

EXECUTIVE ORDER NO.

2022-21

WHEREAS, the undersigned has been notified that there presently exists a vacancy in the office of Supervisor of Union County due to the resignation of Frank Hart; and

WHEREAS, pursuant to section 4-9-90 of the South Carolina Code of Laws, as amended, vacancies occurring on the governing body of a county are generally “filled in the manner of original election for the unexpired terms in the next general election after the vacancy occurs or by special election if the vacancy occurs one hundred eighty days or more prior to the next general election”; and

WHEREAS, a general election for the office of Supervisor of Union County is scheduled to be held on November 8, 2022; and

WHEREAS, absent prior action by the undersigned, a vacancy will remain in the office of Supervisor of Union County pending the results of the November 8, 2022 general election and qualification of a successor to serve as Supervisor of Union County for the term prescribed by law, which shall commence on January 3, 2023, in accordance with section 4-11-10 of the South Carolina Code of Laws, as amended; and

WHEREAS, pursuant to section 4-9-420 of the South Carolina Code of Laws, as amended, “[t]he powers and duties of the supervisor shall include, but not be limited to, . . . serv[ing] as the chief administrative officer of the county government”; and

WHEREAS, the members of the Union County Legislative Delegation have recommended that the undersigned appoint Robert Lee Love, Jr., who is not a candidate in the aforementioned election, to serve as Supervisor of Union County on a temporary basis; and

WHEREAS, in the event of a vacancy in a county office, the undersigned is authorized to appoint a suitable person, who shall be an elector of the county, to serve in such office pursuant to sections 1-3-220(2) and 4-11-20(1) of the South Carolina Code of Laws, as amended; and

July 19, 2022

WHEREAS, for the aforementioned reasons, and in accordance with the cited authorities and other applicable law, the undersigned has determined that it is appropriate under the circumstances presented to appoint a suitable person to serve as Supervisor of Union County until a successor shall be appointed or elected and qualify as provided by law, *see Op. Att’y Gen.*, 1996 WL 599395, at *1 (S.C.A.G. Sept. 9, 1996); *see also Bradford v. Byrnes*, 221 S.C. 255, 262, 70 S.E.2d 228, 231 (1952) (“As nature abhors a void, the law of government does not ordinarily countenance an *interregnum*.”); and

WHEREAS, Robert Lee Love, Jr., of Union, South Carolina, is a fit and proper person to serve as Supervisor of Union County.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint Robert Lee Love, Jr. to serve as Supervisor of Union County until a successor shall qualify as provided by law. This Order is effective immediately.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 19th DAY OF
JULY, 2022.**

HENRY MCMASTER
Governor

ATTEST:

MARK HAMMOND
Secretary of State