

# *State of South Carolina*

## *State Ethics Commission*

**SCOTT E. FRICK, CHAIRMAN**  
**F. XAVIER STARKES, VICE**  
**CHAIRMAN**  
**BRYANT S. CALDWELL**  
**AJ HOLLOWAY**



**BRANDOLYN THOMAS PINKSTON**  
**MARY HUNTER B. TOMLINSON**  
**NEAL D. TRUSLOW**  
**MATTHEW N. TYLER**

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

**MEGHAN WALKER DAYSON**  
**EXECUTIVE DIRECTOR**

### **MINUTES**

### **COMMISSION MEETING**

### **OPEN SESSION**

### **July 20, 2023**

The July 20, 2023, meeting was called to order at 9:42 a.m. by Chairman Scott E. Frick at the State Ethics Commission's Hearing Room located at 201 Executive Center Drive, Suite 150, Columbia, South Carolina. Chairman Scott E. Frick, Vice Chairman F. Xavier Starkes, Commissioner Matthew N. Tyler, Commissioner Mary B. Hunter Tomlinson, and Commissioner Bryant S. Caldwell, and Commissioner Neal D. Truslow were in attendance. Commissioner AJ Holloway and Commissioner Brandolyn T. Pinkston appeared via Zoom call.

Staff present: Meghan Walker Dayson, Ami Franklin, Courtney Laster, Ryanne Caldwell, Kevin Hinson, Reggie Gaymon, James Bagnall, W.B. White, Jr., Thomas Yeager, and Rachael O'Bryan were in attendance.

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

### **MINUTES**

Chairman Frick called for the approval of the May 18, 2023 minutes. Chairman Frick asked for any discussion. A motion was made by Commissioner Starkes, seconded by Commissioner Tyler, to accept the minutes from the May 18, 2023 Commission meeting. The motion carried with an 8 – 0 vote.

## **MOTION TO DISMISS**

### **C2018-059 Kandy Peacock vs. Carla Jackson**

Commission General Counsel, Courtney Laster, informed the Commission this matter would be taken up at the next Commission meeting, that she did not believe the Complainant had been given proper notice of the Motion.

## **ADVISORY OPINION**

Attorney Laster presented to the Commission a request for an Advisory Opinion to provide clarification as to who is subject to Section 8-13-760, specifically as it relates to the defining of “procurement” in Section 8-13-760. Attorney Laster provided that historically staff has interpreted “procurement” as defined by Section 8-35-310(24) not Section 8-35-310(22) as written, given that when Section 8-13-760 was written, procurement was defined by 8-13-310(22). There was discussion as to if “procurement” as defined in Section 8-13-760 should be interpreted based on legislative intent or by the plain language of the statute. The Commission asked staff do more research and revisit the topic at the next Commission meeting.

## **OFFICE OPERATIONS**

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

## **NEW BUSINESS**

Director Dayson asked to present the 2022-2023 Fiscal Year Review at the next Commission meeting. There was no objection.

## **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 Commissioners Pinkston and Tyler. The motion carried with an 8 – 0 vote.

## **RETURN FROM EXECUTIVE SESSION**

The Commissioners returned from Executive Session at 12:10 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 Truslow, seconded by Commissioner Starkes, to adjourn at 12:10 p.m. Commissioner Pinkston was not present for the vote. The motion carried with a 7 – 0 vote.

Respectfully Submitted,

*Rachael O'Bryan*

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