

Suggested Revisions Secs. 11-18
(Jim Grubiak 06-18-23)

Section 11 Presiding Officer

Delete subsection (a) which limits the role of the CEO regarding voting at meetings and move it to Section 12. Meetings. Renumber subsequent subsections (b) through (d) as subsections (a) through (c).

Section 12 Meetings

Insert the text deleted from subsection (a) of Section 11 at the end of Section 12:

"The chief executive shall have no vote at any regular or specially called meeting of the commission unless the members of the commission are equally divided. Even when the members of the commission are equally divided, the chief executive may not vote on a matter which is not subject to veto by said officer under the provisions of subsection (d) of Section 15 of this act."

Section 13 Powers and Duties of the Chief Executive

(a) Revise the 1st sentence of subsection (a) as follows:

"Except as otherwise provided in this act, the The chief executive shall have the exclusive power to supervise, direct and control the administration of the county government."

and,

Revise the 3rd sentence of subsection (a) as follows:

Commented [MOU1]: Technical edit. Subsection (a) is misplaced in Section 11 since it has no bearing on the role or duties of the presiding officer. Move to Section 12. Meetings below.

Commented [MOU2]: Technical edit. Move text from current Subsection 11(a) to this Section.

Commented [MOU3]: Technical edit. BOC has certain powers reserved to it and Sec. 14, as proposed below, authorizes the COO to exercise certain powers delegated to him/her by the Org Act and/or the CEO

2

"Members of the commission shall deal solely through the chief executive or his executive assistance [assistant] the chief operating officer in all matters concerning the operation ... of the county government."

and,

Revise the last sentence of subsection (a) as follows:

"Nothing herein shall be construed to preclude any commissioner from seeking information necessary to the establishment of policy or the enactment of legislation from any person, including any employee of DeKalb County. The chief operating officer, or his designee, shall be copied on any such inquiry. The chief operating officer shall coordinate the response to inquiries directed to the administration by members of the commission and shall be responsible for such requests being answered in a timely manner."

(b) Amend the first sentence of subsection (b) as follows:

"Subject to the approval by resolution of the commission, the chief executive shall have the power to change, consolidate, or abolish any

departments, agencies, ..."

and,

Amend the second sentence of subsection (b) as follows:

"Subject to the approval by resolution of the commission, the chief executive may create other departments, agencies, ..."

`(c)(1) Generally amend the paragraph by substituting "chief operating officer" for "executive assistant" wherever appropriate.

and,

Commented [MOU4]: **Technical edit**

Commented [MOU5]: **Added "or the enactment of legislation" since that is a key function of the legislative branch.**

Commented [MOU6]: **Makes the COO responsible for managing the response to inquiries to staff from the commissioners.**

Commented [MOU7]: **To avoid questions of BOC intent, amend subsection (b) here and in the second sentence to require that such approval be expressly evidenced by a resolution of the BOC.**

Commented [MOU8]: **Technical edits**

3

Amend the third sentence of paragraph (c)(1) as follows:

"The commission may also discharge either such officer for cause, but the affirmative vote of at least five (5) members of the commission shall be required to discharge either such officer."

and,

Add the following at the end of the paragraph (c)(1):

"The chief executive shall nominate the chief operating officer and the county attorney no later than last day of January in each oddnumbered calendar year unless the time for nomination is extended by resolution of the commission. The officials appointed pursuant to this paragraph shall be at-will employees subject to employment agreements between the county and said officials.

and,

Amend paragraph (c)(2) as follows:

"Subject to confirmation by the commission, the chief executive shall appoint the planning director, finance director, and merit system director. No member of the commission or the commission itself shall be authorized to nominate persons for any such position. All three (3) Both of said officers shall be under the DeKalb County Merit System..."

and,

Amend paragraph (d) as follows:

"...the chief executive shall, except as otherwise provided in this act, have exclusive authority to appoint, remove, and fix the compensation of all employees and officials..."

Commented [MOU9]: **Striking "for cause" allows a supermajority of the BOC to terminate the COO or the county attorney for poor performance or other reasons not included within the definition of "for cause" (i.e., serious misconduct, fraud, theft, etc).**

Commented [MOU10]: **Intent is to impose timeliness in the appointment process. The ties the appointment process to the electoral calendar and recognizes that there is essentially a new BOC every two years.**

Requiring an employment agreement

protects the county as well as the COO and county attorney. For example, its common to have severance provisions in such agreements. Contracts, per OCGA 36-60-13 must expire by 12/31 of each year but can include automatic renewal clauses.

Commented [MOU11]: If we, as previously discussed, amend paragraph (a)(10) of Section 9, Powers of the BOC, to authorize the BOC appoint the planning director, this amendment would be needed depending on how paragraph (a)(10) is amended.

Commented [MOU12]: Acknowledges the possible delegation of some or all of the powers of the CEO to the COO

4

and,

Amend paragraph (h) as follows:

(h) The chief executive shall manage all external relationships for the county including but not limited to relationships with the U.S. Congress, the Georgia General Assembly, and Federal, state, regional and local government agencies and organizations including DeKalb municipalities and other county governments. and The CEO shall represent the county in all such intergovernmental matters. The chief executive shall also manage all internal relationships including but not limited to relationships with the board of commissioners, other elected county officers and officials, and the judiciary, as well as all appointed boards, commissions, authorities and similar organizations of the county. The chief executive shall seek to promote and improve the government of the county and encourage the growth of the county and promote and develop the prosperity and well-being of the citizens of the county.

Section 13A Appointments to Public Office

Section 13A Appointments to Public Office

(a)(1)(B) Amend subparagraph (B) as follows:

"(B) Within twenty (20) days after the date the notice described in subparagraph (A) of this subsection is received, the commission ... shall confirm or reject the nominee of the chief executive. If the commission does not confirm or reject the nomination by the chief executive within the time specified herein, the nomination shall stand confirmed."

