



Richland County
Rules & Appointments
March 16, 2021 – 4:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, Gretchen Barron and Jesica Mackey

OTHERS PRESENT: Chakisse Newton, Allison Terracio, Cheryl English, Ashiya Myers, Elizabeth McLean, Lauren Hogan, Leonardo Brown, Lori Thomas, Tamar Black, Michelle Onley, Angela Weathersby and Kyle Holsclaw

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 4:00 PM.
2. **APPROVAL OF MINUTES**
 - a. February 16, 2021
 - b. March 2, 2021

Ms. Mackey moved, seconded by Mr. Malinowski, to approve items 2(a) and 2(b).

In Favor: Malinowski and Mackey

Not Present: Barron

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Mackey moved, seconded by Mr. Malinowski to approve the agenda.

Mr. Malinowski stated, based on the minutes from February 16th, which directed Ms. Onley to aggressively attack the list of vacancies on boards, committees and commissions, starting with the oldest terms and reaching out to see where things are, he requested Ms. Onley to postpone today's interviews. Many of these vacancies are from 2018 and 2019; therefore, he suggested working to fill the older vacancies, as well as addressing the County's business. He suggested eliminating Item 4(a) and dealing with the other items on the agenda.

Ms. Mackey inquired if we are aggressively attacking the list or simply removing the interviews.

Mr. Malinowski responded it is a removal. He noted they would continue with the Items for Action and Items for Discussion.

Ms. Mackey moved, seconded by Mr. Malinowski, to amend the agenda and removed Item 4(a).

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Ms. Barron stated, for clarification, we are amending the agenda because the interviewees are not present or because we are choosing to not interview them so we can get into our action items.

Mr. Malinowski responded we are choosing not to interview them, so we can get into the action items, and take care of business that affects Council on a weekly basis. He noted, while there may be vacancies in this agency, they still have individuals they can conduct business with. Also, this is one of those agencies the City of Columbia appoints individuals, as well as the County. We are receiving applicants from individuals that reside in the City of Columbia, and should be applying through the City, and not the County. In addition, he wanted to get a legal opinion on this matter.

Ms. McLean responded as long as the citizens have the ability to get on a committee, she does not see a problem if the City appoints them, then they can apply through the City. Of course, this only applies to committees the City appoints to.

Mr. Malinowski noted he wanted that clarification for the new members. Mr. Malinowski stated Ms. Onley will be bringing back not just the aggressive list of individuals, but also ones that have appointments by other municipalities or agencies. If we get any applications from municipal citizens for those vacancies, we will advise them they will have to apply through the proper entity.

Ms. Barron inquired if the individuals that were to be interviewed were notified.

Mr. Malinowski responded in the affirmative.

Ms. Barron stated she would like to have known ahead of time. That being said, she was concerned about us being considerate of their schedules.

Mr. Malinowski stated he will take the blame for this since it was done at his request.

Ms. Barron noted she would be remise not to voice her concern in getting these vacancies filled. She feels very passionately about getting individuals on these committees, in a timely manner. She suggested possibly adding more meetings, if possible.

Mr. Malinowski responded this committee meets as needed and he agrees they might need to meet more often.

In Favor: Malinowski, Barron, and Mackey

The vote in favor was unanimous.

Ms. Terracio noted it helped when the committee met for 90 minutes instead of the typical hour.

Mr. Malinowski agreed.

4. **INTERVIEW** – This item was removed from the agenda.

5. **ITEMS FOR ACTION**

- a. Consider moving the Horizon meeting to Tuesday and have delivery of finished agendas to Council members by Thursday close of business – Ms. Myers noted, at the last meeting, the committee requested her to touch base with staff to ascertain the best start date for the trial run of the proposed agenda delivery schedule. She touched base with the most frequent agenda briefing

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producing departments, and the majority of them, while hesitant to push the start date earlier than September, whatever the will of the body is, they will do. They do prefer the September start date, which would give them time to prepare for the accelerated schedule.

Mr. Malinowski stated he appreciated staff “giving into” the will of the body.

Ms. Mackey stated she still thinks they should wait until September. She noted they are still preparing for budget, the effort it is going to take for staff to get these documents prepared, and to ensure they are able to do their job, but also get Council the most complete package of information. We are allowing them the time to get that done, as we prepare for budget and prepare themselves to start in September. This gives them a good leeway to start figuring things out.

