STATE OF SOUTH CAROLINA COUNTY OF RICHLAND	)	BEFORE THE STATE ETHICS COMMISSION
IN THE MATTER OF: COMPLAINT C2013-021	)	
Kenneth L. Currie, Respondent.	)	**CONSENT ORDER**
State Ethics Commission, Complainant.	)	

RECEIVED RECEIVED
2013 MAR 15 PM 2:43 FEB 19 PM 2:49
STATE ETHICS COMMISSION STATE ETHICS COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on August 30, 2012. The complaint against the Respondent, Kenneth L. Currie, was considered by the Commission on November 28, 2012, and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, the Respondent agreed to entry of the following statement of facts, conclusions of law, discussion, admission, and disposition in this matter as follows:

STATEMENT OF FACTS

1. The Respondent, Kenneth L. Currie, is a member of the Bishopville City Council.

2. According to a document provided by the City of Bishopville Finance Director, Suzette K. Robinson, from July 2007 through June 2011 Respondent received per diem in the amount of $7,200.

3. A review of Respondent's Statement of Economic Interest (SEI) reports from 2008 through 2012 revealed that Respondent did document that he received the per diem income from the City of Bishopville.

4. A review of the Bishopville City Council minutes dated August 14, 2012 revealed that Respondent did not vote on the motion to pay back the City of Bishopville for per diem funds he received. The minutes do not document the fact that Respondent excused himself from deliberations or a vote on per diem funds.

5. Respondent reported that during the August 14, 2012 city council meeting he remained silent during the discussion in regard to per diem money and he did not vote.

CONCLUSIONS OF LAW

Based upon the Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Kenneth L. Currie, was a public official, as defined by S.C. Code Ann. § 8-13-100(27)(Supp. 2011).

2. The State Ethics Commission has personal and subject matter jurisdiction.

3. Section 8-13-700(B) prohibits participation by a public official in actions involving the official's personal economic interest and when one has a conflict the recusal must be in the minutes and in writing.

DISCUSSION

At the August 14, 2012 meeting I was not aware of the procedure for recusing myself from a vote. We did not have recusal forms available. Actually, I was not even aware that there was such a form. I do not feel that it was anyone's fault, as it had never been an issue before. This has since been corrected so these forms are available at meetings now.

ADMISSIONS

The Respondent, Kenneth L. Currie, admits that he unintentionally violated Section 8-13-700(B).

DISPOSITION

The State Ethics Commission hereby finds Kenneth L. Currie in violation of Section 8-13-700(B) of the Ethics Reform Act and hereby adopts the Statement of Facts, Conclusions of Law, Discussion, Admissions, and Disposition as agreed upon by the Respondent.

THEREFORE, the State Ethics Commission hereby issues this written warning to Kenneth L. Currie for violation of Section 8-13-700(B) of the Ethics Reform Act,

AND, orders Respondent to pay an administrative fee of $100.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 13th DAY OF March 2013.

STATE ETHICS COMMISSION

PHILLIP FLORENCE, JR.
CHAIR

Kenneth L. Currie