



Richland County Council

EMPLOYEE EVALUATION OVERSIGHT AD HOC COMMITTEE

May 5, 2020 – 3:00 PM

Zoom Meeting

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

OTHERS PRESENT: Allison Terracio, Michelle Onley, Leonardo Brown, Kimberly Williams-Roberts, Angela Weathersby and Jennifer Wladischkin

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at 3:01 PM.
2. **APPROVAL OF MINUTES** – Mr. Livingston moved, seconded by Mr. Malinowski, to approve the minutes as submitted.

Ms. McBride inquired if the Election of the Chair was for 2019 or 2020.

Mr. Malinowski responded it was for 2020. It was the last meeting of 2019 and the first meeting of the committee.

Ms. McBride stated the new committee members were not assigned until 2020.

Mr. Malinowski stated he thought it was the same committee members, but we can add the Election of the Chair to the agenda during the Adoption of the Agenda.

In Favor: Malinowski, McBride, Livingston, Walker and Newton

The vote in favor was unanimous.

3. **ADOPTION OF THE AGENDA** – Ms. McBride moved, seconded by Mr. Walker, to adopt the agenda as amended.

In Favor: Malinowski, McBride, Livingston, Walker and Newton

The vote in favor was unanimous.

- 3(a). **ELECTION OF CHAIR** – Ms. McBride moved, seconded by Mr. Walker, to nominate Ms. Newton for the position of Chair.

In Favor: Malinowski, McBride, Livingston, Walker and Newton

The vote in favor was unanimous.

4. **ITEMS FOR DISCUSSION**

Ms. Newton inquired if the committee wished to take up the items up individually, or discuss the job descriptions/duties more generally.

Mr. Livingston stated, since the job duties differ with each position, it might be better to focus on them individually.

Ms. Newton stated, when she looked at the positions, there are different types of job descriptions. Some only reference job duties, and some reference other characteristics or temperaments. She noticed that our job descriptions seem to be missing those, but we can discuss those as we discuss each item.

Mr. Malinowski stated, rather than discuss each job description, and where we are going with evaluations, he would like to ensure that we are clear where we are going. In the minutes, from the previous meeting, Ms. Newton had some recommendations about setting clear standards for employee's performance, creating a mechanism that regularly measures against those objectives, making sure we are acting as managers, etc. We need to make sure we have a process in place, which includes these standards and mechanisms before we begin talking about the employees. Otherwise, we are talking about items that we do not know if we have a set of standards for.

A. Evaluation of Council Employees

Mr. Malinowski stated the most important item on today's agenda related to the Administrator. His one-year anniversary, with the County, is coming up in July, and according to the Administrator's contract, there are certain duties and responsibilities that he is supposed to handling. It also states, under Section 9, Council is to conduct a performance evaluation annually, and that Council will ask outside professional assistance to establish a process by which the evaluation should be conducted.

Ms. Newton stated, at the last meeting, one of the action items that came out of the conversation was inquiring of Find Great People, the recruiting firm we used to hire our Administrator, if an evaluation was included as a part of that process. The task was given to her. She reached out to Ms. McBride, the Chair of the Administrator Search Ad Hoc Committee, and Find Great People. The formal evaluation is not included; however, they do have a general evaluation template they are willing to share with us. In addition, it is a service they can provide, if we are interested. Moreover, they have a Human Resources arm that does assist, and could help us as much, or as little with the process as we wanted. If we wanted them to guide us through the entire process, they could do that. If we wanted them to consult with us on an ad hoc basis and advise us on process that we manage ourselves, they can do that. However, according to procurement that would require a different solicitation. One of the questions, we had last time, was how we wanted to handle the evaluation process.

Ms. McBride stated, as Chair of the Administrator Search Ad Hoc Committee, she addressed the evaluation, and Find Great People, at that time, agreed to assist with the evaluation. She presented it to full Council in Executive Session, but she did not receive a response. Based on the evaluation of Council employees, we need to define the process and have a general means of evaluation. She agrees with Mr. Malinowski that with the Administrator's evaluation coming up soon we need to address that, but first we need to have a process for all three (3) positions.

Mr. Malinowski inquired if Find Great People volunteered to assist us, or will there be a cost involved. If there is a cost, he believes we will have to go through the procurement process.

Ms. McBride responded, at the time, they agreed to voluntarily do it. Since we have waited, she does not know if they will provide the service for free now.

Ms. Newton stated, during her conversation with Find Great People, they said they were happy to provide some general guidance. According to Procurement, if we want them to work with us officially, in the process, it would require a different solicitation because it was not included in the scope of the original solicitation. In terms of creating a process for this evaluation, would it please the committee if we had an outside firm assist us with the process?

Mr. Malinowski responded, he does not believe it is a matter of what pleases the committee, or Council, because Section 9 of the Administrator's contract specifically states Council will seek outside professional assistance to establish a process by which such performance evaluation shall be conducted.

Mr. Livingston stated that was intentionally put it in the contract so Council would not get bogged down with trying to do the process on their own.

Mr. Malinowski moved, seconded by Ms. McBride, that Council proceed with, in conjunction with Procurement, to seek outside professional assistance to establish a process to create performance evaluations.

Mr. Livingston inquired if that would apply to all Council employees.

Mr. Malinowski responded in the affirmative.

Ms. Newton requested a friendly amendment to the motion, so it is clear the motion applies to all Council direct reports.

Mr. Malinowski accepted the friendly amendment.

