

31

Recreation Director tells staff "You can't hurt me" in secret recording

BY TARA PETITT
WEDNESDAY, JULY 13TH 2016

tweet now!

COLUMBIA, SC (WACH) - Several questions regarding the Richland County Recreation Commission have risen since the agency became the target of a federal investigation.

Wednesday, WACH FOX News has obtained an audio recording that could provide answers.

[LISTEN TO RECORDING HERE](#)

The Commission is being investigated after several allegations and lawsuits have been filed against certain Commission

members and it's Executive Director for things such as sexual harassment and bribery.

In a recording from a private January 6th meeting at the Richland County Recreation Commission, Executive Director James Brown tells employees how they should behave in 2016 for almost an hour.

"So now, when you break the rules, you gonna get severely punished," said Brown, "and am I looking forward to it? Yeah, I am. I really am."

In the audio, Brown mentions more than once that he knows people are recording him.

"Nobody call HR. You call HR to report something, but you calling and you gossiping, or you pointing the finger at somebody, I'm gonna deal with you."

Brown goes on to explain what will happen if employees don't do what he says.

"I see right through you," said Brown, "And the only reason I can't deal with you like I want to is because I got on this tag. If I didn't have this tag on me and you ran up into me in the street somewhere, then I could be *explicit*. Oh yeah, I'm gonna let you know how I feel. Y'all tell people how you feel about me every day... now it's my turn. It's my turn."

Earlier this month, Brown took a voluntary leave of absence one day after WACH FOX News aired an exclusive

interview with a whistleblower who talked about the environment at the Commission.

Wednesday, a Delegation of Richland County lawmakers sent a second letter to the Commission asking four things, including specific details about Brown's leave of absence.

"We haven't seen anything official. That's our concern," said Representative Joe McEachern. He says so far, all delegation members have seen are statements, and they need clarity .

"There are laws to abide by- I'm talkin about the Commissioners now," said McEachern. "There's rules to abide by. There's accountability to those, and we just don't have any idea as far as their actions are concerned, what role did they take?"

Members of the delegation have been told by the commission to expect a response from them shortly. Lawmakers stated in their letter that several of them will be attending the Commission's next meeting, scheduled for July 18th.

32

BOARD OF COMMISSIONERS:

J. Marle Green, Vice Chair
Rev. Charles E. Epps, Secretary
Wilbert Lewis
George D. Martin, Jr.
Barbara Mickens
G. Todd Weiss
Weston A. Furgess, Jr.

Richland County



MEMORANDUM

"A place where everyone has a chance to play."

INTERIM EXECUTIVE DIRECTOR

James A. Brown, Sr.

5819 Shakespeare Road

Columbia, SC 29223

Phone: (803) 754-7275

Fax: (803) 786-2028

Email: info@rcrc.state.sc.us

www.richlandcountyrecreation.com

To: James Brown, Sr.
From: David Stringer
Human Resources Director
Subject: Employment Confirmation
Date: April 20, 2010

At the April 19, 2010 Special Called meeting, the Board approved interim executive director pay retroactive to March 21, 2010.

This is to confirm your employment the Richland County Recreation Commission (RCRC).

Position: Interim Executive Director

Your annual salary as approved by our Board will be: \$92,000

If you have any questions regarding this letter please notify Human Resources or Payroll.

I Acknowledge the Receipt of This Letter (Employee Signature):

Date:

4/20/10

NOTHING CONTAINED IN THIS CONFIRMATION CREATES A CONTRACT RIGHT. CONSISTENT WITH SOUTH CAROLINA LAW, ALL EMPLOYEES ARE EMPLOYED "AT WILL" WHICH MEANS THAT THE EMPLOYEE HAS THE RIGHT TO TERMINATE HIS OR HER EMPLOYMENT AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. AND THAT THE COMMISSION RETAINS THE SAME RIGHT. EXCEPTIONS TO THE POLICY THAT ALL EMPLOYEES ARE EMPLOYED "AT-WILL" MAY BE MADE ONLY BY WRITTEN AGREEMENT SIGNED BY THE COMMISSION AND THE EMPLOYEE.

After signing and dating this acknowledgement, please return to:

Tiyana White, Human Resources
Human Resources Manager

Cc: Sandra James



Nationally Accredited:
The Richland County Recreation Commission became South Carolina's first nationally accredited parks and recreation agency in 2006.

Equal Opportunity Statement: The Richland County Recreation Commission is dedicated to the concept of equal opportunity. The Commission will not discriminate on the basis of race, color, religion, sex, age, disability, national origin, or marital status, in its employment practices or in the participation policies for its facilities.

33

**Richland County Recreation Commission
Interviews for the Position of Executive Director
Thursday, November 4, 2010
6:00PM**

Commissioners in attendance:

J. Marie Green, Chair
Charles Epps, Vice Chair
G. Todd Weiss, Secretary
Wilbert Lewis
George Martin
Barbara Mickens
Weston A. Furgess, Jr.

Others in attendance:

James E. Bridgett, Jr. Consultant/Parliamentarian
David Stringer, Human Resources Director

Candidates:

James Brown, III of Columbia SC
Melvin Miller of Birmingham AL
Stanley Motley of Union City GA

Interviews began at 6:00p.m.

Motion to go into Executive Session to address a contractual matter made by Commissioner Epps and second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Epps, Furgess, Weiss, Lewis, Mickens and Martin.

EXECUTIVE SESSION

Motion to come out of Executive Session made by Commissioner Furgess and second by Commissioner Weiss. Motion approved unanimously by all members present; Green, Furgess, Weiss, Martin, Epps, Mickens and Lewis.

Commissioner Weiss stated that there were no actions taken in Executive Session.

Motion made to offer Mr. James Brown, III the position of Executive Director of Richland County Recreation Commission made by Commissioner Epps and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Mickens, Epps, Furgess, Lewis, Martin and Weiss.

Chair Green appointed a committee consisting of Commissioner Epps, Commissioner Mickens and Commissioner Weiss to draft a contract for Mr. James Brown, III; the newly appointed Executive Director of Richland County Recreation Commission.

The meeting adjourned at 10:00p.m.

J. Marie Green
J. Marie Green, Chair

Minutes approved on this 16 of November 2010.

34

Salary Comparisons

11/30/2010

| | |
|--|----------------------|
| Dept. of Natural Resources John Frampton – Agency Head | \$121,380 |
| Parks, Recreation and Tourism Chandler Prosser | \$112,504 |
| City of Greenville Parks and Recreation Dana Souza (promoted through the ranks from Maintenance) | \$107,355 |
| City of Columbia Allison Baker | \$129,000 |
| Others: | |
| Milton Pope – Richland County Administrator | \$157,500 |
| Leon Lott | \$142,367 |
| City of Myrtle Beach provided a Range For Executive Director | \$76,259 - \$112,414 |

Current Highest Paid RCRC Employee: Ronnie Kinnett \$101,000

Mickens \$110,000 - \$112,000

Weiss \$100,000

Epps \$107,355.20

| Name | Agency | Title | Salary |
|--|-------------------------------------|----------------------------|---------------|
| Jeffery Caton | City of Columbia | DIRECTOR OF PARKS & REC | 100,980.00 |
| Duane Parrish | SC Dept. of Parks and Recreation | Director | \$112,504 |
| Dana Souza – over recreation 25 years | Greenville Parks and Recreation | Director | \$107,016.00 |
| Thomas J. O'Rourke, | Charleston County | Director | |
| Elizabeth B. Taylor | Irmo Chapin Recreation | Director | |
| | | | |

35

**Richland County Recreation Commission
Special Call Board Meeting Minutes
Friday, December 17, 2010
1:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
Charles Epps, Vice Chair
G. Todd Weiss, Secretary
George Martin
Barbara Mickens
Weston A. Furgess, Jr.
Wilbert Lewis

Others in Attendance:

David Stringer, Human Resources
Cornelia Watts, Executive Assistant

1. Call to Order:

Chair Green called the meeting to order at 1:00p.m.

2. Adoption of Agenda:

Motion to adopt the agenda made by Commissioner Mickens and second by Commissioner Epps. Motion approved unanimously by all members present; Green, Epps, Mickens, Martin, Furgess and Weiss.

Motion to go into Executive Session to discuss a contractual made by Commissioner Weiss and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Epps, Mickens, Martin Weiss and Furgess.

Executive Session

Commissioner Lewis entered Executive Session at approximately 1:15p.m.

3. Motion to come out of Executive Session made by Commissioner Epps and second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Epps, Mickens, Martin, Lewis, Weiss and Furgess.

Chair Green stated that there were no actions taken in Executive Session.

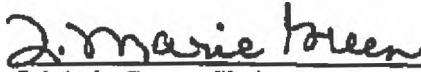
Motion to offer Option 1 to Mr. James Brown, III made by Commissioner Mickens and second by Commissioner Lewis. Voting in favor Green, Epps, Mickens, Martin, Furgess and Lewis; Opposed Weiss. Motion passed.

Chair Green stated that if there is a need for negotiation, the committee is to handle and report back to the Board.

Motion to adjourn meeting made by Commissioner Weiss and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Epps, Mickens, Weiss, Furgess, Martin and Lewis.

4. Adjournment:

Meeting adjourned at 1:25p.m.


J. Marie Green, Chair

Minutes approved on this 24th of January 2011.

Salary Options

Special Called Meeting

12/17/2010

Option 1

\$110,000 + 4% Longevity Pay and No Cost of Living

\$114,400

Option 2

\$105,000 + 4% Longevity Pay and No Cost of Living

\$109,200

36

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

EMPLOYMENT AGREEMENT

WITNESSETH:

NOW THEREFORE, in reliance on the foregoing premises and in consideration of the promises and mutual agreements set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

- 1

3. **Termination/Liquidated Damages.** In the event of a "no cause" termination by employee, the terminating Employee shall give thirty (30) day written notice. In the event employee terminates his employment, he shall be entitled to any accrued unused annual leave and compensation through the termination date. If RCRC terminates for "no cause," Employee shall be entitled as the sole damage due to him to one (1) week of pay for each full year of service (based on June 1, 1981 hire date) and any accrued unused annual leave balance. In the event of a "for cause" termination for reasons set forth in the RCRC Full Time Employee Handbook (August 2008), Employee shall be entitled only to the value of his accrued unused annual leave.
4. **Position and Duties.** Employee will perform all duties and responsibilities set out in this Agreement, including the Attachment A to this agreement and the documents incorporated herein by reference at Paragraph 3. Unless otherwise agreed to by the Commission of the RCRC, the Employee will serve on a full-time basis and will devote sufficient time and 100% of his efforts while working towards advancing the goals of the RCRC. During the Term of Employment, Employee will assume such additional responsibilities and authority as may from time to time be assigned to him by the Commission of the RCRC. The Employee will perform his responsibilities and duties in the best interests of the RCRC. Employee shall report regularly to the Chairman of the RCRC Commission to permit the Chairman to be personally informed of the progress and activities of the Commission, and acknowledges Employee is ultimately accountable to the full body of RCRC Commissioners.
5. **Renewal/Subsequent Terms of Employment.** The parties agree to begin discussion of renewal of employment ninety (90) days prior to the end of the two (2) year term of employment. However, nothing in this Agreement shall be construed to require either party to renew employment.
6. **Compensation and Benefits.** In consideration of the Employee's performance of his duties and responsibilities hereunder, the RCRC will provide the Employee with the following compensation and benefits during the Term of Employment.
 - a) **Base Salary.** Employee will be paid at a per annum base salary of One Hundred and Ten Thousand (\$110,000.00) and no/100 Dollars. Such salary will be payable on regularly scheduled pay days in accordance with RCRC's present payroll schedule. Longevity Pay, if any, pursuant to Policy 140, is given annually on

July 1 as approved and budgeted by the RCRC governing board for all full-time employees. All taxes and other legally-mandated deductions will be held in accordance with RCRC's present payroll schedule.

- b) **Paid Leave.** Employee will be entitled to annual and sick leave based upon his employment longevity with RCRC, calculated as of November 4, 2010, as permitted in the Full Time Employee Handbook (August 2008).
 - c) **Employee Benefits.** The RCRC will provide Employee those employee benefits enjoyed by other RCRC employees, as generally outlined in Attachment B.
 - d) **Other Use of RCRC Vehicle.** The RCRC will provide for Employee's use of an RCRC vehicle in accordance with RCRC Vehicle Use Policy 1065.
 - e) **Other Expenses.** RCRC will reimburse Employee for other reasonable expenses in accordance with RCRC reimbursement policy 1060 for expenses incurred in connection with the performance of his employment duties.
7. **Confidentiality.** The RCRC and the Employee agree to keep confidential all information furnished by or through the other concerning each other or this transaction, and agree not to disclose such information or the terms of this Agreement, other than as may be required by law.
8. **Binding Arbitration.** The RCRC and the Employee each agree that any dispute or controversy arising out of or relating to his employment or any interpretation, construction, performance or breach of this Agreement shall be settled by arbitration to be held in Columbia, South Carolina, in accordance with the Employee Dispute Arbitration Rules of the American Arbitration Association before a single arbitrator who shall have experience in the area of the matter in dispute. The arbitrator may grant relief in the nature of injunctions or other relief in such dispute or controversy. The decision of the arbitrator shall be final, conclusive and binding on the parties. Judgment may be entered on the arbitrator's decision in any court having jurisdiction. The total costs and expenses of such arbitration (not including attorneys' fees), are to be shared equally (50/50) by RCRC and Employee.
9. **Headings.** The headings of this Agreement are inserted for convenience only and are not to be considered in the construction of the provisions hereof and shall not in any way limit the scope or modify the substance or context of any section or paragraph hereof.

10. **Inclusive Words.** Unless the context otherwise requires, any terms of the Agreement which indicate the neuter of any gender shall be held to include the neuter and the other gender, as the case may be; and the words in singular shall be held and constructed to include the plural and vice versa.
11. **Applicable Law:** This Agreement will be interpreted in accordance with the laws of the State of South Carolina.
12. **Modification, Waiver or Discharge.** No provision of this Agreement may be modified, waived, or discharged unless such waiver, modification, or discharge is agreed to in writing signed by the Employee and an authorized agent of RCRC.
13. **Entire Agreement.** This Agreement constitutes the entire agreement between the RCRC and the Employee with respect to the subject matter hereof. This Agreement supersedes any and all previous agreements between the parties, if any, whether verbal or written.
14. **Notices.** Notices pursuant to this Agreement must be given by first-class, United States Postal Service mail, postage prepaid, addressed as follows:

RCRC: Richland County Recreation Commission
ATTN: Chairman
5819 Shakespeare Road
Columbia, SC 29223

EMPLOYEE: James Brown, III
908 Lakesbury Dr
Columbia SC 29203

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

WITNESSES:

Cornelia Watts
Dan Stringer

J. Marie Green
J. Marie Green
Chairman of RCRC, for the RCRC

Cornelia Watts
David Stringer

James Brown III
James Brown, III, Employee

Ratified by RCRC Commission this 29th day of December, 2010

37

Richland County Recreation Commission
Special Called Board Meeting
Minutes
Thursday, November 1, 2012
5:30 p.m.

Commissioners in Attendance

J. Marie Green, Chair
Barbara Mickens, Vice-Chair
G. Todd Weiss, Secretary
Weston A. Furgess, Jr.
George D. Martin, Jr.

RCRC Staff in Attendance

James Brown, Executive Director
David Stringer, Human Resources Director

Others in Attendance

James Bridgett, Jr., Consultant/Parliamentarian

1. Call to Order:

Chair Green called the meeting to order at 5:30 p.m.

