

From: Pitts, Ted <TedPitts@gov.sc.gov>
To: Soura, Christian <ChristianSoura@gov.sc.gov>
Date: 4/28/2014 1:09:56 PM
Subject: FW: discussion re IG Report

-----Original Message-----

From: Drdjnielsen [mailto:drdjnielsen@yahoo.com]
Sent: Monday, April 28, 2014 10:01 AM
To: William Small
Cc: Robert L. Waldrep Jr. (kelli@waldreplaw.com); Patricia Lott; Rev. Corbitt (johncorbitt@charter.net); Tony Grant; Cathy Novinger; Ronald Henegan; Katon Dawson; Pearl Ascue; Carlotta Redish; morehouse83@gmail.com; GAIL FLEMING
Subject: Re: discussion re IG Report

Chairman Small:

I am deeply concerned about your email. First, no official Board of Trustee's approval for considering the employment of a new Board Attorney has been held. Then without any Board of Trustee knowledge, thus no Board of Trustee's direction, a request for attorney representation of a law firm was made but not approved by the Board of Trustees to the South Carolina Attorney General's Office. This concern was presented at the last meeting of the Board, the Board already has an approved Board Attorney (which may be changed by Board approval) and another law firm was suggested but no approval of that law firm was approved either. Now this unapproved law firm is requested to represent the Board of Trustees in response to an IG report none of the Board has seen.

I am of the opinion that these actions have exceeded the role of Chair of the SCSU Board of Trustees. As I understand, the Board Chair may only speak for or act for the Board of Trustees when the will of the Board has been received through their official approval, else the Chair is only speaking or acting as a single Board member at the same level as any other member. The actions taken regarding the request for a Board Attorney cannot be assumed to be an official request by the SCSU Board of Trustees.

I request: 1) these actions be immediately halted until the Board has an additional chance to review such actions as the Board already has an approved Attorney, Attorney Charles Boykin; 2) that each Board Member receive a copy of the letter sent to the Attorney General requesting the approval of the new Law Firm; 3) that each Board Member receive all the reports submitted by the SC Office of the IG; 4) that each Board Member receive a copy of all past and any future correspondence sent by the Board Chair as representing the will of the Board and; 4) place these issues on our next REGULAR Board meeting.

As we all know, the primary issue facing us at this crucial time is to receive additional funding from the SC Legislature to insure that SCSU may continue as a stable state institution.

Thank you. Dennis Nielsen

Sent from my iPad

> On Apr 27, 2014, at 10:33 PM, William Small <williamsmalljr@gmail.com> wrote:

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> I was advised on Friday, that the Attorney General's office approved the Childs law firm for Board representation. To that end, I am revisiting the conversation that we had on Thursday. Having become somewhat more familiar with the IG's report, I am of the opinion that we should have that report reviewed by outside counsel for the purpose of having advice with respect to , distribution, handling requests to amend the record and general advice to the Board on handling the matter. As Board Chairman, these are issues that I am not comfortable deciding. These are also issues which I think, from the Board's perspective, ought to be reviewed with some dispatch. At a minimum, I think it is my duty to seek guidance and clarification with respect to this matter. I should advise that I am convinced that the IG has placed the further handling of this matter in the hands of the university. This in my opinion, is the most practical way to secure the assistance which protects the Board and the interests of others who might be impacted by the action we take.

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> I will have to travel out of the State and to some degree will be "out of pocket" for most of next week. . If any one has a problem with this approach please advise. I plan to be in the office tomorrow morning. Thanks