(a)(1)(D) Amend subparagraph (D) as follows:

"(D) Within fifteen (15) days after the date the second nomination of the chief executive is received, the commission ... shall confirm or

Commented [MOU13]: Intent is to emphasize the leadership role and authority of the CEO in all intergovernmental and intragovernmental affairs.

Commented [MOU14]: Requires the BOC to act in a timely fashion

5

reject the second nominee of the chief executive. If the commission does not confirm or reject the second nomination by the chief executive within the time specified herein, the nomination shall stand confirmed."

(a)(1)(F) Add a NEW subparagraph (F) to Section 13A (a)(1) to read as follows:

"(F) Notwithstanding the provisions of subparagraph (A) of this paragraph, if the chief executive does not nominate a person to fill a

post or vacancy as required by this subsection within 30 days of the date the vacancy occurs, the commission shall, within 30 days thereafter, either at a regular or called meeting, elect a qualified person to fill the post without the necessity of a nomination by the chief executive. The requirements of this paragraph shall apply to appointments to all DeKalb County boards, authorities and other organizations unless state law creating the post provides that the position be filled by the chief executive.”

(e) Add a NEW subsection (e) to read as follows:

“(e)(1) The chief operating officer shall coordinate and supervise the process for making appointments vested in the chief executive and the commission by maintaining a roster of all such appointments, identifying vacancies and the timing of vacancies, and reporting same to the chief executive and the commission on a timely basis.

(2) The chief operating officer shall post on the county website the roster of appointments and public notices announcing the existence and status of vacancies including the schedule for making appointments.”

Section 14 Executive Assistant Chief Operating Officer; Duties; Administrators

Generally, amend Sec. 14 by substituting "chief operating officer" for "executive assistant" where appropriate.

Commented [MOU15]: **Again, requires the BOC to act in a timely fashion**

Commented [MOU16]: **If the CEO fails to nominate someone to fill a vacancy within 30 days of the position becoming vacant, the BOC fills the vacancy. The BOC has 30 days to do so.**

Commented [MOU17]: **There may be one or more county boards or authorities, created per state law, which specify that the CEO exclusively makes the appointments.**

Commented [MOU18]: **Management of the appointment process clearly needs to be improved.**

Apparently, there is a question as to the actual number of boards and authorities in DeKalb where appointments are needed from time-to-time.

This recommendation makes the COO responsible for identifying and maintaining a list of appointments, the timing of vacancies, reporting them to the CEO and BOC as well as the public.

Commented [MOU19]: **Conform to position title in use to avoid confusion.**

Commented [MOU20]: **Technical edits**

6

(a) Amend the first sentence of subsection (a) as follows:

“Subject to the qualifications for said office as hereinafter provided in this section, the chief executive shall nominate and the commission shall confirm an executive assistant a chief operating officer whose nomination shall be subject to confirmation by the commission.”

(b) Amend subsection (b) by adding the following at the end of subsection (b) the following:

“Any such delegation pursuant to this subsection shall become effective upon execution of an executive order of the chief executive describing the delegation. A copy of any such order shall be transmitted to the commission upon execution.”

(f) Amend subsection (f) as follows:

"The chief executive chief operating officer shall, following consultation with the chief executive, also have the exclusive power to appoint, remove from office and, within budgetary limitations, fix the compensation of two (2) administrators to assist the chief executive chief operating officer in such manner as the chief executive chief operating officer shall direct. The assistants appointed pursuant to this subsection shall be at-will employees subject to employment agreements between the county and said employees. Additional assistants to the chief operating officer may be employed under the terms of this subsection if such additional positions are included in a county budget proposed by the chief executive and approved by the commission."

(g) Add a NEW subsection (g) as follows:

"(g) Pursuant to subsection (b) of this Section, the chief executive may delegate to the chief operating officer matters concerning the

Commented [MOU21]: Technical edit. Current language says the BOC "shall" confirm. Per Matt Welch comments, it should say the appointment is 'subject to confirmation'.

Commented [MOU22]: For the benefit of the COO, the BOC and public, any delegation of authority should be expressly stated in writing.

Commented [MOU23]: This is a small step to ensure that the COO has sufficient help to carry out his duties.

Currently the COO has something like 22 reports. That makes little sense. The assistants appointed per this subsection become responsible to the COO, and the COO becomes responsible for the performance of the two assistants.

Commented [MOU24]: Affirms that the CEO can vest responsibility for supervising and managing specified county departments in the COO--including hiring, firing and setting compensation.

7

operation, supervision, and administration of one or more of the departments or agencies within scope of the chief executive's authority, including but not limited to, appointment, compensation and removal of department directors and other employees of the county."

Section 15 Enactment of Ordinances and Resolutions; Veto Power of the Chief Executive

(a) Amend subsection (a) so that the last two sentences of subsection (a) read as follows:

"The chief executive shall approve or veto the ordinance or resolution within eight (8) business days after its adoption by the commission, and, except as hereinafter provided, no ordinance or resolution shall become effective without the approval of the chief executive. If the chief executive does not approve or veto an ordinance or resolution within eight (8) business days after its adoption by the commission, it shall become effective without the chief executive's approval."

(b) Amend subsection (b) by deleting the last sentence and inserting it at the end of subsection (a), as indicated above.

Section 16 Comprehensive Plan

Review and revise Section 16, if necessary, to ensure that it conforms

to state comprehensive planning requirements for preparing, adopting and implementing a comprehensive plan under the Georgia Planning Act and regulations of the Georgia Department of Community Affairs.

Commented [MOU25]: Expands title to better reflect content of the section.

Commented [MOU26]: This sentence is deleted from subsection (b) of Section 15 and inserted at the end of subsection (a). Functionally, it doesn't change anything. It's just a better fit.

(The language moved to subsection (a) spells out what happens when the CEO neither approves or vetoes an ordinance or resolution within the time specified. Subsection (b), on the other hand, addresses what happens if an ordinance or resolution is vetoed.)

