

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No.: 2013-001880

City of Columbia.....Appellant.

v.

George S. Glassmeyer.....Respondent.

RECORD ON APPEAL

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SC Court of Appeals

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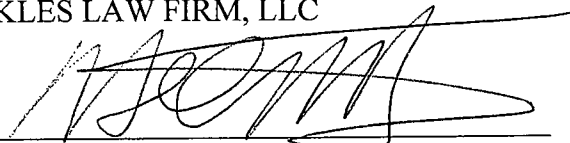
v.

George S. Glassmeyer.....Respondent.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all materials proposed to be included by any of the parties and not any other materials.

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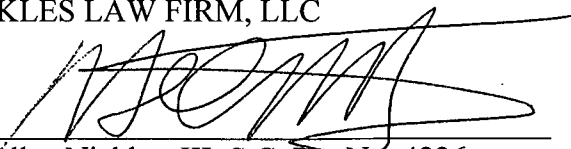
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v.

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STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Civil Action No. 2013-CP-40-01450

George S. Glassmeyer,

Plaintiff,

v.

City of Columbia,

Defendant.

ORDER

This matter came before the Court on June 6, 2013, upon cross motions for summary judgment and Plaintiff's Motion to Strike Defendant's Prayer for Attorneys' Fees. Appearing for Plaintiff were Kirby D. Shealy III and Lyndey Ritz Zwing of Adams and Reese, LLP. Defendant was represented by W. Alan Nickles, III, of Nickles Law Firm, LLC. After considering the pleadings, motions, memoranda and affidavits filed by the parties, together with the documentation provided by Defendant for an *in camera* review, the Court hereby GRANTS Plaintiff's motions for the reasons that follow.

This is a declaratory judgment action arising under the South Carolina Freedom of Information Act ("FOIA"), S.C. Code Ann. § 30-4-10 *et seq.* On January 14, 2013, Plaintiff submitted a FOIA request to Defendant. In his request, Plaintiff asked for: "All materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of City manager." In response, Defendant produced thirty-four pages of documents relating to the final five candidates for the position of city manager.

Defendant's response contained a list of the finalists' names, along with redacted copies of the finalists' applications and resumes. The redactions obscured from view the following information: (1) all home addresses of potential candidates; (2) some, but not all, telephone numbers of potential candidates and those persons listed as their references; (3) drivers' license numbers and restrictions; (4)

the reasons given by the applicants for leaving prior employment; and (4) some, but not all, salary information from previous employment. Defendant provided no explanation for the redactions.¹

On January 24, 2013, Plaintiff requested that Defendant provide the records in unredacted form. Kenneth E. Gaines, Esquire, City Attorney, responded with a letter dated January 28, 2013, in which he refused Plaintiff's request. Gaines once again failed to cite any particular exemption that justified the redactions. Instead, he merely referred Plaintiff to S.C. Code Ann. § 30-4-40, which lists various exemptions to disclosure allowed by FOIA. He also cited S.C. Code Ann. § 30-4-40(b), which provides for the redaction of exempt material from otherwise public records.

DISCUSSION

South Carolina enacted its version of FOIA in 1978. S.C. Code Ann. § 30-4-10 *et seq.* The legislature clearly intended that once the shift to open government occurred, it would be a bold move:

The General Assembly finds that it is **vital in a democratic society that public business be performed in an open and public manner** so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formation of public policy. Toward this end, provisions of this chapter **must be construed so as to make it possible for citizens . . . to learn and report fully the activities of their public officials** at a minimum cost or delay to the persons seeking access to public documents or meetings.

S.C. Code Ann. § 30-4-15 (emphasis added). "The essential purpose of the FOIA is to protect the public from secret government activity." *Bellamy v. Brown*, 305 S.C. 291, 408 S.E.2d 219, 221 (1991).

I. Defendant Failed to Provide its Reasons for Redaction Pursuant to S.C. Code Ann. § 30-4-30(c).

FOIA mandates that a public body that seeks to withhold public records from disclosure in response to a FOIA request provide its reason for doing so within fifteen (15) days. S.C. Code Ann. §30-4-30(c). Although timely in responding to Plaintiff's FOIA request, Defendant failed to provide its reasons for redacting the records it produced within the required fifteen day time period. In fact, it

¹ Plaintiff concedes that state law required Defendant to withhold the applicants' driver's license numbers and restrictions. See S.C. Code Ann. §§ 30-4-40(a)(4) and 30-4-165(B) (Rev. ed. 2007).

never gave its reasons prior to the initiation of litigation. Section 30-4-30(c) makes clear that Defendant's mere passing reference to § 30-4-40 without citation to a particular exemption is inadequate as a matter of law. Section 30-4-30(c) mandates that the public body "notify the person making such request of its determination and the reasons therefor." *Id.*

In *Litchfield Plantation Co., Inc. v. Georgetown County Water and Sewer District*, 314 S.C. 30, 443 S.E.2d 574 (1994), the Supreme Court took the position that a public body's failure to respond to a FOIA request within 15 days did not result in a waiver of the exemptions. In a footnote to the opinion, the Court held that while the exemptions were not waived, the public body would be subject to "appropriate equitable relief" and "assessed attorney fees and costs" for having failed to abide by the deadline. *Id.* at n. 1. Therefore, with regard to Defendant's failure to provide its reasons for redacting alone, Plaintiff is entitled to summary judgment on his request for declaratory relief.

Defendant urges the Court to read its thirty-four pages of production together with Mr. Gaines' January 28, 2013 letter and assume that Defendant's basis for redaction was the personal privacy exemption under S.C. Code Ann. § 30-4-40(a)(2). Defendant asks the Court to assume too much. Neither Defendant's thirty-four pages of responsive documents, nor Mr. Gaines' letter necessarily implicate the personal privacy exemption under FOIA. Defendant first raised the personal privacy exemption only after this lawsuit had been filed, in Defendant's counsel's dated March 27, 2013. That letter is untimely under S.C. Code Ann. § 30-4-30(c). Plaintiff is entitled to summary judgment as to its request for declaratory relief on the basis that Defendant failed to timely provide its bases for redactions as required by S.C. Code Ann. § 30-4-30(c).

II. There is no Applicable FOIA Exemption to Disclosure of the Requested Documents.

Even if Defendant had timely stated its reasons for redacting the public records, none of the exemption categories set forth in S.C. Code Ann. § 30-4-40 or elsewhere in FOIA apply. To legally withhold public records under FOIA, Defendant must prove that the information falls into one of the fifteen exemption categories in § 30-4-40, or be otherwise exempt from disclosure under other FOIA provisions. The presumption is for disclosure, and the government has the burden of proving that an exemption applies. *Evening Post Pub. Co. v. Berkeley County School Dist.*, 392 S.C. 76, 708 S.E.2d 745 (2011). “The FOIA is remedial in nature and should be liberally construed to carry out the purpose mandated by the legislature.” *Campbell v. Marion County Hosp. Dist.*, 354 S.C. 274, 281, 580 S.E.2d 163, 166 (Ct. App. 2003) (citing *Quality Towing, Inc. v. City of Myrtle Beach*, 345 S.C. 156, 547 S.E.2d 862 (2001)).

“Any person has a right to inspect or copy any public record of a public body, *except as otherwise provided by Section 30-4-40*, in accordance with reasonable rules concerning time and place of access.” S.C. Code Ann. § 30-4-30(a) (emphasis added). This policy ensures that public business is performed in an open and public manner, and that citizens are informed of the activities of their public officials. See S.C. Code Ann. § 30-4-15. FOIA exemptions are construed narrowly to conform to the public purposes of the Act. *Evening Post Pub. Co. v. City of North Charleston*, 363 S.C. 452, 611 S.E.2d 496 (2005). If a document does not fall within one of the enumerated exemptions, then the document and/or information cannot be withheld. *Id.* Whether an exemption applies is necessarily a case-by-case determination. *Id.*; *City of Columbia v. American Civil Liberties Union*, 323 S.C. 384, 475 S.E.2d 747 (1996).

Defendant withheld some, but not all, phone numbers and addresses of the applicants and those persons listed as references; the applicants’ stated reasons for leaving prior employment; the duties of one applicant’s prior employment position; and compensation information, all of which is subject to



disclosure. Defendant's counsel argued that it made "surgical redactions based on legitimate privacy concerns" and that its redactions are proper under FOIA. For the following reasons, Defendant's arguments fail.

The personal privacy exemption, S.C. Code Ann. § 30-40-40(a)(2), "does not specifically list or define the types of records, reports, or other information that should be classified as personal or private information" *Burton v. York County Sheriff's Dept.*, 358 S.C. 339, 352, 594 S.E.2d 888, 895 (Ct. App. 2004). Rather, a trial court "must resort to general privacy principles, which examination involves a balancing of conflicting interests—the interest of the individual privacy on one hand against the interest of the public's need to know on the other." *Id.*² The South Carolina Supreme Court has stated that "one of the primary limitations placed on the right of privacy is that it does not prohibit the publication of matter which is of legitimate public or general interest." *Burton* at 352, 594 S.E.2d at 895 (citations omitted). "Indeed, the Court has held that, as a matter of law, if a person, whether willingly or not, becomes an actor in an event of public or general interest, then the publication of his connection with such an occurrence is not an invasion of his right to privacy." *Id.* at 352, 594 S.E.2d at 895 (citations omitted).

This case is a perfect example of a situation where a person ordinarily entitled to privacy with regard to particular information places him or herself in the public eye. The information Plaintiff requests pertains to five individuals who voluntarily applied for the position of city manager. When the applicants applied for such a high-level governmental position, they reasonably placed their personal privacy interests below that of the public or general interest. *See Burton* at 352, 594 S.E.2d at 895.

² Case law cited by Defendant regarding a burden shift relies on federal law that is not applicable in this case. *See Casa de Maryland, Inc. v. U.S. Dep't of Homeland Sec.*, 409 Fed. Appx. 697, 700 (4th Cir. 2011) (construing the federal Freedom of Information Act); and *National Archives and Records Admin v. Favish*, 541 U.S. 157, 170 (2003). Moreover, even if the federal burden shifting analysis was applicable in this case, the burden would not shift here because the Court finds that Defendant has not in fact implicated a legitimate privacy interest which is a prerequisite to the federal analysis and corresponding burden shift.

A. The South Carolina Family Privacy Protection Act, S.C. Code Ann. § 30-2-30 is not applicable.

Defendant gratuitously referenced the South Carolina Family Privacy Protection Act, S.C. Code Ann. § 30-2-30, during its argument that the redacted information was properly withheld from disclosure. It argued that the Privacy Protection Act was brought within the scope of FOIA through 30-4-40(a)(4) (matters exempted by other statute or law) and that the definition of “personal information” under the Privacy Protection Act “clearly” applied to exclude those matters redacted from disclosure without citing any express statutory provision allowing for redaction. The Court disagrees that the Family Privacy Protection Act authorized Defendant’s redactions.

“Personal information” is defined under the Family Privacy Protection Act as follows:

information that identifies or describes an individual including, but not limited to, an individual's photograph or digitized image, social security number, date of birth, driver's identification number, name, home address, home telephone number, medical or disability information, education level, financial status, bank account numbers, account or identification number issued by or used, or both, by any federal or state governmental agency or private financial institution, employment history, height, weight, race, other physical details, signature, biometric identifiers, and any credit records or reports.

S.C. Code Ann. § 30-2-30(1). The Family Privacy Protection Act contains no provision requiring or even allowing a governmental agency to withhold “[p]ersonal information” as defined in § 30-2-30(1) from disclosure in response to a FOIA request. Rather, the Act merely proscribes the obtaining of personal information from a state agency for commercial solicitation purposes. See S.C. Code Ann. § 30-2-50 (Rev. ed. 2007).

In order to withhold documents on the basis of § 30-4-40(a)(4), a party must have a statutory or legal basis to *withhold* the requested documents or information. Defendant’s mere reference to the definition of “personal information” under the Family Privacy Protection Act does not provide such authorization.

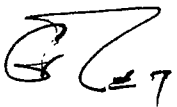
B. Defendant improperly redacted addresses and phone numbers of applicants and persons listed as referrals.

As admitted by Defendant at the hearing, addresses and phone numbers are the kind of information that typically appears in public phone directories. Therefore, the Court agrees with Plaintiff that such information is not reasonably characterized as “information of a personal nature where the public disclosure thereof would constitute an unreasonable invasion of privacy.” See S.C. Code Ann. § 30-4-40(a)(2). The public has a right to know whether the applicants live in the City of Columbia, the area over which the city manager has authority.

Additionally, the public has a legitimate interest in knowing whether the persons listed as references by the applicants truly recommend the applicant. Persons who agree to be listed as references for applicants for a position with a public body do not have a reasonable expectation that their identities will remain anonymous. See *Burton* at 352, 594 S.E.2d at 895 (“[I]f a person, whether willingly or not, becomes an actor in an event of public or general interest, then the publication of his connection with such an occurrence is not an invasion of his right to privacy.”).

Defendant’s argument that the public could simply refer to a telephone book to find the contact information for the persons listed as referrals is likewise not persuasive. FOIA does not permit public bodies to redact information on the basis that such information is accessible in other places. Moreover, even if the public could locate the persons’ addresses in a phone directory, the public has a right to know whether the information submitted in the applications is accurate. The public’s ability to find contact information for the persons listed as referrals is not the only issue at stake here. The public has a right to ensure applicants for a public position have included accurate information. Defendant’s redaction of addresses for applicants and the persons listed as referrals for the position was improper.

C. Defendant improperly redacted the applicants’ stated reasons for leaving previous employment.

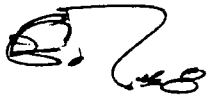


The personal privacy exemption does not apply to the applicants' stated reasons for leaving prior employment. Members of the public have a right to know why an applicant for a position with a public body left previous employment and additionally have a right to know if one or more of the applicants left his or her previous employment for reasons that might affect their eligibility or candidacy for the city manager position.

Defendant's redaction of reasons for leaving former employment was improper, especially considering the circumstances of its ultimate decision to hire an applicant from among the pool of its current employees. Defendant's argument that Plaintiff could call each of the listed former employers to determine the actual reasons for leaving employment is not persuasive, nor is it particularly genuine. Even if Plaintiff did call each of the former employers and obtain such information, the information given by the employers for the applicants' leaving might differ markedly from the applicants' stated reason on the applications, and Plaintiff would never know of the difference because of the redaction. Therefore, Defendant's withholding of this information was improper.

D. Defendant improperly redacted the applicants' representations regarding compensation for former employment.

Neither § 30-4-40(a)(2) nor § 30-4-40(6) apply to the representations made by the applicants regarding compensation they received from former employers. Section 30-4-40(6) exempts from disclosure "[a]ll compensation paid by public bodies," with certain exceptions. Defendant appears to rely on the personal privacy exemption in conjunction with § 30-4-40(6) to withhold any salary figure that falls below \$50,000. However, some of the redactions obscure salary information regarding prior employment positions outside of South Carolina, which was improper because FOIA only applies to public bodies in this state. *See* S.C. Code Ann. § 30-4-20(a). The compensation exemption under FOIA does not apply to prior employment positions and should not apply to positions which were held



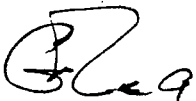
by applicants outside of South Carolina. See S.C. Code Ann. § 30-4-20(a) (“public body” defined as a department of the State of South Carolina).

Additionally, S.C. Code Ann. § 30-4-40(6) does not apply to an applicant’s *own representations* as to his or her salary at a prior place of employment. It merely applies to exempt from disclosure the compensation currently paid to employees of entities within South Carolina that are supported in whole or in part by public funds. *Id.*; *Burton v. York County Sheriff’s Dept.*, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). The exemption does not apply here. Additionally, an applicant’s statement regarding past compensation is not information reasonably considered “information of a personal nature where the public disclosure thereof would constitute an unreasonable invasion of privacy,” such that disclosure under the personal privacy exemption would be proper. See S.C. Code Ann. § 30-4-40(a)(2).

III. Plaintiff is entitled to an Order awarding Attorneys’ Fees Against Defendant.

FOIA provides for attorneys’ fees to the prevailing party seeking relief under the Act. S.C. Code Ann. § 30-4-100(b). “Under this section, the only prerequisite to an award of attorneys’ fees and costs is that the party seeking relief must prevail, in whole or in part.” *Campbell v. Marion County Hosp. Dist.*, 354 S.C. 274, 289, 580 S.E.2d 163, 170 (Ct. App. 2003). In this case, Plaintiff has prevailed on its Motion for Summary Judgment with regard to (1) home addresses of applicants; (2) telephone numbers of potential candidates and persons listed as references; (3) applicants’ stated reasons for leaving prior employment; and (4) salary information of applicants’ former employment.

Defendant argued at the hearing that it should not be ordered to pay Plaintiff’s attorneys’ fees because it acted reasonably under the circumstances. Defendant referenced a letter sent by Defendant’s counsel to Plaintiff’s counsel on March 27, 2013, after this action was filed, attempting to provide



unredacted documents in a “confidential ‘*in camera*’ fashion,”³ and stating to Plaintiff’s counsel that there was no “smoking gun” in the file. Plaintiff’s counsel argued that this proposed resolution was not in keeping with the FOIA’s precepts and additionally placed him in an awkward position with respect to his client. The Court agrees.

In *Sloan v. Friends of the Hunley, Inc.* 393 S.C. 152, 711 S.E.2d 895 (2011), the South Carolina Supreme Court addressed this very issue: “When a public body frustrates a citizen’s FOIA request to the extent that the citizen must seek relief in the courts and incur litigation costs, the public body should not be able to preclude prevailing party status to the citizen by producing the documents after litigation is filed.” *Id.* (citing *Litchfield Plantation Co. v. Georgetown County Water & Sewer Dist.*, 314 S.C. 30, 34, 443 S.E.2d 574, 576 (1994)). This is precisely what Defendant has attempted to do in this case. Plaintiff is the prevailing party in this action because: (1) Defendant failed to provide any basis for its redactions when it produced responsive documents, as required by S.C. Code Ann. § 30-4-30(c) and (2) Defendant improperly redacted information for which no FOIA exemption applied. *See* S.C. Code Ann. § 30-4-30. Defendant’s attempt to provide unredacted materials after the case was filed provides it no legitimate excuse for avoiding Plaintiff’s available statutory remedy of attorneys’ fees and costs. Furthermore, FOIA’s express purpose is not just to provide an avenue to expose corruption or misconduct by public officials. Rather, it is intended to afford the citizenry reasonable access to public information, whether that information contains a “smoking gun” or not.

In light of the discussion above, Plaintiff’s Motion to Strike Defendant’s Prayer for Attorneys’ Fees is also GRANTED. Although the Court’s resolution of Plaintiff’s Motion for Summary Judgment certainly moots this motion, the Court agrees with Plaintiff that there is no basis under FOIA for an award of attorneys’ fees in favor of a public body. Defendant’s prayer for attorney’s fees runs counter to the General Assembly’s intent in enacting FOIA, and the Court is not persuaded that its inherent

³ With this language, Defendant suggested that the documents be only revealed to Plaintiff’s counsel.

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authority to grant an award of attorney's fees as a sanction for improper conduct gives Defendant any support for a prayer for such relief in its pleadings.

CONCLUSION

For the reasons stated above, it is therefore **ORDERED** that

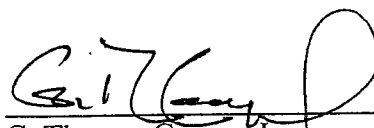
(1) Defendant's Motion for Summary Judgment is **DENIED**;

(2) Plaintiff's Motion for Summary Judgment is **GRANTED**; and

(3) Plaintiff's Motion to Strike Defendant's Prayer for Attorney's Fees is **GRANTED**.

The record shall be held open so that Plaintiff may submit an affidavit of attorney's fees and costs to be considered by the Court before a final judgment is entered.

IT IS SO ORDERED.



G. Thomas Cooper, Jr.
Judge, Fifth Judicial Circuit

Columbia, South Carolina
June 19, 2013.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
George S. Glassmeyer,)
)
Plaintiff,)
)
v.)
)
City of Columbia)
)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

CASE NO. 2013-CP-40-01450

**ORDER DENYING DEFENDANT'S
MOTION TO RECONSIDER**

RICHLAND COURT
FILED
2013 JUL 19 PM 1:17
JEANETTE W. McBRIDE
C.C.P. & G.S.

This matter comes before the Court by way of Defendant's Motion to reconsider pursuant to Rule 59 SCRCP. Specifically, Defendant asks this Court to reconsider its Order of June 19, 2013, granting Plaintiff's motion for Summary Judgment.

After careful consideration of the record in this case and the submissions of the parties, this Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or facts not appropriately considered. Accordingly, this Court hereby DENIES Applicant's Motion pursuant to Rule 59(e) SCRCP to reconsider this Court's Order filed June 19, 2013.

AND IT IS SO ORDERED.

July 19, 2013
Columbia, South Carolina

G. Thomas Cooper, Jr.
G. Thomas Cooper, Jr.
Judge, Fifth Judicial Circuit

SCANNED

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2013-CP-40-01450

George S. Glassmeyer

City of Columbia

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : ☐ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ ACTION DISMISSED (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other Dismissed without prejudice
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX): ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

Plaintiff's Request to Award Attorney's Fees and Costs is Granted.

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

Additional Information for the Clerk : _____

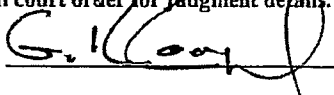
INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
George S. Glassmeyer	City of Columbia	\$ 11,185.01
		\$
		\$

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge



Judge Code 2126

Date 8-27-13

For Clerk of Court Office Use Only

This judgment was entered on the 27 day of Aug, 20 13 and a copy mailed first class or placed in the appropriate attorney's box on this 27 day of Aug, 20 27 to attorneys of record or to parties (when appearing pro se) as follows:

Kirby D. Shealy

ATTORNEY(S) FOR THE PLAINTIFF(S)

W. Allen Nickles III

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Clerk of Court



STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

George S. Glassmeyer,)

Plaintiff,)

v.)

City of Columbia,)

Defendant.)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Civil Action No. 2013-CP-40-01450

ORDER

2013 AUG 27 PM 12:50

This matter is before the Court pursuant to this Court's Order dated June 19, 2013, in which the Court granted Plaintiff's Motion for Summary Judgment. The Court's prior Order left the record open to allow for the submittal of an affidavit of attorney's fees and costs prior to the entry of a final judgment. Plaintiff has submitted the affidavit of Kirby D. Shealy III as support for an award of attorney's fees.

In considering Plaintiff's request, the Court has reflected upon the following factors: (1) the nature, extent, and difficulty of the legal services rendered; (2) the time and labor devoted to the case; (3) the professional standing of counsel; (4) contingency of compensation; (5) fees customarily charged in this locality for similar services; and (6) the beneficial results obtained. The Court finds that it is appropriate to award fees and costs in the amount of Eleven Thousand One Hundred Eighty-Five Dollars and 01/100 Cents (\$11,185.01).

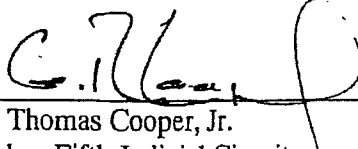
For the reasons stated above, it is therefore **ORDERED** that:

(1) Judgment be entered against Defendant in the amount of Eleven Thousand One Hundred Eighty-Five Dollars and 01/100 Cents (\$11,185.01); and

(2) Defendant must produce unredacted copies of the requested documents and information to Plaintiff in consonance with this Court's prior Order within ten (10) days of receipt of this Order.



IT IS SO ORDERED.



G. Thomas Cooper, Jr.
Judge, Fifth Judicial Circuit

Columbia, South Carolina
August 27, 2013.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

v.

City of Columbia,

Defendant.

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

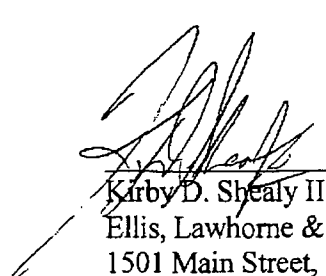
C/A NUMBER: 2013-CV-40-_____

SUMMONS

2013 MAR -8 PM 3:54
CITY OF COLUMBIA

TO THE ABOVE-NAMED DEFENDANT:

YOU ARE SUMMONED and required to Answer the Complaint in this action, a copy which has been served upon you, and to serve a copy of your Answer to the Complaint on the person signing below at his office at 1501 Main Street, Fifth Floor, Columbia, South Carolina, 29201 or Post Office Box 2285, Columbia, South Carolina, 29202, within thirty (30) days after service, not including the day of such service; and if you fail to answer the Complaint within thirty (30) days, judgment by default will be rendered against you for the relief demanded in the Complaint.



Kirby D. Shealy III
Ellis, Lawhorne & Sims, P.A.
1501 Main Street, Fifth Floor
Post Office Box 2285
Columbia, South Carolina 29202
Telephone: (803) 254-4190
E-Mail: kshealy@ellislawhorne.com

Attorney for Plaintiff

March 8, 2013.

RECEIVED
J. MOORE
MAR 1 REC'D
3:30 pm
CITY OF COLUMBIA
CITY CLERK

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND) FIFTH JUDICIAL CIRCUIT

George S. Glassmeyer,) C/A NUMBER: 2013-CV-40-
)

Plaintiff,)

v.)

City of Columbia,)

Defendant.)

COMPLAINT
(Non-Jury)

2013 MAR -8 PM 3:51

Plaintiff George S. Glassmeyer, by and through his undersigned attorneys,
complaining of the above-named Defendant, alleges:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff is a citizen and resident of the County of Richland, State of South Carolina.

2. Defendant City of Columbia is municipal body politic organized and existing pursuant to the law of South Carolina that is located within the County of Richland, State of South Carolina.

3. This Court has subject matter jurisdiction over this action pursuant to S.C. Code Ann. §§ 15-53-20 (Rev. ed. 2005) and 30-4-100 (Rev. ed. 2007).

4. Venue is proper in Richland County pursuant to S.C. Code Ann. § 15-7-20 (Rev. ed. 2005) and/or 15-7-30 (Supp. 2012).

STATEMENT OF FACTS

5. On or about January 14, 2013, Plaintiff submitted a request to Defendant pursuant to the South Carolina Freedom of Information Act ("FOIA"), S.C. Code Ann. §

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S. MOORE
MAR 1 REC'D
3:37 pm
CITY OF COLUMBIA
CITY CLERK

30-4-10 *et seq.*, seeking: “All materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of City Manager.”

See Exhibit A.

6. Within fifteen days of Plaintiff’s FOIA request, Defendant furnished redacted copies of the requested information to Plaintiff. See Exhibit B. No reasons for the redactions were provided.

7. On or about January 24, 2013, Plaintiff sent a letter to Defendant requesting that it send copies of the responsive documents without redactions pursuant to FOIA. See Exhibit C.

8. On or about January 28, 2013, Defendant declined Plaintiff’s request, citing S.C. Code Ann. § 30-4-40(b). See Exhibit D.

9. Defendant has never cited any specific FOIA exemption to support its redactions, and the parties have had no further communications regarding this matter following Plaintiff’s receipt of Exhibit D.

FOR A FIRST CAUSE OF ACTION

10. The allegations contained in the preceding paragraphs are hereby re-alleged as if repeated herein verbatim.

11. Defendant is a “public body” as that term is defined by S.C. Code Ann. § 30-4-20(a) (Rev. ed.2007) and is subject to FOIA’s requirements.

12. Defendant failed to provide Plaintiff with the notice required by S.C. Code Ann. § 30-4-30(c) (Rev. ed. 2007) of the reasons for its redaction of the records requested by Plaintiff.

13. The redactions to the records appear on their face to have effected a withholding of information that is not protected from disclosure by S.C. Code Ann § 30-4-40 (Rev. ed. 2007) or other provision of law.

14. There exists a real and substantial controversy between the parties as to whether the information requested by Plaintiff was rightfully withheld by Defendant.

15. Plaintiff is informed and believes that he is entitled to a declaratory judgment pursuant to S.C. Code Ann. §§ 15-53-20 and 30-4-100 declaring Defendant to be in violation of FOIA.

16. Plaintiff is further informed and believes that he is entitled to an injunction prohibiting Defendant from further withholding the information sought by Plaintiff pursuant to S.C. Code Ann. § 30-4-100 (Rev. ed. 2007), given that a violation of FOIA is deemed to be an irreparable injury for which no adequate remedy at law exists.

17. Plaintiff is further informed and believes that he is entitled to be awarded his attorney's fees, as well as the costs incurred in the prosecution of this action, pursuant to S.C. Code Ann. § 30-4-100 (Rev. ed. 2007).

WHEREFORE, the Plaintiff prays that this Court:

A. Issue a judgment declaring that Defendant has unlawfully failed to respond to Plaintiff's January 14, 2013 FOIA request;

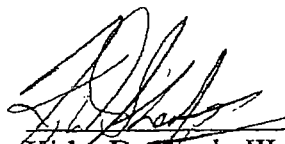
B. Enjoin the withholding of documents or information that may be responsive to Plaintiff's January 14, 2013 FOIA request;

C. Award Plaintiff his costs and reasonable attorneys' fees in this action; and

D. Grant such other and further relief as this Court may deem just and proper.

Plaintiff seeks a speedy hearing of this matter pursuant to Rule 57, *SCRCP*.

Respectfully submitted,



Kirby D. Shealy III
ELLIS, LAWHORNE & SIMS, P.A.
1501 Main Street, Fifth Floor
Post Office Box 2285 (29202)
Columbia, South Carolina 29201
Telephone: (803) 254-4190
Facsimile: (803) 779-4749
kshealy@ellislawhorne.com
Attorney for Plaintiff

March 8, 2013.

FOIA# _____

For Office Use

(FILING FORM)

FREEDOM OF INFORMATION ACT REQUESTTO: CITY OF COLUMBIA
(PLEASE PRINT)NAME: GEORGE S. GLASSMEYERADDRESS: PO BOX 661, IRMO, SC 29063E-mail address: SCVERDICT@AOL.COMPHONE NUMBER(S) (DAYTIME): 803-749-0490I REQUEST THE FOLLOWING INFORMATION UNDER THE SOUTH
CAROLINA FREEDOM OF INFORMATION ACT. (PLEASE BE SPECIFIC).

AS PROVIDED IN SECTION 30-4-40 (13) OF THE SC
CONSTITUTION, ALL MATERIALS RELATING TO NOT FEWER
THAN THE FINAL THREE APPLICANTS FOR THE MOST RECENT
VACANCY ANNOUNCEMENT FOR THE POSITION OF CITY MANAGER.

INDIVIDUALS FILING FOIA REQUESTS ARE ASKED TO USE THE CITY'S FOIA REQUEST
 FORM OR SUBMIT A LETTER. ALL REQUESTS ARE TO BE SIGNED. REQUESTS ARE TO BE
MAILED (803-343-8719), MAILED (CITY OF COLUMBIA ATTN: PUBLIC RELATIONS DEPT. PO
 BOX 147 COLUMBIA, SC 29217) OR HAND-DELIVERED (1737 MAIN STREET (CITY HALL-
 CORNER OF MAIN AND LAUREL STREETS). HAND-DELIVERED REQUEST SHOULD BE LEFT
 WITH CSO (SECURITY OFFICER) LOCATED IN THE FRONT ENTRANCE (MAIN & LAUREL
 STREETS) OF CITY HALL.

AT THIS TIME,
 I AM
 REQUESTING
 INSPECTION
 ONLY.

A MINIMUM OF .25 CENT PER PAGE COPY CHARGE, \$1.00 PER CD/DVD AND \$10.00 PER
 HOUR RESEARCH AND RETRIEVAL FEE MAY APPLY. DOCUMENTS MAY BE FURNISHED
 WHEN APPROPRIATE WITHOUT CHARGE OR AT A REDUCED CHARGE WHERE THE AGENCY
 DETERMINES THAT WAIVER OR REDUCTION OF THE FEE IS IN THE PUBLIC INTEREST
 BECAUSE THE INFORMATION CAN BE CONSIDERED AS PRIMARILY BENEFITING THE
 GENERAL PUBLIC.

THE PUBLIC BODY MAY ESTABLISH AND COLLECT FEES NOT TO EXCEED THE ACTUAL
 COST OF SEARCHING FOR MAKING COPIES OF THE RECORD.

A PRE-PAID DEPOSIT MAY BE REQUIRED BEFORE SEARCHING FOR OR MAKING COPIES OF
 THE RECORDS.

SIGNATURE

01-14-13

EXHIBIT

A

City Of Columbia

Position of City Manager

Listed below are the finalist for the position of City Manager:

S. Allison Baker *

Teresa Wilson *

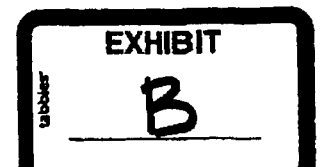
Leonard F. Regan

William P. Pate

Jonathan F. Simmons, Jr.

***Denotes internal candidate**

Attached are the applications and resume submitted as part of the application process for the finalist as identified by City Council.



CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

Page 1

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager

①

First Position Title

Second Position Title

Third Position Title

Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

	Dept/Div	ESOC	Status*		Dept/Div	ESOC	Status*		Dept/Div	ESOC	Status*
1	HR	6/01		5				9			
2				6				10			
3				7				11			
4				8				12			

Date:

Date:

Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

October 26, 2012

APPLICANT'S NAME (Print)

Last Name

Smith

Allison

PRINT LAST NAME

PRINT FIRST NAME

Middle Initial

Home Address:

[Redacted]

Columbia

SC

29212

Street Number - Street Name

City

State

Zip Code

Telephone Numbers:

Home Phone:

(AC)

[Redacted]

[Redacted]

Work Phone:

(AC)

803

545-3480

May we call you at work?

X

/Yes

[Redacted]

/No

Cell Phone:

(AC)

803

360-6179

Pager Number:

(AC)

[Redacted]

[Redacted]

Instructions:

E-mail Address:

abaker@columbiasc.net

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

X

/YES*

EMPLOYEE I.D. Number

↓

If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

/No

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

[Redacted]

(3) Class Type (Check One):

/A

/B

/C

/D

/E

/F

X/G

/H

Expiration Date:

01/12/2017

(4) Endorsements?

/Yes *

X

/No

*If Yes, identify:

[Redacted]

Restrictions?

/Yes *

X

/No

*If Yes, identify:

[Redacted]

[Redacted]

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

[Redacted]

/Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a Conditional Offer of Employment pending successful completion of all Pre-Employment screening procedures such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw the Conditional Offer of Employment.

APPLICANTS WILL REMAIN IN ACTIVE STATUS WITH THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED. A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

your benefit to follow the application procedures since there are often many applicants for each job opening. If you are considered, you must meet the required minimum qualifications, i.e. the job education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

FOR CURRENT JOB VACANCIES CALL JOBS LINE AT: (803) 545-3001 or go to: www.columbiasc.net/jobs

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 1 ONLY)

III. EMPLOYMENT DATA

Page 2

III. (1) Are you age 18 or older? ☒ Yes ☐ No III. (2) Are you authorized to work in the United States? ☒ Yes ☐ No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ Yes* ☐ No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III.4 DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

	Name of High School, Technical or Trade School, College	City	State	Check Year Completed				Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
				1	2	3	4	Yes	No		
High School:	Forest Glen	Suffolk	VA				X	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School:	New York Life Insurance	Norfolk	VA			X		X		Life Underwriter	1979
Trade School:											
College:	Norfolk State University	Norfolk	VA				X	X		Bachelor of Science in Recreation Programs	1974
College:	Virginia Commonwealth University	Richmond	VA		X			X		Master of Business Administration	1997

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ Yes* ☐ No
 *If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No
50	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Excel and Power Point
Microsoft

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V. Did you serve in the Armed Services? Check ☐ Yes ☒ No
 VII. Have you ever worked under another name? ☐ Yes* ☒ No *If Yes, what name(s):

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW

Have you included a Resume? ☐ /Yes* ☐ /No ☐ *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		07	2011	Present		\$134,000	\$136,680
Company Address (Current City Employee: List Current Division Location)		Position Title: Senior Assistant City Manager					
1737 Main Street		Describe your duties:					
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Responsible for the administrative oversight of the following departments: Police, Fire, (911) Emergency Communications, Human Resource, Technology, Public Information and Parks & Recreation. Responsible for the review and approval of all personnel actions 2200+ employees across all city departments. Organizationally, I am second in command and responsible for acting in the City Manager's stead as required.					
Columbia, SC 29201							
Telephone Number	AC: 803 545-3480						
Supervisor's Name: Steven Gantt, City Manager							
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		07	2008	06	2011	\$127,300	\$134,000
Company Address		Position Title: Senior Assistant City Manager/Director of Parks and Recreation*					
Washington Street		Describe your duties:					
Company City & State/Zip Code		Responsible for the administrative oversight of the following departments: Homeland Security, Community Development, Economic Development, Development Corporation and Parks and Recreation.					
Columbia, SC 29201							
Telephone Number	AC: 803 545-3480	Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees.					
Supervisor's Name: Steven Gantt, City Manager		During a period of 3 years (2008 - 2011) there was some shifting of departmental supervision because of medical leave of another Assistant City Manager.*					
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		08	2004	06	2008	\$107,000	\$127,300
Company Address		Position Title: Assistant City Manager/Director of Parks and Recreation					
Washington Street		Describe your duties:					
Company City & State/Zip Code		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. As Assistant City Manager responsible for the administrative oversight of the following departments: Public Works, General Services, Community Development, (911) Emergency Communications, Homeland Security and Parking Service. Upon retirement of the Director of the (911) Emergency Communications, during a period from June 2005 - April 2006, I was responsible for the day to day operations of the (911) Emergency Center.					
Columbia, SC 29201							
Telephone Number	AC: 803 545-3480						
Supervisor's Name: Charles Austin, City Manager							
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)	Baker	Smith	A
	(Last Name)	(First Name)	M.I.

