



Richland County Council
EMPLOYEE EVALUATION OVERSIGHT AD HOC COMMITTEE
December 11, 2020 – 1:00 PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Chakisse Newton Chair; Yvonne McBride, Paul Livingston, Bill Malinowski,

OTHERS PRESENT: Allison Terracio, Jim Manning, Michelle Onley, Tamar Black, Angela Weathersby and Kyle olsclaw

1. **CALL TO ORDER** – Ms. Newton called the meeting to order at approximately 1:00 PM.

2. **APPROVAL OF MINUTES**

- a. October 20, 2020
- b. November 10, 2020

Mr. Livingston moved, seconded by Ms. McBride, to approve the October 20 and November 10 minutes as distributed.

In Favor: Malinowski, McBride, Livingston, Newton

Not Present: Walker

The motion in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Livingston moved, seconded by Ms. McBride to approve the agenda as distributed.

In Favor: McBride, Livingston, Newton

Opposed: Malinowski

Not Present: Walker

The motion in favor passed.

4. **REVIEW OF CLERK OF COUNCIL CANDIDATES [EXECUTIVE SESSION ITEMS]** – Mr. Livingston moved, seconded by Ms. Myers, to go into Executive Session.

Mr. Malinowski inquired as to what they were going to Executive Session to discuss.

Ms. Newton responded the purpose of going into Executive Session was to allow the Committee to discuss each candidate by name, which is usually treated as a personnel matter.

**Employee Evaluation Ad Hoc Committee
December 11, 2020**

Ms. Mack, Find Great People, stated their intention is to talk in detail about the candidates, but also be able to answer any immediate questions the Committee may have. She understands they need to review and digest the documentation, but this is an opportunity to respond to the questions quickly.

Mr. Malinowski responded that is what he thought. The fact he was provided the candidates' information this morning to review, he does not feel he is adequately prepared for the meeting. Therefore, if the committee were to go into Executive Session, he would not need to attend because he would not have any input.

Ms. McBride echoed Mr. Malinowski's sentiments. She noted she did not receive the information until an hour prior to the meeting. She agreed it might not be appropriate for them to only listen and not be able to participate and provide input.

Mr. Malinowski made a substitute motion, seconded by Ms. McBride, to defer this discussion until the meeting next week.

Mr. Livingston noted he did not have adequate time to thoroughly review the candidates and he understood the concerns the others have raised. He felt it would be helpful if the consultants describe the process and provide information at today's meeting.

Ms. Newton noted the committee is not required to take any action today. She requested the committee consent to receiving a general overview that would set the stage for the information to be reviewed, and perhaps provide some context.

POINT OF ORDER: Mr. Malinowski stated he did not object to Mr. Livingston's comments because he asked to speak prior to the substitute motion, but once Mr. Livingston spoke, no further discussion or debate should have been allowed. He requested the Chair to call for the vote.

Ms. Newton accepted the Point of Order.

In favor : Malinowski, McBride

Oppose: Livingston, Newton

Not Present: Walker

The substitute motion failed.

Mr. Livingston moved, seconded by Ms. Newton, to receive feedback from the consultant, so we are better prepared to move forward.

Mr. Malinowski requested clarity on the motion.

Mr. Livingston moved, seconded by Ms. Newton, to allow the consultant to give an update in terms of what was sent to the Committee, and the best way to proceed when we meet next week.

Mr. Malinowski stated for clarification, it is about the process.

Mr. Livingston responded in the affirmative.

Ms. Newton stated, for clarification, in terms of the information our consultants will provide, is any of the information or questions about specific candidates that would require us to go into Executive Session?

Mr. Livingston responded it will just be general information and/or questions.

In Favor: Malinowski, McBride, Livingston, Newton

Not Present Walker.

The motion in favor was unanimous.

Ms. Mack stated the intention today was to introduce the candidates to the committee. She apologized for the packets arriving late. You will find in your packet, a candidate matrix, which is a quick overview document that gives a brief summary of the candidates. For each candidate, you will see their resumes and responses to specific questions, which will provide an overview of their writing and overall communication style. It will also give you an idea of the candidate's approach to leadership skills. The other thing you will notice is that candidates are coming from different backgrounds, and have different education levels. This was particularly critical because there were different thoughts on the kind of candidate that could be successful in the role. They are looking forward to the opportunity to talk with you more thoroughly about the candidates, when the committee is ready. They are available to answer any questions as the committee prepares to review the packets.

Mr. Malinowski inquired about the individuals attending the meeting on behalf of the consultant.