2. Motion to go into Executive Session to discuss a personnel/contractual matter.

Vice Chair Mickens made a motion to go into Executive Session to discuss a personnel/contractual matter. Second by Commissioner Furgess. Motion approved unanimously by all members present: Green, Mickens, Weiss, Martin, Furgess.

Commissioner Furgess made a motion to come out of Executive Session. Second by Secretary Weiss. Motion approved unanimously by all members present: Green, Mickens, Weiss, Martin, Furgess.

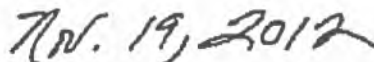
3. Chair Green stated that no decisions were made in Executive Session.

Vice Chair Mickens made a motion to approve the Executive Director's contract (Option 3). Second by Mr. Furgess. Motion approved unanimously by all members present: Green, Mickens, Weiss, Martin, Furgess.

Secretary Weiss made a motion to adjourn. Second by Vice Chair Mickens. Motion approved unanimously by all members present: Green, Mickens, Weiss, Martin, Furgess.

Meeting adjourned at 6:30 p.m.


J. Marie Green, Chair



THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION IN ACCORDANCE WITH THE SOUTH CAROLINA ARBITRATION ACT AND SECTION 8 HEREOF:

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EMPLOYMENT AGREEMENT

This Agreement, entered into this 4th day of November, 2012 by and between the Richland County Recreation Commission ("RCRC"), a South Carolina corporation with its principal place of business in Richland County, South Carolina, and James Brown, III ("Employee"), a citizen and resident of Richland County, South Carolina.

WITNESSETH:

WHEREAS, the RCRC wishes to employ the Employee as its Executive Director, and the Employee wishes to accept such employment; and

WHEREAS, the RCRC and the Employee mutually desire that their employment relationship be set forth under the terms of a written employment agreement,

NOW THEREFORE, in reliance on the foregoing premises and in consideration of the promises and mutual agreements set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Employment. The RCRC will employ the Employee as its Executive Director full-time effective November 4, 2012 (the Effective Date) on the terms and conditions set forth in the Agreement. As the Executive Director, Employee is expected to perform the functions and the duties specified in the By-laws of the Richland County Recreation Commission and to perform other duties and functions as the RCRC Commission from time to time assigns.
2. Terms of Employment. The employment of Employee by RCRC will commence on November 4, 2012 (the Effective Date) and continue for a three (3) year term expiring on November 4, 2015, unless terminated earlier by the RCRC or Employee for "no cause" or terminated due to a "for cause" basis as set forth in the Full Time Employee Handbook (January, 2011) and the Richland County Recreation Commission Administrative Manual and the RCRC By-Laws, all of which are incorporated into this agreement by reference. The parties acknowledge this term of employment supersedes the usual "at will" status of all full time RCRC employees.
3. Termination/Liquidated Damages. In the event of a "no cause" termination by employee, the terminating Employee shall give thirty (30) day written notice. In the event employee terminates his employment, he shall be entitled to any accrued unused annual leave and compensation through the termination date. If RCRC

terminates for "no cause," employee shall be entitled as the sole damage due to him to one (1) week of pay for each full year of service (based on June 1, 1981 hire date) and any accrued unused annual leave balance. In the event of a "for cause" termination for reasons set forth in the RCRC Full Time Employee Handbook (January 2011), Employee shall be entitled only to the value of his accrued unused annual leave.

4. Position and Duties. Employee will perform all duties and responsibilities set out in this Agreement, including the Attachment A to this agreement and the documents incorporated herein by reference at Paragraph 3. Unless otherwise agreed to by the Commission of the RCRC, the employee will serve on a full-time basis and will devote sufficient time and 100% of his efforts while working towards advancing the goals of the RCRC. During the Term of Employment, Employee will assume such additional responsibilities and authority as may from time to time be assigned to him by the Commission of the RCRC. The employee will perform his responsibilities and duties in the best interests of the RCRC. Employee shall report regularly to the Chairman of the RCRC Commission to permit the Chairman to be personally informed of the progress and activities of the Commission, and acknowledges Employee is ultimately accountable to the full body of the RCRC Commissioners.
5. Renewal/Subsequent Terms of Employment. The parties agree to begin discussion of renewal of employment ninety (90) days prior to the end of the three (3) year term of employment. However, nothing in this Agreement shall be construed to require either party to renew employment.
6. Compensation and Benefits. In consideration of the Employee's performance of his duties and responsibilities hereunder, the RCRC will provide the Employee with the following compensation and benefits during the Term of Employment.
 - a) Base Salary. Employee will be paid at a per annum base salary of One Hundred Twenty Six Thousand Five Hundred and 00/100 (\$126,500.00) Dollars. Such salary will be payable on regularly scheduled pay days in accordance with RCRC's present payroll schedule. Longevity Pay, if any, pursuant to Policy 140, is given annually on July 1 as approved and budgeted by the RCRC governing board for all full-time employees. All taxes and other legally-mandated deductions will be held in accordance with RCRC's present payroll schedule.
 - b) Paid Leave. Employee will be entitled to annual and sick leave based upon his employment longevity with RCRC, calculated as of November 4, 2012, as permitted in the Full Time Employee Handbook (January 2011).
 - c) Employee Benefits. The RCRC will provide Employee those employee benefits enjoyed by other RCRC employees, as generally outlined in Attachment B.

- d) Other Use of RCRC Vehicle. The RCRC will provided for Employee's use of an RCRC vehicle in accordance with RCRC Vehicle Use Policy 1065.
 - e) Other Expenses. RCRC will reimburse Employee for other reasonable expenses in accordance with RCRC reimbursement policy 1060 for expenses incurred in connection with the performance of his employment duties.
- 7. Confidentiality. The RCRC and the Employee agree to keep confidential all information furnished by or through the other concerning each other or this transaction, and agree not to disclose such information or the terms of this Agreement, other than as may be required by law.
- 8. Performance Evaluation. The Commission will review and evaluate the performance of the Employee at least once annually in advance of the anniversary date of the agreement. Further, the Commission Chairman will provide the Employee with a summary written statement of the findings of the Commission and provide an adequate opportunity for the Employee to discuss his evaluation with the Commission.
- 9. Binding Arbitration. The RCRC and the Employee each agree that any dispute or controversy arising out of or relating to his employment or any interpretation, construction, performance or breach of this Agreement shall be settled by arbitration to be held in Columbia, South Carolina, in accordance with the Employee Dispute Arbitration Rules of the American Arbitration Association before a single arbitrator who shall have experience in the area of the matter in dispute. The arbitrator may grant relief in the nature of injunctions or other relief in such dispute or controversy. The decision of the arbitrator shall be final, conclusive and binding on the parties. Judgment may be entered on the arbitrator's decision in any court having jurisdiction. The total costs and expenses of such arbitration (not including attorneys' fees), are to be shared equally (50/50) by RCRC and Employee.
- 10. Headings. The headings of this Agreement are inserted for convenience only and are not to be considered in the construction of the provisions hereof and shall not in any way limit the scope or modify the substance or context of any section or paragraph hereof.
- 11. Inclusive Words. Unless the context otherwise requires, any terms of the Agreement which indicate the neuter of any gender shall be held to include the neuter and the other gender, as the case may be; and the words in singular shall be held and constructed to include the plural and vice versa.
- 12. Applicable Law. This Agreement will be interpreted in accordance with the laws of the State of South Carolina.

13. Modification. Waiver or Discharge. No provision of this Agreement may be modified, waived, or discharged unless such waiver, modification, or discharge is agreed to in writing signed by the Employee and an authorized agent of RCRC.
14. Entire Agreement. This Agreement constitutes the entire agreement between the RCRC and the Employee with respect to the subject matter hereof. This Agreement supersedes any and all previous agreements between the parties, if any, whether verbal or written.
15. Notices. Notices pursuant to this Agreement must be given by first-class, United States Postal Service mail, postage prepaid, addressed as follows:

RCRC: Richland County Recreation Commission
ATTN: Chairman
5819 Shakespeare Road
Columbia, SC 29223

EMPLOYEE: James Brown, III
908 Cokesbury Drive
Columbia, SC 29203

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

WITNESSES:

David Stringer

Pandra James

J. Marie Green

J. Marie Green
Chairman of RCRC, for the RCRC

Cornelia Watts

James Brown III

James Brown III

James Brown, III
Employee

Ratified by RCRC Commission this 4th day of November, 2012.

38

JAMES BROWN, III
EXECUTIVE DIRECTOR
RICHLAND COUNTY RECREATION COMMISSION

Summary of Accomplishments
2010-2012

AGENCY

- Maintained CAPRA certification;
- Projects of the \$50 Million Recreation Bond are on schedule.

COUNTY COUNCIL RELATIONSHIP

- From the onset repairing the Commission's relationship was the administration's top priority;
 - The results:
 - FY 2010-2011 a 6-5 vote for the CAP;
 - FY 2011-2012 a 10-1 vote for the CAP;
 - FY 2012-2013 an 11-0 vote for the CAP;
- Overall relationship is much better than previous years, previous council Chair Paul Livingston said that I was the first Executive Director to sit down and meet with him on a consistent basis;
- The agency keeps the members of council up to date on activities in their districts and members of council have helped the agency in cutting through red tape on many projects.

PARTNERSHIPS

- Developed a partnership with Goodwill where the agency agreed to place Goodwill boxes on park sites and Goodwill will provide sponsorships for activities and a quarterly payment for the box placements;
- Developed a partnership with Sonoco Recycling, Palmetto Pride and Keep America Beautiful to institute a recycling program for the agency. The agency recycles plastics, conducts neighborhood clean ups in areas near our parks, recycles paper products, batteries, electronics, cell phones, concrete, light bulbs/lamps, and aluminum cans.

CAPITAL PROJECTS

- Completed the Ridgewood Community Garden Project that was on hold for over 2 years under previous leadership;
- Completed the opening of the outdoor bathrooms located at Ballentine Community Center;
- Tore down and rebuilt baseball dugouts located at Friarsgate Park, Meadowlake Park, and Gadsden Park;
- Re-landscaped the front entrances of all the parks and repainted the façade of a majority of the parks;
- Resurfaced tennis courts at North Springs Park, Meadowlake Park, and St. Andrews Park;
- Purchased new vehicles for Park Rangers and maintenance staff;
- Purchased new computers for all of the parks and community centers to ensure efficiency and better customer service;
- Completely replaced the roof at Carolina School for Inquiry and part of Denny Terrace Community Center;
- Removed carpet from AAC banquet room and installed tile flooring, which was costing RCRC \$1500-2000 a year to be cleaned;
- Addressed the water quality issue at Crossroads Community Center which included flushing the well and cleaning out bacteria.

POLICIES

- Edited the Athletic background check policy to better enforce the policy for screening coaches. Staff worked on the policy for 2 months to ensure that the cost was cheaper for the coaches and that there were clear procedures and consequences for the background checks. By enforcing the policy, the agency was able to prevent a patron from coaching who ended up murdering his wife.
- Changed the policy for employee family usage of summer camp and afterschool programs where only an employees' spouse, child and grandchild can be free. There was wide spread abuse of this policy;

PERSONNEL

- Implemented employee recognition tools such as Employee of the Year, Employee of the Quarter, Park of the Month and Custodian of the Quarter;
- Organized an annual agency picnic, which is a first for the agency. The event is held at different facilities each year so that staff can visit each facility under our jurisdiction;
- Reorganized the Human Resources, Community Relations and Athletics department with a goal of providing more accountability and better customer service to patrons;
- Placed employee's in positions that better utilize their skills and knowledge;
- Increased employee morale by building their confidence in management, reducing the practice of micromanaging, and being transparent and open to new ideas;

BUDGET

- In FY 2010-2011, oversaw a 10% reduction in force that identified redundant positions and positions that can be consolidated. This was done with very limited interruption in service to patrons, and saved the agency \$1.2 million in the next year's budget;
- Discontinued the After-school program contract with Richland School District One. Saved agency over \$100,000 and opened our own after school program at Caughman Road Park, which has consistently attracted over 100 participants each school year;
- Eliminated wasteful spending: such as CB radio's in agency vehicles (\$9,000.00 per year), negotiated a deal with Grease Monkey to provide all oil changes for \$27.99 per vehicle as compared to \$35.99 per vehicle, and changed credit card and P.O. usage process to better monitor spending. Eliminated the Lowe's Open Account system which prevented potential abuse;
- Solidified CSI contract which has the custodial payment added to it, which increased from \$1500 in 2010, to \$2000 in 2011 and now \$3,000 in 2012. The contract is for a total of \$76,000.00;
- Solidified contract with Coca Cola that will bring in over \$30,000 in revenue each year for 5 years;
- Also solidified Morrison Group contract for parking at Perrin Thomas for an amount of \$44,488;
- Implemented a new pricing and fee schedule for rentals and athletic fees which has brought in an additional \$75-80,000.00 to the annual budget;
- Reinstated the Foundation and hired new staff along with a new board. The account was cleaned up, which enabled us to find over \$70,000 in unrestricted funds. New initiatives were put in place, such as a Meet RCRC event, Athletic Field Sponsorship (Blue Cross Blue Shield has invested \$15,000 for 3 years) and a Brick Campaign that will be featured at the new administrative building.

39

**Richland County Recreation Commission
Regular Board Meeting Minutes
October 26, 2015
6:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
Barbara Mickens, Vice Chair
Weston A. Furgess, Jr., Secretary
George Martin
G. Todd Weiss

RCRC Staff in Attendance:

James Brown, III
Kenya Bryant
Ronnie Kinnett
Tara Dickerson
Taurus Lewis
Andrea James
David Stringer
Robert Hickman
Tony Cooper
Kasey Wilson
Bryan Crider
Josh Fulmer
Brandolyn Blanding

1. Call to Order:

Chair Green called the meeting to order at 6:00pm and welcomed guest and former Commissioner, Pastor Epps.

2. Adoption of Agenda: (Action)

Motion to adopt the agenda made by Commissioner Weiss, second by Commissioner Furgess. Motion approved unanimously by all members present: Green, Furgess, Weiss, Mickens and Martin.

is the Adaptive Recreation Manager for RCRC, is great for the community and helped promote the grand opening of the Center.

9. Other Business: Killian Park (Attachment)

Chair Green reported that she received a letter from citizens of the Killian Park area which is included in the Board's packet.

Chair Green stated that her suggestion, with approval of the Board, is to do a memorial with pictures of all individuals and a history of their contributions and efforts in the finding of Killian Park and hang it at the Park. Commissioners present agreed and Chair Green charged Mr. Brown and staff to proceed.

David Stringer, Human Resources, presented changes in Privileges and Discounts Policy No. 165 included in the Board's packet.

Motion to approve staff's recommendations for Policy No. 165 made by Commissioner Furgess, second by Commissioner Mickens. Commissioner Weiss abstained, noting that he believes that Commissioners and employees should get the same discounts. Motion approved by Green, Furgess, Mickens and Martin.

Chair Green stated that Mr. James Bridgett, Jr., Parliamentarian was expected to be here for a presentation honoring his service and contributions to the Commission over the years, but due to health reasons he was unable to come. Chair Green thanked Rev. Epps for his decision years ago to appoint Mr. Bridgett as Parliamentarian, as he has not let us down, and also for his presence to witness the acknowledgement.