Ms. Barron noted she was in agreement with Ms. Mackey in allowing for staff to work out the kinks internally. She believes it will set us up for success. Also, given the COVID-19 packet is unveiling itself, we also have to take into consideration somethings that will be inserted in the next couple months. While she would like to see the packet earlier, she also wants to be mindful of the staff and the efforts they have to put forward.

Ms. Terracio voice her support for starting in September.

Ms. Mackey inquired if the test would be from September to December.

Ms. Myers responded September to December would be perfect because of how the meetings will occur during those months.

Ms. Mackey moved, seconded by Ms. Barron, to forward to Council a recommendation to change the Horizon meeting to Tuesday and move delivery of the agenda to Council on Wednesday on a trial basis starting in September 2021 and ending in December 2021.

In Favor: Malinowski, Barron, and Mackey

The vote in favor was unanimous.

- b. Unless there are truly extenuating circumstances agenda items should not be listed as “Title Only”. (Somebody was late getting it to us” is not extenuating.) This only gives the public two opportunities to see an item prior to final approval by Council when in fact there should be three. [MALINOWSKI] – Ms. McLean responded the Legal Department’s proposed language is included in the agenda packet on p. 55.

Ms. Barron moved, seconded by Mr. Malinowski, to forward the proposed language to Council for approval.

In Favor: Malinowski, Barron, and Mackey

The vote in favor was unanimous.

7. **ITEMS FOR DISCUSSION**

- a. **Boards, Committees and Commissions Recruitment** – Mr. Malinowski noted on p. 56 there is a chart that lists all of the vacancies and if the person currently serving can be reappointed. He inquired if Ms. Onley had started to create a list from the oldest to the newest vacancies.

Ms. Onley responded in the affirmative. She noted she has been reaching out to the board liaisons and industry specific organization to implement a more aggressive recruitment process (i.e. Homebuilders' Association and Richland County Human Resources). She stated the Employee Grievance Committee has not been able to hold grievance hearings because all the committee members' terms have expired.

Mr. Malinowski inquired if the Employee Grievance Committee allows for the members to serve until they are replaced.

Ms. Onley responded in the affirmative. The majority of the members on the committee are detention center employees, and since the majority of the grievances come from the detention center, they are not able to assemble a quorum to hold the hearing.

Mr. Malinowski inquired if Mr. Brown could send some type of communication to department heads notifying them of the importance of this particular committee and have them encourage their employees to apply.

Mr. Brown responded in the affirmative. He stated he did not realize the Employee Grievance Committee was not staffed because we have had grievance hearings since he has been here.

Mr. Malinowski noted he was not aware of this problem either, but this is one area we can address.

Mr. Brown stated he would work with Ms. Onley to identify the internal agencies to Richland County, and he will take ownership of that with his team to get it done.

Mr. Malinowski noted the County has a lot of money invested in the CMRTA, and we need to get them updated along with some of the other ones.

Ms. Mackey requested a list of all the applications received in response to the latest advertisement, which closed on March 5th.

Ms. Onley responded in the affirmative.

Ms. Mackey stated we are looking at older terms, but the Planning Commission has 2 seats set to expire in April, and those individuals are not eligible to be reappointed. She noted it is a committee we need to ensure is staffed and she wants to put it high on the priority list.

Mr. Malinowski noted, on the Planning Commission, an individual could serve until their replacement is appointed. He directed Ms. Onley to contact those board members to see if they will be willing to serve until a replacement is appointed while we work on the other committees that need appointments.

Ms. Onley responded in the affirmative. She noted we received 9 applications for the Planning Commission.

Mr. Malinowski suggested reaching out to the departments that have the responsibility for the committee and find out how many times these boards, committees and commissions meet, and potentially change the terms.

Ms. Barron inquired if Mr. Brown could highlight the positions that are internal and ask staff if they

have an interest in serving.

Mr. Brown responded he did not have an issue with employees serving on County affiliated board, if they are interested. As long as there is not a conflict between the job they have and any organizational rules.

Ms. Terracio inquired about the application cut off dates, and if someone applies after the cutoff date, would they have to wait until the next round of interviews.

Mr. Malinowski responded in the affirmative.

Ms. Terracio inquired, if no one applied before the cutoff date, and one person applied after the cutoff date, could that person be interviewed since there was no other applicants.

Mr. Malinowski responded it would not be fair to the prospective people that are waiting on the board advertisements to open up again.

