

State of South Carolina State Ethics Commission

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VICE CHAIR
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COMMISSIONERS

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TWANA BURRIS-ALCIDE, 5th DISTRICT
REGINA HOLLINS LEWIS, 6th DISTRICT
JULIE J. MOOSE, 7th DISTRICT
BRIAN M. BARNWELL, MEMBER AT LARGE

5000 THURMOND MALL, SUITE 250
COLUMBIA, S.C. 29201

HERBERT R. HAYDEN, JR.
EXECUTIVE DIRECTOR

MINUTES COMMISSION MEETING OPEN SESSION

January 21, 2015

The meeting was called to order by Chairman James I. Warren, III, at 9:35 a.m. Other members present were Francis E. Grimbball, Sandy Templeton, Twana Burris-Alcide, Regina Hollins Lewis, Julie J. Moose, Thomas M. Galardi, and Brian M. Barnwell. Absent was Sherri A. Lydon.

The news media was duly notified.

Staff present:

Herbert R. Hayden, Jr., Executive Director (arrived at 9:55 a.m.)
James T. Bagnall, Investigator
Ami R. Franklin, Assistant Director, Administration
Kristin M. Smith, Administrative Coordinator
Karen A. Wiggins, Court Reporter

Others present:

Chairman Warren welcomed everyone, and reminded the members to use their microphones when speaking for the record. Chairman Warren stated that Mr. Hayden was at a meeting at the State House and would be arriving shortly.

POINT OF ORDER

Chairman Warren welcomed Brian M. Barnwell to the meeting who is serving as Interim Member at Large for the Commission and announced that Thomas M. Galardi has been appointed as the Commissioner for the Second Congressional District.

MINUTES

Motion was made by Mr. Grimball, seconded by Mrs. Lewis, to accept the Minutes as presented. Chairman Warren asked for any discussion or opposition. There being none, the motion carried with no opposition to approve the Open and Executive Session Minutes from the November 19, 2014 Commission meeting.

OFFICE OPERATIONS

Budget 2014/2015

Mrs. Franklin directed everyone to their yellow folder for the current Budget report for the fiscal year. Mrs. Franklin gave a breakdown of the report for the benefit of Mr. Barnwell. Chairman Warren noted that the Commission was currently without an attorney and asked for clarification on what impact this vacancy will have on the budget. Mrs. Franklin responded. Mrs. Burris-Alcide asked for clarification on salaries, insurance, and employee contributions with reference to the report. Mrs. Franklin responded. The Budget report was accepted as presented.

Compliance Reports

Mrs. Franklin presented for information only the Compliance reports for November and December, 2014. Mrs. Franklin gave a breakdown of the report for the benefit of Mr. Barnwell. Mr. Grimball asked for clarification of the December Complaints section, volume of complaints, and need for more investigations. Mrs. Franklin responded. The Compliance reports were accepted as presented.

POINT OF ORDER

Chairman Warren asked at this time to let the records show that Cathy L. Hazelwood had resigned her position with the State Ethics Commission to take another position within state government since the last meeting, and expressed her great service to the Commission, and what a strong contribution she made to state government and the importance of ethics. A plaque was presented to her before she left for her new position. Mr. Grimball commended Ms. Hazelwood on a very good job and all her hard work. All agreed.

RECONSIDERATION

Chairman Warren asked at this time to make a change on the Agenda and take up the two Reconsideration issues. Mrs. Franklin added that Mr. Hayden was on his way to the meeting and would arrive in a few minutes. There was no opposition to changing the Agenda.

C2013-141 Wanda Y. Stringfellow

Mrs. Franklin presented this matter. Discussion ensued concerning a signed Consent Order which has run its time with no action from Ms. Stringfellow. Staff is requesting that the matter be brought before the Commission for a hearing. Discussion and clarification ensued as to payment deadline, calls to make sure she has done what she needs to do, the settlement agreement, and clarification on steps to take if Ms. Stringfellow complies with the Consent Order prior to being put back

on the Hearing Docket. Staff responded. Mr. Barnwell asked for clarification on his vote. Chairman Warren responded. Mr. Grimball made a motion, seconded by Mrs. Moose, to open this matter for reconsideration due to non-compliance with the Consent Order entered into by Ms. Stringfellow and put it back on the Hearing Docket. There being no further discussion, Chairman Warren asked for any opposition. There being none, the motion carried with an 8 – 0 vote.

C2014-078 Lucinda Green

Mrs. Franklin presented this matter. Discussion ensued concerning a signed Consent Order which has run its time with no action from Ms. Green. Staff is requesting that the matter be brought before the Commission for a hearing. Mr. Grimball made a motion, seconded by Mrs. Lewis, to open this matter for reconsideration due to failure of compliance of the Consent Order and put it back on the Hearing Docket. There being no further discussion, Chairman Warren asked for any opposition. There being none, the motion carried with an 8 – 0 vote.

NEW BUSINESS

Mrs. Franklin reminded the Commissioners of the personalized license plates for the State Ethics Commission. Ms. Smith gave a brief description of this matter for Mr. Barnwell's benefit, and noted what the Commissioners needed to do if interested or not before leaving the meeting.

Mr. Hayden arrived at 9:55 a.m.

Mrs. Franklin passed out to the Commissioners the following materials: (1) report needed for the Commissioners to file their 2015 Statement of Economic Interests report; (2) new material for the Policies and Procedures Training Book; and (3) a 2015 State Ethics Commission calendar of events.

LEGISLATION

Chairman Warren recognized Mr. Hayden and updated him on matters taken up to this point. Mr. Hayden apologized for his lateness and presented the following: update on meeting this morning with 4 agencies concerning the proposed ethics bill; update on 27 bills affecting the State Ethics Commission (special attention given to S.1, S.4, S.14; H.3184, H.3187, H.3188, and H.3945); meetings held with new subcommittee which is handling 2015 budget requests; FOIA appeals--requests and responding deadlines; defining "committee"; introduction of smaller or specific-issue bills; independent investigative bill; and changes in criminal penalties. Discussion ensued concerning probable cause issues; constitutional amendment issue; define "commission" or "the commission"; need for more office space; and confidentiality.

NEW BUSINESS - continued

Mr. Hayden asked if there was any new business to be discussed. There was none.

EXECUTIVE SESSION

Chairman Warren asked for a motion to go into Executive Session and then take a five minute break. A motion was made by Mr. Grimball, seconded by Mrs. Burris-Alcide, to go into Executive Session and then take a break. The motion carried with an 8 - 0 vote.

RETURN FROM EXECUTIVE SESSION

Upon return from Executive Session, a motion was made by Mrs. Lewis, seconded by Mrs. Burris-Alcide, to adopt and ratify actions taken in Executive Session.

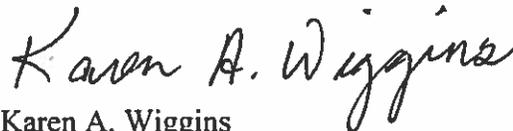
Mr. Hayden asked to speak for the record, stating that a former long-time employee of the Commission, Alice Shorter, passed away recently. She was Deputy Director for the Commission and the second employee hired in 1975. Mrs. Shorter retired in 1995.

Chairman Warren reminded the Commissioners to leave their books for recycling.

ADJOURNMENT

There being no further business, Mrs. Lewis made a motion, seconded by Mrs. Moose, to adjourn. The motion carried with an 8 - 0 vote.

Respectfully submitted,



Karen A. Wiggins
Administrative Specialist