

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)
Complaint 2012-075)

Harvey Hoots,)
Respondent.)

Hardy King,)
Complainant.)

CONSENT ORDER

STATE ETHICS
COMMISSION

2012 SEP -6 PM 12: 29

RECEIVED

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Complainant, Hardy King, on February 16, 2012. The complaint against the Respondent, Harvey Hoots, was considered by the Commission on July 18, 2012 and probable cause found to warrant an evidentiary hearing.

Prior to the call of the case 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, Harvey Hoots, is a member of Irmo Town Council.
2. Robert M. Brown, Irmo Town Administrator, stated that during the February 7, 2012 Irmo Town Council meeting Respondent did read a letter of recusal to the council citing the fact that his wife was being considered for a position with the Okra Strut Commission. Brown advised that he did not observe Respondent attempt to influence the other Council members concerning their vote on his wife's appointment.
3. Respondent advised that he was clearly aware of his conflict of interest regarding his wife's involvement in the Irmo Okra Strut and in years past he has verbally recused himself from voting on the matter. For the February 2012 he decided it would be

advisable to prepare a written letter of recusal. The letter of recusal read into the record included his spouse's qualifications for the position.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Harvey Hoots, was a public official, as defined by S.C. Code Ann., § 8-13-100(27)(Supp. 2010).
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 family member.
4. Section 8-13-100(15) defines 'family member' as an individual who is the spouse.

ADMISSIONS

The Respondent, Harvey Hoots, admits he unintentionally and inadvertently violated Section 8-13-700(B).

DISPOSITION

The State Ethics Commission hereby finds Harvey Hoots unintentionally and inadvertently violated Section 8-13-700 (B), and hereby adopts the Statement of Facts, Conclusions of Law, Discussion, Admissions, and Disposition as agreed upon by Respondent.

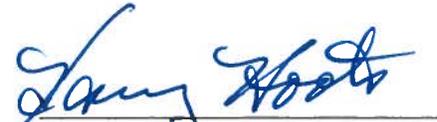
THEREFORE, the State Ethics Commission hereby issues this written warning to Harvey Hoots for his inadvertent and unintentional violation Section 8-13-700 (B),

AND, orders Respondent to pay an administrative fee of \$100.00 within 30 days

of receipt of the signed order,

AND IT IS SO ORDERED THIS 11th DAY OF September 2012.

STATE ETHICS COMMISSION



Harvey Hoots
Respondent



PHILLIP FLORENCE, JR.
CHAIRMAN