

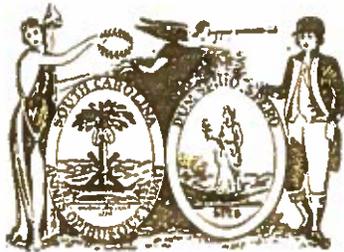
State of South Carolina

Executive Department

FILED

NOV 10 2016

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2016-45

WHEREAS, pursuant to Section 1-3-240(A)(3) of the South Carolina Code of Laws, when it appears to the satisfaction of the governor that a county officer is guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity, the county officer is subject to removal by the governor after having been informed in writing of the specific charges brought against him or her and after having been given an opportunity on reasonable notice to be heard; and

WHEREAS, I have been asked by members of the Richland County Legislative Delegation to remove members of the Richland County Recreation Commission ("RCRC") Board for the foregoing causes by letter dated October 13, 2016, allegations to which the RCRC Board responded by letter dated October 18, 2016; and

WHEREAS, although I believe that local matters should be resolved at the local level and thus have encouraged the Delegation to initiate legislation to give removal authority of RCRC Board members to local officials, Section 1-3-240(A)(3) authorizes the governor to remove RCRC Board members for cause; and

WHEREAS, upon receiving information from the Delegation and the RCRC Board, I requested additional information from the RCRC Board by letter dated October 19, 2016, to which a response with documentation was sent by the RCRC Board by letter dated October 28, 2016; and

WHEREAS, from the information presented to me from the Delegation and from the RCRC Board, I find that sufficient evidence exists to move forward under Section 1-3-240(A)(3) in further consideration of removal by providing written notice of specific charges brought against individual members and by providing an opportunity on reasonable notice to be heard.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Laws of the State of South Carolina, I hereby provide written notice to all members of the Richland County Recreation Commission ("RCRC") Board of the specific charges

brought against them showing cause for removal from office. I hereby provide reasonable notice of an opportunity to be heard at a public hearing to be held on November 30, 2016 in Columbia, South Carolina at a specific time and location to be determined.

FURTHER, I hereby declare that I shall appoint a three-person panel to preside at the hearing to serve as hearing officers for the limited purpose of taking testimony and receiving additional evidence in order to find facts and make recommendations to me.

FURTHER, I hereby present in writing specific charges brought against all seven members of the RCRC Board as follows with additional details included in the attached "Charges" report:

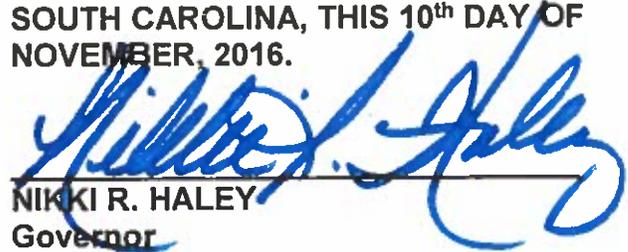
- Charge I Neglect of Duty and Incompetency Section 1-3-240(A)(3): The Board neglected its duty to review nepotism complaints involving the Executive Director James Brown III and had knowledge he had family members working at the RCRC.
- Charge II Neglect of Duty Section 1-3-240(A)(3): The Board neglected its duty in making compensation decisions regarding the Executive Director James Brown III.
- Charge III Neglect of Duty, Misfeasance, and 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.

FINALLY, I hereby order that any member of the RCRC Board not exercising his or her opportunity to be heard shall accordingly be removed from office on December 1, 2016.

This Order shall take effect immediately.



GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 10th DAY OF NOVEMBER, 2016.


NIKKI R. HALEY
Governor

ATTEST:



MARK HAMMOND
Secretary of State