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ **Yes Continue below:** ☐ **No/STOP and go back to Page 3**

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		01	1997	07	2004	\$72,000	\$96,000
Company Address		Position Title:					
1932 Calhoun Street		Director, Parks and Recreation Department					
Company City & State/Zip Code		Describe your duties:					
Columbia, SC 29201		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. The Department includes 55+ park properties and the Charles R. Drew Wellness Center.					
Telephone Number	AC:	Supervisor's Name:					
	803 545-3480	Charles Williams, City Manager					
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Richmond Virginia		Month	Year	Month	Year		
		07	1991	03	1996		
Company Address		Position Title:					
900 East Broad		Parks, Recreation, Community Facilities Director					
City & State/Zip Code		Describe your duties:					
Richmond Virginia 23519		Responsible for the operations of the city's parks and recreation programs and facilities (11 indoor/outdoor swimming pools). Also oversaw the operations of the city's community facilities to include the Richmond Coliseum (13,500 seats), Richmond Convention Center, Landmark Theater (3,500 seats), Arthur Ashe Center and the City's seven cemeteries. Responsible for the maintenance of all public right of ways to include all city trees and medians. Manage a \$16.5+ million annual operating budget and \$15+ million capital budget.					
Telephone Number	AC:	Supervisor's Name:					
		Jerry Johnson, Deputy City Manager					
May We Call?	☐ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Suffolk		Month	Year	Month	Year		
		02	1988	06	1991		
Address		Position Title:					
441 Market Street		Director of Parks, Recreation & Community Affairs					
City & State/Zip Code		Describe your duties:					
Suffolk, VA 23434		Responsible for the day to day operations of the city's park and recreation facilities. Operations included 29 facilities, 28 full-time employees and 68 part-time/seasonal employees. Operations of the department also included two revenue producing lake properties. Manage a \$1 million annual operating budget.					
Telephone Number	AC:	Supervisor's Name:					
		Thomas Underwood, Deputy City Manager					
May We Call?	☐ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☐ **Yes** ☐ **No** Page **3**A****
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3A ONLY)

IX. CRIMINAL CONVICTION (S)

Page 4

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER**?**YES*** (If yes, list below)☒ **No**If yes, you **MUST** provide the following information for **ALL** **CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – **BE SURE TO LIST ALL CONVICTIONS.**

****NOTE:** Include above if you were **EVER** **CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has ANY convictions and you have not listed them here -- **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mr. Steven Gantt, City Manager	City of Columbia, 1737 Main Street, Columbia, SC 29201	803-545-3025
2. Reverend Dr. Charles P. Jackson, Senior Pastor	Brookland Baptist Church, 1066 Sunset Boulevard, West Columbia, SC 29169	
3. Ms. Vicky Steinruck	Forest Drive, Richmond, VA	

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

A. (1) - Original Signature:

Date:

10/26/2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10/26/2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager			
First Position Title	Second Position Title	Third Position Title	Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

	Dept/Div	EBOC	Status	Dept/Div	EBOC	Status	Dept/Div	EBOC	Status
1	HR	01/01	5				8		
2			6				10		
3			7				11		
4			8				12		

Date: _____ Date: _____ Date: _____

***STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.**

*** Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.**

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

October 22, 2012

APPLICANT'S NAME (Print)		Teresa		B.	
PRINT LAST NAME		PRINT FIRST NAME		Middle Initial	
Home Address:	Columbia	SC	29212		
Street Number - Street Name		City	State	Zip Code	
Telephone Numbers:	Home Phone: (AC) 803	Work Phone: (AC) 803	545-3011	May we call you at work? X /Yes /No	
	Cell Phone: (AC) 803	Pager Number: (AC)		Instructions:	
E-mail Address:		tbwilson@columbiasec.net			

II. (I) ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE? ☒ YES* EMPLOYEE I.D. Number

*If "YES" YOU MUST COMPLETE SECTION VII ON PAGE 3 - ITEM (1) Present Employer /No 21310

Q. (2) Do you possess a VALID driver's license? /No ☒ /Yes* *State SC *License #:

(3) Class Type (Check One): ☐ A ☐ B ☐ C ☒ D ☐ E ☐ F ☐ G ☐ M Expiration Date: 5/17/2018

(4) Endorsements? ☐ Yes* ☒ No ☐ If Yes, Identify: Restrictions? ☐ Yes* ☒ No ☐ If Yes, Identify:

Work Schedule Preferred: ☒ Full-Time ☐ Part-Time Part-Time Hours: Temporary ☐

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a Conditional Offer of Employment contingent upon successful completion of all Pre-Employment screening procedures, but not limited to: following: Drug/Alcohol Screening, Basic Health Screening, SLED/NCIC Background Check, Driving License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICANTS WILL REMAIN ACTIVE IN THE EMPLOYMENT OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED. APPLICANTS MAY BE SUMMONED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

For your benefit to follow the application procedures since there are often many applicants for each job opening, you must meet the required minimum qualifications, i.e. the related education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

Rev. 09-2010		III. EMPLOYMENT DATA				Page 2	
III. (1) Are you age 18 or older?		☒ Yes ☐ No		III. (2) Are you authorized to work in the United States?		☒ Yes ☐ No	
III. (3) Are you a PREVIOUS City of Columbia Employee?		☐ Yes* ☐ No		*If Yes, complete the following:			
NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII On PAGE 3 - ITEM (1) Present Employee.							
Department/Division	Supervisor's Name	Position		From (Month/Year)		To (Month/Year)	
Describe your duties:							
Reason for leaving (be specific)							
						Your Employee ID Number:	
III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?						YES* ☐ NO ☒	
						*If Yes, complete the following.	
Employee's Name		Department/Division		Relationship			

IV. EDUCATION											
TELL US ABOUT YOUR EDUCATION:											
Name of High School, Technical or Trade School, College		City	State	Check Year Completed				Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
				1	2	3	4	Yes	No		
High School:	Irmo High School	Columbia	SC				☒	☒		If you did not graduate from high school complete Section IV. (1) below.	
Technical School:	NA										
Trade School:	NA										
College:	The University of South Carolina—Honors College	Columbia	SC				☒	☒			
College:	The University of South Carolina School of Law	Columbia	SC			☒		☒			

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate?		☐ Yes* ☐ No	
*If Yes, provide the following:		Date Obtained:	State:

V. SKILLS (Complete this section if required for the job)									
DO YOU TYPE?		WORD PROCESSING?		DATA ENTRY?		SPREADSHEET?		Other Computer Software?	
☒ Yes*	☐ No	☒ Yes*	☐ No	☒ Yes*	☐ No	☒ Yes*	☐ No	☒ Yes*	☐ No
CWPM		*List Types Below: Microsoft Office/Outlook		*Speed Strokes:		*List Types Below: Excel		*List Types Below: Legislative/Constituent Tracking	

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.	
Please refer to cover memo and resume.	

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING	
NA	

V. (3) Did you ever in the Armed Services? Check		☒ Yes ☐ No
--	--	---

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs **STARTING WITH YOUR PRESENT or LAST JOB**. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still **MUST** complete the following information.

(1) Present or Last Employer/Company's Name		Main: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of Columbia Administration		Month	Year	Month	Year				\$119,850
		2	2007	Present					
Company Address (Current City Employee: List Current Division Location)		Position Title:		Assistant City Manager					
1737 Main St.		Describe your duties:							
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Serve as a member of the City's senior management team with oversight and responsibility for Economic Development, Community Development, Governmental Affairs & Community Relations, the Office of Business Opportunities, the Development Corporations, Grants Administration and the Office of the Mayor.							
Columbia, SC 29201									
Telephone Number	AC:	803	545-3011						
Supervisor's Name:		Mr. Steve Gantt							
May We Call?	☒	Yes	☐ No	Reason:					
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
	☐ PT								

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
The University of South Carolina		Month	Year	Month	Year		\$60,000
		6	2005	2	2007		
Company Address		Position Title:		Coordinator of Government & Community Relations			
1600 Hampton Street Suite 738		Describe your duties:					
Company City & State/Zip Code		Provide leadership and support to University administrators, faculty and staff on governmental relations and legislative matters, as well as serve as liaison for case work involving the external and internal communities, organizations, and the City of Columbia.					
Columbia, SC 29208							
Telephone Number	AC:	803	777-4032				
Supervisor's Name:		Mrs. Shirley Mills					
May We Call?	☒	Yes	☐ No	Reason:			
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland School District One		Month	Year	Month	Year	Approx.	Approx.
		8	2004	5	2005		
Company Address		Position Title:		6th Grade English/Language Arts Teacher			
St. Andrews Middle School 1231 Bluefield Road		Describe your duties:					
Company City & State/Zip Code		Certified Middle/Secondary English teacher responsibilities.					
Columbia, SC 29210							
Telephone Number	AC:	803	731-8910				
Supervisor's Name:		Mr. Ken Richardson					
May We Call?	☒	Yes	☐ No	Reason:			
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)	Wilson	Teresa	B.
	(Last Name)	(First Name)	MI

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland School District Two		Month	Year	Month	Year	Approx.	Approx.
		8	2002	5	2003		
Company Address		Position					
Spring Valley High School 120 Sparkleberry Lane		Title: 9 th Grade English Teacher					
Company City & State/Zip Code		Describe your duties:					
Columbia, SC 29229		Certified English teacher responsibilities; Junior Varsity Mock Trial Coach.					
Telephone Number	803	699	3500				
Supervisor's Name: Dr. Greg Owings							
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland County School District One		Month	Year	Month	Year	Approx.	Approx.
		10	2000	8	2002		
Company Address		Position					
St. Andrews Middle School 1231 Bluefield Road		Title: 6 th grade English/Language Arts, 6 th grade World History, and 7 th grade English/Language Arts Teacher					
City & State/Zip Code		Describe your duties:					
Columbia, SC 29210		Completed certification requirements via Richland One Alternative Certification program (Critical Needs); Certified to teach middle/secondary English; Peer mediation coordinator.					
Telephone Number	803	731	8910				
Supervisor's Name: Mr. Ken Richardson							
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
SC Judicial Department		Month	Year	Month	Year	Approx.	Approx.
		8	1999	8	2000		
Address		Position					
Post Office Box 192		Title: Judicial Law Clerk for the Honorable L. Casey Manning, 5 th Judicial Circuit					
City & State/Zip Code		Describe your duties:					
Columbia, SC 29202		Research and drafting of legal issues in preparation for trial; jury qualification and voir dire; daily interaction with attorneys, court staff and the general public; maintenance of the court docket as well as other functions of the judge's office.					
Telephone Number	803	576	1773				
Supervisor's Name: The Honorable L. Casey Manning							
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History. ☒ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A - ONLY)

Duff, Dubberly, Turner, White & Boykin, L.L.C.				Month	Year	Month	Year	Starting Salary	Last Salary
				9	1998	3	1999	(hourly)	
Address				Position					
3700 Forest Drive				Title: Law Clerk					
City/State/Zip Code				Describe your duties:					
Columbia, SC 29201				Research and drafting of memoranda of law, orders, ordinances, and other legal documents, as they relate to the practice of school law, employment law, and local government/administrative law.					
Telephone Number									
803 790 0603									
Supervisor's Name: Mr. David Duff									
May We Call? ☒ Yes ☐ No Reason:									
Check One ☒ FT ☐ PT				Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
If more space is needed, attach additional sheet of paper for continuation of Previous Work History								/Yes	/No
								Page 3**A**	
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)									

Employer 8

May we contact this employer? Yes

Company The Department of Justice National District Attorneys Advocacy Center

Position

Law Clerk

full time for summer only (hourly)

Address 1620 Pendleton Street

City

Columbia

State SC

Zip Code

29201

From (mm/yyyy) 05/1998

To (mm/yyyy)

08/1998

Name of Immediate Supervisor head of Publications Department at the time

Title of Immediate Supervisor

Attorney

Phone Number 803-705-5000

Your name at the time of employment (if different)

Teresa Wilson

Duties Law clerk in the publications division. Extensive editing and writing on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the Federal Criminal Practice Manual, the USA (United States Attorneys) Bulletin, and a new manual, Courtroom Evidence.

Reason for Leaving

Employer 9

May we contact this employer? Yes

Company Nelson, Mullins, Riley & Scarborough, L.L.P.

Position

Intern

part time unpaid internship

Address 1320 Main Street

City

Columbia

State SC

Zip Code

29201

From (mm/yyyy) 01/1998

To (mm/yyyy)

05/1998

Name of Immediate Supervisor Mr. Myron Terry

Title of Immediate Supervisor

Government Relations (lobbyist)

Telephone Number 803-799-2000

Your name at the time of employment (if different)

Teresa Wilson

Duties Intern in the firm's lobbying division. Exposure and work with the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.

Reason for Leaving

Employer 10

May we contact this employer?

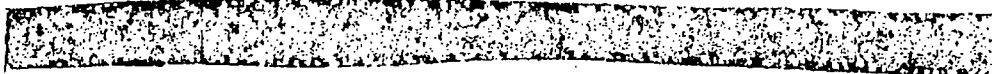
Yes

Company	Children's Law Office	Position	Research Assistant <i>part time (hourly)</i>
Address	1600 Hampton Street, Suite 502	City	Columbia
State	SC	Zip Code	29208
From (mm/yyyy)	08/1997	To (mm/yyyy)	12/1997
Name of Immediate Supervisor	Ms. Pamela Mohr	Title of Immediate Supervisor	Director
Telephone Number	803-777-1646	Your name at the time of employment (if different)	Teresa Wilson
Duties	Performed legal research tasks related to child protection and criminal child maltreatment.		
Reason for Leaving			

Employer **11** (11)

May we contact this employer?

Yes

Company	NationsBank (now, Bank of America)	Position	Intern <i>full times during summers only (hourly)</i>
Address	1301 Gervais Street	City	Columbia
State	SC	Zip Code	29201
From (mm/yyyy)	05/1993	To (mm/yyyy)	~~07/2005~~ <i>07/1995</i>
Name of Immediate Supervisor	various (three different supervisors for each summer internship)	Title of Immediate Supervisor	Vice-President
Telephone Number	803-929-5671 (ask for Human Resources)	Your name at the time of employment (if different)	Teresa Wilson
Duties			
Reason for Leaving	Summer internships.		

IX. CRIMINAL CONVICTION (S)

Have you EVER been CONVICTED of ANY criminal offense(s) EVER**:

YES* (If yes, list below)

X No

If yes, you MUST provide the following information for ALL CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper - BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were EVER CONVICTED of an offense including, but are not limited to a FELONY, MISDEMEANOR, ETC. Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You MUST list ALL convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.

ATTENTION - READ THIS

The City of Columbia may conduct a "CDD or RUC" check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has ANY convictions and you have not listed them above -- IF IN DOUBT, LIST IT.

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mrs. Shirley Mills	Osborne Administration; USC; Columbia, SC 29208	803- [REDACTED]
2. Mr. Charles P. Austin, Sr., Dean	Benedict College; 1600 Harden St.; Columbia, SC 29204	803-705-4653
3. The Honorable L. Casey Manning	PO Box 192; Columbia, SC 29202	803-576-1773

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date:

10-22-2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10-22-2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 4 ONLY)

TERESA WILSON

Columbia, South Carolina 29212

tbwilson@columbiasc.net

EDUCATION

University of South Carolina School of Law, Columbia, South Carolina

Juris Doctor Degree, May 1999

Student Bar Association (Legislative and Law Week Committees)

Pro Bono Board (1998 Service Award) & Public Interest Law Society (1997-98 Secretary)

Black Law Students Association

Richland County School District One Mentor

University of South Carolina--Honors College, Columbia, South Carolina

Bachelor of Arts in English, May 1996, with honors from South Carolina Honors College

Outstanding Senior Award (given by Omicron Delta Kappa)

Student Assistant, Office of the President, January 1994 - July 1996

Intern, NationsBank (Personnel, Credit Training and Real Estate Banking), Summers 1993 - 1995

PROFESSIONAL EXPERIENCE

Assistant City Manager - Community Programs, Economic Development & Government Services, The City of Columbia
Columbia, South Carolina, July 2011 - Present

Serve as a member of the City's senior management team with oversight and responsibility for Economic Development, Community Development, Governmental Affairs & Community Relations, the Office of Business Opportunities, the Development Corporations, Grants Administration and the Office of the Mayor.

Director of Governmental Affairs & Community Relations, The City of Columbia

Columbia, South Carolina, since February 2007 (duties folded into new role as Assistant City Manager)

Serve as the City's intergovernmental relations liaison and provide a central location for community relations.

Manage/ conduct lobbying efforts (state & Federal levels) on behalf of the City as well as collaborations between the City and various entities. Coordinate constituent services, American Recovery & Reinvestment Act (stimulus) management, grants administration, and numerous special projects.

Government & Community Relations, The University of South Carolina, The Office of the President

Columbia, South Carolina, June 2005 - February 2007

Provided leadership and support to University administrators, faculty and staff on governmental relations and legislative matters, as well as served as liaison for case work involving the external and internal communities, organizations and the City of Columbia.

Language Arts & Reading Teacher, 6th / 7th grades, St. Andrews Middle School, Richland School District One
Columbia, South Carolina, October 2000 - August 2002; August 2004 - May 2005

Completed certification requirements via Richland One Alternative Certification Program (Critical Needs); Certified to teach middle/ secondary English; Peer Mediation coordinator.

English Teacher, 9th grade, Spring Valley High School, Richland School District Two

Columbia, South Carolina, August 2002 - May 2003

Junior Varsity Mock Trial Coach.

Judicial Law Clerk, The Honorable L. Casey Manning, Fifth Judicial Circuit

Columbia, South Carolina, August 1999 - August 2000

Researched and drafted legal issues in preparation for trial; jury qualification and voir dire; interacted daily with attorneys, court staff and the general public; maintained the court docket as well as other functions of the office.

Law Clerk, Duff, Dubberly, Turner, White & Boykin, L.L.C.

Columbia, South Carolina, September 1998 – March 1999

Researched and drafted memoranda of law, orders, ordinances, and other legal documents, as they related to the practice of school law, employment law, and local government/administrative law.

Law Clerk, The Department of Justice National District Attorneys Advocacy Center

Columbia, South Carolina, Summer 1998

Law clerk in the publications division. Edited and wrote extensively on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the *Federal Criminal Practice Manual*, the *USA (United States Attorneys') Bulletin*, and a new manual, *Courtroom Evidence*.

Intern, Nelson, Mullins, Riley & Scarborough, L.L.P.

Columbia, South Carolina, Spring 1998

Interned in the firm's lobbying division. Worked with attorneys, lobbyists and the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.

Research Assistant, Children's Law Project, Columbia, South Carolina, Fall 1997

Performed legal research tasks related to child protection and criminal child maltreatment.

COMMUNITY SERVICE/ AWARDS

Named one of the 50 Most Influential People 2011 by the *Columbia Business Monthly*

Named one of the City of Columbia's "Top 20 Under 40" Business Professionals (Class of 2008)

Central Midlands Council of Governments, Executive Board Member

Municipal Association of South Carolina Legislative Committee

Member, University Associates – University of South Carolina

Junior League of Columbia

Delta Sigma Theta Sorority, Inc.

Columbia Chapter of Jack & Jill of America, Incorporated

University of South Carolina Alumni Association

St. Peter's Catholic School Board Member

Member, Gethsemane Baptist Church

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29201-0147 2012

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager			
First Position Title	Second Position Title	Third Position Title	Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

Dept/Div	EEOC	Status	Dept/Div	EEOC	Status	Dept/Div	EEOC	Status
1 City Admin	01/01	U	6			9		
2			8			10		
3			7			11		
4			8			12		

Date: 11/11/12 Date: Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

APPLICANT'S NAME (Print)	Leonard	F
PRINT LAST NAME	PRINT FIRST NAME	Middle Initial

Home Address:	McKinney	Texas	75070
Street Number - Street Name	City	State	Zip Code

Telephone Numbers:	Home Phone:	Work Phone:	(AC)	May we call you at work?	/Yes	X	/No
	Cell Phone:	Pager Number:	(AC)	Instructions:			
E-mail Address:							

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

/YES*

EMPLOYEE I.D. Number



If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer X /No

II. (2)	Do you possess a VALID driver's license?	/No	X	/Yes*	*State	Texas	*License #:	
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II. (3)	Class Type (Check One):	/A	/B	X/C	/D	/E	/F	/G	/M	Expiration Date:	05-21-14
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II. (4)	Endorsements?	/Yes*	/No	*If Yes, Identify:	Restrictions?	/Yes*	/No	*If Yes, Identify:
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Work Schedule Preferred:	X	/Full-Time	/Part-Time	Part-Time Hours:	/Temporary
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The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver License Check. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment."

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.
A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e., the related education, training & experience and any special requirements are usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

FOR CURRENT JOB VACANCIES CALL JOBS LINE AT: (803) 545-3001 or go to: www.columbiasc.net/jobs

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 1 ONLY)

III. (1) Are you age 18 or older? ☒ /Yes ☐ /No III. (2) Are you authorized to work in the United States? ☒ /Yes ☐ /No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☒ /No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee -- YOU MUST COMPLETE SECTION VIII On PAGE 3 -- ITEM (1)/Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated Yes No	Type & Name of Degree or Certificate	If College: Major/Minor
High School: Apex	Apex	NC	1 2 3 4	X		
Technical School:			1 2 3 4			
Trade School:			1 2 3 4			
College: N. C. State University	Raleigh	NC	1 2 3 4	X	Master of Science	Recreation & Parks Admin/Sociology
College: Univ. of CO - Denver	Denver	CO	1 2 3 4	X	MPA (30 of 36 hrs. completed)	Public Administration

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☒ /Yes* ☐ /No
 *If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No
50 /CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Proficiency in All Microsoft Office Suite, Scheduling Programs, Internet Research

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V Did you serve in the Armed Services? Check ☐ /Yes ☒ /No
 VII. Have you ever worked under another name? ☒ /Yes* ☐ /No *If Yes, what name(s): Frank Ragan

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page -- make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ X /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		From		To		Starting Salary	Last Salary
City of McKinney, Texas		Month	Year	Month	Year		
		02	2008	06	2010		
Company Address (Current City Employee: List Current Division Location)		Position Title:		City Manager			
222 N. Tennessee St.		Describe your duties:					
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees).					
McKinney, TX 75070							
Telephone Number	972	547	7560				
Supervisor's Name: McKinney City Council							
May We Call? ☒ Yes ☐ No /Reason:							
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year		
		05	2003	2	2008		(hiring freeze in place for years)
Company Address		Position Title:		Deputy City Manager of Community Services			
15151 East Alameda Pkwy.		Describe your duties:					
Company City & State/Zip Code		Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees).					
Aurora, CO 80012							
Telephone Number	303	739	7010				
Supervisor's Name: Ron Miller							
May We Call? ☒ Yes ☐ No /Reason:							
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year		
		06	1995	05	2003		
Company Address		Position Title:		Deputy City Manager of Operations			
15151 East Alameda Pkwy		Describe your duties:					
Company City & State/Zip Code		Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project.					
Aurora, CO 80012							
Telephone Number	303	739	7010				
Supervisor's Name: Ron Miller							
May We Call? ☒ Yes ☐ No /Reason:							
ck	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☒ X /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)

(Last Name)

(First Name)

M.I.

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, CO		Month	Year	Month	Year		
		07	1991	05	2003		
Company Address		Position					
15151 E. Alameda Pkwy.		Title: Parks, Recreation and Open Space Director					
Company City & State/Zip Code		Describe your duties:					
Aurora, CO 80012		Duties included the administration of a comprehensive system including 5 golf courses, 6 community centers, senior center, indoor & outdoor pools, 75 parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs. \$30M budget.					
Telephone Number	303	739	7010	Supervisor's Name: Bob Blodgett			
May We Call?		☒ Yes	☐ No	Reason:			
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Bloomington, IN		Month	Year	Month	Year		
		08	1981	07	1991		
Company Address		Position					
349 S. Walnut St.		Title: Administrator (Director) of Parks and Recreation					
City & State/Zip Code		Describe your duties:					
Bloomington, IN		Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities.					
Telephone Number	AC:	Supervisor's Name: Bloomington Board of Park Commissioners					
May We Call?		☒ Yes	☐ No	Reason:			
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Henderson - Vance County Recreation & Parks Dept.		Month	Year	Month	Year		
		07	1977	08	1981		
Address		Position					
		Title: Director					
City & State/Zip Code		Describe your duties:					
Henderson, NC		Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.					
Telephone Number	AC:	Supervisor's Name: Steve Raper					
May We Call?		☒ Yes	☐ No	Reason:			
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☐ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)

IX. CRIMINAL CONVICTION (S)

Page 4

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER*****:

YES* (If yes, list below)

X No

* If yes, you **MUST** provide the following information for **ALL** CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were **EVER** **CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every** conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has **ANY** convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Keith Clifton	Tenant Tracker, 1550 Bray Central Drive, McKinney, TX 75069	1-800-658-9379
2. Nancy Freed	City of Aurora, 15151 East Alameda Pkwy, Aurora, CO 75070	303-739-7223
3. Bill Whitfield	2723 Brookside Drive, McKinney, TX 75070	214-551-0192

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date: August 3, 2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

X. (2) - Original Signature:

Date: August 3, 2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

FRANK RAGAN
McKinney, Texas 75070

SUMMARY

Focused & action oriented – utilizes inclusive matrix management approach & takes full advantage of technology & evidence-based decision-making to achieve efficiencies, quality services & satisfied clients.
Flexible & highly adaptive – able to juggle numerous tasks & shift priorities quickly as needed.
Relentless, highly effective problem solver – possesses strong work ethic & passion to excel.

RELEVANT SKILLS & EXPERIENCE

Economic Development & Redevelopment– Coordinated all of city's planning/infrastructure support for the Fitzsimons Redevelopment Project, a closed military base. Led negotiations to secure the University of Colorado Health Sciences Center, University Hospital, Veterans Nursing Home & Children's Hospital to Aurora via infrastructure cost-sharing & other agreements resulting in an estimated investment program of \$4B & creation of 35,000 jobs. Developed adjacent Bio-Science Park & incentivized an incubator research facility with matching Economic Development Administration grant funds. Coordinated jobs development program & neighborhood support initiative involving private, public & non-profit collaboration receiving EDA grant for support. Initiated Tax Increment Financing Districts in an aging downtown area & Airport environs. Created collaborative economic development strategic planning initiative involving seven community agencies for visioning and plan formulation.

Collaboration, Partnerships & Community Outreach – Numerous partnerships created with *private sector*: e.g., two executive housing/public golf course communities; neighborhood center (library, police/fire station, retail & apartments), *non-profits*: e.g., jointly-funded legislative/lobbying committee with Chamber of Commerce; human service organizations funding agreements & *educational institutions*: e.g., reciprocal use & facility co-location agreements with school districts involving parks, gymnasiums, sports fields, pools, etc; championed Lean Six Sigma project in coordination with the distinguished University of Texas-Dallas's Graduate School of Management which involved six community agencies to better collaboration and save money.

Finance & Budgeting – Development up to \$660M in operations & \$200M in CIP budgets. Direct oversight up to \$307M operations budget. Budgetary formats utilized include annual & biannual, programmatic, performance, zero-based, line item & long range CIP. Helped initiate & lead five major bond initiatives in three different cities totaling over \$300M in capital improvements & land acquisitions.

Strategic Planning – Directly managed compilation of several long-range plans including economic development/redevelopment, 20-year facilities, parks/open space, & 5, 10 & 20 year capital improvement plans. Oversaw development of numerous master & comprehensive plans, e.g., fifty square mile land use & rezoning plan, utilities, bike/pedestrian, transportation, information technology, airport noise attenuation/rezoning, light/commuter rail & busing mass transit & military base reuse/redevelopment.

Transportation – Comprehensive master plans, grant/lobbying initiatives, cost-sharing agreements, land acquisitions & construction activities overseen addressing new transportation infrastructure, i.e., mass transit (bus, light & commuter rail), interchanges, arterials, thoroughfares, airport runway, bike/pedestrian trails, pavement rehabilitation, intersections safety, transportation management systems, etc.

Labor Relations & Public Safety – Lead staff negotiator in Aurora four years with two unions. Police & Fire Departments became nationally accredited. Neighborhood Liaison, Weed & Seed, crime prevention & other community support programs won national awards for citizen outreach & education. Aurora recognized as one of the most aggressive & effective cities in addressing crime & organized gangs. Advocated & secured funding for state-of-the-art COPLINK regional criminal identification program & new public safety communications center. Formulated City Council/Manager Emergency Business Continuity Plan & oversaw update of city's overall emergency management plan. Initiated & developed Meet/Confer program in McKinney with Fire & Police resulting in city's first public safety agreement.

Organizational efficiency & development – Personally conducted baseline privatization study of water treatment & transmission system for community of 300,000 expected to grow to 750,000. Working with consultants, oversaw development of several efficiency studies for Utilities, Police, Planning & Information Technology. Numerous reorganizations completed to better align functions & lower costs. Information technology (IT) systems put in place, expanded &/or upgraded. City of Aurora continually recognized in the top five most progressive, public sector IT organizations in the country.

Sustainability/Green Initiatives – Project Director for \$75M, 290K sq. ft. city hall incorporating state-of-the-art energy conservation & information technology systems. Developed 60-member community advisory green committee and internal interdepartmental green committee, created Environmental Stewardship program & received EPA grant to develop blueprint sustainability plan. Secured over a million dollars in EPA grant funds toward green initiatives. Incentivized private sector development of country's first LEED Gold-certified, automated single-stream recycling center. Constructed "Green" firehouses & library; & advocated, planned & acquired first phase funding for another city's new green city hall. Began capturing methane gas emitted from landfill as an alternative energy source.

Utilities – While in Aurora, two water treatment & one waste-water reclamation plant were upgraded/expanded allowing one thousand acres of parks, golf courses and sports complexes to be moved from treated water to recycled waste-water. Procured 20,000 acre feet in new water rights during extreme drought. Served on Denver Metro Wastewater Reclamation Board of Directors allowing the opportunity to influence regional policy while supporting development of local infrastructure. Also served on Colorado Springs-Aurora Executive Water Committee which managed storage reservoirs & fifty-plus miles of water transmission over the Continental Divide from the Colorado & Arkansas Rivers' basins.

HISTORY

June 2010 – Present (originally begun August 2003)

MPA Student (part-time) – University of Colorado - Denver

Near finishing with 30 of 36 hours completed and thesis underway - 4.0 GPA

Feb 2008 - June 2010 **City Manager – McKinney, Texas**

Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees). Overhauled grant strategy leveraging millions of dollars. Shepherded \$100M in voter-approved bonds that were overwhelmingly supported during period of economic stress. Invested \$2.5M into historic downtown district to replace infrastructure, make pedestrian friendly & beautify. Negotiated Dallas Stars/Dr. Pepper two-sheet ice arena & helped recruit/incentivize a major international business/high salaried employer to relocate to McKinney.

May 2003 - Feb 2008 **Deputy City Manager of Community Services – Aurora, Colorado**

Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees). Initiated & led a jobs development program & neighborhood support initiative involving private, public & non-profit

collaboration. Received EDA support for start-up & operations. Coordinated several Council committees via policy development. Duties included budget development & management of \$160M operations budget plus \$200M capital improvements program. Board Member - Denver Metro Wastewater Reclamation District. City of 309,000 people, 2850 full time employees & \$660M budget.

June 1995 - May 2003 Deputy City Manager of Operations - Aurora, Colorado

Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project. Fitzsimons earned first place awards from the U.S. Departments of Defense & Commerce & International City Managers Association as the best military base redevelopment project in the country. Spearheaded citizen & business support via a Bond referendum for the development of a 35-field sports park that attracts major amateur softball & soccer tournaments generating over \$20M in annual revenues into the community. Coordinated City's planning & infrastructure support activities for a commercial airport & an Air Force Base. Negotiated two largest open space acquisitions in the City's history, one purchase helping to preserve the neighboring Air Force base's F-16 fighter squadron & space intelligence-gathering missions. Colorado Springs/Aurora Homestake (Water) Board Member. Planning, budget development & management of \$150M bond program, City's 5-year CIP & \$140M annual budget.

July 1991 - June 1995 Director - Parks, Recreation & Open Space Department - Aurora, Colorado

Duties included the administration of a comprehensive system including five golf courses, six community centers, senior center, indoor & outdoor pools, seventy-five parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs taking place on city & school facilities. \$30M operating budget.

August 1981 - July 1991 Administrator (Director) - Bloomington Parks & Recreation Dept., Indiana
Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities. Led bond & 501-c-3 foundation initiatives that led to development & renovations of over 30 parks & recreational facilities. Large open space program encompassing several thousand acres.

August 1981 - July 1991 Adjunct Faculty - Indiana University, Bloomington, Indiana

Duties included teaching two management courses/year & lecturing in marketing, long-range planning, budget development & others. Coordinated several cooperative ventures between the City & University.

July 1977 - August 1981 Director - Henderson/Vance County Recreation & Parks Dept., NC

Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.

April 1976 - July 1977 Assistant Director - Henderson/Vance County Recreation & Parks Dept., NC

Duties included management of parks, sports, senior programs & department's budget development.

HIGHER EDUCATION

University of Colorado - Denver

Degree: **Master of Public Administration** (nearing completion - 30 of 36 hours, 4.0 GPA)

North Carolina State University - Raleigh

Degree: **Master of Science** Major: Recreation Resources Administration, Minor: Sociology

Degree: **Bachelor of Science** Recreation & Parks Administration

WILLIAM PATRICK PATE, ICMA-CM

High Point, North Carolina 27265

Office (336) 883-8515 E-mail: pat.pate@highpointnc.gov

SUMMARY

My career objective is to use my 27 years of local government leadership, management and training experience to make a positive difference in a community as the city manager. I am looking for an opportunity where I can work collaboratively with the elected leadership, community stakeholders and the municipal workforce to bring community and municipal strengths together to enhance the quality of life and livability of a community.

LOCAL GOVERNMENT WORK EXPERIENCE

City of High Point: Assistant City Manager, 1999 - present

High Point is a full service municipality with a population of over 107,000 covering 55 square miles in the Piedmont Triad region of North Carolina. We have an operating budget of \$327 million and a capital improvement plan of over \$600 million with 1550 employees. We have a AAA bond rating by Standards and Poor's and are nationally recognized for many of our service areas.

Duties:

- ♦ Responsible for strategic issues of vital importance to the organization which have included strategic information technology planning, electric service, capital planning, bond elections and project completion, customer service, water and sewer infrastructure enhancements and rates, landfill expansion, performance measurement and community facilities planning.
- ♦ Serve as Chief Administrative Officer and Acting City Manager in Manager's absence.
- ♦ Work with all aspects of city government including direct supervision of selected departments (Public Services, Electric Utilities, Customer Service, Parks and Recreation, Planning and Development, Engineering Services, Transportation, Information Technology, Financial Services, Facility Services, Budget and Evaluation, Systems Project Management)
- ♦ Currently I directly supervise nine departmental functions with over 700 positions and an operating budget of over \$140 million.

Accomplishments:

- ♦ Negotiated multi-jurisdictional agreements including \$60 million sewer plant expansion and an agreement with the Guilford County School System for a multiuse recreational complex adjacent to school property.
- ♦ Created public-private partnership with groups such as the Piedmont Soccer Association for a soccer complex, Historical Society for merger of the High Point Museum and the Piedmont Environmental Center for merger with the Parks and Recreation Department.
- ♦ Led information technology strategic changes including procurement and implementation of new enterprise resource planning package, land development process and technology changes and web based citizen services initiatives.
- ♦ Led Customer Service Initiative Steering Committee establishing customer service standards for the organization and employee recognition programs.
- ♦ Developed organizational performance initiatives and executive team building efforts including establishment of ongoing citizen surveys and recognition by ICMA with a Certificate of Distinction for Performance Management.

<i>City of Greensboro:</i>	Budget and Evaluation Director,	1990 - 99
	Budget and Research Manager,	1987 - 90

Greensboro is a full service municipal government with a population of 269,000 covering a 131 square mile area located in the central piedmont region of North Carolina. Greensboro has an operating budget of \$438 million with 3,081 full-time equivalent positions and a AAA bond rating.

Duties:

- * Annually developed operating budget of \$250 million and six year capital improvement program of \$350 million with a property tax decrease in FY 98-99 and no tax increase for operating expenses in the previous five years.
- * Organized and prepared Council work planning sessions to set organizational strategic budget and service priorities including maintaining "AAA" financial rating.
- * Developed departmental objectives and performance measurement process, founding participant in a statewide benchmarking project and provided national training for GFOA.
- * Managed Organizational Strategic Planning Process for the City. Implemented action steps in the four key strategic issue areas of vision and management philosophy, proactive planning and performance measurement, service alignment and technology.

Accomplishments:

- * Established Budget and Evaluation Department and the City's two-year budgeting process which received national recognition including the Distinguished Budget Presentation Award from GFOA with an Outstanding Designation.
- * Led organizational efforts for a successful \$35 million bond campaign.
- * Negotiated public private partnership agreement for construction and management of a recreational ice facility saving the City \$1.4 million.
- * Implemented Productivity Improvement Process resulting in over \$3 million in savings.
- * Developed Citizen Service Assessment Program that assessed all city services and recommended areas for improvements.

<i>City of Winston-Salem:</i>	Lead Budget and Evaluation Analyst,	1987
	Budget and Evaluation Analyst,	1986 - 87
	Budget and Financial Analyst Intern,	1985 - 86

Winston-Salem is a full service municipality with a population of over 235,000 covering a 132 square mile area located in the Piedmont Triad area of North Carolina. They have 2,464 full-time employees with an operating budget of \$422 million and a AAA bond rating.

- * Analyzed and evaluated City's annual operating and capital budgets; prepared Six-Year Capital Improvement Program; implemented changes in the computerized budget system; computerized the City's six year capital improvement program; prepared five year financial forecast; developed a microcomputer based debt management plan; reviewed installment purchase contracts; researched and analyzed risk management functions; developed first computer based presentation of the City's financial condition.

EDUCATION

University of North Carolina at Chapel Hill:

Master of Public Administration, May 1986

Received Local Government Scholarship and Fellowship

Bachelor of Arts, May 1984 - Double Major: Political Science and Religion

Inducted into the Order of the Old Well Honor Society

President and Distinguished Service Award Recipient, Alpha Phi Omega Service Fraternity

OTHER EXPERIENCES

- * *Adjunct Faculty, 2006 to present.* Teach graduate level course in Local Government Administration for the Political Science Department at the University of North Carolina-Greensboro.
- * *Senior Executives in State and Local Government, 2012.* Awarded a certificate of completion for Executive Education Program at the JFK School of Government, Harvard University.
- * *Senior Executive Institute, 2004.* Executive Leadership Program for top executives of public organizations held at the Weldon Cooper Center for Public Service, UVA.
- * *Leadership High Point, 1999-2000.* Community leadership program sponsored by the High Point Chamber of Commerce. Steering Committee Member, Annual Program Speaker.
- * *School of Government UNC-Chapel Hill.* Lecturer and trainer for various schools and programs, 1990 – present; Municipal Administration Course, 1988-89; Selected to participate in IOG State Internship Program, 1984 Worked at the NC Office of Coastal Management, Raleigh, N.C.
- * *Leaderlab Program, 1995.* Center for Creative Leadership, Greensboro N.C.
- * *Leadership Greensboro, 1992-93.* Community leadership development program sponsored by the Greensboro Chamber of Commerce.

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES

- * *International and North Carolina City/County Managers Association* - ICMA Credentialed Manager; served on various NC committees including Budget and Finance, Professional Development, Sustaining Membership and ICMA Relations.
- * *Government Finance Officers Association of US & Canada* – President 2002-2003; Executive Board, 1998 – 2004; Chaired Task Force on Emerging Generations, 2009-2010, Committee on Economic Development and Capital Planning, 2003-2004; Committee on Debt and Fiscal Policy, 1998-2001; Committee on Governmental Budgeting and Management, 1993-1998; Received Distinguished Budget Presentation Award with Outstanding Designations in 1994 and 1996.
- * *N.C. Local Government Budget Association* - President, 1993-1994; also served on the Board in various roles including Vice President, Program Chairman, and Board Member.
- * *NC League of Municipalities* - Regulatory Advisory Committee, 1994-1996.
- * *American Society of Public Administration* - Piedmont Triad Chapter President, 1993-94; also served on the Board as Vice President, Secretary, and Treasurer.
- * *UNC Master of Public Administration Alumni Association* - President, 1994; also served on the Board as President Elect and Program Chairman.

RECENT COMMUNITY ASSOCIATIONS AND ACTIVITIES

- * *Kiwanis Club of High Point* - President, 2008-2009; also served on Board as President-Elect, Vice President and Membership Chairman. Worked with numerous community agencies in partnership to improve and enrich the lives of children in our community.
- * *Covenant Church, United Methodist* – Chair, Finance Team; Chair, Staff-Parish Committee during the change of Senior Pastor, Vice-Chair, Administrative Board.
- * *Southwest Guilford High School Booster Club* – President Baseball Booster Club led various fund raising and school projects.
- * *Boy Scouts of America Troop 42* – Troop Leader, Eagle Scout.
- * *United Way* – Leadership Society, Lead organizational drive for two years that increased giving by over 25%.
- * *North Carolina Presbyterian Pilgrimage* – Leader and participant in a spiritual enhancement program. Served in several key leadership roles during various retreats.

