

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)
COMPLAINT C2015-016)

Barbara A. Hopkins,)
Respondent.)

Frank Jones,)
Complainant.)

DECISION AND ORDER

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2013), the State Ethics Commission reviewed the above captioned complaint on November 19, 2014 charging the Respondent, Barbara A. Hopkins, with a violation of Sections 8-13-700 and 750. Present at the meeting were Commission Members James I. Warren, III, Chair, Sandy Templeton, Frank Grimball, Julie S. Jeffords-Moose, Twana N. Burris-Alcide, Regina H. Lewis, Thomas M. Galardi and Sherri A. Lydon. The following allegation was considered:

ALLEGATION

On August 12, 2014 the State Ethics Commission received a complaint filed by Frank Jones of Sellers, SC against Barbara A. Hopkins, Mayor, Town of Sellers, SC. The complaint alleged that the Respondent used her position as Mayor of the Town of Sellers to arrange for her brother, Raleigh Singletary, to be paid by the Town of Sellers for certain work performed. Furthermore, the Respondent appointed her sister to the position of Chief of Police, Sellers, SC. Also, the Respondent's cell phone bill was paid by the Town of Sellers without authorization by Town Council.

FINDINGS OF FACT

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

STATE ETHICS
COMMISSION

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1. The Respondent, Barbara A. Hopkins, is the Mayor of the Town of Sellers (hereinafter “the Town”).

2. Staff interviewed the Town’s Municipal Court Judge, Mrs. Bobbie Hercules. Judge Hercules said that in addition to her duties as the Town’s municipal judge, she also serves as the Town’s part-time office manager. Judge Hercules said that during the time the Town moved property from the old town hall building she contacted Mr. Raleigh Singletary to assist with the move. Judge Hercules said that she authorized the three expenditures that the Complainant noted on the general account ledger for payment to Mr. Singletary. Judge Hercules said that she made the decision to hire Mr. Singletary. Judge Hercules said that Respondent did not make, or participate in making the decision to hire Mr. Singletary.

3. Staff interviewed the Town police officer, Gorden Poston. Officer Poston said that he assisted Mr. Singletary with hauling scrap material from the old town hall building and from Respondent’s residence. Officer Poston stated that he made several trips to Don’s Car Crushing (DCCC) with Mr. Singletary. Officer Poston stated that scrap items were sold to the scrap yard and the proceeds from the sales were returned to the Town Clerk. Officer Poston stated that he did not know who hired Mr. Singletary to haul scrap material for the Town.

4. Staff met with Respondent and she stated that no one in her family has ever been hired or appointed to the position of Sellers Chief of Police, and she was not involved in hiring any staff for the summer feeding program at the Town. Respondent stated that at the time the old town hall building was set to be demolished scrap items from the building which included an old air conditioner, a stove and a refrigerator were

moved to the front porch of her residence. Respondent said that due to safety concerns she did not want those items placed on the side of the road. Respondent said that she did ask her brother, Mr. Raleigh Singletary, to haul the aforementioned items to the local scrap yard and sell the property. Respondent said that she told Mr. Singletary to take the proceeds from the sale and give the check to the Town Clerk. Respondent stated that she did not offer to pay or discuss paying Mr. Singletary any money for hauling away the scrap items. Respondent stated that the Town has never paid her mobile telephone bill.

5. Staff met with Mr. Singletary and he said that Judge Hercules hired him to assist with the move out of the old town hall building. Mr. Singletary said that Respondent asked him to haul scrap items that belonged to the Town from the front porch of her residence and take the items to DCCC. Mr. Singletary said that the items he hauled from Respondent's residence included the following: air conditioning unit, a refrigerator, and a stove. Mr. Singletary stated that after he delivered the scrap to DCCC, he took the receipt and check from the sale of the items, to the Sellers Town Clerk. Mr. Singletary said that Respondent never mentioned paying him for hauling the items to the scrap yard, and he did not request any money. Mr. Singletary said that he had other scrap material he needed to take to DCCC and he just added the items that Respondent wanted removed from her residence.

6. A review of the complaint revealed that Sellers Town Council Members, Roseland Jones and Dedra McRae, submitted written statements in regard to discussions they had with Respondent about nepotism. Staff contacted the council members. The council members reported that during a council meeting in October or November of



2013, they had a discussion about nepotism with Respondent because Respondent's brother had worked at the Town. The council members said that Respondent advised them that she asked her brother to assist with the move out of the old town hall building. The council members could not provide information about any financial arrangements that were made between Respondent and Respondent's brother.

7. Staff also contacted Sellers Council Members, Gretchen McClellan and Sharon Miles. The council members reported that Respondent did not hire her brother to do any work for the Town. The council members said that Judge Hercules hired Respondent's brother to assist staff with the move out of the old town hall building. The council members stated that they attended the council meetings in October and November of 2013, and Respondent never told any of the council members that she hired Mr. Singletary.

8. A review of the Town's council meeting minutes from September through December of 2013 revealed no information in regard to Respondent advising council that she hired her brother to work at the Town. A review of the Town's general account ledger revealed that on January 14, 2014 a disbursement was made to Verizon Wireless in the amount of \$76.02. Staff met with the Town clerk, Ms. Elona Moore, and she stated that the Town does not pay Respondent's mobile telephone bill. Ms. Moore said that the expenditure made to Verizon Wireless was a payment for the Town's internet account.

CONCLUSIONS OF LAW

1. The Respondent is a public official, as defined by Section 8-13-100(27).
2. The State Ethics Commission has personal and subject matter jurisdiction.



3. Section 8-13-700(A) prohibits a public official from knowingly using his official position to obtain any economic interest for himself.

6. Section 8-13-750 provides that a public official may not cause the employment of a family member to a position they supervise or manage.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Barbara A. Hopkins, violated Sections 8-13-700(A) and 750, as there is no evidence the Town of Sellers paid her telephone bill, nor that she employed her brother. 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 25th DAY OF November, 2014.

STATE ETHICS COMMISSION



JAMES I. WARREN, III
CHAIRMAN

COLUMBIA, SOUTH CAROLINA

