

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

STATE ETHICS COMMISSION  
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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2022-139

COMPLAINT FORM

COMPLAINANT: State Ethics Commission  
ADDRESS: 201 Executive Center Drive  
Suite 150  
Columbia, SC 29210  
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Wilson A. Clyburn  
ADDRESS: [REDACTED]  
TELEPHONE NUMBER: [REDACTED]  
TITLE: Former Dillon County Chief Administrative  
Official

Section 8-13-1120, SC Code Ann., 1976, as amended, requires certain officials to file a Statement of Economic Interests prior to assuming the duties of the office. Records in the State Ethics Commission indicate that the Respondent was required to file the 2018 Statement of Economic Interests prior to November 2018.

Respondent was reminded of the filing requirement by letters dated May 18, 2022, June 17, 2022, July 28, 2022, and September 15, 2022 as described in the attached. To date, a 2018 Statement of Economic Interests has not been received. All in violation of Section 8-13-1120, SC Code Ann., 1976, as amended.

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.

STATE OF SOUTH CAROLINA  
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that 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 her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this  
2nd day of November, 2022

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 01/24/26

SEC-7 (Revised 3/2022)

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

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STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
Complaint C2022-139 )  
State Ethics Commission )  
Complainant. )  
Wilson A. Clyburn )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**NOTICE OF HEARING**

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will 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, February 15, 2024 at 9:30 a.m. at the 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 FILE STATEMENT OF ECONOMIC INTERESTS**  
**SECTION 8-13-1110(A)(5), S.C. CODE ANN., 1976, AS AMENDED**

That Wilson A. Clyburn, former Chief Administrative Official for Dillion County, did in Richland County, fail to file a Statement of Economic Interests prior to assuming his official duties, in violation of Section 8-13-1110(A)(5).

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 Walker Bayson, Executive Director  
State Ethics Commission

Dated this 27<sup>th</sup> day,  
of July 2023.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Wilson A. Clyburn, 664 Edrie Street NE, Aiken, SC 29801 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 2nd day of August 2023, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.



**Rachael O'Bryan, Administrative Assistant**  
State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
) )  
IN THE MATTER OF: )  
COMPLAINT C2022-139 )  
) )  
State Ethics Commission, )  
Complainant, )  
) )  
Wilson A. Clyburn, )  
Respondent. )  
\_\_\_\_\_ )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 2, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Wilson A. Clyburn (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to entry of the following:

**STATEMENTS OF FACT**

1. Respondent served as Dillon County Administrator from December 2018 until June 2020.
2. Respondent did not file a Statement of Economic Interests (SEI) prior to assuming his official duties as County Administrator.
3. Respondent did not file a 2019 SEI on or before March 30, 2019 or a 2020 SEI on or before March 30, 2020.
4. In a September 15, 2022 certified letter, the Commission notified Respondent of his failure to timely file his 2018, 2019, and 2020 SEIs.
5. According to the United States Postal Service, the certified letter was “Delivered, Left with Individual” on September 17, 2022 at 2:36 p.m. The return receipt reads as “William,” who the Respondent later claimed as his father.

6. On September 27, 2022, Respondent filed a 2019 SEI, 2020 SEI, and 2021 SEI.
7. On September 27, 2022, late-filing penalties began to accrue at \$10 per day with regard to the 2018 SEI, which was still not filed.
8. On October 7, 2022, late-filing penalties began accruing at \$100 per day with regard to the 2018 SEI, which was still not filed.
9. On May 22, 2023, following contact from a Commission investigator, Respondent filed his 2018 SEI and is now in compliance.

#### 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 employee” pursuant to Section 8-13-100(25).  
Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1110(A) provides, in relevant part:

No public official, regardless of compensation, and no public member or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office. . .

3. Section 8-13-1110(B) provides, in relevant part:

Each of the following public officials, public members, and public employees must file a statement of economic interests with the appropriate supervisory office, unless otherwise provided:

. . .

(5) the county manager, county administrator, county supervisor, or chief county administrative official or employee, by whatever title;

. . .

4. Section 8-13-1510(A) provides:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

5. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

**DISCUSSION**

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1110 for failing to file his 2018 SEI before assuming his official duties. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to file the required SEI. As mitigation, Respondent states he attempted to file his 2018 SEI on September 27, 2022 when he filed his 2019, 2020, and 2021 SEIs, but the system would not allow him to file the 2018 report. Respondent asserts this was his first position as a public employee that required him to file SEIs and that he was not told of this requirement until after he began his official duties. He further asserts that once he was informed about the filing requirements, he was confused as to which forms covered which disclosing year.

**DISPOSITION**

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1110.
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 a written warning and orders the Respondent to pay the Commission, within six (6) months from receipt of this Order, a reduced late-filing penalty of \$150 for the 2018 SEI and an administrative fee of \$200, for a total of \$350.

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 \$350 (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 shall enter this Order in the amount of \$350 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 25<sup>th</sup> DAY OF February 2024.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
WILSON A. CLYBURN  
RESPONDENT