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

Position Title	Position Title	Position Title	Position Title
EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):			
1	2	3	4
5	6	7	8
9	10	11	12
Date:		Date:	

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA Date Of Application: 7.11.12

APPLICANT'S NAME (Print)		Jonathan		F.	
PRINT LAST NAME		PRINT FIRST NAME		Middle Initial	
Current Home Address:	Easley		SC	29642	
Street Number - Street Name		City		State	Zip Code
Telephone Numbers:	Home Phone: (AC) [REDACTED]	Work Phone: (AC) 864 855-7900	May we call you at work? X /Yes /No		
	Cell Phone: (AC) [REDACTED]	Pager Number: (AC) [REDACTED]	Instructions:		
E-mail Address: jsimons@cityofeasley.com					

II. (1) ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE? YES* EMPLOYEE LD. Number

If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer X /No

II. (2) Do you possess a VALID driver's license? /No X /Yes* *State SC *License # [REDACTED]

II. (3) Class Type (Check One): /A /B /C /X/D /E /F /G /M Expiration Date: 02-22-2021

II. (4) Endorsements? Yes* X /No If Yes, identify: Restrictions? Yes* /No If Yes, identify: [REDACTED]

Work Schedule Preferred: X /Full-Time /Part-Time Part-Time Hours: /Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.
A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is to your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must meet the required minimum qualifications, i.e., the related education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

Rev.09-2010		III. EMPLOYMENT DATA				Page 2			
III. (1) Are you age 18 or older?		☒ Yes ☐ No		III. (2) Are you authorized to work in the United States?		☒ Yes ☐ No			
III. (3) Are you a PREVIOUS City of Columbia Employee?		☐ Yes* ☒ No		*If Yes, complete the following:					
NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII. On PAGE 3 - ITEM (1) Present Employer.									
Department/Division	Supervisor's Name		Position		From (Month/Year)		To (Month/Year)		
Describe your duties:									
Reason for leaving (be specific):									
						Your Employee ID Number:			
III.4. DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?						YES* ☐ NO ☒	*If Yes, complete the following.		
Employee's Name		Department/Division		Relationship					
IV. EDUCATION									
TELL US ABOUT YOUR EDUCATION:									
Name of High School, Technical or Trade School, College	City	State	Check Year Completed				Graduated Yes No	Type & Name of Degree or Certificate	If College: Major/Minor
High School: Manlius Pebble Hill	DeWitt	NY	1	2	3	4	☒	If you did not graduate from high school complete Section IV. (1) below.	
Technical School:			1	2	3	4			
Trade School:			1	2	3	4			
College: High Point University	High Point	NC	1	2	3	4	☒	BA	History / Pol. Science Double Major
College: The American University	Washington	DC	1	2	3	4	☒	MPA	
IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate?								Yes* ☐ No ☐	
*If Yes, provide the following: Date Obtained: State:									
V. SKILLS (Complete this section if required for the job)									
DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?		SPREADSHEET?		Other Computer Software?			
Yes* ☐ No ☐	Yes* ☐ No ☐	Yes* ☐ No ☐		Yes* ☐ No ☐		Yes* ☐ No ☐			
*CWPM	*List Types Below:	*Speed Strokes:		*List Types Below:		*List Types Below:			
V.(1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.									
ICMA - Credential Manager ICMA - Service Award (10 years)									
V.(2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING									
V. Did you serve in the Armed Services? Check ☐ Yes ☒ No ☐									
VII. Have you ever worked under another name? ☐ Yes* ☒ No ☐ *If Yes, what name(s):									
NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.									
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 2 ONLY)									

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs **STARTING WITH YOUR PRESENT or LAST JOB**. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still **MUST** complete the following information.

(1) Present or Last Employer/Company's Name		Name: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of Easley				Month	Year	Month	Year	\$85,000/year + Executive Benefits	\$92,904/year
				10	2006	-	-		
Company Address (Current City Employee: List Current Division Location)				Position					
PO Box 466 Easley, SC 29641				Title:		City Administrator			
Company City & State/Zip Code (Current City Employee: List Current Division Location)				Describe your duties:					
Same as above.				-) Chief public policy advisor to seven-member City Council; -) Responsible for directing, supervising, and coordinating administrative activities and operations of City; -) Oversight of seven departments and 183 full and part-time employees; -) Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;					
Telephone Number		AC:	864	855-7900					
Supervisor's Name:		Mayor Larry Bagwell							
May We Call?		Yes	☒	No	☐	Reason: At a reasonable time yes, but not initially.			
Check One		☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)						
		☐ PT							

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Greenville		Month	Year	Month	Year		\$85,000
		7	2001	9	2006		
Company Address		Position					
206 S. Main Street Greenville, SC 29601		Title:		Director, Office of Management and Budget			
Company City & State/Zip Code		Describe your duties:					
Same as above.		-) Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget; -) Conducted fiscal analyses regarding bond issues; -) Coordinated and presented City financial outlook to Wall Street rating agencies;					
Telephone Number		AC:	864	467-4530			
Supervisor's Name:		Jim Bourey (no longer employed w/ City)					
May We Call?		Yes	☒	No	☐	Reason:	
Check One		☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)				
		☐ PT					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
Company Address		Position					
		Title:					
Company City & State/Zip Code		Describe your duties:					
Telephone Number		AC:					
Supervisor's Name:							
May We Call?		Yes	☐	No	☐	Reason:	
Check One		☐ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)				
		☐ PT					

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☐ /No
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER**??:YES* (If yes, list below) ☒ NoIf yes, you **MUST** provide the following information for **ALL** CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper - BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were **EVER** CONVICTED of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every** conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION - READ THIS

The City of Columbia is an Equal Opportunity Employer. It is the policy of the City to provide equal employment opportunities to all persons without regard to race, color, sex, age, religion, national origin, or ancestry. Any person who is hired by the City must be qualified for the position. The City does not discriminate in its employment practices. If you are a person with a disability, you may request a reasonable accommodation. If you need a reasonable accommodation, please contact the Human Resources Department at (803) 253-8917.

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Ray Jones	1201 Main Street, Suite 1450, Columbia, SC 29202	803-253-8917
2. John Castle	206 S. Main Street, Greenville, SC 29601	864-467-5700
3. Tom Gates	301 King Street, Room 350, Alexandria, VA 22314	703-746-3716

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

N. (1) - Original Signature:

Date:

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

N. (2) - Original Signature:

Date:

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 4 ONLY)

Jonathan "Fox" Simons, Jr., ICMA-CM

Easley, SC 29642

W-email: fsmons@cityofeasley.com

PROFESSIONAL EXPERIENCE

City Administrator, City of Easley, SC (October 2006 – present)

- Chief public policy advisor to seven-member City Council;
- Responsible for directing, supervising, and coordinating administrative activities and operations of City;
- Direct oversight of seven departments and 183 full and part-time employees;
- Directly responsible for all financial aspects of City operations including budgeting, fiscal planning functions, business licenses administration, payroll, accounts receivable, accounts payable and auditing;
- Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;
- Responsible for the development, administration, and implementation of a \$15.8 million dollar budget, including \$12.0 million dollar General Fund budget;

Key Accomplishments and Initiatives

- Successfully leading City through recent economic downturn without layoffs or furloughs;
- Negotiated development agreement with private developer for a \$100.0 million dollar Retail Destination Center which will lead to 900 new jobs at project completion;
- Initiated an incubator program to develop new businesses in the community;
- Embarked on a "Partners in Pride" program with local businesses and organizations to beautify areas in the City with flowers and gardens;
- Implemented an employee wellness program, including a Nurse Practitioner, that has allowed employees to lower their health insurance premiums and the City to lower its annual health insurance renewal rates;
- Complete modernization and expansion of the City's information technology functions including updating hardware and software enterprise applications;
- Streamlined and reorganized the Community Development and Finance Departments making services more effective and efficient;
- Initiated a Parks & Recreation Master Plan to replace aging and non-compliant play equipment and update the City's parks with fresh amenities and features, including the City's first dog park;
- Launched the City's semi-annual community magazine in an effort to expand communication between the City and its citizens;
- Started a community garden within the city to provide fresh produce to citizens in low income neighborhoods;
- Currently implementing City's bicycle and pedestrian friendly initiative by installing bike lanes and sidewalks throughout City;

City of Greenville, SC (July, 2001 – September, 2006)

Interim Director, Office of Management and Budget, (November 2005 – September 2006)

- Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget;
- Supervised and managed 30+ staff with direct responsibility for accounting, business license administration, purchasing, budget, GIS, MIS, risk management, and internal audit functions;
- Conducted fiscal analyses regarding a CBD Tax Increment bond (\$2.3 million), and General Obligation bond issue (\$6.1 million);
- Coordinated and presented City financial outlook to Wall Street rating agencies as well as community groups
- Analyzed and projected financial trends relevant to public policy development;

EDUCATION

The American University, Washington, DC; Master of Public Administration May 1995

High Point University, High Point, North Carolina; Bachelor of Arts May 1993

OTHER RELEVANT EXPERIENCE

- Received GFOA Outstanding Budget Award for five consecutive years
- Served on the GFOA Budget Review Committee

PROFESSIONAL ORGANIZATION MEMBERSHIP

- International City/County Management Association (ICMA)
- South Carolina City/County Management Association - Membership Committee
- Pickens County Municipal Association

COMMUNITY SERVICE

- Pickens County YMCA Board of Directors - Executive Committee Member
- Leadership South Carolina - Class of 2012
- Leadership Pickens County - Board of Regents
- Leadership Pickens County - Class of 2011
- Board of Directors - Easley Chamber of Commerce
- Board of Directors - Pickens County Chapter of American Red Cross
- Board of Directors - Nalley Brown Nature Park
- Easley Rotary Club
- Pickens County United Way- Fundraising Committee
- Pickens County United Way Emergency Food & Shelter Program - Board of Directors
- Advisory Committee - Tri-County Technical College - Easley Campus
- Youth sports coach

REFERENCES AVAILABLE UPON REQUEST

Assistant Director, Office of Management and Budget, (May 2005 – November 2005)

- Assisted in the overall administration and management of a 30+ person municipal budget and finance department;
- Direct supervision over a staff of 16 with direct responsibility for accounting, business license administration, budget, and internal audit administration;
- Insured coordination and consistency of departmental programs and initiatives;
- Synchronized staff efforts and oversaw analysis of significant policy issues;

Interim Finance Director, (October 2004 – May 2005)

- Managed 19 person municipal Finance department including accounting, budget, internal audit, purchasing, and risk management operations;
- Coordinated and conducted fiscal analysis of a \$30.740 million Parking Revenue Bond refunding issue;
- Led the development and coordination of a comprehensive Capital Improvement Program;
- Analyzed financial trends and prepared financial forecasts relevant to public policy decisions;

Budget Administrator, (July 2001 – October 2004)

- Responsible for the development, administration, and implementation of a \$100.8 million annual operating budget, including a \$55.129 million General Fund operating budget;
- Directed and managed \$159.915 million five year Capital Improvement Program, including a \$27.921 million Capital Budget;
- Researched and prepared special fiscal reports addressing significant policy issues;
- Performed fiscal analyses of departmental expenditure and revenue trends;
- Monitored compliance with City Council mandated fiscal policies;
- Provided oral and written presentations of fiscal matters to staff, elected and appointed officials, and the general public;

T.V. Guilfoil & Associates, Inc., Syracuse, New York (July 1998 – June 2001)

- Managed consumer accounts including supply vendor coordination;
- Performed customer service duties including analysis of customer satisfaction, supplier relations, issue resolution, and product promotion;
- Performed market analysis regarding new business initiatives and business process improvement for existing product lines;
- Provided customer based sales forecasting and merchandising targets;

Office of Management and Budget, Montgomery County, Maryland (September 1996-June 1998)

- Analyzed and monitored a \$650 million bi-County water/sewer Capital Improvement Program and a \$150 million Capital budget;
- Provided fiscal oversight of a \$37 million fleet management budget;
- Monitored a \$180 million Solid Waste Capital Improvements Program;
- Researched and maintained demographic data for fiscal projections;
- Coordinated and provided administrative oversight of 25 public service programs with a combined budget of \$32 million;
- Served as agency liaison to County service delivery departments providing technical assistance and budgetary guidance;
- Represented and supported agency budgetary recommendations to elected and appointed officials;

International City/County Management Association (1995-1996)

- Researched issues of privatization and other alternative forms of service delivery;
- Conducted specialized research for municipal officials (United States and International);
- Researched and published a MIS Report on the restructuring of Parks and Recreation Departments;

References:

John F. Castile
City Manager
City of Greenville
PO Box 2207
Greenville, SC 29602
(864) 467-5700
jcastile@greenvillesc.gov

Tom Gates
Assistant City Manager
City of Alexandria
301 King Street, Room 350
Alexandria, VA 22314
(703) 746-4300
tom.gates@alexandriava.gov

Jim Hartmann
County Manager
Seminole County Manager
1101 East First Street
Sanford, FL 32771
(703) 835-2437
jhartmann2@cflrr.com

Ray Jones
Attorney
Parker Poe
1201 Main Street
Suite 1450
Columbia, SC 29202
(864) 253-8917
rayjones@parkerpoe.com

Nancy Whitworth
Director, Economic and Community
Development
City of Greenville
PO Box 2207
Greenville, SC 29602
(864) 467-4402
nwhitworth@greenvillesc.gov

Brian Swords, Ph.D
Dean, Tri-County Technical College
Easley Campus
1774 Powdersville Road
Easley, SC 29642
(864) 220-8888
bswords@tctc.edu

Joel Ledbetter, PE
General Manager
Easley Combined Utilities
PO Box 619
Easley, SC 29641
(864) 859-4013
jledbetter@easleyutilities.com

David Allison
City Attorney
City of Easley
PO Box 879
Pickens, SC 29671
(864) 878-4109
dkallison@bellsouth.net

Brad Love
Bond Counsel
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville, SC 29602
(864) 240-3388
blove@hsblawfirm.com

Collected
DATE →

[REDACTED]
Irmo, SC 29063
January 24, 2013

TRANSMITTED VIA FACSIMILE

Mr. Jared Glover
Director, Public Relations Department
City of Columbia
1737 Main Street
Columbia, SC 29217

Dear Mr. Glover:

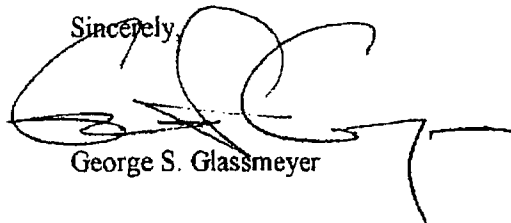
I am in receipt of the documents that your office provided to me pursuant to my FOI request dated January 14, 2013 in which I requested all materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of city manager.

Upon my review of these documents, I note that various data has been redacted by your office. The redacted data includes the home addresses of applicants, some (but not all) telephone numbers belonging to applicants and their respective references, applicant's driver's license numbers and restrictions to their respective driver's licenses, and some (but not all) reasons for leaving or wanting to leave previous employment positions.

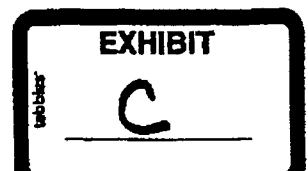
My examination of Title 30, Chapter 4 (Freedom of Information Act) of the South Carolina Code of Laws found no authority for your office to redact the above referenced data. Therefore, I specifically request that you provide the above referenced redacted data to me without further delay.

I may be contacted at (803) 749-0480 or SCverdict@aol.com. I look forward to receiving your prompt response.

Sincerely,



George S. Glassmeyer





CITY OF COLUMBIA
SOUTH CAROLINA

OFFICE OF THE CITY ATTORNEY • POST OFFICE BOX 667 • COLUMBIA, SC 29202 • (803) 737-4242 • FAX (803) 737-4250

January 28, 2013

Mr. George S. Glassmeyer
[REDACTED]
Irmo, South Carolina 29063

RE: FOIA 12-13-442

Dear Mr. Glassmeyer:

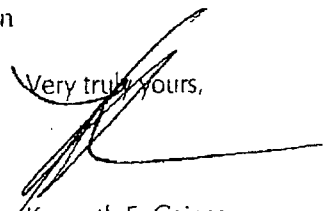
This is in response to your letter of January 24, 2013 whereby you seek unredacted copies of the materials relating to the five finalists for the position of City Manager. You contend that the South Carolina Freedom of Information Act requires that you be provided unredacted materials.

S.C. Code §30-4-30 provides that a person has a right to inspect or copy any public record of a public body except as otherwise provided by §30-4-40. This section enumerates matters that are exempt from disclosure. S.C. Code §30-4-40(b) provides for the redaction of exempt material from public records.

Therefore, the City of Columbia has complied with the provisions of the South Carolina Freedom of Information Act and will not release unredacted materials to you as you have requested.

With kindest regards, I remain

Very truly yours,



Kenneth E. Gaines
City Attorney

KEG/sla

cc: Teresa Wilson, City Manager
Pam Benjamin, Human Resources Director
Jared Glover, Public Relations Specialist

Leshia Utsey, Public Relations Director
Al Nickles, Esquire
David Fernandez, Asst. City Attorney

EXHIBIT

D

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

George S. Glassmeyer,)

Plaintiff,)

vs.)

City of Columbia,)

Defendant.)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

ANSWER OF DEFENDANT
(Non-Jury)

FILED
2013 APR - 1 AM 10:34
JEANETTE W. HARRIS
C.C.P. & G.S.

FOR A FIRST DEFENSE
(General Denial)

I. Defendant City of Columbia ("City") responds to the allegations of the Complaint in the following fashion. Each and every allegation of the Complaint not specifically admitted or qualified is hereby denied, and strict proof thereof is demanded.

PARTIES, JURISDICTION AND VENUE

1. Admitted upon information and belief.
2. Admitted.
3. The allegations of this Paragraph are legal in nature and do not require a response.

Defendant does not challenge jurisdiction.

4. The allegations of this Paragraph are legal in nature and do not require a response.

Defendant does not challenge venue.

ALLEGATIONS

5. In response to the allegations of this Paragraph, Defendant craves reference to the Freedom of Information Act referenced therein and provided as Exhibit A to the Complaint.

6. In response to the allegations of this Paragraph, Defendant craves reference to the material referenced therein and provided as Exhibit B to the Complaint.

7. In response to the allegations of this Paragraph, Defendant craves reference to the letter referenced therein and provided as Exhibit C to the Complaint.

8. In response to the allegations of this Paragraph, Defendant craves reference to the material provided as Exhibit D to the Complaint.

9. Denied.

FIRST CAUSE OF ACTION

10. Defendant incorporates the responses to Paragraphs 1-9 as if set forth verbatim.

11. Admitted.

12. Denied.

13. Denied.

14. The allegations of this Paragraph are legal in nature and do not require a response.
By way of further response, Defendant denies any violation of law.

15. The allegations of this Paragraph are legal in nature and do not require a response.
By way of further response, Defendant denies any violation of law.

16. The allegations of this Paragraph are legal in nature and do not require a response.
By way of further response, Defendant denies any violation of law.

17. Denied.

FOR A SECOND DEFENSE **(Failure to State a Claim)**

II. Plaintiff's Complaint fails, in whole or in part, to state a cause of action upon which relief can be granted as to the Defendant.

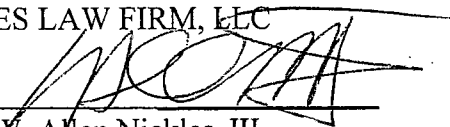
FOR A THIRD AND/OR AFFIRMATIVE DEFENSE
(Immunity)

III. Defendant specifically asserts and reserves all claims to immunity and qualified immunity available under law.

WHEREFORE, having fully responded to the allegations in Plaintiff's Complaint, Defendant respectfully requests that the Court enter an order dismissing the Complaint, with prejudice, and requiring the Plaintiff to pay the costs and attorneys fees incurred by Defendant in responding to the Complaint.

NICKLES LAW FIRM, LLC

By: _____


W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

ATTORNEY FOR DEFENDANT

April 1 2013
Columbia, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

v.

City of Columbia,

Defendant.

) IN THE COURT OF COMMON PLEAS
) FIFTH JUDICIAL CIRCUIT
)

C/A NUMBER: 2013-CV-40-1450

**PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

TO: W. ALLEN NICKLES, III, ESQUIRE, ATTORNEY FOR DEFENDANT:

Pursuant to Rule 56 of the *South Carolina Rules of Civil Procedure*, Plaintiff George S. Glassmeyer ("Plaintiff"), by and through his undersigned attorneys, hereby moves for an order granting Plaintiff summary judgment as all causes of action in the above-referenced matter on the grounds that there is no genuine issue of material fact and Plaintiff is entitled to judgment as a matter of law granting Plaintiff unredacted public records from Defendant in response to a request under the South Carolina Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.* ("FOIA").

This motion is based upon the following memorandum of law and affidavit of George S. Glassmeyer, filed contemporaneously with this motion.

STATEMENT OF UNDISPUTED MATERIAL FACTS

On January 14, 2013, Plaintiff submitted a FOIA request for information to Defendant. *See* Affidavit of George S. Glassmeyer, attached hereto as **Exhibit A** at ¶ 3 and **Exhibit 1** attached thereto. In this request, Plaintiff requested: "All materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of City Manager." *Id.* Shortly thereafter, Defendant produced thirty-four pages of documents relating to the five finalists

for the position of City Manager, including: S. Allison Baker, Teresa Wilson, Leonard F. Regan, William P. Pate, and Jonathan F. Simmons, Jr. *Id.* at ¶ 4 and **Exhibit 2** attached thereto.

The response Plaintiff received from Defendant contained a list of the finalists' names, along with redacted copies of the finalists' applications and resumes. *Id.* The redactions obscured from view the following information: (1) some, but not all, home addresses; (2) some, but not all, telephone numbers of potential candidates and those persons listed as references for the applicants; (3) driver's license numbers and restrictions; (4) the reasons for leaving prior employment listed by all applicants; and (4) some, but not all, salary information. *Id.* at ¶ 4. No explanation for the redactions was provided. *Id.*

On January 24, 2013, Plaintiff requested that Defendant provide unredacted information for all materials relating to his request. *Id.* at ¶ 5; *see also* **Exhibit 3**. Kenneth E. Gaines, City Attorney, responded on January 28, 2013, refusing to produce unredacted materials. *Id.* at ¶ 6; *see also* **Exhibit 4**. Defendant cited the general rule regarding the ability to redact records under FOIA, S.C. Code Ann. § 30-4-30, without citing any particular exemption that applied. *Id.*

ARGUMENT

FOIA mandates that a public body that seeks to withhold public records from disclosure in response to a FOIA request provide its reason for doing so within fifteen (15) days. S.C. Code Ann. §30-4-30(c). Defendant failed to do that in this case. It merely cited the FOIA statute that provides for exemptions from disclosure and the statute that allows for the redaction of exempt material from ~~public records that are furnished in response to a request. See Glassmeyer Affidavit at ¶¶ 6-7, see~~ **Exhibit 4**. This is not enough to meet the requirements of § 30-4-30(c). Even if it had set forth the reasons why it chose to redact the public records, none of the exemption categories set forth in

S.C. Code Ann. § 30-4-40 or elsewhere in FOIA applies. Therefore, Plaintiff is entitled to summary judgment with regard to his request for declaratory relief in this case.

South Carolina enacted its version of FOIA in 1978. S.C. Code Ann. § 30-4-10 *et seq.* The legislature clearly intended that once the shift to open government occurred, it would be a bold shift:

The General Assembly finds that it is **vital in a democratic society that public business be performed in an open and public manner** so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formation of public policy. Toward this end, provisions of this chapter **must be construed so as to make it possible for citizens . . . to learn and report fully the activities of their public officials** at a minimum cost or delay to the persons seeking access to public documents or meetings.

S.C. Code Ann. § 30-4-15 (emphasis added). “The essential purpose of the FOIA is to protect the public from secret government activity.” *Bellamy v. Brown*, 305 S.C. 291, 408 S.E.2d 219, 221 (1991).

In order for a public body to legally withhold information under FOIA, the information must fall in one of the fifteen exemption categories in Section 30-4-40, or be otherwise exempt from disclosure under various other FOIA provisions. The presumption is for disclosure: “The burden of proving that an exemption to disclose exists under the [FOIA] lies with the government.” *Evening Post Pub. Co. v. Berkeley County School Dist.*, 392 S.C. 76, 708 S.E.2d 745 (2011). “The FOIA is remedial in nature and should be liberally construed to carry out the purpose mandated by the legislature.” *Campbell v. Marion County Hosp. Dist.*, 354 S.C. 274, 281, 580 S.E.2d 163, 166 (Ct. App. 2003) (citing *Quality Towing, Inc. v. City of Myrtle Beach*, 345 S.C. 156, 547 S.E.2d 862 (2001)).

Section 30-4-30(a) states: “Any person has a right to inspect or copy any public record of a public body, *except as otherwise provided by Section 30-4-40*, in accordance with reasonable rules concerning time and place of access.” S.C. Code Ann. § 30-4-30(a) (emphasis added). This policy

ensures that public business is performed in an open and public manner, and that citizens are informed of the activities of their public officials. See S.C. Code Ann. § 30-4-15. FOIA exemptions are construed narrowly to conform to the public purposes of the Act. *Evening Post Pub. Co. v. City of North Charleston*, 363 S.C. 452, 611 S.E.2d 496 (2005); see also *United States v. Tax Analysts*, 492 U.S. 136, 151 (1989). If a document does not fall within one of the enumerated exemptions, then the document and/or information cannot be withheld by a public body. *Id.* Whether an exemption applies is necessarily a case-by-case determination. *Id.*; *City of Columbia v. American Civil Liberties Union*, 323 S.C. 384, 475 S.E.2d 747 (1996).

Section 30-4-30(c) of FOIA imposes an obligation upon public bodies to make a decision regarding the accessibility of requested documents within fifteen days of the request. The statute further mandates that the public body “notify the person making such request of its determination and the reasons therefor.” S.C. Code Ann. § 30-4-40(c). The information provided by Defendant does not include any explanation for its redactions. See Glassmeyer Affidavit at ¶¶ 6-7, see also **Exhibit 4**. Rather, Defendant merely indicated, in a subsequent letter dated January 28, 2013, that FOIA generally allows an agency to redact otherwise public records. *Id.* While Defendant is correct that it is permitted to redact otherwise public records pursuant to S.C. Code Ann. § 30-4-40 when an exemption from redaction applies, FOIA requires that the reasons for the redactions be set forth in the response to the FOIA request. Defendant’s failure to provide the basis for its redactions is a stand-alone violation of FOIA.

~~Additionally, Defendant has violated FOIA because none of the exemptions to disclosure~~
under § 30-4-40 applies. Defendant withheld information concerning phone numbers and addresses, reasons for leaving prior employment, the duties of one applicant’s prior employment position and compensation information, all of which are subject to disclosure.

Plaintiff supposes that Defendant may have erroneously relied upon § 30-4-40(a)(2), regarding "information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of privacy." With respect to phone numbers and addresses, this is the kind of information that typically appears in phone directories. In order to be exempt under § 30-4-40(a)(2), the information must constitute "an unreasonable invasion of privacy." The public has a legitimate interest in knowing whether certain individuals truly do recommend an applicant for positions of public employment, and people that agrees to be listed as references for applicants for a position with a public body do not have a reasonable expectation that their identities will remain anonymous.

Additionally, the personal privacy exemption does not apply to the applicants' reasons for leaving prior employment. With respect to this information in particular, members of the public have a right to know why an applicant for a position with a public body left or was fired from previous employment. Such information goes to the heart of the policy underlying the General Assembly's adoption of FOIA in 1978. Members of the public have a right to know if one or more of the applicants for the position of City Manager left his or her previous employment for reasons that might affect their eligibility or candidacy for the City Manager position.

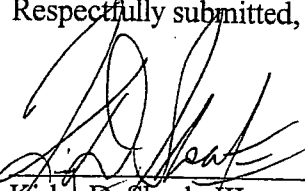
Moreover, Section 30-4-40(6) does not apply to the information regarding compensation of the applicants. Section 30-4-40(6) exempts from disclosure "[a]ll compensation paid by public bodies," with certain exceptions. Although Defendant has not provided its bases for withholding information, Defendant appears to be relying on § 30-4-40(6) to withhold any salary figure that falls below \$50,000. However, some of the redactions obscure salary information regarding prior employment positions outside of South Carolina. FOIA only applies to public bodies in South Carolina. *See* S.C. Code Ann. § 30-4-20(a). The compensation exemption under FOIA does not

apply to prior employment positions and should not apply to positions which were held by applicants outside of South Carolina. *See* S.C. Code Ann. § 30-4-20(a) ("public body" defined as a department of the State of South Carolina). Nor does this exemption apply to an applicant's *own representations* as to his or her salary at a prior place of employment. It merely applies to exempt from disclosure the compensation currently paid to employees of entities within South Carolina that are supported in whole or in part by public funds. *Id.*; *Burton v. York County Sheriff's Dept.*, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). The exemption does not apply here.

CONCLUSION

Plaintiff is informed and believes that Defendant has no basis for claiming an exemption under FOIA, even if it had done so in this instance, and therefore Plaintiff is entitled to summary judgment.

Respectfully submitted,



Kirby D. Shealy III
Lyndey Ritz Zwing
ELLIS, LAWHORNE & SIMS, P.A.
1501 Main Street, 5th Floor
Columbia, South Carolina 29201
Telephone: (803) 254-4190
Facsimile: (803) 779-4749
kshealy@ellislawhorne.com
Attorneys for Plaintiff

April 25, 2013

EXHIBIT A

COUNTY OF RICHLAND

Plaintiff,

V.

Defendant.

C/A NUMBER: 2013-CV-40-1450

**AFFIDAVIT OF GEORGE S.
GLASSMEYER IN SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

1. I am over the age of eighteen and am of sound mind to give the testimony provided in this affidavit.

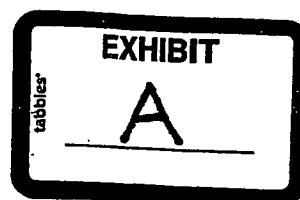
2. I have personal knowledge of and am competent to swear to the facts set forth in this affidavit.

3. On January 14, 2013, I submitted a Freedom of Information Act (“FOIA”) request to the City of Columbia. The request stated in relevant part:

As provided in Section 30-4-40(13) of the S.C. Code of Laws, all materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of city manager. At this time, I am requesting inspection only.

See Freedom of Information Act Request (January 14, 2013) attached as **Exhibit 1**.

4. On or about January 24, 2013, Mr. Jared Glover, Director of Public Relations at the City of Columbia responded to my request by providing thirty-four pages of information regarding the applicants for the position of City Manager. *See Responses to Request attached hereto as Exhibit 2.*



5. On January 24, 2013, I sent correspondence to Mr. Glover, informing him that various information that I requested pursuant to my FOIA request had been redacted, including: the home addresses of applicants, some (but not all) telephone numbers belonging to applicants and their respective references, and some (but not all) reasons for leaving or wanting to leave previous employment positions. See Letter to Glover (January 24, 2013), attached hereto as **Exhibit 3**. Also excluded were compensation information for some (but not all) of the previous places of employment for some of the applicants.

6. On or about January 29, 2013, I received from Kenneth E. Gaines, Esquire, City Attorney for the City of Columbia, a letter stating:

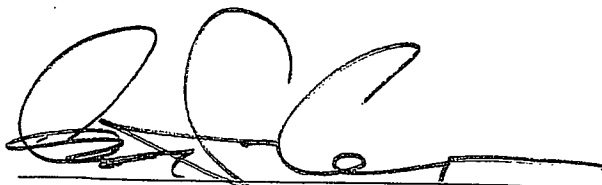
S.C. Code Ann. § 30-4-40 provides that a person has a right to inspect or copy any public record of a public body except as otherwise provided by § 30-4-40. This section enumerates matters that are exempt from disclosure. S.C. Code § 30-4-40(b) provides for the redaction of exempt material from public records.

Therefore, the City of Columbia has complied with the provisions of the South Carolina Freedom of Information Act and will not release the unredacted materials to you as you have requested.

See Letter from Kenneth Gaines, attached hereto as **Exhibit 4**.

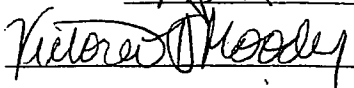
7. To this date the City of Columbia has not given me notice of the specific exemptions which apply regarding the redacted information as is required by S.C. Code Ann. § 30-4-30(c).

FURTHER AFFIANT SAYETH NOT.


George S. Glassmeyer

SWORN TO BEFORE ME THIS 25

DAY OF April, 2013


Victoria M. Heady

NOTARY PUBLIC FOR SOUTH CAROLINA

MY COMMISSION EXPIRES: 02/17/19

FOIA# _____
For Office Use

(FILING FORM)
FREEDOM OF INFORMATION ACT REQUEST

TO: CITY OF COLUMBIA
(PLEASE PRINT)

NAME: GEORGE S. GLASSMEYER

ADDRESS: PO BOX 661, IRMO, SC 29063

E-mail address: SCVERDICT@AOL.COM

PHONE NUMBER(S) (DAYTIME): 803-749-0480

I REQUEST THE FOLLOWING INFORMATION UNDER THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT. (PLEASE BE SPECIFIC).

AS PROVIDED IN SECTION 30-4-40 (13) OF THE SC
CODES OF LAWS, ALL MATERIALS RELATING TO NOT FEWER
THAN THE FINAL THREE APPLICANTS FOR THE MOST RECENT
VACANCY ANNOUNCEMENT FOR THE POSITION OF CITY MANAGER.

INDIVIDUALS FILING FOIA REQUESTS ARE ASKED TO USE THE CITY'S FOIA REQUEST FORM OR SUBMIT A LETTER. ALL REQUESTS ARE TO BE SIGNED. REQUESTS ARE TO BE **FAXED** (803-343-8719), **MAILED** (CITY OF COLUMBIA ATTN: PUBLIC RELATIONS DEPT. PO BOX 147 COLUMBIA, SC 29217) OR **HAND-DELIVERED** (1737 MAIN STREET (CITY HALL CORNER OF MAIN AND LAUREL STREETS). HAND-DELIVERED REQUEST SHOULD BE LEFT WITH CSO (SECURITY OFFICER) LOCATED IN THE FRONT ENTRANCE (MAIN & LAUREL STREETS) OF CITY HALL.

*AT THIS TIME,
I AM
REQUESTING
INSPECTION
ONLY.*

A MINIMUM OF .25 CENT PER PAGE COPY CHARGE, \$1.00 PER CD/DVD AND \$10.00 PER HOUR RESEARCH AND RETRIEVAL FEE MAY APPLY. DOCUMENTS MAY BE FURNISHED WHEN APPROPRIATE WITHOUT CHARGE OR AT A REDUCED CHARGE WHERE THE AGENCY DETERMINES THAT WAIVER OR REDUCTION OF THE FEE IS IN THE PUBLIC INTEREST BECAUSE THE INFORMATION CAN BE CONSIDERED AS PRIMARILY BENEFITING THE GENERAL PUBLIC.

THE PUBLIC BODY MAY ESTABLISH AND COLLECT FEES NOT TO EXCEED THE ACTUAL COST OF SEARCHING FOR MAKING COPIES OF THE RECORD.

A PRE-PAID DEPOSIT MAY BE REQUIRED BEFORE SEARCHING FOR OR MAKING COPIES OF THE RECORDS.

SIGNATURE

01-14-13

EXHIBIT

1

City Of Columbia

Position of City Manager

Listed below are the finalist for the position of City Manager:

S. Allison Baker *

Teresa Wilson *

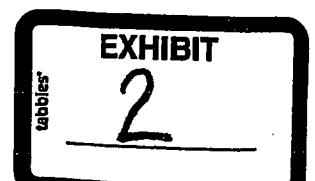
Leonard F. Regan

William P. Pate

Jonathan F. Simmons, Jr.

***Denotes internal candidate**

Attached are the applications and resume submitted as part of the application process for the finalist as identified by City Council.



CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

Page 1

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager

①

First Position Title

Second Position Title

Third Position Title

Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

Dept/Div	EOC	Status	Dept/Div	EOC	Status	Dept/Div	EOC	Status
1	NR	07/01	5			9		
2			6			10		
3			7			11		
4			8			12		

Date:

Date:

Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

October 26, 2012

APPLICANT'S NAME (Print)

Baker

Smith

Allison

PRINT LAST NAME

PRINT FIRST NAME

Middle Initial

Home Address:

Street Number - Street Name

Columbia

SC

29212

City

State

Zip Code

Telephone Numbers:

Home Phone:

(AC)

[REDACTED]

Work Phone:

(AC)

803 545-3480

Cell Phone:

(AC)

803 360-6179

Pager Number:

(AC)

[REDACTED]

May we call you at work?

X

/Yes

[REDACTED]

/No

E-mail Address:

abaker@columbiasc.net

Instructions:

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

X

/YES*

EMPLOYEE I.D. Number

↓

*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

/No

II. (2)

Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

[REDACTED]

(3)

Class Type (Check One):

/A

/B

/C

/D

/E

/F

X/G

/M

Expiration Date:

01/12/2017

(4)

Endorsements?

/Yes *

X

/No

*If Yes, Identify:

Restrictions?

/Yes *

X

/No

*If Yes, Identify:

[REDACTED]

Work Schedule Preferred:

X

/Full-Time

Part-Time

Part-Time Hours:

/Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a Conditional Offer of Employment contingent upon successful completion of all Pre-Employment screening process, which may include but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLE/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its Conditional Offer of Employment.

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.

REVENUE MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

Your benefit to follow the application procedure since there are often many applicants for each job opening. To be considered, you must meet the required minimum qualifications, i.e. the education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

FOR CURRENT JOB VACANCIES CALL JOBS LINE AT: (803) 545-3001 or go to: www.columbiasc.net/jobs

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 1 ONLY)

III. EMPLOYMENT DATA

Page 2

III. (1) Are you age 18 or older? ☒ Yes ☐ No III. (2) Are you authorized to work in the United States? ☒ Yes ☐ No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ Yes* ☐ No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

	Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
					Yes	No		
High School:	Forest Glen	Suffolk	VA	1 2 3 4	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School:	New York Life Insurance	Norfolk	VA	1 2 3 4	X			Life Underwriter
Trade School:				1 2 3 4				
College:	Norfolk State University	Norfolk	VA	1 2 3 4	X		Bachelor of Science in Recreation Programs	1974
College:	Virginia Commonwealth University	Richmond	VA	1 2 3 4	X		Master of Business Administration	1997

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ Yes* ☐ No

*If Yes, provide the following:

Date Obtained:

State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☐ Yes* ☐ No
50 /CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Excel and Power Point
Microsoft

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V Did you serve in the Armed Services? Check ☐ Yes ☒ No

VII. Have you ever worked under another name? ☐ Yes* ☒ No *If Yes, what name(s):

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW

Have you included a Resume? ☐ /Yes* ☐ /No ☐ *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		Note: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of Columbia				Month	Year	Month	Year		
				07	2011	Present		\$134,000	\$136,680
Company Address (Current City Employee: List Current Division Location)				Position					
1737 Main Street				Title:		Senior Assistant City Manager			
Company City & State/Zip Code (Current City Employee: List Current Division Location)				Describe your duties:					
Columbia, SC 29201				Responsible for the administrative oversight of the following departments: Police, Fire, (911) Emergency Communications, Human Resource, Technology, Public Information and Parks & Recreation. Responsible for the review and approval of all personnel actions 2200+ employees across all city departments. Organizationally, I am second in command and responsible for acting in the City Manager's stead as required.					
Telephone Number	AC:	803	545-3480						
Supervisor's Name:		Steven Gantt, City Manager							
May We Call?	X	Yes	No	Reason:					
Check One	X	FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)						
		PT							

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		07	2008	06	2011	\$127,300	\$134,000
Company Address		Position		Title:			
Washington Street		Senior Assistant City Manager/Director of Parks and Recreation*					
Company City & State/Zip Code		Describe your duties:					
Columbia, SC 29201		Responsible for the administrative oversight of the following departments: Homeland Security, Community Development, Economic Development, Development Corporation and Parks and Recreation.					
Telephone Number	AC:	803	545-3480	Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees.			
Supervisor's Name:		Steven Gantt, City Manager					
May We Call?	X	Yes	No	Reason:			
Check One	X	FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)				
		PT					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		08	2004	06	2008	\$107,000	\$127,300
Company Address		Position		Title:			
Washington Street		Assistant City Manager/Director of Parks and Recreation					
Company City & State/Zip Code		Describe your duties:					
Columbia, SC 29201		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. As Assistant City Manager responsible for the administrative oversight of the following departments: Public Works, General Services, Community Development, (911) Emergency Communications, Homeland Security and Parking Service. Upon retirement of the Director of the (911) Emergency Communications, during a period from June 2005 - April 2006, I was responsible for the day to day operations of the (911) Emergency Center.					
Telephone Number	AC:	803	545-3480	Supervisor's Name:			
Charles Austin, City Manager							
May We Call?	X	Yes	No	Reason:			
Check One	X	FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)				
		PT					

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 - ONLY)

APPLICANT'S NAME (PRINT)	Baker	Smith	A
	(Last Name)	(First Name)	M.I.