8

Section 17 Budget

Review to ensure that Section 17 conforms to notice, hearing and other procedural and other requirements of OCGA 36-81-1 *et seq.*.

Revise as necessary.

and,

Add at the beginning of the first paragraph of Section 17 the following:

“The chief executive shall serve as the county budget officer unless the chief operating officer, the finance director or some other person is so designated by the chief executive.”

and,

Revise the first sentence as follows: “The chief executive officer budget officer shall submit...”

and,

Add at the end of the first paragraph of Section 17 the following:

“The commission may, by ordinance or resolution, establish standards for the manner in which the budget report from the budget officer to the commission is to be prepared, presented and supported with documentation by the budget officer.”

and,

Revise the last sentence of Section 17 as follows:

“The chief executive shall enforce compliance with this requirement by all departments, offices, or agencies of the county government,

Commented [MOU27]: QUESTION: TJ Sigler's presentation referred to the Office of Management and Budget. Is that the same as the Finance Department?

Commented [MOU28]: OCGA 36-81-4 says the governing authority serves as the budget officer unless some other person is designated in local charter or by the governing authority to serve as budget officer. Options could be the CEO, the finance director or the COO.

9

including elected county officers officials, with the exception of the tax commissioner, clerk of superior court, district attorney, probate judge, and sheriff.

Section 18 Purchases; Contracts

(a) **AMEND and RESTATE** subsection (a) as follows:

“The chief executive, subject to the approval of the commission an

ordinance enacted by the commission, shall establish rules, guidelines and/or policies to regulate purchasing and procurement for all county departments, offices, and agencies of the county government, with the exception of the tax commissioner, clerk of superior court, district attorney, probate judge, and sheriff.

Except as hereinafter provided, formal sealed bids, after notice of same has been published one (1) time in the official organ of DeKalb County, must be obtained on all purchases exceeding fifty thousand dollars (\$50,000.00).

Purchases exceeding fifty thousand dollars (\$50,000.00) may be made without formal sealed bids from any vendor who, at the time of purchase, has an existing contract or schedule with a county or municipality if such contract was procured by a competitive process, or the State of Georgia or the federal government so long as all such purchases are made pursuant to the price, terms, and conditions of said contract and if the county receives all the benefits of such contract."

(b) **RESTATE** existing subsection (b) as follows:

"Except for contracts of employment, the commission shall authorize all contracts involving the expenditure of county funds in excess of one hundred thousand dollars (\$100,000.00)."

(c) **RESTATE** existing subsection (c) as follows:

Commented [MOU29]: The term "county officers" is defined in the constitution as being the sheriff, clerk of superior court, tax commissioner and probate judge. The better term to use here is "county official".

Commented [MOU30]: Since the county probate judge is a "county officer" under the state constitution, the position would be excepted from compliance with budget requirements the same as the tax commissioner, clerk of court and sheriff.

Commented [MOU31]: NOTE: Viviane is reviewing to determine which parts of existing Section 18 of the Org Act are and are not in effect due to lack of referendum approval of HB 598 (2015) and HB 1146 (2016).

Commented [MOU32]: This amendment makes it clear that the BOC, by ordinance, enacts the legislation governing purchasing and procurement in DeKalb. The CEO then promulgates rules, guidelines and policies, based on the ordinance. This reflects basic administrative law principles and balances the responsibilities of the two branches. Moreover, it protects the county and the taxpayers from potential abuse.

The General Assembly passed language similar to this in 2015 and 2016, but it presumably did not take effect because the legislation was not submitted to the voters in a referendum per Sec. 23 of the Org Act.

Commented [MOU33]: This and the language in subsequent subsections (b), (c), (d), and (e) was included in the same legislation that did not have the referendum requirement mentioned above. And, for the same reason may not have taken effect and, therefore, needs to be restated.

RESTATE existing subsection (d) as follows:

"Subdividing a proposed contract which is for an amount above the threshold specified in subsection (a) or (b) of this section into smaller contracts or subcontracts for the purpose of avoiding the requirement of subsection (a) or (b) of this section shall be prohibited and such contracts shall be void *ab initio*."

(e) RESTATE existing subsection (e) as follows:

"Except for contracts of employment, all contracts for purchase shall be published on the county website within thirty (30) days of approval of such contracts."

MARY HINKEL

Sec. 13. - Powers and duties of the chief executive.

~~(a) (a)~~ The chief executive shall have the ~~exclusive power~~ to supervise, ~~direct and control~~ the administration of the county government. The chief executive shall ~~ensure that the administration, led by the county manager,~~ carries out, executes and enforces all ordinances, policies, rules and regulations of the commission when such ordinances, policies, rules and regulations become effective. Members of the commission shall ~~deal solely communicate through with~~ the chief executive ~~or and the his executive assistance (assistant) County Manager~~ in all matters concerning the operation, supervision, and administration of the various departments, offices, and agencies of the county government. No member of the commission shall directly or indirectly order, instruct, or otherwise attempt to control the actions of county personnel subject to the administrative and supervisory control of the chief executive ~~and county manager, except~~. ~~Nothing herein shall be construed to preclude any commissioner from seeking information necessary to the establishment of policy from any person, including any employee of DeKalb County OR preclude the Board of Commissioners from structuring formal, published administrative procedures and ensuring their implementation.~~

Commented [MH1]: Delete this adjective in order to start addressing a re-balance of powers with the BOC. Court case - BOC v. Levetan- in 1999: the court found that Sec 13 "expansively defines the CEO's authority." This is one word contributing to that expansive definition.

