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### Hearing Documents per Executive Order 2016-45

#### **I. Background Documents:**

1. Letter from Richland County Delegation October (without attachments).
2. RCRC Board Letter in Response (without attachments).
3. Governor's Request for Additional Documents October 19, 2016.
4. RCRC Board Response October 28, 2016 (without attachments).
5. Governor's Executive Order 2016-45 and Charges.

#### **II. Evidence Regarding Charge I: Neglect of Duty, Incompetency under Section 1-3-240(A)(3). The Board neglected its duty to review nepotism complaints involving Executive Director James Brown III and had knowledge he had family members working at the RCRC.**

##### **A. Nepotism Policies:**

6. June 21, 2010 Review Date, Employment of Relatives Policy (specific word "directly" not included in policy, referring to "directly supervises or manages.").
7. August 1, 2013 Organizational Chart.
8. June 15, 2015 Review Date, Employment of Relatives Policy (word "directly" added to policy).
9. November 19, 2015 Stringer Memo on SC Ethics to Brown.
10. December 21, 2015 Stringer Memo on SC Ethics to RCRC Board and Brown.
11. January 2016 Board Minutes Addressing Nepotism.
12. February 22, 2016 Email with SC State Ethics Commission.
13. March 21, 2016 Board Minutes Addressing Nepotism.
14. March 21, 2016 Review Date, Employment of Relatives Policy.

##### **B. Brown's Relatives Working at RCRC:**

15. Jeffrey A. Brown (brother).
16. James Anthony Brown (son).
17. Jewel Brown (niece).
18. Jada Brown (niece).
19. Janai Brown (niece).
20. Tiffani Brown (niece).

##### **C. Marie Green's Relatives Hired Since 2/27/2002:**

21. Robert Davis (nephew).
22. Todd Duckett (nephew).
23. Charles Duckett (nephew).
24. Jasmine Duckett (niece).

##### **D. Notification to RCRC Board of Brown's Family Members Working at RCRC:**

25. June 24, 2014 Richland County Resident Letter provided by Senator Joel Lourie.
  - a. Alleges Brown's children work for RCRC.

- 26. August 11, 2014 Anonymous Complaint:
  - a. Alleges Brown's family members worked at RCRC.
  - b. Alleges Brown's family members received promotions and pay raises without the qualifications.
- 27. Undated Anonymous Complaint.
- 28. Staff Reductions Policy.
- 29. Grievances Policy.
- 30. May 2016 Brown's Son in Newspaper:
  - c. Newspaper articles state Brown's son held a high-level position at the RCRC.
- 31. July 14, 2016. Media released recording of RCRC Staff meeting allegedly from January 2016:
  - d. RCRC Board responded they did not receive complaints regarding January meeting so did not review tape.

**III. Evidence Regarding Charge II: Neglect of Duty, Section 1-3-240(A)(3). The Board neglected its duty in making compensation decisions regarding Executive Director James Brown III.**

- A. Interim Executive Director offer at \$92,000:
  - 32. April 20, 2010 Special Called Meeting Notes – Brown salary April 20, 2010.
- B. Executive Director Position offer at \$110,000:
  - 33. November 4, 2010 Board Minutes – Interview Brown and two other candidates.
  - 34. November 30, 2010 Compensation comparison.
  - 35. December 17, 2010 Board Minutes and Salary Options.
  - 36. December 29, 2010 Employment Agreement.
- C. 2012 Raise \$126,500:
  - 37. November 4, 2012 Employment Agreement.
  - 38. Summary of Accomplishments 2010-2012.
- D. 2015 Raise to \$151,800:
  - 39. October 26, 2015 Board Minutes approving new agreement.
  - 40. October 27, 2015 Employment Agreement.
  - 41. Documentation for \$50 million bond project.

