



Richland County Council
Interim Administrator Ad Hoc Committee
July 31, 2018 – 3:00 PM
Administration Conference Room
2020 Hampton Street, Columbia 29204

COMMITTEE MEMBERS PRESENT: Norman Jackson, Chair; Jim Manning, Co-Chair, and Yvonne McBride

OTHERS PRESENT: Dalhi Myers, Bill Malinowski, Joyce Dickerson, Gwen Kennedy, Seth Rose, Michelle Onley and Dwight Hanna

1. **Call to Order** – Mr. N. Jackson called the meeting to order at approximately 3:00 PM
2. **Adoption of Agenda** – Mr. Manning moved, seconded by Ms. McBride, to adopt the agenda as published. The vote in favor was unanimous.
3. a. **Application Review Recommendations** – Mr. N. Jackson stated after recent discussions with Council members, and the concerns expressed, he thought it was important to have this meeting because he is not sure what is going to happen tonight. If something happens tonight and we are left without making a decision at least this committee can continue the process and make another recommendation.

Mr. Manning stated he has seen some emails, since we last met, commending the work of the committee. He would like to say the committee did a good job, in terms of process, in that on July 9, 2018, when we had the “Navigating to Move Forward Council Roundtable Workshop” at the Township, the plan was to take action at the July 10, 2018 Special Called meeting to advertise for an Interim County Administrator for a 5-day period. July 10, 2018, a motion was made by Councilwoman Myers, and seconded by Councilman Rose, to advertise for an Interim County Administrator for a 5-day period. July 18, 2018, Chairwoman Dickerson named the ad hoc committee. July 19, 2018, notebooks were delivered with all applications. The notebook had 3 sections: Met Preferred Qualifications, Met Qualifications, and Did Not Meet Advertised Qualifications. On July 23, 2018, the Interim Administrator Ad Hoc Committee met, to start with, in terms of the interviewee selection. The committee set aside, the “Did Not Meet” applications, and selected 2 for interview candidates from the “Preferred” applications, based on the County government experience. Then, based on County government experience, one candidate was selected from the “Met Qualifications” for interview, while 2 others did not move forward, as motions failed for the lack of a second. The committee on that same date, the interview mechanics were approved, and the interview questions were approved. On July 24, 2018, the Interim Administrator Ad Hoc Committee met and conducted the interviews. The committee voted unanimously to recommend the candidate to full Council. Later that same day, there was a Council Special Called meeting. Council unanimously voted to make an offer, pending the completion of a background check on the candidate recommended by the Interim Administrator Ad Hoc Committee. On July 30, 2018, the

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background check was completed. The background check revealed that the criminal record was clear, references all positive, school records verified, employment history verified, and social media had nothing noted as disqualifying. As a result, he thinks the process was well documented and well carried out. And, very successful in its fulfillment.

Ms. McBride stated the process, given the time element, we did a fairly good job, but there were some exceptions. In the process, she apologized because she came late due to a doctor's appointment. When she got here, we were looking at different people to nominate. She would like to commend the Human Resources Department for giving us a well-defined plan, as how to review and score the applicants in a procedural way that is acceptable to most HR guidelines. The process we use, she accepted, but we were very unconventional, in that, we, as committee members, looked at the applicants and selected different applicants to run. Her real concern, in the process, there was one qualified applicant, that met the minimum requirements, which the selected candidate met minimum, not preferred, and based on that applicant there was discussion about allegations, and the committee decided that it was in the best interest of Richland County not to bring anybody on that had those allegations and negative press because of the frail conditions of County Council right now. Fortunately, the committee made a very good recommendation that no applicant would be hired until the background findings were completed. Given that the findings, from the selected candidate, revealed that there was an allegation, just as the one for the applicant we chose not to interview, there were some negative information and there would be controversy. So, based on that alone, not taking into consideration anything else, she feels the screening process was compromised. As soon as we found out about the allegations, we should not have interviewed anymore. Thank God we left that contingency plan in place, so we are able to go back and correct that. Additionally, to be fair, she cannot, in her good conscience, as hard as she has worked all of her life, for fair and equal employment, and to make sure everyone is treated fair, to continue this process. To all us to accept, or vote for us to accept, a candidate that did not meet the criteria; therefore, was not eligible, or is not eligible for the job.

Mr. N. Jackson stated he can understand. As Ms. McBride mentioned, there is a candidate, because he made the motion, and did not get a second, to interview the candidate because of negative allegations... He thinks it is fair, if we are going to look at this other candidate, we should look at the candidate that was rejected. He thinks what is happening in this country now is that anybody who has worked in government for a while there is going to be something on the internet. Where do we stop? We will have to write a new policy or set a new guideline about what we will accept, and not accept. Every business goes on social media and learn more about the person, and choose not to interview them or deal with them. It is part of a process we do. At the end of the day, if the guideline was, if the person lied, or said they had a college degree, and did not have one. His concern is that we started a process, and there is some negotiation back and forth about salary and annual leave. Council has that decision to make tonight. It is not our job to discuss what we are going to do tonight. It is what we are going to do, if it does not work tonight.

