

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2013-022)
Michael Copeland Morrow,)
Respondent.)
State Ethics Commission,)
Complainant.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

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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, Michael Copeland Morrow, 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, Michael Copeland Morrow, is a member of the Bishopville Town Council.
2. 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.
3. 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.

4. Respondent advised 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.

5. Respondent advised that he did not prepare a written statement on the matter requiring a decision on the per diem funds to be published in the minutes, and he did not excuse himself from a vote in regard to the per diem funds.

6. Respondent said that he is the sole proprietor of the Morrow Oil Company. He stated his company is a vender for all the diesel fuel for the City of Bishopville and his company is one of three vendors for gasoline for the city. Respondent stated that the Morrow Oil Company provided fuel for the City of Bishopville before he started serving on city council and his company does not have a written contract. Respondent advised that he has voted on motions to approve the city's budget since he has been in office. Respondent said that he was unaware of a specific line item in the City's budget that would cause him a conflict of interest.

7. According to the City Administrator, Mr. Gregg McCutchen, the City budgets that are presented to Council always document line items for motor fuels and lubricants. A review of the fiscal year 2012-13 City of Bishopville Budget reflects line items for fuel and lubricants.

8. A review of the minutes for the Bishopville City Council meeting on June 26, 2012 documented that Respondent was present at the meeting and there was a unanimous vote by council to approve the 2012-13 budget. The minutes do not document the fact that Respondent excused himself from deliberations or a vote on the budget.

9. A review of Respondent's Statement of Economic Interest (SEI) reports from 2008 through 2012 revealed that Respondent did not document that his business received compensation from the City of Bishopville.

10. Respondent was advised that his SEI reports from 2008 through 2012 did not contain full and complete information in regard to his business. Respondent said that he would amend his SEI reports accordingly.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Michael Copeland Morrow, 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 economic interest of a business with which he is associated.

4. Section 8-13-100(4) defines "business with which he is associated" as "a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class."

5. 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

With respect to the August 14, 2012 meeting I was not prepared to recuse myself from this vote since I did not have any recusal forms, nor were any available from the Clerk. As noted, I did not discuss the motion nor did I vote on it.

ADMISSIONS

The Respondent, Michael Copeland Morrow, admits that he unintentionally and out of ignorance violated Section 8-13-700(B).

DISPOSITION

The State Ethics Commission hereby finds Michael Copeland Morrow in violation of Section 8-13-700(B), 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 written warning to Michael Copeland Morrow for his violation of Section 8-13-700(B) 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 19th DAY OF February 2013.

STATE ETHICS COMMISSION




Michael Copeland Morrow

PHILLIP FLORENCE, JR.
CHAIR