

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE MATTER OF:

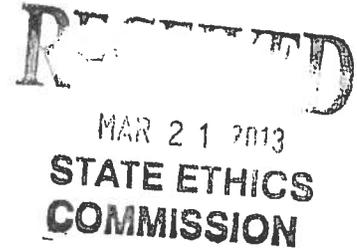
Complaint C2012-112

Steve A. Brabham,
Respondent.

State Ethics Commission,
Complainant.

BEFORE THE STATE ETHICS
COMMISSION

DISMISSAL ORDER



This matter comes before the State Ethics Commission by virtue of a Complaint filed against Respondent, pursuant to the South Carolina Ethics Act, particularly S.C. Code Ann. § 8-13-700(A). Following the probable cause finding, Respondent's attorneys, Daniel W. Luginbill filed a Notice of Appearance.

STATEMENT OF FACTS

1. Respondent Steve A. Brabham (hereinafter "Respondent") was serving as the Assistant Fire Chief of the Olar Volunteer Fire Department (hereinafter "OFD).
2. The Respondent, on June 9, 2008, signed a check in the amount of \$1,932.55 out of the Operating Account of the OFD Chris Fail, the Chief of the OFD, whom Mr. Brabham worked for at one time.
3. The checks written were ostensibly for reimbursement of costs related to parts for the OFD brush truck.
4. The check was not written during the time Mr. Brabham worked for Mr. Fail.
5. The amount of the check corresponded to a specific invoice from Chris Car Care, a automotive repair shop owned and operated by Chris Fail, the OFD Chief. The invoice was

shown to be a direct, dollar for dollar reimbursement for the costs of parts ordered by Mr. Fail through his business, but used on the OFD Brush Truck. It is clear that Mr. Fail made no profit on the transaction.

CONCLUSIONS OF LAW

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

1. During all times relevant, Respondent was a public official as defined by S.C. Code Ann. § 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. S.C. Code Ann. § 8-13-700(A) prohibits a public official from knowingly using his official employment to obtain an economic interest for a business with which he is associated.

DECISION

THEREFORE, based upon the evidence presented, Respondent did not knowingly use his official employment to obtain, or seek to obtain, an economic interest for a business with which he was affiliated. Thus, Respondent did not violate the South Carolina Ethics Act on May 14, 2009. The Motion to Dismiss the Complaint against Respondent is granted.

IT IS SO ORDERED THIS 20th DAY OF MARCH, 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIR

COLUMBIA, SOUTH CAROLINA