Mr. Manning stated he thinks the person we are talking about; there were 2 other factors that he weighed in on. One was, in terms of experience in County government, which he talked about earlier. The candidates that we interviewed all had work experience in County government. So, that was a factor for him. Then, there was some discussion, at that meeting, about some work that one colleague was involved with that person, and they expressed some concern about that candidate. He had more than one reason for my not supporting the motion for that person to be included for the interview.

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Ms. McBride stated she thinks a good decision was made in not interviewing any of the candidates that have negative allegations or would bring controversy. The decision was good, and she does not think we can wrong a good decision to accommodate anybody. She is strictly making her recommendations, based on the fact that the process has been compromised. She really cannot see changing the process to accommodate anyone.

Mr. N. Jackson stated he is not talking about changing the process. His concern is that we have a process, and if we start saying we are not going to interview people because of so and so. In the application, when we invite people to apply, put if you do not meet this or you have ethics violation concerns do not apply. We had 16 people apply. Some of them did not meet the minimum, so they are out. He understands those. Then, if we are going to start using accusations, we need to at least let the candidates know if you have any accusations do not apply. We cannot just say, when they apply, there is something about you and it is going to be negative, so you cannot apply anymore. A large percentage of people applying for job now, would not apply anymore.

Ms. McBride stated she understands that concern. If we had used that concern in the beginning, it would be fine, but based on the process we use now, is what she is basing it on.

Mr. N. Jackson stated it is not in the process not to do that.

Ms. McBride stated we decided not to.

Mr. N. Jackson stated he understands. He is just saying these people would not waste their time applying for a job and be scrutinized, if they had known.

Mr. Manning stated he is unclear what we have decided we were not going to do.

Mr. N. Jackson stated interview people who had negative...

Ms. McBride stated we decided we were going to interview anybody that had ethic allegations or negative press, and that is why we did not interview Baker. We said that we did not need any necessary baggage.

Mr. Manning stated he does not remember us, as a committee, making a decision that we were not going to interview anybody.

Mr. N. Jackson stated he made a motion, and it was not seconded.

Ms. McBride stated when we threw out that we could not interview...the reason we did not interview Baker was because of the allegations and negative press.

Mr. Manning stated, on the Baker candidacy, he had other reasons. One of those was, unlike the other candidates, that they had County government experience. Additionally, at least one of the colleagues, that was in that meeting, expressed concern about their work with Mr. Baker, in their role as a Council member, so he had at least 3 reasons. The motion did not get seconded. Again, he is going to go on record that he did not for a reason, one reason, and say because of that reason that was my reason for everybody, and that was a committee requirement. He does not remember the committee coming up with any requirements, beyond what was advertised, to screen someone in or out for consideration for an interview.

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Ms. McBride stated that is what she heard the committee members say. In addition, she wants to go on record, that she did not vote on that candidate. She made a statement. She did not vote yes. She made a statement that she did not think any of the candidates were very good, but he did the best interview, but she did not vote for him because she had some concerns about some of questions, even though he answered the questions better than the others. She also made the statement that the person that we interviewed was at a disadvantage.

Mr. N. Jackson stated he remembers Ms. McBride saying that, but he thought she voted...

Ms. McBride stated Mr. N. Jackson looked at her, and she did not vote. She went along, but she did not vote. She did not say "nay" or "aye".

Mr. N. Jackson stated we are at a situation now because emails started Sunday, when the reports started to come in. Everybody had a concern, and he said he would support whatever Council's decision to meet and decide what we were going to do. Everything is going to be based on later. He is just meeting here to say, if Council decides to go in another direction, where do we go from here? We cannot leave this County... They cannot hire anyone. The County is at a standstill for the past 2 months because there is no one in charge. To leave for the summer and not have anyone in charge is detrimental.

Ms. McBride inquired as to what we are to do in this committee. Are we just meeting to talk?

Mr. N. Jackson stated we are meeting to see if we can make any recommendations if Council decides to go another direction. Then, he would figure this committee would say to move forward and look at some more applicants, look at all the applications that come in one more time, or advertise for another 2 or 3 days to get some more applicants, and go back through the process again. Instead of just saying forget everything and nothing happens until September. We have to do something. The public will be looking at us to make a decision, and we are saying, we are going on vacation and forget the County. How do you think we are going to look? You talk about negative press. He is just bringing this forward, so we can at least have a discussion. We can make any recommendation. It is up to full Council to say "aye" or "nay".

