

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: A RESOLUTION TO PUBLICLY REPRIMAND COMMISSIONER TOMMY HUNTER FOR VIOLATING THE GWINNETT COUNTY CODE OF ETHICS

ADOPTION DATE: JUNE 20, 2017

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Yes
Jace W. Brooks, District 1	Yes	Yes
Lynette Howard, District 2	Yes	Yes
John Heard, District 4	Yes	Yes

On motion of Commissioner **Brooks**, which carried by a **4-0** vote, the Resolution entitled, A RESOLUTION TO PUBLICLY REPRIMAND COMMISSIONER TOMMY HUNTER FOR VIOLATING THE GWINNETT COUNTY CODE OF ETHICS, as set forth below, is hereby adopted:

WHEREAS, Nancy Turner initiated an Ethics Complaint against Commissioner Tommy Hunter on February 6, 2017; and

WHEREAS, a Hearing Officer promptly reviewed the Ethics Complaint and determined that it met the technical requirements to state a claim pursuant to the requirements of the Gwinnett County Code of Ethics; and

WHEREAS, an Ethics Board was empaneled and met diligently four times in the course of arriving at findings of fact and recommendations with regard to the Ethics Complaint; and

WHEREAS, Commissioner Hunter chose not to present testimony or evidence related to his side of this issue nor to participate in the ethics proceeding in any meaningful manner; and

WHEREAS, at the conclusion of its investigation, the Ethics Board deliberated and voted unanimously to adopt Findings and Recommendations regarding the Ethics Complaint; and

WHEREAS, the Ethics Board found that Commissioner Hunter engaged in conduct which failed to put loyalty to the highest moral principles and to the County above loyalty to persons, party, or a County governmental department; and

WHEREAS, the Ethics Board found that Commissioner Hunter posted inappropriate and disparaging comments on his Facebook page, and the Ethics Board found that such postings constitute conduct unbecoming to a Gwinnett County Commissioner or constitute a breach of public trust; and

WHEREAS, the Ethics Board found that Commissioner Hunter's conduct threatened the Board's leadership authority, threatened to create disrespect for the Board of Commissioners both internally and in the community, and threatened to compromise important working relationships for the County both internally and in the community; and

WHEREAS, the Ethics Board's Findings and Recommendations are attached to this Resolution as Exhibit "A" and are by this reference incorporated in this Resolution; and

WHEREAS, the Board of Commissioners has solicited written comments concerning the Ethics Board's Findings and Recommendations; and

WHEREAS, the Board of Commissioners held a duly advertised public hearing on June 20, 2017 with regard to the Ethics Complaint filed by Nancie Turner against Commissioner Hunter; and

WHEREAS, the Board of Commissioners has reviewed the written public comments submitted to the County and listened to the public comments presented during the public hearing on June 20th wherein citizens exercised their First Amendment right to free speech; and

WHEREAS, the Board of Commissioners has carefully considered the Findings and Recommendations of the Ethics Board; and

WHEREAS, Commissioner Hunter's social media posts have led to discord and cast Gwinnett County in a negative light; and

WHEREAS, the Gwinnett County Board of Commissioners does not condone the use of social media to spread negative thoughts about any individual or group; and

WHEREAS, Commissioner Hunter's posts do not represent the views or opinions of Gwinnett County or the Gwinnett County Board of Commissioners; and

WHEREAS, Gwinnett County values its diversity, including diversity of thoughts and viewpoints, and actively seeks to include those of all races, ethnicities, cultures, and language groups, and

WHEREAS, the Board of Commissioners has reviewed the totality of Commissioner Hunter's behavior since his social media comments came to light, including his attempt to apologize for the remarks on January 17th of this year, the lack of further acknowledgement of the impact of his behavior, and the disrespect he has

shown to members of the public by routinely leaving Commission meetings prior to the public comment section, by which he avoids listening to comments directed at him.

NOW, THEREFORE, BE IT RESOLVED that Commissioner Tommy Hunter is hereby reprimanded for engaging in a pattern of behavior that fails to adequately consider the good of the County overall and, as such, is conduct unbecoming to a Gwinnett County Commissioner and a violation of the Ethical Standards for Government Service as outlined in the Gwinnett County Code of Ethics.

THE BOARD OF COMMISSIONERS HEREBY DIRECTS the County Clerk to deliver a certified copy of this Resolution to Commissioner Hunter. The Board further directs that the County Clerk post a copy of this Resolution, including the Findings and Recommendations of the Ethics Board attached as Exhibit "A", on the County's website and at the Gwinnett Justice and Administration Center. The Board also directs the County Clerk to cause this Resolution and its attachments to be published in the Gwinnett Daily Post, Gwinnett County's legal organ, within two weeks of the adoption of this Resolution.

THE BOARD OF COMMISSIONERS HEREBY ALSO EXPRESSES its sincere appreciation to the individuals who served as members of the Ethics Committee for the time and energy they gave to hearing and deliberating on the Ethics Complaint against Commissioner Hunter. The Chairman of the Board is directed to issue letters to these individuals to further express the Board's gratitude for their service.

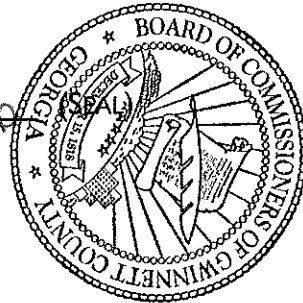
SO RESOLVED AND ADOPTED, this the 20th day of June, 2017.

GWINNETT COUNTY BOARD OF COMMISSIONERS

BY: Charlotte J. Nash
CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

BY: Diane Kemp
DIANE KEMP, COUNTY CLERK



APPROVED AS TO FORM:

BY: Van Stephens
VAN STEPHENS
CHIEF ASSISTANT COUNTY ATTORNEY