Richland County Council
EMPLOYEE EVALUATION OVERSIGHT AD HOC COMMITTEE
March 9, 2021 – 2:00PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Chakisse Newton, Chair; Yvonne McBride, Jesica Mackey and Cheryl English

OTHERS PRESENT: Paul Livingston, Allison Terracio, Michelle Onley, Tamar Black, Angela Weathersby and Kyle Holsclaw

1. **CALL TO ORDER** – Ms. Newton called the meeting to order at approximately 2:05PM.

2. **ADOPTION OF AGENDA** – Ms. English moved, seconded by Ms. Newton, to adopt agenda as published.

   Ms. Newton noted Item 5 would require Executive Session due to it being a contractual matter.

   In Favor: Mackey, English, and Newton

   Not Present: Malinowski and McBride

   The vote in favor was unanimous.

3. **APPROVAL OF MINUTES**

   a. December 11, 2020
   b. December 16, 2020
   c. January 1, 2021
   d. January 13, 2021
   e. January 22, 2021

   Ms. Newton moved to approve items 3a – 3e. The motion died for lack of a second.

   Ms. English stated she was not present at the previous meetings, and she did not feel comfortable approving them.

4. **ELECTION OF CHAIR** – Ms. Newton stated she would be happy to continue to serve as Chair.

   In Favor: Mackey, English, and Newton.

   Not Present: Malinowski and McBride

   The vote in favor was unanimous.

5. **CLERK TO COUNCIL CANDIDATES REVIEW/RECOMMENDATION** – Ms. English moved, seconded by Ms. Mackey, to go into Executive Session.

In Favor: Mackey, English, and Newton.

Not Present Malinowski and McBride.

The vote in favor was unanimous.

*The Committee went into Executive Session at approximately 2:13 PM
and came out at approximately 2:50 PM*

Ms. English moved, seconded by Ms. Mackey, to come out of Executive Session.

In Favor: Mackey, English, and Newton.

Not Present Malinowski and McBride.

The vote in favor was unanimous.

Ms. Newton moved, seconded by Ms. Mackey, to refer candidates to Council, for discussion, in the following order: Candidate A, Candidate B, Candidate D and Candidate C.

In Favor: McBride, Mackey, English, and Newton.

Not Present: Malinowski.

The vote in favor was unanimous.

6. **PROCESS RE: COUNTY ATTORNEY POSITION** – Ms. Newton noted last year Council gave this committee the authority to choose the process and path forward for structuring our search for a County Attorney. She stated we could us our internal process to hire an attorney or use an external search firm. There are currently three (3) search firms on State contract.

Ms. Mackey stated she would like to move forward with one of the approved search firms.

Ms. Newton noted the three (3) search firms on State contract: Coleman Lew, Find Great People and Randi Frank. The Procurement Office reached out to all three in regards to their experience recruiting attorney. Coleman Lew did not respond. Find Great People, who managed the search for the County Administrator. Randi Frank was the only firm that indicated prior experience placing attorney's with local government.

Mr. Livingston inquired about the costs of each firm.

Ms. Newton responded each firm does have a fee. Most of them require a deposit, and then the deposit is applied to the total fee for the engagement. For your information, Coleman Lew's fee is $13,000 with 31% of the first year's salary; Find Great People's fee is $1,500 with 20% of the first year's salary; and Randi Frank's fee is $15,000 with 20% of the first year's salary.

Ms. McBride stated she wanted to make sure there was an inclusive process. When we do the search, it should be a representation of the population of Richland County. She was concerned we are missing

diversity when applicants apply. She is also concerned about using the same firm and not have the opportunity to use others.

Ms. English inquired which firm was used in the Clerk to Council search.

Ms. Newton responded it was Find Great People. The same firm was used to find the County Administrator and the newly hired ACA. Baker Tilly, which is not on State contract is conducting a search for an Assessor and would require a separate procurement. Randi Frank was the only firm that indicated they had placed attorneys in other local governments.

Mr. Livingston inquired about the fee s for Randi Frank.

Ms. Newton responded Randi Franks' fee to initiate was $15,000 and 20% of the first year's salary. It is her understanding the initial fee will be applied to the percent of the first year's salary, but she will confirm that with Procurement.

Mr. Livingston stated for clarification, Randi Frank is on State contract and they were the only firm experienced in hiring attorneys.

Ms. Newton responded in the affirmative.

Ms. McBride noted they need someone that is experienced in attorney searches. She was not only concerned about inclusiveness, but also the type of applicants and their qualifications. In her opinion, we are not getting quality candidates for review. She would prefer getting someone with experience in the legal area moving forward. She inquired if we need a motion to forward a recommendation to Council, or does the committee have the authority to move forward.

Ms. Newton responded the committee has the authority to move forward.

Ms. McBride moved, seconded by Ms. Mackey, to initiate a contract with Randi Frank to conduct a search for a County Attorney.

Mr. Livingston inquired if Randi Frank could submit a proposal, so they could have more information before moving forward.

Ms. Newton offered a friendly amendment to negotiate with Randi Frank Consulting, LLC for the County Attorney search, provided they also confirm the deposit is applied towards the total fee.

Ms. McBride and Ms. Mackey accepted the friendly amendment.

In Favor: McBride, Mackey, English and Newton.

Not Present: Malinowski

The vote in favor was unanimous.

Ms. McBride moved, seconded by Ms. Newton, to reconsider this item.

Opposed: McBride, Mackey, English and Newton

No Present: Malinowski

The motion for reconsideration failed.

7.
   <u>ADJOURNMENT</u>: The meeting adjourned at approximately 3:06PM.