Ms. McBride moved that the ad hoc committee for the Interim Administrator withdraw the name of the selected candidate, as an active candidate for the position of the Interim Administrator for Richland County government, and the committee recommends to the full Council immediate termination of all employment negotiations, drug testing, hiring offers to the selected candidate to serve as Interim Administrator. The motion died for lack of a second.

Mr. N. Jackson stated, since the committee already made a recommendation with a candidate, he does not think the committee can go back and make another recommendation for that candidate. We made the recommendation to Council, and Council already made a recommendation, so only Council can make that recommendation not to move forward. We cannot make a recommendation to Council after we have already made a recommendation.

Ms. McBride stated, for clarification, there are no actions we can take here.

Mr. N. Jackson stated the only recommendation we can do is, if Council decides to do anything different, we can continue the process.

Mr. Malinowski stated you can take that to the full Council.

Ms. Dickerson stated Ms. McBride can take that to full Council as a recommendation and motion.

Ms. McBride stated she did not know the purpose of this meeting.

Ms. Dickerson stated she was here for information and to get an understanding. She stated in Mr. N. Jackson's email it specifically stated that the committee had done their job, and their job had been completed. He sent the recommendation to the full Council and they voted on it. That basically ended the job of this particular committee, which is why she responded the way she did. In her opinion, we will have to move forward based on motions, and whether those motions are carried.

Mr. N. Jackson stated the committee did its job, but from the emails and concern, Council is going to meet to consider whether they are going to withdraw the offer to the candidate. If that happens, and we say we are not going to accept this person, where do we stand. What is going to happen next? He just wanted Council to be prepared to say what we are going to do next.

Ms. Dickerson stated she commended the process the committee did. They followed the rules. When she asked Mr. Hanna to provide the committee with the guidelines, and the guidelines were followed to the letter. Based on that, she wanted to thank the committee for the time and effort they put into that. Unfortunately, we are where we are. The things have transpired after that, that you were probably not aware of. Because you were not aware of it, you made those decisions, based on the information that you were given, at that particular time. After that time, the contingency part of the offer has fallen apart, with counteroffers, etc., and has put some kind doubt or suspicious in a lot of people's minds. Most of us do not feel comfortable with the selection. She wants to find out a way to rescind her vote for that particular candidate.

Mr. N. Jackson stated he had this meeting with the committee to make some suggestions to Council tonight, so we can think about what we do next. If we say we are not making any decision, and we go on vacation, they are going to have field day with us. We leave the County like a ship adrift in the ocean, and go on vacation. He stated he is not sure how it is going to go tonight, but if it goes where we say we do not want this guy, then what.

Ms. McBride stated, in the last meeting, she asked about a contingency plan in case something happens to this candidate. She is a strict process person, with some flexibility, and that is her concern now about the process. She will always look at processes, when it comes before her, to make sure we are adhering to the process, and if not she is going to have issues.

Mr. N. Jackson stated we made a decision. We did not choose a #2 or #3. We interviewed 3 people, but we did not say, if this guy does not work, we will choose #2. We had concern with the #2 guy also.

Ms. McBride stated she thinks there was a process in place, and Mr. Hanna provided us information for ranking. We skipped over that part of the process. Again, we were consistent with other things. We were moving ahead. We had a short time to do things, and that is what the outcome was.

Mr. N. Jackson inquired if there was any recommendation, or leave it alone and see what Council decides, and what the Chair decides, or if she wants to continue with the process later.

Ms. Myers inquired if we can open the search back up and post the notice until filled, instead of just 5 days.

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Mr. N. Jackson stated we can do anything. The urgency is, the County is in the position now where they cannot hire anyone. They cannot do anything because we do not have anyone in charge. That is why we decided 5 days, and we got 16 candidates. One came in late, and they said it was a glitch in the server on the County's side, and that person was not interviewed. We can open in back up. It is up to the Chair to say whether we are going to open back up, or what we are going to do.

Ms. Kennedy stated she thinks you need to open it back up with the full Council's permission.

Mr. N. Jackson stated we can make a recommendation to full Council. We can open it back up for another 2 or 3 days and get some more applicants. We can interview them and have a 30 minute to 1-hour special called meeting to make a decision.

Ms. Dickerson stated this is no disrespect to Mr. Manning. She thinks he did a great job on doing his outline. In her opinion, there is an element that is missing, and is still missing. She believes we skipped a step in this whole process by not appointing someone as Acting Administrator for up to 60 days. We could have continued the process on getting an Interim Administrator. Because that step was missed, we find ourselves rushed into doing something, even though we followed the process. We had to rush through it, and then give time for everybody to be engaged.

Mr. N. Jackson stated, when we had the Roundtable, we said we would have an Acting Administrator, for a week or 2, until we find an Interim Administrator. When never did the Acting. If we had the Acting in place, we could get things done. We were supposed to throw out some names, and agree on a name to move forward, but we never did. So, he agrees that step was missing.

