

DEKALB COUNTY CHARTER REVIEW MEETING

June 22, 2022

STAFF:

Zachary Williams, Chief Operating Officer

Viviane Ernstes, DeKalb County Attorney

Terry Phillips, Deputy County Attorney

Barbara Sanders-Norwood, County Clerk

MEMBERS PRESENT:

Stephen Henson, Chairman

Virginia Harris, Vice Chairman

Claudette Leak

Dwight Thomas

Mary Hinkel

Dr. Gerald D. Austin, Sr.

Robert Wittenstein

Jim Grubiak

Clara DeLay

Lance Hammonds

Karen Bennett

Susan Neugent

Bobbie Sanford

Vickie Turner – Absent

Carla Drenner – Absent

Emmanuel Jones - Absent

John Turner – Absent

The meeting was Called to Order by Senator Stephen Henson, Chairman.

Minutes of the previous meeting did not require adoption. A transcript was provided for the record.

Future meetings will also have a transcript and Summary minutes.

County Attorney, Viviane Ernstes, was invited to attend the meeting for purposes of discussing the Organization Act. She also discussed House Bill 1250 and provided a copy of each earlier for their perusal.

Chief Executive Officer Michael Thurmond joined the meeting at this time and provided his greetings.

Ms. Ernstes introduced Deputy County Attorney Terry Phillips from her office.

ORGANIZATIONAL ACT

The Organization Act is a local law.

The local laws and Ordinances enacted by the Board of Commission are codified and can be found in the Municode.

OCGA is the Official Code of Georgia Annotated and describes how laws are amended. Laws applying to all counties are included here.

Ms. Ernstes stated that local laws must go before the delegation and also requires publication notice before they can be amended.

At this point, County Attorney Ernstes began her review of the Organization Act:

Section 1 – Governing Authority

The Board of Commissioners of DeKalb County, hereinafter referred to as the “commission” and the Chief Executive Officer of DeKalb County, hereinafter referred to as the “chief executive” shall constitute the governing authority of DeKalb County, and the respective powers and duties of the commission and the chief executive shall be as provided in this act.

Section 2 – The Commission

The Commission shall consist of seven members.

For purposes of electing members of the board of commissioners, DeKalb County is divided into seven commissioner districts. One member of the board shall be elected from each such district.

Commissioner Districts 1, 2, 3, 4 and 5 shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as “Plan: dekalbcc-import1-02092012 Plan.

Commissioner Districts 6 and 7 shall be and correspond to those two numbered districts described in and attached to and made a part of this Act and further identified as "Plan Name: deksuperdist4 Plan Type:

Attorney Ernstes suggested that the members of the Charter Review might want to review "as now or hereafter amended" as a housekeeping change item. Whatever version of the election code is in force that version of the election code applies.

Section 3 - Establishment of Commission

Commissioner Districts 1, 2, 3, 4 and 5 as they exist on January 1, 2012, shall continue to be designated as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as newly described under this Act, and such members of the board serving from those former commissioner districts shall be deemed to be serving from and representing their respective districts as newly described under this Act. Commissioner Districts 6 and 7 as they exist on January 1, 2012, shall continue to be designated as Commissioner Districts 6 and 7 as described under this Act and in effect on January 1, 2012. This section will be replaced by House Bill 1250 in November 2022.

Section 4 – Running for other elective offices

Except as otherwise provided in subsection (b) of this section no member of the commission or the chief Executive shall be qualified to be a candidate for nomination or election to any other elective office, other than to succeed one's self as a member of the commission or as chief executive, unless the member of the commission or the chief executive shall resign from office specified therefore in this subsection and until their respective successors are elected and qualified.