Formatted: Indent: Left: 0.75", First line: 0",
Numbered + Level: 1 + Numbering Style: a, b, c, ... +
Start at: 1 + Alignment: Left + Aligned at: 0.25" +

(b) Subject to the approval of the commission ~~expressed through a resolution authorizing the action,~~ the chief executive ~~and County Manager, acting together,~~ shall have the power to change, consolidate, or abolish any departments, agencies, or offices over which the chief executive ~~and the county manager~~ exercises supervision and control, except that the department of finance shall be maintained at all times as a separate and distinct department and may not be abolished by the chief executive, ~~the county manager,~~ or by the commission. Subject to the approval of the commission, the chief executive ~~and county manager, acting together,~~ may create other departments, agencies, and offices, which departments, agencies, and offices, when created, shall be under the supervision and control of the ~~chief executive county manager.~~ ~~Regular reporting of any such changes shall be published via the county website.~~

Formatted: Indent: Left: 0.75", First line: 0"

(c)
(1)

Subject to confirmation by the commission, the chief executive shall appoint the ~~executive assistant County Manager~~ and the county attorney. The ~~executive assistant County Manager~~ shall be subject to the requirements of section 14 of this act. No member of the commission or the commission itself shall be authorized to nominate persons for the office of ~~executive assistant County Manager~~ or county attorney. Within the budgetary limitations, the chief executive shall ~~recommend fix~~ the compensation of the ~~executive assistant county manager~~ and the county attorney ~~for confirmation by the commission.~~ Both of said officers shall serve at the pleasure of the chief executive, ~~but a discharge of these employees shall be subject to the approval of the commission.~~ The commission may also discharge either such officer for cause, but the affirmative vote of at least five (5) members of the commission shall be required to discharge either such officer.

Commented [MH2]: In support of keeping DeKalb citizens better informed.

Commented [MH3]: To make them truly dual reports.

(2) ~~Subject to confirmation by the commission, the chief executive shall appoint the planning director, finance director, and merit system director. No member of the commission or the commission itself shall be authorized to nominate persons for any such position. All three (3) of said officers shall be under the DeKalb County Merit System and, subject to the regulations of said merit system and budgetary limitations, the chief executive shall have the authority to fix the compensation of said officials.~~

(d) ~~Subject to budgetary limitations and DeKalb County Merit System regulations, the chief executive shall have exclusive authority to appoint, remove, and fix the compensation of all employees and officials of the county, except employees of the commission, and except that deputies and employees of the elected county officers of DeKalb County shall be subject to appointment, removal, supervision, and control of the respective elective county officers. The compensation of persons filling offices and positions created by state statutes shall be fixed by the chief executive within budgetary limitations when such state statutes authorize or require such compensation to be fixed by county governments or by county governing authorities.~~

Commented [MH4]: Moved to County Manager position

(e) The chief executive may convene special meetings of the commission when deemed necessary, but all members shall be notified at least three (3) days in advance of any such special meeting.

(f) The chief executive may compel the attendance of members at meetings of the commission by subpoena, when deemed necessary, subject to the policy of the commission as established by its rules.

(g) The chief executive shall have power to investigate the affairs, records and expenditures of the various authorities, boards, councils, commissions, committees, and similar bodies or agencies, whether created by ordinance of the commission or by acts of the General Assembly, relating to the affairs of the county and to report thereon to the commission. Final reports from these investigations shall be made public at a commission meeting and posted to the county website.

Commented [MH5]: Again, in support of public transparency and citizen education.

(h) The chief executive shall represent the county in intergovernmental matters and shall seek to promote and improve the government of the county and encourage the growth of the county and promote and develop the prosperity and well-being of the citizens of the county.

(i) The chief executive, within one hundred twenty (120) days after the close of each fiscal year, shall prepare and submit to the commission a complete annual report on the financial affairs and activities of the county for the immediately preceding fiscal year. The annual report shall show all income from all sources, including state, county, and federal funds, and all expenditures. The chief executive shall cause a summary of said annual report to be published in the official organ of DeKalb County and on the county website. Said published summary shall state that a copy of the full report is available from the office of the chief executive. The chief executive shall also send copies of the full report to each branch of the county library. A summary shall also be communicated to the public in a format more easily understood by the general public and shall provide summary information on the top forecasted expenditures that require 80 percent of expected total revenues. The summary information shall also include each Department Director's name, number of employees and number authorized vs. number paid, previous year budget and proposed year budget, and the last two years of actual expenditures (separated by salaries, outside fees and contracts, materials, etc.) The chief executive shall also make financial reports during the year as may be required by the commission.

Commented [MH6]: Elected leaders should be doing a better job of explaining county budgets to taxpayers so that taxpayers are regularly informed and can gain perspective on rate/tax increases and identify county priorities via where tax dollars are being spent.

(j) The chief executive and county manager may recommend, at any time, to the commission for its formal consideration, such measures or proposals as are deemed necessary or desirable to improve the administration of the affairs of the county.

(k) The chief executive shall devote full time to the duties of the office and shall have no other source of employment.

(l) Reserved.

(Acts 1981, p. 4304, § 1; Acts 1983, p. 4547, §§ 2, 3; Acts 1986, p. 4107, § 2; Acts 1988, p. 4740, § 2; Acts 2008, p. 3897, § 3)

Sec. 13A. - Appointments to public office.

- (a) (1) Whenever any other law of this state authorizes or requires a county governing authority, including any such law which refers to a local governing body with the intention of including a county governing authority, to appoint or elect a person to fill a post or vacancy in any public office or as a member of any public authority, board, commission, or other body or agency, such post or vacancy shall be filled as follows:
- (A) The chief executive shall nominate a person by sending a written notice to the commission, and such notice shall specify the post or vacancy to be filled, the date such post or vacancy is to be filled, the qualifications, if any, which must be possessed by a person filling the post or vacancy, and the name of the person nominated by the chief executive;
 - (B) Within twenty (20) days after the date the notice described in subparagraph (A) of this subsection is received, the commission, either at a regular or called meeting, shall confirm or reject the nominee of the chief executive;
 - (C) If the first nominee of the chief executive is rejected by the commission, the chief executive shall make a second nomination in writing to the commission within ten (10) days after the date of such rejection;
 - (D) Within fifteen (15) days after the date the second nomination of the chief executive is received, the commission, either at a regular or called meeting, shall confirm or reject the second nominee of the chief executive; and
 - (E) If the second nominee of the chief executive is rejected by the commission, the commission shall, within fifteen (15) days after the date of such rejection, either at a regular or called meeting, elect a qualified person to fill the post or vacancy without the necessity of a nomination by the chief executive.

