

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF: )  
COMPLAINT C2012-019 )

Michael Townsend, )  
Respondent. )

**CONSENT ORDER**

State Ethics Commission, )  
Complainant. )

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on August 23, 2011. The complaint against the Respondent, Michael Townsend, was considered by the Commission on November 16, 2011, 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. From July 2010 to February 2011 the Respondent, Michael Townsend, was a public employee of the Denmark Technical College (DTC) and served as President of the college.

2. Mandy Kibler, Vice President of Finance, South Carolina Technical College System, advised that on April 14, 2011 a special financial review of the DTC finance office was completed. This review disclosed that from July 2010 through February 2011 Respondent made a total of \$4,091.21 in unauthorized purchases using a State Purchasing Card owned by DTC. He has not reimbursed DTC for the personal purchases made on the DTC account.

**CONCLUSIONS OF LAW**

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

1. During all times relevant, the Respondent, Michael Townsend, was a public employee, as defined by S.C. Code Ann. § 8-13-100(25)(Supp. 2011).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public employee from knowingly using his official employment to obtain any economic interest for himself.
4. Section 8-13-100(11)(A) defines “economic interest” as “an interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of fifty dollars or more.”

#### **DISCUSSION**

Dr. Townsend has more than 9 years of administrative experience without any reprimands or being cited for any conduct detrimental to his employer. The usage of the procurement card in question was done without any training or knowledge of procurement card procedures and protocols and without fraudulent intent.

#### **ADMISSIONS**

The Respondent, Michael Townsend, admit without knowledge or fraudulent intent that he violated Section 8-13-700(A).

**DISPOSITION**

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

THEREFORE, the State Ethics Commission hereby issues this public reprimand to Michael Townsend for his violation of Section 8-13-700(A) of the Ethics Reform Act,

AND, orders Respondent to reimburse Denmark Technical College \$4091.21 within one (1) year of the receipt of the signed order;

AND, orders Respondent to pay a fine of \$750.00 within (1) year of the receipt of the signed order,

AND, orders Respondent to pay an administrative fee of \$250.00 within (1) year of the receipt of the signed order,

AND IT IS SO ORDERED THIS 13<sup>th</sup> DAY OF March 2013.

STATE ETHICS COMMISSION

  
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PHILLIP FLORENCE, JR.  
CHAIR

  
\_\_\_\_\_  
Michael Townsend