Section 5 – Chief Executive

The Chief Executive of DeKalb County shall be a citizen of this state, at least thirty years of age and shall have been a resident of DeKalb County for at least five years immediately prior to taking office. The Chief Executive shall be elected by a majority of the electors voting from the county at large. The Chief Executive shall be nominated and elected pursuant to Code Title 34 known as the Georgia Election Code. Any person elected chief executive shall not be eligible to serve more than two consecutive full terms of office. In the event a person fills a vacancy in the office of chief executive as provided in section 6 of this act, such person shall be eligible for election to two full consecutive terms of office as chief executive. When a person has served two full consecutive terms of office as chief executive, such person shall not again be eligible to hold said office until such person has been out of office as chief executive for at least four years.

Section 6 – Vacancies

In the event a vacancy occurs on the commission or in the office of Chief Executive when at least one hundred eighty days remain in the unexpired term of office remain in the unexpired terms of office, the election superintendent of DeKalb County, within fifteen days after the vacancy occurs, shall issue the call for a special election to fill such vacancy for the unexpired term. Such special election shall be held not less than twenty-nine nor more than forty-five days after the issuance of the call, and shall be held and conducted in accordance with the provisions

of Code Title 34 – The Georgia Election Code. Special election law has changed and this section will need to be modified accordingly.

In the event a vacancy occurs in the office of the chief executive when less than one hundred eighty days remain in the unexpired term of office, the presiding officer of the commission shall exercise the powers and duties of the chief executive, except as provided in subsection e of this section, for the unexpired term.

If the presiding officer of the commission exercises the powers of the chief executive pursuant to subsections (b) and (c) of this section, the person serving as the chief executive in either case shall not be authorized to discharge the executive assistant. A presiding officer servicing as chief executive shall not be authorized to vote as a member of the commission during such service. Section 6 does not address in any real way temporary vacancies. The members of this Review commission might want to address this issue.

If the presiding officer of the commission exercises the powers of chief executive pursuant to subsections (b) and (c) of this section, the person serving as the chief executive in either case shall not be authorized to discharge the Executive Assistant.

Section 7 – Oath and bond

Before entering upon the discharge of their duties, the chief executive and members of the commission shall subscribe to an oath before the judge of the probate court of DeKalb County for the true and faithful performance of their duties and they are not the holder of any public funds unaccounted for. In addition the chief executive shall further give a satisfactory surety bond, as determined by the judge of the probate court of DeKalb County, and payable to the judge of the probate court of DeKalb County and filed in the office of the judge of the probate court, in the sum of \$50,000.00 conditioned upon the faithful performance of the duties of the office. Each member of the commission shall give like bond in the sum of \$10,000.00. The costs of said bonds shall be paid from county funds.

Ms. Ernstes stated that this section might be one that you would like to review.

Members of the Commission asked the following questions of the County Attorney:

Has the two year residency requirement for Commissioner been changed to a one year residency by state law?

Discussion on term limits at future meetings.

Is it common practice to have a bond?

Should any of the provisions be changed?

What happens when the Presiding Officer fills the CEO vacancy?

If there is more than 180 days left in a commissioners' term is there a special election?

Meeting Dates:

Senator Henson stated that initially he thought their meetings could be held on the 2nd Thursday of every month. He further stated that these meetings must be available to the public.

After speaking with Mr. Matelski, it was determined that there were various meetings schedule for that particular date. After much discussion the following dates were selected for their meetings.

August 4, 2022

September 1, 2022

October 6, 2022

November 3, 2022

December 1, 2022

Senator Henson, CEO Thurmond and COO Williams met during the week to discuss staffing support for the commission. They spoke with a representative of the Carl Vinson institute to discuss staffing. They also discussed contracting with staff of Georgia State University. COO Williams stated that any resources needed will be provided.

UNFINISHED BUSINESS

Senator Henson spoke on the position of Secretary and stated the Mary Hinkel would be willing to serve.

A **MOTION** was made by Mr. Wittenstein, seconded by Mrs. Leak to appoint Ms. Hinkel as secretary of the Charter Review Commission. The vote was taken and Ms. Hinkel was appointed by acclamation.