(2) When the need to fill a post or vacancy is known by the chief executive at least sixty (60) days in advance of the date on which the post or vacancy should be filled, the chief executive shall initiate the procedures provided by paragraph (1) of this subsection far enough in advance to permit such post or vacancy to be filled at the proper time. In all other cases, the chief executive shall initiate such procedures as soon as practicable, but not more than ninety (90) days after learning of the need to fill the post or vacancy. If vacancies known by the chief executive officer are unfilled ninety (90) days after the date on which the post or vacancy should be filled, the commission shall be allowed to offer nominations for consideration.

- (b) When a law described in subsection (a) of this section authorizes a person elected or appointed to fill a post or vacancy to be removed from office by a county governing authority, such power of removal may be exercised by the affirmative vote of at least four (4) members of the commission, exclusive of the presiding officer, or by the affirmative vote of three (3) members of the commission and the presiding officer. Such power of removal may be exercised by the commission without the concurrence of the chief executive, but the chief executive may recommend such removal to the commission.
- (c) Whenever any other law of this state authorizes or requires the chairman of the board of commissioners of a county or the elected chief executive officer of a county, by whatever name designated, to hold another office or to serve as a member of any public authority, board, commission, or other body or agency, such law shall be construed to grant such authority or apply such requirement to the chief executive.
- (d) Whenever any other law of this state refers, for purposes other than those described in subsection (c) of this section, to the chairman of the board of commissioners of a county or to the elected chief executive officer of a county, by whatever name designated, such law shall be construed to refer to the chief executive.

(Acts 1986, p. 4107, § 3)

Commented [MH7]: Key Questions: How are public citizen boards being appointed, managed, and supported by the Governing Authority? How can this key area of public engagement be improved? We need administrative rules and procedures that are agreed to and followed by the CEO, COO, BOC, Clerk and Appointing Authorities. Someone in county gov. needs to "own" this area of responsibility. A deeper dive is warranted here based on the 2021 review of DeKalb County public boards prepared by the DeKalb Citizens Advocacy Council and sent to the CEO and BOC that led to the Admin. hiring an outside consultant to review all boards. Where is that report? Addressing the timeliness and communication of appointments and appointment opportunities to the public and among the appointing authorities themselves is warranted. There are also some model processes that should be looked at in terms of the ease of public access to board information and board policies and procedures. The City of Atlanta has an entire code section devoted to the operation of public boards. Possible recommendation of the CRC: Create a Public Engagement Commission tasked with exploring among other things this area.

Commented [MH8]: To prevent vacancies from going unfilled for some time

Sec. 14. - ~~Executive assistant~~County Manager; administrators.

- (a) Subject to the qualifications for said office as hereinafter provided in this section, the chief executive shall nominate every four years, and the commission shall confirm, a County Manager. ~~an executive assistant~~. The ~~executive assistant~~County Manager shall be the chief administrative aide to the chief executive and the commission and shall be responsible to the chief executive and the commission for the proper administration of the affairs of the county.
- (b) ~~When directed to do so by the chief executive, the executive assistant may exercise any of the administrative duties and powers vested in the chief executive by law or ordinances, rules, and regulations adopted by the commission.~~
- (c) The ~~executive assistant~~County Manager shall hold a college degree in public administration, political science, urban affairs, business administration, engineering, or a related field and must have at least five (5) years of experience in a supervisory capacity as an employee, director, administrator, or manager of a city or county government or a state or federal agency or equivalent experience in the private sector or any combination thereof.
- (d) No person shall be appointed or hold office as ~~executive assistant to the chief executive~~ County Manager if such person, within two (2) years immediately preceding appointment, has:
 - (1) Been a candidate for elective public office;
 - (2) Been the holder of elective public office; or
 - (3) Held a management position in the political campaign of any candidate for the office of chief executive, or any member of the board of commissioners of DeKalb County.
- (e) After appointment, the ~~executive assistant~~County Manager shall not take part in the management of any political campaign for any elective public office or hold office in any political party or body. If the executive assistant participates in political activities in violation of this subsection, such participation, by operation of law, shall result in the immediate discharge of the executive assistant, and the office of executive assistant shall be vacant.
 - (f) ~~(2) Subject to confirmation by the commission, the County Manager shall appoint the planning director, finance director, and merit system director. No member of the commission or the commission itself shall be authorized to nominate persons for any such position. All three (3) of said officers shall be under the DeKalb County Merit System and, subject to the regulations of said merit system and budgetary limitations, the county manager shall have the authority to fix the compensation of said officials.~~

Commented [MH9]: Is this necessary? Should we be moving toward contracts?

~~Subject to budgetary limitations and DeKalb County Merit System regulations, the county manager shall have exclusive authority to appoint, remove, and fix the compensation of all employees and officials of the county, except employees of the commission, and except that deputies and employees of the elected county officers of DeKalb County shall be subject to appointment, removal, supervision, and control of the respective elective county officers. The compensation of persons filling offices and positions created by state statutes shall be fixed by the county manager within budgetary limitations when such state statutes authorize or require such compensation to be fixed by county governments or by county governing authorities.~~

The ~~chief executive~~County Manager shall also have exclusive power to appoint, remove from office and, within budgetary limitations, fix the compensation of two (2) administrators to assist the County Manager. ~~executive assistant in such manner as the chief executive shall direct.~~

Formatted: list2

~~(g) The County Manager shall hire, direct and supervise department heads and set their salaries in contracts to be approved by the Commission.~~

(Acts 1981, p. 4304, § 1; Acts 1983, p. 4547, § 4)

Sec. 15. - Veto power of chief executive.

