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THE HONORABLE CURTIS. M. LOFTIS, JR.
State Treasurer

Chairman Pro Tempore

HOWARD H. WRIGHT, JR.



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JENNY MICHAELS / *Sumter*
THOMAS BOUCHETTE / *Florence*

SOUTH CAROLINA
STATE BOARD OF FINANCIAL INSTITUTIONS

MINUTES

Wednesday, September 1, 2021

10:00 AM

**Governor's Conference Room
Via WebEx Virtual Conference Room**

Upon proper call and due notice to all its members and after having given required public notice, the State Board of Financial Institutions met on the 1st day of September 2021 with Chairman Loftis presiding.

Members present: Messrs. Wright, Pennington, Strickland, Walters, Wicker, Stuart, Byrd, Michaels, and Bouchette.

The Chairman stated that a quorum was present.

Staff present:

Consumer Finance Division: Commissioner Ron Bodvake, Deputy Commissioner Phyllis Wicker, Deputy Commissioner Amy Gelhaus, and Deputy Commissioner Quinton Creed.

Banking Division: Commissioner Rick Green and Deputy Commissioner Kathy Bickham.

State Treasurer's Office: Deputy General Counsel Bill Condon, Deputy General Counsel Shawn Eubanks, Board Administrator Alicia Sharpe, Sr. HR Manager Lisa O'Sullivan, and Financial Analyst Cameron Larkin.

The Agenda for this meeting was approved by General Consent.

The August 4, 2021 Board Meeting Minutes were approved by General Consent.

The Chairman asked if any member had a conflict of interest with any item on the agenda. No member identified a conflict of interest.

The Legislative and Regulatory Committee update was provided by Tommy Bouchette on behalf of the Committee Chair. He informed the Board that Commissioner Bodvake presented proposed policy statements concerning record-keeping requirements by check-cashing service providers and a proposed policy statement concerning how to handle abandoned applications by applicants for supervised lending, deferred presentment, and check-cashing licenses.

The Committee recommended the adoption of the policy statement titled “Maintaining Books, Accounts, and Records by Persons Who Provide Either Level I or Level II Check-Cashing Services” as amended and the adoption of the policy statement concerning how to handle abandoned applications for supervised lending, deferred presentment, and check-cashing licenses.

On motion of Mr. Bouchette on behalf of the Committee, the Board voted to approve the policy statements.

The next Legislative and Regulatory Committee meeting is scheduled for December 16th.

The Budget and Operations Committee update was provided by Committee Chair Don Pennington. He informed the Board that the Commissioners presented the FY2022 budget, which reflects an increase in the fee that each division pays to the STO (\$80,000 per division in FY22, and \$105,000 per division in FY23) and a significant increase in legal fees for the Banking Division (\$44,000). The FY2023 Appropriation Request, the Accountability Report, July 2021 Expenditure Analysis, an IT update, and personnel changes were also provided by the Commissioners and discussed by the Committee.

The Committee reviewed and recommends the approval of the FY2023 Appropriation Request and Accountability Report.

On motion of Mr. Pennington on behalf of the Committee, the Board voted to approve the FY2023 Appropriation Request and Accountability Report.

The next Budget & Operations Committee meeting is scheduled for October 21st.

Commissioner of Consumer Finance, Ron Bodvake provided the Board with an update on several division items.

The Commissioner announced the internal promotion of Nancy Lewis to licensing specialist.

The Commissioner notified the Board of the upcoming Mortgage Bankers of the Carolinas conference in Wilmington, NC.

The Commissioner provided an update regarding the progress of investigations being performed by the Division.

The Commissioner discussed and referenced the attached Monthly Statistics Report, and the Approved Consumer Licensees Report.

Commissioner of Banking, Rick Green provided the Board with an update on division personnel items. He announced the hiring of Timaya Forman as Assistant Examiner effective August 2nd and Frank Mayhew as Examiner III effective August 2. Examiner Lilasha Dervin joined the National Guard and plans to return to employment at the division in February. The Commissioner expressed that he is thankful for her service to our country. Also, the division is recruiting for the Assistant Examiner, Associate Examiner, Examiner, and Loan Review Specialist positions.

The Commissioner reported on actions taken under delegated authority. He approved the property purchase of Georgetown Kraft Credit Union, Georgetown (1 property in Andrews, SC).

Executive Session

The Board voted unanimously to adjourn into Executive Session.

Deputy General Counsel Bill Condon stated the reasons the Board entered Executive Session: to review an application to merge a bank and operate branches, to review an application to establish a branch, to discuss a credit union breach, to discuss a personnel matter related to termination, and to receive legal advice as needed.

The Board voted unanimously to end Executive Session.

Actions following Executive Session:

On motion of Mr. Bouchette and duly seconded by Mr. Strickland, the Board voted to approve an application of United Community Bank, Greenville, South Carolina, to merge with Aquesta Bank, Cornelius, North Carolina and to operate the nine branches of Aquesta Bank as branches of United Community Bank and to open a branch at 602 Coleman Boulevard, Mount Pleasant, South Carolina, that was previously approved by the North Carolina Commissioner of Banks and the Federal Deposit Insurance Corporation for Aquesta Bank, subject to the conditions provided by the Commissioner.

On motion of Mr. Strickland and duly seconded by Mr. Bouchette, the Board voted to approve the application of First Palmetto Bank, Camden, South Carolina, to establish a branch at 40 West Broad Street, Suite 210, Greenville, South Carolina subject to the conditions provided to the Board.

The next board meeting is scheduled for Wednesday, October 6, 2021.

There being no objection, the meeting adjourned at 10:52 AM.