Rev. Epps commended the Board for recognizing Mr. Bridgett with such a beautiful plaque.

Chair Green stated that she and Mr. Brown will deliver the plaque to Mr. Bridgett personally.

Motion to go into Executive Session to discuss 1 personnel and 2 contractual matters made by Commissioner Furgess, second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Furgess, Mickens, Martin and Weiss.

10. Executive Session

Motion to come out of Executive Session made by Commissioner Weiss, second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Furgess, Martin, Mickens and Weiss.

40

1. Employment. The RCRC will employ the Employee as its Executive Director full-time effective November 4, 2015 (the Effective Date) on the terms and conditions set forth in the Agreement. As the Executive Director, Employee is expected to perform the functions and the duties specified in the By-laws of the Richland County Recreation Commission and to perform other duties and functions as the RCRC Commission from time to time assigns.
2. Terms of Employment. The employment of Employee by RCRC will commence on November 4, 2015 (the Effective Date) and continue for a three (3) year term expiring on November 4, 2018, unless terminated earlier by the RCRC or Employee for "no cause" or terminated due to a "for cause" basis as set forth in the Full Time Employee Handbook (July 1, 2015) and the Richland County Recreation Commission Administrative Manual and the RCRC By-Laws, all of which are incorporated into this agreement by reference. The parties acknowledge this term of employment supersedes the usual "at will" status of all full time RCRC employees.
3. Termination/Liquidated Damages. In the event of a "no cause" termination by employee, the terminating Employee shall give thirty (30) day written notice. In the event employee terminates his employment, he shall be entitled to any accrued unused annual leave and compensation through the termination date. If RCRC

terminates for "no cause," employee shall be entitled as the sole damage due to him to one (1) week of pay for each full year of service (based on June 1, 1981 hire date) and any accrued unused annual leave balance. In the event of a "for cause" termination for reasons set forth in the RCRC Full Time Employee Handbook (July 1, 2015), Employee shall be entitled only to the value of his accrued unused annual leave.

4. Position and Duties. Employee will perform all duties and responsibilities set out in this Agreement, including the Attachment A to this agreement and the documents incorporated herein by reference at Paragraph 3. Unless otherwise agreed to by the Commission of the RCRC, the employee will serve on a full-time basis and will devote sufficient time and 100% of his efforts while working towards advancing the goals of the RCRC. During the Term of Employment, Employee will assume such additional responsibilities and authority as may from time to time be assigned to him by the Commission of the RCRC. The employee will perform his responsibilities and duties in the best interests of the RCRC. Employee shall report regularly to the Chairman of the RCRC Commission to permit the Chairman to be personally informed of the progress and activities of the Commission, and acknowledges Employee is ultimately accountable to the full body of the RCRC Commissioners.
5. Renewal/Subsequent Terms of Employment. The parties agree to begin discussion of renewal of employment ninety (90) days prior to the end of the three (3) year term of employment. However, nothing in this Agreement shall be construed to require either party to renew employment.
6. Compensation and Benefits. In consideration of the Employee's performance of his duties and responsibilities hereunder, the RCRC will provide the Employee with the following compensation and benefits during the Term of Employment.
 - a) Base Salary. Employee will be paid at a per annum base salary of One Hundred Fifty One Thousand Eight Hundred and 00/100 (\$151,800.00) Dollars. Such salary will be payable on regularly scheduled pay days in accordance with RCRC's present payroll schedule. Longevity Pay, if any, pursuant to Policy 140, is given annually on July 1 as approved and budgeted by the RCRC governing board for all full-time employees. All taxes and other legally-mandated deductions will be held in accordance with RCRC's present payroll schedule.
 - b) Paid Leave. Employee will be entitled to annual and sick leave based upon his employment longevity with RCRC, calculated as of November 4, 2015, as permitted in the Full Time Employee Handbook (July 1, 2015).
 - c) Employee Benefits. The RCRC will provide Employee those employee benefits enjoyed by other RCRC employees, as generally outlined in the Employee Insurance Guide (January 2015) and the Full Time Employee Handbook (July 1, 2015).

d) Facility Rentals. 100% discount off the rental fee for the Adult Activity Centers, Recreation Center Meeting Rooms, Recreation Center Gymnasiums, and Community Centers. Employee is expected to pay all additional expenses* incurred by the Recreation Commission as a result of his/her use of any facility. EMPLOYEE MUST BE PRESENT AT THE FUNCTION. Limit - two rentals at the 100% discounted rate per year then full rates apply.

* These expenses include, but are not limited to, janitorial fees, table and chair rental and arrangements (no charge for tables and chairs already housed at the facility used), and ball field lights. Contact the center directly for specific details, stipulations and space availability

e) Other Use of RCRC Vehicle. The RCRC will provide for Employee's use an RCRC vehicle in accordance with RCRC Vehicle Use Policy 1065.

f) Other Expenses. RCRC will reimburse Employee for other reasonable expenses in accordance with RCRC reimbursement policy 1060 for expenses incurred in connection with the performance of his employment duties.

7. Confidentiality. The RCRC and the Employee agree to keep confidential all information furnished by or through the other concerning each other or this transaction, and agree not to disclose such information or the terms of this Agreement, other than as may be required by law.

8. Binding Arbitration. The RCRC and the Employee each agree that any dispute or controversy arising out of or relating to his employment or any interpretation, construction, performance or breach of this Agreement shall be settled by arbitration to be held in Columbia, South Carolina, in accordance with the Employee Dispute Arbitration Rules of the American Arbitration Association before a single arbitrator who shall have experience in the area of the matter in dispute. The arbitrator may grant relief in the nature of injunctions or other relief in such dispute or controversy. The decision of the arbitrator shall be final, conclusive and binding on the parties. Judgment may be entered on the arbitrator's decision in any court having jurisdiction. The total costs and expenses of such arbitration (not including attorneys' fees), are to be shared equally (50/50) by RCRC and Employee.

9. Headings. The headings of this Agreement are inserted for convenience only and are not to be considered in the construction of the provisions hereof and shall not in any way limit the scope or modify the substance or context of any section or paragraph hereof.

10. Inclusive Words. Unless the context otherwise requires, any terms of the Agreement which indicate the neuter of any gender shall be held to include the

neuter and the other gender, as the case may be; and the words in singular shall be held and constructed to include the plural and vice versa.

11. Applicable Law. This Agreement will be interpreted in accordance with the laws of the State of South Carolina.
12. Modification, Waiver or Discharge. No provision of this Agreement may be modified, waived, or discharged unless such waiver, modification, or discharge is agreed to in writing signed by the Employee and an authorized agent of RCRC.
13. Entire Agreement. This Agreement constitutes the entire agreement between the RCRC and the Employee with respect to the subject matter hereof. This Agreement supersedes any and all previous agreements between the parties, if any, whether verbal or written.
14. Notices. Notices pursuant to this Agreement must be given by first-class, United States Postal Service mail, postage prepaid, addressed as follows:

RCRC: Richland County Recreation Commission
 ATTN: Chairman
 7473 Parklane Road
 Columbia, SC 29223

EMPLOYEE: James Brown, III
 908 Cokesbury Drive
 Columbia, SC 29203

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

WITNESSES:

Deirdre Sessom
Maureen Jones

David Stringer
Cornelia Webb

J. Marie Green
J. Marie Green
Chairman of RCRC, for the RCRC

James Brown, III
James Brown, III
Employee

Ratified by RCRC Commission on the 26th day of October, 2015.

41

2015 Agreement and salary - the success of the 50 Million Bond Project as a factor in giving a 20% raise in the contract dated 11/4/15 and meeting certain goals in his 2014 / 2015 performance appraisal.

BOND CONSTRUCTION UPDATE
Richland County Recreation Commission
December 21, 2015

PHASE ONE PROJECTS: All Projects are completed.

PHASE TWO PROJECTS:

- L Kelly Mill –Baseball Field, Trail, Parking (Project Grouping A)**
- ☐ **Press Box/Concession Building** – Bronze Plaques are to be installed by staff. JC Wilkie will be acquiring the certificate of occupancy for the building.
 - ☐ **Equipment** – Bleachers, temporary fencing, trash cans, picnic tables, portable mounds, etc. have been ordered and are awaiting shipment/ delivery. Staff is currently assembling the bleachers for the ball fields.
 - ☐ **Site** – JC Wilkie will be returning to complete the site work and make repairs according to the punch list and any additional repairs as addressed. RCRC Staff will be installing the access drive to the maintenance building.
 - ☐ **Irrigation** – Complete.
 - ☐ **Landscaping** – Complete
 - ☐ **Signage** – Complete.
 - ☐ **Closeout Documentation** – As- builts are currently being submitted to the Architect and Civil Engineer for review and approval. 11/10/15 – A Meeting was conducted to review the final punch list items to be corrected before close-out. Once the punch list items are complete, the County inspector will visit the site to confirm compliance. Afterwards, the Notice of Termination should be issued.
 - ☐ **Grand Opening - TBD**

PHASE THREE PROJECTS:

- L Kelly Mill Sports Complex - (Phase Three Project "3A") –**
- ☐ **Athletic Field and Additional Parking** – Complete
 - ☐ **Parking Lot Lights** – Complete
 - ☐ **Picnic Shelter**–RCRC Construction Division to build the picnic shelter later in project.
 - ☐ **Play System** – Complete
 - ☐ **Site** – Site survey is under construction to submit to Richland County Planning and Development to acquire the notice of termination (N.O.T.). The County is required additional tree plantings which have been installed. The dead Leyland cypress trees have been replaced and relocated to the inside of the fence (for better sunlight).
 - ☐ **Fencing** – Under construction around the dumpster, field perimeter, and ballfield outfield modifications.
 - ☐ **Closeout Documentation** – As- builts are currently being submitted to the Construction Manager for review and approval. 11/10/15 – A meeting was conducted to review the final punch list items to be corrected before close-out. The Notice of Termination is needed from the County.
 - ☐ **Grand Opening - TBD**

12-21-2015

- II. Gadsden Park Community Center -- (Phase Three Project "3B")
☐ Project is complete.
- III. Ridgewood Park Community Center -- (Phase Three Project "3D")
☐ Project is complete.
- IV. Lower Richland Community Parks - (Phase Three Project "3F")
☐ Researching and Reviewing property near Caughman Pond.
☐ South East Middle School Property --
- RCRC entered into a 25 year Lease Agreement to utilize a portion (3 acres) of the property.
- A mini park will be developed to include a picnic shelter, picnic tables, grills and benches.
☐ Caughman Road Park Property -- New Multipurpose Field w/ Picnic Shelter
- Project is complete.
- V. Candlewood Park - (Phase Three Project "3G")
☐ Memorandum of understanding is under review by RCRC. Richland County Government has purchased a 9.34 acre parcel for development in the subdivision and plans are to quick claim 1 acre to RCRC to design, develop and maintain for a Neighborhood Park.
☐ RCRC has retained Survey One to complete a boundary survey of the proposed 1 acre parcel.
☐ RCRC is awaiting for Richland County to execute the property purchase.
- VI. Royal Pine Community Park - (Phase Three Project "3H")
☐ Unable to locate property for the mini park.
- VII. New Castle/ Trenholm Acres Community Center -- (Phase Three Project "3K")
☐ Project is Complete.
- VIII. Perrin Thomas Community Center-(Phase Three Project "3L")
☐ Project is Complete.
☐ Receiving quotes to install an automatic door opener.
☐ Closeout Documentation -- As- builts are currently being submitted to the Construction Manager for review and approval.

42

Dear Commissioner:

Let me first start by saying that I have the upmost respect for you and the work that you do for the agency. I know that you are a volunteer and do not get paid to serve as a commissioner. You do it because it is your civil duty and you take pride in service. I know that every decision you make, you make with the agency's best interest in mind. That being said, I and a number of colleagues believe it is time for you to make another important decision and relieve us of our current executive director. We understand that this is a bold request, but we are prepared to lay out the case for his dismissal.

First of all, he is costing the agency too much money. Both in salary and in legal fees. He has made the comment himself to many of us about the number of lawsuits and complaints against him. Also, we keep hearing that the agency is having financial troubles while we are paying Prick a six figure salary for doing nothing. He does nothing. He doesn't go to meetings. He won't sign anything. He won't sign documents and he won't address the public. Whenever there is a grand opening or a public meeting, he doesn't even think enough of the tax payers to get up and thank them for coming and thank them for their support. He just sits in the back like he's too good to talk to people. He serves no purpose except to bully us, threaten us and screw with our lives by moving us around every other week. He is a 6 figure figurehead. While he's trying to fix his screw up by trying to force custodians to retire, he's sitting there collecting a check for doing nothing. He's Terrying. Why are we paying him all that money and trying to get rid of custodians who are just getting by? He creates more problems than he solves. He's supposed to be going out and fighting for the agency. Instead he's just milking this whole bond thing. What has he done new since we got the bond?

Also, he's using the agency as his own personal employment agency and setting a bad example for the entire staff. His family members are the worst employees in the agency. Poocho is hardly ever at work. We have no idea how he still has leave to take. He's out of the office whole weeks at a time, leaving everyone to contact Tiyana who does all of his work. She runs the entire athletics department. He has no idea what he's doing, but makes more than most people at the agency. And as for Jeff, no one knows what he really does, including Jeff. The way we understand it, he comes in the office and gets a vehicle and is gone for the rest of the day. The rumor is that Kenya sends him home until the end of the day to keep him out of trouble. Everybody knows that Jeff hits on all the community center staff and touches them and harasses them. But he doesn't get in trouble for it. They just sweep it under the rug.

Now that the budget is all screwed up, they want to yell at us about revenue. Revenue, revenue, revenue. That's all we hear. Well, check and see how much revenue his daughters center brings in and then see how much she makes compared to the average park director. She has no special training at all, but she makes a lot more. Just a year ago she was a receptionist. They by passed all of us and put her in charge of the Tech Center. They did the same thing with the director of programming. How are we supposed to get ahead and

move up the ladder if you keep promoting secretaries over us. The message to the rest of the staff in the agency is that you don't have to work hard to get ahead, you just have to be related to the executive director or sleep with him.

I understand that as a Commissioner it is difficult to accept an anonymous letter as truth, but I have to tell you that you will never get any staff of RCRC to put their name on a letter. We are way too afraid of retaliation. You may not get fired but you will get moved around. Because that is what he does with his position. He uses it to bully and intimidate. That's all he understands. He's daddy and we have to do as he says because he said so. He doesn't know how to reward, praise or recognize. All he knows how to do is yell and threaten. He even screwed up our way of rewarding each other. We used to be able to nominate other staff members for Employee of the Quarter, but he's taken that over. He uses it to reward his people to justify giving them more money or thank them for being loyal. We all asked around and couldn't find one person who nominated Connie, Demetria or Taurus. Now that everyone has caught on to that they are trying to give us these good job pins. They don't even go on our evaluations.

Again, I understand that it's difficult to accept an unsigned letter, so I offer you this challenge. Strip away the veil of anonymity by talking to us all. Choose 10, 15, 20 key employees that you'd like to hear from. Call them in and guarantee them confidentiality and ask them whatever it is you want to know. People are afraid. They know that he will punish them so they have to feel safe. You have the right as Commissioners to question any employee you like, but you have to protect us. As Commissioners you have the right to even place him on paid administrative leave until you've completed your inquiry. Get him out of the office for a while so that people feel safe.