**IV. Evidence Regarding Charge III: Neglect of Duty, Misfeasance, and/or Malfeasance, Section 1-3-240(A)(3). The Board neglected its duty and was misfeasant and malfeasant by failing to investigate claims of harassment, retaliation, and intimidation and in improperly delegating its duty to investigate Brown to Brown's subordinate.**

- 42. Undated – Anonymous letter:
  - a. Anonymous letter to RCRC Board stating employees are scared to talk or put their names on things. Complains of nepotism. Alleges Jeff Brown, son of former Executive Director, harasses, "hits," and "touches" staff. Alleges Brown's niece promoted from receptionist to head of Technology Center. Alleges Brown yells

- and threatens. Alleges employees are afraid and that Brown punishes those who talk.
43. August 11, 2014 Anonymous Letter:
    - a. Alleges nepotism, favoritism of pay, intimidation, and bullying by Brown.
    - b. Alleges low morale.
  44. September 22, 2014 Special Called Board Meeting:
    - a. Commission's approval of investigation.
    - b. RCRC Board voted 5-2 in favor of internal investigation. (Two Commissioners, Chairman Green and Vice-Chairman Mickens, voted against investigation.)
  45. September 24, 2014. Brown letter to RCRC Board:
    - a. Brown wrote letter to RCRC Board expressing his disappointment at its decision to have internal investigation based on "rumor and innuendo."
  46. October 20, 2014. Special Called Board Meeting:
    - a. RCRC Board voted to rescind decision to conduct internal investigation. Commissioners Furgess and Martin changed their votes to vote with Chairman Green and Vice-Chairman Mickens. Commissioner Latiff made a motion to "remove Ms. Green as Chairwoman of the RCRC for failure to perform her duties as outlined by the by-laws and support the decision by the Board." Seconded by Commissioner Weiss.
  47. January 23, 2015 Julian Shabazz Complaint to Chairman Green appealing termination:
    - a. Alleges harassment. Alleges Brown had intimidating and retaliatory conduct for anonymous August 11, 2014 letter and gave names of staff questioned and threats made. Alleges he has a taped conversation of threats to him.
  48. January 27, 2015 Letter from Zenethia Brown, RCRC employee, appealing termination:
    - a. Alleges retaliation by Brown due to his belief she was involved in August 11, 2014 anonymous letter.
  49. January 28, 2015 Letter from Comilla Sampson, RCRC employee appealing termination:
    - a. Alleges bullying and harassment by Brown. Also alleges retaliation and threatening behavior due to August 11, 2014 anonymous letter. Alleges her job was changed in retaliation.
  50. December 8, 2015 Complaint filed by Andrea Fripp with Affidavits of supporting Employees.
  51. December 10, 2015 Hiring of Linda Edwards to investigate:
    - a. Attorney Linda Edwards of Gignilliat Savitz and Bettis hired on December 10, 2015. Began investigation.
  52. December 10, 2015. David Stringer email to Andrew Fripp:
    - a. States RCRC hired Attorney Linda Edwards to investigate and address her concerns.
  53. December 11, 2015. Letter from Lewis Cromer to Linda Edwards:
    - a. Attorney Lewis Cromer letter to Attorney Linda Edwards with notice of Fripp lawsuit. Copied RCRC Board.
  54. Undated – Estimated date to be January 2016:

- a. Anonymous Complaint, undated, following grievance by Darrell Davis, RCRC employee, alleges Brown threatened staff and is having persons followed. Alleges low morale.
- 55. March 2016 Memo from employee Kenya Bryant to David Stringer and RCRC Board:
  - a. Alleges retaliation for participating in sexual harassment investigation involving Brown.
- 56. March 3, 2016, Special Board Meeting Upholding Terminations of Employees that Grieved Terminations.
- 57. April 4, 2016 Special Called Board Meeting:
  - a. RCRC Board voted to support Brown.
- 58. July 14, 2016. Media released recording of RCRC Staff meeting allegedly from January 2016:
  - a. RCRC Board responded they did not receive complaints regarding January meeting so did not review tape.

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