

STATE OF SOUTH CAROLINA

EXECUTIVE DEPARTMENT

REPORT AND RECOMMENDATION OF HEARING OFFICERS

This matter came before the undersigned hearing officers pursuant to Section 1-3-240(A)(3) and Executive Order No. 2016-45 issued by the Office of the Governor of the State of South Carolina on November 10, 2016. As stated in the Executive Order, the hearing officers were appointed for the limited purpose of taking testimony and receiving evidence in order to make recommendations to the Governor concerning the removal of members of the Board of the Richland County Recreation Commission ("RCRC"). In accordance with the Executive Order, a public hearing in the matter was held on November 30, 2016.

Prior to the public hearing, most of the board members of RCRC had tendered their resignations from the Board. At the time of the hearing, the only remaining board members were J. Marie Green, Chair; Barbara Mickens, Vice-Chair; and Thomas Clark. Ms. Green, Ms. Mickens, and Mr. Clark all testified at the public hearing and answered questions presented by the hearing officers.

In addition to the testimony presented, the hearing officers were provided by the Governor's Office with information obtained in connection with its investigation of this matter. Additionally, at the hearing, the hearing officers were provided with additional information by the board members who testified. Following the hearing, at the request of the hearing officers, copies of the minutes of the RCRC board meetings for April 4, 2016, April 18, 2016, May 5, 2016, June 20, 2016, July 18, 2016, August 24, 2016, September 19, 2016, October 17, 2016, and October 27, 2016 were provided.

Having reviewed all of the information provided and having heard the testimony of Ms. Green, Ms. Mickens, and Mr. Clark, the hearing officers unanimously recommend that:

1. J. Marie Green be removed from the Board of the Richland County Recreation Commission pursuant to Section 1-3-240(A)(3) of the South Carolina Code of Laws;
2. Barbara Mickens be removed from the Board of the Richland County Recreation Commission pursuant to Section 1-3-240(A)(3) of the South Carolina Code of Laws; and
3. Thomas Clark be allowed to continue to serve on the Board of the Richland County Recreation Commission.

Based on the information provided, the majority of the actions and activities of the RCRC Board which were the subject of the hearing occurred before Thomas Clark's appointment in February of 2016. Mr. Clark did not ratify or affirm the actions taken by the RCRC Board prior to his appointment, and the minutes of the Board meetings since Mr. Clark's appointment, along with his testimony at the hearing, indicate that Mr. Clark has properly carried out his duties and obligations as a member of the RCRC Board.

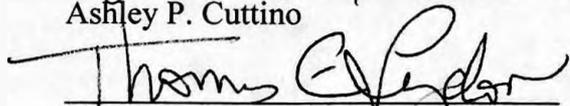
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Date

12/13/16
Date


Derrick L. Williams


Ashley P. Cuttino


Thomas E. Lydon



Ann McCrowey Mickle*†
J. Alan Bass*†
Derrick L. Williams*†
Andrea C. Roche *†
James "Jamie" Davidson, IV

December 13, 2016

Reply to: Columbia Office

Via Hand Delivery
State of South Carolina
Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

Re: November 30, 2016 Opportunity To Be Heard Hearing

To The Honorable Nikki R. Haley:

Enclosed please find a copy of the Hearing Panel's Report & Recommendation from the Opportunity To Be Heard Hearing on November 30, 2016. This hearing was set pursuant to S.C. Code § 1-3-240(A)(3), and based upon your Executive Order 2016-45.

The panel was honored to serve in this capacity. If you require any additional information, please let me know.

Yours very truly,

MICKLE & BASS, LLC.

By: 
Derrick L. Williams

Enclosure: Report & Recommendation

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