Commissioner, please know that this is not a threat of any kind. This letter isn't going to the press if you don't act. I'm not trying to force your hand. I'm just asking you to take action and save this agency before things get out of hand and they will if he remains in office. We are desperate for help and that help can only come from you. Please do your diligence and give us the leader we need and the leader that the tax payers of Richland County deserve. You were put in this job for a reason and when things hit the fan, the people that appointed you are going to want to know what you knew and what you did about it. They are going to want to know what you did to save the Richland County Recreation Commission.

Unfortunately, I was not able to secure addresses of all the Commissioners, so please share this with your colleagues and do what you can to save the agency before it is too late.

43

August 11, 2014

AN OPEN LETTER CONCERNING THE RICHLAND COUNTY RECREATION COMMISSION

To Whom It May Concern:

Many employees at the agency have been quietly expressing deep concerns about the leadership of the Richland County Recreation Commission. There are serious issues about how employees have been mistreated by the current Executive Director James Brown III and his leadership team. Staff at the agency are reluctant to come forward about their concerns for fear of losing their jobs, which they are often threaten with by Brown in private and at public staff meetings. The agency staff across the board feels repeatedly disrespected, mistreated and verbally abused by Brown. This behavior has taken place throughout his tenure as Executive Director and shows no sign of discontinuing.

The list of complaints regularly expressed by employees include:

Unfair Nepotism in leadership positions

Brown's brother, son and daughter all hold leadership positions above their qualifications
Constant accusations of misappropriation of funds and improper spending by the Brown family
Jeff Brown (brother) has been accused of sexually harassing two young female employees:
Kandice Hunter and Jasimin Corley and on both occasions he was only given slaps on the wrist

No staff raises across the board in four years

Only certain individuals that Brown favors receive raises but not the general staff. And those people receiving raises are usually those in leadership positions at the main office, but never the workers at the parks, community centers or maintenance and grounds crews
Exorbitant salaries for people in leadership positions
Exorbitant salaries for people in certain positions like receptionists and secretaries

Pay scale based on favoritism

James Brown Jr. makes a huge salary to lead athletics and he and his staff do not generate any profits comparable to what they make. The Kelly Mills athletic property will not be profitable under his leadership. James Jr. was given the position over more qualified staff. One person BJ Bellville was capable of making athletics profitable with his education and background but he was overlooked and went to Lexington Recreation Commission and is part of the staff operating sports events like the Dixie Youth World Series that brought in money. Richland County will not have anything like that under this leadership. The swimming pools continue to lose money as new pools are being built.
Demetria Goodman was a secretary and was promoted to a director with a huge salary and she had no experience and no qualifications for the position

Leadership is mismanaging agency funds

Brown bought a fleet of cars and trucks then parks them several days a week
People get demoted from high paying positions and then keep the same pay
The agency is very top heavy as far as pay but it doesn't go down to the regular staff
James Brown is a bully, uses foul language when talking to people in the workplace. And his entire leadership staff follows him blindly because they are paid to do so. The agency staff has low morale due to the pay and constant bullying, threatening and mistreatment they receive from James Brown. No one will say it publicly on the record but we need help and have not been getting it from the Board or anyone else and they know what's going on. Please investigate James Brown and the Richland County Recreation Commission.

44

**Richland County Recreation Commission
Special Call Board Meeting Minutes
September 22, 2014
5:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
G. Todd Weiss, Vice Chair
Weston A. Furgess, Jr., Secretary
Wilbert Lewis
George Martin
C. Todd Latiff
Barbara Mickens

RCRC Staff in Attendance:

Cornelia Watts
James Bridgett, Jr.

1. Call to Order:

Chair Green called the meeting to order at 5:00p.m.

2. Adoption of Agenda:

Motion to adopt the agenda made by Commissioner Weiss and second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Weiss, Furgess, Lewis, Latiff, Mickens and Martin.

Motion to go into Executive Session to discuss one personnel and one contractual matter made by Commissioner Weiss, second by Commissioner Latiff. Motion approved unanimously by all members present; Green, Lewis, Weiss, Furgess, Latiff, Mickens and Martin.

3. Executive Session

Motion to come out of Executive Session made by Commissioner Lewis, second by Commissioner Latiff. Motion approved unanimously by all members present; Green, Lewis, Furgess, Martin, Mickens, Latiff and Weiss.

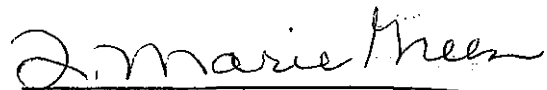
Commissioner Furgess reported that no votes or were taken in Executive Session.

Motion to proceed with performance evaluation of Mr. Brown with the assistance of Attorney Joe McCulloch made by Commissioner Lewis, second by Commissioner Weiss. Five yea votes recorded- Lewis, Latiff, Weiss, Furgess and Martin; two nay votes recorded- Green and Mickens. Motion passed by a majority vote.

Motion to adjourn meeting made by Commissioner Furgess and second by Commissioner Latiff. Motion approved unanimously by all members present; Green, Furgess, Latiff, Martin, Lewis, Martin and Weiss.

4. Adjournment:

Meeting adjourned at 5:52p.m.



J. Marie Green, Chair

Minutes approved on this 20th day of October 2014.

45

BOARD OF COMMISSIONERS:

*J. Marie Green, Chair
G. Todd Wynn, Vice Chair
Wayton A. Fingers, Jr., Secretary
C. Todd Lauff
Wilbert Lewis
Barbara Mckens
George D. Martin, Jr.*



EXECUTIVE DIRECTOR

James Brown, III

7473 Parklane Road

Columbia, SC 29223

Phone: (803) 741-7272

Fax: (803) 741-2028

E-mail: jfb@rcrc.state.sc.us

www.richlandcountyrecreation.com

September 23, 2014

The Honorable J. Marie Green, Chair
Richland County Recreation Commission
7473 Parklane Road
Columbia, South Carolina 29223

Dear Ms. Green,

I was truly disheartened by last night's 5-2 vote in which the Board agreed to retain Joseph M. McCulloch, Jr. for the purpose of assisting with a "performance evaluation" of my position as Executive Director of the Richland County Recreation Commission. Per the Commission's by-laws and past practice, the responsibility for conducting the Executive Director's performance evaluation has been the responsibility of the Board Chair. However, I welcome the opportunity to have all the facts regarding my performance brought forward rather than having decisions made based upon rumor and innuendo.

I believe my record of success over the last five years is unprecedented in the history of the agency, and I stand by the decisions I have made as Executive Director – which are always in the best interest of the agency. And I stand by my leadership team who have and will continue to work tirelessly each day to make Richland County Recreation Commission the best place to work and to provide the highest level of service all the citizens of Richland County.

I respectfully ask that I be allowed to review the concerns and issues - if any - that are raised during the course of Mr. McCulloch's study prior to presentation to the Board in order that it has a complete factual explanation. I look forward to a positive outcome to Mr. McCulloch's study of my performance and anticipate that we may quickly resume working *together* to accomplish the numerous on-going agency initiatives such as CAPRA re-accreditation, 10-year comprehensive plan and phase three bond projects.

Sincerely,

James Brown, III
Executive Director

cc: Board of Commissioners



Nationally Accredited:
The Richland County Recreation Commission became South Carolina's first and only nationally accredited parks and recreation agency in 2006.

Equal Opportunity Statement: The Richland County Recreation Commission is dedicated to the concept of equal opportunity. The Commission will not discriminate on the basis of race, color, religion, sex, age, disability, national origin, or marital status, in its employment practices or in the participation policies for its facilities.

46

**Richland County Recreation Commission
Regular Board Meeting Minutes
October 20, 2014
6:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
G. Todd Weiss, Vice Chair
Weston A. Furgess, Jr., Secretary
Wilbert Lewis
Barbara Mickens
George Martin
C. Todd Latiff

RCRC Staff in Attendance:

James Brown, III
Kenya Bryant
Ronnie Kinnett
David Stringer
Kasey Wilson
Tony Cooper
Lisa Lewis
Comilla Sampson
Cornelia Watts

Others in Attendance:

James E. Bridgett, Jr., Consultant/Parliamentarian
Rick Morgan, Attorney
Joe McCulloch, Attorney

1. Call to Order:

Chair Green called the meeting to order at 6:00pm and welcomed any guest. Chair Green asked that everyone use their microphones for clarity.

2. Adoption of Agenda: (Action)

Motion to adopt the agenda made by Commissioner Lewis, second by Commissioner Weiss. Motion approved unanimously by all members present: Green, Furgess, Weiss, Latiff, Lewis, Martin and Mickens.

Motion made by Commissioner Furgess to go into Executive Session to discuss a personnel and contractual matter, second by Commissioner Mickens. Motion approved unanimously by all members present: Green, Furgess, Mickens, Weiss, Lewis, Latiff and Martin.

3. Executive Session

Motion made by Commissioner Lewis, second by Commissioner Mickens to come out of Executive Session. Motion approved unanimously by all members present: Green, Mickens, Lewis, Weiss, Martin, Furgess and Latiff.

Commissioner Furgess stated that Executive Session ended at 7:15p.m. and no actions were taken.

Motion made by Commissioner Furgess, having voted with the majority on September 22, 2014 approving the retention of Attorney Joe McCulloch to assist in gathering information concerning the Executive Director, I move that the approved motion of September 22, 2014 be rescinded, second by Commissioner Martin.

Commissioner Weiss, point of order, stated that according to the Robert's Rules of Order; Chapter 37, clause 2, under the rules of Standard Description Characteristics of talking about the motion to reconsider as well as the motion to rescind or amend any vote which the motion would be considered out of order once an affirmative vote in the nature of a contract when a party to the other contract has been notified of the outcome. Commissioner Weiss stated that in this case, he has already notified Attorney Joe McCulloch that he was awarded a contract and we entered into contract with Joe McCulloch and he would think that this would be out of order at this time.

Chair Green stated that she disagrees with Commissioner Weiss because the only way this could be out of order is if Mr. McCulloch had actually completed the task that he was asked to do and as it stands, he has not begun the task, so the motion is not out of order.

Commissioner Lewis asked Mr. Bridgett, Parliamentarian, to give a ruling.

Mr. Bridgett stated that no action has been taken, so you can rescind a motion.

Commissioner Weiss advised that it clearly states in Robert's Rules of Order, Chapter 37 that once you enter into a contract that contract cannot be rescinded. Commissioner Weiss stated that we entered into contract with him on September 22, 2014.

Chair Green stated that in Robert's Rules there is only a few reasons that it cannot be rescinded and one of the reasons is that if the task that has been contracted has already been completed and there is not anything you can do to undo it, for example if you contract someone to paint a building and after the building has been painted, it cannot be rescinded because the job has already been done; as it stands Mr. McCulloch has not started his task, we are only in the beginning process and the task has not been done.

Mr. Bridgett asked if anything has been signed and Chair Green responded stating that she has not signed a contract and all contracts are signed by the Chair.

Commissioner Lewis stated that he wanted to be clear on the ruling from the Parliamentarian on how to proceed and he concluded by asking "As the Parliamentarian, do you see a problem with the issue that has been raised of moving forward with what is being proposed in the motion?"

Mr. Bridgett stated that the action has not been completed, you can always rescind or the maker can retract.

Commissioner Lewis stated that they need a yes or no on how to proceed.

Mr. Bridgett questioned the objection.

Commissioner Weiss stated that the point of order that he raised was Robert's Rules of Order Chapter 37 Clause 2; when it speaks of the motion to reconsider or rescind, it can be applied to the motion or vote except, and there is five different ways which it cannot be applied. Commissioner Weiss identified (d) an affirmative vote in the nature of a contract when the party to the contract has been notified of the outcome (e) any vote which has caused something to be done that it is impossible to undo (f) vote of motion to reconsider and Commissioner Weiss stated that (g) was about three pages long and restated his position being that Joe McCulloch is on retainer as the Board's attorney, we further entered into contract with him on September 22, 2014 by authorizing him to proceed in that manner.

Mr. Bridgett stated that you can rescind, but you have to pay him for what you hired him to do.

Commissioner Lewis stated that his basic question is do we move forward without acknowledging the objection that has been raised.

Mr. Bridgett asked for clarification, stating you want to know whether or not that motion can be retracted or rescinded and Commissioner Lewis answered, "Yes." Mr. Bridgett replied, "Yes."

Commissioner Latiff commented that he would like to go on record confirming the vote that was previously taken to address the concerns by the individuals that raised it and furthermore want to stress to everyone the policies and procedures that are in place in our handbook, that the Commission takes any concerns that have been brought to our attention with significant consideration and Ernst and we welcome those additional people to step forward using the policies and procedures that we have in place at any time.

Motion approved by majority vote; four yea votes (Green, Mickens, Martin and Furgess), three nay votes (Weiss, Lewis and Latiff).

Motion made by Commissioner Furgess that RCRC follow its by-laws and have the Chair conduct an evaluation of the Executive Director by no later than November 15, 2014 and to the extent that any member of the public has any concerns that they be directed to the available public comment portion of the Board agenda that is set aside as part of the regular Board meeting agenda, second by Commissioner Martin.

Commissioner Latiff questioned if this is a change to the by-laws that we currently have in place. Commissioner Furgess stated that there is no change in the by-laws, the Chair conducts the evaluation of the Executive Director. Commissioner Latiff asked if it currently states this in the by-laws and Commissioner Furgess answered, "Yes". Commissioner Latiff stated then there would not be a vote for a change on anything and do we need a motion to abide by the by-laws that are established by the Board.

Mr. Bridgett explained that Commissioner Furgess' is making a motion that the by-laws be followed and an evaluation be done by the Chair. Commissioner Latiff stated that why would we make a motion to follow by-laws that we currently already have.

Commissioner Lewis called for the vote stating that we have a motion and a second on the floor; Chair Green called for the vote.

Motion approved by majority vote; four yea votes (Green, Furgess, Martin and Mickens), three nay votes (Latiff, Weiss and Lewis).

Motion made by Commissioner Latiff to include our policies and procedures for grievances one time, with pay stubs within the next two months, second by Commissioner Mickens. Chair Green called for the vote stating that the RCRC polices should include grievances, sexual harassment, reporting of fraud, mismanagement and Whistle Blower procedures.

Mr. Bridgett asked if the employees have the policies now and Chair Green asked Staff if the employees have manuals that govern their employment, rules, regulations and policies that have been adopted by Richland County Recreation Commission.

Mr. Bryant answered, "Yes".

Chair Green asked if employees are given updates when policies expire or have been changed.

Mr. Bryant stated that after approval from Board, employees are provided with changes.

Commissioner Mickens stated that what she wants and what she thinks Commissioner Latiff wants, is to let employees know and be aware, send out something acknowledging that these policies are in place and use them.

Commissioner Lewis questioned Staff about the practicality of the motion, attaching to pay stub and Mr. Stringer advised that it would not be a problem.

Motion approved unanimously by all members present; Green, Weiss, Latiff, Lewis, Martin, Furgess and Mickens.

4. Approval of Minutes: (Action)

Commissioner Weiss stated for the records that on October 3, 2014 a properly called meeting was asked for by Commissioners Latiff, Lewis and Weiss at 6:00pm at the Adult Activity Center. There was not a quorum at 6:00pm and there was not a meeting held on October 2, 2014.

Motion to approve the minutes from the Regular Board Meeting September 22, 2014 and Special Call Board Meetings September 22, 2014 and October 13, 2014 made by Commissioner Mickens, second by Commissioner Latiff.

