

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:  
CASE NUMBER  
c 2024-036

COMPLAINT FORM

COMPLAINANT: State Ethics Commission  
ADDRESS: 201 Executive Center Drive  
Suite 120  
Columbia, SC 29210

RESPONDENT: George A. Smith  
ADDRESS: [REDACTED]

TELEPHONE NUMBER: 803-253-4192

TELEPHONE NUMBER:

TITLE:

TITLE: Former Town of Wagner Councilmember

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).

Pursuant to a confidential investigation, a Commission Investigator subpoenaed account records for the Town of Wagner. Upon review of the account records, the Commission Investigator observed checks written from the Town's account to George A. Smith and signed by George A. Smith.

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 Dayson 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  
5th day of JUNE, 2025

[REDACTED]

Meghan Dayson Walker, Executive Director

Notary Public for South Carolina  
My Commission expires 01/22/26

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 )

BEFORE THE STATE ETHICS COMMISSION

IN THE MATTER OF: )

Complaint C2024-036 )

State Ethics Commission )  
Complainant. )

**NOTICE OF HEARING**

George A. Smith )  
Respondent. )

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, August 21, 2025 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

**COUNT ONE**

**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST  
SECTION 8-13-700(B), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That George A. Smith, Town of Wagener Councilmember, did in Richland County, use his official position to obtain an economic interest by signing checks from Town account 0034 to himself in 2020, in violation of Section 8-13-700(B).

**COUNT TWO**

**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST  
SECTION 8-13-700(B), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That George A. Smith, Town of Wagener Councilmember, did in Richland County, use his

official position to obtain an economic interest by signing checks from Town account 0034 to himself in 2021, in violation of Section 8-13-700(B).

**COUNT THREE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(B), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That George A. Smith, Town of Wagener Councilmember, did in Richland County, use his official position to obtain an economic interest by signing checks from Town account 0034 to himself in 2022, in violation of Section 8-13-700(B).

**COUNT FOUR**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(B), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That George A. Smith, Town of Wagener Councilmember, did in Richland County, use his official position to obtain an economic interest by signing checks from Town account 0034 to himself in 2023, in violation of Section 8-13-700(B).

**COUNT FIVE**  
**USE OF OFFICIAL POSITION TO OBTAIN ECONOMIC INTEREST**  
**SECTION 8-13-700(B), S. C. CODE ANNOTATED, 1976, AS AMENDED**

That George A. Smith, Town of Wagener Councilmember, did in Richland County, use his official position to obtain an economic interest by signing checks from Town account 0034 to himself in 2024, 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 Walker Dayson, Executive Director  
State Ethics Commission

Dated this 20<sup>th</sup> day,  
of March 2025.

*Certificate of Service by Certified Mail*

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on Respondent George Arthur Smith, 251 Holley Street, Wagener, SC 29164 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 20<sup>th</sup> day of March 2025, 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

Columbia, South Carolina

(803) 253-4192

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2024-036 )  
State Ethics Commission, )  
Complainant, )  
George A. Smith, )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the South Carolina State Ethics Commission (Commission) by way of a complaint filed on June 5, 2024.<sup>1</sup> Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against George A. Smith (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 the following:

**STATEMENTS OF FACT**

1. At all times relevant, Respondent has served on the Town of Wagener (Town) Council.
2. From 2020-2024,<sup>2</sup> Respondent was one (1) of two (2) signatures on twenty-two (22) Town checks made payable to himself. In one (1) instance, Respondent was the sole signature on the check. These checks were paid to Respondent for compensation as a Councilmember.
3. The Commission's investigation revealed that it is common practice within the Town for individuals to be one (1) of two (2) required signatures on checks written to themselves.
4. The Commission's investigation did not reveal any evidence that Respondent received more money than he was owed.

<sup>1</sup> The Commission initially uncovered evidence of the violations discussed herein during an investigation into a separate Complaint matter related to the Town of Wagener.

<sup>2</sup> The Commission's statute of limitations is four (4) years pursuant to Section 8-13-320(9)(d).

*JK #1*

### CONCLUSIONS OF LAW

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

1. At all times relevant, Respondent was a public official, as defined by Section 8-13-100(27). The Commission has personal and subject matter jurisdiction.
2. Section 8-13-700(B) provides, in relevant part:

No [public official] may make, participate in making, or in any way attempt to use his [public office] 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] 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 of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, 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.

3. Section 8-13-100(11)(a) defines "economic interest," in relevant part, as:

... an interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a [public official] may gain an economic benefit of fifty dollars or more.

4. Section 8-13-130 allows the Commission to "levy an enforcement or administrative fee on a person who is in violation of any provision of the Ethics Act."
5. Section 8-13-320(10)(1)(i) allows the Commission to require payment of a civil penalty of up to two thousand dollars for each violation of the Ethics Act.

### DISCUSSION

The Commission found probable cause to charge Respondent with five (5) counts of violating

JRP #2

Section 8-13-700(B) for signing Town checks to himself.<sup>3</sup> Through this Consent Order, Respondent acknowledges he violated the Ethics Act in each instance outlined in the Notice of Hearing. In mitigation, Respondent states he was unaware that the Ethics Act prohibited him from signing checks to himself when the money was properly owed. Respondent further states, and the Commission has confirmed, that the Town has allowed individuals to sign off on their own payments during Respondent's public service. Although the Commission's investigation did not reveal any instance where Respondent improperly received money, it is troubled by the apparent wide-spread practice of individuals signing off on their own payments from the Town. In that regard, Respondent states that the Town is in the process of implementing a policy regarding Town payments and who may authorize such payments. The Commission again emphasizes that Respondent did not receive any economic benefit to which he was not entitled.

**DISPOSITION**

1. The Commission hereby finds Respondent in violation of Section 8-13-700(B) as outlined in the Notice of Hearing.
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 Public Reprimand to Respondent for violations of the Ethics Act;

AND orders Respondent to pay to the Commission, within six (6) months from receipt of this Order, an administrative fee of \$300.00. The Commission declines to assess any civil penalties in light of the mitigation described herein.

By executing this Consent Order, Respondent understands that he is not only admitting to

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<sup>3</sup> The Notice of Hearing contains one (1) violation for each year in which Respondent signed checks made payable to himself, for a total of five (5) counts.

JX #3

violations of the Act, but also confessing to a judgment of \$300.00 (less any money paid to the Commission) in the event he does not make full and timely payment or action as provided in this Order. In that event, the Commission shall file a Judgment against Respondent in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$300.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS ORDERED THIS 12<sup>th</sup> DAY OF May, 2025.

STATE ETHICS COMMISSION

  
GEORGE A. SMITH  
RESPONDENT