- (a) Every ordinance or resolution adopted by the commission shall be signed by the presiding officer of the commission or, in the absence of the presiding officer, the deputy presiding officer shall sign the ordinance or resolution. Such ordinance or resolution shall be certified by the clerk of the commission and presented by said clerk to the office of the chief executive within three (3) business days following its adoption by the commission. The chief executive shall approve or veto the ordinance or resolution within eight (8) business days after its adoption by the commission, and, except as hereinafter provided, no ordinance or resolution shall become effective without the approval of the chief executive.
- (b) If the chief executive vetoes an ordinance or resolution, the chief executive shall return it to the commission within two (2) business days after such veto along with a written statement of the reasons for the veto. If, at the meeting of the commission next held after receiving the vetoed ordinance or resolution, the commission shall again pass the ordinance or resolution by a two-thirds vote of its total membership, such ordinance or resolution shall become effective without the approval of the chief executive. If the chief executive does not approve or veto an ordinance or resolution within eight (8) business days after its adoption by the commission, it shall become effective without the chief executive's approval.
- (c) The chief executive may veto any item or items of any ordinance or resolution making appropriations, and the part or parts vetoed shall not become effective, except as provided by subsection (b) of this section with respect to other ordinances or resolutions. Any part of an ordinance or resolution making appropriations not vetoed by the chief executive shall become effective.
- (d) Nothing in this section shall authorize the chief executive to exercise a veto over any zoning ordinance adopted by the commission pursuant to its authority under paragraph (10) of subsection (a) of section 9 of this act, nor over any rule adopted by the commission pursuant to its authority under paragraph (19) of subsection (a) of section 9 of this act.

(Acts 1981, p. 4304, § 1; Acts 1988, p. 4740, § 3)

Sec. 16. - Comprehensive development plan, _____

- (a) The chief executive shall ~~from time to time~~ present to the commission a long-term comprehensive development plan to be used as a guide for the growth and development of the county, which shall:
 - (1) Consider the present and planned physical, economic and social aspects of the county;
 - (2) Set forth the comprehensive development goals, policies and objectives of the county, its specific geographic areas, communities and neighborhoods and the citizens thereof; and
 - (3) In conformity with such development goals, policies and objectives, identify the general location, character, and extents of streets and thoroughfares, parks, recreation facilities, sites for public buildings and structures, utilities, transportation systems and facilities, housing, community facilities, manufacturing and industrial sites, future land use for all classifications and such other elements, features and policies as will promote the improvement of the county.
- (b) The chief executive officer shall be responsible for the review and revising of the comprehensive development plan in a manner as prescribed by state law and the Board of Commission. In preparing or revising the comprehensive development plan, the chief executive shall seek the views and opinions of citizens of the county and shall establish and publicize formal procedures to obtain such views and opinions. At a minimum, these formal procedures shall include holding public hearings in each Commission district in such manner as the commission shall prescribe by ordinance. The approved Comprehensive Development Plan shall be used as a guide for the preparation of the County's Capital Improvement Program and Capital Budget, both which shall require public hearings to be held as prescribed by Commission ordinance.

Commented [MH10]: With these changes, I am trying to address: (1) More rigorous citizen input and additional education and engagement of the Community Councils, Zoning Board and Planning Commission members with the plans. (2) Inclusion and tie-in of the capital improvement program and capital budget with the development plans, (3) annual updating and communication of the status of the plans, and (4) annual updating and posting of the county's zoning ordinances and maps.

Formatted: Tab stops: 3.25", Centered

C Six-Year Development Plan

Using the Comprehensive Development Plan, Capital Improvement Program, Capital Budget, and any appropriate regional plans as guides, the chief executive officer, within one year of being installed into office, shall also prepare and present to the public and the Commission a six-year plan which shall include proposed capital improvements and economic development plans and general administrative goals, as well as an up-to-date Zoning Map for all properties within the County limits. The public presentation will occur as a combined meeting of the Planning Commission, Zoning Board, and the Community Councils. Approval and adoption of the six-year plan shall occur by a resolution of the Board of Commissioners. The Zoning Map must be posted on the County website.

Formatted: Indent: Left: 0.25", No bullets or numbering

Following the adoption and annual updating of the six-year plan, the Commission shall amend the County's zoning ordinances to conform to the updated development plans in accordance with procedures prescribed by general law. (1973 Ga. Laws 2188, 2214?)

(d) Annual Comprehensive Planning Update Report

At least 100 days prior to the end of the fiscal year, the Chief Executive Officer shall present to the Board of Commissioners an update report on the accomplishments and status of capital improvements and economic development plans and general administrative goals contained in the six-year plan and shall also include variances from the previous update, as well as any amendments to the six-year plan and long-term comprehensive development plan.

(e) Neighborhood Planning Units

Working together the Chief Executive Officer, Board of Commissioners and County Manager shall establish planning units for promoting greater transparency, accountability, and communication on the part of County government and ensure a broader diversity of community members participating in DeKalb County governmental processes.

Formatted: Indent: Left: 0.5", First line: 0"

Commented [MH11]: We know that active NPUs in the City of Atlanta have increased citizen participation in government and provided political leadership to the City. In 2017 approx. 50% of the Atlanta City Council members started in their NPUs. NPUs are used a communication vehicle for two-way communication and can be called upon to suggest citizen representatives to other boards and committees.

(Acts 1981, p. 4304, § 1)

Sec. 17. - Budgeting; control of expenditures.

The chief executive shall submit to the board not later than ~~December 15~~September 30 of each year a proposed budget governing the expenditures of all county funds, including capital outlay and public works projects for the following calendar year. ~~In an election year, if the incumbent chief executive is not reelected, this date may be extended to January 15 of the year to which the budget pertains.~~ The proposed budget submitted to the commission shall be accompanied by a report containing detailed information and data relating to the financial affairs of the county pertinent to arriving at and establishing the annual budget.