Minutes approved unanimously by all members present; Green, Martin, Furgess, Lewis, Mickens, Weiss, and Latiff.

5. Public Input:

No Public Input.

6. Financial Report: (Information)

Ms. Kasey Wilson, Financial Operations, reviewed handouts to Board.

Commissioner Latiff made a request as follows; he would like to know from all the Recreation Commissions in South Carolina as a percentage of total revenue, what are their fees and services generated from internal activities as a percentage of total revenue received from state funding and he would like it for all the Receptions Commissions so that he will have an understanding about how we stand in comparison.

Ms. Cornelia Watts stated that Ms. Fripp is requesting that the RCRC audit presentation by Burkett Burkett and Burkett be scheduled on November 17, 2014 as a Special Call meeting one hour before regular meeting at 5:00pm. All Commissioners present agreed to Special Call Board meeting for audit presentation.

7. Proposed Rental Fee Increase:

Tabled for a future meeting.

8. Bond Construction Update: (Information)

Mr. Ronnie Kinnett, Property Management, reviewed Bond Projects listed on the Bond Construction Updates included in the Board's package.

Commissioner Mickens questioned the completion date of the Bond in 2015. Mr. Kinnett stated that the completion date is around August 2015.

9. Policy Updates: (Action)

Ms. Comilla Sampson stated that the language in the Vehicle Use Policy included in the Board's packet has been changed to match the Travel Reimbursement Policy presented to the Board in January for approval. Ms. Sampson stated that the language was changed to say that employees will not be reimbursed for driving their own personal vehicles because RCRC has vehicles available.

Commissioner Mickens asked if the policy refers to employees only and not Board members because of handicapped situations. Ms. Sampson stated that the policy refers to employees and because RCRC does not have ADA accessible vehicles, employees would be reimbursed for personal vehicle use on Company business.

Commissioner Latiff questioned if Commissioners are reimbursed for mileage and if so why are we any different than employees.

Commissioner Furgess asked if an employee needs to go out on Company business and a RCRC vehicle is not available, then personal vehicle mileage is reimbursed. Ms. Sampson stated that this is correct if a RCRC vehicle is not available.

Commissioner Lewis asked for clarification and Ms. Sampson explained that a vehicle request form is submitted and if a RCRC vehicle is not available, then you will be reimbursed for travel using your personal vehicle based on the state mileage rate.

Commissioner Lewis asked how this fits with the State guidelines. Ms. Sampson and Mr. Stringer advised that they were not aware of the clause inclusion for state guidelines.

Ms. Sampson will research State policy and present findings at next Board meeting. Travel Reimbursement and Vehicle Use policies will be presented at next meeting.

10. Executive Director Report:

Mr. James Brown reported Agency Updates as outlined on the handout.

Commissioner Latiff asked if it would be appropriate at any time for an employee to reach out to an individual Commissioner if there was a grievance.

Mr. Brown stated that he does not tell employees that they can't talk to anybody. Commissioner Latiff stated, so we are openly allowed to accept any calls from anyone at any time.

Mr. Brown stated that in doing so, he wants to be made aware of the accuser.

11. Other Business

Commissioner Lewis stated that there has been considerable discussion in this meeting and others about our roles and by-laws and I propose that the Board be provided a copy of current by-laws, if you don't have one, that governs the Board and provide us an opportunity to review the by-laws and make us aware of the process that we would need to engage in if we have any proposals to make any modifications to the by-laws because he is not aware of what those procedures are.

Commissioner Lewis advised that he needed a copy and Ms. Watts provided a copy.

Commissioner Latiff made a motion, in light of the recent statement made by Mr. Brown, to add into the updated policy when we reaffirm our policies and procedures with grievances that employees are welcome to reach out to any member of the Board directly, second by Commissioner Mickens.

Mr. Brown asked, for the record, Commissioner Latiff to repeat the statement.

Commissioner Latiff stated that employees be notified that they are welcome to reach out to any Commissioner at any time.

Mr. Stringer, Human Resources, advised that a memo will be attached.

Mr. Brown stated, to remember what he requested also, that as long as when employees talk to Commissioners that he is made aware of the information and who is making the request.

Commissioner Latiff stated that he is not comfortable with that and Mr. Brown referenced earlier dialogue. Mr. Brown stated that he would like to face his accuser and Commissioner Latiff stated that he would be happy to discuss it and bring them forward.

Motion approved unanimously by all members present; Green, Latiff, Lewis, Martin, Mickens and Weiss.

Motion made by Commissioner Latiff to go into Executive Session to discuss contractual matters, second by Commissioner Weiss. Motion approved unanimously by all members present; Green, Weiss, Lewis, Latiff, Martin, Furgess and Mickens.

"Executive Session"

Motion to come out of Executive Session made by Commissioner Latiff, second by Commissioner Mickens. Motion approved unanimously.

Commissioner Furgess stated that no votes were taken during Executive Session.

Motion made by Commissioner Latiff to remove Ms. Green as Chairwoman of the Richland County Recreation Commission for failure to perform her duties as outlined by the by-laws and support decisions by the Board, for her behavior, second by Commissioner Weiss. Motion failed to pass vote two yea (Latiff and Weiss) and five nay (Green, Lewis, Furgess, Martin and Mickens).

Motion to adjourn made by Commissioner Lewis, second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Mickens, Martin, Latiff, Lewis, Furgess and Weiss.

12. Adjournment:

The meeting adjourned at approximately 8:30p.m.


J. Marie Green, Chair

Minutes approved on this 17th day of November 2014.

47

Julian Shabazz
4425 East Chapel Road #234
Columbia, SC 29205
(803) 790-7204

James Brown
Richland County Recreation Commission
7473 Parklane
Columbia, SC 29223


January 23, 2015

Dear Mr. Brown,

This letter is written as a formal grievance against the recent actions of the Recreation Commission. The grievable action is the termination of my employment (dismissal). The grounds of my complaint is that the agency violated its own (RCRC) harassment (#102) and whistleblower (#218) policies in ending my employment. I was harassed and retaliated against by you (Executive Director) and Kenya Bryant (Asst. Executive Director) who was my direct supervisor.

Please follow the grievance procedure and I can be contacted at the above address. Thanks very much.

Sincerely,


Julian Shabazz

cc: David Stringer
J. Marie Green
G. Todd Weiss
Wilbert Lewis
C. Todd Latiff
George D. Martin
Barbara Mickens
Weston A. Furgess, Jr.

BOARD OF COMMISSIONERS:

*J. Marie Green, Chair
G. Todd Weiss, Vice Chair
Weston A. Furgess, Jr., Secretary
C. Todd Latiff
Wilbert Lewis
Barbara Mickens
George D. Martin, Jr.*



EXECUTIVE DIRECTOR

James Brown, III
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Columbia, SC 29223
Phone: (803) 741-7272
Fax: (803) 741-2028
Email: info@rcrc.state.sc.us
www.richlandcountyrecreation.com

January 26, 2015

PERSONAL AND CONFIDENTIAL

Mr. Julian L. Shabazz
4425 E. Chapel Rd
#234
Columbia, South Carolina 29205

Re: Grievance Request

Dear Mr. Shabazz:

I am in receipt of your letter dated January 23, 2015 expressing concern over your termination. You were advised in writing on that date that your termination was due to agency restructuring (a reduction in force). The position of Program Manager to which you and another employee were assigned has been eliminated. In addition, other employment-related changes were part of this restructuring. Please refer to the Richland County Recreation Commission (RCRC) policy No. 090 Grievances (attached) - item number 3.3 (which I have highlighted for ease of reference). A reduction in force is not a grievable matter under the RCRC Grievance Policy.

I am also enclosing a copy of the Staff Reductions Policy (No. 190). A reduction in force may be grieved by an affected employee only if the grievance is based on alleged inconsistent or improper application of a reduction in force plan. If you wish to pursue your grievance, please provide an explanation of how you feel the reduction in force plan was inconsistently or improperly applied in regard to your termination.

Contrary to your contention that your termination violated RCRC's Harassment and Whistleblower policies, your termination was based solely on agency restructuring which included the elimination of the position of Program Manager. Prior to being advised by RCRC of the elimination of the Program Manager job, the agency had no formal reports from you that would fall under its Harassment Policy, Whistleblower Policy or any other applicable policy.



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Page 2 of 2

Please provide information concerning how you feel the reduction in force plan was inconsistently or improperly applied in regard to your termination along with any documents that existed prior to January 23, 2015 which put the RCRC on notice and support your claim of harassment and retaliation to me in writing within 10 workdays of the receipt of this letter. If you have any questions or concerns, please feel free to call me at (803) 741-7272 (Ext. 178)

Sincerely,

A handwritten signature in black ink that reads "David Stringer". The signature is fluid and cursive, with the first name "David" and last name "Stringer" clearly legible.

David Stringer

Human Resources Division Head

Cc: James Brown, III, Executive Director
RCRC Board

Julian Shabazz
4425 East Chapel Road #234
Columbia, SC 29205
(803) 790-7204

February 3, 2015

J. Marie Green
Chair of the Board, Richland County Recreation Commission
130 Hick Hill Road
Eastover, SC 29044

Re: Grievance Appeal

Dear Ms. Green:

This letter is a written appeal of the decision rendered in a letter I received from David Stringer (Human Resources Division Head). Stringer claims that my employment was ended due to agency restructuring (reduction in force) and that they eliminated my position of Program Manager. The specific grounds of my complaint is that the agency violated its own (RCRC) harassment (#102) and whistleblower (#218) policies in ending my employment. I was harassed and retaliated against by James Brown (Executive Director) and Kenya Bryant (Asst. Executive Director) who was my direct supervisor. I reported the harassment to Mr. Stringer and was subsequently punished for whistleblowing. The following information contains a timeline of what happened to me and how I was first harassed, then retaliated against by the agency.

Friday, June 27, 2014 -- I presented a written proposal for a salary increase to Mr. Bryant. A few days later he met with me and asked if I would develop an entire new department with me as the "director."

Wednesday, July 16, 2014 -- I submitted the requested document for a new department (Program Management) to Mr. Bryant. The document included positions and job descriptions for each staff.

Wednesday, July 30, 2014 -- Mr. Bryant came to my office after work approximately 5:30pm and said that I needed to stay out of my co-worker's office. The co-worker (Comilla Sampson) was one of only four people at the time in our department, so I worked closely with her on programs, CAPRA, etc. I thought that this was strange and told him so. He said that "it didn't look right." I asked him "what does it look like?" He had a weird expression on his face and said, "I don't know." Ms. Sampson later told me that Mr. Bryant said she couldn't ride in a county vehicle with me, even when we were going to a meeting at the same place.

Thursday, July 31, 2014 – I passed the parks and recreation national certification examination to become one of only a handful of people at the agency to hold the prestigious CPRP certification.

August 2014 – I began hearing rumors of an inflammatory letter about the agency that was being circulated around in the public. Later, there were internal rumors at the main office that Mr. Brown was privately accusing Ms. Sampson of being responsible for the letter. It was also said that Brown believed that the culprit used the agency's mailing supplies to create the letter. So he clearly believed that whatever was happening was coming from inside the main office.

Friday, August 22, 2014 – I along with the other people in our department received an email from Mr. Bryant's assistant stating that we had to fill out a request form and submit it to her to get any supplies out of the supply room.

Monday, October 6, 2014 – I was asked to come into a meeting in the conference room at the main office. In the room was James Brown, Kenya Bryant and David Stringer. They were questioning two other co-workers (Lefunzo Wright and Stephon Scott) about the infamous letter. They also began questioning me about receiving a copy of the letter and what did I do with it after reading. Mr. Stringer said that we should've reported receiving the letter to him or our supervisors. He said that they were going to "suspend" us for not reporting it but would not this time.

At this meeting, Mr. Brown made what I took as a direct threat to my job security. The conversation became heated and I verbally defended myself. I felt that with his insecure behavior, Brown was now probably going to start being difficult to work with as he seemed obsessed about the letter and determined to find out about anyone who had even read it.

After the meeting, one of the other staff members questioned told me that he had secretly recorded the meeting on his cell phone. I now have in my possession a copy of an audio recording of the meeting where Brown threatened me and tried to intimidate two other staff members in the presence of the Human Resources Director (Stringer).

Monday, October 27, 2014 – A stream of people from the park staff visited my office and informed me that it was just announced at their meeting that I was no longer allowed to get a county vehicle and I couldn't help them with their park programs anymore. They would have to make an appointment and meet me in my office from now on. I told each staff member that it was news to me. Because no one had said that me and this was the first I'd heard of it. Incidentally, this was one of the main functions of my job, to help in the development and implementation of park programs and ensure that they were evaluated properly. All of this is necessary for CAPRA accreditation.

Wednesday, October 29, 2014 – I requested a vehicle to visit North Springs Park

and was denied. I asked Mr. Bryant why and he said he wanted "park staff to feel more comfortable visiting the main office." When I told him what was said at the meeting, his reply was, "that wasn't the way it was supposed to be communicated." I then asked him were they going to change my job description? He said, "yes, I'll get a new one to you."

Thursday, October 30, 2014 -- Mr. Bryant emailed me a new job description, which was the exact job description I'd developed for the so-called new department he'd asked me to create. The director's position which never came into existence. I was then being asked to do a director's level job but with the same title and pay. It was now clear to me that the Executive Director had created a hostile working environment for me and I was being targeted and subetly harassed by him and his Assistant Executive Director, who was my direct supervisor.

Monday, November 17, 2014 -- I decided to report the way I being treated to David Stringer, the Human Resources Division Head. I told him I wanted to file a complaint against both James Brown and Kenya Bryant. I told him that it all began after I'd requested a salary increase and that the specific harassment started at the meeting about the letter on October 6th and continued thereafter.

Tuesday, November 18, 2014 -- Mr. Stringer requested a meeting with me that morning. Also attending the meeting was Mr. Bryant, but not Mr. Brown. We reviewed my complaint and discussed everything from my perspective. Both men verbally apologized to me for the treatment I'd suffered. The ban against me taking a county car to visit the parks was lifted. Stringer also thanked me for coming to him as he said I should have at the October 6^m meeting.

Thursday, January 22, 2015 -- Mr. Bryant asked me if we could talk and I followed him to a conference room where Mr. Stringer was waiting and I knew that I was being terminated. Stringer said that the agency was restructuring and my position and department was being eliminated.

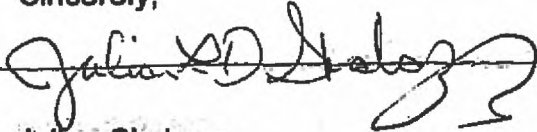
As you can see, I wasn't fired due to agency restructuring, which is a convenient excuse. Mr. Brown, the Executive Director, began harassing me and trying to make me uncomfortable for months. He followed a clear, successive pattern against me until eventually ending my employment.

RCRC's harassment policy #102 states that *"it is the policy of the Richland County Recreation Commission to provide all employees with a work environment free from harassment and intimidation"* (item #9). This did not happen with me due to the fact that I and others was harassed and intimidated by the Executive Director in the presence of the Human Resources Division Head. I subsequently reported it to the HR head on a separate ocassion and was then retaliated against by being terminated, which is a violation of the agency's whistleblower policy (#218).

Even in the case of staff reduction in force, my treatment was inconsistent with that of the agency's policy (#190). The agency applied none of the supporting circumstances in regards to me. There is also no evidence that the agency considered any of the avoiding circumstances for a staff reduction (item 3).

