

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
COMPLAINT C2013-137)
)
STATE ETHICS COMMISSION,)
Complainant;)
)
vs.)
)
William R. Dominick,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

STATE ETHICS
COMMISSION

2013 SEP 18 PM 2:45

RECEIVED

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above captioned complaint on September 18, 2013 charging the Respondent, William R. Dominick, with a violation of Section 8-13-700(A) and Section 8-13-1120. Present at the meeting were Commission Members Phillip Florence, Jr., Chair, E. Kay Biermann Brohl, George Carlton Manley, Richard H. Fitzgerald, and Jonathan H. Burnett. The following allegations were considered:

ALLEGATIONS

The State Ethics Act requires public officials to file annual Statements of Economic Interests and to disclose, among other information, the source, type, and amount of income received from a governmental entity during the previous calendar year.

In 2010 Respondent received a gross income from Greenwood County in the amount of \$18,916.32. No Statement of Economic Interests was filed by Respondent in 2011. An amended 2010 report filed May 2, 2012, which most likely should have been filed as a 2011 report reflected income of \$8,000.00 as salary and \$10,916.32 as indistrict expense for a total of \$18,916.32.

All in violation of Section 8-13-1120(A)(2), South Carolina Code of Laws, 1976, as amended.

The State Ethics Act prohibits a public official from using their public office for personal financial gain.

As a member of Greenwood County Council, the Respondent was, in addition to an annual salary, provided a net monthly payment of \$750.00 for expenses incurred in official county business. The Respondent was also provided a "Council Fund" to be used for community projects within each member's district.

On September 3, 2009 Respondent's council fund account was used to purchase of 1000 Business cards from Quick Copies of Greenwood in the amount of \$90.42. The expense form documented that the expenditure was approved by the former County Administrator, and a receipt from the company documented that Respondent received the cards.

On June 17, 2010 Respondent's Council Fund account was used to purchase of 1500 business cards from Quick Copies of Greenwood in the amount of \$117.00. The data provided by the County of Greenwood does not document an approval form signed by the County Administrator, however, a receipt from the company documents that Respondent received the cards. All in violation of Section 8-13-700(A), South Carolina Code of Laws, 1976, as amended.

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, William R. Dominick, was a former member of Greenwood County Council. His term ended on December 31, 2010; therefore, he was not required to file a 2011 SEI.
2. A review of Respondent's council fund account revealed that on September 3,

2009 Respondent's account was used to purchase 1000 business cards from Quick Copies of Greenwood in the amount of \$90.42. In addition, on June 17, 2010 Respondent's account was used to purchase 1500 business cards from Quick Copies of Greenwood in the amount of \$117.00.

3. Respondent said that he was elected to Greenwood County Council in 2007 and the county always furnished business cards. Respondent said that the county clerk was responsible for ordering business cards. Respondent said that he was not involved in any discussions with the county clerk in regard to which account was used to pay for business cards.

4. According to the Greenwood County Council Clerk, Mrs. Ketekash Crump-Lukie, it was her responsibility to order business cards for all members of Greenwood County Council. Mrs. Crump-Lukie said that the county had a designated budget fund for printing. She said that the cost of the business cards for all of the council members should have been a debit from the printing budget. Mrs. Crump-Lukie said that if the district council fund account was used to pay for business cards that debit was an inadvertent error. Mrs. Crump-Lukie said that she did not recall ever being instructed by any council members to debit their council fund account in order to pay for business cards.

CONCLUSIONS OF LAW

1. The Respondent was not a public official on April 15, 2011 as defined by Section 8-13-100(26).
2. The State Ethics Commission has subject matter jurisdiction, but not personal jurisdiction as regards the Section 8-13-1140 allegation.
3. Section 8-13-700(A) provides that a public official may not use his public

office for his personal gain.

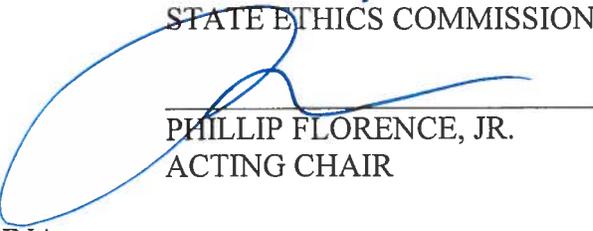
3. Section 8-13-1140 provides that public officials shall file a Statement of Economic Interests annually by April 15th if serving.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, William R. Dominick, violated Section 8-13-700(A) or Section 8-13-1140. The Commission has therefore dismissed the charges in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 18th DAY OF Sept., 2013.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
ACTING CHAIR

COLUMBIA, SOUTH CAROLINA