

RECEIVED

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

2021 JUN -3 AM 8:01

STATE ETHICS
COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

C 2021-045

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Dr, Ste 150,
Columbia, SC 29210
TELEPHONE NUMBER: 803-253-4192

RESPONDENT: Mr. Louis R. Morant
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Chairman, Georgetown County Council

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

SECTION 8-13-700. Use of official position or office for financial gain; disclosure of potential conflict of interest.

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest.

Information provided to the Commission indicates that Mr. Louis R. Morant, Chairman of Georgetown County Council, voted on the second reading of a re-zoning matter involving land owned by Tidelands Health Hospital. Mr. Morant's spouse serves on the Board of Tidelands Health Hospital.

The State Ethics Commission has determined that an investigation should be conducted to determine if Mr. Morant's vote on the re-zoning matter was a violation of Section 8-13-700(B) of the Ethics Reform Act.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this

3rd day of June, 2021

[REDACTED]

[REDACTED]

Complainant Signature

Notary Public for South Carolina

My Commission expires 8-16-2025

SEC-7 (Revised 8/2019)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

C102form

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF:)

Complaint C2021-045)

Louis R. Morant)
Respondent.)

State Ethics Commission)
Complainant.)

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause per Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The State Ethics Commission will, therefore, convene a formal hearing into the matter, in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, June 16, 2022 at 9:30 a.m. at the State Ethics Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

COUNT ONE
FAILURE TO RECUSE FROM A GOVERNMENTAL DECISION IN WHICH A
BUSINESS WITH WHICH ASSOCIATED HAD AN ECONOMIC INTEREST
SECTION 8-13-700(B), S.C. CODE ANN., 1976, AS AMENDED

That Louis R. Morant, Georgetown County Council Member, did in Richland County on May 11, 2021, discuss and vote on an Ordinance to rezone property owned by Tidelands Health Hospital, a business with which he is associated, in violation of Section 8-13-700(B).

You have the right to be represented by counsel, the right to call and examine witnesses,

the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 3rd day,
of February 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT, Louis R. Morant, P.O. Box 437, Georgetown, SC 29442 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 3rd day of February 2022, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2021-045)
)
 State Ethics Commission,)
 Complainant,)
)
 Louis R. Morant,)
 Respondent.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

RECEIVED
 2022 FEB 17 PM 3:17
 STATE ETHICS
 COMMISSION

This matter comes before the South Carolina State Ethics Commission (Commission) by way of a Complaint filed on June 3, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Louis R. Morant (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) count of violating Section 8-13-700(B). Prior to the call of the case, Respondent agreed to entry of the following:

STATEMENTS OF FACT

1. At all times relevant, Respondent served on the Georgetown County (County) Council (Council).
2. At all times relevant, Respondent's spouse served on the Board of Trustees at Tidelands Health Hospital (Tidelands).
3. At an April 27, 2021 County Council meeting, Ordinance 21-18, "An ordinance to amend the Georgetown Memorial Hospital Weehaw Campus Planned Development . . . to allow for multi-family as a permitted use," was read into the record. If passed, this Ordinance would allow Tidelands to sell certain land it owned.
4. At a May 11, 2021, County Council meeting, County Council received a Second Reading of Ordinance 21-18. During this meeting, Respondent participated in discussion related to the Ordinance and ultimately voted in favor of its passage.
5. Following the May 11, 2021 County Council meeting, Respondent was contacted by a member of

the media who asked about a potential conflict of interest based on his spouse's position. Respondent subsequently requested an informal opinion from the Commission as to whether he was permitted to participate in the upcoming Third Reading of Ordinance 21-18.

6. In a May 19, 2021 letter, Commission staff advised Respondent to recuse himself from the Third Reading of Ordinance 21-18, noting that a business with which Respondent's spouse was associated (Tidelands) had an economic interest in the outcome of the vote.
7. At a May 25, 2021 County Council meeting, Respondent recused himself from the Third Reading of Ordinance 21-18 pursuant to the advice given by Commission staff.

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a public official pursuant to Section 8-13-100(27). Therefore, the Commission has personal and subject matter jurisdiction.
2. At all times relevant, Respondent's spouse was a member of his immediate family pursuant to Section 8-13-100(18).
3. At all times relevant, Tidelands was a business with which Respondent was associated pursuant to Section 8-13-100(4).
4. At all times relevant, Tidelands possessed an economic interest in Ordinance 18-21 pursuant to Section 8-13-100(11).
5. Section 8-13-700(B) provides:

No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:

- (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

...

- (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body . . . who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.

6. Sections 8-13-130 and 8-13-320(10)(1)(i) allow the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Act and to require payment of a civil penalty of up to \$2,000 for each violation of the Act.

DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-700(B) for failing to recuse himself from voting on Ordinance 18-21, a matter in which a business with which his spouse was associated had an economic interest. Through this Consent Order, Respondent acknowledges that he violated Section 8-13-700(B) by participating in the May 11, 2021 vote. In mitigation, Respondent believed he was permitted to participate in the first vote because his wife does not receive any compensation to serve on the Tidelands Board. Respondent also states that he requested an opinion from the Commission as soon as the issue was raised to him and, following receipt of the Commission’s informal opinion, self-reported to the Commission. Respondent asserts, and the Commission acknowledges, that he was cooperative during the investigation and that he acted promptly when the matter was brought to his attention. Finally, Respondent understands that Tidelands had an economic interest in Ordinance 18-21, he states that neither he nor his spouse had a personal economic interest in Ordinance 18-21.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-700(B).
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this written warning to Respondent, and orders Respondent to pay the Commission, within sixty (60) days from receipt of this Order, an administrative fee of \$200 and a reduced civil penalty of \$200, for a total of \$400.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$2,200 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$2,200 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 17 DAY OF February 2022.

STATE ETHICS COMMISSION


CHILDS CANTEY THRASHER, CHAIR


LOUIS R. MORANT
RESPONDENT