It is because of the manner I was dismissed and how RCRC's own policies were violated that I am requesting a grievance hearing before the Board of Commissioners. Thanks very much for your time and consideration and I await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Julian Shabazz", is written over a horizontal line.

Julian Shabazz

cc: G. Todd Weiss
Wilbert Lewis
C. Todd Latiff
George D. Martin
Barbara Mickens
Weston A. Furgess, Jr.

BOARD OF COMMISSIONERS:

*J. Marie Green, Chair
G. Todd Weiss, Vice Chair
Wesley A. Furgess, Jr., Secretary
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www.richlandcountyrecreation.com

February 13, 2015

PERSONAL AND CONFIDENTIAL

Mr. Julian L. Shabazz
4425 E. Chapel Rd
#234
Columbia, South Carolina 29205

Re: Grievance Appeal

Dear Mr. Shabazz:

The Board Chair, J. Marie Green, asked that I respond to your letter of February 3, 2015 (attached) on her behalf. I want to specifically address your claims of Harassment, Whistleblower Protection and Retaliation.

Harassment – the scenarios you site in your letter of February 3, 2015 do not constitute harassment as define in the Richland County Recreation Commission policy. You indicated that alleged harassment started after you submitted a proposal for a salary increase to your supervisor Kenya Bryant on June 27, 2014. The incidents you attribute to harassment in your letter (e.g. refraining from being in co-workers offices for extended periods of time, supply requisition procedures, limiting visits to parks and use of agency vehicles), were job requirements and procedures that you personally disagreed with, do not constitute harassment under the policy. Memos were distributed to all staff in the administrative office on May 21, 2013 and again on December 3, 2013 regarding various rules of behavior for staff. The memos addressed among other things supply requisition, employees spending extended periods of time away from their assigned area in co-workers offices and agency vehicle use. You were not singled out and these rules and procedures applied to you and all staff and were addressed long before July 24, 2014 when you alleged harassment toward you began. **AND YOU HAVE NOT INDICATED HOW ANY OF THESE RULES OR PROCEDURES CONSTITUTE HARRSSMENT** (e.g. sexual, racial, ethnic, religion or age related harassment).



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In your letter, you indicated that you were told by park staff that you were no longer allowed to help them with their programs and no longer able to get an agency vehicle. Your supervisor explained on more than one occasion that he merely wanted you to utilize meeting space at the administrative office for these meetings. Also, as a cost saving measure during this time, a rule was put in place that agency vehicles would not be driven on Tuesdays and Thursdays. You may have disagree with this, but at no time were you singled out as prohibited from using agency vehicles.

Whistleblower – On December 12, 2014, a packet of information was distributed to all employees that explained the complaint procedure for filing a report under the Whistleblower policy / statute - which requires a written document alleging waste or wrongdoing and containing, at a minimum, the following information: (1) date of disclosure, (2) name of employee making the report, (3) nature of the wrongdoing, and (4) date of range of dates during which the wrongdoing allegedly occurred. However, you did not make a written report as required by the policy – or a verbal report for that matter. Additionally the Whistleblower policy defines wrongdoing as an action which results in substantial abuse, misuse, destruction, or loss of substantial public funds or resources or allegations that an RCRC employee intentionally violated federal or state law or a code of ethics which is not merely technical or of a minimal nature.

Although they are important to resolve, disagreements regarding the terms and nature of work assignments do not constitute harassment or escalate to the level of a whistleblower claim or subsequent alleged retaliation.

You met personally with me to discuss what you perceived as harassment. As I have stated above, the issues you raised were not harassment and in fact job related rules and procedures that you disagreed with. I subsequently scheduled a meeting with you and your immediate supervisor Kenya Bryant. We talked through the issues you presented and Mr. Bryant explained his rationale to you regarding his decisions. I left the meeting believing that your concerns had been sufficiently addressed and you expressed that glad we met and felt better.

Finally, in your letter you make reference to a meeting that took place on or around October 6, 2014 in which an anonymous letter was discussed. At no time during this meeting was your job threatened. On the contrary Mr. Brown mentioned helping and supporting you when you did not have a job. I do not recall any conversation that was threatening in nature. It was communicated to you that you demonstrated poor judgment in the matter for promulgating gossip and misinformation.

I trust this correspondence as well as your input before the Board during the public session, fully covers your questions and concerns. However, if you wish to make a formal verbal appeal before the Board, please let me know within 10 days of receipt of this letter and I will schedule a hearing.

Sincerely,

A handwritten signature in black ink, reading "David Stringer". The signature is written in a cursive style with a large, looped "D" and a trailing flourish.

David Stringer
Human Resources Division Head

Cc: RCRC Board of Commissioners

Julian Shabazz
4425 East Chapel Road #234
Columbia, SC 29205
(803) 790-7204

March 19, 2015

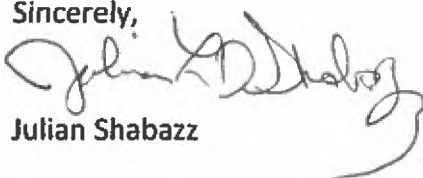
G. Todd Weiss
Vice Chair, RCRC Board
316 Fallen Oak Drive
Columbia, SC 29229

Dear Mr. Weiss:

Recently I was dismissed from employment with the Richland County Recreation Commission. The Human Resources Director claimed that my dismissal wasn't personal and that their stated reason was agency restructuring/reduction in force. I filed a grievance and have requested a hearing before the Board of Commissioners.

Earlier this week they posted a new job position, Park Supervisor, for which I applied. Most of the duties in the job description were things I was already doing while employed at the agency. Since I am more than qualified and had an excellent work record, and if there was nothing personal against me, I should be a prime candidate for the job. Enclosed is a copy of my resume for your perusal. I am asking you for a recommendation that I be rehired for the new position. Thank you very much for your time and for considering my request.

Sincerely,



Julian Shabazz

48

Zenethia Brown
343 Chapelwhite Road
Irmo, SC 29063

Richland County Recreation Commission
James Brown, III
7473 Parklane Road
Columbia, SC 29223

January 27, 2015

Dear Mr. Brown,

I am submitting this letter to contest my recent move to North Springs Park from my position as Director of Community Relations. I firmly feel that my move was an act of retaliation because of my supposed involvement in writing letters concerning you and your leadership. As I told you personally to your face, I had absolutely nothing to do with the situation and would not do anything to try and "take you down." I do not revel in other people's demise or misfortune as you seem to be doing at this moment.

My original intent was to ask to be placed back in my previous position, but that is no longer the case. The isolation and polarization that your actions have caused would make it extremely difficult for me to be effective in that position, not to mention the violation of trust that has taken place. With all this in mind, I ask that you consider allowing me to become Lisa Lewis' assistant at the Foundation.

In my time as grant writer for the Foundation, I have been personally responsible for bringing in over \$600K in grant funds, including Discretionary money, PARD funding and over \$200K for the Rosenwald School alone. I do believe that I can be an asset to the Foundation and its efforts to supplement agency funding. I understand that part of CAPRA accreditation requirements is showing that the agency is actively seeking and securing grant funds. Allowing me to go to the Foundation and act as the grant writer would satisfy this requirement.

I understand that going to the Foundation as Lisa's assistant is still a demotion and would eliminate opportunities for raises and advancement, but under the present circumstances, it is the most palatable option I can see and it also greatly benefits the agency.

I sincerely hope that you will give serious consideration to my request.

Respectfully submitted,



Zenethia Brown

49

January 28, 2015

Delivered via U.S. Certified Mail

Mr. James Brown, III, Executive Director
Richland County Recreation Commission
7473 Parklane Road
Columbia, SC 29223

Dear Mr. Brown:

I am writing this grievance letter to invoke the grievance procedure. It is my reasonable belief that you, James Brown, Executive Director has violated the Harassment policy number 102 and the Whistleblower policy number 218. This is also a grievance against The Richland County Recreation Commission for failing to ensure reasonable and protective measures to ensure that the reporting of harassment is taken seriously and investigated when brought to the attention of the Human Resource department or your direct supervisor.

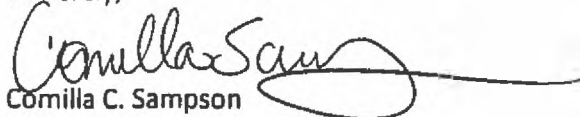
On January 22, 2015 I was demoted from Compliance Manager to Assistant Park Manager at Forest Lake Park. It is my belief that this is a form of retaliation. On several occasions I have spoken with Mr. David Stringer, Division Head of Human Resources and Mr. Kenya Bryant, my direct supervisor about being bullied and harassed by you.

On August 27, 2014 David Stringer, Division Head of Human Resources spoke with me about an letter written about you and stated that you had speculated that you thought I wrote the letter. During that meeting I told David Stringer that if I was retaliated on because of the letter that I would seek legal action.

September 11th or 12th, 2014 you came to my office and apologized to me for your actions of not speaking to me and avoiding me because of your belief of my writing the letters. I stated to you that I was afraid that you would retaliate on me by firing me. I stated to you that I did not write the letters. I also stated that I had been told by several employees that you expected it was me and that you were telling them that I was under investigation. You told me that you had it narrowed down and that you thought it was someone close to you writing the letters and that they were trying to use me as a diversion.

Your conduct towards me and others has been embarrassing and degrading which has caused me unnecessary anxiety, sickness and distress. I'm in shock that you are being allowed to retaliate on me and others because of some anonymous letters. Being that this grievance is against you, the Executive Director, it is my hope that the investigation of these matters are not made by you. I am awaiting a decision in a timely manner within the guidelines of the Grievance policy number 090.

Sincerely,


Comilla C. Sampson

Cc: David Stringer, HR Division Head

Comilla C. Sampson, 6628 Cartwright Drive, Columbia, South Carolina, 29223

BOARD OF COMMISSIONERS:

J. Marie Green, Chair
G. Todd Wets, Vice Chair
Wesley A. Furgess, Jr., Secretary
C. Todd Latiff
Wilbert Lewis
Barbara Mickens
George D. Martin, Jr.

**EXECUTIVE DIRECTOR****James Brown, III**

7473 Parklane Road

Columbia, SC 29223

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Email: info@rcrc.state.sc.uswww.richlandcountyrecreation.com

February 13, 2015

PERSONAL AND CONFIDENTIAL

Ms. Comilla Sampson
 6628 Cartwright Dr.
 Columbia, South Carolina 29223

Re: Grievance Request

Dear Ms. Sampson:

Your letter dated January 28 to Mr. Brown (received on February 2), has been sent to me for an initial response. In your letter you expressed concerns with your recent job change from Compliance Manager to Assistant Park Manager at Forest Lake Park.

Your position change was part of an overall agency restructuring plan. During this restructuring process you were treated fairly and with dignity. You were given two days off with pay to prepare for the move to the new position, and your pay and benefits were not changed as a result of the new job assignment.

Contrary to your contention that your job change violated RCRC's Harassment and Whistleblower policies, your job transfer was based solely on agency restructuring which included the elimination of positions at RCRC along with transfers. Prior to being advised by RCRC of the reorganization changes, the agency had no reports from you that would fall under its Harassment Policy, Whistleblower Policy or any other applicable policy.

On December 12, 2014, a packet of information was distributed to all employees that explained the complaint procedure for filing a report under the Whistleblower policy / statute - which requires a written document alleging waste or wrongdoing and containing, at a minimum, the following information: (1) date of disclosure, (2) name of employee making the report, (3) nature of the wrongdoing, and (4) date of range of dates during which the wrongdoing allegedly occurred. However, you did not make a written report as required by the policy - or a verbal report for that matter. Additionally the Whistleblower policy defines wrongdoing as an action

**Nationally Accredited:**

The Richland County Recreation Commission became South Carolina's first and only nationally accredited parks and recreation agency in 2006.

Equal Opportunity Statement: The Richland County Recreation Commission is dedicated to the concept of equal opportunity. The Commission will not discriminate on the basis of race, color, religion, sex, age, disability, national origin, or marital status, in its employment practices or in the participation policies for its facilities.

Page 2 of 2

which results in substantial abuse, misuse, destruction, or loss of substantial public funds or resources or allegations that an RCRC employee intentionally violated federal or state law of a code of ethics which is not merely technical or of a minimal nature.

Although they are important to resolve, disagreements regarding the terms and nature of work assignments do not constitute harassment or escalate to the level of a whistleblower claim or subsequent alleged retaliation.

With regard to the transfer/reduction in force, please note that a reduction in force may be grieved by an affected employee only if the grievance is based on alleged inconsistent or improper application of a reduction in force plan.

Please provide information concerning how you feel the reduction in force plan was inconsistently or improperly applied in regard to your transfer along with any documents that existed prior to January 23, 2015 which put the RCRC on notice and support your claim of harassment and retaliation to me in writing within 10 workdays of the receipt of this letter.

Sincerely,

David Stringer
Human Resources Division Head

Cc: RCRC Board of Commissioner

50



RICHLAND COUNTY RECREATION COMMISSION
Discrimination and/or Harassment Complaint Form

Complete this form and return it to the Human Resources Department

PLEASE PRINT OF TYPE – ATTACH EXTRA PAGES IF NECESSARY

1. Provide the following information:

Name: Andrea Fripp James

☐ PATRON ☒ EMPLOYEE

Address: 113 Chadford Circle

City, State, Zip: Irmo, SC 29063

Work Phone: 803-741-7272

Home Phone: _____

Cell Phone: 803-404-9412

Date of Hire (if applicable): 7/5/2011

Job Title (if applicable): Division Head of Financial Operations

Immediate Supervisor (if applicable): James Brown, III

2. Identify the Respondent(s) and/or Department that allegedly discriminated against you:

Name of Respondent: James Brown, III

Department: Executive

3. Indicate the basis for the alleged prohibited discrimination and/or harassment:

☐ Age

☐ Religion

☐ Disability

☒ Retaliation

☐ National Origin

☒ Sexual Harassment

☐ Pregnancy

☐ Sexual Orientation

☐ Race/Color

☐ Whistle Blower

☒ Other (Describe): Defamation

4. Briefly explain the discrimination and/or harassment you believe happened:

a. On what date(s) did the alleged discriminatory act(s) occur?

Sexual harassment began Spring 2014/Retaliation began around Summer 2015/Defamation-ongoing

b. Explain the incident that occurred:

See Attachment

c. List the name and position title of person(s) who witnessed the conduct or incident:

Name: See Attachment

Position: _____

5. Did anyone in the department give an explanation for the alleged discriminatory conduct?

No

6. Have you attempted to resolve your complaint? If so, with whom? What is the status of the complaint?

I filed a verbal complaint with J. Marie Green , board chair on Tuesday, December 8, 2015 and a formal complaint with David Stringer on December 9, 2015.

7. What would you like to see happen (for you, for other) with respect to the alleged incidents(s) of prohibited harassment or discrimination?

See attached letter to David Stringer dated December 9, 2015

Attach documentation that you believe is relevant to your complaint.


Signature of Person Filing Report


Complaint Received by

9/12/15
Date

12/9/15
Date

December 9, 2015

Memo to David Stringer

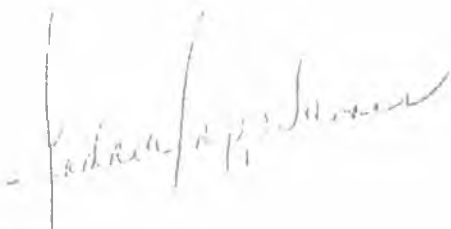
Re: Treatment of Andrea Fripp James

I have taken a long time before deciding to write this memo. I feel that I have no choice at the present time but to take this action.

