

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 In the Matter of:)
 COMPLAINT C2012-031)
)
 Theresa H. Taylor,)
 Respondent,)
)
 State Ethics Commission,)
 Complainant.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

STATE ETHICS
 COMMISSION

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RECEIVED

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on October 19, 2011. On November 16, 2011, pursuant to S.C. Code Ann. §8-13-320(10)(i)(Supp. 2010), the State Ethics Commission reviewed for probable cause the above-captioned complaint charging Respondent, Theresa H. Taylor, with a violation of Section 8-13-700(A) and (B).

Present at the meeting were Commission Members E. Kay Biermann-Brohl, Acting Chair, Edward E. Duryea, JB Holeman, Priscilla L. Tanner, George Carlton Manley and Richard H. Fitzgerald. Also present were the Commission's Executive Director, Herbert R. Hayden, Jr., and his immediate staff.

The following allegations were considered:

On October 19, 2011 the State Ethics Commission filed a complaint against Theresa H. Taylor, Chairperson, Allendale County Council. The complaint alleged that the Respondent participated in the official decision to hire her son for employment with Allendale County. If true, the Respondent would be in violation of Sections 8-13-700 (A) and/or 8-13-700 (B).

STATEMENT OF FACTS

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, Theresa H. Taylor, is a member of the Allendale County Council.
2. The minutes of the Allendale County Council meeting of August 29, 2011 as provided by Timothy Bennett reflect that a vote was taken to hire Regional (sic) Taylor as Assistant 911 Coordinator for Allendale County. The motion was approved. The minutes reflect that Theresa Taylor “recused her vote”.
3. Respondent advised that she was serving on the hiring committee within Allendale County Council when the matter of the hiring of her son was presented. She stated she was clearly aware of the conflict and she was careful not to participate in any discussion of the hiring matter at the committee or Council meeting level.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Commission concludes, as a matter of law:

1. The Respondent, Theresa H. Taylor, is a public official as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public official from using his official office to obtain an economic interest for a family member.
4. Section 8-13-700(B) prohibits participation by a public official in actions involving the economic interest of a family member.

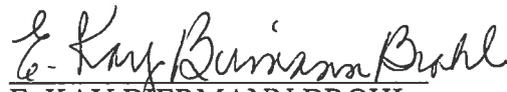
DECISION

Based upon the evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Theresa H. Taylor,

violated Section 8-13-700(A) or (B) The Commission has therefore dismissed the charges in accordance with Section 8-13-320(10)(i) and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 4th DAY OF December, 2011.

STATE ETHICS COMMISSION


E. KAY BOERMANN BROHL
ACTING CHAIR

COLUMBIA, SOUTH CAROLINA