Ms. Terracio noted allowing individuals to serve longer terms may work out for some committees, but in other cases, we may need to look at the workload necessary for service on the committees.

Mr. Malinowski agreed with Ms. Terracio's point.

Ms. Barron stated she is concerned about the deadlines. She would like to see us move to the point where we could take applications and interview year round.

Mr. Malinowski inquired about the legality of changing to a year round application process.

Ms. McLean responded we would have to look at the ordinances about appointing, but she does not see a problem with keeping the applications open year round and keeping applications on file.

Mr. Malinowski inquired if this would have to be included in Council Rules.

Ms. McLean responded she is not aware this is a written rule, and it could be voted on internally.

Mr. Malinowski inquired if there is a written rule.

Ms. Only responded she is not aware of a written rule. The only issue would be a potential budget issue if we continuously advertise for the vacancies. She noted the applications are kept for a year, and if there is a vacancy, we contact the people on file to inquire if they are still interested in serving.

Mr. Malinowski noted it does not cost anything to keep advertisements online, and through HR, the Administrator and other departments. He also suggested having the contacts with the boards to reach out to find applicants for their respective agencies.

Ms. Mackey noted she liked the year round appointments, but she felt there should be a schedule so the public knows in advance. She suggested setting a deadline for each quarter because that is how we determine when to conduct interviews. Without a deadline, it will be hard to determine when the application falls in the interview process. She noted the description is very important. In order for us to recruit persons, we need to have the descriptions nailed down so the applicants know what they are doing.

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Mr. Malinowski noted the description should state how many times they meet, when they meet, where they meet, so they will have all the information to determine if they are interested.

Ms. Terracio stated she was thinking the budget for paid advertisements could be spread out. She also inquired if there were other options, when it came to free advertisement, because she does not think the paid advertisements have a wide enough reach.

Mr. Malinowski inquired if Ms. Onley could send a Council wide email inquiring if there are any agencies that offer gratis advertisements.

Ms. Onley responded in the affirmative. She noted the Association of Counties and South Carolina Women in Leadership have both offered to assist the County in recruiting people for the vacancies.

Ms. Newton noted, when it comes to advertising, our rules are a bit antiquated. She believes PIO should also look at all the public community calendars and community notice boards where we could post information. She noted we should maximize our existing channels. She noted, when it comes to a rolling period for board applications, to use it as an opportunity to communicate with some of the Counties' partner organizations. She knows there are boards that are adjusting their timelines around us, as opposed to when their board openings are.

Ms. Terracio agreed the social media posts are lacking in areas.

Mr. Malinowski suggested contacting the neighborhood associations. He summarized the discussion as follows: (1) Get the vacancies out to as many organizations, groups, etc. as possible, with the assistance of Councilmembers, Human Resources Department, the County Administrator's staff, and PIO; (2) Spread the paid advertisements out as much as we can; (3) avail ourselves of as much free advertising as possible; and (d) review applications on a quarterly basis.

- b. Once Council approves an action no Council member is to individually go to a staff member in an effort to accomplish/change something that was not in the approved information/action by Council [MALINOWSKI] – No action was taken.
- c. I move to amend the Public Nuisance Ordinance to define "Public Places/Establishments" to include restaurants, taverns, lodges, parking lots, and public places where children or students attend and/or normally congregate – No action was taken.
- d. I move that all County Employees presenting to County Council during an official Council meeting (Regular, Special Called, Public Zoning Hearing or Standing Committees) held in Zoom have a live camera running during their actual verbal input. – No action was taken.
- e. I move that if matters such as Clerk to Council Search or Compensation for Interim Clerk of Council are to be a part of the Employee Evaluation Oversight Ad Hoc Committee that the name of the Ad Hoc Committee be changed to better reflect what would fall under the purview of its function, responsibility, and/or purpose – No action was taken.
- f. Direct the Rules Committee to determine which Richland County Boards, Committees and Commissions should have as a qualification that the person applying must reside in the unincorporated area of Richland County only. There are some of these positions where other municipalities appoint individuals and if a person applying for one of those positions resides in that municipality then they should make application through them – No action was taken.

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- g. Boards, Committees and Commissions Descriptions and Duties – This was discussed along with Item 5(a)
 - h. I move that Council work with staff to conduct a comprehensive review of Council rules and recommend changes to streamline the rules to improve the functioning of Council business [NEWTON] – No action was taken.
6. **ADJOURNMENT** – The meeting adjourned at approximately 5:00PM.