

City of Atlanta Board of Ethics Meeting Minutes of October 25, 2007

The monthly meeting of the City of Atlanta Board of Ethics was called to order by John Lewis Jr. at 6:07 p.m. in City Council Committee Room 2, 55 Trinity Avenue, Atlanta, Georgia 30303. Attending the meeting were board members Cathy Daniels, MaryAnne Gaunt, Susan Housen, and Kenyatta Mitchell. Also present were staff members Ginny Looney, Claudia Janka, and Nasceas Timms, as well as Terry Grandison and Roger Bhandari of the Law Department. Board members Lawrence Levin and Jacquee Minor were absent.

MINUTES

1. Approval of Minutes

The board approved the minutes of the September 27, 2007 meeting on a motion by Ms. Gaunt and a second by Ms. Daniels.

PROBABLE CAUSE DETERMINATIONS

2. CO-07-020. In the Matter of Denise Skinner-Hurst.

Following a summary of the case, Ms. Housen made a motion to accept the ethics officer's recommendation to dismiss the complaint against Ms. Skinner-Hurst for lack of probable cause. Ms. Mitchell seconded the motion, and the motion passed unanimously.

3. CO-07-021. In the Matter of Jennifer Tetrick.

Ms. Mitchell presided over the discussion of this matter. After hearing a case summary, Ms. Housen moved to accept the ethics officer's recommendation and find no probable cause in this matter. Ms. Gaunt seconded the motion, and the motion passed. Mr. Lewis did not participate in the discussion or vote due to personal knowledge of facts related to the complaint.

SETTLEMENT AGREEMENTS

4. CO-07-030. In the Matter of Perceta Watkins.

Ms. Daniels made a motion to approve the recommended settlement agreement that the ethics officer entered into with city employee Perceta Watkins. Ms. Mitchell seconded the motion, which passed unanimously.

ENFORCEMENT HEARINGS

5. CO-07-018. In the Matter of Kevin Holloway.

Ms. Looney read into the record the stipulated statement of facts to which the parties had agreed and announced that Respondent Kevin Holloway, a former employee, had also stipulated to the authenticity of the exhibits. Mr. Holloway was in

attendance and argued his defense. Following a discussion, Ms. Housen moved on count one regarding the subdivision application for 1812 Lakewood Avenue that the board find that Mr. Holloway violated section 2-810 and impose a fine on that count of \$1,000. Ms. Gaunt seconded the motion, which the board passed unanimously. Ms. Housen moved that, with respect to count two involving the subdivision application for 2500 Perkerson Road, the board find that Mr. Holloway violated section 2-810 and impose a fine of \$1,000 on that count. Ms. Daniels seconded the motion, and the board passed it unanimously. With respect to count three involving the board's cease and desist order, Ms. Housen moved that the board not seek any penalty or impose any fine. Ms. Daniels seconded the motion, which the board adopted by a 4-1 vote, with Ms. Gaunt voting against the motion. Ms. Gaunt made a motion that the board impose a condition making Mr. Holloway's ability to appear before his former department and file applications contingent on his payment of the \$2,000 fine. This motion was seconded by Ms. Mitchell and approved by four members. Ms. Housen abstained from voting.

FORMAL ADVISORY OPINIONS

6. Disclosure of expense reimbursements paid by non-city sources

Following a discussion, the board reached a tentative decision and directed Ms. Looney to draft a formal advisory opinion requiring city officials and employees to file disclosure forms when non-city sources pay for city-related travel.

7. Outside employment of city police officers by national airline

Following a briefing from Ms. Looney, the board decided that a formal advisory opinion should be drafted allowing off-duty police officers to work for a national airline.

OTHER

8. Executive session

The board voted to go into executive session to discuss its jurisdiction in enforcement matters with its counsel and whether the board has the ability to extend the cooling-off period by an additional six months when a violation occurs. The board asked the law department and ethics officer to research its authority to enforce the post-employment rule. The board then came out of executive session.

Having no further business, the meeting was adjourned.



Ginny Looney, Ethics Officer
Approved November 15, 2007