

State of South Carolina

State Ethics Commission

SCOTT E. FRICK, CHAIRMAN
AJ HOLLOWAY, VICE CHAIRMAN
BRANDOLYN THOMAS PINKSTON
BRYANT S. CALDWELL



F. XAVIER STARKES
MARY HUNTER B. TOMLINSON
NEAL D. TRUSLOW
MATTHEW N. TYLER

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

MEGHAN L. WALKER
EXECUTIVE DIRECTOR

MINUTES

COMMISSION MEETING

OPEN SESSION

November 17, 2022

The November 17, 2022, meeting was called to order at 9:37 a.m. by Chairman Scott Frick at the State Ethics Commission's Hearing Room located at 201 Executive Center Drive, Suite 150, Columbia, South Carolina. Chairman Scott Frick, Vice Chairman AJ Holloway, Commissioner Matthew N. Tyler, Commissioner F. Xavier Starkes, Commissioner Bryant S. Caldwell, and Commissioner Mary Hunter B. Tomlinson were in attendance. Commissioner Neal D. Truslow and Commissioner Brandolyn T. Pinkston appeared via Zoom call.

Staff present: Meghan Walker, Ami Franklin, Courtney Laster, Ryanne Caldwell, Kevin Hinson, Reggie Gaymon, and Rachael O'Bryan were in attendance. Karen A. Wiggins joined via Zoom call.

Chairman Frick declared a quorum present. Director Walker noted for the record that the news media was duly notified.

MINUTES

Chairman Frick called for the approval of the September 15, 2022 minutes. Chairman Frick asked for any discussion or opposition. A motion was made by Commissioner Holloway, seconded by Commissioner Tyler, to accept the minutes from the September 15, 2022, Commission meeting. The motion carried with an 8 - 0 vote.

APPEALS – COMMISSIONER F. XAVIER STARKES PRESIDING

C2016-141 - Anthony Cooper vs. James Brown, III; C2016-142 - Taurus Lewis vs. James Brown, III; C2016-143 - Andrea Fripp James vs. James Brown, III; C2016-144 - Kenya Bryant vs. James Brown, III

Aimee Zmroczek appeared via zoom on behalf of her client James Brown, III appealing the Decision and Order rendered in Commission Complaints C2016-141, C2016-142, C2016-143, and

C2016-144. Attorney Zmroczek filed Motion to Continue the Appellate Hearing. The motion was granted with a 6 - 0 vote.

Commissioner Scott Frick and Commissioner A.J. Holloway recused from this matter, having served on the original Hearing Panel.

C2020-086 - State Ethics Commission vs. Richard C. Thain

Richard C. Thain appeared via zoom appealing the Decision and Order rendered in Commission Complaint C2020-086. Mr. Thain stated that he would work with Commission staff to file and correct his reports. Mr. Thain also stated that he was not aware of the April 21, 2022 hearing and that the signature on the USPS return receipt was not his. The Appellate Panel took the matter under advisement.

Commissioner Brandolyn T. Pinkston, Commissioner A.J. Holloway, and Commissioner Scott Frick recused from this matter, having served on the original Hearing Panel.

OFFICE OPERATIONS

Director Walker presented the Budget, Compliance Report, and Pending and Paid Order reports for information and requested any opposition or discussion. There was none. Director Walker updated the Commissioners about training efforts on behalf of the Commission and virtual training that is being provided to reach more individuals subject to the Ethics Act. Also discussed was that the Commission would need to have an election for Chairman and Vice-Chairman and adopt policies for the Commission at the January 2023 meeting. Vice Chairman Holloway requested that Director Walker provide information on what penalties have historically been assessed to ensure penalties are being imposed fairly and equally.

NEW BUSINESS

There was none.

EXECUTIVE SESSION

Chairman Frick asked for further discussion or a motion to go into Executive Session to hear probable cause matters. A motion was made by Commissioner Tyler, seconded by Commissioner Truslow. The motion carried with an 8 – 0 vote.

RETURN FROM EXECUTIVE SESSION

The Commissioners returned from Executive Session at 12:40 p.m.

ADJOURNMENT

Chairman Frick asked for further discussion or a motion to adjourn. There being no further discussion, a motion was made by Commissioner Tyler, seconded by Commissioner Holloway, to adjourn at 12:42 p.m. The motion carried with an 8 – 0 vote.

Respectfully Submitted,



Rachael O'Bryan