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year		
		01	1997	07	2004	\$72,000	\$96,000
Company Address		Position					
1932 Calhoun Street		Title: Director, Parks and Recreation Department					
Company City & State/Zip Code		Describe your duties:					
Columbia, SC 29201		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. The Department includes 55+ park properties and the Charles R. Drew Wellness Center.					
Telephone Number	AC: 803 545-3480	Supervisor's Name: Charles Williams, City Manger					
May We Call?	☒ Yes ☐ No /Reason:	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT ☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Richmond Virginia		Month	Year	Month	Year		
		07	1991	03	1996		
Company Address		Position					
900 East Broad		Title: Parks, Recreation, Community Facilities Director					
City & State/Zip Code		Describe your duties:					
Richmond Virginia 23519		Responsible for the operations of the city's parks and recreation programs and facilities (11 indoor/outdoor swimming pools). Also oversaw the operations of the city's community facilities to include the Richmond Coliseum (13,500 seats), Richmond Convention Center, Landmark Theater (3,500 seats), Arthur Ashe Center and the City's seven cemeteries.					
Telephone Number	AC:	Supervisor's Name: Jerry Johnson, Deputy City Manager					
May We Call?	☐ Yes ☐ No /Reason:	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT ☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Suffolk		Month	Year	Month	Year		
		02	1988	06	1991		
Address		Position					
441 Market Street		Title: Director of Parks, Recreation & Community Affairs					
City & State/Zip Code		Describe your duties:					
Suffolk, VA 23434		Responsible for the day to day operations of the city's park and recreation facilities. Operations included 29 facilities, 28 full-time employees and 68 part-time/seasonal employees. Operations of the department also included two revenue producing lake properties. Manage a \$1 million annual operating budget.					
Telephone Number	AC:	Supervisor's Name: Thomas Underwood, Deputy City Manager					
May We Call?	☐ Yes ☐ No /Reason:	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT ☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☐ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)

IX. CRIMINAL CONVICTION (S)

Page 4

Have you **EVER** been **CONVICTED** of ANY criminal offense(s) **EVER**??**YES*** (If yes, list below)☒ **No**If yes, you **MUST** provide the following information for **ALL CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – **BE SURE TO LIST ALL CONVICTIONS.**

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every** conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has **ANY** convictions and you have not listed them above -- **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mr. Steven Gantt, City Manager	City of Columbia, 1737 Main Street, Columbia, SC 29201	803-545-3025
2. Reverend Dr. Charles P. Jackson, Senior Pastor	Brookland Baptist Church, 1066 Sunset Boulevard, West Columbia, SC 29169	
3. Ms. Vicky Steinruck	Forest Drive, Richmond, VA	

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date:

10/26/2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10/26/2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

Page 1

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager

First Position Title

Second Position Title

Third Position Title

Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

Dept/Div	EOC	Status*	Dept/Div	EOC	Status*	Dept/Div	EOC	Status*
1	HR	01/01	5			9		
2			6			10		
3			7			11		
4			8			12		

Date:

Date:

Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

October 22, 2012

APPLICANT'S NAME (Print)

WILSON

Teresa

B.

PRINT LAST NAME

PRINT FIRST NAME

Middle Initial

Home Address:

Street Number - Street Name

Columbia

SC

29212

City

State

Zip Code

Telephone Numbers:

Home Phone:

(AC)

803

Work Phone:

(AC)

803

545-3011

May we call you at work?

X

/Yes

/No

Cell Phone:

(AC)

803

Pager Number:

(AC)

413-3118

Instructions:

E-mail Address: fbwilson@columbiasc.net

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

X

/YES*

EMPLOYEE I.D. Number

21310

*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

/No

21310

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

(3) Class Type (Check One):

/A

/B

/C

X/D

/E

/F

/G

/M

Expiration Date:

5/17/2018

(4) Endorsements?

/Yes *

X

/No

If Yes, identify:

Restrictions?

/Yes *

/No

If Yes, identify:

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening process, which is not limited to the following: Drug and Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED. APPLICANTS MAY BE SUMMONED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is your benefit to follow the application procedures since there are often many applicants for each job opening and you must possess the required minimum qualifications, i.e. the related education, training & experience for each job opening. You must also meet the required minimum qualifications, i.e. the related education, training & experience and any special requirement(s). Testing is not always required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

III. (1) Are you age 18 or older? ☒ /Yes ☐ /No III. (2) Are you authorized to work in the United States? ☒ /Yes ☐ /No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☐ /No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII On PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated Yes No	Type & Name of Degree or Certificate	If College: Major/Minor
High School: Irmo High School	Columbia	SC	1 2 3 4 X	X	If you did not graduate from high school complete Section IV. (1) below.	
Technical School: NA			1 2 3 4			
Trade School: NA			1 2 3 4			
College: The University of South Carolina—Honors College	Columbia	SC	1 2 3 4 X	X		
College: The University of South Carolina School of Law	Columbia	SC	1 2 3 4 X	X		

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ /Yes* ☐ /No

*If Yes, provide the following:

Date Obtained:

State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
X/Yes* /No	X /Yes* /No	/Yes* X /No	X /Yes* /No	X /Yes* /No
*CWPM	*List Types Below: Microsoft Office/Outlook	*Speed Strokes:	*List Types Below: Excel	*List Types Below: Legislative/Constituent Tracking

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Please refer to cover memo and resume.

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

NA

VIII. Employment HISTORY - WORK EXPERIENCE

Page 3

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		Note: Current City Employees List Current Div.		From		To		Starting Salary	Last Salary
City of Columbia Administration		Month	Year	Month	Year				
		2	2007	Present					\$119,850
Company Address (Current City Employee: List Current Division Location)		Position Title:		Assistant City Manager					
1737 Main St		Describe your duties:							
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Columbia, SC 29201							
Telephone Number		AC: 803		545-3011					
Supervisor's Name:		Mr. Steve Gantt							
May We Call?		☒	Yes	☐	No	Reason:			
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
	☐ PT								

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
The University of South Carolina		Month	Year	Month	Year		
		6	2005	2	2007		\$60,000
Company Address		Position Title:		Coordinator of Government & Community Relations			
1600 Hampton Street Suite 738		Describe your duties:					
Company City & State/Zip Code		Columbia, SC 29208					
Telephone Number		AC: 803		777-4032			
Supervisor's Name:		Mrs. Shirley Mills					
May We Call?		☒	Yes	☐	No	Reason:	
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland School District One		Month	Year	Month	Year		
		8	2004	5	2005	Approx.	Approx.
Company Address		Position Title:		6 th Grade English/Language Arts Teacher			
St. Andrews Middle School 1231 Bluefield Road		Describe your duties:					
Company City & State/Zip Code		Columbia, SC 29210					
Telephone Number		AC: 803		731-8910			
Supervisor's Name:		Mr. Ken Richardson					
May We Call?		☒	Yes	☐	No	Reason:	
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)	Wilson	Teresa	B.
	(Last Name)	(First Name)	MI

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland School District Two		Month	Year	Month	Year	Approx.	Approx.
		8	2002	5	2003		
Company Address		Position					
Spring Valley High School		Title: 9 th Grade English Teacher					
120 Sparkleberry Lane		Describe your duties:					
Company City & State/Zip Code		Certified English teacher responsibilities;					
Columbia, SC 29229		Junior Varsity Mock Trial Coach.					
Telephone Number	803	699	3500				
Supervisor's Name: Dr. Greg Owings							
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Richland County School District One		Month	Year	Month	Year	Approx.	
		10	2000	8	2002		
Company Address		Position					
St. Andrews Middle School		Title: 6 th grade English/Language Arts, 6 th grade World History, and 7 th grade English/Language Arts Teacher					
1231 Bluefield Road		Describe your duties:					
City & State/Zip Code		Completed certification requirements via Richland One Alternative					
Columbia, SC 29210		Certification program (Critical Needs); Certified to teach					
Telephone Number	803	731	8910	middle/secondary English; Peer mediation coordinator.			
Supervisor's Name: Mr. Ken Richardson							
May We Call?	☒ Yes	☐ No	Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
SC Judicial Department		Month	Year	Month	Year	Approx.	Approx.
		8	1999	8	2000		
Address		Position					
Post Office Box 192		Title: Judicial Law Clerk for the Honorable L. Casey Manning;					
City & State/Zip Code		Describe your duties:					
Columbia, SC 29202		Research and drafting of legal issues in preparation for trial; jury					
Telephone Number	803	576	1773	qualification and voir dire; daily interaction with attorneys, court			
Supervisor's Name: The Honorable L. Casey Manning		staff and the general public; maintenance of the court docket as well					
May We Call?	☒ Yes	☐ No	as other functions of the judge's office.				
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☒ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A - ONLY)

Duff, Dubberly, Turner, White & Boykin, L.L.C.				Month	Year	Month	Year	Starting Salary	Last Salary
Address				9	1998	3	1999	(hourly)	
3700 Forest Drive				Position Title: Law Clerk					
City & State/Zip Code				Describe your duties:					
Columbia, SC 29201				Research and drafting of memoranda of law, orders, ordinances, and other legal documents, as they relate to the practice of school law, employment law, and local government/administrative law.					
Telephone Number	803	790	0603						
Supervisor's Name: Mr. David Duff									
May We Call? ☒ Yes ☐ No /Reason:									
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
If more space is needed, attach additional sheet of paper for continuation of Previous Work History									
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)									
								/Yes	/No
								Page 3**A**	

Employer 8

May we contact this employer?

Company: The Department of Justice National District Attorneys Advocacy Center
 Address: 1620 Pendleton Street
 State: SC
 From (mm/yyyy): 05/1998
 Name of Immediate Supervisor: head of Publications Department at the time
 Telephone Number: 803-705-5000

Yes

Position

Law Clerk

full time for summer only (hourly)

City

Columbia

Zip Code

29201

To (mm/yyyy)

08/1998

Title of Immediate Supervisor

Attorney

Your name at the time of employment (if different)

Teresa Wilson

Duties

Law clerk in the publications division. Extensive editing and writing on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the Federal Criminal Practice Manual, the USA (United States Attorneys') Bulletin, and a new manual, Courtroom Evidence.

Reason for Leaving

Employer 9

May we contact this employer?

Company: Nelson, Mullins, Riley & Scarborough, L.L.P.
 Address: 1320 Main Street
 State: SC
 From (mm/yyyy): 01/1998
 Name of Immediate Supervisor: Mr. Myron Terry
 Telephone Number: 803-799-2000

Yes

Position

Intern part time unpaid internship

City

Columbia

Zip Code

29201

To (mm/yyyy)

05/1998

Title of Immediate Supervisor

Government Relations (lobbyist)

Your name at the time of employment (if different)

Teresa Wilson

Duties

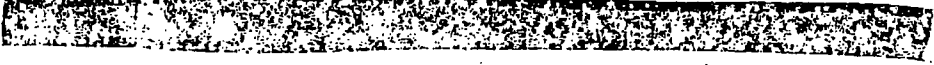
Intern in the firm's lobbying division. Exposure and work with the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.

Reason for Leaving

Employer 10

May we contact this employer?

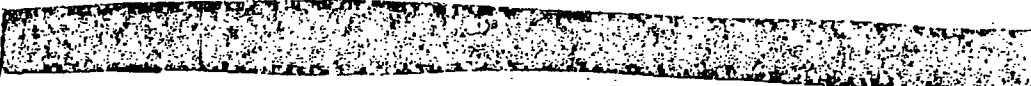
Yes

Company	Children's Law Office	Position	Research Assistant <i>part time (hourly)</i>
Address	1600 Hampton Street, Suite 502	City	Columbia
State	SC	Zip Code	29208
From (mm/yyyy)	08/1997	To (mm/yyyy)	12/1997
Name of Immediate Supervisor	Ms. Pamela Mohr	Title of Immediate Supervisor	Director
Telephone Number	803-777-1646	Your name at the time of employment (if different)	Teresa Wilson
Duties	Performed legal research tasks related to child protection and criminal child maltreatment.		
Reason for Leaving			

Employer *11 (11)*

May we contact this employer?

Yes

Company	NationsBank (now, Bank of America)	Position	Intern <i>full times during summers only (hourly)</i>
Address	1301 Gervais Street	City	Columbia
State	SC	Zip Code	29201
From (mm/yyyy)	05/1993	To (mm/yyyy)	<i>07/1995</i> ~~07/2005~~
Name of Immediate Supervisor	various (three different supervisors for each summer internship)	Title of Immediate Supervisor	Vice-President
Telephone Number	803-929-5671 (ask for Human Resources)	Your name at the time of employment (if different)	Teresa Wilson
Duties			
Reason for Leaving	Summer internships.		

IX. CRIMINAL CONVICTION (S)

Page 4

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER**??:**YES*** (If yes, list below)☒ **No**If yes, you **MUST** provide the following information for **ALL CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – **BE SURE TO LIST ALL CONVICTIONS.**

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a **SLID** or **NCIC** check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has **ANY** convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mrs. Shirley Mills	Osborne Administration; USC; Columbia, SC 29208	803- [REDACTED]
2. Mr. Charles P. Austin, Sr.; Dean	Benedict College; 1600 Harden St.; Columbia, SC 29204	803-705-4653
3. The Honorable L. Casey Manning	PO Box 192; Columbia, SC 29202	803-576-1773

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

(1) - Original Signature:

Date:

10-22-2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10-22-2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

TERESA WILSON

Columbia, South Carolina 29212

tbwilson@columbiasc.net

EDUCATION

University of South Carolina School of Law, Columbia, South Carolina
Juris Doctor Degree, May 1999

Student Bar Association (Legislative and Law Week Committees)
Pro Bono Board (1998 Service Award) & Public Interest Law Society (1997-98 Secretary)
Black Law Students Association
Richland County School District One Mentor

University of South Carolina--Honors College, Columbia, South Carolina
Bachelor of Arts in English, May 1996, with honors from South Carolina Honors College
Outstanding Senior Award (given by Omicron Delta Kappa)
Student Assistant, Office of the President, January 1994 - July 1996
Intern, NationsBank (Personnel, Credit Training and Real Estate Banking), Summers 1993 - 1995

PROFESSIONAL EXPERIENCE

Assistant City Manager - Community Programs, Economic Development & Government Services, The City of Columbia
Columbia, South Carolina, July 2011 - Present

Serve as a member of the City's senior management team with oversight and responsibility for Economic Development, Community Development, Governmental Affairs & Community Relations, the Office of Business Opportunities, the Development Corporations, Grants Administration and the Office of the Mayor.

Director of Governmental Affairs & Community Relations, The City of Columbia
Columbia, South Carolina, since February 2007 (duties folded into new role as Assistant City Manager)
Serve as the City's intergovernmental relations liaison and provide a central location for community relations.
Manage/ conduct lobbying efforts (state & Federal levels) on behalf of the City as well as collaborations between the City and various entities. Coordinate constituent services, American Recovery & Reinvestment Act (stimulus) management, grants administration, and numerous special projects.

Government & Community Relations, The University of South Carolina, The Office of the President
Columbia, South Carolina, June 2005 - February 2007

Provided leadership and support to University administrators, faculty and staff on governmental relations and legislative matters, as well as served as liaison for case work involving the external and internal communities, organizations and the City of Columbia.

Language Arts & Reading Teacher, 6th / 7th grades, St. Andrews Middle School, Richland School District One
Columbia, South Carolina, October 2000 - August 2002; August 2004 - May 2005
Completed certification requirements via Richland One Alternative Certification Program (Critical Needs); Certified to teach middle/ secondary English; Peer Mediation coordinator.

English Teacher, 9th grade, Spring Valley High School, Richland School District Two
Columbia, South Carolina, August 2002 - May 2003
Junior Varsity Mock Trial Coach.

Judicial Law Clerk, The Honorable L. Casey Manning, Fifth Judicial Circuit
Columbia, South Carolina, August 1999 - August 2000

Researched and drafted legal issues in preparation for trial; jury qualification and voir dire; interacted daily with attorneys, court staff and the general public; maintained the court docket as well as other functions of the office.

Law Clerk, Duff, Dubberly, Turner, White & Boykin, L.L.C.

Columbia, South Carolina, September 1998 – March 1999

Researched and drafted memoranda of law, orders, ordinances, and other legal documents, as they related to the practice of school law, employment law, and local government/administrative law.

Law Clerk, The Department of Justice National District Attorneys Advocacy Center
Columbia, South Carolina; Summer 1998

Law clerk in the publications division. Edited and wrote extensively on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the *Federal Criminal Practice Manual*, the *USA (United States Attorneys') Bulletin*, and a new manual, *Courtroom Evidence*.

Intern, Nelson, Mullins, Riley & Scarborough, L.L.P.

Columbia, South Carolina, Spring 1998

Interned in the firm's lobbying division. Worked with attorneys, lobbyists and the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.

Research Assistant, Children's Law Project, Columbia, South Carolina, Fall 1997

Performed legal research tasks related to child protection and criminal child maltreatment.

COMMUNITY SERVICE/ AWARDS

Named one of the 50 Most Influential People 2011 by the *Columbia Business Monthly*

Named one of the City of Columbia's "Top 20 Under 40" Business Professionals (Class of 2008)

Central Midlands Council of Governments, Executive Board Member

Municipal Association of South Carolina Legislative Committee

Member, University Associates – University of South Carolina

Junior League of Columbia

Delta Sigma Theta Sorority, Inc.

Columbia Chapter of Jack & Jill of America, Incorporated

University of South Carolina Alumni Association

St. Peter's Catholic School Board Member

Member, Gethsemane Baptist Church

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29201-0147 2012

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager			
First Position Title	Second Position Title	Third Position Title	Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*
1 City Adm.	01/01	10				9		
2		6				10		
3		7				11		
4		8				12		

Date: 7/2/12	Date:	Date:
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*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA:

Date Of Application:

APPLICANT'S NAME (Print)	Leonard	F
PRINT LAST NAME	PRINT FIRST NAME	Middle Initial

Home Address:	McKinney	Texas	75070
Street Number - Street Name	City	State	Zip Code

Telephone Numbers:	Home Phone:	Work Phone:	(AC)	May we call you at work?	/Yes	X	/No
	Cell Phone:	Pager Number:	(AC)	Instructions:			

E-mail Address:	
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II. (1)	ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?	/YES*	EMPLOYEE I.D. Number	↓
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"If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer	X	/No
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II. (2)	Do you possess a VALID driver's license?	/No	X	/Yes*	*State	Texas	*License #:
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II. (3)	Class Type (Check One):	/A	/B	X/C	/D	/E	/F	/G	/M	Expiration Date:	05-21-14
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II. (4)	Endorsements?	/Yes*	/No	*If Yes, Identify:	Restrictions?	/Yes*	/No	*If Yes, Identify:
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Work Schedule Preferred:	X	/Full-Time	/Part-Time	Part-Time Hours:	Temporary
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The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check. Failure to successfully complete this process will be cause for the City to withdraw its Conditional Offer of Employment.

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.

A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e., the related education, training & experience and any special requirements. If you are not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

FOR CURRENT JOB VACANCIES CALL JOBS LINE AT: (803) 545-3001 or go to: www.columbiasc.net/jobs

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 1 ONLY)

III. (1) Are you age 18 or older? ☒ /Yes ☐ /No III. (2) Are you authorized to work in the United States? ☒ /Yes ☐ /No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☒ /No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII On PAGE 3 - ITEM (1)/Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated Yes No	Type & Name of Degree or Certificate	If College: Major/Minor
High School: Apex	Apex	NC	1 2 3 4	X	If you did not graduate from high school complete Section IV. (1) below.	
Technical School:			1 2 3 4			
Trade School:			1 2 3 4			
College: N. C. State University	Raleigh	NC	1 2 3 4	X	Master of Science	Recreation & Parks Admin/Sociology
College: Univ. of CO - Denver	Denver	CO	1 2 3 4	X	MPA (30 of 36 hrs. completed)	Public Administration

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ /Yes* ☐ /No

*If Yes, provide the following:

Date Obtained:

State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
X/Yes* /No	X/Yes* /No	X/Yes* /No	X/Yes* /No	X/Yes* /No
50 /CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Proficiency in All Microsoft Office Suite, Scheduling Programs, Internet Research

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V Did you serve in the Armed Services? Check ☐ /Yes ☒ /No

VII. Have you ever worked under another name? ☒ /Yes* ☐ /No *If Yes, what name(s): Frank Ragan

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

Page 3

List jobs **STARTING WITH YOUR PRESENT** or **LAST JOB**. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still **MUST** complete the following information.

(1) Present or Last Employer/Company's Name		Note: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of McKinney, Texas				Month	Year	Month	Year		
				02	2008	06	2010		
Company Address (Current City Employee: List Current Division Location)				Position Title:					
222 N. Tennessee St.				City Manager					
Company City & State/Zip Code (Current City Employee: List Current Division Location)				Describe your duties:					
McKinney, TX 75070				Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees).					
Telephone Number	972	547	7560						
Supervisor's Name:		McKinney City Council							
May We Call?		☒ Yes ☐ No /Reason:							
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
	☐ PT								

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year		
		05	2003	2	2008		
Company Address		Position Title:					
15151 East Alameda Pkwy.		Deputy City Manager of Community Services					
Company City & State/Zip Code		Describe your duties:					
Aurora, CO 80012		Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees).					
Telephone Number	303	739	7010				
Supervisor's Name:		Ron Miller					
May We Call?		☒ Yes ☐ No /Reason:					
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year		
		06	1995	05	2003		
Company Address		Position Title:					
15151 East Alameda Pkwy		Deputy City Manager of Operations					
Company City & State/Zip Code		Describe your duties:					
Aurora, CO 80012		Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project.					
Telephone Number	303	739	7010				
Supervisor's Name:		Ron Miller					
May We Call?		☒ Yes ☐ No /Reason:					
ck	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☒ /No
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)

(Last Name)

(First Name)

MI

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, CO		Month	Year	Month	Year		
		07	1991	05	2003		
Company Address		Position Title:					
15151 E. Alameda Pkwy.		Parks, Recreation and Open Space Director					
Company City & State/Zip Code		Describe your duties:					
Aurora, CO 80012		Duties included the administration of a comprehensive system including 5 golf courses, 6 community centers, senior center, indoor & outdoor pools, 75 parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs. \$30M budget.					
Telephone Number	303	739	7010				
Supervisor's Name:		Bob Blodgett					
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Bloomington, IN		Month	Year	Month	Year		
		08	1981	07	1991		
Company Address		Position Title:					
349 S. Walnut St		Administrator (Director) of Parks and Recreation					
City & State/Zip Code		Describe your duties:					
Bloomington, IN		Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities.					
Telephone Number	AC:						
Supervisor's Name:		Bloomington Board of Park Commissioners					
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
Henderson - Vance County Recreation & Parks Dept.		Month	Year	Month	Year		
		07	1977	08	1981		
Address		Position Title:					
		Director					
City & State/Zip Code		Describe your duties:					
Henderson, NC		Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.					
Telephone Number	AC:						
Supervisor's Name:		Steve Raper					
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☐ /Yes ☐ /No Page 3**A**

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)

IX. CRIMINAL CONVICTION (S)

Page 4

Have you **EVER** been **CONVICTED** of ANY criminal offense(s) **EVER****:

YES* (If yes, list below)

X No

* If yes, you **MUST** provide the following information for **ALL CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – **BE SURE TO LIST ALL CONVICTIONS.**

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every** conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has ANY convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Keith Clifton	Tenant Tracker, 1550 Bray Central Drive, McKinney, TX 75069	1-800-658-9379
2. Nancy Freed	City of Aurora, 15151 East Alameda Pkwy, Aurora, CO 75070	303-739-7223
3. Bill Whitfield	2723 Brookside Drive, McKinney, TX 75070	214-551-0192

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date: August 3, 2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

X. (2) - Original Signature:

Date: August 3, 2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

FRANK RAGAN
McKinney, Texas 75070

SUMMARY

Focused & action oriented – utilizes inclusive matrix management approach & takes full advantage of technology & evidence-based decision-making to achieve efficiencies, quality services & satisfied clients.
Flexible & highly adaptive - able to juggle numerous tasks & shift priorities quickly as needed.
Relentless, highly effective problem solver – possesses strong work ethic & passion to excel.

RELEVANT SKILLS & EXPERIENCE

Economic Development & Redevelopment– Coordinated all of city's planning/infrastructure support for the Fitzsimons Redevelopment Project, a closed military base. Led negotiations to secure the University of Colorado Health Sciences Center, University Hospital, Veterans Nursing Home & Children's Hospital to Aurora via infrastructure cost-sharing & other agreements resulting in an estimated investment program of \$4B & creation of 35,000 jobs. Developed adjacent Bio-Science Park & incentivized an incubator research facility with matching Economic Development Administration grant funds. Coordinated jobs development program & neighborhood support initiative involving private, public & non-profit collaboration receiving EDA grant for support. Initiated Tax Increment Financing Districts in an aging downtown area & Airport environs. Created collaborative economic development strategic planning initiative involving seven community agencies for visioning and plan formulation.

Collaboration, Partnerships & Community Outreach – Numerous partnerships created with *private sector*: e.g., two executive housing/public golf course communities; neighborhood center (library, police/fire station, retail & apartments), *non-profits*: e.g., jointly-funded legislative/lobbying committee with Chamber of Commerce; human service organizations funding agreements & *educational institutions*: e.g., reciprocal use & facility co-location agreements with school districts involving parks, gymnasiums, sports fields, pools, etc; championed Lean Six Sigma project in coordination with the distinguished University of Texas-Dallas's Graduate School of Management which involved six community agencies to better collaboration and save money.

Finance & Budgeting – Development up to \$660M in operations & \$200M in CIP budgets. Direct oversight up to \$307M operations budget. Budgetary formats utilized include annual & biannual, programmatic, performance, zero-based, line item & long range CIP. Helped initiate & lead five major bond initiatives in three different cities totaling over \$300M in capital improvements & land acquisitions.

Strategic Planning – Directly managed compilation of several long-range plans including economic development/redevelopment, 20-year facilities, parks/open-space, & 5, 10 & 20 year capital improvement plans. Oversaw development of numerous master & comprehensive plans, e.g., fifty square mile land use & rezoning plan, utilities, bike/pedestrian, transportation, information technology, airport noise attenuation/rezoning, light/commuter rail & busing mass transit & military base reuse/redevelopment.

Transportation – Comprehensive master plans, grant/lobbying initiatives, cost-sharing agreements, land acquisitions & construction activities overseen addressing new transportation infrastructure, i.e., mass transit (bus, light & commuter rail), interchanges, arterials, thoroughfares, airport runway, bike/pedestrian trails, pavement rehabilitation, intersections safety, transportation management systems, etc.

Labor Relations & Public Safety – Lead staff negotiator in Aurora four years with two unions. Police & Fire Departments became nationally accredited. Neighborhood Liaison, Weed & Seed, crime prevention & other community support programs won national awards for citizen outreach & education. Aurora recognized as one of the most aggressive & effective cities in addressing crime & organized gangs. Advocated & secured funding for state-of-the-art COPLINK regional criminal identification program & new public safety communications center. Formulated City Council/Manager Emergency Business Continuity Plan & oversaw update of city's overall emergency management plan. Initiated & developed Meet/Confer program in McKinney with Fire & Police resulting in city's first public safety agreement.

Organizational efficiency & development – Personally conducted baseline privatization study of water treatment & transmission system for community of 300,000 expected to grow to 750,000. Working with consultants, oversaw development of several efficiency studies for Utilities, Police, Planning & Information Technology. Numerous reorganizations completed to better align functions & lower costs. Information technology (IT) systems put in place, expanded &/or upgraded. City of Aurora continually recognized in the top five most progressive, public sector IT organizations in the country.

Sustainability/Green Initiatives – Project Director for \$75M, 290K sq. ft. city hall incorporating state-of-the-art energy conservation & information technology systems. Developed 60-member community advisory green committee and internal interdepartmental green committee, created Environmental Stewardship program & received EPA grant to develop blueprint sustainability plan. Secured over a million dollars in EPA grant funds toward green initiatives. Incentivized private sector development of country's first LEED Gold-certified, automated single-stream recycling center. Constructed "Green" firehouses & library; & advocated, planned & acquired first phase funding for another city's new green city hall. Began capturing methane gas emitted from landfill as an alternative energy source.

Utilities – While in Aurora, two water treatment & one waste-water reclamation plant were upgraded/expanded allowing one thousand acres of parks, golf courses and sports complexes to be moved from treated water to recycled waste-water. Procured 20,000 acre feet in new water rights during extreme drought. Served on Denver Metro Wastewater Reclamation Board of Directors allowing the opportunity to influence regional policy while supporting development of local infrastructure. Also served on Colorado Springs-Aurora Executive Water Committee which managed storage reservoirs & fifty-plus miles of water transmission over the Continental Divide from the Colorado & Arkansas Rivers' basins.

HISTORY

June 2010 – Present (originally begun August 2003)

MPA Student (part-time) – University of Colorado - Denver

Near finishing with 30 of 36 hours completed and thesis underway - 4.0 GPA

Feb 2008 - June 2010 **City Manager – McKinney, Texas**

Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees). Overhauled grant strategy leveraging millions of dollars. ~~Shepherded \$100M in voter-approved bonds that were overwhelmingly supported during period~~ of economic stress. Invested \$2.5M into historic downtown district to replace infrastructure, make pedestrian friendly & beautify. Negotiated Dallas Stars/Dr. Pepper two-sheet ice arena & helped recruit/incentivize a major international business/high salaried employer to relocate to McKinney.

May 2003 - Feb 2008 **Deputy City Manager of Community Services – Aurora, Colorado**

Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees). Initiated & led a jobs development program & neighborhood support initiative involving private, public & non-profit

collaboration. Received EDA support for start-up & operations. Coordinated several Council committees' via policy development. Duties included budget development & management of \$160M operations budget plus \$200M capital improvements program. Board Member - Denver Metro Wastewater Reclamation District. City of 309,000 people, 2850 full time employees & \$660M budget.

June 1995 - May 2003 Deputy City Manager of Operations - Aurora, Colorado

Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project. Fitzsimons earned first place awards from the U.S. Departments of Defense & Commerce & International City Managers Association as the best military base redevelopment project in the country. Spearheaded citizen & business support via a Bond referendum for the development of a 35-field sports park that attracts major amateur softball & soccer tournaments generating over \$20M in annual revenues into the community. Coordinated City's planning & infrastructure support activities for a commercial airport & an Air Force Base. Negotiated two largest open space acquisitions in the City's history, one purchase helping to preserve the neighboring Air Force base's F-16 fighter squadron & space intelligence-gathering missions. Colorado Springs/Aurora Homestake (Water) Board Member. Planning, budget development & management of \$150M bond program, City's 5-year CIP & \$140M annual budget.

July 1991- June 1995 Director - Parks, Recreation & Open Space Department - Aurora, Colorado
Duties included the administration of a comprehensive system including five golf courses, six community centers, senior center, indoor & outdoor pools, seventy-five parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs taking place on city & school facilities. \$30M operating budget.

August 1981- July 1991 Administrator (Director) - Bloomington Parks & Recreation Dept., Indiana
Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities. Led bond & 501-c-3 foundation initiatives that led to development & renovations of over 30 parks & recreational facilities. Large open space program encompassing several thousand acres.

August 1981-July 1991 Adjunct Faculty- Indiana University, Bloomington, Indiana
Duties included teaching two management courses/year & lecturing in marketing, long-range planning, budget development & others. Coordinated several cooperative ventures between the City & University.

July 1977- August 1981 Director - Henderson/Vance County Recreation & Parks Dept., NC
Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.

April 1976 - July 1977 Assistant Director - Henderson/Vance County Recreation & Parks Dept., NC
Duties included management of parks, sports, senior programs & department's budget development.

HIGHER EDUCATION

University of Colorado - Denver

Degree: Master of Public Administration (nearing completion - 30 of 36 hours, 4.0 GPA)

North Carolina State University - Raleigh

Degree: Master of Science Major: Recreation Resources Administration, Minor: Sociology

Degree: Bachelor of Science Recreation & Parks Administration

WILLIAM PATRICK PATE, ICMA-CM

High Point, North Carolina 27265

Office (336) 883-8515 E-mail: pat.pate@highpointnc.gov

SUMMARY

My career objective is to use my 27 years of local government leadership, management and training experience to make a positive difference in a community as the city manager. I am looking for an opportunity where I can work collaboratively with the elected leadership, community stakeholders and the municipal workforce to bring community and municipal strengths together to enhance the quality of life and livability of a community.

LOCAL GOVERNMENT WORK EXPERIENCE

City of High Point:

Assistant City Manager,

1999 - present

High Point is a full service municipality with a population of over 107,000 covering 55 square miles in the Piedmont Triad region of North Carolina. We have an operating budget of \$327 million and a capital improvement plan of over \$600 million with 1550 employees. We have a AAA bond rating by Standards and Poor's and are nationally recognized for many of our service areas.

Duties:

- ♦ Responsible for strategic issues of vital importance to the organization which have included strategic information technology planning, electric service, capital planning, bond elections and project completion, customer service, water and sewer infrastructure enhancements and rates, landfill expansion, performance measurement and community facilities planning.
- ♦ Serve as Chief Administrative Officer and Acting City Manager in Manager's absence.
- ♦ Work with all aspects of city government including direct supervision of selected departments (Public Services, Electric Utilities, Customer Service, Parks and Recreation, Planning and Development, Engineering Services, Transportation, Information Technology, Financial Services, Facility Services, Budget and Evaluation, Systems Project Management)
- ♦ Currently I directly supervise nine departmental functions with over 700 positions and an operating budget of over \$140 million.

Accomplishments:

- ♦ Negotiated multi-jurisdictional agreements including \$60 million sewer plant expansion and an agreement with the Guilford County School System for a multiuse recreational complex adjacent to school property.
- ♦ Created public-private partnership with groups such as the Piedmont Soccer Association for a soccer complex, Historical Society for merger of the High Point Museum and the Piedmont Environmental Center for merger with the Parks and Recreation Department.
- ♦ Led information technology strategic changes including procurement and implementation of new enterprise resource planning package, land development process and technology changes and web based citizen services initiatives.
- ♦ Led Customer Service Initiative Steering Committee establishing customer service standards for the organization and employee recognition programs.
- ♦ Developed organizational performance initiatives and executive team building efforts including establishment of ongoing citizen surveys and recognition by ICMA with a Certificate of Distinction for Performance Management.

City of Greensboro:

**Budget and Evaluation Director,
Budget and Research Manager,**

1990 - 99

1987 - 90

Greensboro is a full service municipal government with a population of 269,000 covering a 131 square mile area located in the central piedmont region of North Carolina. Greensboro has an operating budget of \$438 million with 3,081 full-time equivalent positions and a AAA bond rating.

Duties:

- * Annually developed operating budget of \$250 million and six year capital improvement program of \$350 million with a property tax decrease in FY 98-99 and no tax increase for operating expenses in the previous five years.
- * Organized and prepared Council work planning sessions to set organizational strategic budget and service priorities including maintaining "AAA" financial rating.
- * Developed departmental objectives and performance measurement process, founding participant in a statewide benchmarking project and provided national training for GFOA.
- * Managed Organizational Strategic Planning Process for the City. Implemented action steps in the four key strategic issue areas of vision and management philosophy, proactive planning and performance measurement, service alignment and technology.

Accomplishments:

- * Established Budget and Evaluation Department and the City's two-year budgeting process which received national recognition including the Distinguished Budget Presentation Award from GFOA with an Outstanding Designation.
- * Led organizational efforts for a successful \$35 million bond campaign.
- * Negotiated public private partnership agreement for construction and management of a recreational ice facility saving the City \$1.4 million.
- * Implemented Productivity Improvement Process resulting in over \$3 million in savings.
- * Developed Citizen Service Assessment Program that assessed all city services and recommended areas for improvements.

City of Winston-Salem:

**Lead Budget and Evaluation Analyst,
Budget and Evaluation Analyst,
Budget and Financial Analyst Intern,**

1987

1986 - 87

1985 - 86

Winston-Salem is a full service municipality with a population of over 235,000 covering a 132 square mile area located in the Piedmont Triad area of North Carolina. They have 2,464 full-time employees with an operating budget of \$422 million and a AAA bond rating.

- * Analyzed and evaluated City's annual operating and capital budgets; prepared Six-Year Capital Improvement Program; implemented changes in the computerized budget system; computerized the City's six year capital improvement program; prepared five year financial forecast; developed a microcomputer based debt management plan; reviewed installment purchase contracts; researched and analyzed risk management functions; developed first computer based presentation of the City's financial condition.

EDUCATION

University of North Carolina at Chapel Hill:

Master of Public Administration, May 1986

Received Local Government Scholarship and Fellowship

Bachelor of Arts, May 1984 - Double Major: Political Science and Religion

Inducted into the Order of the Old Well Honor Society

President and Distinguished Service Award Recipient, Alpha Phi Omega Service Fraternity

OTHER EXPERIENCES

- * *Adjunct Faculty, 2006 to present.* Teach graduate level course in Local Government Administration for the Political Science Department at the University of North Carolina-Greensboro.
- * *Senior Executives in State and Local Government, 2012.* Awarded a certificate of completion for Executive Education Program at the JFK School of Government, Harvard University.
- * *Senior Executive Institute, 2004.* Executive Leadership Program for top executives of public organizations held at the Weldon Cooper Center for Public Service, UVA.
- * *Leadership High Point, 1999-2000.* Community leadership program sponsored by the High Point Chamber of Commerce. Steering Committee Member, Annual Program Speaker.
- * *School of Government UNC-Chapel Hill.* Lecturer and trainer for various schools and programs, 1990 – present; Municipal Administration Course, 1988-89; Selected to participate in IOG State Internship Program, 1984 Worked at the NC Office of Coastal Management, Raleigh, N.C.
- * *Leaderlab Program, 1995.* Center for Creative Leadership, Greensboro N.C.
- * *Leadership Greensboro, 1992-93.* Community leadership development program sponsored by the Greensboro Chamber of Commerce.

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES

- * *International and North Carolina City/County Managers Association* - ICMA Credentialed Manager; served on various NC committees including Budget and Finance, Professional Development, Sustaining-Membership and IGMA Relations.
- * *Government Finance Officers Association of US & Canada* – President 2002-2003; Executive Board, 1998 – 2004; Chaired Task Force on Emerging Generations, 2009-2010, Committee on Economic Development and Capital Planning, 2003-2004; Committee on Debt and Fiscal Policy, 1998-2001; Committee on Governmental Budgeting and Management, 1993-1998; Received Distinguished Budget Presentation Award with Outstanding Designations in 1994 and 1996.
- * *N.C. Local Government Budget Association* - President, 1993-1994; also served on the Board in various roles including Vice President, Program Chairman, and Board Member.
- * *NC League of Municipalities* - Regulatory Advisory Committee, 1994-1996.
- * *American Society of Public Administration* - Piedmont Triad Chapter President, 1993-94; also served on the Board as Vice President, Secretary, and Treasurer.
- * *UNC Master of Public Administration Alumni Association* - President, 1994; also served on the Board as President Elect and Program Chairman.

RECENT COMMUNITY ASSOCIATIONS AND ACTIVITIES

- * *Kiwanis Club of High Point* - President, 2008-2009; also served on Board as President-Elect, Vice President and Membership Chairman. Worked with numerous community agencies in partnership to improve and enrich the lives of children in our community.
- * *Covenant Church, United Methodist* – Chair, Finance Team; Chair, Staff-Parish Committee during the change of Senior Pastor, Vice-Chair, Administrative Board.
- * *Southwest Guilford High School Booster Club* – President Baseball Booster Club led various fund raising and school projects.
- * *Boy Scouts of America Troop 42* – Troop Leader, Eagle Scout.
- * *United Way* – Leadership Society, Lead organizational drive for two years that increased giving by over 25%.
- * *North Carolina Presbyterian Pilgrimage* – Leader and participant in a spiritual enhancement program. Served in several key leadership roles during various retreats.

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

Page 1

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION
THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

First Position Title	Second Position Title	Third Position Title	Fourth Position Title
EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):			
1	2	3	4
5	6	7	8
9	10	11	12
Date:		Date:	

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.
 *Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

7.11.12

APPLICANT'S NAME (Print)		Jonathan		F.	
PRINT LAST NAME		PRINT FIRST NAME		Middle Initial	
Home Address:		Easley	SC	29642	
Street Number - Street Name		City	State	Zip Code	
Telephone Numbers:	Home Phone: (AC)	Work Phone: (AC)	864	855-7960	May we call you at work? X /Yes /No
	Cell Phone: (AC)	Pager Number: (AC)			Instructions:
E-mail Address: fsmmons@cityofeasley.com					

II. (1) ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

YES*

EMPLOYEE I.D. Number



*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer X /No

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

II. (3) Class Type (Check One):

/A

/B

/C

X/D

/E

/F

/G

/M

Expiration Date: 02-22-2021

II. (4) Endorsements?

/Yes*

X

/No

If Yes, identify:

Restrictions?

