

# 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 January 19, 2023

The January 19, 2023, meeting was called to order at 9:34 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, Commissioner Neal D. Truslow, and Commissioner Mary Hunter B. Tomlinson were in attendance. 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.

### OFFICE OPERATIONS

Director Walker presented the Budget, Compliance Report, and Pending and Paid Orders Report for information.

Director Walker informed the Commission that staff is working on the new year budget and filling staff positions.

### MINUTES

Chairman Frick called for the approval of the November 17, 2022 minutes. Chairman Frick asked for any discussion. A motion was made by Commissioner Tyler, seconded by Commissioner Truslow, to accept the minutes from the November 17, 2022 Commission meeting. The motion carried with an 8 - 0 vote.

## **NEW BUSINESS**

An election for Commissioner officer positions was held, resulting in Commissioner Frick being elected to serve as chair and Commissioner Starkes being elected to serve as vice-chair.

Director Walker presented draft policies for the Commissioners to consider. While presenting the policies, she made suggestions of a few changes to the proposed policies, to which there was no objection. The changes will be incorporated into the proposed draft policies for the Commission to consider for adoption at the next meeting.

The Commissioners shared that they are having difficulty with accessing the materials on Sharebase and Director Walker let them know that staff is working on a solution.

### **C2018-054 – John Tompkins vs. Jill Catoe**

Attorney Laster made a Motion to Withdraw this Complaint, due to the Complainant's death. The Respondent's attorney was notified of the Motion and present via Zoom. Attorney Laster stated that it would not be possible for Commission staff to try the Complaint without the Complainant since the Complainant was the only person with knowledge of the allegations asserted in the Complaint. A motion was made by Commissioner Tyler, seconded by Commissioner Truslow, to approve the Motion to Withdraw. The motion carried with an 8 – 0 vote.

## **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 Truslow, seconded by Commissioner Holloway. The motion carried with an 8 – 0 vote.

## **RETURN FROM EXECUTIVE SESSION**

The Commissioners returned from Executive Session at 11:45 p.m.

## **ADVISORY OPINION**

Staff requested that SEC AO99-003 be withdrawn. Attorney Laster stated that it incorrectly imputes a time frame for Section 8-13-760 which goes against the plain language of the statute and does not align with other formal guidance issued by the Commission. A motion was made by Commissioner Tyler, seconded by Commissioner Truslow to withdraw SEC AO99-003. The motion carried with an 8 – 0 vote.

**ADJOURNMENT**

Before the meeting was adjourned, Commissioner Tyler stated he had a conflict of scheduling and would not be available to serve on the April hearing panel. Director Walker asked the Commissioners to check their schedule and see if someone could fill in for him.

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 Truslow, to adjourn at 11:51 a.m. The motion carried with an 8 – 0 vote.

Respectfully Submitted,



Rachael O'Bryan