Commented [MH12]: The GA Model County Charter indicates that the commissioners are authorized to adopt a purchase order/budget monitoring process for all units of government, including constitutional officers. Do we have a process in place now?

Commented [MH13]: September 30-December 15 = 76 days, if we want to keep with that many days

In November, the Chief Executive Officer and members of the Finance, Audit, and Budget Committee of the Board of Commissioners shall hold at least three evening public meetings to present a budget message that explains the general fiscal policies of the county, the important features of the proposed budget, explanations of major changes recommended for the next fiscal year, a general summary of the proposed budget, a summary of the county's debt position, and other pertinent comments and information.

Commented [MH14]: A "budget message" is included in the Model Georgia County Commission Act. .

The chief executive shall cause to be published in the official organ of DeKalb County and on the website of DeKalb County a copy of the proposed budget along with a notice to the public that a public commission hearing on the proposed budget shall be held at a time and place certain, which time shall be not less than ten (10) days of [from] the publication. At this public hearing the commission shall review the proposed budget. It may adopt the budget as presented by the chief executive or it may make such

amendments thereto as it deems necessary to maintain the county in a sound financial condition. Nothing herein shall prevent the commission from continuing the hearing on the proposed budget from time to time, provided the time and place to which the hearing is continued shall be publicly announced at the previous hearing. However, the final budget shall be approved and adopted by December 15, before March 1, of the year to which it pertains. The final budget shall constitute the commission's appropriations of all funds for such year. The budget may be amended during the calendar year which it covers upon formal action of the commission in a regular meeting, but no increase in appropriations shall be made therein without provision also being made for financing same.

A copy of the final budget adopted shall be posted on the County website and transmitted by the chief executive to the grand jury of DeKalb County Superior Court then in session within ten (10) days of its adoption.

~~Between January 1 and such time as the budget for the county is adopted by the board of commissioners, the director of finance, with the approval of the chief executive, shall be authorized to make such expenditures of county funds as are deemed necessary and proper for the continuing operation of the county any its various departments at the then-currently approved level of service. These expenditures shall not include disbursements for new personnel, new services, new equipment, or other items which could be interpreted as providing additional level of service not previously authorized.~~

No expenditure of county funds shall be made except in accordance with the county budget, or amendments thereto, adopted by the Commission. The chief executive and county manager shall enforce compliance with this requirement by all departments, offices, or agencies of the county government, including elected county officers, with the exception of the tax commissioner, clerk of the superior court, district attorney, and sheriff.

Capital improvements program. The chief executive shall appoint a capital improvements program committee of such number and composition as may be desired to assist in the preparation of a comprehensive capital improvements program for consideration by the board of commissioners as a part of the information submitted to it in the budget review process. Such program should include a comprehensive priority list of county capital facility needs including cost estimates, annual operating budgetary impact and potential revenue sources. The committee's efforts will be supported by the staffs of the planning and finance departments and such other staffs as the chief executive, county manager, and board of commissioners may direct.

(Acts 1981, p. 4304, § 1; Ord. No. 85-17, § I, 7-23-85; Acts 2007, p. 4073, § 1)

Editor's note— The ordinances shown in the left-hand column below may be found in the acts as shown in the right-hand column below:

Ord. No.	Acts
85-17	1986, p. 5704

Commented [MH15]: This is currently in Section 2-113 of Article III Finance. Has it ever been implemented?

Sec. 18. - Purchases; contracts.

- (a) The chief executive, subject to the approval of the commission governing authority shall by and consistent with state statutes establish rules to regulate purchasing for all county departments, offices, and agencies of the county government, with the exception of the tax commissioner, clerk of the superior court, district attorney, and sheriff. Except as hereinafter provided, formal sealed bids, after notice of same has been published one (1) time in the official organ of DeKalb County, must be obtained on all purchases exceeding fifty thousand dollars (\$50,000.00). Purchases exceeding fifty thousand dollars (\$50,000.00) may be made without formal sealed bids from any vendor who, at the time of purchase, has an existing contract or schedule with a county or municipality if such contract was procured by a competitive process, or the State of Georgia or the federal government so long as all such purchases are made pursuant to the price, terms, and conditions of said contract and if the county receives all the benefits of such contract.
- (b) Except for contracts of employment (?), the commission shall authorize all contracts involving the expenditure of county funds in excess of one hundred thousand dollars (\$100,000.00).
- (c) No more than one (1) contract involving the expenditure of county funds during a fiscal year may be made with any vendor without approval of the commission.
- (d) Subdividing a proposed contract which is for an amount above the threshold specified in subsection (a) or (b) of this section into smaller contracts or subcontracts for the purpose of avoiding the requirement of subsection (a) or (b) of this section shall be prohibited and such contracts or subcontracts shall be void ab initio.
- (e) Except for contracts of employment (?), all contracts for purchase shall be published on the county website within thirty (30) days of approval of such contracts.

(Acts 1981, p. 4304, § 1; Ord. No. 01-02, 4-10-01; Ord. No. 12-03, 6-10-03; Acts 2007, p. 4073, § 2; [Acts 1915, p. 3824, § 1](#); [Acts 2016, p. 4219, § 3](#))

ROBERT WITTENSTEIN

Sec. 11 (the old 13) Powers and duties of the Chief Executive Officer.

- (a) The chief executive shall represent the county in intergovernmental matters and shall seek to promote and improve the government of the county and encourage the growth of the county and promote and develop the prosperity and well-being of the citizens of the county.
- (b) The chief executive officer shall preside at meetings of the commission and shall have the following additional duties:
- (1) To convene such special meetings of the commission as are deemed necessary, but all members shall be notified at least three (3) days in advance of any such special meeting;
- (2) To appoint the members and chairpersons of such committees of the commission as the commission, by its rules, may establish and fill vacancies therein, but any such appointments may be rejected by a majority vote of the total membership of the commission;

Commented [MH16]: Pursuant to Org Act Section 10(A)(h) - do all contracts with outside contractors and subcontractors contain a "right to audit" clause and provide for auditor access to the contractors' employees and to all financial and performance related records? Is the approval of contracts entered in the Commission meeting minutes?

