

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

COMPLAINT C2010-043)

Teresa Messex,)
Respondent.)

State Ethics Commission,)
Complainant.)

CONSENT ORDER

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the State Ethics Commission on October 26, 2009. The complaint against the Respondent, Teresa Messex, was considered by the Commission on January 20, 2010 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, admission, discussion and disposition in this matter as follows.

STATEMENT OF FACTS

1. At the time of the complaint, the Respondent, Teresa Messex, was a public employee of the Dorchester County Auditor's office.
2. Brenda Nix, Dorchester County Deputy Auditor, advised that as a result of an audit conducted by her office three employees in the Auditor's office were identified as persons who prepared vehicle tax bills for their personal vehicles which resulted in a reduction of payable taxes of \$50 or more. Respondent was one of these individuals. During the audit Ms. Nix compared Respondent's tax preparation for her and her husband's vehicles for tax years 2004 and 2005 with a CARFAX report and a visual examination of the vehicles.

3. A review of the Dorchester County vehicle master file dated May 15, 2008 revealed that Respondent on four different occasions, twice each in 2005 and 2006 entered her County Identification number and obtained discounts on four vehicles owned by her or her husband. The four discounts totaled \$556.92. Ms. Nix advised that Respondent completed her and her husband's vehicle tax bills. She entered data on all the tax bills, which included excess mileage information.

CONCLUSIONS OF LAW

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

1. During all times relevant, the Respondent, Teresa Messex, was a public employee, as defined by S.C. Code Ann. § 8-13-100(25)(Supp. 2007).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-700(A) prohibits a public employee from knowingly using his official position to obtain an economic interest for himself or an immediate family member.

ADMISSION

The Respondent, Teresa Messex, admits she violated Section 8-13-700(A) of the Ethics Reform Act.

DISCUSSION

Respondent performed her job duties in the manner in which she had been trained and in accordance with the then existing standards of the Office.

Respondent's handling of the various matters involving the vehicle taxes was consistent with prior policies and practices in the office.

DISPOSITION

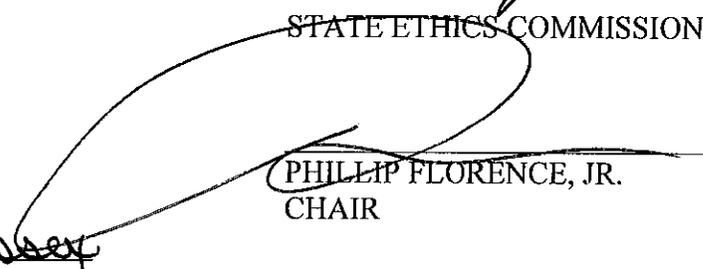
The State Ethics Commission hereby finds Teresa Messex in violation of Section 8-13-700(A) of the Ethics Reform Act and hereby adopts the Statement of Facts, Conclusions of Law, Admissions, Discussion and Disposition as agreed upon by the Respondent.

THEREFORE, the State Ethics Commission hereby issues this public reprimand to Teresa Messex for her violation of Section 8-13-700(A) of the Ethics Reform Act,

AND, orders Respondent to pay an administrative fee of \$250.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 21st DAY OF Sept. 2011.

STATE ETHICS COMMISSION


PHILLIP FLORENCE, JR.
CHAIR


Teresa Messex
Respondent