

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 October 12, 2011, at 9:00 a.m.

Call to Order

Chairman Ted Sandler called the meeting to order at 9:07 a.m.

Roll call

City Clerk Michael Casey called the roll.

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

Approval of Board minutes from July 13, 2011 meeting

Motion and Vote: Dick Isenberg moved to approve the July 13, 2011, meeting minutes. Stuart Steinmark seconded the motion. The motion carried unanimously.

Old Business

There was no old business.

New Business

Lorrie Mell stated the City website has the meetings for various committees listed on the City calendar, but the Board of Ethics meetings are not listed.

Chairman Ted Sandler stated he does not know why that is. The Board of Ethics meetings are held quarterly on the second Wednesday of the month at 9:00 a.m. He asked the City Clerk to have the meeting dates posted online.

City Clerk Michael Casey stated he will follow up to have the Board of Ethics meeting dates added to the City calendar.

Chairman Sandler stated he received a phone call from a citizen regarding the process of filing an ethics complaint. The citizen also mentioned they had trouble locating the Board of Ethics rules and regulations on the City website. He asked that staff check to make sure the rules and by-laws are posted online. This would allow the information to be available for citizens to find out what they need to do to file an ethics complaint or to see if any activities appear to be a violation.

Lorrie Mell stated Councilmember Collins asked if his business would be a conflict of interest for him as a City Councilmember. She wondered if this would be an issue to be addressed by the Board of Ethics.

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Chairman Sandler stated he does not have an answer for that question. At times the City Attorney will prepare an opinion on a concern such as this and then share it with the Board. There may be agenda items that come before the City Council for which Councilmember Collins would need to recuse himself. An employment position should not preclude someone from holding public office, unless perhaps if it was another elected position. He will call the City Attorney to inquire on this situation.

City Clerk Casey stated he heard this situation deals with rendering an informal opinion to a client. If the client has potential business come before the Council, then a conflict of interest may occur.

Chairman Sandler stated he is a member on the Board of Appeals. The Board of Appeals was told to err on the conservative side in regards to conflicts. In certain situations members of the Board of Appeals have asked the City Attorney for advice regarding a potential conflict. For example, he was previously employed by a law firm that represented a client who presented an item to the Board of Appeals. There was a question on whether that was a conflict of interest. Rather than obtaining a formal opinion, it was a matter of asking the City Attorney for his opinion at the time of the meeting.

City Clerk Casey stated the Assistant City Clerk has determined the dates for the 2012 Board meetings.

Assistant City Clerk Kelly Bogner stated the Board meeting dates for 2012 are January 11, April 11, July 11, and October 10.

Chairman Sandler suggested the Board members check their calendars to confirm the meeting dates will not cause conflicts with their schedules.

City Clerk Casey stated Chairman Sandler asked City Attorney Willard if there is a requirement for the Board to meet when there are no issues to be discussed. The City Attorney's response was based on the by-laws, which call for a meeting to be held quarterly. The Board can potentially look into writing an amendment to the by-laws for when there is no pending business to discuss.

Stuart Steinmark stated if this meeting was not held today, these discussions would not have taken place. At first glance there may not be any new business, but things may occur that would be worth discussing.

Chairman Sandler stated the Board meetings are held quarterly and the meetings are fairly short. Even though there may be no new business to discuss, it is still beneficial for the meetings to be held.

Adjournment

Motion and Vote: Stuart Steinmark moved to adjourn the meeting. Dick Isenberg seconded the motion. The motion carried unanimously. The meeting adjourned at 9:11 a.m.

Date Approved: January 11, 2012

Ted Sandler, Chairman

Michael Casey, City Clerk