

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

September 21, 2023

The September 21, 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 E. Frick, Vice Chairman F. Xavier Starkes, Commissioner Mary Hunter B. Tomlinson, Commissioner Bryant Caldwell, and Commissioner Matthew N. Tyler were in attendance. Commissioner AJ Holloway and Commissioner Brandolyn T. Pinkston appeared via Zoom call. Commissioner Neal D. Truslow was not present.

Staff present: Meghan Walker Dayson, Ami Franklin, Courtney Laster, Rynne Caldwell, Kevin Hinson, Reggie Gaymon, James Bagnall, W.B. White, Jr., Thomas Yeager, Rachael O'Bryan, and Erin Caughman 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 July 20, 2023, August 10, 2023, and August 17, 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 July 20, 2023, August 10, 2023, and August 17, 2023 Commission meetings. The motion carried with a 7 – 0 vote.

MOTION TO DISMISS

C2018-059 Kandy Peacock vs. Carla Jackson

A Motion to Dismiss the Carla Jackson complaint was made by Attorney Laster. Following the filing of the Complaint in this matter, the Commission found probable cause to believe Respondent

falsified Denmark Technical College (College) documents, which resulted in the improper receipt of approximately \$6,984.00. The Commission subsequently referred the matter to the Second Circuit Solicitor's Office and Respondent was arrested and charged with two (2) counts of forgery. Respondent has now completed the Pre-Trial Intervention Program, which required Respondent to pay restitution to the College. Given that this matter has been resolved within the Second Circuit, a motion was made by Commissioner Tyler and seconded by Commissioners Pinkston and Tomlinson to accept staff recommendation to dismiss the complaint. The motion carried with a 7 – 0.

APPEALS

C2022-127 State Ethics Commission vs. Sean R. Graham.

Attorney Laster represented the Commission and Respondent Graham appeared *pro se* by Zoom. Respondent submitted a written appeal to the Decision and Order issued by the June 15, 2023 Hearing Panel. Respondent stated that he felt the amount assessed was high and that he would like a reduction in penalties and that it was not his intention to hid information. Attorney Laster stated staff held their position that Respondent was late in filing multiple reports as outlined in the Decision and Order. Chairman Frick stated that the Appellate Panel would take the matter under consideration and an Order would be issued in the next few weeks.

OFFICE OPERATIONS

Director Dayson presented the Budget, Compliance Report, and Pending and Paid Orders Report for information. Chairman Frick asked why the penalty fees collect for this fiscal year had decreased from the penalty fees collected previous fiscal year. Director Dayson explained the numbers in the Compliance report only cover the current fiscal year.

EXECUTIVE SESSION

Chairman Frick asked for further discussion or a motion to go into Executive Session to hear probable cause matters and receive legal advice. A motion was made by Commissioner Tyler, seconded by Commissioner Starkes to go into executive session to hear probable cause matters and receive legal advice. The motion carried with a 7 – 0 vote.

RETURN FROM EXECUTIVE SESSION

The Commissioners returned from Executive Session at 12:06 p.m.

ADVISORY OPINION

The Commission was present with two versions of AO2023-001, as it relates to defining who is subject to the provisions of Section 8-13-760. A motion was made by Commissioner Starkes, seconded by Commissioner Pinkston to accept version 1 of AO2023-001, Procurement Under Section 8-13-760. The motion passed with a 7 – 0 vote.

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 Tomlinson, to adjourn at 12:08 p.m. The motion carried with a 7 – 0 vote.

Respectfully Submitted,

Rachael O'Bryan

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