/Yes*

X

/No

If Yes, identify:

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.
 A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is to your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e., the related education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

III. EMPLOYMENT DATA

Page 2

III. (1) Are you age 18 or older? ☒ Yes ☐ NoIII. (2) Are you authorized to work in the United States? ☒ Yes ☐ NoIII. (3) Are you a PREVIOUS City of Columbia Employee? ☒ Yes* ☐ NoNOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII. On PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)
Describe your duties:				
Reason for leaving (be specific):				

Your Employee ID Number:

IV. DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated Yes No	Type & Name of Degree or Certificate	If College: Major/Minor
High School: Manlius Pebble Hill	DeWitt	NY	1 2 3 4 X	X		
Technical School:			1 2 3 4			
Trade School:			1 2 3 4			
College: High Point University	High Point	NC	1 2 3 4 X	X	BA	History / Pol. Science Double Major
College: The American University	Washington	DC	1 2 3 4 X	X	MPA	

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ Yes* ☐ No

*If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
Yes* No	Yes* No	Yes* No	Yes* No	Yes* No
*CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

ICMA - Credential Manager
ICMA - Service Award (10 years)

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V. Did you serve in the Armed Services? Check Yes X No

VII. Have you ever worked under another name? Yes* X No If Yes, what name(s):

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

Page 3

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		City of Easley		From		To		Starting Salary	Last Salary
				Month	Year	Month	Year		
				10	2006	-	-	\$85,000/year	\$92,904/year + Executive Benefits
Company Address (Current City Employee: List Current Division Location)		PO Box 466 Easley, SC 29641		Position Title:		City Administrator			
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Same as above.		Describe your duties:					
Telephone Number		AC: 864 855-7900		-) Chief public policy advisor to seven-member City Council; -) Responsible for directing, supervising, and coordinating administrative activities and operations of City; -) Oversight of seven departments and 183 full and part-time employees; -) Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;					
Supervisor's Name:		Mayor Larry Bagwell		May We Call? ☒ Yes ☐ No /Reason: At a reasonable time yes, but not initially.					
Check One		☒ FT ☐ PT		Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

(2) Previous Employer/Company's Name		City of Greenville		From		To		Starting Salary	Last Salary
				Month	Year	Month	Year		
				7	2001	9	2006	\$85,000	
Company Address		206 S. Main Street Greenville, SC 29601		Position Title:		Director, Office of Management and Budget			
Company City & State/Zip Code		Same as above.		Describe your duties:					
Telephone Number		AC: 864 467-4530		-) Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget; -) Conducted fiscal analyses regarding bond issues; -) Coordinated and presented City financial outlook to Wall Street rating agencies;					
Supervisor's Name:		Jim Bourey (no longer employed w/ City)		May We Call? ☒ Yes ☐ No /Reason:					
Check One		☒ FT ☐ PT		Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

(3) Previous Employer/Company's Name				From		To		Starting Salary	Last Salary
				Month	Year	Month	Year		
Company Address				Position Title:					
Company City & State/Zip Code				Describe your duties:					
Telephone Number		AC:							
Supervisor's Name:									
May We Call?		☐ Yes ☐ No /Reason:							
Check One		☐ FT ☐ PT		Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☐ /No
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

IX. CRIMINAL CONVICTION (S)

Page 4

Have you EVER been CONVICTED of ANY criminal offense(s) EVER**:

YES* (If yes, list below)

x No

* If yes, you MUST provide the following information for ALL CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper - BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were EVER CONVICTED of an offense including, but are not limited to a FELONY, MISDEMEANOR, ETC. Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.

ATTENTION - READ THIS

The City of Columbia runs a SHIP or MUR check on all forms selected for employment as part of the conditional offer of employment process. You need to know that the City will withdraw your conditional offer of employment if the City receives a report that you have a conviction and you have not listed them above - IF IN DOUBT LIST IT.

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Ray Jones	1201 Main Street, Suite 1450, Columbia, SC 29202	803-253-8917
2. John Camile	206 S. Main Street, Greenville, SC 29601	864-467-5700
3. Tom Gates	301 King Street, Room 350, Alexandria, VA 22314	703-746-3716

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date:

7/11/12

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

X. (2) - Original Signature:

Date:

7/11/12

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment. (If this application has been downloaded from the City's Web Page - make sure this is all on Page 4 ONLY)

Jonathan "Fox" Simons, Jr., ICMA-CM

Easley, SC 29642

W-email: fsimons@cityofeasley.com

PROFESSIONAL EXPERIENCE

City Administrator, City of Easley, SC (October 2006 – present)

- Chief public policy advisor to seven-member City Council;
- Responsible for directing, supervising, and coordinating administrative activities and operations of City;
- Direct oversight of seven departments and 183 full and part-time employees;
- Directly responsible for all financial aspects of City operations including budgeting, fiscal planning functions, business licenses administration, payroll, accounts receivable, accounts payable and auditing;
- Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;
- Responsible for the development, administration, and implementation of a \$15.8 million dollar budget, including \$12.0 million dollar General Fund budget;

Key Accomplishments and Initiatives

- Successfully leading City through recent economic downturn without layoffs or furloughs;
- Negotiated development agreement with private developer for a \$100.0 million dollar Retail Destination Center which will lead to 900 new jobs at project completion;
- Initiated an incubator program to develop new businesses in the community;
- Embarked on a "Partners in Pride" program with local businesses and organizations to beautify areas in the City with flowers and gardens;
- Implemented an employee wellness program, including a Nurse Practitioner, that has allowed employees to lower their health insurance premiums and the City to lower its annual health insurance renewal rates;
- Complete modernization and expansion of the City's information technology functions including updating hardware and software enterprise applications;
- Streamlined and reorganized the Community Development and Finance Departments making services more effective and efficient;
- Initiated a Parks & Recreation Master Plan to replace aging and non-compliant play equipment and update the City's parks with fresh amenities and features, including the City's first dog park;
- Launched the City's semi-annual community magazine in an effort to expand communication between the City and its citizens;
- Started a community garden within the city to provide fresh produce to citizens in low income neighborhoods;
- Currently implementing City's bicycle and pedestrian friendly initiative by installing bike lanes and sidewalks throughout City;

City of Greenville, SC (July, 2001 – September, 2006)

Interim Director, Office of Management and Budget, (November 2005 – September 2006)

- Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget;
- Supervised and managed 30+ staff with direct responsibility for accounting, business license administration, purchasing, budget, GIS, MIS, risk management, and internal audit functions;
- Conducted fiscal analyses regarding a CBD Tax Increment bond (\$2.3 million), and General Obligation bond issue (\$6.1 million);
- Coordinated and presented City financial outlook to Wall Street rating agencies as well as community groups
- Analyzed and projected financial trends relevant to public policy development;

References:

John F. Castile
City Manager
City of Greenville
PO Box 2207
Greenville, SC 29602
(864) 467-5700
jcastile@greenvillesc.gov

Tom Gates
Assistant City Manager
City of Alexandria
301 King Street, Room 350
Alexandria, VA 22314
(703) 746-4300
tom.gates@alexandriava.gov

Jim Hartmann
County Manager
Seminole County Manager
1101 East First Street
Sanford, FL 32771
(703) 835-2437
jhartmann2@cfl.rr.com

Ray Jones
Attorney
Parker Poe
1201 Main Street
Suite 1450
Columbia, SC 29202
(864) 253-8917
rayjones@parkerpoe.com

Nancy Whitworth
Director, Economic and Community
Development
City of Greenville
PO Box 2207
Greenville, SC 29602
(864) 467-4402
nwhitworth@greenvillesc.gov

Brian Swords, Ph.D
Dean, Tri-County Technical College
Easley Campus
1774 Powdersville Road
Easley, SC 29642
(864) 220-8888
bswords@tctc.edu

Joel Ledbetter, PE
General Manager
Easley Combined Utilities
PO Box 619
Easley, SC 29641
(864) 859-4013
jledbetter@easleyutilities.com

David Allison
City Attorney
City of Easley
PO Box 879
Pickens, SC 29671
(864) 878-4109
dkallison@bellsouth.net

Brad Love
Bond Counsel
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville, SC 29602
(864) 240-3388
blove@hsblawfirm.com

Collected
DATE



[REDACTED]
Irmo, SC 29063
January 24, 2013

TRANSMITTED VIA FACSIMILE

Mr. Jared Glover
Director, Public Relations Department
City of Columbia
1737 Main Street
Columbia, SC 29217

Dear Mr. Glover:

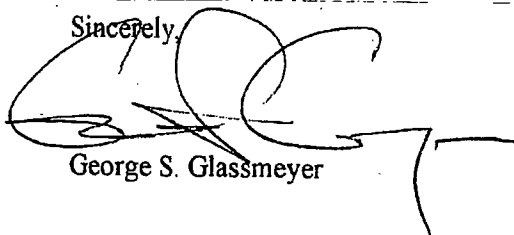
I am in receipt of the documents that your office provided to me pursuant to my FOI request dated January 14, 2013 in which I requested all materials relating to not fewer than the final three applicants for the most recent vacancy announcement for the position of city manager.

Upon my review of these documents, I note that various data has been redacted by your office. The redacted data includes the home addresses of applicants, some (but not all) telephone numbers belonging to applicants and their respective references, applicant's driver's license numbers and restrictions to their respective driver's licenses, and some (but not all) reasons for leaving or wanting to leave previous employment positions.

My examination of Title 30, Chapter 4 (Freedom of Information Act) of the South Carolina Code of Laws found no authority for your office to redact the above referenced data. Therefore, I specifically request that you provide the above referenced redacted data to me without further delay.

I may be contacted at (803) 749-0480 or SCverdict@aol.com. I look forward to receiving your prompt response.

Sincerely,



George S. Glassmeyer





CITY OF COLUMBIA
SOUTH CAROLINA

OFFICE OF THE CITY ATTORNEY • POST OFFICE BOX 667 • COLUMBIA, SC 29202 • (803) 737-4242 • FAX (803) 737-4250

January 28, 2013

Mr. George S. Glassmeyer

[REDACTED]
Irmo, South Carolina 29063

RE: FOIA 12-13-442

Dear Mr. Glassmeyer:

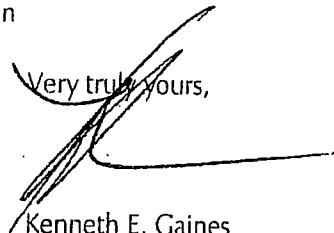
This is in response to your letter of January 24, 2013 whereby you seek unredacted copies of the materials relating to the five finalists for the position of City Manager. You contend that the South Carolina Freedom of Information Act requires that you be provided unredacted materials.

S.C. Code §30-4-30 provides that a person has a right to inspect or copy any public record of a public body except as otherwise provided by §30-4-40. This section enumerates matters that are exempt from disclosure. S.C. Code §30-4-40(b) provides for the redaction of exempt material from public records.

Therefore, the City of Columbia has complied with the provisions of the South Carolina Freedom of Information Act and will not release unredacted materials to you as you have requested.

With kindest regards, I remain

Very truly yours,


Kenneth E. Gaines
City Attorney

KEG/sla

cc: Teresa Wilson, City Manager
Pam Benjamin, Human Resources Director
Jared Glover, Public Relations Specialist

Leshia Utsey, Public Relations Director
Al Nickles, Esquire
David Fernandez, Asst. City Attorney

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

v.

City of Columbia,

Defendant.

) IN THE COURT OF COMMON PLEAS
) FIFTH JUDICIAL CIRCUIT

) C/A NUMBER: 2013-CV-40-1450

) **PLAINTIFF'S MOTION TO STRIKE**
) **DEFENDANT'S PRAYER FOR**
) **ATTORNEYS FEES**

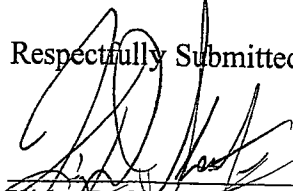
TO: W. ALLEN NICKLES, III, ESQUIRE, ATTORNEY FOR DEFENDANT:

Pursuant to Rule 12(f) of the *South Carolina Rules of Civil Procedure*, Plaintiff George S. Glassmeyer ("Plaintiff"), by and through his undersigned attorneys, hereby moves for an order striking Defendant City of Columbia's ("Defendant" or "the City") prayer for attorneys' fees from Defendant's Answer. Plaintiff's grounds for this motion are that Defendant has alleged no basis for its request for fees, and no affirmative defense pled by Defendant gives rise to such relief.

It is well established that "[a]s a general rule, attorney's fees are not recoverable unless authorized by contract or statute." *Hegler v. Gulf Ins. Co.*, 270 S.C. 548, 549, 243 S.E.2d 443, 444 (1978); *Baron Data Systems, Inc. v. Loter*, 297 S.C. 382, 383-84, 377 S.E.2d 296, 297 (1989); *Blumberg v. Nealco, Inc.*, 310 S.C. 492, 493, 427 S.E.2d 659, 660 (1993); *Snider v. Butler*, 278 S.C. 232, 294 S.E.2d 246 ("Ordinarily, an attorney must look to his client for compensation for services rendered."). When a party requests attorney's fees, that party "has a burden to show a request for attorney's fees is well-founded." *Gainey v. Gainey*, 279 S.C. 68, 70, 301 S.E.2d 763, 764 (1983).

Defendant has failed to allege any basis for its request for attorneys' fees in this case. In fact, there is no basis under South Carolina law for Defendant's request. Accordingly, Defendant's request for attorneys' fees should be stricken from the pleadings.

Respectfully Submitted,



Kirby D. Shealy III
Lyndey Ritz Zwing
ELLIS, LAWHORNE & SIMS, P.A.
1501 Main Street – Fifth Floor
Columbia, South Carolina 29201
Telephone: (803) 254-4190
Facsimile: (803) 779-4749
kshealy@ellislawhorne.com
Attorneys for Plaintiff

April 25, 2013.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

vs.

City of Columbia,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

MOTION FOR SUMMARY JUDGMENT
BY DEFENDANT

RICHLAND COUNTY
FILED
2013 MAY 14 AM 10:52
JENNIFER W. McBRIDE
C.C.P. & G.S.

Defendant City of Columbia ("City") hereby moves for summary judgment pursuant to Rule 56 of the SCRCP in the above matter. As supported by the Affidavit of Jared D. Glover filed as Attachment A, unredacted records provided by separate letter, correspondence filed as Attachment B, and such other materials as may be presented, Plaintiff cannot establish the elements necessary for the relief requested in the Complaint.

On January 14, 2013 Plaintiff submitted a request under the South Carolina Freedom of Information Act (FOIA) asking to inspect "all materials relating to not fewer than the final three applicants..." for the position of City Manager. (Plaintiff's motion for summary judgment, Exhibit 1). Four other FOIA requests were submitted by media outlets. (Glover affidavit, Attachment A). The City responded in the same fashion to each request, providing the requested public records redacted only to withhold private/personal information. (Plaintiff's motion, Exhibit 2)

By letter now dated January 24, 2013 Plaintiff objected to the redactions and demanded disclosure of all information provided by applicants, including driver license numbers, home addresses and telephone numbers of applicants and references, and personal reasons for leaving former positions of employment. In offering this letter to the Court, however, Plaintiff has redacted its own home address. (Plaintiff's motion, Exhibit 3)

Contrary to Plaintiff' assertions, evidence before the Court demonstrates that the City responded appropriately in providing public information within the scope of Plaintiff's request. S.C. Code Ann. § 30-4-30(c) For example, redacted information withheld from disclosure does not fall within the requirements of law and does not deprive the public from access to information regarding the "activities of their public officials." S.C. Code Ann. § 30-4-15. Additionally, the information requested by Plaintiff includes "personal information" as designated by the General Assembly. See, S.C. Code Ann. §30-2-30. Such materials are exempt from disclosure. See, S.C. Code Ann. § 30-4-40(2)

Once a legitimate privacy interest is implicated, the burden shifts to the requester to (1) "show that the public interest sought to be advanced is a significant one, an interest more specific than having the information for its own sake," and (2) "show the information is likely to advance that interest." Casa de Maryland, Inc. v. U.S. Department of Homeland Sec., 409 Fed. Appx. 697, 700 (4th Cir. 2011) (construing the federal Freedom of Information Act) Statutory privacy interests do not replace common law or constitutional interests. Instead, statutes supplement constitutional and common law privacy interests. See, National Archives and Records Admin. v. Favish, 541 U.S. 157, 170 (2003)

Plaintiff has articulated no public interest that would compel disclosure of redacted information regarding applicants for City Manager. While Plaintiff may obtain some of the withheld information by other sources (like the phone book or the internet), the City has no obligation to release personal information such as driver's licenses, home addresses, telephone numbers and personal reasons for changing jobs. The unredacted records provided to the Court confirm that the City appropriately exercised its obligation to protect privacy interests while offering Plaintiff access to public information regarding selection of its City Manager. See

generally, City of Columbia v. ACLU, 323 S.C. 384, 475 S.E.2d 747 (1996) (exemptions must to disclosure under FOIA must be reviewed on a case by case basis)

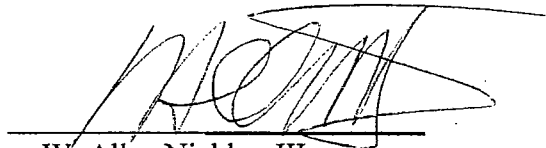
Finally, Plaintiff contends that there has been no designation of matters withheld from disclosure. This is not correct. Prior to the filing of Plaintiff's motion for summary judgment, categories of redacted information were identified and an offer presented for counsel to review unredacted documents.(See Attachment B) Accordingly, the City seeks reimbursement of legal fees and costs incurred in this motion. See, Shipp v. Richardson Corp. of South Carolina, Inc., 285 S.C. 460, 330 S.E.2d 291 (1985) (reimbursement of costs and fees to defendant incurred in unnecessary litigation)¹

CONCLUSION

For the reasons set forth herein, the City is entitled to an order affirming compliance with the Freedom of Information Act and an award of fees and costs incurred in presenting this motion and responding to Plaintiff's motion for summary judgment and motion to strike.

Respectfully submitted,

NICKLES LAW FIRM, LLC

By: 

W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

ATTORNEY FOR DEFENDANT

May 14 2013
Columbia, South Carolina

¹ Plaintiff has filed a motion to strike the City's request for fees and costs in the Answer. Because the Court has inherent authority to award fees and costs incurred in unnecessary proceedings, Plaintiff's motion to strike is without merit.

ATTACHMENT A

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
George S. Glassmeyer,)
Plaintiff,)
vs.)
City of Columbia,)
Defendant.)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

AFFIDAVIT OF JARED D. GLOVER

RICHLAND COUNTY
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2013 MAY 14 AM 10:52
JEANETTE W. MCBRIDE
Clerk & S.

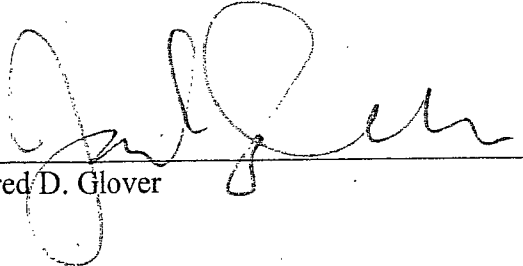
Jared D. Glover, being first duly sworn, deposes and says:

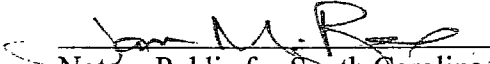
1. I serve as Senior Public Relations Specialist for the City of Columbia. In that capacity, I am called upon to assist in responding to requests for information under the South Carolina Freedom of Information Act (FOIA).
2. During January 2013, several parties, including George S. Glassmeyer, submitted FOIA requests seeking information concerning materials relating to the finalists for the position of City Manager for the City of Columbia. A copy of Mr. Glassmeyer's request is provided as Exhibit 1.
3. Mr. Glassmeyer requested an opportunity to inspect "all materials" relating to the final applicants. As in other requests, a good faith effort was undertaken to determine whether any of the applicant material contained information of a "personal" rather than "public" nature.
4. Following review of the available materials, the majority of information requested by Mr. Glassmeyer and others was produced. Materials redacted fell into the following categories: (a) home addresses; (b) driver's license information; (c) personal telephone and emails of applicants and references; (d) salaries other than public employees in South Carolina of \$50,000 or more; and (e) personal reasons for leaving other employment.
5. Information not redacted on the applications provided to Mr. Glassmeyer and others included (a) work contact information; (b) education; (c) skills; (d) former employment; (e) former supervisors; (f) former job duties; (g) criminal record; (h) references; and (i) business addresses, telephone numbers/contact information for applicants and references.

6. Because information relating to former positions and supervisors was provided, any recipient of the FOIA response could independently contact these sources. It was determined, however, that the City did not have the obligation to provide "personal reasons" for changing jobs or other redacted personal information.
7. Mr. Glassmeyer presented one of five FOIA requests relating to applicants for the City Manager position. The City provided the same information to each requestor.

Affiant further sayeth not.

Sworn to and subscribed before me
this 13th day of May, 2013.


Jared D. Glover


Notary Public for South Carolina

My commission expires: 7.13.21

EXHIBIT 1

(FILING FORM)

FREEDOM OF INFORMATION ACT REQUEST

TO: CITY OF COLUMBIA
(PLEASE PRINT)

NAME: GEORGE S. GLASSMEYER

ADDRESS: PO BOX 661, IRMO, SC 29063

E-mail address: SCVERDICT@AOL.COM

PHONE NUMBER(S) (DAYTIME): 803-749-0490

I REQUEST THE FOLLOWING INFORMATION UNDER THE SOUTH
CAROLINA FREEDOM OF INFORMATION ACT. (PLEASE BE SPECIFIC).

AS PROVIDED IN SECTION 30-4-40 (13) OF THE SC
CONSTITUTION, ALL MATERIALS RELATING TO NOT FEWER
THAN THE FINAL THREE APPLICANTS FOR THE MOST RECENT
VACANCY ANNOUNCEMENT FOR THE POSITION OF CITY MANAGER.

INDIVIDUALS FILING FOIA REQUESTS ARE ASKED TO USE THE CITY'S FOIA REQUEST
FORM OR SUBMIT A LETTER. ALL REQUESTS ARE TO BE SIGNED. REQUESTS ARE TO BE
FAXED (803-343-8719), **MAILED** (CITY OF COLUMBIA ATTN: PUBLIC RELATIONS DEPT. PO
BOX 147 COLUMBIA, SC 29217) OR **HAND-DELIVERED** (1737 MAIN STREET (CITY HALL-
CORNER OF MAIN AND LAUREL STREETS). HAND-DELIVERED REQUEST SHOULD BE LEFT
WITH CSO (SECURITY OFFICER) LOCATED IN THE FRONT ENTRANCE (MAIN & LAUREL
STREETS) OF CITY HALL.

AT THIS TIME,
I AM
REQUESTING
INSPECTION
ONLY.

A MINIMUM OF .25 CENT PER PAGE COPY CHARGE, \$1.00 PER CD/DVD AND \$10.00 PER
HOUR RESEARCH AND RETRIEVAL FEE MAY APPLY. DOCUMENTS MAY BE FURNISHED
WHEN APPROPRIATE WITHOUT CHARGE OR AT A REDUCED CHARGE WHERE THE AGENCY
DETERMINES THAT WAIVER OR REDUCTION OF THE FEE IS IN THE PUBLIC INTEREST
BECAUSE THE INFORMATION CAN BE CONSIDERED AS PRIMARILY BENEFITING THE
GENERAL PUBLIC.

THE PUBLIC BODY MAY ESTABLISH AND COLLECT FEES NOT TO EXCEED THE ACTUAL
COST OF SEARCHING FOR MAKING COPIES OF THE RECORD.

A PRE-PAID DEPOSIT MAY BE REQUIRED BEFORE SEARCHING FOR OR MAKING COPIES OF
THE RECORDS.

SIGNATURE

01-14-13

tabbies

ATTACHMENT B

NICKLES LAW FIRM, LLC

- ATTORNEYS AT LAW -

1519 Richland Street
Columbia, South Carolina 29201

W. Allen Nickles, III
Certified Circuit Court Mediator

Telephone: (803) 779-8080
Facsimile: (803) 256-1816
Email: wanickles@nickleslaw.com

March 27, 2013

Via Email & U.S. Mail

Kirby D. Shealy, III, Esquire
Ellis, Lawhorne & Sims, P.A.
1501 Main Street, 5th Floor
Columbia, South Carolina 29201

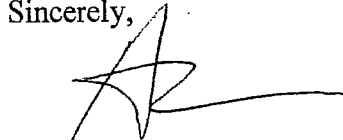
Re: Glassmeyer v. City of Columbia
Civil Action No.: 3013-CP-40-01450

Dear Kirby:

I have reviewed the unredacted FOIA response. I frankly do not agree that the public interest outweighs privacy concerns on matters like home addresses, personal telephone and email of applicants and references, and salaries other than public in South Carolina of \$50,000 or more. Additionally, although the applications call for reasons for leaving other employment, this appears to fall within the "personal" category, and, if interested, the public is on notice of the former employer and has access to independent inquiry.

I can share with you that there is no "smoking gun" in any of the redacted information. I am ready to answer and join in a motion for summary judgment. As an alternative, I am prepared to make the unredacted response available for your review in a confidential "in camera" fashion. Thereafter, we can consider the entry of a consent order with a protective agreement. This approach could save court time and client resources.

Sincerely,



W. Allen Nickles, III

WAN/pfb

cc: Kenneth E. Gaines, Esquire (via email)

File #13-207

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

vs.

City of Columbia,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

MOTION FOR NEW HEARING AND
RECONSIDERATION

Defendant City of Columbia ("City") moves for a new hearing and to alter or amend the order in the above matter filed June 19, 2013 and received by counsel for Defendant on June 27, 2013 pursuant to Rule 59, SCRCP. The grounds for the requested relief are as follows:

1. In addition to the position advanced by Defendant in its memorandum in support of summary judgment, oral argument and proposed order, the decision of the United States Supreme Court in Maracich v. Spears, 570 U.S. ____ (2013) (Slip Op. No. 12-25 issued June 17, 2013) establishes that information maintained by the government, including "personal information" such as name, home address and telephone number are not subject to general disclosure. In this instance, the City withheld home addresses, home telephone number and home email addresses. The disclosure of this information would serve no public purpose and would invade the privacy of the individual applicants and references.
2. In the order filed June 19, 2013 and received by this office by email from counsel for Plaintiff on June 27, 2013, information of a personal nature, including private income information, is identified as subject to disclosure under FOIA. There is no precedent or authority offered in support of this order.

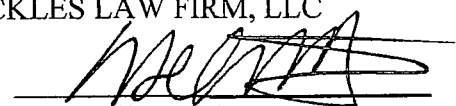
3. In the order filed June 19, 2013 and received by this office by email from counsel for Plaintiff on June 27, 2013, the Court misapplies the ruling in Burton v. York County Sheriff's Department, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). Specifically, this opinion requires only disclosure of governmental activity and does not compel disclosure of information relating to private conduct.
4. In the order filed June 19, 2013 and received by this office by email from counsel for Plaintiff on June 27, 2013, the Court erroneously finds that the statutory provisions of the South Carolina Family Privacy Protection Act have no application to FOIA. Specifically, FOIA incorporates privacy interests contained in other statutes. Accordingly, the "personal information" identified in the Family Privacy Protection Act must be considered in responding to any FOIA request.
5. Plaintiff concedes that state law required withholding of driver's license numbers and restrictions. (Order p. 2, fn. 1) Because this information was sought in Plaintiff's FOIA request and complaint, concession that such information is not subject to disclosure renders any request for attorney fees in this proceeding without merit.

CONCLUSION

For the reasons stated herein, Defendant City of Columbia is entitled to reconsideration and a new hearing pursuant to Rule 59, SCRPC.

Respectfully submitted,

NICKLES LAW FIRM, LLC

By: 

W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

George S. Glassmeyer,

Plaintiff,

vs.

City of Columbia,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

DEFENDANT'S MEMORANDUM IN
SUPPORT OF MOTION FOR NEW
HEARING AND RECONSIDERATION

Defendant City of Columbia ("City") has moved for a new hearing and to alter or amend the order in the above matter. This Court granted the City's motion and scheduled a hearing on July 16, 2013. The City offers the following grounds in support of withdrawal of the order issued June 19, 2013 and filed with the Clerk of Court on June 26, 2013.

1. In addition to the position advanced by the City in its memorandum in support of summary judgment, oral argument and proposed order, the decision of the United States Supreme Court in Maracich v. Spears, 570 U.S. ____ (2013) (Slip Op. No. 12-25 issued June 17, 2013) establishes that information maintained by the government, including "personal information" such as name, home address and telephone number are not subject to general disclosure. In this instance, the City withheld home addresses, home telephone number and home email addresses. The disclosure of this information would serve no public purpose and would invade the privacy of the individual applicants and references.
2. In the order issued June 19, 2013 and filed June 26, 2013, information of a personal nature, including private income information, is identified as subject to disclosure under the South Carolina Freedom of Information Act (FOIA). There

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JANET E. W. McBRIDE
CLERK OF COURT
G.S.

is no precedent or authority offered in support of this order. In the order filed June 26, 2013, the Court misapplies the ruling in Burton v. York County Sheriff's Department, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). Specifically, this opinion requires only disclosure of governmental activity and does not compel disclosure of information relating to private conduct.

3. In the order filed June 26, 2013, the Court erroneously finds that the statutory provisions of the South Carolina Family Privacy Protection Act have no application to FOIA. Specifically, FOIA incorporates privacy interests contained in other statutes. Accordingly, the "personal information" identified in the Family Privacy Protection Act must be considered in responding to any FOIA request.
4. Plaintiff concedes that state law required withholding of driver's license numbers and restrictions. (Order p. 2, fn. 1). Because this information was sought in Plaintiff's FOIA request and complaint, concession that such information is not subject to disclosure renders any request for attorney fees in this proceeding without merit.

LEGAL ARGUMENT

FOIA was adopted to insure public access to information regarding the "activities of their public officials." S.C. Code Ann. § 30-4-15. This Act is qualified, however, by authorizing the withholding from disclosure "[i]nformation of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy" and "[m]atters specifically exempted from disclosure by statute **or law**." S.C. Code Ann. §§ 30-4-40(2) and (4)(emphasis added).

In the Family and Personal Identifying Information Privacy Protection Act, the General Assembly determined that “personal information” relating to the citizens of this State is protected by law. S.C. Code Ann. § 30-2-30. This Act defines “personal information” to include date of birth, driver’s identification number, name, home address and telephone number. Similarly, the Congress of the United States determined that “personal information” maintained by state governments is prohibited from disclosure except in limited circumstances. The Driver’s Privacy Protection Act of 1994 (“DPPA”) protects such information including name, addresses and telephone numbers of citizens maintained by state motor vehicle agencies. 18 U.S.C. §§ 2721-2725. Both of these statutes recognize privacy rights that are relevant in responding to any request for information under FOIA.

On June 17, 2013, the United States Supreme Court issued Maracich v. Spears, 570 U.S. ____ (2013) (Slip Op. No. 12-25). In this opinion, the Court holds that information used to obtain a driver’s license or register a vehicle including name, address and telephone number is “personal information” not subject to general disclosure. In reaching this conclusion, Justice Kennedy noted that public access to such “personal information” would expose citizens to the “growing threat from stalkers and criminals who could acquire personal information” from the government.

In this Court’s order, the City is compelled to disclose the home addresses, telephone numbers and emails of not only the applicants for City Manager, but also any individuals identified by the applicants as references. The disclosure of this information would violate privacy interests, chill participation in public service, and interfere with the City’s ability to screen applicants for employment. Clearly, an individual applying for public employment or serving as a reference for an applicant, does not waive privacy interests otherwise protected by

law.

While an applicant or reference may choose to make “personal information” available to the public by a telephone or social media listings, the issue in this case is whether the government may be judicially compelled to disclose that information without the individual’s consent. As illustrated by the Maracich opinion, disclosure of this information upon request is not proper “under law” and should not be compelled.

Finally, this Court’s order expands the holding of the South Carolina Supreme Court in Burton v. York County Sheriff’s Department, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004) beyond its holding and beyond any precedent. In Burton, our Supreme Court intentionally limited its holding to the “specific information” relating to alleged public malfeasance. The Court noted that the newspaper did not seek any information relating to “off-duty” or personal activity. Id. at 352, 895. Unlike Burton, this case does not involve “employment records” or allegations of public misconduct.¹ Similarly, this case does not involve an inquiry into “secret government activity.” Instead, the information provided by the City in response to Plaintiff’s FOIA request offered sufficient opportunity to evaluate the City Manager selection process without unnecessary intrusion into privacy issues.

Plaintiff has argued in support of disclosure that the public has a right to know why individuals leave their former positions of employment (whether public or private) and how much money they made in prior employment (whether public or private). Nothing in FOIA or any authority offered by Plaintiff compels disclosure of private income information or public income below \$50,000. Additionally, personal reasons for changing jobs are just that: personal. As *in camera* review has revealed, requiring disclosure of personal reasons for leaving jobs in this instance would identify one of the candidates as a single mother with a young child. The

¹ Plaintiff has not requested the “employment record” of the applicant selected for the City Manager position.

danger acknowledged by Justice Kennedy in exposing personal information to potential stalkers and criminals clearly supports the City's actions in this case.

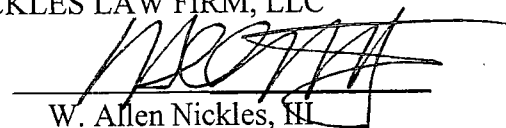
CONCLUSION

For the reasons stated herein, the City of Columbia requests that the Court withdraw its order filed June 26, 2013 and issue an order in keeping with the personal interests identified herein.

Respectfully submitted,

NICKLES LAW FIRM, LLC

By: _____


W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

ATTORNEY FOR DEFENDANT

July 16 2013
Columbia, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND	)	
		C/A NUMBER: 2013-CV-40-1450
George S. Glassmeyer,	)	
	)	
Plaintiff,	)	PLAINTIFF'S MEMORANDUM IN
	)	OPPOSITION TO DEFENDANT'S
v.	)	MOTION FOR NEW HEARING AND
	)	RECONSIDERATION
City of Columbia,	)	
	)	
Defendant.	)	

Plaintiff George S. Glassmeyer ("Glassmeyer" or "Plaintiff"), by and through his undersigned counsel, submits this memorandum in opposition to Defendant's Motion for New Hearing and Reconsideration regarding the Court's June 19, 2013 Order granting Plaintiff's Motion for Summary Judgment.¹ The Court properly granted Plaintiff's Motion for Summary Judgment and none of the reasons cited by Defendant's Motion for New Hearing and Reconsideration are persuasive. Therefore, Plaintiff respectfully requests this Court deny Defendant's Motion for New Hearing and Reconsideration.

ARGUMENTS

I. Federal case law cited by Defendant is not relevant to the issues in this action and is not binding on this Court when interpreting the South Carolina FOIA.

Defendant cites *Maracich v. Spears*, 570 U.S. ____ (2013) (Slip Op. No. 12-25, issued June 17, 2013) for the proposition that "personal information" such as name, home address and telephone number are not subject to "general disclosure," without defining what "general disclosure" means. Defendant also argues "[t]he disclosure of this information would serve no public purpose and would invade the privacy of the individual applicants and references.

¹ The Court's Order also granted Plaintiff's Motion to Strike Defendant's Request for Attorneys' Fees. Defendant has not sought reconsideration of the Court's ruling as to this issue in its Motion.

The South Carolina Supreme Court has held that federal case law interpreting the United States Freedom of Information Act ("US FOIA") is not binding on state courts interpreting the South Carolina Freedom of Information Act ("FOIA"). Specifically, in *Newberry Pub. Co., Inc. v. Newberry County Com'n on Alcohol & Drug Abuse*, 308 S.C. 352, 417 S.E.2d 870 (1992), the South Carolina Supreme Court noted: "In support of its argument, [the public body] relies on various federal cases. However, [the public body]'s reliance on these cases is misplaced; the exemptions contained in the federal FOIA are more expansive than those contained in South Carolina's FOIA." *Id.* at 354 n. 4, 417 S.E.2d at 872 n.4.

In *Maracich v. Spears*, the Supreme Court of the United States interpreted the United States Driver's Privacy Protection Act of 1994 (DPPA), 18 U.S.C. §§ 2721-2725. "The DPPA regulates the disclosure of personal information contained in the records of state motor vehicle departments (DMVs). Disclosure of personal information is prohibited unless for a purpose permitted by an exception listed in 1 of 14 statutory subsections." *Id.* The issue presented to the Supreme Court was "whether an attorney's solicitation of clients for a lawsuit falls within the scope" of one of the exemptions under the DPPA. *Id.* The Supreme Court ultimately concluded "an attorney's solicitation of clients is not a permissible purpose" covered by the DPPA exemption.

The issues before the Supreme Court in *Maracich* are completely distinguishable from the issues decided by this Court in this case. Not only does *Maracich* say nothing about the public policy or purpose underling either the US FOIA or the South Carolina FOIA, it deals with a federal statute regarding disclosure of state DMV information for solicitation purposes, concerns which are irrelevant to the issues raised in this case.

II. The Court properly held that Defendant wrongfully withheld applicants' representations regarding compensation for former employment.

Defendant argues that the Court's Order failed to provide "precedent or authority" in support of its requirement that income information be disclosed in response to Plaintiff's FOIA request. Ironically, while arguing that the Court provided no authority for its order, it is the Defendant who noticeably cites no support for its argument that such information should be withheld.

Under South Carolina law, the public body bears the burden of proof as to all redactions and withholdings from disclosure. There is a strong presumption in this state for disclosure. *See Evening Post Pub. Co. v. Berkeley County Sch. Dist.*, 392 S.C. 76, 708 S.E.2d 745 (2011). In *Seago v. Horry County*, 378 S.C. 414, 663 S.E.2d 38 (2008), the Supreme Court of South Carolina held: "Whether a record is exempt depends on the particular facts of the case. . . . Underlying each case, however, is the principle that the exemptions . . . are to be **narrowly construed** so as to fulfill the purpose of the FOIA. . . . To further advance this purpose, **the government has the burden of proving that an exemption applies.**" *Id.*

Plaintiff had the minimal burden of setting forth a prima facie case of a public body's withholding of public records in response to a FOIA request. Plaintiff has set forth such a case by introducing evidence to the court that Defendant withheld information from disclosure in response to Plaintiff's request without any citing any supporting exemption for the redactions. The burden then shifted to Defendant to come forward with statutory authority or case precedent to authorize its withholding of the information. With regard to the applicants' representations of former employment compensation, Defendant failed to come forward with any supporting authority for its redactions, instead blithely citing S.C. Code Ann. § 30-4-40(a)(2) and 30-4-40(6).

As set forth in the Court's Order, Section 30-4-40(a) (6) does not apply to this information. Section 30-4-40(a)(6) only exempts from disclosure "[a]ll compensation **paid by**

public bodies,” with certain exemptions. *Id.* (emphasis added). There is no statutory authorization for a public body to withhold compensation information of prior *private* employers and does not authorize a public body to withhold compensation information of employers located outside of the state. Defendant cites no statutory or case precedent to support its contention that such information was properly withheld from disclosure.