Ms. Terracio stated she has never been part of a process where an outside firm has done an evaluation. She inquired as to what the process will look like.

Ms. McBride responded, in general, they will look at the job description. Based on the job description, they will get input in developing an evaluation tool that would address the duties, and then Council would conduct the evaluation.

Mr. Malinowski and Mr. Livingston agreed with Ms. McBride's description of the process.

Ms. Newton stated, when she spoke with Find Great People, they were flexible with how much, or how little, they worked with us.

Mr. Malinowski inquired if this is something that could come under the Chair's Report to give Council an update on where we are with this process.

Mr. Livingston responded he could give an update under his report.

In Favor: Malinowski, McBride, Livingston, Walker and Newton

The vote in favor was unanimous.

Ms. Newton inquired if the committee wanted to decide on a recommendation, in terms of how we structured the evaluation (i.e. the ad hoc committee or full Council).

Ms. McBride responded she assumed that was a part of the responsibilities of the ad hoc committee.

Ms. Newton stated she also assumed that, but she does not know if that was confirmed by the body, which is why she brought it up for discussion.

Mr. Livingston responded it was his belief the ad hoc committee would be conducting the evaluations, and would present a recommendation to Council.

Mr. Malinowski stated, in the minutes from the previous meeting, Mr. Walker brought up this point. Therefore, it was his understanding, in approving those minutes the committee would take responsibility for providing recommendations to Council.

Ms. Newton stated a motion was just approved to procure an outside firm to assist in the evaluation of Council direct reports. There are members of the committee that would like to understand what the timeframe of that process would be, considering that contractually we need to offer an evaluation to our Administrator by July.

Ms. Wladischkin stated she would need, from the committee, what they expect the consultant to performance, or the deliverable they would expect to be returned. She will take the scope of work and incorporate it into a Request for Proposal (RFP). We normally have a 30-day advertisement period for proposals, but the County Administrator can shorten the advertisement period, if deemed necessary. Generally, we allow 2 weeks for the evaluation of the proposals, and then we consolidate the scoring. Once the scoring is completed, a ranking memo will go to the Administrator. If the dollar amount is over \$100,000, it would be brought to Council for approval of an award.

Ms. McBride stated, last time, we used a vendor's list and we did not have to go through the RFP process. She inquired if Ms. Wladischkin is familiar with that process.

Ms. Wladischkin responded we have gone through State contracts in the past, which do not require the solicitation process on the County's behalf. She does not believe, for these particular services, there was a State contract, but she will research the matter.

Ms. McBride stated we used the vendor, Find Great People, and she believes they are on the State list. The contract was for an extended period time because they allowed so much time, after we hired the person, for them to still be a part of the duties. She wondered if the contract could be amended and add the responsibilities to assist with the evaluation process.

Ms. Wladischkin responded she will review the contract. She knows that was generated for the executive search function, so we would be bound by the State contract clauses for that.

Mr. Malinowski stated, so Ms. Wladischkin understands, if we are not able to use Find Great People, we are looking for three (3) different types of evaluations: Administrator, Clerk to Council and County Attorney, and each one will have its own set of requirements to follow, so it would not be a one-size fits all.

1. Job Descriptions/Duties

- a. Clerk to Council – Ms. Terracio stated one of the things she noticed when she was reviewing these was in the class description there are bullet points, and then there are also in Section 2.103 – Responsibilities and Duties bullet points. She inquired if it was advisable for those to line up with each other. She noted there are things in one that are not included in the other.

Ms. Newton responded Ms. Terracio is looking at the job description on one hand, and the Richland County Code on the other hand, and asking if they need to be more aligned. The information she received, regarding this, is that when you look at the position of the Clerk, which is defined by law, those are items of responsibilities and duties that must be done. However, the things that are in the Code, and the legal requirements that have to be done, are not exclusionary. For example, we could say, in addition to these legal requirements, these are additional duties would like our Clerk to do.

Mr. Livingston stated the starting point on each of these position is the State statute. He does not know if there are any prohibitions from adding to the job description(s).

Ms. McBride stated, when she worked on the committee for the Clerk to Council, we started out with the requirements by law, and then we added other requirements. She noted, when we did the County Administrator search, we had the contractor to help us develop the job description. As a part of the overall evaluation process, we could get assistance in developing the job descriptions. It requires a lot of work, and persons with expertise in the area in developing these job descriptions.

Ms. Newton stated, from her perspective, developing the evaluation process and reviewing the job descriptions could be handled concurrently. She stated she would support Ms. McBride's recommendation to have the consultant review and update the job descriptions.

Mr. Malinowski stated we had spoken, in the past year, about hiring an Internal Auditor. It is his understanding the Internal Auditor also reports directly to Council. If that is the case, we are going to have to create a job description and review for that individual, as well.

Ms. Newton stated, for clarification, she was under the impression that we had a separate committee that was working on the Internal Auditor position, and, if so, does that body have an existing job description?

Mr. Livingston responded he will need to check to see if the Internal Auditor Ad Hoc Committee was reestablished.

- b. County Administrator
- c. County Attorney

Mr. Malinowski stated the Clerk to Council and County Administrator have contracts. He was told by the Human Resources Director, Dwight Hanna, the County Attorney does not have a contract. He would like to be provided information on why the County Attorney does not have a contract, and if we need to establish one for that position.

5. **ADJOURNMENT** – The meeting adjourned at approximately 3:46 PM.