Ms. Mack noted Megan Graham and Emily James worked on the screening process for the candidates.

Ms. Newton inquired if Ms. Mack could give the committee a picture of the number of candidates they spoke with during the process, as well as how the process will work when they schedule the in-depth conversation.

Ms. Mack responded, with most searches, the proactive recruiting efforts are critical. They contacted over 200 potential candidates, and narrowed it down to 10. There may be one additional candidate. Their suggestion is for the committee to have a preliminary conversation via-zoom with as many candidates as the committee would like. Often times, their clients will narrow the numbers down, but all of the candidates are people they believe the committee will enjoy getting to know and consider. After that, the committee could narrow the field down to the top 3-4 candidates to present to full Council for consideration.

Ms. Newton requested Ms. Mack to provide their availability, so the committee can schedule another meeting.

Mr. Malinowski noted Councilmembers Manning and Terracio joined the meeting. He provided a brief summary of the meeting.

5. **COUNTY ATTORNEY SEARCH PROCESS** – Ms. Newton stated this matter will be taken up at the upcoming Council meeting. She wanted the committee to discuss the process, in case there is anything they want to provide to Council and/or report out. She noted she reached out to Procurement to see what the options would be, if the committee wanted to solicit help for the search.

Mr. Malinowski stated he would like to see the qualifications/requirements other counties have for their attorneys. He also wanted Mr. Smith's and Mr. Farrar's input on what we should be looking for.

Ms. Newton stated, in terms of requirements from other counties, when the committee first met, one of the things provided was the job descriptions and job duties for several other counties. She inquired if Mr. Malinowski would like for that information to be redistributed or was there different information he was looking for.

Mr. Malinowski responded he would be okay with redistributing the provided information.

Ms. Newton stated she could not speak for Mr. Smith and Mr. Farrar. However, she has a job description that was reviewed, vetted and modified by them.

Mr. Livingston stated they need to decide what type of process they are going to use (i.e. use the Human Resources Department, hire a consultant, etc.) He noted, they need to keep in mind, in terms of timing, if we want to get it done quickly that is going to have an impact on the Procurement process.

Ms. McBride noted the first thing we have to determine is the role the committee is going to have in developing the process and procedures.

Ms. Newton stated, she requested information from Procurement, in the event Council wanted to use a search firm, what that process would be. She noted there are three different employment firms that are on State contract that Richland County could use without a procurement process. Her inquiries did not reveal that any of those firms specialized in legal recruitment, but they certainly could do legal recruitment. If there was a firm, not on State contract, we wanted to utilize we would need to go through a procurement process. The traditional procurement process would take around 60 days. However, given the circumstances, if deemed an emergency procurement, there would be some latitude our County Administrator would have to shorten the period for solicitation response and review.

Mr. Livingston noted the current item on the agenda is not related to this, but there was an opportunity for this committee to report out to the full Council.

Mr. Manning stated since there are already three firms on State contract, he suggested the committee consider reaching out to those firms to provide detailed information on their experience and what would make them the best choice to search for the County Attorney position.

Ms. Newton stated she would inquire if the procurement team could reach out and get the requested information for Mr. Manning.

Mr. Malinowski moved, seconded by Mr. Livingston, to forward to Council a recommendation to have procurement reach out to the three firms on the State contract, with a specific deadline to provide the requested information back to the committee.

Ms. McBride stated she was concerned about us reaching out to the three firms, and them providing us information on their expertise, in terms of recruiting legal personnel. She inquired if there are firms that specialize in the recruitment of attorneys, and if we had an emergency process, would that be a big difference in timing.

Ms. Newton responded the three firms on State contract do not specialize in legal recruitment, and she does not know if others do. In terms of the timing, if we did an emergency procurement, we would have to get a definitive answer from Procurement. She knows we are allowed to change the normal response time of 60 days. The Administrator has the latitude to shorten that time, but she is not aware of what the timeframe would be.

Ms. McBride requested a friendly amendment to consult the Procurement Department to see if there are firms that specialize in legal recruitment.

Mr. Malinowski and Mr. Livingston accepted the friendly amendment.

Ms. Newton stated, for clarification, the motion is to direct staff to reach out to the three firms currently on State contract to inquire about their expertise and qualifications to recruit for a County Attorney, as well as to identify if there are other recruiting firms that specialize in legal recruiting. And, to provide additional information on the timeline an amended or emergency procurement process.

In Favor: Malinowski, McBride, Livingston, Newton

Not Present: Walker

The motion in favor was unanimous.

6. **ADJOURNMENT**: The meeting adjourned at approximately 1:37PM