

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION
))
IN THE MATTER OF:))
))
COMPLAINT C2014-034))
))
))
Miriam C. Green,))
Respondent.))
))
))
Jeffrey Sewell,))
Complainant.))
_____))

CONSENT ORDER

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Complainant, Jeffrey Sewell, on September 13, 2013. The complaint against the Respondent, Miriam C. Green, was considered by the Commission on November 20, 2013, and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following statements of fact, conclusions of law, discussion, admission, and disposition in this matter as follows:

STATEMENTS OF FACT

1. The Respondent, Miriam C. Green, is a member of Awendaw Town Council.
2. On September 24, 2013 a Commission investigator contacted Complainant by telephone. He stated he would obtain Council meeting minutes which demonstrated that C2014-034 Respondent was engaged in making governmental decisions regarding her employer, Berkeley Electric Cooperative.
3. A review of the minutes of Awendaw Town Council meetings of July 8, 2013 and August 2, 2013 indicates that Respondent recused herself from voting on the first and

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second reading of the ordinance concerning a franchise agreement with Berkeley Electric Cooperative.

4. On October 7, 2013 Respondent advised that, due to her employment with Berkeley Electric Cooperative, she abstained from voting on the ordinance which affected the economic interest of her employer.

5. A review of the documents provided with the complaint to include the franchise agreement between the Town of Awendaw and Berkeley Electric Cooperative confirms that a contract existed which required disclosure of Respondent's compensation in accordance with Section 8-13-1120(A)(8).

6. A review of Respondent's Statements of Economic Interests (SEI) for the past four years reveals that she failed to disclose her compensation received from Berkeley Electric Cooperative for 2009 through 2012. On December 10, 2013 Respondent amended her previously filed SEIs and disclosed her income from Berkeley Electric Cooperative.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Miriam C. Green, was a public official, as defined by S.C. Code Ann. § 8-13-100(27)(Supp. 2012).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-1120(A)(8) provides that a public official must disclose the compensation received from a business with which associated if the business has a contract with the public official's governmental entity.

DISCUSSION

(Available for Respondent's benefit.)

ADMISSIONS

The Respondent, Miriam C. Green, admits that she inadvertently and unintentionally violated Section 8-13-1120.

DISPOSITION

The State Ethics Commission hereby finds Miriam C. Green in violation of Section 8-13-1120, albeit inadvertent and unintentional, of the Ethics Reform Act and hereby adopts the Statements of Fact, Conclusions of Law, Admissions, Discussion and Disposition as agreed upon by the Respondent.

THEREFORE, the State Ethics Commission hereby issues this written warning to Miriam C. Green for violations of Section 8-13-1120 of the Ethics Reform Act,

AND, orders Respondent to pay an administrative fee of \$200.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 10th DAY OF Feb. 2013.

STATE ETHICS COMMISSION



Miriam C. Green



PHILLIP FLORENCE, JR.
CHAIR