

STATE OF SOUTH CAROLINA )  
 ) BEFORE THE STATE ETHICS COMMISSION  
 COUNTY OF RICHLAND )  
 )  
 IN THE MATTER OF: )  
 COMPLAINT C2013-044 )  
 )  
 State Ethics Commission, )  
 Complainant; )  
 )  
 William Blackwell, )  
 Respondent. )  
 \_\_\_\_\_ )

**DECISION AND ORDER**

STATE ETHICS  
 COMMISSION

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This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on October 23, 2012. On January 16, 2013, pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2012), the State Ethics Commission reviewed the above-captioned complaint charging the Respondent, William Blackwell, with a violation of Section 8-13-1140.

Present at the Hearing on March 20, 2013 were Commission Members E. Kay Biermann Brohl, Chair, Priscilla Tanner and George Carlton Manley. Respondent was present and appeared *pro se*. Complainant was represented by Cathy L. Hazelwood, General Counsel. The following charge was considered:

**COUNT ONE**  
**FAILURE TO FILE A STATEMENT OF ECONOMIC INTEREST REPORT**  
**SECTION 8-13-1110, S.C. CODE ANN., 1976, AS AMENDED**

That the Respondent, William Blackwell, the Chief Administrative Official of the Holly Springs Fire Department, did in Richland County, fail to timely file a 2012 Statement of Economic Interests form on or before April 15, 2012 in violation of Section 8-13-1140.

**FINDINGS OF FACT**

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

1. The Respondent, William Blackwell, is the Fire Chief at the Holly Spring Volunteer Fire Department (HSVFD). He filed a 2011 Statement of Economic Interest (SEI) in April 2011 as the Chief Administrative Official for the HSVFD.

2. Kristin Smith, administrative coordinator of the Commission's non-compliance office, testified that Respondent was penalized in an August 20, 2012 letter for failure to file his 2012 SEI. That letter was re-sent certified on September 18, 2012 and it was delivered September 19, 2011. Penalties began accruing on September 30, 2012. On November 1, 2012 Respondent complied by filing the 2012 SEI. The late-filing penalty is \$2,300.00.

3. Respondent testified that he filed initially because he was told he should when the previous fire chief was fired and Respondent was named the fire chief. He did not know what he was doing. It is a part-time position governed by the fire commission. He is not the chief administrative official.

4. Lee Jeffcoat, elected member of the HSVFD commission, testified that the elected members of the commission all filed. He testified that Respondent was not the chief administrative official and that they had provided him no training on filing forms when they made him chief.

**CONCLUSIONS OF LAW**

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

1. During all times relevant, the Respondent, William Blackwell, was a public employee, as defined by Section 8-13-100(25).

2. The State Ethics Commission has personal and subject matter jurisdiction

3. Sections 8-13-1110 and 8-13-1140 provide that certain public employees shall file a Statement of Economic Interests at the time of assuming the duties of the position and annually thereafter prior to April 15.

4. Section 8-13-320(10)(i) provides in part:

(10) to conduct its investigation, inquiries, and hearings in this manner:

(i) . . . If the Commission finds probable cause to believe that a violation of this chapter has occurred, the Commission may waive further proceedings if the respondent takes action to remedy or correct the alleged violation.

**DECISION**

Based upon the evidence presented, the State Ethics Commission has determined that the Respondent, William Blackwell, has complied with the disclosure requirements of the Ethics Reform Act of 1991. THEREFORE, in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder, the State Ethics Commission waives further proceedings. The State Ethics Commission directs the Holly Springs Volunteer Fire Department Commission to examine its structure and determine if there is anyone beyond the elected members who may need to file and instruct them accordingly.

IT IS SO ORDERED THIS 10<sup>th</sup> DAY OF May, 2013.

STATE ETHICS COMMISSION

  
E. KAY BIERMANN BROHL  
HEARING CHAIR

COLUMBIA, SOUTH CAROLINA