

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND ) BEFORE THE STATE ETHICS COMMISSION  
) )  
IN THE MATTER OF: )  
COMPLAINT C2015-008 )  
) )  
James R. Wilson, Jr., ) **DECISION AND ORDER**  
Respondent. ) )  
) )  
Kay Hollis, etal. )  
Complainant. )  
\_\_\_\_\_ )

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2013), the State Ethics Commission reviewed the above captioned complaint on November 19, 2014 charging the Respondent, James R. Wilson, Jr., with violations of Section 8-13-700. Present at the meeting were Commission Members James I. Warren, III, Chair, Sandy Templeton, Frank Grimbball, Julie S. Jeffords-Moose, Twana N. Burris-Alcide, Regina H. Lewis, Thomas M. Galardi and Sherri A. Lydon. The following allegation was considered:

**ALLEGATION**

On August 1, 2014 the State Ethics Commission received a complaint filed by Kay Hollis, Vivian Atkins and Robert P. Frick, Council persons, Town of Chapin, SC against James R. Wilson, Jr., Mayor of Chapin, SC. The complaint alleged that the Respondent illegally suspended and then fired the Chapin Town Clerk. Furthermore, the Respondent has arranged for the check writing authority for Town expenses to be performed by one of his own companies. Also, the Respondent has not allowed financial reports or bank statements to be given to Town Council.

The Respondent has under-reported gross receipts from three businesses under his control and has failed to file any business license for another company controlled by him

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The Respondent ordered the Town Utility Clerk to pay his legal fees in a matter before Lexington County Court of Common Pleas. The Town should not have been responsible for the Mayor's legal expenses.

The Respondent illegally hired a person to serve as Director of Communications and Economic Development without the approval of Town Council.

### **FINDINGS OF FACT**

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, James R. Wilson, Jr., is the Mayor of the Town of Chapin (hereinafter "the Town").

2. Staff met with Respondent and he stated that in the last week of April 2014 the former town clerk was no longer responsible for the Town's payroll and municipal accounts. Respondent said that Ms. Camber Moore volunteered to assist the Town with duties related to payroll and municipal accounts. Respondent stated that Ms. Moore is an employee of one of the businesses that he owns. Respondent said that Ms. Moore was not receiving any compensation from the Town for providing payroll and book keeping services. A review of a sworn affidavit submitted by Ms. Moore revealed that she does provide financial services for the Town; however, she volunteered to assist the Town and she is not being compensated for her services. A review of the vendor list for all accounts with the Town revealed that no disbursements were made to Ms. Moore for providing payroll or financial services. In addition, no disbursements were made from the Town to Respondent or any of his businesses for payroll or financial services.



3. Staff contacted all of the complainants, and they could not provide specific information in regard to whether Respondent or an individual with which he was associated received an economic benefit for providing check writing or financial services for the Town. They all reported that since Respondent suspended and then terminated the employment of the former town clerk, Respondent transferred the duties related to financial services to an individual employed by one of his businesses.

4. According to Respondent he owns three businesses in the Town. He identified the businesses as the Wilson Insurance Group, LLC, the Wilson Financial Group, LLC and Elite Premium Finance Group, LLC. Respondent said that the other company identified in the complaint, MML Investors Services LLC, is not a business that he owns. Respondent stated that he obtained business licenses from the Town for the companies that he owns, and he accurately reported the gross income from his businesses on all the applications. Respondent stated that he did not ever have a conversation with the former town clerk in regard to his business licenses. Respondent said that the personnel action involving the town clerk was not related to any issues involving his business licenses at the Town.

5. According to one of the complainants, Council Member Robert Frick, the information in the complaint is in regard to whether Respondent under reported the income on his business license applications was based on comments made by a former town clerk and business license official for the Town, Mrs. Adrienne Thompson. Mr. Frick stated that he did not know if Mrs. Thompson had any discussions with Respondent



in regard to her suspicions that Respondent did not accurately report the income from his businesses.

6. Staff met with the Mrs. Adrienne Thompson and she said that since Respondent conducts a business that involves selling insurance policies he is required to obtain a business license at the Town and Respondent is required to pay a municipal license tax. Mrs. Thompson said that the municipal license tax is based on the gross income Respondent receives from his insurance business and the tax is collected by the Municipal Association of South Carolina (MASC). Mrs. Thompson said that the funds MASC obtains from the license tax are sent to the Town. Mrs. Thompson said that some time in 2013, she was contacted by Ms. Brenda Kizer from MASC. She said Ms. Kizer wanted to know if Respondent was paying the Town's business license fees based on his gross income. Mrs. Thompson said that she told Ms. Kizer that she did not think Respondent was reporting all his income on his business license applications because he had new office building and he employed several people at his businesses. Mrs. Thompson said that she did not ever discuss her concerns about the amount of gross income Respondent reported on his business license application with Respondent. Mrs. Thompson said that she thought that Respondent was paying the additional income he was receiving from his insurance business in the form of a license tax to MASC and the Town was receiving money from Respondent's municipal license tax.

7. A review of the Lexington County Court of Common Pleas case of Vivian Atkins, etal. v. James R. Wilson, Jr. and the Town of Chapin revealed that Respondent was a defendant in a dispute over actions that he took while serving as mayor of the



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IT IS SO ORDERED THIS 25<sup>th</sup> DAY OF November, 2014.

STATE ETHICS COMMISSION



JAMES I. WARREN, III  
CHAIRMAN

COLUMBIA, SOUTH CAROLINA