Since I came to this agency, I have done my best to perform my duties in a positive and effective manner. I believe that the progress made through my efforts as Division Head of Financial Operations speaks for itself. I believe that those that are in a position to fairly evaluate my services will agree that I am a dedicated part of our success with the recreation commission. On the other hand, for the last several years, our executive director, James Brown, III has exhibited an arrogant and hostile demeanor toward many persons within the agency which has resulted in a tremendous loss of morale and skepticism particularly with the employees in this agency. Our work for our clients is too important to have one person's personal agenda poison the well and keep us from obtaining those objectives that are clearly within our reach had we worked together as an effective agency. Not only have I personally experienced a hostile work environment and sexual harassment over my tenure here, but even sadder, I have experienced retaliation from Mr. Brown that is totally unacceptable in a civilized society. He has threatened and defamed me, accused me of improper sexual relationships with others and has recently done all that he can to undermine my work, take away responsibilities, and try to place me in a subservient position simply because I would not accede to not only his sexual advances and innuendos, but also to his mandates and directions as CEO which I knew were not in the best interests of the agency and sometimes in violation of our policies and procedures.

I have consulted with an attorney and I believe that if I left this agency or was terminated from the agency and had to take legal action that I could prevail. I also believe that the evidence coming out of that proceeding would be substantially damaging to the agency itself. In spite of this advice, I do not wish to resign or take unnecessary legal action which would cause harm to the Richland County Recreation Commission. In order to prevent this, however, it would be necessary for outside intervention to put a stop to the matters contained herein, and I believe that any fair, impartial, outside investigation would confirm the things that are going on here, not only with me, but with others at the hands of Mr. Brown. I am a loyal team player. I intend to continue to serve the clients of our recreation commission and to do all that I can as Division Head of Financial Operations to make it effective and efficient, but as a team player, I deserve and demand a level playing field. I hope that something could be done in this regard.

Please see that a copy of this letter is placed in my permanent personnel file.

A handwritten signature in dark ink, appearing to read "Andrea Fripp James", is written over a faint, larger version of the same signature.

Around spring 2014, James Brown, III began making sexual comments to me and telling me that he would like to get to know me better. He would come in to my office and tell me that he has never met a woman like me; he's never met a woman he didn't have to take care of. I went to David Stringer, HR and Kenya Bryant to tell them about it. I did not want to get Mr. Brown in trouble or cause the agency any embarrassment so I asked them just to run interference for me. That involved coming into my office if they saw Mr. Brown in there or calling me to create an excuse to get him out of my office. They both complied, along with others. After quite some time had gone by and he noticed that I did not share his interest he would come by and say, "Fripp, I know you don't want me. I have never had a woman to turn me down. I can't figure you out. You're a challenge."

During this time, things were going on in the office concerning anonymous letters that were written about him. He made it very clear that he had the four votes he needed based on his relationships with certain members of the board. He said he helped both Ms. Green and Ms. Mickens out financially since they were not working and he had their vote (Please also note that he bragged about this assistance). Mr. Furgess was on his side and Mr. Martin voted the way of Ms. Green. Daryl Jackson, Leon Howard and John Scott were also in his corner. He bragged that Mr. Furgess was going to recant his vote to nullify the independent investigation. When that happened he came to me and in conversation said he was the most powerful man in SC and he could not be touched because of who had put him in the position. Mr. Brown has told the administrative staff in a meeting that he controls our destiny! I heard his comments and saw him go after who he believed wrote the letters and he said he was doing so with the support of Ms. Green.

Around spring 2015, my department started having some issues with HR. A meeting was called and at that time David Stringer said he felt like my department was afraid of me. Mr. Brown talked to my department without me and they told him that was not the case. He came to me and told me not to worry about David and what he said because David was a part of the old regime with Curt Wilson and Bob Redfern. Shortly after that Mr. Brown came into my office and told me that David and Keira were "stealing time." I told him then I thought David was unethical.

On September 10, 2015 I refused to sign a blank PO given to me by Erica Smalls. On September 21st while I was out of the office I received an email from Kenya Bryant, my supervisor stating that Mr. Brown wanted all PO's to come to him. My reply was "not a problem." When I returned to the office on Sept 24th I had a meeting with Mr. Brown where I told him I was not going to sign a blank PO for anyone. He said he took the PO's from me because his review was coming up and the board said they wanted him to be more involved with the finances. I told him if he came to me, I would have told him the way he was doing things were not in compliance and he could not have control over all of the finances and sign checks also. I said our accountant would frown on that because that is how people embezzle. He then told me he wishes the accountant would say something to him about embezzling. I then told him that as his CFO, it was my duty to tell him the right thing, but as ED he had the final say, but I wanted him to know that I was separating myself from him because that was not good for the agency. The next day he told me his wife said I was correct, though he still did not change the process.

During that same meeting I tried to talk to him about the rumors I heard that he was talking inappropriately about Kenya Bryant and me. He stood up and said, "It's these mother fuckers here that are talking. I'm trying to protect you." He told me the politicians are talking about Kenya and the pretty lady in the corner office. He told me it hurt his feelings when I went into Kenya's office. By that time, he had also given the directive that Kenya Bryant, my supervisor, could no longer come into my office.

Mr. Brown's attitude towards me continued to become hostile and he began to say I did not speak to him, I was mad about the PO's. Neither was true. He has perpetuated a story that Kenya Bryant and I are plotting against him.

October 26, 2015-Kasey Wilson and I had a brief meeting with David Stringer to talk about the new payroll system. David said it was working well for his department, I said not so well for us. We agreed that if we switched it would be best to do it at the beginning of the year. David tells Mr. Brown.

That night at the RCRC Board Meeting, Mr. Brown supposedly shut me down and nixed me over some updated CAPRA policies.

October 27th-he goes to Sandra James and asks about Sage and tells her that I need to get the chip off of my shoulder and tell him what's going on because people tell him everything that is going on in the agency. She said he needs to talk to me.

October 28th -I called a meeting with Mr. Brown and Kenya Bryant to address Mr. Brown's concerns. I tell them that I have nothing to tell them at this time and there is no chip on my shoulder. The decision was made to go to a new company, we thought it was a good decision at the time, it just wasn't working out.

Thanksgiving week-while I'm out of the office, Kasey texts and calls me to tell me Mr. Brown is coming to her to talk about me and trying to get her to talk about me. In the presence of David Stringer, HR, he asks her if she can do my job and whether or not I am mean to her. He asks her why I don't like him and makes comments about my relationship with Kenya Bryant. He tells her later in the day that I would be fired if I worked anywhere else.

December 1, 2015-Kenya Bryant tells me that Mr. Brown has taken my department from under his supervision and has placed me under Mr. Brown. However, I am to continue to report to Kenya.

December 1st-I get calls/text from Kasey about Mr. Brown continuing to come to her. I tell her to just do her job and try to stay out of the drama. At some point Kasey goes to David Stringer to tell him to keep her name out of whatever attack they are waging against me. David tells Mr. Brown and Kasey is called into David's office. A conversation is again had about my relationship with Kenya. Mr. Brown threatens to fire me and continues to pressure her into saying he is trying to protect her from me. He tells her that he already has board approval to put me under the supervision of David Stringer.

Based on his influence with the board and others, at this point I am in fear for my job based on the threats being made regarding my position. Mr. Brown has never once mentioned any issues with me or my department and our work performance. Quite the opposite; we have always gotten praise and compliments.

Based on Mr. Brown's personal relationship with the RCRC Board and complete control over Human Resources, there has not been an internal employee advocate for this Agency. I feel as though Mr. Brown's attacks are unwarranted and is a direct result of my refusal to have a personal relationship with him. He has turned sexual advances into work place harassment, defamation of character and ultimately the threat of termination.

December 8, 2015

To Whom It May Concern:

Andrea Fripp James became my supervisor in August of 2013. Since then, Andrea has taken me under her wing and put my skills to work for the agency. Andrea and I together learned how to do many things in Finance that she was not trained on. The staff even called me "Mini Andrea". Working with Andrea is a blessing. In February 2014, Andrea promoted me to the Director of Finance since I was doing the job for years. Andrea thought it was only fair to compensate and give me the title for the job I was doing. Andrea is the best supervisor anyone can ask for. She cares about people. She has treated me like I am an important part of her life and an important part of the agency. Andrea has been appreciative to me in so many ways. She takes it upon herself to reward me for my work. Andrea cares about not only her staff at the Recreation Commission, but all staff. Andrea is an asset to any job.

In October of 2015, James Brown, III (aka JB III) started to treat Andrea differently. JB III removed the duties of issuing purchase orders from Andrea. JB III even went to the other staff stating the purchase orders were a disaster, which was not true. Andrea was controlling the spending by issuing the purchase orders. The difference in treatment to Andrea was obvious by everyone. The atmosphere in the office between JB III and Andrea was getting uncomfortable. In the past two weeks, JB III has asked me things about Andrea, such as if I could do her job, if she was mean to me or her staff, and if Andrea worked at another company would she be fired for not saying good morning to the person in charge. My answers were; Andrea has NEVER been mean to me or her staff. Yes, I can do Andrea's job because I am her backup. I know Andrea says good morning to JB III. It appears a grudge is being held against Andrea.

Andrea told me in confidence that JB III was inappropriate with her several times. It got so bad that Andrea would make me come to her office if JB III was in her office too long. I know Andrea expressed the behavior to HR when the inappropriate behavior started. Andrea even asked HR to watch for JB III coming in her office and interrupt them. I know Andrea feels she was not able to do anything about the harassment because of past events and was afraid of losing her job.

A board meeting was held in October; Andrea was to present a few policies for board approval because of CAPRA and she was silenced by JB III. JB III stated he did not get a chance to review them. The days following the board meeting JB III began to tell staff he shut her down, pertaining to Andrea about the policies.

Last week I went to HR because I was concerned of things being said by other staff and I did not want to be in the middle of the drama. Later that afternoon, I was called to a meeting with JB III and HR. In this meeting, JB III accused Kenya of spreading the drama. It is a bad situation when you can't trust your HR department to keep things confidential and everything you tell HR will get back to JB III.

Several inappropriate comments have been made by JB III in front of me about other staff as well as Andrea. JB III made a reference that Andrea and Kenya were more than co-workers or friends just

because they talk on the phone. I stated they were friends before Andrea came to the agency. JB III made a comment stating I must be stupid if I did not see what was really going on. JB III also stated he wanted to fire Kenya for giving Andrea everything she wants. JB III stated he wanted to break up the clique down the hall and wanted to fire the Division Head of Parks, Taurus Lewis too. I did make the comment at the time that firing Kenya would be the biggest mistake he could ever make because Kenya is an asset to the Recreation Commission as well as Andrea. JB III stated Andrea was a control freak and wanted to control everyone in her path. David Stringer (HR Division Head) agreed with JB III. JB III stated several times trying to get me to say that Andrea is mean to her staff and he could not protect me until I confessed that she was mean to me as well. I stated several times that she is not mean and I do not protection because she is not mean. I even interrupted him and stated she is not mean. JB III was persistent in the fact that she is mean to me and he told me to shut up and listen to what he is saying. When JB III asked if I could Andrea's job I made a comment that I do not want the job and that I really enjoy working with Andrea we are a good team. I feel I am always put in an uncomfortable position with JB III because he questions or talks to me when no one else is around. I feel JB III pressures me into trying to say malicious things about Andrea or other staff. After JB III realized I did not want the job he told me he already got board approval to put David Stringer in charge of Finance. All the above comments have been said in front of David Stringer, the Division Head for HR.

Kasuy Wilson, Director of Finance

CONFIDENTIAL

DECEMBER 7, 2015

TO: Whom it may concern

SUBJECT: My position in Finance

I have been working under Andrea Fripp James in the Finance Department for approximately 3.5 years.

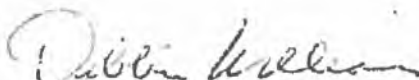
Ms Fripp-James has always treated me and other members of the Finance Team with the outmost care, respect, and professionalism.

We, the finance team, are expected to be professional as well. To work with other team members as well as other employees and even the public with respect and professionalism.

I believe we make a great team in the fact that we can work together, sometimes it may sound like we don't agree but at the end of the day, we get the job done and respect each other. We do what we have to do to get the job done.

I consider Ms Fripp James, as well as Kasey and Sandra to not only be great co-workers but friends; working as a team to complete the job and I believe the others feel the same way.

I have never felt threatened by Ms Fripp James or anyone in the Finance Department. I feel that my attendance each and every day confirms this.


Deborah Williams

December 7, 2015

I would like to take this opportunity to place before you, Andrea Fripp James, my supervisor since August 2013. I am both pleased and honored to have been asked to write a letter of support for her.

As Accounts Payable Manager, it is my privilege to work with Andrea to build and sustain the mission for Richland County Recreation Commission. Andrea has created and implemented a professional atmosphere in our Finance Department that has been well received by coworkers, constituents and regional vendors. She draws upon individual differences as strength to facilitate team unity. On the basis of my observation, she is self-motivated and very capable of motivating others due to her own diligences and commitment to excellence. Her work ethics always precedes her.

Peter Drucker stated, "Management is doing things right; leadership is the doing the right things."

My colleagues and I are fortunate to have a supervisor that embodies this quote. She takes the initiative to ensure that the channels of communication remain open. We are able to come to her and discuss our concerns and receive feedback in a respectful manner. Her style of leadership is one that conveys trust in our abilities as we all feel equally accountable for the success of the agency. The very fact that she is confident in our decisions and work ethic, empowers and motivates us to make wise choices. Our team is stronger because of her.

As we prepare to enter a new year I am looking forward to us growing more cohesive and continuing to work together to serve the citizens of Richland County with excellence.

With Warm Regards,

A handwritten signature in cursive script that reads "Sandra James".

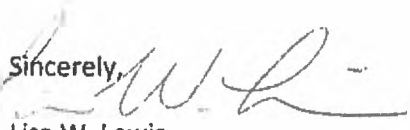
Sandra James
Accounts Payable Manager

"RCRC is dedicated to Enriching Lives and Connecting Communities through Diverse Recreational Opportunities"

Working with Mrs. Andrea Fripp James has been one of the most rewarding experiences of my career. She displays the attributes of what a supervisor should be. She is a great listener, gives constructive criticism, encourages creativity and allows me to bring new ideas to the table. She always challenges me to be the best I can be and gives me continuous praise which keeps me motivated to do greater things. Her multi-talents, job competences and professionalism make her the most impeccable supervisor in the history of my professional career. She has taught me so much in a year that I will be able to use for a lifetime.

Mrs. Andrea Fripp James has always been pleasant, kind and fair. She has never made me feel insecure, inferior, or threatened in any way, shape, form or fashion. She has always been honest, direct, respectful and consistent. This is why she will always receive the upmost respect from me.

Sincerely,


Lisa W. Lewis

51

David Stringer

From: David Stringer
Sent: Thursday, December 10, 2015 5:45 PM
To: Andrea Fripp James
Subject: RE: Complaint Process

Andrea,

I have received your documents related to your complaint dated 12/9/2015. RCRC has retained an independent person Linda Pearce Edwards to conduct an investigation and address your concerns.