Ms. Hinkel stated that she appreciates the appointment and is committed to serving in this position.

Senator Henson reviewed the By-Laws submitted earlier to the members for the purpose of clarity. He asked that they be prepared to discuss in detail at their next meeting and if possible vote on them at that time.

Article I - Name

Article II – Purpose, Goals and Definition

Article III - Officers

Article IV - Meetings

Article V – Voting; Quorum

Article VI – Participation; Resignation; Vacancies

Article VII - Committees

Article VIII – Rules of Order and Conflicting Provisions

Article IX – Plan of Work

Article X – Final Report

Article XXI - Amendments

IT Department – Mr. John Matelski – Chief Innovation & Information Officer

Mission: DeKalb County’s Department of Innovation & Technology aspires to serve our customers with world-class, innovative services and solutions in a collaborative and professional manner

Functional AREAS:

Network & Telecommunications Support

Computer Support

Server Support

IT Security

Business Application Consulting & Support

IT Procurement & Contracts Support

IT Project Management

ITG Strategic Visioning

RECENT ACCOMPLISHMENTS

CV360 Implementation (PeopleSoft Modernization and move to Cloud)

LIMS (Laboratory Information Management System) Upgrade for Watershed

Cityworks Upgrade and Expansion (Facilities, Roads & Drainage, Traffic Engineering)

Enhanced 311 Implementation with our Oracle CRM (Sanitation, Roads & Drainage)

iasWorld Migration/Modernization and move to cloud

Oracle Identity Cloud Service Implementation

Migrated 160 on-premise servers to secure Azure cloud

Migrated on-premises tape based backup system to secure cloud based backup system,

Replaced over 800 computers with laptop configuration to support remote and hybrid work requirements

Replaced over 400 desk phones with software based phones that enable remote

Fy21 AWARDS/RECOGNITION

1. 2021 Top Ten Technology Enabled Counties 2nd Place
5th year in a row, ranked in top 10
2. 2021 County Government Experience Award
4th Place – all counties
3. Elected to Board of Directors
IT ERP Community Leadership
4. Elected to Board of Directors
IT ERP Community Leadership
5. Appointed Chair
National Association of Counties
Information Technology Standing Committee
6. Appointed Vice-Chair
National Association of Counties (NACO)
Information Technology Standing Committee

GOALS

Customer Focused Service Delivery

Expanding CR</311 to other departments

Drive innovation through business process review and IT alignment

Web Site Enhancements

Retain Top 10 Technology Enabled County States

Retain Top 10 Government Experience Awards

Lead and Collaborate on Digital Equity Initiatives

Expand Cyber Education

enQuesta Customer Service and Billing System Implementation continues...

Strengthening Financial Stability

- Maintain Superior Cyber Security Posture
- Deliver Technology Solutions and Projects w/in Budget and Timelines
- Enable and expand service delivery in an evolving hybrid environment
- Create efficiencies and savings through business process evaluation and engineering support

COO Zachary Williams stated that Mr. Matelski's leadership has been tremendous. DeKalb County has been ranked #2 among large counties throughout the nation and #4 among all counties throughout the nation in our IT performance. Agencies have come to us and want to do what we are doing. We are the best in the Nation.

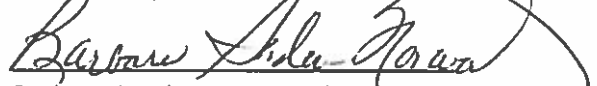
PUBLIC COMMENT:

Stephen Binney, 1083 Seville Drive, Clarkston, GA, 30021, spoke regarding the CEO process and the Commission.

Charles Hankla, 1837 Meredith Drive, Atlanta, GA 30318, spoke regarding the majority voting and ranked choice voting.

Hearing no further business, the Chairman accepted a motion to adjourn.

Senator Stephen Henson, Chairman



Barbara Sanders-Norwood, MMC
Clerk to the Board of Commissioners
and Chief Executive Officer