Ms. Dickerson stated, in her opinion, our HR person was not forceful to remind us. We are all busy and have things to do, and sometimes we have to go back and listen to tapes or pull up minutes to find out exactly what was said, and what was not said, and what the process was. We felt we were very pressured to do something. In the meantime, that step got overlooked. In her opinion, that step needs to be looked at, or put in place. Find somebody quickly, and then go back to this process.

Mr. Malinowski stated we did get the listing, from Mr. Hanna, on "Did Not Meet Basic Minimums", "Met Basic, but Not Preferred", and "Met Basic Minimum, and Preferred". He inquired if we are being too strict on what we want since we are only looking for Interim. They are going to be there for just a short while, so maybe we do not need any of these really strict qualifications, and can go down another tier.

Mr. N. Jackson stated we want someone that understands the job, and get running when the time comes. We still want that professional person to move us forward.

Ms. Dickerson stated she truly understand that, and, if we can look at perhaps...she stated, again, the process the committee did was in order, but she did not think the timeframe for this position had enough time to do it justice before we jumped on it and made a decision. If we are going to look at an Interim, we do not know how long that Interim position is going to be there. While we start a search for the County Administrator, the Interim position better be well positioned, so it can carry us through this process until we can find a permanent County Administrator. You have to understand, once you put that interim person there, they are going to have a lot of authority and power unless you put some stipulations. They could come in here tomorrow and fire everybody here, and hire anybody they want. That person could come in here and destroy this County. We have to understand we have a responsibility to maintain a level of integrity with this County, and we have to move forward. We do not want to put anyone in here with an attitude. Right now there

is a lot of people that have got questions about them. If you give her that authority, and she does not like you, you are not getting anything done. Sometimes we do it ourselves. She cannot support putting somebody in here now that she knows some controversial information has come forward. She stated she is very concerned. She thinks the staff has been through so much, and they have done an excellent job on trying to keep this County afloat, based on the circumstances and the situations they have found themselves in. She cannot support anything that is going to make them feel uneasy or uncomfortable. Whoever we bring in here needs to come in here and do a lot of healing. There is a lot of hurt. This Council does not have a lot of respect for each other, and we have lost trust. If we cannot get it together, and all of us have all of these things going on. We have to come together, so we can find someone that can lead us.

Mr. N. Jackson stated, Ms. Dickerson noted that a lot of staff has been hurt and they need healing, but it is also overflows to staff's attitude against certain Council members. There has been a lot of insubordination. There has been disrespect.

Ms. Dickerson stated we need to be mindful of how we proceed.

Ms. McBride stated Mr. Manning was correct in saying we had a unanimous vote for the candidate from the full Council because she voted to support him because she knew we had a contingency plan in place for reviewing any negative findings. It felt good for the Council come together and support one person. There was positive synergy going on when we left. The Council said we are going to support this person, and Mr. Hanna went out to do the negotiations. Then, we saw the findings, from the investigation. From then on, everything was sort of torn apart, and that is why we did not interview Mr. Baker, with the exception of Mr. Manning. It is her understating the committee decided not to interview Mr. Baker.

Mr. N. Jackson stated the committee did not decide not to interview him. He made a motion, and it was not seconded.

Ms. McBride stated we had the discussion.

Mr. N. Jackson stated he said, "I move to interview Mr. Baker," and no one seconded it.

Ms. McBride stated we discussed why we did not.

Ms. Myers stated she made comments, so she will take responsibility.

Ms. McBride stated there was a full discussion regarding Ms. Myers' comments.

Mr. N. Jackson stated he remembers there was a discussion. In the motion part, there was is no discussion. It was not seconded, so there is no discussion.

Ms. McBride stated then everything needs to be thrown out, based on most of the motions.

Mr. N. Jackson stated, in the future, whatever we do, if we are going to judge a candidate because of what is in social media...

Ms. McBride stated, her point was, the reason we did not interview him is because we did not want to be back in the position we are in now. She stated we do not need to be in this position.

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Mr. N. Jackson stated, in the future, the process should be to do the background check first before sending the candidate to us. Just change the policy, and do all the background checks on each candidate and then bring it back to Council.

Ms. Dickerson stated she does not know how most people know about this candidate. These are the kinds of things that concern her. We went out there and voted on A, B, and C. We voted on "A". She does not know how a name got associated with "A" and it is in the press. People know and are talking about this person. She stated she is getting all these calls, and all she can say is, "I don't know."

Mr. N. Jackson stated he made a motion a year ago that we address the concern about people leaking information from Executive Session.

4. **OTHER BUSINESS** – N/A.
5. **ADJOURN** – The meeting adjourned at approximately 3:43 PM