

State of South Carolina

State Ethics Commission

BRIAN M. BARNWELL, CHAIR
VICTOR K. LI, VICE CHAIR
DONALD GIST
SAMUEL L. ERWIN



DON JACKSON
BRANDOLYN THOMAS PINKSTON
CHILDS CANTEY THRASHER
ASHLEIGH R. WILSON

201 EXECUTIVE CENTER DRIVE, SUITE 150
COLUMBIA, S.C. 29210

MEGHAN L. WALKER
EXECUTIVE DIRECTOR

MINUTES

COMMISSION MEETING

OPEN SESSION

May 16, 2019

The meeting was called to order at 9:35 a.m. by Chairman Brian M. Barnwell at the State Ethics Commission's Hearing Room located at 201 Executive Center Drive, Suite 150, Columbia, South Carolina. Commission members present were Samuel L. Erwin, Donald H. Jackson, Brandolyn T. Pinkston, Childs Cantey Thrasher, and Ashleigh Wilson. Vice Chair Li had an excused absence for this meeting but did join part of the meeting via phone. Commissioner Donald Gist arrived at 10:00 a.m.

The news media was duly and timely notified.

Staff present: Meghan L. Walker, Ami Franklin, Jimmy Bagnall, Ryanne Caldwell, Kristin Nabors, Kevin Hinson, Courtney Laster, Reggie Gaymon, Richard Provencher, Susan Bickley, and Karen A. Wiggins.

Others present: Stephen Benedict and Linda Gipko.

Director Meghan Walker gave an opening statement and noted two changes in the agenda: (1) a continuance has been given on the Appeal for Mr. Beatty; and (2) the complaint matter to be heard this afternoon for Mrs. Gipko has been resolved via a Consent Order, but Mrs. Gipko's Appeal this morning is still on the agenda.

MINUTES

Chairman Barnwell called for approval of the Minutes. A motion was made by Commissioner Erwin, seconded by Commissioner Thrasher, to accept the Minutes. Chairman Barnwell asked for any discussion or opposition. There being none, the motion carried with no opposition to approve the Open Session Minutes and the Executive Session Minutes from the March 21, 2019 Commission meeting. The motion was carried unanimously with a 6 - 0 vote.

APPEALS

C2017-008 Linda Gipko

Director Walker called this matter. Statements of Recusal were submitted by Commissioners Pinkston and Jackson, and they left the room. Respondent gave an opening statement, gave a history of events, and asked for a reduction in the fines in this matter. General Counsel Laster replied. Lengthy discussion ensued. Chairman Barnwell thanked the Respondent for attending and stated that the Commission would take this matter under advisement. Commissioners Pinkston and Jackson returned to the meeting.

POINT OF ORDER

C2017-008 Linda Gipko - continued

Later after returning from Executive Session for deliberations in the matter of Linda Gipko, Chairman Barnwell asked for a motion in this matter. A motion was made by Commissioner Thrasher, seconded by Commissioner Wilson, to deny the appeal but reduce the amount to \$100, payable in 90 days. The motion carried with a 7 – 0 vote.

Chairman Barnwell then asked for a motion to go back into Executive Session for the purpose of discussing probable cause matters. A motion was made by Commissioner Erwin, seconded by Commissioner Wilson, to go into Executive Session. There being no discussion or opposition, the motion carried with a 7 – 0 vote.

OFFICE OPERATIONS

2018-2019 Budget Report, Compliance Report, and Pending and Paid Orders Report

Director Walker presented the 2018-2019 Budget Report and Compliance Report. A proposal was given for a table for the small conference room. Discussion ensued. A motion was made by Commissioner Thrasher, seconded by Commissioner Wilson, to approve the staff's request for the conference room table option that was laid out by Director Walker. Discussion ensued concerning the status of the Commission's proposed electronic meeting books. Director Walker reviewed the Pending and Paid Orders Report. Commissioner Thrasher noted the remarkable reduction in the number of cases now on the docket and the number of training sessions.

Commissioner Gist arrived at 10:00 a.m.

Commission Elections

Director Walker called the matter for electing a Chair and Vice Chair for the Commission, to serve a two-year term. Vice Chair Li joined the meeting via phone. Lengthy discussion ensued concerning term limits and reappointments. A motion was made by Commissioner Jackson, seconded by Commissioner Thrasher, to nominate Chairman Barnwell for another term. Chairman Barnwell recused himself from the meeting. Vice Chair Li presided over the meeting via phone. A motion was made by Commissioner Wilson, seconded by Commissioner Pinkston, to nominate Commissioner Thrasher as the new Chair. Commissioner Thrasher left the room. Lengthy discussion ensued. Acting Chair Li asked for a raise of right hands for voting. The voting carried in favor of Commissioner Thrasher 5 – 1 as the new Chair to be effective during the July meeting. Chairman Barnwell and Commissioner Thrasher returned to the meeting.

Chairman Barnwell asked for discussion or a motion for Vice Chair. A motion was made by Commissioner Pinkston, seconded by Commissioner Wilson, to nominate Commissioner Gist as the new Vice Chair. Commissioner Gist left the room. Discussion ensued. Chairman Barnwell asked for a raise of right hands for voting. The motion carried with a 7 – 0 vote. Commissioner Gist returned to the room.

Commissioner Pinkston recognized Chairman Barnwell for the great job he did bringing the Commission through a rough transition period. All agreed. Vice Chair Li disconnected from the meeting via phone.

EXECUTIVE SESSION

At 10:15 a.m. Chairman Barnwell asked for a motion to go into Executive Session for the purpose of discussing an advisory opinion, legal advice, and probable cause matters. A motion was made by Commissioner Wilson, seconded by Commissioner Gist, to go into Executive Session. There being no discussion or opposition, the motion carried with a 7 – 0 vote.

RETURN FROM EXECUTIVE SESSION

Upon return from Executive Session, a motion was made by Commissioner Erwin, seconded by Commissioner Pinkston, to adopt and ratify actions taken in Executive Session. The motion carried unanimously with a 6 – 0 vote. Vice Chair Li and Commissioner Wilson were absent.

Chairman Barnwell noted that it was an honor to have served and thanked everyone for allowing him to serve as Chairman of the Commission. Chairman Barnwell then congratulated Commissioner Thrasher on her newly-elected position as Chairperson, to be effective at the July meeting. There was great applause for Chairman Barnwell.

ADJOURNMENT

Chairman Barnwell asked for further discussions. There being none, the meeting adjourned with unanimous consent.

Respectfully Submitted,



Karen A. Wiggins