Moreover, Defendant has not made a convincing argument as to why the applicants’ representations of previous compensation at former employment is of a “personal” or “private” nature, sufficient to be redacted under S.C. Code Ann. § 30-4-40(a)(2). The personal information exemption specifically identifies a handful of information that *per se* constitutes personal information, disclosure of which would constitute an “unreasonable invasion of privacy” (for example, gross receipts); however, it leaves considerable room for interpretation. In *Burton v. York County Sheriff’s Dept*, 358 S.C. 339, 352, 594 S.E.2d 888, 895 (Ct. App. 2004), the South Carolina Court of Appeals noted in interpreting Section 30-4-40(a)(2) that “[w]e must, therefore, resort to general privacy principles, which examination involves a balancing of conflicting interests—the interest of the individual in privacy on the one hand against the interest of the public’s need to know on the other.” *Id.*

In this case, that balancing test leads to the inevitable conclusion that Plaintiff is entitled, as a member of the public, to disclosure of the applicants’ former employment compensation. FOIA does not provide a basis for Defendant to withhold documents or information which constitutes *representations* made by the applicants themselves. If “[t]he essential purpose of the FOIA is to protect the public from secret government activity,” then Plaintiff’s right to access an applicants’ representations as to former employment when applying for a governmental position is clearly protected. See *Bellamy v. Brown*, 305 S.C. 291, 408 S.E.2d 219, 221 (1991). Defendant’s argument that Plaintiff could merely call up former employers to investigate the

former salary information is not persuasive. The issue is not how much the applicants were making at previous places of employment, but rather, whether the applicants were truthful in reporting the application information. Plaintiff is unable to determine the answer to that issue if Defendant does not produce the requested information.

Balancing the reasonable privacy interests of the applicants against the public's need for the information yields the conclusion that such persons had no reasonable expectation that such compensation information would be kept private. The applicants cannot reasonably be said to have had a legitimate privacy interest in former compensation information when they reported such information on their application for a governmental position. Defendant's argument in support of the applicants' "reasonable privacy expectations" is cut down by the fact that whichever applicant that was chosen knew that his or her salary information would become a matter of public knowledge, especially where the potential annual salary was upwards of \$190,000.²

III. *Burton v. York County Sheriff's Department* was not misapplied in the Court's Order.

Defendant argues that the Court misapplies the ruling in *Burton v. York County Sheriff's Department*, 358 S.C. 339, 594 S.E.2d 888 (Ct. App. 2004). Defendant argues that the *Burton* opinion "requires only disclosure of governmental activity and does not compel disclosure of information relating to private conduct."

Specifically, in *Burton* the plaintiff requested all "complaints or allegations of illegal conduct" against sheriffs and "employment information for the named sheriffs," including "dates of employment, title, rank, pay-rate schedule, copies of disciplinary letters, records of suspension and all other information as provided by law." *Id.* at 344, 594 S.E.2d at 891. The South

² See Jason Old, *Teresa Wilson's Contract as New City Manager Approved*, THE STATE (Jan. 7, 2013), available online at <http://www.wistv.com/story/20524279/new-columbia-city-manager-to-make-190k>.

Carolina Court of Appeals required that the documents be produced, stating the focus of the request was on “the performance of public duties . . . and the response . . . to allegations of misconduct by the deputies.” *Id.* at 352, 594 S.E.2d at 895. Additionally, the Court held: “The [plaintiff], in fulfilling its obligation to report on and hold to account those in public service, had a legitimate need to access the records [the plaintiff] requested.” *Id.* “[A]s a matter of law, if a person, whether willingly or not, becomes an actor in an event of public or general interest, then the publication of his connection with such an occurrence is not an invasion of his right to privacy.” *Id.* (citations omitted).

Likewise, in the case at bar, *Burton* applies regarding a majority of the information wrongfully withheld by Defendant in response to Plaintiff’s FOIA request. The applicants willfully became actors in an event of public or general interest by applying for a high-profile job with a public body. Their representations on applications for such a position are matters of public or general interest, especially where the candidate chosen was already employed by the public body. Information which might have previously been considered “private” or “personal” became subject to disclosure when the applicants injected themselves into the search for a public position. Whether the representations made by the applicants are truthful is an issue of public importance and was properly required to be produced under the legal analysis of *Burton*.

IV. The Court properly found that the statutory provisions of the South Carolina Family Privacy Protection Act have no application to FOIA.

Defendant argued at the summary judgment hearing that the South Carolina Family Privacy Protection Act, S.C. Code Ann. § 30-2-30, gave it grounds to withhold some or all of the requested information from disclosure. Defendant’s argument that the Privacy Protection Act was brought within the scope of the FOIA through Section 30-4-40(a)(4) (matters exempted by other statute or law) is not persuasive.

As a preliminary matter, exemptions under FOIA are to be construed narrowly so as to fulfill the purpose of FOIA to guarantee the public reasonable access to certain activities of the government. *Evening Post Pub. Co. v. City of North Charleston*, 363 S.C. 452, 611 S.E.2d 496 (2005); *Evening Post Pub. Co. v. Berkeley County Sch. Dist.*, 392 S.C. 76, 83, 708 S.E.2d 745, 748 (“the exemptions should be narrowly construed to not provide a blanket prohibition of disclosure”). Defendant’s attempt to expand the FOIA exemptions to include general definitions of “personal” information under the South Carolina Family Privacy Protection Act is without merit.

As explained in the Court’s Order, Section 30-4-40(a)(4) of the FOIA only provides an exemption from disclosure for “matters **specifically exempted from disclosure** by statute or law.” (emphasis added.) Defendant merely cites the Family Privacy Protection Act *definition* of “private information.” It does not cite any provision under the Family Privacy Protection Act allowing or otherwise authorizing Defendant to exclude the information it chose to redact from disclosure. The Family Privacy Protection Act merely proscribes the obtaining of personal information from a state agency for *commercial solicitation purposes*. See S.C. Code Ann. § 30-2-50 (Rev. ed. 2007). Defendant’s gratuitous reference to the “personal” information definition under the Act is not an applicable basis for withholding documents under S.C. Code Ann. § 30-4-40(a)(4).

V. The Court properly ordered Defendant to pay Plaintiff’s reasonable attorneys’ fees and costs pursuant to S.C. Code Ann. § 30-4-100.

Defendant makes the meritless argument that because “Plaintiff concedes that state law required withholding of driver’s license numbers and restrictions” it “render[ed] any request for attorney fees in this proceeding without merit.” To the contrary, FOIA provides for attorneys’ fees to the prevailing party seeking relief under the Act, whether the prevailing party succeeds in

whole or in part, which is precisely what happened in this case, even if Plaintiff conceded that drivers' license information and restrictions thereto was properly withheld from disclosure. *See* S.C. Code Ann. § 30-4-100(b).

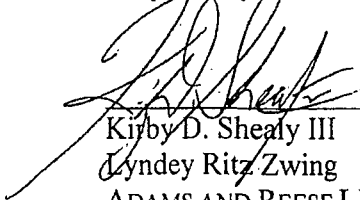
The South Carolina Supreme Court has defined "prevailing party" broadly, to include "one who successfully prosecutes the action or successfully defends against it, prevailing on the main issue, **even though not to the extent of the original contention** [and] is the one in whose favor the decision or verdict is rendered and judgment entered." *EFCO Corp. v. Renaissance on Charleston Harbor, LLC*, 370 S.C. 612, 618, 635 S.E.2d 922, 925 (Ct. App. 2006) (*quoting Heath v. County of Aiken*, 302 S.C. 178, 182-83, 394 S.E.2d 709, 711 (1990) (alteration in original) (emphasis added)). "The definition of prevailing party 'clearly envisions a victory **to some degree** on the merits.'" *Id.* (*quoting Jasper County Bd. of Educ. v. Jasper County Grand Jury*, 303 S.C. 49, 52, 398 S.E.2d 498, 500 (1990)) (emphasis added).

Defendant's argument that Plaintiff gave up any right it otherwise had to recover attorneys' fees because it conceded a minor point in this litigation is contradictory to the plain language of the FOIA and is contrary to relevant case precedent. Moreover, Defendant cites no authority for its argument that Plaintiff's "concession" on the issue of drivers' license numbers and restrictions "renders any request for attorney fees in this proceeding without merit."

CONCLUSION

For at least the foregoing reasons, Defendant's Motion for New Hearing and Reconsideration on this Court's June 19, 2013 Order Granting Plaintiff's Motion for Summary Judgment should be denied and this Court should reaffirm its previous rulings.

Respectfully Submitted,



Kirby D. Shealy III
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Attorneys for Plaintiff

July 16, 2013.

August 5, 2013

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Via e-mail and hand delivery

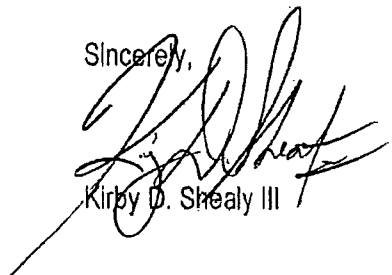
The Honorable G. Thomas Cooper, Jr.
C/O Richland County Clerk of Court
P O Box 192
1701 Main Street, Room 323
Columbia, SC 29202-0192

Re: *George S. Glassmeyer v. City of Columbia*
Civil Action No.: 2012-CP-40-01450
A&R File No.: 053004-000001

Dear Judge Cooper:

In consonance with your prior Orders in the above-referenced case, I have enclosed an affidavit of attorneys' fees and proposed final order in the above-referenced matter for your consideration. By copy of this letter, I am informing opposing counsel of this communication with the court and am simultaneously providing him with copies of the affidavit and proposed Order. Thank you for consideration of this matter. Please let me know if you have any questions.

Sincerely,


Kirby D. Shealy III

KDS/ltd

cc: W. Allen Nickles, III
George S. Glassmeyer

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND	)	
	)	CIVIL ACTION NO. 2013-CP-40-01450
George S. Glassmeyer,	)	
	)	
Plaintiff,	)	
v.	)	AFFIDAVIT OF ATTORNEYS' FEES
	)	
City of Columbia,	)	
	)	
Defendants.	)	

PERSONALLY appeared before me, Kirby D. Shealy III, attorney for the Plaintiff, who, being duly sworn, deposes and states that:

(1) I am a partner the law firm of Adams and Reese LLP, and that he represents the Plaintiff in the above captioned case.

(2) I have been a member of the South Carolina Bar since 1996.

(3) I was asked to represent Plaintiff in this matter involving an alleged violation of the South Carolina Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.* due to his experience litigating such matters throughout his career.

(4) My hourly rate is \$300 per hour. The hourly rate for my associate, Lyndey Zwing, is \$200 per hour. The hourly rate for my paralegal, Victoria Moody, is \$125 per hour.

(5) The commencement of this action began with the filing of the Summons and Complaint on March 8, 2013, following an initial review and analysis of Defendant's response to Plaintiff's FOIA request.

(6) Subsequent to the filing of the Complaint, counsel for both parties conferred several times in an effort to resolve the case, but when those discussions did not bear fruit, motions for summary judgment were filed by both parties.

(7) Both motions were fully briefed and they were subsequently argued on June 6, 2013, following which the Court requested proposed orders from both sides;

(8) The Court entered an order on June 19, 2013, granting Plaintiff's Motion to Strike Defendant's Request for Attorneys' Fees and Plaintiff's Motion for Summary Judgment in whole and ordered that attorneys' fees be awarded to Plaintiff pursuant to S.C. Code Ann. § 30-4-100, as the prevailing party in the above-captioned action.

(9) Defendant filed a motion for reconsideration on July 1, 2013. This motion was likewise briefed by both parties and argued on July 16, 2013. The motion was denied by order filed on July 19, 2013.

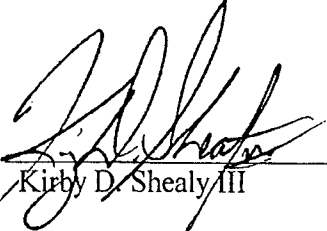
(8) My firm has been responsible for the preparation of the following pleadings, motions, documents and actions in this matter:

- (a) Summons and Complaint;
- (b) Plaintiff's Motion to Strike;
- (c) Plaintiff's Motion for Summary Judgment;
- (d) Affidavit of George S. Glassmeyer in Support of Plaintiff's Motion for Summary Judgment;
- (e) Proposed Order Granting Plaintiff's Motion for Summary Judgment and Motion to Strike and denying Defendant's Motion for Summary Judgment; and
- (f) Memorandum in Opposition to Defendant's Motion for New Hearing and Reconsideration.

(10) I have expended 24.2 hours working on this matter. My associate, Lyndey Zwing, has expended 21.9 hours. My paralegal has expended 3.3 hours. The collective value of our time spent in prosecuting this case to a conclusion is Twelve Thousand Fifty-Two and 50/100 (\$12,052.50) Dollars. Our time sheet for this case is attached as Exhibit 1 to this Affidavit.

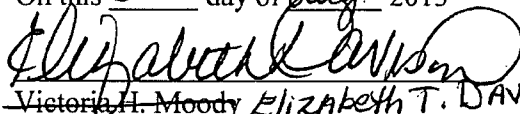
(11) The costs incurred by Plaintiff in this litigation are Six Hundred Two and 51/100 (\$602.51) Dollars.

(12) I am informed and believe that the attorneys' fees and costs incurred by Plaintiff in this action are justified considering (i) the nature, extent, and difficulty of the case; (ii) the time necessarily devoted to the case; and (iii) the beneficial results that were obtained.



Kirby D. Shealy III

Sworn to and subscribed before me
On this 5th day of Aug. 2013


~~Victoria H. Moody~~ Elizabeth T. DAVISON
Notary Public for South Carolina
My Commission expires 4/21/2021

Date	Initials	Name / Invoice Number	Hours	Amount	Description
2/6/2013	1902	Kirby D. Shealy, III	0.1	30	TELEPHONE CONFERENCE WITH MR. GLASSMEYER RE: SETTING UP MEETING TO GO OVER TWO POTENTIAL FOIA CASES
2/7/2013	1902	Kirby D. Shealy, III	0.2	60	OFFICE CONFERENCE WITH MR. GLASSMEYER RE: LOOKING AT TWO FOIA ISSUES FOR HIM
2/8/2013	1910	Lyndey R. Zwing	0.1	20	ANALYSIS OF SUFFICIENCY OF FOIA RESPONSES FROM CITY OF COLUMBIA AND SOUTH CAROLINA SUPREME COURT
2/11/2013	1910	Lyndey R. Zwing	1	200	DRAFT LETTER TO CLIENT REGARDING SUFFICIENCY OF FOIA RESPONSES
2/11/2013	1910	Lyndey R. Zwing	1	200	RESEARCH ON WESTLAW REGARDING SUFFICIENCY OF FOIA RESPONSES
2/19/2013	1910	Lyndey R. Zwing	0.4	80	EDIT LETTER TO CLIENT REGARDING RESEARCH OF FOIA CLAIMS
2/19/2013	1902	Kirby D. Shealy, III	0.4	120	CONTINUE EDITING ANALYSIS FOR MR. GLASSMEYER; TELEPHONE CONFERENCE WITH MR. BENDER RE: HIS TAKE ON ISSUES; EMAIL PRELIMINARY OPINION TO MR. GLASSMEYER
2/19/2013	1902	Kirby D. Shealy, III	0.1	30	CONCLUDED REVIEW AND EDITING OF LETTER TO MR. GLASSMEYER; CONFERENCE WITH MS. ZWING RE: SAME
2/20/2013	1902	Kirby D. Shealy, III	0.4	120	TELEPHONE CONFERENCE WITH MR. GLASSMEYER RE: PURSUING FOIA LAWSUIT
2/20/2013	1902	Kirby D. Shealy, III	1	300	FINAL PREPARATION OF LETTER TO MR. GLASSMEYER

2/20/2013	1910 Lyndey R. Zwing	0.1	20 FINALIZE GLASSMEYER LETTER
2/25/2013	1910 Lyndey R. Zwing	0.9	180 DRAFT SUMMONS AND COMPLAINT AGAINST CITY OF COLUMBIA
2/25/2013	1902 Kirby D. Shealy, III	0.1	30 TELEPHONE CONFERENCE WITH MR. GLASSMEYER RE: ANSWERING QUESTIONS ABOUT CITY'S GENERAL PRACTICE CONCERNING FOIA SUITS; INSTRUCT MS. ZWING RE: DRAFTING COMPLAINT
2/26/2013	1910 Lyndey R. Zwing	0.6	120 FINALIZE COVER LETTER, SUMMONS, AND COMPLAINT
2/27/2013	1916 Victoria H. Moody	0.3	37.5 ASSIST MS. ZWING WITH PREPARATION FOR FILING SUMMONS AND COMPLAINT
3/8/2013	1902 Kirby D. Shealy, III	0.2	60 RECEIPT AND REVIEW MR. GLASSMEYER'S EMAIL WITH EDIT TO COMPLAINT; FINAL PREPARATION OF SAME
3/8/2013	1902 Kirby D. Shealy, III	1.5	450 EDIT COMPLAINT AND SEND TO MR. GLASSMEYER FOR REVIEW
3/8/2013	1910 Lyndey R. Zwing	0.3	60 PREPARE FILED COPY OF SUMMONS AND COMPLAINT FOR SERVICE ON CITY OF COLUMBIA CLERK'S OFFICE
3/8/2013	1910 Lyndey R. Zwing	0.2	40 REVIEW COMPLAINT AND CHECK THAT EXHIBITS ARE ACCURATE
3/11/2013	1910 Lyndey R. Zwing	0.2	40 CALL TO CITY CLERK'S OFFICE REGARDING ACCEPTANCE OF SERVICE FORM AND FOLLOW-UP WITH RUNNER IN ORDER TO FILL OUT AFFIDAVIT OF SERVICE

3/11/2013	1910 Lyndey R. Zwing	0.2	40 REVIEW AND EDIT ACCEPTANCE OF SERVICE TO SEND TO CITY OF COLUMBIA'S CLERK'S OFFICE
3/11/2013	1916 Victoria H. Moody	0.1	12.5 CONFERENCE WITH RUNNER WHO TOOK SUMMONS AND COMPLAINT RE: WHAT TIME SERVED AND WHO SERVED TO PREPARE AFFIDAVIT OF SERVICE AS CITY OF COLUMBIA CITY CLERK'S OFFICE REFUSED TO SIGN ACCEPTANCE OF SERVICE
3/11/2013	1916 Victoria H. Moody	0.2	25 CONFERENCE WITH MS. ZWING RE: CITY OF COLUMBIA CITY CLERK'S OFFICE WOULD NOT SIGN ACCEPTANCE OF SERVICE
3/11/2013	1916 Victoria H. Moody	0.1	12.5 E-MAIL TO MR. GLASSMEYER ATTACHING SUMMONS AND COMPLAINT AND ACCEPTANCE OF SERVICE SENT TO CITY OF COLUMBIA CITY CLERK'S OFFICE TODAY
3/11/2013	1916 Victoria H. Moody	0.1	12.5 CONFERENCE WITH MS. ZWING RE: ACCEPTANCE OF SERVICE TO BE SIGNED AND RETURNED WHEN RUNNER DELIVERS SUMMONS AND COMPLAINT
3/11/2013	1916 Victoria H. Moody	0.1	12.5 PREPARE LETTER TO CITY OF COLUMBIA CITY CLERK SERVING SUMMONS AND COMPLAINT WITH AN ACCEPTANCE OF SERVICE TO BE SIGNED
3/11/2013	1916 Victoria H. Moody	0.1	12.5 PREPARE ACCEPTANCE OF SERVICE OF SUMMONS AND COMPLAINT TO BE SIGNED BY CITY OF COLUMBIA CITY CLERK'S OFFICE PERSONNEL
3/11/2013	1916 Victoria H. Moody	0.1	12.5 TELEPHONE CALL WITH CONNIE AT CITY OF COLUMBIA CITY CLERK'S OFFICE RE: WILL SIGN ACCEPTANCE OF SERVICE
3/12/2013	1916 Victoria H. Moody	0.1	12.5 PREPARE AFFIDAVIT OF SERVICE OF SUMMONS AND

COMPLAINT TO BE SIGNED BY COURIER FROM OUR FIRM
AND FILED WITH COURT

3/12/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW MR. NICKLES' EMAIL RE: REPRESENTING CITY
3/12/2013	1902 Kirby D. Shealy, III	0.2	60 TELEPHONE CALL FROM MR. NICKLES RE: DISCUSSING WAYS OF POTENTIALLY RESOLVING MATTER
3/14/2013	1916 Victoria H. Moody	0.1	12.5 EXCHANGE E-MAILS WITH MR. GLASSMEYER RE: AFFIDAVIT OF SERVICE SIGNED BY OUR RUNNER SHOWING SERVICE WAS ACHIEVED ON MARCH 11, 2013
3/18/2013	1916 Victoria H. Moody	0.1	12.5 PREPARE LETTER TO RICHLAND COUNTY CLERK OF COURT FILING AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT ON DEFENDANT CITY OF COLUMBIA
3/18/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW FOLLOW-UP LETTER FROM MR. NICKLES
3/18/2013	1910 Lyndey R. Zwing	0.1	20 REVIEW CORRESPONDENCE FROM CITY OF COLUMBIA REGARDING RESOLUTION OF MATTER
3/19/2013	1916 Victoria H. Moody	0.1	12.5 TELEPHONE CALL FROM MR. GLASSMEYER TO CONFIRM AN ATTORNEY HAD BEEN RETAINED TO REPRESENT THE CITY OF COLUMBIA
3/19/2013	1916 Victoria H. Moody	0.1	12.5 E-MAIL TO MR. GLASSMEYER ATTACHING AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT SENT FOR FILING YESTERDAY
3/21/2013	1902 Kirby D. Shealy, III	0.1	30 EMAIL TO MR. NICKLES WITH SETTLEMENT DEMAND

3/21/2013	1902 Kirby D. Shealy, III	0.2	60 TELEPHONE CONFERENCE WITH MR. GLASSMEYER CONFIRMING SETTLEMENT POSITION
3/22/2013	1916 Victoria H. Moody	0.1	12.5 RECEIPT AND REVIEW OF FILED AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT THAT WAS FILED WITH RICHLAND COUNTY
3/28/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW LATEST LETTER FROM MR. NICKLES CONCERNING CITY'S POSITION
4/1/2013	1902 Kirby D. Shealy, III	0.4	120 EXCHANGE EMAILS WITH MR. GLASSMEYER RE: LATEST RESPONSE FROM CITY; LETTER TO MR. NICKLES IN RESPONSE TO HIS MARCH 27 LETTER
4/1/2013	1910 Lyndey R. Zwing	0.1	20 REVIEW CORRESPONDENCE FROM OPPOSING COUNSEL REGARDING CLAIMS
4/3/2013	1910 Lyndey R. Zwing	0.1	20 REVIEW ANSWER OF CITY OF COLUMBIA
4/18/2013	1910 Lyndey R. Zwing	0.2	40 DISCUSSION WITH KIRBY REGARDING MOTION FOR SUMMARY JUDGMENT AND AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT
4/18/2013	1902 Kirby D. Shealy, III	0.3	90 RECEIPT AND REVIEW ANSWER FROM MR. NICKLES; EMAIL TO MR. GLASSMEYER WITH COMMENTS RE: SAME
4/18/2013	1902 Kirby D. Shealy, III	0.1	30 TELEPHONE CALL TO MR. NICKLES SEEKING TO HAVE HIM EXPLAIN HIS PRAYER FOR ATTORNEYS FEES AND COSTS
4/18/2013	1902 Kirby D. Shealy, III	0.2	60 TELEPHONE CONFERENCE WITH MR. GLASSMEYER RE: EXPLAINING NEXT STEPS

4/19/2013	1902 Kirby D. Shealy, III	0.1	30 EXCHANGE EMAILS WITH MR. GLASSMEYER RE: NEXT STEP IN CASE
4/19/2013	1910 Lyndey R. Zwing	1.4	280 DRAFT PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
4/19/2013	1910 Lyndey R. Zwing	0.3	60 DRAFT AFFIDAVIT OF GEORGE S. GLASSMEYER IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
4/22/2013	1910 Lyndey R. Zwing	1	200 PREPARE MOTION TO STRIKE REQUEST FOR FEES
4/22/2013	1910 Lyndey R. Zwing	0.4	80 FINALIZE MOTION FOR SUMMARY JUDGMENT
4/22/2013	1916 Victoria H. Moody	0.1	12.5 EXCHANGE E-MAILS WITH MS. ZWING RE: FILING MOTION TO STRIKE AND MOTION FOR SUMMARY JUDGMENT
4/22/2013	1916 Victoria H. Moody	0.1	12.5 TELEPHONE CONFERENCE WITH MS. ZWING RE: DEADLINE TO FILE MOTION TO STRIKE ON MAY 1, 2013
4/23/2013	1902 Kirby D. Shealy, III	0.2	60 REVIEW EDITED MOTIONS; EMAIL TO MR. GLASSMEYER RE: SAME
4/23/2013	1902 Kirby D. Shealy, III	0.6	180 REVIEW AND EDIT MOTION FOR SUMMARY JUDGMENT AND MOTION TO STRIKE; TELEPHONE CONFERENCE WITH MR. NICKLES RE: DISCUSSING POSSIBILITY OF SETTLEMENT AND BASIS FOR CITY'S REQUEST FOR ATTORNEY FEES
4/23/2013	1902 Kirby D. Shealy, III	0.1	30 TELEPHONE CALL TO MR. NICKLES TO FOLLOW UP ON EARLIER DISCUSSIONS

4/23/2013	1910 Lyndey R. Zwing	0.5	100 EDIT MOTIONS AND SEND TO CLIENT FOR REVIEW, INCLUDING: MOTION TO STRIKE DEFENDANT'S REQUEST FOR COSTS AND FEES IN RESPONDING TO PLEADINGS AND MOTION FOR SUMMARY JUDGMENT
4/24/2013	1910 Lyndey R. Zwing	0.4	80 FINALIZE MOTIONS FOR FILING AND TALK TO CLIENT REGARDING MOTIONS AND AFFIDAVIT
4/24/2013	1902 Kirby D. Shealy, III	1.7	510 FINAL PREPARATION OF MOTIONS; TELEPHONE CALL TO MR. NICKLES RE: SAME; EMAIL TO MS. ZWING WITH INSTRUCTIONS ON GETTING AFFIDAVIT SIGNED, ETC.
4/25/2013	1916 Victoria H. Moody	0.1	12.5 RECEIPT AND REVIEW OF MOTION TO STRIKE AND MOTION FOR SUMMARY JUDGMENT FILED WITH RICHLAND COUNTY CLERK OF COURT TODAY; FORWARD COPY OF FILED MOTIONS TO MR. GLASSMEYER.
4/25/2013	1916 Victoria H. Moody	0.4	50 ASSIST MS. ZWING IN PREPARING AND ATTACHING EXHIBITS TO MOTION FOR SUMMARY JUDGMENT, FILING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND PLAINTIFF'S MOTION TO STRIKE AS WELL AS SERVING ON OPPOSING COUNSEL
4/25/2013	1916 Victoria H. Moody	0.2	25 MEET WITH MS. ZWING AND MR. GLASSMEYER TO EXECUTE AFFIDAVIT TO BE ATTACHED TO MOTION BEING FILED TODAY
5/8/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW MR. NICKLES' EMAIL WITH REQUEST TO CONSENT TO FILING DOCUMENTS UNDER SEAL FOR IN CAMERA REVIEW
5/10/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW ROSTER NOTICE FOR UPCOMING MOTIONS HEARING

5/10/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW MR. NICKLES' EMAIL EXPLAINING PROCEDURE HE WILL FOLLOW IN FILING DOCUMENTS
5/10/2013	1916 Victoria H. Moody	0.1	12.5 E-MAIL TO MR. GLASSMEYER RE: MOTIONS WILL BE HEARD ON JUNE 6, 2013 IN FRONT OF JUDGE COOPER
5/10/2013	1916 Victoria H. Moody	0.1	12.5 FILE MANAGEMENT. ORGANIZE DOCUMENTS WITHIN FILE.
5/14/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW NOTICES OF HEARINGS ON OUR MOTIONS FROM CLERK OF COURT
5/14/2013	1902 Kirby D. Shealy, III	0.1	30 EMAIL TO MR. GLASSMEYER RE: HEARING HAS BEEN SCHEDULED ON MOTIONS
5/14/2013	1902 Kirby D. Shealy, III	0.1	30 RECEIPT AND REVIEW MR. NICKLES' LETTER TO JUDGE COOPER REGARDING UPCOMING MOTION HEARING
5/17/2013	1902 Kirby D. Shealy, III	0.2	60 RECEIPT AND REVIEW CITY'S SUMMARY JUDGMENT MOTION; EMAIL TO MR. GLASSMEYER RE: SAME
5/17/2013	1910 Lyndey R. Zwing	0.2	40 REVIEW CORRESPONDENCE FROM OPPOSING COUNSEL TO COURT REGARDING MOTIONS AND REVIEW DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
5/22/2013	1902 Kirby D. Shealy, III	0.1	30 TELEPHONE CALL FROM MR. GLASSMEYER TO DISCUSS ARGUMENTS RAISED BY CITY IN MOTION
6/5/2013	1902 Kirby D. Shealy, III	0.1	30 Exchange emails with Mr. Glassmeyer re: preparing for tomorrow's hearing
6/6/2013	1902 Kirby D. Shealy, III	1.2	360 Preparation for motions hearing

6/6/2013	1902 Kirby D. Shealy, III	1.4	420 Representation at motion hearing
6/6/2013	1910 Lyndey R. Zwing	0.2	40 Review notes from motions hearing in preparation to draft Proposed Order.
6/10/2013	1910 Lyndey R. Zwing	2.7	540 Draft Proposed Order Granting Plaintiff's Motion for Summary Judgment and Motion to Strike Defendant's Prayer for Attorney's Fees.
6/11/2013	1910 Lyndey R. Zwing	0.6	120 Finalize Proposed Order Granting Plaintiff's Motion for Summary Judgment.
6/12/2013	1902 Kirby D. Shealy, III	0.1	30 Telephone conference with Mr. Nickles re: possibility of resolving case (pro-rated)
6/13/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review form Order confirming requirement that both parties submit proposed orders within 10 days
6/13/2013	1902 Kirby D. Shealy, III	2.3	690 Edit proposed order
6/13/2013	1902 Kirby D. Shealy, III	0.1	30 Exchange emails with Mr. Nickles re: timing of filing of proposed order
6/13/2013	1910 Lyndey R. Zwing	1.3	260 Finalize proposed order granting motion for summary judgment with Kirby Shealy in preparation to send to Judge Cooper.
6/14/2013	1910 Lyndey R. Zwing	0.2	40 Edit proposed order to Court on issue of Family Privacy Protection Act.
6/17/2013	1902 Kirby D. Shealy, III	0.8	240 Final preparation of proposed order and dispatch to Judge Cooper

6/17/2013	1902 Kirby D. Shealy, III	0.2	60 Receipt and review City's proposed order; email to Mr. Glassmeyer re: same
6/23/2013	1902 Kirby D. Shealy, III	0.5	150 Receipt and review Mr. Nickles' email to Judge Cooper and recent U.S. Supreme Court opinion regarding personal invformation
6/24/2013	1910 Lyndey R. Zwing	0.3	60 Review United States Supreme Court decision regarding "privacy" interests in Drivers License Act and discuss with Kirby Shealy whether or not to respond to opposing counsel's supplemental case to the Court on the cross motions for summary judgment.
6/26/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review order granting our motion for summary judgment
6/26/2013	1916 Victoria H. Moody	0.1	12.5 E-mail to Mr. Glassmeyer attaching Order granting Plaintiff's Summary Judgment Motion and Motion to Strike
6/26/2013	1916 Victoria H. Moody	0.2	25 Telephone call with Mr. Glassmeyer re: Order granting Plaintiff's Summary Judgment Motion and Motion to Strike
6/27/2013	1910 Lyndey R. Zwing	1	200 Draft Affidavit of Attorneys Fees and Costs Incurred in Litigation. Draft proposed order entering judgment against Defendant, granting Plaintiff's attorneys fees and costs, and requiring documents to be produced by Defendant.

6/27/2013	1910 Lyndey R. Zwing	0.4	80 Draft proposed order granting Plaintiff's request for attorneys fees and costs and ordering Defendant to produce documents in a blank number of days.
6/27/2013	1910 Lyndey R. Zwing	0.4	80 Telephone discussion with client regarding proposed order, affidavit of fees and costs. Follow-up discussion with Kirby Shealy regarding contents of proposed order and affidavit of fees and costs.
6/27/2013	1902 Kirby D. Shealy, III	0.9	270 Continued preparation of affidavit of attorneys fees
6/27/2013	1902 Kirby D. Shealy, III	0.1	30 Exchange emails with Mr. Nickles re: order from Judge Cooper and likelihood of appeal; email to Mr. Glassmeyer re: same
6/27/2013	1902 Kirby D. Shealy, III	1.4	420 Receipt and review Mr. Glassmeyer's email with questions about potential appeal; legal research re: whether party can recover atty fees incurred during prosecution of appeal where underlying statute allows for recovery of fees
6/28/2013	1902 Kirby D. Shealy, III	0.3	90 Concluded email to Mr. Glassmeyer discussing mechanics of appeal threatened by City
6/28/2013	1902 Kirby D. Shealy, III	0.2	60 Telephone conference with Mr. Glassmeyer re: answering his questions about process, strategy, etc.

6/28/2013	1910 Lyndey R. Zwing	0.6	120 Research on westlaw regarding whether a successful Plaintiff bringing a FOIA action can recover attorneys fees from appeal, if successful.
7/2/2013	1910 Lyndey R. Zwing	1.2	240 Research on westlaw regarding recovery of attorney's fees and costs to prevailing party on appeal. Draft research memorandum to Kirby Shealy regarding conclusion that our client should be entitled to recover attorneys' fees under the FOIA if prevailing party through appeal as well as costs of appeal pursuant to Rule 222, SCACR.
7/2/2013	1902 Kirby D. Shealy, III	0.2	60 Receipt and review motion for reconsideration from Mr. Nickels; email to him re: same
7/3/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review filed form 4 and order from clerk of court
7/3/2013	1910 Lyndey R. Zwing	0.3	60 Review Defendant's Motion for Reconsideration; telephone conference with client regarding whether we are going to draft memorandum in opposition to Defendant's Motion for Reconsideration; draft correspondence to Kirby Shealy regarding whether to start on draft of memo in opposition to motion.
7/3/2013	1910 Lyndey R. Zwing	0.9	180 Review Defendant's Motion for Reconsideration and make notes to review with Kirby Shealy to use in drafting Memo in Opposition.
7/8/2013	1902 Kirby D. Shealy, III	0.2	60 Review research regarding recoverability of

attorneys fees on appeal

7/9/2013	1910 Lyndey R. Zwing	1.8	360 Draft Plaintiff's Memorandum in Opposition to Defendant's Motion for New Hearing and Reconsideration.
7/10/2013	1902 Kirby D. Shealy, III	0.2	60 Receipt and review emails between Judge Cooper's law clerk and Mr. Nickels re: hearing on motion for reconsideration; email to law clerk regarding availability; email to Mr. Glassmeyer re: same
7/12/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review notice that case has been added to non-jury trial roster
7/13/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review notice that case has been erroneously added to non-jury trial roster for August 9
7/16/2013	1902 Kirby D. Shealy, III	0.9	270 Preparation for motion hearing re: editing of memorandum in opposition to motion and sending same to Judge Cooper; receipt and review Mr. Nickles' memorandum in support of motion
7/16/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review trial notice from clerk of court; letter to clerk of court re: removing case from docket

7/16/2013	1902 Kirby D. Shealy, III	1.2	360 Final preparation for, and representation at, hearing on motion for reconsideration
7/16/2013	1916 Victoria H. Moody	0.2	25 Assist Mr. Shealy with preparation for hearing today
7/16/2013	1910 Lyndey R. Zwing	0.2	40 Prepare Kirby Shealy for Defendants' Motion to Reconsider hearing by instructing where to find memo in oppositoin; Case strategy and analysis of hearing with Kirby Shealy.
7/19/2013	1910 Lyndey R. Zwing	0.1	20 Check public index to determine whether court has filed an order on Defendant's Motion for Reconsideration.
7/26/2013	1902 Kirby D. Shealy, III	0.1	30 Receipt and review order denying motion for reconsideration; email to Mr. Glassmeyer re: same
7/29/2013	1902 Kirby D. Shealy, III	0.1	30 Exchange emails with Mr. Nickles re: advising court that order has been issued
8/5/2013	1902 Kirby D. Shealy, III	1.7	510 Final preparation of affidavit and proposed order

Total: 49.4 12,052.50

Timekeeper Totals:

1902	Kirby D. Shealy, III	24.2	7,260.00
1910	Lyndey Zwing	21.9	4,380.00
1916	Victoria H. Moody	3.3	412.5

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
George S. Glassmeyer,)
)
Plaintiff,)
)
vs.)
)
City of Columbia,)
)
Defendant.)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL DISTRICT

Civil Action File No.: 2013-CP-40-01450

DEFENDANT'S MEMORANDUM IN
RESPONSE TO PLAINTIFF'S
REQUEST FOR ATTORNEY FEES

By letter dated August 5, 2013, counsel for Plaintiff in the above matter submitted a proposed order and affidavit in support of attorney fees seeking reimbursement of all fees and costs incurred in the above action. In total, Plaintiff seeks attorney fees in the amount of \$12,052.50 and costs in the amount of \$602.51. For the following reasons, Defendant objects to the request submitted by Plaintiff.

LEGAL STANDARD

Under the South Carolina Freedom of Information Act ("FOIA"), any objection to the disclosure of information by a public body must be submitted to the trial court for *in camera* review. This review is to determine whether the information requested, or any portion thereof, qualify for exemption under S.C. Code Ann. § 30-4-40. Our Supreme Court has determined that one limit on the disclosure of information to the public is the right of a person to be free from unwarranted publicity. Holloman v. Life Ins. Co. of Virginia, 192 S.C. 454, 458, 7 S.E.2d 169, 171 (1940) Accordingly, in responding to any FOIA request, the trial court must conduct a balancing test between the "public's need to know" and the individual's privacy interest in non-disclosure. Burton v. York County Sheriff's Dept., 358 S.C. 339, 352, 594 S.E.2d 888, 896 (Ct. App. 2004)

Here, Defendant provided Plaintiff and other interested parties access to substantial information regarding applicants for the position of City Manager. The only information withheld by Defendant related to driver's license information, social security numbers, personal addresses, telephone numbers and emails, personal reasons for leaving prior positions of employment and income from sources other than public employment less than \$50,000.

Plaintiff filed this action seeking "all" information provided by applicants for the position of City Manager. During summary judgment argument on June 6, 2013, however, Plaintiff withdrew his request for driver's license information, thereby confirming that his initial FOIA request was overbroad. See, Order issued June 19, 2013, filed June 26, 2013. Additionally, following summary judgment in favor of Plaintiff, this Court granted Defendant's request for hearing on reconsideration based upon the order of the United States Supreme Court in Maracich v. Spears, 570 U.S. ____ (2013)(Slip Op. No. 12-25 issued June 17, 2013) In this Opinion, the Supreme Court ruled that the South Carolina Department of Motor Vehicles had improperly disclosed "personal information" such as names, home addresses and telephone numbers of citizens.

Attorney fees are available upon application to the court pursuant to S.C. Code Ann. § 30-4-100. Defendant acknowledges that Plaintiff has prevailed "in part" so that the Court may, "in its discretion award [Plaintiff] reasonable attorney fees or an appropriate portion thereof." S.C. Code Ann. § 3-4-100(b) The factors to be considered in an award of attorney fees are: (1) the nature, extent and difficulty of the case; (2) the time necessarily devoted to the case; (3) professional standing of counsel; (4) contingency of compensation; (5) beneficial results obtained; and (6) customary legal fees for similar services. Any award of attorney fees must address the above factors. Burton v. York County, 338 S.C. at 358, 594 S.E. 2d at 898.

Defendant does not challenge factors (3) or (6). Instead, Defendant requests that the Court consider the following in exercising its discretion:

1. Prior to summary judgment, Plaintiff sought “all” information concerning the finalists for City Manager. See, Complaint, Plaintiff’s Motion and Memorandum in Support of Summary Judgment. During argument on June 6, 2013, however, Plaintiff conceded that “state law required Defendant to withhold the applicants’ driver’s license numbers and restrictions.” Order, citing, S.C. Code Ann. § 30-4-40(a)(4) and § 30-4-165(B) Accordingly, Defendant should not be charged for any service or cost preceding June 6, 2013. (24.8 hrs)
2. Plaintiff’s entries for 6/27, 6/28, 7/2 and 7/8 reflect activity on potential appeal. Defendant should not be charged for this service or cost. (6.4 hrs)
3. Plaintiff’s entry for 6/28/13 shows research on Westlaw concerning availability of attorney fees on appeal. Defendant should not be charged for this cost.
4. Defendant therefore submits that a total of 31.2 hours (24.8 hrs prior to summary judgment and 6.4 hrs related to potential appeal) identified by Plaintiff plus Westlaw costs for appeal issues should not be charged to Defendant.

