
Eugenia Cohen [sic] AKA Cowan

## **Agenda**

### **I. Call to Order**

Board Chair Tammy Greer called the Board of Ethics (“Board”) meeting to order at 6:01 p.m.

### **II. Adoption of Agenda**

Motion: Vice Chair Robert Dallas moved to amend the agenda to include an Executive Session at the end, Board Member James Mathews seconded the motion. Board Member Thomas Clements was absent from the vote. The motion passed by a 6-0 vote.

### **III. Approval of the Minutes of the Regular Board Meeting of October 19, 2023**

Motion: Board Member James Mathews moved to approve the Minutes of the Regular Board Meeting of October 19, 2023; Board Member Rosa Waymon seconded the motion. Board Member Thomas Clements was absent from the vote. The motion passed by a 6-0 vote.

### **IV. Rule Change Correction (see Attachment 1)**

Ethics Officer Murphy presented a correction to a previously approved rule change of 4.8 to 4.9 (see Attachment 1). The floor opened for discussion.

Motion: Board Member George Ference moved to approve the proposed rule change correction as proposed in Attachment 1, Vice Chair Robert Dallas seconded the motion. Board Member Thomas Clements was absent from the vote. The motion passed by a 6-0 vote.

### **V. Preliminary Cases**

A. *2023-9: Kenya Taylor v. Kuwon Dawson of DeKalb Regional Crisis Center*

Ethics Officer Murphy presented the case to the Board. Ethics Officer Murphy recommended dismissal of this case due to lack of jurisdiction. The floor opened for discussion.

Motion: Board Member James Mathews moved to dismiss this case due to lack of jurisdiction, Board Member Rosa Waymon seconded the motion. Board Member Thomas Clements was absent from the vote. The motion passed by a 6-0 vote.

B. *2018-5: Ed Williams & Faye Coffield v. DeKalb Board of Commissioners (excludes Nancy Jester)*

Ethics Officer Murphy presented the case to the Board. Ethics Officer Murphy recommended dismissal of this case because the evidence does not support the allegations of the complaint. The floor opened for discussion.

Motion: Vice Chair Robert Dallas moved to dismiss this case due to there was insufficient amount of evidence to prove the allegation that they violated the Open Meetings Act and based on the fact that there was insufficient evidence to prove the allegation that they violated the State law regarding who can set Commissioners' salaries. Board Member Thomas Clements seconded the motion. The motion passed by a 7-0 vote.

## VI. Probable Cause Case

A. *2018-2: Loretta Washington v. Thurmond, Towler, Clark, and Rhinehart*

Ethics Officer Murphey presented this case to the Board. Ethics Officer Murphy asked for any comments from any respondents in this matter. No one came forth. Ethics Office Murphy recommended dismissal of this case. The floor opened for discussion.

Motion: Board Member Thomas Clements moved to dismiss this case due to a lack of evidence to support this case, Board Member James Mathews seconded the motion. Board Member George Ference left the meeting at 7:40 p.m. The motion passed by a 6-0 vote.

## VII. Evidentiary Hearing Cases

A. *2021-5: Atlanta Air Tours, LLC v. Mario Evans*

Ethics Officer Murphy presented this case to the board. Kristin Rodgers, Joe Hughes, Richard Misitano, and Mario Evans were sworn in and called as witnesses in this case. Complainant Joe Hughes presented evidence related to this case. Ethics Officer Murphy and David Metzger, attorney for the respondent Mario Evans, questioned Kristin Rodgers, Complainant Joe Hughes, witness Richard Misitano, and Respondent Mario Evans. Attorney David Metzger and Ethics Officer Murphy entered exhibits. The floor opened for questioning from the Board. Ethics Officer Murphy recommended dismissal of this case citing that based on the evidence, Mr. Evans did not intend to mislead the BOC and that it appeared to be negligence.

Motion: Board Member Rosa Waymon moved to dismiss the case; Board Member Thomas Clements seconded the motion. Vice Chair Robert Dallas recused himself from the vote. Board Member George Ference left the meeting at 7:40 p.m. The motion passed by a 5-0 vote.

## **VIII. Update on Cases Pending**

### **A. Sharon Barnes-Sutton Consolidated Cases**

Ethics Officer Murphy provided an update on the Sharon Barnes-Sutton Consolidated cases, as this case is still being investigated.

## **IX. Public Comment**

Loretta Washington, Stephen Binney of Clarkston, GA, Viola Davis, Eugenia Cowan gave public comments.

## **X. Comments from the Board of Ethics**

## **XI. Announcement of a Board of Ethics Retreat Date of Friday, December 1, 2023**

## **XII. Announcement of Next Regular Meeting Date of Thursday, December 21, 2023**

## **XIII. Executive Session to Discuss Personnel Matters**

### *A. Motion to Convene an Executive Session*

Motion: Board Member Vice Chair Robert Dallas moved to convene an Executive Session for the purpose of discussing personnel matters, Board Member James Mathews seconded the motion. Board Member George FERENCE left the meeting at 7:40 p.m. The motion passed by a 6-0 vote.

### *B. Motion to Adjourn an Executive Session*

Motion: Board Member Robert Dallas moved to adjourn an Executive Session; Board Member James Mathews seconded the motion. Board Member George FERENCE left the meeting at 7:40 p.m. The motion passed by a 6-0 vote.

### *C. Motion to Approve the Executive Session Affidavit*

No Motion was made to approve the Executive Session Affidavit.

## **XIV. Adjournment**

Motion: Vice Chair Robert Dallas moved to adjourn the November 16, 2023, Board of Ethics Regular Meeting at 10:54 p.m., Board Member Rosa Waymon seconded the motion. Board Member George FERENCE left the meeting at 7:40 p.m. The motion passed by a 6-0 vote.

Approved:

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Chair

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Date

## **Attachment 1 to Agenda:**

~~4.8 Reports to the Board. The ethics officer shall report annually to the board on the complaints received and their disposition.~~

~~4.9~~ 4.8 Annual 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: Rule Change: 4.9, becomes 4.8 and replaces 4.8 - this was the original intent of this rule change to make it more in line with the Ethics Code.**