

City of Sandy Springs Board of Ethics Meeting was held at Sandy Springs City Hall, 7840 Roswell Road, Building 500, Sandy Springs, Georgia, 30350, on April 13, 2011, at 9:00 a.m.

City Clerk Michael Casey reminded everyone to please identify themselves before they speak. This will help with the transcription of the recording for the minutes.

Call to Order

Chairman Ted Sandler called the meeting to order at 9:05 a.m.

Roll call

City Clerk Michael Casey called the roll.

Board Members Present: Ted Sandler, Kevin King, Stuart Steinmark, Dick Isenberg, Cindy Johnson, Lorrie Mell. David Price was absent.

Staff and Representatives Present: City Clerk Michael Casey and Assistant City Clerk Kelly Bogner

Ruling on Quorum

City Clerk Michael Casey stated a quorum was in place for the meeting.

Lorrie Mell introduced herself.

Swearing in of new board members

Judge Jim Anderson stated he would read the Board of Ethics Oath of office while Lorrie Mell and Cindy Johnson raised their right hands. At the conclusion of the Oath he asked the new members if they so swear. Lorrie Mell and Cindy Johnson were sworn in and both signed the Oath of office.

Introduction of New Members

Chairman Ted Sandler asked Cindy Johnson to introduce herself.

Cindy Johnson stated she is a housewife, civic volunteer, and the President for North Metro Republican Women. She moved to the Atlanta area from Texas eight years ago and has one teenage son.

Lorrie Mell stated she is from Connecticut and has lived in the south for about sixty years. She is married and has three grown children. She is a retired clinical social worker and used to work at St. Joseph's Hospital. She is on a community panel as an officer for the juvenile court. Her role is to expedite children through the Division of Family and Children Services (DFCS) system.

Chairman Sandler thanked Lorrie Mell and Cindy Johnson for their willingness to serve on the Board.

Approval of Board minutes from January 19, 2011 meeting

Motion and Vote: Kevin King moved to approve the January 19, 2011, meeting minutes. Dick Isenberg seconded the motion. The motion carried unanimously.

Approval of Meeting Agenda

Motion and Vote: Stuart Steinmark moved to approve the agenda as submitted. Kevin King seconded the motion. The motion carried unanimously.

Old Business

There was no old business.

New Business

Goals for 2011

Chairman Ted Sandler asked the Board members what direction the Board should be headed in going forward. The Board oversees the elected and appointed officials, not the City employees or contract staff. There was discussion of whether or not the Board should oversee the contract employees.

Lorrie Mell asked about her role as an alternate member.

Chairman Sandler stated the alternates can fully participate in the discussions, but their voting rights are limited. If the Board does not have all members present, the first alternate takes the first open position. If there are two members not attending, the second alternate takes the second open position. When the alternates fill in they are voting members.

Dick Isenberg stated for the benefit of the new members that the Board of Ethics was created by municipal ordinance. The Board has its own by-laws that explain the Board's responsibilities and duties. There have been only two issues that have come before the Board that were of an ethical nature. One of the issues was for an elected official and the other was for an appointed official.

Stuart Steinmark stated he is a comparatively new member, also. The Board is an organization that responds to complaints brought to the Board and when an advisory opinion is needed. If an elected official contemplates doing something and they are not certain if it is an ethical issue, they can bring it to the attention of the Board in advance in order to receive feedback.

Ted Sandler stated there was a request for an opinion by one of the City solicitors representing a police officer outside his responsibilities as a City solicitor. An opinion was offered by the City Attorney.

Stuart Steinmark asked how the Board becomes aware of ethical situations unless there are complaints or requests for an advisory opinion.

Chairman Sandler stated the complaints would come in through the City. He asked if the City Clerk would receive the complaints and then bring them to the Board.

City Clerk Michael Casey responded yes, that is one way a complaint can reach the Board.

Chairman Sandler stated the complaints could also come to any Board member or the Chair.

Stuart Steinmark stated per the by-laws any citizen can file a complaint. Complaints do not have to come from the City staff.

Dick Isenberg stated there have been two complaints. One complaint involved a Councilmember who came forward to clarify a situation that he or she had been involved in. The second complaint was brought against an appointed official.

Chairman Sandler stated he would hope that the Board would be broad in its approach on complaints.

Kevin King asked if the Board has the power to do anything else when responding to complaints.

Chairman Sandler stated anything that needs to be addressed should be a topic for the Board.

Kevin King stated he is not aware of any specific empowerment, other than to respond to a complaint.

Chairman Sandler stated he will refer to the City ordinance and this discussion can be continued at the next Board meeting.

Lorrie Mell stated it would be appropriate for the Board to respond if it is concerned about an unethical situation.

Stuart Steinmark stated since anyone can file a complaint, members of the Board may also do so. The other aspect to keep in mind is that individuals who are the subject of an inquiry also have certain privacy rights. The City Attorney should be involved in advising the Board on what can or cannot be done with respect to individual privacy.

Chairman Sandler stated that is a very strong point. At a majority of the Board meetings City Attorney Wendell Willard is present. He asked if the Board has to request the presence of a City Attorney for the Board meetings.

City Clerk Michael Casey responded no, a request does not have to be made. One of the City Attorneys is usually available or in attendance at Board meetings.

Chairman Sandler stated this discussion leads to the realm of the Board's responsibilities. He would like all of the Boardmembers to be comfortable with their scope and limitations on the Board.

Stuart Steinmark stated most issues that come before the Board are through the media. He thanked the media for the job they are doing and getting the word out.

Adjournment

Motion and Vote: Chairman Sandler moved to adjourn the meeting. Kevin King seconded the motion. The motion carried unanimously. The meeting adjourned at 9:30 a.m.

Date Approved: July 13, 2011

Ted Sandler, Chairman

Michael Casey, City Clerk