Linda Pearce Edwards
Gignilliat, Savitz & Bettis, LLP

As a part of her investigation, Linda will be making appointments with appropriate staff the week of December 14, 2015.

Thank You.

From: Andrea Fripp James
Sent: Thursday, December 10, 2015 2:14 PM
To: David Stringer
Subject: Complaint Process

David-

Now that I've filed a complaint, I'd like to meet with you just to go over the process after submission and what I should expect. I would like a part of the investigation process to be a meeting with the full board.

Thanks,

Andrea Fripp James
Richland County Recreation Commission
Division Head of Financial Operations
7473 Parklane Road
Columbia, SC 29223
803.741.7272 ext 177
803.741.2584 fax
www.richlandcountyrecreation.com

"Dedicated to enriching lives and connecting communities through diverse recreational opportunities"

52

**J. LEWIS CROMER
ASSOCIATES, L.L.C.**

ATTORNEYS AND COUNSELORS AT LAW

J. LEWIS CROMER

JULIUS W. BARR, IV • J. PAUL PORTER

ASHLEY C. STORY • RYAN K. HICKS • SHANNON M. POLY

December 11, 2015

Via email and USPS

PERSONAL AND CONFIDENTIAL
LEGAL COMMUNICATION

Linda Edwards
900 Elmwood Avenue, Suite 100
Columbia, South Carolina 29201

Re: *Andrea James*

Dear Linda,

I understand that your firm has been hired to perform an investigation relating to certain personnel issues and complaints involving the executive director of the commission, James Brown III. Please be aware that our law firm represents Andrea James, who we allege has been a victim of various wrongful and illegal actions by Mr. Brown over the last several years. We strongly believe that her civil rights have been violated and we intend, if necessary, to file appropriate lawsuits or charges against Mr. Brown, the agency, or whoever are the proper parties in this case.

In the meantime, however, my client is doing an excellent job with the agency and has no desire to leave her position or to seek other employment. She will fully cooperate in any investigation that is made, including meeting with you or your representative and giving appropriate statements if necessary. Since we represent her, I would require that myself or a representative of my office be present with her at the time that she is interviewed. You can arrange to do that at my office at 1418 Laurel Street if you wish to do so.

We also are concerned that the Board of Commissioners of the agency may not all be aware of the investigation, so we are copying them with this communication. I will assume that you represent all of them as well and will not contact them from this point forward.

We look forward to working with you in this matter.

Sincerely,



J. Lewis Cromer

MT

53

Commissioners and Chairman Rush,

RCRC has an employee-Darrell Davis who has filed a grievance and part of the grievance says that Mr. Brown our ED had him following staff around. This is in writing! There are other allegations inn the grievance that you must investigate. This is too much! Mr. Brown just threatened us during his last staff meeting and now he is having people followed. Someone must do something. I have worked here a long time and never seen anything like this. He wont let any outside staff come into the main office and it is a public building! Morale is at a all time low. Please investigate and help us! The past ED's have been let go for less. Who is protecting this man!

Dedicated RCRC Staff Person

54

MEMORANDUM

To: David Stringer, Division Head of Human Resources
Richland County Recreation Commission

CC: J. Marie Green, Chairperson
Richland County Recreation Commission

Board Members of the Richland County Recreation Commission

James Brown, III, Executive Director
Richland County Recreation Commission

From: Kenya Bryant, Assistant Executive Director
Richland County Recreation Commission

Date: March 18, 2016

I am writing this letter to document the efforts that have been taken to systematically eliminate my position as the Assistant Executive Director of the Richland County Recreation Commission. Each day that I report to work I don't know whether I will be fired or demoted from a position that I have held since March 2010.

This situation has been escalating for the past few months, beginning on December 23, 2015 when the agency's Division Head of Human Resources, David Stringer, offered me what he called "advice", stating that I should have informed the agency's Executive Director Mr. James Brown, III that I had been summoned to speak to the investigator who was exploring alleged sexual harassment by the Executive Director. Mr. Stringer stated that he didn't want Mr. Brown to think that I was being "sneaky" and that our work relationship may change if I didn't tell him. I told Mr. Stringer that I didn't know I was supposed to tell Mr. Brown and that how I could be seen as being sneaky when Mr. Stringer was the person who informed me that I had to speak to the investigator and scheduled it. I didn't volunteer to speak with the investigator and I wasn't advised on what to do legally. This conversation can be confirmed by the agency attorney, whom I asked Mr. Stringer to call for clarification.

From there the efforts to decrease my role began with the creation and announcement of a "chief of staff" position during a full-time employee staff meeting on January 6, 2016, that essentially stripped me of my duties to supervise the Division Heads. I was not informed of this major change in duties until I pressed the issue, which resulted in a meeting held on January 5, 2016 between myself, Mr. Brown, Tara Dickerson (new chief of staff) and Mr. Stringer. It has even reached the point where something as simple as offering the closing comments for the grand opening of a new park, which I have done over 20+ times since the start of the \$50 Million Recreation Bond in 2010, was taken away from me. I was scheduled to speak during the grand opening of the Kelly Mill Sports Complex on March 11, 2016, but realized I was not on the program moments before the event began.

I have documented evidence of these particular instances, and more, to illustrate how my position has been marginalized and how I have been open to public embarrassment in front of agency staff. I have been excluded from areas of leadership for the advancement of the agency which was an integral part of my position. The chief of staff position, whose job duties and responsibilities are still undefined, interrupts the organizational chart and supervision of all of the employees within the agency.

As most of you know or should know, I came to the agency with great joy and the expectation of enjoying this work for my adult career. I believe that I met the expectations of those who hired me and those who worked with me, and I feel gratitude from some of the board members over the years.

I have particularly enjoyed my service as Assistant Executive Director and am glad I could provide the leadership to take this agency through what I believe to have been some difficult times over the past 6 years. I have always had the best interest of the agency at heart and have made decisions and offered advice to Mr. Brown that I thought would put the agency in the best position to move forward and be successful. I have a clean personnel file and superior ratings on my annual employee evaluations.

However, my reputation and status as the Assistant Executive Director has been damaged due to my deteriorating relationship with Mr. Brown because of actions he has taken and my expressed disagreement with those actions.

I will point to one particular situation involving two employees during the 2015 Thanksgiving holidays, in which I disagreed in the method that Mr. Brown was handling the matter and offered an alternative. He didn't agree and took action, however, on December 1, 2015 he admitted to me that the way I wanted to handle the situation was the correct way, but "he couldn't help himself" and that he knows that "he can be hard to deal with". He then requested that when he gets into such a state, that I should forcibly stop him, tell him to "sit down" and then handle it myself. I felt that this was beyond my job description and unprofessional. I stated to Mr. Brown that when he gets into that type of state that I feel I have to protect him from himself.

This type of situation has been a common theme over the 6 years that Mr. Brown and I have worked together and he has always privately and publically praised and appreciated me for my willingness to speak up and at least provide another perspective on how to handle matters. This was all to protect the image of RCRC, which I felt was synonymous with the image of our Executive Director.

But that changed due to our disagreement and because I became involved in the above mentioned investigation regarding the alleged sexual harassment. I did not participate in this matter by choice and did nothing to bring the investigation about or be disloyal in any way to Mr. Brown. I have participated in the investigation only because I was compelled to do so and I have only given evidence that I believe to be truthful and sincere. Nevertheless, I feel that I am being retaliated against for even taking part in the same.

I have legal counsel who has advised me that my rights have been violated because I do not know whether my termination or demotion is imminent, or whether I will be allowed to go forward and continue to devote my full-time efforts to the operations of this agency and its objectives. This is the only recourse I have and it is in compliance with a board action that was taken during an October 20, 2014 board meeting, whereas a staff person can contact a board member if they feel mistreated, as long as Mr. Brown knows who the accuser is.

In any case, I cannot allow my reputation to continue to be ruined, be the victim of false and defamatory charges and be subject to retaliation, when I am doing my best to maintain the integrity of my position, while continuously working every day for the betterment of the Commission and the community. Even during this tumultuous period I have still completed the agency's 10 Year Comprehensive Master Plan, an Americans with Disabilities Act (ADA) Access Audit of our facilities, the Strategic Plan, and the CAPRA reaccreditation which will assist in moving this agency forward.

I love this agency and its mission, and only want to continue working hard to provide the patrons of Richland County with superb recreational opportunities in my role as the Assistant Executive Director.

Please see that a copy of this letter is placed in my permanent personnel file.

Best regards,

Kenya V. Bryant

Kenya V. Bryant

Assistant Executive Director

Richland County Recreation Commission

55

**Richland County Recreation Commission
Special Call Board Meeting Minutes
March 3, 2016
4:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
Barbara Mickens, Vice Chair
Weston A. Furgess, Jr., Secretary
George Martin
Thomas Clark
Joseph B. Weeks

1. Call to Order:

Chair Green called the meeting to order at 4:00p.m.

Chair Green introduced the new Commissioners, Mr. Thomas Clark and Mr. Joseph B. Weeks. Chair Green asked that Mr. Clark and Mr. Weeks read aloud the Oath of Office and sign the document. Chair Green asked that they review the Code of Ethics and sign.

2. Adoption of Agenda:

Motion to adopt the agenda made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Furgess, Mickens, Martin, Clark and Weeks.

3. RCRC Americans Disabilities Act (ADA) Transition Plan: (Action)

Mr. Kenya Bryant presented the ADA Transition Plan needed for CAPRA reaccreditation, included in the Board packet, for approval. Mr. Bryant stated that the ADA audit team for RCRC did an excellent job. Members of the team are as follows: Randolph Anderson-Parks, Sabrina Collins-Safety & Security, Bryan

Crider-Property Management, Kim Hall-Community Centers, Bob Hickman-Safety & Security and David Stringer-HR.

Motion to approve the ADA Transition Plan made by Commissioner Furgess, second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Furgess, Mickens, Martin, Clark and Weeks.

4. RCRC 10 Year Comprehensive Plan Draft: (Action)

Mr. Kenya Bryant presented the RCRC Parks and Recreation 10 Year Comprehensive Needs Assessment Plan Draft, included in the Board's packet, for approval. Mr. Bryant commended Chair Green who was a member of the steering committee when the plan was started back in 2014.

Motion to approve the RCRC 10 Year Comprehensive Plan Draft made by Commissioner Mickens, second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Mickens, Furgess, Martin, Clark and Weeks.

Motion to go into Executive Session to discuss personnel matters made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Furgess, Mickens, Martin, Clark and Weeks.

5. Executive Session

Motion to come out of Executive Session made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Martin, Mickens, Clark, Weeks and Furgess.

Commissioner Furgess stated that no actions were taken during Executive Session.

Motion to uphold the decision of Staff for Grievance Number One made by Commissioner Furgess and second by Commissioner Clark. Motion approved


unanimously by all members present; Green, Furgess, Clark, Mickens, Martin and Weeks.

Motion to uphold the decision of Staff for Grievance Number Two made by Commissioner Mickens and second by Commissioner Furgess. Motion approved unanimously by all members present; Green, Mickens, Furgess, Clark, Weeks and Martin.

Motion to adjourn meeting made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Mickens, Weeks, Furgess, Clark and Martin.

6. Adjournment

Meeting adjourned at 6:54p.m.



J. Marie Green, Chair

Minutes approved on this 21st day of March 2016.

56

**Richland County Recreation Commission
Special Call Board Meeting Minutes
April 4, 2016
6:00PM**

Commissioners in Attendance:

J. Marie Green, Chair
Barbara Mickens, Vice Chair
Weston A. Furgess, Jr., Secretary
Wilbert Lewis
George Martin
Thomas Clark
Joseph B. Weeks

1. Call to Order:

Chair Green called the meeting to order at 6:00p.m.

Chair Green announced that prior to this meeting, they felt threatened so therefore they have asked that the sheriff be here and also the location that they convene for Executive Session be moved from the Executive Board room to another room and they will convene back here in open session for vote. Chair Green added that you can expect that the media will be here.

2. Adoption of Agenda:

Motion to adopt the agenda made by Commissioner Mickens and second by Commissioner Clark. Motion approved unanimously by all members present; Green, Furgess, Weeks, Mickens, Clark, Lewis and Martin.

Motion to go into Executive Session to discuss a personnel matter made by Commissioner Furgess, second by Commissioner Mickens. Motion approved

unanimously by all members present; Green, Furgess, Mickens, Martin, Weeks, Lewis and Clark.

3. Executive Session:

Motion to come out of Executive Session made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Martin, Mickens, Weeks, Lewis, Clark and Furgess.

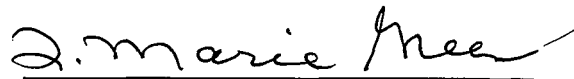
Chair Green stated that no actions were taken.

Motion to support the Executive Director made by Commissioner Furgess, second by Commissioner Mickens. Motion carried; 5 Yea (Green, Mickens, Furgess, Martin and Weeks), 2 Nay (Lewis and Clark).

Motion to adjourn meeting made by Commissioner Furgess and second by Commissioner Mickens. Motion approved unanimously by all members present; Green, Mickens, Weeks, Furgess, Clark, Lewis and Martin.

5. Adjournment

Meeting adjourned at 7:25p.m.



J. Marie Green, Chair

Minutes approved on this 18th day of April 2016.

57

Recreation Director tells staff "You can't hurt me" in secret recording

BY TARA PETITT
WEDNESDAY, JULY 13TH 2016

tweet now!

COLUMBIA, SC (WACH) - Several questions regarding the Richland County Recreation Commission have risen since the agency became the target of a federal investigation.

Wednesday, WACH FOX News has obtained an audio recording that could provide answers.

[LISTEN TO RECORDING HERE](#)

The Commission is being investigated after several allegations and lawsuits have been filed against certain Commission

members and it's Executive Director for things such as sexual harassment and bribery.

In a recording from a private January 6th meeting at the Richland County Recreation Commission, Executive Director James Brown tells employees how they should behave in 2016 for almost an hour.

"So now, when you break the rules, you gonna get severely punished," said Brown, "and am I looking forward to it? Yeah, I am. I really am."

In the audio, Brown mentions more than once that he knows people are recording him.

"Nobody call HR. You call HR to report something, but you calling and you gossiping, or you pointing the finger at somebody, I'm gonna deal with you."

Brown goes on to explain what will happen if employees don't do what he says.

"I see right through you," said Brown, "And the only reason I can't deal with you like I want to is because I got on this tag. If I didn't have this tag on me and you ran up into me in the street somewhere, then I could be *explicit*. Oh yeah, I'm gonna let you know how I feel. Y'all tell people how you feel about me every day... now it's my turn. It's my turn."

Earlier this month, Brown took a voluntary leave of absence one day after WACH FOX News aired an exclusive

interview with a whistleblower who talked about the environment at the Commission.

Wednesday, a Delegation of Richland County lawmakers sent a second letter to the Commission asking four things, including specific details about Brown's leave of absence.

"We haven't seen anything official. That's our concern," said Representative Joe McEachern. He says so far, all delegation members have seen are statements, and they need clarity .

"There are laws to abide by- I'm talkin about the Commissioners now," said McEachern. "There's rules to abide by. There's accountability to those, and we just don't have any idea as far as their actions are concerned, what role did they take?"

Members of the delegation have been told by the commission to expect a response from them shortly. Lawmakers stated in their letter that several of them will be attending the Commission's next meeting, scheduled for July 18th.

LAST PAGE