Should the Court determine to reimburse for services rendered prior to Plaintiff’s acknowledgement of Defendant’s statutory right to withhold certain information, Defendant requests the Court consider the following additional factors:

1. Plaintiff’s request for attorney fees is not confined to the current proceeding. For example, entries for February 6 and 7 reveal that counsel was considering “two potential FOIA cases” in conducting research and conferring with Plaintiff.¹

¹ Plaintiff has filed a second suit under FOIA seeking disclosure of information relating to former Police Chief Randy Scott. C/A No.: 2013-CP-40-3982. This is a separate FOIA request unrelated to the present proceeding.

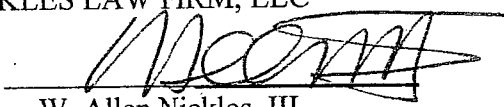
Throughout the description of services, entries repeatedly refer to "FOIA claims" (plural). See, entries for 2/6, 2/7, 2/11, 2/13 and 2/19. Defendant should not be charged for this service or cost. (3.9 hrs)

2. Plaintiff's entries for 3/8, 3/11, 3/12, 3/14 and 3/18 reflect charges for failure to perfect service as required by law. Defendant should not be charged for this service or cost. (1.1 hrs)
3. Defendant therefore submits that a total of 11.4 hours (5.0 as stated above and 6.4 related to appeal) identified by Plaintiff plus Westlaw costs for appeal issues are not related to the successful prosecution of this proceeding.

CONCLUSION

For the reasons stated herein, the City of Columbia requests that this Court exercise its discretion in any award of attorney fees to confine that award to reasonable fees and costs incurred in the litigation of this proceeding only.

NICKLES LAW FIRM, LLC

By: 

W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

ATTORNEY FOR DEFENDANT

August 14 2013
Columbia, South Carolina

ADAMS AND REESE LLP

August 15, 2013

Attorneys at Law
Alabama
Florida
Louisiana
Mississippi
South Carolina
Tennessee
Texas
Washington, DC

Kirby D. Shealy III
Direct: 803.212.4966
E-Fax: 803.343.1258
kirby.shealy@arlaw.com

VIA Hand Delivery:

The Honorable Jeanette McBride
Richland County Clerk of Court
1701 Main Street
Columbia, South Carolina 29201

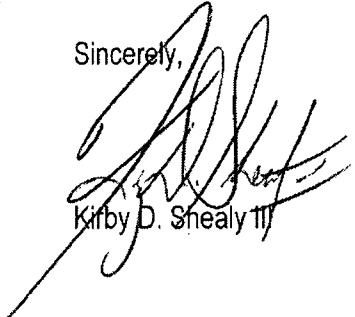
RE: George S. Glassmeyer v. City of Columbia
C/A No.: 2013-CP-40-01450
A&R File No.: 053004-000001

Dear Ms. McBride

Enclosed for filing, please find the original and one copy of a Supplemental Affidavit of Attorney's Fees filed on behalf of Plaintiff George S. Glassmeyer in the above-referenced matter. Please file the original and return the clocked-in copy to me via our courier. By copy of this letter, I am providing Judge Cooper and counsel for Defendant with a copy of this correspondence and the enclosed affidavit.

Thank you for your assistance in this matter. Please let me know if you have any questions.

Sincerely,


Kirby D. Shealy III

KDS/LRZ/ltd
Enclosures

cc: The Honorable G. Thomas Cooper (via electronic mail only)
W. Allen Nickles, III, Esquire (via U.S. Mail and electronic mail)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND	)	
	)	CIVIL ACTION NO. 2013-CP-40-01450
George S. Glassmeyer,	)	
	)	
Plaintiff,	)	
v.	)	
	)	SUPPLEMENTAL AFFIDAVIT
City of Columbia,	)	OF ATTORNEYS' FEES
	)	
Defendants.	)	

PERSONALLY appeared before me, Kirby D. Shealy III, attorney for the Plaintiff, who, being duly sworn, deposes and states that the following is based upon his personal knowledge:

(1) I am a partner the law firm of Adams and Reese LLP, and my law firm has been retained to represent the Plaintiff in the above captioned case.

(2) Pursuant to the Court's instructions, on or about August 5, 2013, I filed an affidavit of attorneys' fees and proposed final order in this case for the Court's consideration.

(3) On or about August 14, 2013, Defendant filed a Memorandum in Opposition to Plaintiff's Petition for Attorneys' Fees in this matter.

(4) Defendant challenges 3.9 hours of time incurred on February 6, 7, 11, 13, and 19 because the narrative descriptions for the time entries on those dates state that counsel was considering "two potential FOIA cases" in conducting research and conferring with Plaintiff. It is true that we were considering two separate FOIA issues at that time. However, prior to filing my initial affidavit of attorneys' fees, I edited these entries by reducing the time claimed as follows:

<u>Date of Entry</u>	<u>Original Time Entry</u>	<u>Entry on Affidavit</u>
February 7, 2013	.5	.2
February 11, 2013	2.0	1.0
February 11, 2013	2.0	1.0
February 19, 2013	.8	.4
February 19, 2014	1.1	.4
February 19, 2013	.3	.1

(5) As I have previously indicated to Defendant's counsel, although the narrative description for these dates remained the same, the time claimed only relates to this action.

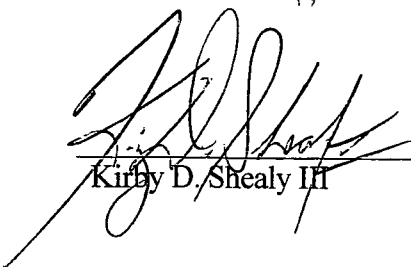
(6) Defendant also challenges 6.4 hours of time spent researching issues regarding a potential appeal of this matter. This research was necessitated by Defendant's statement of its intention to appeal, and upon information and belief, the time was justified.

(7) On June 27, 2013, I sent a copy of the Court's Order granting Plaintiff's Motion for Summary Judgment to W. Allen Nickles, III, Esquire, attorney for Defendant. I informed Mr. Nickles that I was going to prepare an affidavit of attorney's fees pursuant to the Court's request.

(8) In response to my email enclosing the Court's Order, I received an email from Mr. Nickles on June 27, 2013, stating: "We will likely appeal."

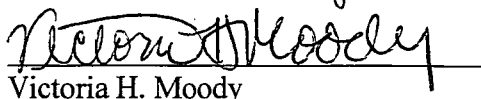
(9) Defendant's stated intention to appeal the Court's order in this case provoked a question from my client as to whether the law affords him a means to recover all of the attorneys' fees incurred on appeal. The answer to his question was not readily apparent, which led to the 6.4 hours of time spent on June 27, June 28, July 2, and July 8 researching the issue.

(10) In light of the above facts, I am informed and believe that the 6.4 hours incurred for research pertaining to an anticipated appeal were justified.



Kirby D. Shealy III

Sworn to and subscribed before me
On this 15th day of August 2013



Victoria H. Moody

Notary Public for South Carolina
My Commission expires 02/17/19

Defendant.

MODIFIED RESPONSE TO PLAINTIFF'S FOIA REQUEST

By:

157

City Of Columbia

Position of City Manager

Listed below are the finalist for the position of City Manager:

S. Allison Baker *

Teresa Wilson *

Leonard F. Regan

William P. Pate

Jonathan F. Simmons, Jr.

*Denotes internal candidate

Attached are the applications and resume submitted as part of the application process for the finalist as identified by City Council.

CITY OF COLUMBIA
ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office
1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION
THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager	First Position Title	Second Position Title	Third Position Title	Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):	Dept/Div	EEOC	Status*
	9		
	10		
	11		
	12		

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.
* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.
Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
You MUST provide your Social Security Number on Page 4A of this application.
THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER
Date Of Application: October 26, 2012

II. APPLICANT'S DATA

APPLICANT'S NAME (Print)	Baker	Smith	Allison
PRINT LAST NAME	PRINT FIRST NAME		Middle Initial
City	Columbia	State	SC
Zip Code	29212		
Home Address:		City	State
Telephone Numbers:	Home Phone: (AC) 803	Work Phone: (AC) 803	545-3480
	Cell Phone: (AC) 803	Pager Number: (AC)	
E-mail Address:	abaker@columbiasc.net	May we call you at work?	X /Yes /No
		Instructions:	

II. (1) ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE? X /YES* EMPLOYEE I.D. Number

II. (2) Do you possess a VALID driver's license? /No X /Yes* *State SC *License #:

II. (3) Class Type (Check One): /A /B /C /D /E /F X/G /M Expiration Date: 01/12/2017

II. (4) Endorsements? /Yes * X /No *If Yes, identify: Restrictions? X /Yes* /No *If Yes, identify: Glasses

Work Schedule Preferred: X /Full-Time /Part-Time Part-Time Hours: Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICANTS ARE REQUIRED TO REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.

RECURRING MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e. the stated education, training & experience and any special requirement(s). Testing is usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate **TYPING TEST REQUIRED**.

FOR CURRENT JOB VACANCIES CALL JOBS LINE AT: (803) 545-3001 or go to: www.columbiasc.net/jobs

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 1 ONLY)

III. EMPLOYMENT DATA

09-2010

(1) Are you age 18 or older? ☒ Yes ☐ No III. (2) Are you authorized to work in the United States? ☒ Yes ☐ NoI. (3) Are you a PREVIOUS City of Columbia Employee? ☐ Yes* ☐ No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII. On PAGE 3 - ITEM (1) Present Employer.

Department/Division Supervisor's Name Position From (Month/Year) To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO ☒

*If Yes, complete the following.

Relationship

Employee's Name

Department/Division

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed				Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
			1	2	3	4	Yes	No		
High School: Forest Glen	Suffolk	VA				X	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School: New York Life Insurance	Norfolk	VA			X		X			Life Underwriter 1979
Trade School:			1	2	3	4				
College: Norfolk State University	Norfolk	VA				X	X		Bachelor of Science in Recreation Programs	1974
College: Virginia Commonwealth University	Richmond	VA		X			X		Master of Business Administration	1997

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☒ Yes* ☐ No

*If Yes, provide the following:

Date Obtained:

State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No	☒ Yes* ☐ No
50 ☒ CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Excel and Power Point
Microsoft

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

Did you serve in the Armed Services? Check ☐ Yes ☒ No *If Yes, what name(s):VII. Have you ever worked under another name? ☐ Yes* ☒ No *If Yes, what name(s):

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs **STARTING WITH YOUR PRESENT** or **LAST JOB**. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW

Have you included a Resume? ☐ /Yes* ☐ /No ☐ *If yes, you still **MUST** complete the following information.

(1) Present or Last Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
City of Columbia		07	2011	Present		\$134,000	\$136,680
Company Address (Current City Employee: List Current Division Location)		Position Title: Senior Assistant City Manager					
1737 Main Street		Describe your duties:					
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Responsible for the administrative oversight of the following departments: Police, Fire, (911) Emergency Communications, Human Resource, Technology, Public Information and Parks & Recreation. Responsible for the review and approval of all personnel actions 2200+ employees across all city departments. Organizationally, I am second in command and responsible for acting in the City Manager's stead as required.					
Telephone Number	AC: 803 545-3480						
Supervisor's Name: Steven Gantt, City Manger							
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
		Promotional Opportunity.					

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
City of Columbia		07	2008	06	2011	\$127,300	\$134,000
Company Address		Position Title: Senior Assistant City Manager/Director of Parks and Recreation*					
Washington Street		Describe your duties:					
Company City & State/Zip Code		Responsible for the administrative oversight of the following departments: Homeland Security, Community Development, Economic Development, Development Corporation and Parks and Recreation.					
Telephone Number	AC: 803 545-3480	Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees.					
Supervisor's Name: Steven Gantt, City Manager		During a period of 3 years (2008 - 2011) there was some shifting of departmental supervision because of medical leave of another Assistant City Manager.*					
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
		Promotional Opportunity					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
City of Columbia		08	2004	06	2008	\$107,000	\$127,300
Company Address		Position Title: Assistant City Manager/Director of Parks and Recreation					
Washington Street		Describe your duties:					
Company City & State/Zip Code		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. As Assistant City Manager responsible for the administrative oversight of the following departments: Public Works, General Services, Community Development, (911) Emergency Communications, Homeland Security and Parking Service. Upon retirement of the Director of the (911) Emergency Communications, during a period from June 2005 - April 2006, I was responsible for the day to day operations of the (911) Emergency Center.					
Telephone Number	AC: 803 545-3480						
Supervisor's Name: Charles Austin, City Manager							
May We Call?	☒ Yes ☐ No /Reason:						
Check One	☒ FT ☐ PT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
		Organization changed.					

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE - CONTINUATION

Page

APPLICANT'S NAME (PRINT)

Baker

Smith

A

(Last Name)

(First Name)

MI

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Columbia		Month	Year	Month	Year	\$72,000	\$96,000
		01	1997	07	2004		
Company Address		Position Title: Director, Parks and Recreation Department					
1932 Calhoun Street		Describe your duties:					
Company City & State/Zip Code		Responsible for the day to day operations of the Department of Parks and Recreation and its \$9.3 million budget and 225 employees. The Department includes 55+ park properties and the Charles R. Drew Wellness Center.					
Columbia, SC 29201							
Telephone Number	AC:	803	545-3480				
Supervisor's Name:		Charles Williams, City Manger					
May We Call?	☒ Yes	☐ No	/Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Promotional Opportunity.					

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Richmond Virginia		Month	Year	Month	Year	\$60,000	\$72,000
		07	1991	03	1996		
Company Address		Position Title: Parks, Recreation, Community Facilities Director					
900 East Broad		Describe your duties:					
City & State/Zip Code		Responsible for the operations of the city's parks and recreation programs and facilities (11 indoor/outdoor swimming pools). Also oversaw the operations of the city's community facilities to include the Richmond Coliseum (13,500 seats), Richmond Convention Center, Landmark Theater (3,500 seats), Arthur Ashe Center and the City's seven cemeteries.					
Richmond Virginia 23519		Responsible for the maintenance of all public right of ways to include all city trees and medians. Manage a \$16.5+ million annual operating budget and \$15+ million capital budget.					
Telephone Number	AC:						
Supervisor's Name:		Jerry Johnson, Deputy City Manager					
May We Call?	☐ Yes	☐ No	/Reason:				
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Resigned.					

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Suffolk		Month	Year	Month	Year	\$36,000	\$40,000
		02	1988	06	1991		
Address		Position Title: Director of Parks, Recreation & Community Affairs					
441 Market Street		Describe your duties:					
City & State/Zip Code		Responsible for the day to day operations of the city's park and recreation facilities. Operations included 29 facilities, 28 full-time employees and 68 part-time/seasonal employees. Operations of the department also included two revenue producing lake properties. Manage a \$1 million annual operating budget.					
Suffolk, VA 23434							
Telephone Number	AC:						
Supervisor's Name:		Thomas Underwood, Deputy City Manager					
May We Call?	☐ Yes	☐ No	/Reason:				
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Promotional Opportunity.					

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☐ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER****:

☐ YES* (If yes, list below)

☒ No

* If yes, you **MUST** provide the following information for **ALL CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – **BE SURE TO LIST ALL CONVICTIONS.**

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every conviction** since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has **ANY** convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mr. Steven Gantt, City Manager	City of Columbia, 1737 Main Street, Columbia, SC 29201	803-545-3025
2. Reverend Dr. Charles P. Jackson, Senior Pastor	Brookland Baptist Church, 1066 Sunset Boulevard, West Columbia, SC 29169	803-796-7525
3. Ms. Vicky Steinruck	Forest Drive, Richmond, VA	804-343-2501

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date:

10/26/2012

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10/26/2012

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.
(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

Rev. Sept 2010

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

City Manager

First Position Title

Second Position Title

Third Position Title

Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*
1	AK	01/01	5			9		
2			6			10		
3			7			11		
4			8			12		

Date:

Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

October 22, 2012

APPLICANT'S NAME (Print)

WILSON

Teresa

B.

PRINT LAST NAME

PRINT FIRST NAME

Middle Initial

Home Address:

Street Number - Street Name

Columbia

City

SC

State

29212

Zip Code

Telephone Numbers:

Home Phone:

(AC)

803

Work Phone:

(AC)

803

545-3011

May we call you at work?

X

/Yes

/No

Cell Phone:

(AC)

803

413-3118

Pager Number:

(AC)

Instructions:

E-mail Address:

tbwilson@columbiasc.net

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

X

/YES*

EMPLOYEE I.D. Number

↓

*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

/No

21310

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

II. (3) Class Type (Check One):

/A

/B

/C

X/D

/E

/F

/G

/M

Expiration Date: 5/17/2018

II. (4) Endorsements?

/Yes*

X

/No

*If Yes, Identify:

Restrictions?

X

/Yes*

/No

*If Yes, Identify:

A-corrective lens

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

/Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a 'Conditional Offer of Employment' contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Internal Screening, Last Health Screening, SLED/NCIC Background Check, Drivers License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED. APPLICANTS MAY BE SUMMONED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

For your benefit to follow the application procedures since there are often many applicants for each job opening, you must possess the required minimum qualifications, i.e. the related education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

III. EMPLOYMENT DATA

ev.09-2010

(1) Are you age 18 or older? ☒ /Yes ☐ /No ☐ III. (2) Are you authorized to work in the United States? ☒ /Yes ☐ /No ☐ *If Yes, complete the following:

II. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☐ /No ☐ *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII. On PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Relationship

Employee's Name

Department/Division

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed				Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
			1	2	3	4	Yes	No		
High School: Irmo High School	Columbia	SC				X	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School: NA			1	2	3	4				
Trade School: NA			1	2	3	4				
College: The University of South Carolina—Honors College	Columbia	SC				X	X			
College: The University of South Carolina School of Law	Columbia	SC			X		X			

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ /Yes* ☐ /No ☐ *If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No
*List Types Below: *CWPM	*List Types Below: Microsoft Office/Outlook	*Speed Strokes:	*List Types Below: Excel	*List Types Below: Legislative/Constituent Tracking

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Please refer to cover memo and resume.

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

NA

VIII. Employment HISTORY - WORK EXPERIENCE

Rev. 09-2010

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		From		To		Starting Salary	Last Salary
Note: Current City Employee List Current Div.		Month	Year	Month	Year		
City of Columbia Administration		2	2007	Present			\$119,850
Company Address (Current City Employee: List Current Division Location)		Position Title: Assistant City Manager					
1737 Main St.		Describe your duties:					
Company City & State/Zip Code (Current City Employee: List Current Division Location)		Serve as a member of the City's senior management team with oversight and responsibility for Economic Development, Community Development, Governmental Affairs & Community Relations, the Office of Business Opportunities, the Development Corporations, Grants Administration and the Office of the Mayor.					
Telephone Number	AC: 803 545-3011						
Supervisor's Name: Mr. Steve Gantt							
May We Call? ☒ /Yes ☐ /No ☐ /Reason:							
Check One	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)						
☒ FT	Applying as opportunity for career growth and development and sincere desire to oversee the City's progress and advancement						
☐ PT							

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
The University of South Carolina		6	2005	2	2007	\$45,000	\$60,000
Company Address		Position Title: Coordinator of Government & Community Relations					
1600 Hampton Street Suite 738		Describe your duties:					
Company City & State/Zip Code		Provide leadership and support to University administrators, faculty and staff on governmental relations and legislative matters, as well as serve as liaison for case work involving the external and internal communities, organizations, and the City of Columbia.					
Telephone Number	AC: 803 777-4032						
Supervisor's Name: Mrs. Shirley Mills							
May We Call? ☒ /Yes ☐ /No ☐ /Reason:							
Check One	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)						
☒ FT	Opportunity for advancement with the City of Columbia.						
☐ PT							

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
Richland School District One		8	2004	5	2005	Approx. \$40,000	Approx. \$40,000
Company Address		Position Title: 6 th Grade English/Language Arts Teacher					
St. Andrews Middle School 1231 Bluefield Road		Describe your duties:					
Company City & State/Zip Code		Certified Middle/Secondary English teacher responsibilities.					
Telephone Number	AC: 803 731-8910						
Supervisor's Name: Mr. Ken Richardson							
May We Call? ☒ /Yes ☐ /No ☐ /Reason:							
Check One	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)						
☒ FT	I left to accept the position at USC, an opportunity to transfer skills obtained by having my law degree.						
☐ PT							

Have you included additional Employment History - Work Experience Page? ☒ /Yes/See Continuation Page 3A ☐ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)

Wilson

Teresa

B.

(Last Name)

(First Name)

MI

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year	Approx.	Approx.
Richland School District Two		8	2002	5	2003	\$36,000	\$36,000
Company Address		Position Title: 9 th Grade English Teacher					
Spring Valley High School 120 Sparkleberry Lane		Describe your duties: Certified English teacher responsibilities; Junior Varsity Mock Trial Coach.					
Company City & State/Zip Code		Columbia, SC 29229					
Telephone Number	803	699	3500				
Supervisor's Name: Dr. Greg Owings							
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	I left after the school year ended to give birth to my first child. I stayed home with her for one year.					

(5) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year	Approx.	Approx.
Richland County School District One		10	2000	8	2002	\$28,000	\$34,000
Company Address		Position Title: 6 th grade English/Language Arts, 6 th grade World History, and 7 th grade English/Language Arts Teacher					
St. Andrews Middle School 1231 Bluefield Road		Describe your duties: Completed certification requirements via Richland One Alternative Certification program (Critical Needs); Certified to teach middle/secondary English; Peer mediation coordinator.					
City & State/Zip Code		Columbia, SC 29210					
Telephone Number	803	731	8910				
Supervisor's Name: Mr. Ken Richardson							
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	I left to accept a position to gain experience teaching English on the high school level.					

(6) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year	Approx.	Approx.
SC Judicial Department		8	1999	8	2000	\$34,000	\$34,000
Address		Position Title: Judicial Law Clerk for the Honorable L. Casey Manning, 5 th Judicial Circuit					
Post Office Box 192		Describe your duties: Research and drafting of legal issues in preparation for trial; jury qualification and voir dire; daily interaction with attorneys, court staff and the general public; maintenance of the court docket as well as other functions of the judge's office.					
City & State/Zip Code		Columbia, SC 29202					
Telephone Number	803	576	1773				
Supervisor's Name: The Honorable L. Casey Manning							
May We Call?	☒	Yes	☐	No	Reason:		
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Judicial Clerkships last for one year.					

If more space is needed, attach additional sheet of paper for continuation of Previous Work History ☒ /Yes ☐ /No Page 3**A**
 (If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)

Duff, Dubberly, Turner, White & Boykin, L.L.C.		Month	Year	Month	Year	(hourly)	
		9	1998	3	1999		
Address		Position					
3700 Forest Drive		Title: Law Clerk					
City & State/Zip Code		Describe your duties:					
Columbia, SC 29201		Research and drafting of memoranda of law, orders, ordinances, and other legal documents, as they relate to the practice of school law, employment law, and local government/administrative law.					
Telephone Number	803	790	0603				
Supervisor's Name: Mr. David Duff							
May We Call?	X	Yes	No	Reason:			
Check One	FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	X	PT	Clerkship ended upon graduation from law school.				
If more space is needed, attach additional sheet of paper for continuation of Previous Work History						Page 3**A**	
(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 A ONLY)							

Employer 8

May we contact this employer?	Yes
Company	The Department of Justice National District Attorneys Advocacy Center
Address	1620 Pendleton Street
State	SC
From (mm/yyyy)	05/1998
Name of Immediate Supervisor	head of Publications Department at the time
Telephone Number	803-705-5000
Duties	Law clerk in the publications division. Extensive editing and writing on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the Federal Criminal Practice Manual, the USA (United States Attorneys') Bulletin, and a new manual, Courtroom Evidence.
Reason for Leaving	Summer clerkship.

Position	Law Clerk
City	Columbia
Zip Code	29201
To (mm/yyyy)	08/1998
Title of Immediate Supervisor	Attorney
Your name at the time of employment (if different)	Teresa Wilson

full time for summer only (hourly)

Employer 9

May we contact this employer?	Yes
Company	Nelson, Mullins, Riley & Scarborough, L.L.P.
Address	1320 Main Street
State	SC
From (mm/yyyy)	01/1998
Name of Immediate Supervisor	Mr. Myron Terry
Telephone Number	803-799-2000
Duties	Intern in the firm's lobbying division. Exposure and work with the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.
Reason for Leaving	Internship during the SC Legislative session.

Position	Intern
City	Columbia
Zip Code	29201
To (mm/yyyy)	05/1998
Title of Immediate Supervisor	Government Relations (lobbyist)
Your name at the time of employment (if different)	Teresa Wilson

part time unpaid internship

Employer 10

May we contact this employer?

Yes

part time
(hourly)

Company	Children's Law Office	Position	Research Assistant
Address	1600 Hampton Street, Suite 502	City	Columbia
State	SC	Zip Code	29208
From (mm/yyyy)	08/1997	To (mm/yyyy)	12/1997
Name of Immediate Supervisor	Ms. Pamela Mohr	Title of Immediate Supervisor	Director
Telephone Number	803-777-1646	Your name at the time of employment (if different)	Teresa Wilson
Duties	Performed legal research tasks related to child protection and criminal child maltreatment.		
Reason for Leaving	I left to accept an internship that gave me experience working with the SC General Assembly.		

Employer **11** (11)

May we contact this employer?

Yes

full times during
summers only
(hourly)

Company	NationsBank (now, Bank of America)	Position	Intern
Address	1301 Gervais Street	City	Columbia
State	SC	Zip Code	29201
From (mm/yyyy)	05/1993	To (mm/yyyy)	07/2005 07/1995
Name of Immediate Supervisor	various (three different supervisors for each summer internship)	Title of Immediate Supervisor	Vice-President
Telephone Number	803-929-5671 (ask for Human Resources)	Your name at the time of employment (if different)	Teresa Wilson
Duties	Intern with the bank for all three summers during college. Interned in the Personnel, Credit Training & Real Estate Banking departments.		
Reason for Leaving	Summer internships.		

IX. CRIMINAL CONVICTION(S)

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER****:

YES* (If yes, list below)

X No

* If yes, you **MUST** provide the following information for **ALL** **CONVICTIONS**

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper - BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION - READ THIS

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X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Mrs. Shirley Mills	Osborne Administration; USC; Columbia, SC 29208	803-513-9108
2. Mr. Charles P. Austin, Sr.; Dean	Benedict College; 1600 Harden St.; Columbia, SC 29204	803-705-4653
3. The Honorable L. Casey Manning	PO Box 192; Columbia, SC 29202	803-576-1773

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date:

10-22-2012

Teresa Wilson

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

(2) - Original Signature:

Date:

10-22-2012

Teresa Wilson

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 4 ONLY)

TERESA WILSON

Columbia, South Carolina 29212

tbwilson@columbiasc.net

EDUCATION

University of South Carolina School of Law, Columbia, South Carolina
Juris Doctor Degree, May 1999

Student Bar Association (Legislative and Law Week Committees)

Pro Bono Board (1998 Service Award) & Public Interest Law Society (1997-98 Secretary)

Black Law Students Association

Richland County School District One Mentor

University of South Carolina--Honors College, Columbia, South Carolina

Bachelor of Arts in English, May 1996, with honors from South Carolina Honors College

Outstanding Senior Award (given by Omicron Delta Kappa)

Student Assistant, Office of the President, January 1994 – July 1996

Intern, NationsBank (Personnel, Credit Training and Real Estate Banking), Summers 1993 – 1995

PROFESSIONAL EXPERIENCE

Assistant City Manager – Community Programs, Economic Development & Government Services, The City of Columbia
Columbia, South Carolina, July 2011 – Present

Serve as a member of the City's senior management team with oversight and responsibility for Economic Development, Community Development, Governmental Affairs & Community Relations, the Office of Business Opportunities, the Development Corporations, Grants Administration and the Office of the Mayor.

Director of Governmental Affairs & Community Relations, The City of Columbia

Columbia, South Carolina, since February 2007 (duties folded into new role as Assistant City Manager)

Serve as the City's intergovernmental relations liaison and provide a central location for community relations.

Manage/ conduct lobbying efforts (state & Federal levels) on behalf of the City as well as collaborations between the City and various entities. Coordinate constituent services, American Recovery & Reinvestment Act (stimulus) management, grants administration, and numerous special projects.

Government & Community Relations, The University of South Carolina, The Office of the President
Columbia, South Carolina, June 2005 – February 2007

Provided leadership and support to University administrators, faculty and staff on governmental relations and legislative matters, as well as served as liaison for case work involving the external and internal communities, organizations and the City of Columbia.

Language Arts & Reading Teacher, 6th / 7th grades, St. Andrews Middle School, Richland School District One
Columbia, South Carolina, October 2000 – August 2002; August 2004 – May 2005

Completed certification requirements via Richland One Alternative Certification Program (Critical Needs); Certified to teach middle/ secondary English; Peer Mediation coordinator.

English Teacher, 9th grade, Spring Valley High School, Richland School District Two

Columbia, South Carolina, August 2002 – May 2003

Junior Varsity Mock Trial Coach.

Judicial Law Clerk, The Honorable L. Casey Manning, Fifth Judicial Circuit

Columbia, South Carolina, August 1999 – August 2000

Researched and drafted legal issues in preparation for trial; jury qualification and voir dire; interacted daily with attorneys, court staff and the general public; maintained the court docket as well as other functions of the office.

Law Clerk, Duff, Dubberly, Turner, White & Boykin, L.L.C.

Columbia, South Carolina, September 1998 – March 1999

Researched and drafted memoranda of law, orders, ordinances, and other legal documents, as they related to the practice of school law, employment law, and local government/administrative law.

Law Clerk, The Department of Justice National District Attorneys Advocacy Center

Columbia, South Carolina, Summer 1998

Law clerk in the publications division. Edited and wrote extensively on materials used by Federal and state prosecutors and other Dept. of Justice attorneys. Projects included the *Federal Criminal Practice Manual*, the *USA (United States Attorneys') Bulletin*, and a new manual, *Courtroom Evidence*.

Intern, Nelson, Mullins, Riley & Scarborough, L.L.P.

Columbia, South Carolina, Spring 1998

Interned in the firm's lobbying division. Worked with attorneys, lobbyists and the SC Legislature, including monitoring activity, attending committee meetings, and writing legislative summaries.

Research Assistant, Children's Law Project, Columbia, South Carolina, Fall 1997

Performed legal research tasks related to child protection and criminal child maltreatment.

COMMUNITY SERVICE/ AWARDS

Named one of the 50 Most Influential People 2011 by the *Columbia Business Monthly*

Named one of the City of Columbia's "Top 20 Under 40" Business Professionals (Class of 2008)

Central Midlands Council of Governments, Executive Board Member

Municipal Association of South Carolina Legislative Committee

Member, University Associates – University of South Carolina

Junior League of Columbia

Delta Sigma Theta Sorority, Inc.

Columbia Chapter of Jack & Jill of America, Incorporated

University of South Carolina Alumni Association

St. Peter's Catholic School Board Member

Member, Gethsemane Baptist Church

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

ALL Applications for Employment MUST be returned

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29201-0147 2012

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION

THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

First Position Title	Second Position Title	Third Position Title	Fourth Position Title
City Manager			

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):								
Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*
1 City Admin	Q	U	5			9		
2			6			10		
3			7			11		
4			8			12		

Date: 8/7/12 Date:

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA:

Date Of Application:

APPLICANT'S NAME (Print)	Leonard	F
PRINT LAST NAME	PRINT FIRST NAME	Middle Initial
Home Address:	McKinney	Texas 75070
Street Number - Street Name	City	State Zip Code
Telephone Numbers:	Home Phone: 214	Work Phone: (AC)
Cell Phone: 214	Pager Number: (AC)	May we call you at work? /Yes X /No
E-mail Address:	Instructions:	

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

/YES*

EMPLOYEE I.D. Number



*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

X

/No

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

Texas

*License #:

II. (3) Class Type (Check One): /A /B X/C /D /E /F /G /M Expiration Date: 05-21-14

II. (4) Endorsements? /Yes* /No *If Yes, Identify: Restrictions? /Yes* /No *If Yes, Identify:

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

/Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/CIC Background Check, Driver's License Check. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment."

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.

A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e., the related education, training & experience and any special requirements. If you are not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

FOR CURRENT JOB VACANCIES CALL JOBS LINE 173 (803) 545-3001 or go to: www.columbiasc.net/jobs

III. (1) Are you age 18 or older? ☒ /Yes ☐ /No **III. (2) Are you authorized to work in the United States?** ☒ /Yes ☐ /No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☒ /No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee – YOU MUST COMPLETE SECTION VIII On PAGE 3 – ITEM (1)/Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)

Describe your duties:

Reason for leaving (be specific)

Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES*

NO

*If Yes, complete the following.

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
				Yes	No		
High School: Apex	Apex	NC	1 2 3 4	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School:			1 2 3 4				
Trade School:			1 2 3 4				
College: N. C. State University	Raleigh	NC	1 2 3 4	X		Master of Science	Recreation & Parks Admin/Sociology
College: Univ. of CO - Denver	Denver	CO	1 2 3 4		X	MPA (30 of 36 hrs. completed)	Public Administration

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☐ /Yes* ☐ /No

*If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No	☒ /Yes* ☐ /No
50	*CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

Proficiency in All Microsoft Office Suite, Scheduling Programs, Internet Research

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC, YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V Did you serve in the Armed Services? Check ☐ /Yes ☒ /No

VII. Have you ever worked under another name? ☒ /Yes* ☐ /No *If Yes, what name(s): Frank Ragan

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs STARTING WITH YOUR PRESENT or LAST JOB. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		Note: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of McKinney, Texas				Month	Year	Month	Year	\$190,000	\$200,000
				02	2008	06	2010		
Company Address (Current City Employee: List Current Division Location)		Position Title:		City Manager					
222 N. Tennessee St.				Describe your duties:					
Company City & State/Zip Code (Current City Employee: List Current Division Location)				Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees).					
McKinney, TX 75070									
Telephone Number	972	547	7560						
Supervisor's Name:		McKinney City Council							
May We Call?		Yes ☒ No ☐		Reason:					
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
	☐ PT	New Council came on board (new Mayor and 4 of 6 new Council Members. Their views of role of Council and City Manager were on opposite tangent with those of hiring Council. It was a bad fit and I was asked to resign.							

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year	\$140,841	\$148,167
		05	2003	2	2008		(hiring freeze in place for years)
Company Address		Position Title:		Deputy City Manager of Community Services			
15151 East Alameda Pkwy.				Describe your duties:			
Company City & State/Zip Code				Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees).			
Aurora, CO 80012							
Telephone Number	303	739	7010				
Supervisor's Name:		Ron Miller					
May We Call?		Yes ☒ No ☐		Reason:			
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Nationally recruited to be a city manager in Texas.					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Aurora, Colorado		Month	Year	Month	Year	\$91,000	\$140,841
		06	1995	05	2003		
Company Address		Position Title:		Deputy City Manager of Operations			
15151 East Alameda Pkwy				Describe your duties:			
Company City & State/Zip Code				Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project.			
Aurora, CO 80012							
Telephone Number	303	739	7010				
Supervisor's Name:		Ron Miller					
May We Call?		Yes ☒ No ☐		Reason:			
ck	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Opportunity to rotate positions and learn remainder of organization.					

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☒ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

APPLICANT'S NAME (PRINT)			
(Last Name)	(First Name)	MI.	

STOP - READ THIS CAREFULLY
YOU MUST COMPLETE PAGE **3 OF THE APPLICATION FIRST**
THIS IS A CONTINUATION OF PAGE **3 ONLY**

Did you complete Page 3 of the application? ☒ /Yes Continue below: ☐ /No/STOP and go back to Page 3

(4) Previous Employer/Company's Name				From		To		Starting Salary	Last Salary
City of Aurora, CO				Month	Year	Month	Year	\$65,000	\$80,000
				07	1991	05	2003		
Company Address 15151 E. Alameda Pkwy.				Position Title:		Parks, Recreation and Open Space Director			
Company City & State/Zip Code Aurora, CO 80012				Describe your duties: Duties included the administration of a comprehensive system including 5 golf courses, 6 community centers, senior center, indoor & outdoor pools, 75 parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs. \$30M budget.					
Telephone Number	303	739	7010	Supervisor's Name: Bob Blodgett					
May We Call?	☒	Yes	☐ No	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT	Offered, without applying, the position of Deputy City Manager of Operations							
	☐ PT								

(5) Previous Employer/Company's Name				From		To		Starting Salary	Last Salary
City of Bloomington, IN				Month	Year	Month	Year	\$25,000	\$40,000
				08	1981	07	1991		
Company Address 349 S. Walnut St.				Position Title:		Administrator (Director) of Parks and Recreation			
City & State/Zip Code Bloomington, IN				Describe your duties: Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities.					
Telephone Number	AC:			Supervisor's Name: Bloomington Board of Park Commissioners					
May We Call?	☒	Yes	☐ No	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT	Opportunity to become Director of one of the most renowned park and recreation departments in the country.							
	☐ PT								

(6) Previous Employer/Company's Name				From		To		Starting Salary	Last Salary
Henderson - Vance County Recreation & Parks Dept.				Month	Year	Month	Year	\$15,000	\$19,000
				07	1977	08	1981		
Address				Position Title:		Director			
City & State/Zip Code Henderson, NC				Describe your duties: Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.					
Telephone Number	AC:			Supervisor's Name: Steve Raper					
May We Call?	☒	Yes	☐ No	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
Check One	☒ FT	Promotional opportunity in an outstanding university community with an adjunct faculty position.							
	☐ PT								

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER****:

☐ YES* (If yes, list below)

☒ No

* If yes, you **MUST** provide the following information for **ALL** CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List **every** conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list **minor** vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SLED or NCIC check on applicants selected for employment as part of the "Conditional Offer of Employment" process. You need to know that the City will withdraw its "Conditional Offer of Employment" if the City receives a report that has **ANY** convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Keith Clifton	Tenant Tracker, 1550 Bray Central Drive, McKinney, TX 75069	1-800-658-9379
2. Nancy Freed	City of Aurora, 15151 East Alameda Pkwy, Aurora, CO 75070	303-739-7223
3. Bill Whitfield	2723 Brookside Drive, McKinney, TX 75070	214-551-0192

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X. (1) - Original Signature:

Date: August 3, 2012

Frank B. [Signature]

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

X. (2) - Original Signature:

Date: August 3, 2012

Frank B. [Signature]

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

FRANK RAGAN

██████████
McKinney, Texas 75070
██████████
████████████████████

SUMMARY

Focused & action oriented – utilizes inclusive matrix management approach & takes full advantage of technology & evidence-based decision-making to achieve efficiencies, quality services & satisfied clients.
Flexible & highly adaptive - able to juggle numerous tasks & shift priorities quickly as needed.
Relentless, highly effective problem solver – possesses strong work ethic & passion to excel.

RELEVANT SKILLS & EXPERIENCE

Economic Development & Redevelopment– Coordinated all of city's planning/infrastructure support for the Fitzsimons Redevelopment Project, a closed military base. Led negotiations to secure the University of Colorado Health Sciences Center, University Hospital, Veterans Nursing Home & Children's Hospital to Aurora via infrastructure cost-sharing & other agreements resulting in an estimated investment program of \$4B & creation of 35,000 jobs. Developed adjacent Bio-Science Park & incentivized an incubator research facility with matching Economic Development Administration grant funds. Coordinated jobs development program & neighborhood support initiative involving private, public & non-profit collaboration receiving EDA grant for support. Initiated Tax Increment Financing Districts in an aging downtown area & Airport environs. Created collaborative economic development strategic planning initiative involving seven community agencies for visioning and plan formulation.

