

**Ethics Commission Minutes  
September 27, 2010**

Members Present: Danny Hill, Kathy Jackson, Stephen Palmer, David Postle and Frances Kay Strickland

Members Absent: Ross Howard and Tyler Marion

Ex-Officios Present: Bubba Hughes, City Attorney, Janice Elliott, Recording Clerk

Invited Guests:

**Roll:**

Danny Hill called the meeting to order. Roll was taken.

**Minutes:**

David Postle motioned for the minutes of the June 15, 2010 meeting be approved. Frances Kay Strickland seconded. Minutes were approved unanimously.

**Discuss Chairman Hill's address to Mayor and Council on June 24, 2010 concerning request for Text amendment to Ordinance 21-2008:**

Mr. Hill read the letter presented to the Mayor and Council on June 24, 2010 (see attached letter). The request addressed a section in the Ethics Ordinance (Article B Section 4-4) that states "Council may remove a member at anytime at will with or without cause." The Ethics Commission at that time requested that the Council amend that section to state "Council may remove a member at anytime for cause." This will be discussed under New Business due City Attorney's letter regarding the draft for this change.

According to an email from the Clerk of Council to the Janice Elliott, Recording Clerk for the Ethics Commission, \$4,300 in line item 100-1110-52-3500 is for Ethics training. It was discussed that training would not occur until after the next Ethics Commission Installation in February 2011. All those that could be effective by a complaint should attend the training – Ethics Commission, Mayor, Council, Planning Commission etc. At the next meeting, the Ethics Commission will draft a letter to the Mayor and Council asking for training in the early spring. Janice Elliott will check with Gordon Maner or Walt McBride at the University of Georgia Carl Vinson Institute to see if they would be willing to review our ethics ordinance and host a training session.

**New Business**

**Discuss Letter from City Attorney regarding Ethics Ordinance:**

A letter from the City Attorney to Chairman Danny Hill regarding Ethics Ordinance was discussed (see attached letter). A draft of a purposed ordinance amendment which basically defines cause was submitted to Ethics Commission. It reads as follows:

Removal of members of the Ethics Commission other than by resignation shall be for cause as determined by the Mayor and Council **following a Public Hearing**. As used herein, "cause" shall include but not be limited to, failure to attend meetings of the Ethics Commission on a regular basis; when there is a recommendation from the Ethics Commission for conduct allegedly reasonably calculated to result in the Ethics Commission, the City or the City Council **being held** up to disrepute; **while a member** conviction of a crime which is a felony or misdemeanor involving moral turpitude or

dishonesty, or ~~conviction~~ of an ordinance violation involving moral turpitude or dishonesty; a lack of qualification as determined by the Ethics Commission and/or the Mayor and Council; and conduct or circumstances determined by the Mayor and Council to justify removal in the best interest of the City. There is no property right in an appointment and the existence of cause as grounds for removal is not to be considered as creating any property right in the appointed position, nor is the existence of any hearings or procedures to be deemed or considered as creating any property right.

The City Attorney explained why the last sentence concerning “no property right” was inserted. This is to protect the City from being sued from someone contending that they were lawfully removed from their position.

Several changes were suggested. See above draft, changes are in red.

Stephen Palmer made a motion to accept the draft copy of the Ethics Ordinance with the changes as the description submission for request for a change of the Ethics Ordinance 21-2008 to the Mayor and Council. David Postle seconded. Vote was unanimous.

Next Meeting scheduled for December 13, 2010, at 5:00 pm in the City Hall Auditorium.

**Adjournment:**

Frances Kay Strickland motioned to adjourn. Kathy Jackson seconded. Motion carried. Meeting adjourned.

10/11/2010je

Approved: 12/14/2010