

**CITY OF SOUTH FULTON, GEORGIA
Board of Ethics Meeting
City of South Fulton City Hall
Monday, June 24, 2019, 6:00 PM**



DRAFT

**Attendees: O.V. Brantley, Chair, Board of Ethics
Dennis Francis, Member, Board of Ethics
Kenneth Joe, Sr., Member, Board of Ethics
Jill E. Pope, Member, Board of Ethics
Jewel Johnson, Member, Board of Ethics
Kalvin Bennett, Member, Board of Ethics
Charles Hodges, Member, Board of Ethics**

**Staff: Odie Donald, City Manager
Corey Adams, Deputy City Clerk**

MEETING MINUTES

The meeting was called to order by Ms. Brantley at 6:05 PM.

1. Welcome

Mr. Donald welcomed the attendees to the Inaugural Meeting of the Board of Ethics. Mr. Donald explained his role, as well as the role of the Clerk's office, as a resource and staff support to the Board. Additionally, the City Attorney would be a third resource for the Board; however, given the circumstances involving the City Attorney, an outside attorney may be a consideration for the Board.

2. Introductions

Each board member introduced and provided general background information about themselves.

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3. Discussion: General Organization

Mr. Donald provided a high-level overview of the Ethics Ordinance as passed by the City Council. Further, Mr. Donald explained that the Clerk's Office will be the official record keeper for the Board and keep official minutes.

Ms. Brantley recommended to the Board that they consider receiving ethics training and formulating policies and procedures which govern how the Board will function. The Board expressed consensus regarding these two recommendations. Ms. Brantley will solicit support in developing the bylaws or procedures for the board.

Mrs. Johnson reiterated to the Board that they are an independent board and should operate autonomous of staff. The Board expressed support regarding this understanding.

Ms. Brantley advised that the Board will operate using Roberts Rules of Order; however, to encourage open discussion, she intends to conduct the meetings in an informal fashion.

Mrs. Johnson noted that the Board should begin all meetings on time.

Mr. Joe noted that the Board should adhere to the issues formally before the Board and apply rulings consistent with the Ethics Ordinance.

A motion was made by Mrs. Johnson requesting the Board take the necessary steps to receive ethics training. The motion was seconded by Mr. Hodges. The motion was approved by a unanimous vote.

4. Action Item: Ethics Complaint #2019-01

Mr. Joe and Mrs. Johnson recommended that the Board consider dismissing the current complaint based upon the Emergency Ordinance passed by the City Council on June 11, 2019.

Mr. Francis expressed a concern with the recommendation to dismiss. Mr. Francis indicated that his understanding of the Ordinance is that a "preliminary hearing" must be held prior to dismissal. Mr. Francis suggested the Board consider making a decision regarding their procedure for dismissing a complaint.

Mr. Joe expressed his opinion that the current case does not require a preliminary hearing based upon his reading of the Emergency Ordinance. Mr. Joe recommended that the Board retain an independent attorney to provide legal advice and support based upon the differing opinions regarding process.

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Mr. Francis indicated the complaint has two charges and a determination should be made whether the complaint must be considered in its entirety or can the complaint be separated for consideration.

Regarding the second charge in the complaint, Ms. Pope advised that the Board must decide whether the charge is a result of a court proceeding or is it a result of the City Attorney's alleged behavior in representing her husband before the Municipal Court. It is unknown whether the case in question ever proceeded to a "court hearing".

Mr. Hodges advised that the language in the Ordinance pertaining to preliminary hearings is deficient and unclear. Mr. Hodges suggested that the Board decide procedures now to outline how they will determine whether a preliminary hearing is warranted.

A motion was made by Mr. Joe to 1) ask the City Manager to secure legal representation for the Ethics Board; and 2) regarding the current ethics complaint, present a question to the attorney asking whether the board may hear the complaint, dismiss it in its entirety, or split the complaint into separate parts. The motion was seconded by Mr. Hodges. The motion was approved by a 5-1 vote. Voting Yes: Francis, Joe, Pope, Bennett and Hodges. Voting No: Johnson.

Upon inquiry, Mr. Donald advised that he will retain an attorney via the procurement process. The estimated timeframe to procure an attorney is 3-5 days.

The Board agreed that the next meeting should be held on July 1, 2019 at the same time and location. (6:00 PM at City Hall). Mr. Donald advised that he can commit to have an attorney present at the next meeting on July 1, 2019; however, a written legal opinion may not be available by July 1, 2019.

5. Public Comment

There were no speakers for public comment.

6. Adjournment

A motion was made by Mrs. Johnson to adjourn the meeting. The motion was seconded by Mr. Joe. The motion was approved by a unanimous vote. The meeting was adjourned at 7:23 PM.