

MINUTES
COMMISSION MEETING
OPEN SESSION

September 15, 2010

The meeting was called to order by Vice Chair Mrs. E. Kay Biermann-Brohl at 9:33 a.m. Other members present were Mrs. Priscilla L. Tanner, Mr. G. Carlton Manley, Mr. JB Holeman and Dr. Richard H. Fitzgerald. Chairman Phillip Florence, Jr. arrived at 9:38 a.m. Mr. Jonathan H. Burnett arrived at 9:45 a.m. Mr. Edward E. Duryea was absent.

Also present:

Mrs. Cathy L. Hazelwood, Deputy Director/General Counsel

Mrs. Ami Franklin, Assistant Director, Administration

Mr. Donald M. Lundgren, Chief Investigator

Mr. Dan Choate, Investigator

Ms. Kristin M. Smith, Administrative Coordinator

Mrs. Lessie A. Cheeseboro, Administrative Specialist II

Ms. Regina A. Washington, Administrative Assistant

Mr. W. Warren Alston

Mr. Joel Hodges

Mr. Johnny Wright

Mr. Cecil Jordan

Mrs. Shirley Westbury

Mr. Lucius M. Rice, III

Mrs. Thomasina Coaxum

Mr. Johnny B. McDuffie

Mrs. Jacquelyn M. McDuffie

Mrs. Brohl called the meeting to order.

MINUTES

Dr. Fitzgerald made a motion, seconded by Mr. Manley to approve the open and executive session minutes from the July meeting, motion carried.

OFFICE OPERATIONS

COMPLIANCE REPORTS

Mrs. Hazelwood and Mrs. Franklin presented the compliance reports for July and August as information only.

BUDGET FY 09/10

Mrs. Hazelwood and Mrs. Franklin presented the budget report as information only.

COMMISSION EXPENSE REIMBURSEMENT FORMS

Mrs. Franklin presented the Expense Reimbursement Forms and provided directions on how to fill them out.

ADVISORY OPINION

AO2011-004 Independent Expenditures and Non-Candidate Committees

Mrs. Hazelwood presented this opinion to the Commission. Dr. Fitzgerald made a motion, seconded by Mr. Manley to accept the opinion, motion carried.

APPEALS

Ms. Smith introduced the following Appeals.

C2010-049 State Ethics Commission vs. William W. Alston

Mr. Alston presented his Appeal. Mr. Holeman made a motion, seconded by Mr. Burnett to accept the Appeal and reduce the penalty, motion carried.

C2010-041 State Ethics Commission vs. Joel E. Hodges

Dr. Fitzgerald recused himself. Mr. Hodges presented his Appeal. Mr. Burnett made a motion, seconded by Mrs. Tanner to accept the Appeal and reduce the penalty, motion carried. Mr. Manley and Mr. Holeman did not participate in voting.

C2010-071 State Ethics Commission vs. Johnny E. Wright, III

Mr. Wright presented his Appeal. Dr. Fitzgerald made a motion, seconded by Mr. Manley, motion failed. Mr. Manley made a motion seconded by Mr. Holeman to accept the Appeal and reduce the penalty, motion carried.

C2010-064 State Ethics Commission vs. Cecil B. Jordan

Mrs. Westbury presented her father's Appeal. Mr. Burnett made a motion seconded by Mr. Holeman to accept the Appeal and reduce the penalty, motion carried.

C2007-036 State Ethics Commission vs. Lucius M. Rice, III

C2005-089 State Ethics Commission vs. Lucius M. Rice, III

Mr. Rice presented his appeal. Mr. Manley made a motion, seconded by Mr. Holeman to reduce the penalty to zero, motion failed. Mr. Burnett made a second motion, seconded by Mr. Manley to stop garnishments and issue no refund, motion carried.

C2009-116 State Ethics Commission vs. Thomasina F. Coaxum

Mrs. Coaxum presented her Appeal. Mr. Burnette made a motion seconded by Mrs. Tanner to accept the Appeal and reduce the fine, motion carried.

C2010-066 State Ethics Commission vs. Johnny McDuffie

Mr. and Mrs. McDuffie presented his Appeal. Mr. Manley made a motion seconded by Dr. Fitzgerald, motion failed. Mr. Holeman made a motion seconded by Mrs. Tanner to accept the Appeal and reduce the penalty, motion carried.

C2010-067 State Ethics Commission vs. E. J. Melvin

Mrs. Hazelwood informed the Commission that this Appeal has been continued indefinitely.

C2010-063 State Ethics Commission vs. Dorchester Co. Democratic Party

Mrs. Hazelwood asked that the Appeal be dismissed for failure of the parties to appear. Mr. Burnett made a motion seconded by Mr. Manley to dismiss the Appeal, motion carried.

A motion was made by Mr. Burnett, seconded by Mr. Manley to go into Executive Session, motion carried.

A motion was made by Mr. Manley, seconded by Mr. Holeman to go out of Executive Session, motion carried.

A motion was made by Mr. Manley, seconded by Mr. Burnett to adopt and ratify actions taken in both Executive Sessions, motion carried.

Respectfully submitted,

Regina A. Washington
Administrative Assistant