Collaboration, Partnerships & Community Outreach – Numerous partnerships created with *private sector*: e.g., two executive housing/public golf course communities; neighborhood center (library, police/fire station, retail & apartments), *non-profits*: e.g., jointly-funded legislative/lobbying committee with Chamber of Commerce; human service organizations funding agreements & *educational institutions*: e.g., reciprocal use & facility co-location agreements with school districts involving parks, gymnasiums, sports fields, pools, etc; championed Lean Six Sigma project in coordination with the distinguished University of Texas-Dallas's Graduate School of Management which involved six community agencies to better collaboration and save money.

Finance & Budgeting – Development up to \$660M in operations & \$200M in CIP budgets. Direct oversight up to \$307M operations budget. Budgetary formats utilized include annual & biannual, programmatic, performance, zero-based, line item & long range CIP. Helped initiate & lead five major bond initiatives in three different cities totaling over \$300M in capital improvements & land acquisitions.

Strategic Planning – Directly managed compilation of several long-range plans including economic development/redevelopment, 20-year facilities, parks/open space, & 5, 10 & 20 year capital improvement plans. Oversaw development of numerous master & comprehensive plans, e.g., fifty square mile land use & rezoning plan, utilities, bike/pedestrian, transportation, information technology, airport noise attenuation/rezoning, light/commuter rail & busing mass transit & military base reuse/redevelopment.

Transportation – Comprehensive master plans, grant/lobbying initiatives, cost-sharing agreements, land acquisitions & construction activities overseen addressing new transportation infrastructure, i.e., mass transit (bus, light & commuter rail), interchanges, arterials, thoroughfares, airport runway, bike/pedestrian trails, pavement rehabilitation, intersections safety, transportation management systems, etc.

Labor Relations & Public Safety – Lead staff negotiator in Aurora four years with two unions. Police & Fire Departments became nationally accredited. Neighborhood Liaison, Weed & Seed, crime prevention & other community support programs won national awards for citizen outreach & education. Aurora recognized as one of the most aggressive & effective cities in addressing crime & organized gangs. Advocated & secured funding for state-of-the-art COPLINK regional criminal identification program & new public safety communications center. Formulated City Council/Manager Emergency Business Continuity Plan & oversaw update of city's overall emergency management plan. Initiated & developed Meet/Confer program in McKinney with Fire & Police resulting in city's first public safety agreement.

Organizational efficiency & development – Personally conducted baseline privatization study of water treatment & transmission system for community of 300,000 expected to grow to 750,000. Working with consultants, oversaw development of several efficiency studies for Utilities, Police, Planning & Information Technology. Numerous reorganizations completed to better align functions & lower costs. Information technology (IT) systems put in place, expanded &/or upgraded. City of Aurora continually recognized in the top five most progressive, public sector IT organizations in the country.

Sustainability/Green Initiatives – Project Director for \$75M, 290K sq. ft. city hall incorporating state-of-the-art energy conservation & information technology systems. Developed 60-member community advisory green committee and internal interdepartmental green committee, created Environmental Stewardship program & received EPA grant to develop blueprint sustainability plan. Secured over a million dollars in EPA grant funds toward green initiatives. Incentivized private sector development of country's first LEED Gold-certified, automated single-stream recycling center. Constructed "Green" firehouses & library; & advocated, planned & acquired first phase funding for another city's new green city hall. Began capturing methane gas emitted from landfill as an alternative energy source.

Utilities – While in Aurora, two water treatment & one waste-water reclamation plant were upgraded/expanded allowing one thousand acres of parks, golf courses and sports complexes to be moved from treated water to recycled waste-water. Procured 20,000 acre feet in new water rights during extreme drought. Served on Denver Metro Wastewater Reclamation Board of Directors allowing the opportunity to influence regional policy while supporting development of local infrastructure. Also served on Colorado Springs-Aurora Executive Water Committee which managed storage reservoirs & fifty-plus miles of water transmission over the Continental Divide from the Colorado & Arkansas Rivers' basins.

HISTORY

June 2010 – Present (originally begun August 2003)

MPA Student (part-time) – University of Colorado - Denver

Near finishing with 30 of 36 hours completed and thesis underway - 4.0 GPA

Feb 2008 - June 2010 **City Manager – McKinney, Texas**

Duties included oversight of all city operations of a fast growth community of 133,000 & \$307M (\$90M general fund) operations budget (867 FT employees). Overhauled grant strategy leveraging millions of dollars. Shepherded \$100M in voter-approved bonds that were overwhelmingly supported during period of economic stress. Invested \$2.5M into historic downtown district to replace infrastructure, make pedestrian friendly & beautify. Negotiated Dallas Stars/Dr. Pepper two-sheet ice arena & helped recruit/incentivize a major international business/high salaried employer to relocate to McKinney.

May 2003 - Feb 2008 **Deputy City Manager of Community Services – Aurora, Colorado**

Duties included oversight of Police, Fire, Public Safety Communications, Neighborhood Services & Libraries, Recreation & Cultural Services Departments (1453 FT employees). Initiated & led a jobs development program & neighborhood support initiative involving private, public & non-profit

collaboration. Received EDA support for start-up & operations. Coordinated several Council committees' via policy development. Duties included budget development & management of \$160M operations budget plus \$200M capital improvements program. Board Member - Denver Metro Wastewater Reclamation District. City of 309,000 people, 2850 full time employees & \$660M budget.

June 1995 - May 2003 Deputy City Manager of Operations - Aurora, Colorado

Duties included oversight of Planning, Public Works, Utilities & Parks/Open Space Departments (1000 FT employees) & coordination of all city planning/infrastructure support services for the Fitzsimons Redevelopment Project. Fitzsimons earned first place awards from the U.S. Departments of Defense & Commerce & International City Managers Association as the best military base redevelopment project in the country. Spearheaded citizen & business support via a Bond referendum for the development of a 35-field sports park that attracts major amateur softball & soccer tournaments generating over \$20M in annual revenues into the community. Coordinated City's planning & infrastructure support activities for a commercial airport & an Air Force Base. Negotiated two largest open space acquisitions in the City's history, one purchase helping to preserve the neighboring Air Force base's F-16 fighter squadron & space intelligence-gathering missions. Colorado Springs/Aurora Homestake (Water) Board Member. Planning, budget development & management of \$150M bond program, City's 5-year CIP & \$140M annual budget.

July 1991- June 1995 Director - Parks, Recreation & Open Space Department - Aurora, Colorado

Duties included the administration of a comprehensive system including five golf courses, six community centers, senior center, indoor & outdoor pools, seventy-five parks, history museum, performing arts center, lake operations, sports complexes, rodeo arena, bike trails, historical properties, open space areas & a vast array of recreation programs taking place on city & school facilities. \$30M operating budget.

August 1981- July 1991 Administrator (Director) - Bloomington Parks & Recreation Dept., Indiana

Direction & management of consolidated system including parks, community center, arts & crafts center, ice arena, senior center, sports complexes, golf course, lake operations, mountain bike park, skateboard park, fitness center via public/private partnership, open space & recreation programs within city & school facilities. Led bond & 501-c-3 foundation initiatives that led to development & renovations of over 30 parks & recreational facilities. Large open space program encompassing several thousand acres.

August 1981-July 1991 Adjunct Faculty- Indiana University, Bloomington, Indiana

Duties included teaching two management courses/year & lecturing in marketing, long-range planning, budget development & others. Coordinated several cooperative ventures between the City & University.

July 1977- August 1981 Director - Henderson/Vance County Recreation & Parks Dept., NC

Duties included the administration of a consolidated city/county system & numerous cooperative programs with schools. Numerous parks & sports facilities personally designed & project-managed.

April 1976 - July 1977 Assistant Director - Henderson/Vance County Recreation & Parks Dept., NC

Duties included management of parks, sports, senior programs & department's budget development.

HIGHER EDUCATION

University of Colorado - Denver

Degree: **Master of Public Administration** (nearing completion - 30 of 36 hours, 4.0 GPA)

North Carolina State University - Raleigh

Degree: **Master of Science** Major: Recreation Resources Administration, Minor: Sociology

Degree: **Bachelor of Science** Recreation & Parks Administration

WILLIAM PATRICK PATE, ICMA-CM

High Point, North Carolina 27265
Office (336) 883-8515 E-mail: pat.pate@highpointnc.gov

SUMMARY

My career objective is to use my 27 years of local government leadership, management and training experience to make a positive difference in a community as the city manager. I am looking for an opportunity where I can work collaboratively with the elected leadership, community stakeholders and the municipal workforce to bring community and municipal strengths together to enhance the quality of life and livability of a community.

LOCAL GOVERNMENT WORK EXPERIENCE

City of High Point: Assistant City Manager, 1999 - present

High Point is a full service municipality with a population of over 107,000 covering 55 square miles in the Piedmont Triad region of North Carolina. We have an operating budget of \$327 million and a capital improvement plan of over \$600 million with 1550 employees. We have a AAA bond rating by Standards and Poor's and are nationally recognized for many of our service areas.

Duties:

- ♦ Responsible for strategic issues of vital importance to the organization which have included strategic information technology planning, electric service, capital planning, bond elections and project completion, customer service, water and sewer infrastructure enhancements and rates, landfill expansion, performance measurement and community facilities planning.
- ♦ Serve as Chief Administrative Officer and Acting City Manager in Manager's absence.
- ♦ Work with all aspects of city government including direct supervision of selected departments (Public Services, Electric Utilities, Customer Service, Parks and Recreation, Planning and Development, Engineering Services, Transportation, Information Technology, Financial Services, Facility Services, Budget and Evaluation, Systems Project Management)
- ♦ Currently I directly supervise nine departmental functions with over 700 positions and an operating budget of over \$140 million.

Accomplishments:

- ♦ Negotiated multi-jurisdictional agreements including \$60 million sewer plant expansion and an agreement with the Guilford County School System for a multiuse recreational complex adjacent to school property.
- ♦ Created public-private partnership with groups such as the Piedmont Soccer Association for a soccer complex, Historical Society for merger of the High Point Museum and the Piedmont Environmental Center for merger with the Parks and Recreation Department.
- ♦ Led information technology strategic changes including procurement and implementation of new enterprise resource planning package, land development process and technology changes and web based citizen services initiatives.
- ♦ Led Customer Service Initiative Steering Committee establishing customer service standards for the organization and employee recognition programs.
- ♦ Developed organizational performance initiatives and executive team building efforts including establishment of ongoing citizen surveys and recognition by ICMA with a Certificate of Distinction for Performance Management.

City of Greensboro:

**Budget and Evaluation Director,
Budget and Research Manager,**

1990 - 99
1987 - 90

Greensboro is a full service municipal government with a population of 269,000 covering a 131 square mile area located in the central piedmont region of North Carolina. Greensboro has an operating budget of \$438 million with 3,081 full-time equivalent positions and a AAA bond rating.

Duties:

- * Annually developed operating budget of \$250 million and six year capital improvement program of \$350 million with a property tax decrease in FY 98-99 and no tax increase for operating expenses in the previous five years.
- * Organized and prepared Council work planning sessions to set organizational strategic budget and service priorities including maintaining "AAA" financial rating.
- * Developed departmental objectives and performance measurement process, founding participant in a statewide benchmarking project and provided national training for GFOA.
- * Managed Organizational Strategic Planning Process for the City. Implemented action steps in the four key strategic issue areas of vision and management philosophy, proactive planning and performance measurement, service alignment and technology.

Accomplishments:

- * Established Budget and Evaluation Department and the City's two-year budgeting process which received national recognition including the Distinguished Budget Presentation Award from GFOA with an Outstanding Designation.
- * Led organizational efforts for a successful \$35 million bond campaign.
- * Negotiated public private partnership agreement for construction and management of a recreational ice facility saving the City \$1.4 million.
- * Implemented Productivity Improvement Process resulting in over \$3 million in savings.
- * Developed Citizen Service Assessment Program that assessed all city services and recommended areas for improvements.

City of Winston-Salem:

**Lead Budget and Evaluation Analyst,
Budget and Evaluation Analyst,
Budget and Financial Analyst Intern,**

1987
1986 - 87
1985 - 86

Winston-Salem is a full service municipality with a population of over 235,000 covering a 132 square mile area located in the Piedmont Triad area of North Carolina. They have 2,464 full-time employees with an operating budget of \$422 million and a AAA bond rating.

- * Analyzed and evaluated City's annual operating and capital budgets; prepared Six-Year Capital Improvement Program; implemented changes in the computerized budget system; computerized the City's six year capital improvement program; prepared five year financial forecast; developed a microcomputer based debt management plan; reviewed installment purchase contracts; researched and analyzed risk management functions; developed first computer based presentation of the City's financial condition.

EDUCATION

University of North Carolina at Chapel Hill:

Master of Public Administration, May 1986

Received Local Government Scholarship and Fellowship

Bachelor of Arts, May 1984 - Double Major: Political Science and Religion

Inducted into the Order of the Old Well Honor Society

President and Distinguished Service Award Recipient, Alpha Phi Omega Service Fraternity

OTHER EXPERIENCES

- * *Adjunct Faculty, 2006 to present.* Teach graduate level course in Local Government Administration for the Political Science Department at the University of North Carolina-Greensboro.
- * *Senior Executives in State and Local Government, 2012.* Awarded a certificate of completion for Executive Education Program at the JFK School of Government, Harvard University.
- * *Senior Executive Institute, 2004.* Executive Leadership Program for top executives of public organizations held at the Weldon Cooper Center for Public Service, UVA.
- * *Leadership High Point, 1999-2000.* Community leadership program sponsored by the High Point Chamber of Commerce. Steering Committee Member, Annual Program Speaker.
- * *School of Government UNC-Chapel Hill.* Lecturer and trainer for various schools and programs, 1990 – present; Municipal Administration Course, 1988-89; Selected to participate in IOG State Internship Program, 1984 Worked at the NC Office of Coastal Management, Raleigh, N.C.
- * *Leaderlab Program, 1995.* Center for Creative Leadership, Greensboro N.C.
- * *Leadership Greensboro, 1992-93.* Community leadership development program sponsored by the Greensboro Chamber of Commerce.

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES

- * *International and North Carolina City/County Managers Association* - ICMA Credentialed Manager; served on various NC committees including Budget and Finance, Professional Development, Sustaining Membership and ICMA Relations.
- * *Government Finance Officers Association of US & Canada* – President 2002-2003; Executive Board, 1998 – 2004; Chaired Task Force on Emerging Generations, 2009-2010, Committee on Economic Development and Capital Planning, 2003-2004; Committee on Debt and Fiscal Policy, 1998-2001; Committee on Governmental Budgeting and Management, 1993-1998; Received Distinguished Budget Presentation Award with Outstanding Designations in 1994 and 1996.
- * *N.C. Local Government Budget Association* - President, 1993-1994; also served on the Board in various roles including Vice President, Program Chairman, and Board Member.
- * *NC League of Municipalities* - Regulatory Advisory Committee, 1994-1996.
- * *American Society of Public Administration* - Piedmont Triad Chapter President, 1993-94; also served on the Board as Vice President, Secretary, and Treasurer.
- * *UNC Master of Public Administration Alumni Association* - President, 1994; also served on the Board as President Elect and Program Chairman.

RECENT COMMUNITY ASSOCIATIONS AND ACTIVITIES

- * *Kiwanis Club of High Point* - President, 2008-2009; also served on Board as President-Elect, Vice President and Membership Chairman. Worked with numerous community agencies in partnership to improve and enrich the lives of children in our community.
- * *Covenant Church, United Methodist* – Chair, Finance Team; Chair, Staff-Parish Committee during the change of Senior Pastor, Vice-Chair, Administrative Board.
- * *Southwest Guilford High School Booster Club* – President Baseball Booster Club led various fund raising and school projects.
- * *Boy Scouts of America Troop 42* – Troop Leader, Eagle Scout.
- * *United Way* – Leadership Society, Lead organizational drive for two years that increased giving by over 25%.
- * *North Carolina Presbyterian Pilgrimage* – Leader and participant in a spiritual enhancement program. Served in several key leadership roles during various retreats.

CITY OF COLUMBIA - APPLICATION FOR EMPLOYMENT

Page 1

ALL Applications for Employment MUST be returned to:

City of Columbia Human Resources Office

1225 LADY Street (corner of LADY & Sumter) - (PO Box 147), Columbia, SC 29217-0147

FAILURE TO RETURN TO THE HUMAN RESOURCES OFFICE MAY RESULT IN DISQUALIFICATION
THIS APPLICATION, OR ANY PART THEREOF, IS NOT A CONTRACT FOR EMPLOYMENT

I. APPLYING FOR: LIST EACH POSITION BY POSITION TITLE ONLY

First Position Title	Second Position Title	Third Position Title	Fourth Position Title

EMPLOYMENT OFFICE USE ONLY - Position(s) Open Within the Following Department/Division(s):

	Dept/Div	EEOC	Status*	Dept/Div	EEOC	Status*
1	City Admin.		5			9
2			6			10
3			7			11
4			8			12

Date: 7/11/12 Date: _____

*STATUS: HIRING AUTHORITY: You MUST contact Human Resources PRIOR to making a job offer to an applicant in the Drug Program.

* Q = Qualified: Meets applicable experience &/or special requirement. DQ = Disqualified: Lacks applicable experience &/or special requirement.

Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

You MUST provide your Social Security Number on Page 4A of this application.

THE CITY OF COLUMBIA IS AN EQUAL OPPORTUNITY EMPLOYER

II. APPLICANT'S DATA

Date Of Application:

7.11.12

APPLICANT'S NAME (Print)

Jonathan

F.

PRINT LAST NAME

PRINT FIRST NAME

Middle Initial

Current Home Address:

Street Number - Street Name

Easley

City

SC

State

29642

Zip Code

Telephone Numbers:

Home Phone:

(AC)

864

[REDACTED]

Work Phone:

(AC)

864

855-7980

Pager Number:

(AC)

[REDACTED]

May we call you at work?

X

/Yes

[REDACTED]

/No

Instructions:

E-mail Address:

jsimons@cityofeasley.com

II. (1)

ARE YOU A CURRENT CITY OF COLUMBIA EMPLOYEE?

YES*

EMPLOYEE I.D. Number



*If "YES" YOU MUST COMPLETE SECTION VIII ON PAGE 3 - ITEM (1) Present Employer

X

/No

II. (2) Do you possess a VALID driver's license?

/No

X

/Yes*

*State

SC

*License #:

[REDACTED]

II. (3) Class Type (Check One):

/A

/B

/C

X/D

/E

/F

/G

/M

Expiration Date: 02-22-2021

II. (4) Endorsements?

/Yes*

X

/No

*If Yes, Identify:

Restrictions?

/Yes*

X

/No

*If Yes, Identify:

Work Schedule Preferred:

X

/Full-Time

/Part-Time

Part-Time Hours:

/Temporary

The City of Columbia adheres to and complies with the Drug Free Workplace Act. All applicants selected for employment are offered a "Conditional Offer of Employment" contingent upon successful completion of all Pre-Employment screening processes such as, but not limited to the following: Drug/Alcohol Screening Test, Health Screening, SLED/NCIC Background Check, Driver's License Check, etc. Failure to successfully complete this process will be cause for the City to withdraw its "Conditional Offer of Employment".

APPLICATIONS WILL REMAIN ACTIVE IN THE HUMAN RESOURCES OFFICE FOR TWO (2) MONTHS FROM THE DATE SUBMITTED.

A RESUME MAY BE SUBMITTED BUT YOU MUST ALSO SUBMIT A FULLY COMPLETED EMPLOYMENT APPLICATION.

It is to your benefit to follow the application procedures since there are often many applicants for each job opening. To be considered, you must possess the required minimum qualifications, i.e., the related education, training & experience and any special requirement(s). Testing is not usually required; however, special testing is required for applicants seeking positions with the Columbia Police Department and the Columbia Fire Department. Also, a performance test (typing test) is required for all positions that indicate TYPING TEST REQUIRED.

III. EMPLOYMENT DATA

Page 2

III. (1) Are you age 18 or older? ☒ /Yes ☐ /No III. (2) Are you authorized to work in the United States? ☒ /Yes ☐ /No

III. (3) Are you a PREVIOUS City of Columbia Employee? ☐ /Yes* ☒ /No *If Yes, complete the following:

NOTE: If you are a CURRENT City of Columbia Employee - YOU MUST COMPLETE SECTION VIII. On PAGE 3 - ITEM (1) Present Employer.

Department/Division	Supervisor's Name	Position	From (Month/Year)	To (Month/Year)
Describe your duties:				
Reason for leaving (be specific):				
				Your Employee ID Number:

III. (4) DO YOU HAVE ANY RELATIVES EMPLOYED WITH THE CITY OF COLUMBIA?

YES* ☐ *If Yes, complete the following.
NO ☒ X

Employee's Name	Department/Division	Relationship

IV. EDUCATION

TELL US ABOUT YOUR EDUCATION:

Name of High School, Technical or Trade School, College	City	State	Check Year Completed	Graduated		Type & Name of Degree or Certificate	If College: Major/Minor
				Yes	No		
High School: Manlius Pebble Hill	DeWitt	NY	1 2 3 4	X		If you did not graduate from high school complete Section IV. (1) below.	
Technical School:			1 2 3 4				
Trade School:			1 2 3 4				
College: High Point University	High Point	NC	1 2 3 4	X		BA	History / Pol. Science Double Major
College: The American University	Washington	DC	1 2 3 4	X		MPA	

IV. (1) If you did not graduate from high school, do you possess a valid GED High School Certificate? ☒ /Yes* ☐ /No
*If Yes, provide the following: Date Obtained: State:

V. SKILLS (Complete this section if required for the job)

DO YOU TYPE?	WORD PROCESSING?	DATA ENTRY?	SPREADSHEET?	Other Computer Software?
Yes* ☐ /No ☐	Yes* ☐ /No ☐	Yes* ☐ /No ☐	Yes* ☐ /No ☐	Yes* ☐ /No ☐
*CWPM	*List Types Below:	*Speed Strokes:	*List Types Below:	*List Types Below:

V. (1) LIST ANY SKILLS, QUALIFICATIONS, LICENSES OR CERTIFICATIONS THAT WILL BE OF BENEFIT IN THE JOB(S) FOR WHICH YOU ARE APPLYING.

ICMA - Credential Manager
ICMA - Service Award (10 years)

V. (2) LIST ALL THE TYPES OF EQUIPMENT, TRUCKS, ETC. YOU CAN DRIVE OR OPERATE THAT ARE REQUIRED FOR THE JOB(S) FOR WHICH YOU ARE APPLYING

V Did you serve in the Armed Services? Check ☐ /Yes ☒ /No ☐
VII. Have you ever worked under another name? ☒ /Yes* ☐ /No *If Yes, what name(s):

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City of Columbia Page - make sure this is all on Page 2 ONLY)

VIII. Employment HISTORY - WORK EXPERIENCE

List jobs **STARTING WITH YOUR PRESENT** or **LAST JOB**. You may list work history such as volunteer, part-time, temporary, self-employment and military. Provide work history for at least the past 10 years.

NOTE: CURRENT CITY EMPLOYEES MUST COMPLETE ITEM (1) BELOW.

Have you included a Resume? ☒ /Yes* ☐ /No *If yes, you still MUST complete the following information.

(1) Present or Last Employer/Company's Name		Note: Current City Employee List Current Div.		From		To		Starting Salary	Last Salary
City of Easley				Month	Year	Month	Year	\$85,000/year	\$92,904/year + Executive Benefits
				10	2006	-	-		
Company Address (Current City Employee: List Current Division Location)				Position Title:					
PO Box 466 Easley, SC 29641				City Administrator					
Company City & State/Zip Code (Current City Employee: List Current Division Location)				Describe your duties:					
Same as above.				-) Chief public policy advisor to seven-member City Council; -) Responsible for directing, supervising, and coordinating administrative activities and operations of City; -) Oversight of seven departments and 183 full and part-time employees; -) Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;					
Telephone Number	AC:	864	855-7900						
Supervisor's Name: Mayor Larry Bagwell									
May We Call? ☒ Yes ☐ No /Reason: At a reasonable time yes, but not initially.									
Check One	☒ FT	Reason for Leaving or Wanting to Leave (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)							
	☐ PT	Career advancement.							

(2) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
City of Greenville		Month	Year	Month	Year	\$45,000/year	\$85,000
		7	2001	9	2006		
Company Address		Position Title:					
206 S. Main Street Greenville, SC 29601		Director, Office of Management and Budget					
Company City & State/Zip Code		Describe your duties:					
Same as above.		-) Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget; -) Conducted fiscal analyses regarding bond issues; -) Coordinated and presented City financial outlook to Wall Street rating agencies;					
Telephone Number	AC:	864	467-4530				
Supervisor's Name: Jim Bourey (no longer employed w/ City)							
May We Call? ☒ Yes ☐ No /Reason:							
Check One	☒ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT	Accepted position with the City of Easley.					

(3) Previous Employer/Company's Name		From		To		Starting Salary	Last Salary
		Month	Year	Month	Year		
Company Address		Position Title:					
Company City & State/Zip Code		Describe your duties:					
Telephone Number	AC:						
Supervisor's Name:							
May We Call? ☐ Yes ☐ No /Reason:							
Check One	☐ FT	Reason for Leaving (BE SPECIFIC) - (Note: Must also be completed if submitting a resume)					
	☐ PT						

Have you included additional Employment History - Work Experience Page? ☐ /Yes/See Continuation Page 3A ☐ /No

(If this application has been downloaded from the City's Web Page - make sure this is all on Page 3 ONLY)

Have you **EVER** been **CONVICTED** of **ANY** criminal offense(s) **EVER**?:

☐ YES* (If yes, list below)

☒ No

* If yes, you **MUST** provide the following information for **ALL** CONVICTIONS

Conviction(s)	Where Convicted/Arresting Authority & City/State	Date (Mo/Yr)	Court Disposition

If more space is needed, attach addition sheet(s) of paper – BE SURE TO LIST ALL CONVICTIONS.

****NOTE:** Include above if you were **EVER CONVICTED** of an offense including, but are not limited to a **FELONY, MISDEMEANOR, ETC.** Examples: Driving Under the Influence of Intoxicating Beverages, Possession of Drugs, Bad or Fraudulent Checks, Non-Payment of Child Support, Failure to Appear, etc. List every conviction since you were 18 years of age or older even if you believe you made restitution, i.e., paid a fine, etc. You **MUST** list **ALL** convictions. Do not list minor vehicle violations, such as non-payment of parking tickets or any offense committed before your 17th birthday, which was adjudicated in juvenile court or under a youthful offender law. Conviction of a criminal offense does not disqualify you for employment in all cases. Each case is considered individually, based on a number of factors including the nature of the crime, how long ago the crime and/or release from incarceration occurred, whether a sufficient or satisfactory work record has been established since the crime and/or release from incarceration, and the position applied for. **HOWEVER, failure to disclose ALL criminal CONVICTIONS WILL disqualify you for employment with the City.**

ATTENTION – READ THIS

The City of Columbia runs a SHIELD or SAFE check on applicants selected for employment as part of the Conditional Offer of Employment process. You need to know that the City will withdraw its Conditional Offer of Employment if the City receives a report that has ANY convictions and you have not listed them above – **IF IN DOUBT, LIST IT.**

X. REFERENCES

Name	Address / City/State / Zip Code	Phone w/Area Code
1. Ray Jones	1201 Main Street, Suite 1450, Columbia, SC 29202	803-253-8917
2. John Castile	206 S. Main Street, Greenville, SC 29601	864-467-5700
3. Tom Gates	301 King Street, Room 350, Alexandria, VA 22314	703-746-3716

XI. SIGNATURES

Authority to Release Information: By my signature, I consent to the release of information to duly authorized officers, agents and/or employees of the City of Columbia, S.C. This may include, but not be limited to, information concerning my past and present work including my official personnel files, attendance records, evaluations, educational records including transcripts, military service, law enforcement records, and/or any personnel record deemed necessary to make inquiries of third parties such as credit bureaus. I further release the organization, educational entity, present and former employers, law enforcement organizations and all third parties from any and all claims of whatever nature that I may have as a result of any inquiry or response given to such inquiries made in connection with my application for employment.

X (1) - Original Signature:

Date:

[Signature]

7/11/12

Certification of Applicant: By my signature, I affirm, agree and/or understand that all statements on this application or attachments hereto, are true and accurate. Any misrepresentation, falsification, or material omission of information or data on this application or attachments hereto, may result in exclusion from further consideration or, if hired, termination of employment. If I have requested herein that my present employer not be contacted, an offer of employment may be conditioned upon acceptable information and verification from such employer prior to beginning work. If employed by the City of Columbia, S. C., I agree to adhere to the City's Drug Free Workplace policy. I further certify that I have/or I am adhering to all outstanding government student loan commitments.

X (2) - Original Signature:

Date:

[Signature]

7/11/12

NOTE: Failure to complete all sections or to sign this application will cause delay or disqualification for employment.

(If this application has been downloaded from the City's Web Page – make sure this is all on Page 4 ONLY)

Jonathan "Fox" Simons, Jr., ICMA-CM

[REDACTED]
Easley, SC 29642

H - [REDACTED]

C - [REDACTED]

W-email: fsimons@cityofeasley.com

PROFESSIONAL EXPERIENCE

City Administrator, City of Easley, SC (October 2006 – present)

- Chief public policy advisor to seven-member City Council;
- Responsible for directing, supervising, and coordinating administrative activities and operations of City;
- Direct oversight of seven departments and 183 full and part-time employees;
- Directly responsible for all financial aspects of City operations including budgeting, fiscal planning functions, business licenses administration, payroll, accounts receivable, accounts payable and auditing;
- Serve as Chief Financial Officer, Chief Procurement Officer, Human Resource Director, and Risk Manager;
- Responsible for the development, administration, and implementation of a \$15.8 million dollar budget, including \$12.0 million dollar General Fund budget;

Key Accomplishments and Initiatives

- Successfully leading City through recent economic downturn without layoffs or furloughs;
- Negotiated development agreement with private developer for a \$100.0 million dollar Retail Destination Center which will lead to 900 new jobs at project completion;
- Initiated an incubator program to develop new businesses in the community;
- Embarked on a "Partners in Pride" program with local businesses and organizations to beautify areas in the City with flowers and gardens;
- Implemented an employee wellness program, including a Nurse Practitioner, that has allowed employees to lower their health insurance premiums and the City to lower its annual health insurance renewal rates;
- Complete modernization and expansion of the City's information technology functions including updating hardware and software enterprise applications;
- Streamlined and reorganized the Community Development and Finance Departments making services more effective and efficient;
- Initiated a Parks & Recreation Master Plan to replace aging and non-compliant play equipment and update the City's parks with fresh amenities and features, including the City's first dog park;
- Launched the City's semi-annual community magazine in an effort to expand communication between the City and its citizens;
- Started a community garden within the city to provide fresh produce to citizens in low income neighborhoods;
- Currently implementing City's bicycle and pedestrian friendly initiative by installing bike lanes and sidewalks throughout City;

City of Greenville, SC (July, 2001 – September, 2006)

Interim Director, Office of Management and Budget, (November 2005 – September 2006)

- Chief Financial Officer of the City; responsibilities included oversight of a \$100 million operating budget (all funds) as well as a \$150 million Capital Improvement Program, including a \$30 million Capital Budget;
- Supervised and managed 30+ staff with direct responsibility for accounting, business license administration, purchasing, budget, GIS, MIS, risk management, and internal audit functions;
- Conducted fiscal analyses regarding a CBD Tax Increment bond (\$2.3 million), and General Obligation bond issue (\$6.1 million);
- Coordinated and presented City financial outlook to Wall Street rating agencies as well as community groups
- Analyzed and projected financial trends relevant to public policy development;

EDUCATION

The American University, Washington, DC; Master of Public Administration May 1995

High Point University, High Point, North Carolina; Bachelor of Arts May 1993

OTHER RELEVANT EXPERIENCE

- Received GFOA Outstanding Budget Award for five consecutive years
- Served on the GFOA Budget Review Committee

PROFESSIONAL ORGANIZATION MEMBERSHIP

- International City/County Management Association (ICMA)
- South Carolina City/County Management Association – Membership Committee
- Pickens County Municipal Association

COMMUNITY SERVICE

- Pickens County YMCA Board of Directors – Executive Committee Member
- Leadership South Carolina – Class of 2012
- Leadership Pickens County – Board of Regents
- Leadership Pickens County – Class of 2011
- Board of Directors - Easley Chamber of Commerce
- Board of Directors - Pickens County Chapter of American Red Cross
- Board of Directors - Nalley Brown Nature Park
- Easley Rotary Club
- Pickens County United Way- Fundraising Committee
- Pickens County United Way Emergency Food & Shelter Program – Board of Directors
- Advisory Committee – Tri-County Technical College – Easley Campus
- Youth sports coach

REFERENCES AVAILABLE UPON REQUEST

Assistant Director, Office of Management and Budget, (May 2005 – November 2005)

- Assisted in the overall administration and management of a 30+ person municipal budget and finance department;
- Direct supervision over a staff of 16 with direct responsibility for accounting, business license administration, budget, and internal audit administration;
- Insured coordination and consistency of departmental programs and initiatives;
- Synchronized staff efforts and oversaw analysis of significant policy issues;

Interim Finance Director, (October 2004 – May 2005)

- Managed 19 person municipal Finance department including accounting, budget, internal audit, purchasing, and risk management operations;
- Coordinated and conducted fiscal analysis of a \$30.740 million Parking Revenue Bond refunding issue;
- Led the development and coordination of a comprehensive Capital Improvement Program;
- Analyzed financial trends and prepared financial forecasts relevant to public policy decisions;

Budget Administrator, (July 2001 – October 2004)

- Responsible for the development, administration, and implementation of a \$100.8 million annual operating budget, including a \$55.129 million General Fund operating budget;
- Directed and managed \$159.915 million five year Capital Improvement Program, including a \$27.921 million Capital Budget;
- Researched and prepared special fiscal reports addressing significant policy issues;
- Performed fiscal analyses of departmental expenditure and revenue trends;
- Monitored compliance with City Council mandated fiscal policies;
- Provided oral and written presentations of fiscal matters to staff, elected and appointed officials, and the general public;

T.V. Guilfoil & Associates, Inc., Syracuse, New York (July 1998 – June 2001)

- Managed consumer accounts including supply vendor coordination;
- Performed customer service duties including analysis of customer satisfaction, supplier relations, issue resolution, and product promotion;
- Performed market analysis regarding new business initiatives and business process improvement for existing product lines;
- Provided customer based sales forecasting and merchandising targets;

Office of Management and Budget, Montgomery County, Maryland (September 1996-June 1998)

- Analyzed and monitored a \$650 million bi-County water/sewer Capital Improvement Program and a \$150 million Capital budget;
- Provided fiscal oversight of a \$37 million fleet management budget;
- Monitored a \$180 million Solid Waste Capital Improvements Program;
- Researched and maintained demographic data for fiscal projections;
- Coordinated and provided administrative oversight of 25 public service programs with a combined budget of \$32 million;
- Served as agency liaison to County service delivery departments providing technical assistance and budgetary guidance;
- Represented and supported agency budgetary recommendations to elected and appointed officials;

International City/County Management Association (1995-1996)

- Researched issues of privatization and other alternative forms of service delivery;
- Conducted specialized research for municipal officials (United States and International);
- Researched and published a MIS Report on the restructuring of Parks and Recreation Departments;

References:

John F. Castile

City Manager
City of Greenville
PO Box 2207
Greenville, SC 29602
(864) 467-5700
jcastile@greenvillesc.gov

Tom Gates

Assistant City Manager
City of Alexandria
301 King Street, Room 350
Alexandria, VA 22314
(703) 746-4300
tom.gates@alexandriava.gov

Jim Hartmann

County Manager
Seminole County Manager
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Jhartmann2@cfl.rr.com

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nwhitworth@greenvillesc.gov

Brian Swords, Ph.D

Dean, Tri-County Technical College
Easley Campus
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Easley, SC 29642
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bswords@tctc.edu

Joel Ledbetter, PE

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Easley Combined Utilities
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Brad Love

Bond Counsel
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PO Box 2048
Greenville, SC 29602
(864) 240-3388
blove@hsblawfirm.com

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Civil Action No.: 2013-CP-40-01450

City of Columbia.....Appellant.

v.

George S. Glassmeyer.....Respondent.

NOTICE OF APPEAL

The above-named Appellant, by and through its undersigned counsel, hereby appeals the orders of the Honorable G. Thomas Cooper, Jr. filed July 23, 2013 and August 27, 2013. The order filed July 23, 2013 is denial of reconsideration of an order filed June 26, 2013. A copy of the orders and judgments issued by the Court of Common Pleas are provided herewith as Attachments A, B and C. A copy of this Notice is being provided to the Clerk of Court of Richland County Court of Common Pleas and all counsel of record.

This appeal addresses specifically disclosure under the South Carolina Freedom of Information Act of home addresses, personal telephone numbers and personal email addresses for applicants to the position of City Manager for the City of Columbia. This appeal further addresses the award of attorney fees to Plaintiff. All information apart from that under appeal will be made available to Plaintiff.

SIGNATURE PAGE FOLLOWS

RECEIVED

SEP 04 2013

SC Court of Appeals

NICKLES LAW FIRM, LLC



W. Allen Nickles, III, S.C. Bar #4226
1519 Richland Street
Columbia, South Carolina, 29201
(803) 779-8080

Other Counsel of Record:

Kirby D. Shealy, III, Esquire
Adams and Reese, LLP
Post Office Box 2285
Columbia, South Carolina, 29201

September 4, 2013

ATTACHMENT A

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2013CP4001450

George S Glassmeyer

City Of Columbia

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : ☐ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit);
☐ Rule 43(k), SCRPC (Settled); ☐ Other _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other _____
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☐ ends ☐ does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20 _____ and a copy mailed first class or placed in the appropriate attorney's box on this 23 July 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Kirby Darr Shealy III

W. Allen Nickles III

David Amado Fernandez

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

Jeanette W. McBride

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
George S. Glassmeyer,)
)
)
Plaintiff,)
)
v.)
)
City of Columbia)
)
)
Defendant.)
)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

CASE NO. 2013-CP-40-01450

**ORDER DENYING DEFENDANT'S
MOTION TO RECONSIDER**

RICHLAND COUNTY
FILED
2013 JUL 19 PM 1:17
JEANETTE W. MERIDGE
C.C.P. & C.S.

This matter comes before the Court by way of Defendant's Motion to reconsider pursuant to Rule 59 SCRPC. Specifically, Defendant asks this Court to reconsider its Order of June 19, 2013, granting Plaintiff's motion for Summary Judgment.

After careful consideration of the record in this case and the submissions of the parties, this Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or facts not appropriately considered. Accordingly, this Court hereby DENIES Applicant's Motion pursuant to Rule 59(e) SCRPC to reconsider this Court's Order filed June 19, 2013.

AND IT IS SO ORDERED.

July 19, 2013
Columbia, South Carolina

G. Thomas Cooper, Jr.
G. Thomas Cooper, Jr.
Judge, Fifth Judicial Circuit

SCANNED

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM RICHLAND COUNTY
Court of Common Pleas**

G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No.: 2013-001880

City of Columbia.....Appellant.

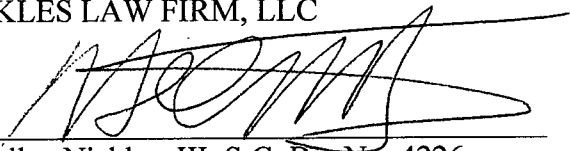
v.

George S. Glassmeyer.....Respondent.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all materials proposed to be included by any of the parties and not any other materials.

NICKLES LAW FIRM, LLC



W. Allen Nickles, III, S.C. Bar No. 4226
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

Attorneys for Appellant

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No.: 2013-001880

City of Columbia.....Appellant.

v.

George S. Glassmeyer.....Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has served the foregoing Record on Appeal by depositing a copy of same in the United States Mail, postage prepaid and addressed as follows::

Kirby D. Shealy, III
Lyndey Ritz Zwing
Adams and Reese, LLP
1501 Main Street, 5th Floor
Columbia, South Carolina 29201

This 7th day of January, 2013

NICKLES LAW FIRM, LLC



W. Allen Nickles, III, S.C. Bar No. 4226
1519 Richland Street
Columbia, South Carolina 29201
(803) 779-8080

Attorneys for Appellant

RECEIVED

JAN 09 2014

SC Court of Appeals