Commented [MH17]: The BOC should have a policymaking role here.

(3) To compel the attendance of members at meetings of the commission by subpoena, if necessary, subject to the policy of the commission as established by its rules; and

(4) To exercise such other powers and duties as may be assigned to the chief executive officer by ordinance or

rules and regulations of the commission (e) Subject to confirmation by the commission, the chief executive officer shall nominate persons for the office of county manager. The county manager shall serve at the pleasure of the county commission and may be removed by a vote of a majority of the members of the commission.

(5) Subject to confirmation by the commission, the presiding officer shall nominate persons for the office of county attorney. The county attorney shall serve at the pleasure of the county commission and may be removed by a vote of a majority of the members of the commission.

(c) In the event the position of chief executive officer becomes vacant for any reason, or in the event the chief executive officer is absent for any reason, then the deputy presiding officer shall exercise the powers and duties of the chief executive officer during the absence of the chief executive officer until a successor is elected or a temporary vacancy is resolved.

(d) Sec. 13A. Appointments to public office.

Whenever any other law of this state authorizes or requires a county governing authority, including any such law which refers to a local governing body with the intention of including a county governing authority,

to appoint or elect a person to fill a post or vacancy in any public office or as a member of any public authority, board, commission, or other body or agency, such post or vacancy shall be filled as follows:

(1) The chief executive officer shall nominate a person by sending a written notice to the commission, and such

notice shall specify the post or vacancy to be filled, the date such post or vacancy is to be filled, the qualifications, if any, which must be possessed by a person filling the post or vacancy, and the name of the person nominated by the presiding officer;

(2) Within forty-five (45) days after the date the notice described in subparagraph (c1) of this subsection is

received, the commission, either at a regular or called meeting, shall confirm or reject the nominee of the chief executive;

(3) If the commission fails to act to either confirm or reject the nominee within forty-five (45) days, the appointment will become finalized without a vote of the commission.

(4) Upon the conclusion of the term of service for any appointment, the current appointee may continue to serve and vote as a member of the board or commission on which they serve until their successor has been appointed up to a maximum of sixty (60) days, at which point the appointee whose term has expired will lose voting privileges;

(5) A person appointed to fill a post or vacancy may be removed from office by the affirmative vote of a majority of members of the commission;

Sec. 13. Powers and duties of the county manager.

(a) The county manager shall have the exclusive power to supervise, direct and control the administration of the county government. The county manager shall carry out, execute and enforce all ordinances, policies, rules and regulations of the commission when such ordinances, policies, rules and regulations become effective.

Members of the commission shall deal solely through the county manager or his/her office in all matters concerning the operation, supervision, and administration of the various departments, offices, and agencies of the county government. No member of the commission shall directly or indirectly order, instruct, or otherwise attempt to control the actions of county personnel subject to the administrative and supervisory control of the chief executive. Nothing herein shall be construed to preclude any commissioner from seeking information necessary to the establishment of policy from any person, including any employee of DeKalb County.

(b) Subject to the approval of the commission, the county manager shall have the power to change, consolidate, or abolish any departments, agencies, or offices over which the county manager exercises supervision and control, except that the department of finance shall be maintained at all times as a separate and distinct department and may not be abolished by the county manager or by the commission. Subject to the approval

of the commission, the county manager may create other departments, agencies, and offices, which departments, agencies, and offices, when created, shall be under the supervision and control of the chief

(c)
(1)

(2) Subject to confirmation by the commission, the county manager shall appoint the planning director, finance director, and merit system director. No member of the commission or the commission itself shall be authorized to nominate persons for any such position. All three (3) of said officers shall be under the DeKalb County Merit System and, subject to the regulations of said merit system and budgetary limitations, the county manager shall have the authority to fix the compensation of said officials.

(d) Subject to budgetary limitations and DeKalb County Merit System regulations, the county manager shall have exclusive authority to appoint, remove, and fix the compensation of all employees and officials of the county, except employees of the commission, and except that deputies and employees of the elected county officers of DeKalb County shall be subject to appointment, removal, supervision, and control of the respective elective county officers. The compensation of persons filling offices and positions created by state statutes shall be fixed by the chief executive within budgetary limitations when such state statutes authorize or

require such compensation to be fixed by county governments or by county governing authorities.

(g) The county manager may make recommendations to the independent auditor to investigate the affairs, records and expenditures of the various authorities, boards, councils, commissions, committees, and similar bodies or agencies, whether created by ordinance of the commission or by acts of the General Assembly, relating to the affairs of the county and to report thereon to the commission.

(i) The county manager, within one hundred twenty (120) days after the close of each fiscal year, shall prepare and submit to the commission a complete annual report on the financial affairs and activities of the county for the immediately preceding fiscal year. The annual report shall show all income from all sources, including state, county, and federal funds, and all expenditures. The county manager shall cause a summary of said annual report to be published in the official organ of DeKalb County. Said published summary shall state that a copy of the full report is available from the office of the county manager. The county manager shall also send copies of the full report to each branch of the county library. The county manager shall also make financial reports during the year as may be required by the commission.

(j) The county manager may recommend, at any time, to the commission for its formal consideration, such measures or proposals as are deemed necessary or desirable to improve the administration of the affairs of the county.

(k) The county manager shall devote full time to the duties of the office and shall have no other source of employment.

(l) Reserved.

(Acts 1981, p. 4304, § 1; Acts 1983, p. 4547, §§ 2, 3; Acts 1986, p. 4107, § 2; Acts 1988, p. 4740, § 2; Acts 2008, p. 3897, § 3)

Sec. 14. Comprehensive development plan.

(a) The county manager shall from time to time present to the commission a comprehensive development plan which shall:

- (1) Consider the economic and social aspects of the county;
- (2) Set forth the comprehensive development goals, policies and objectives of the county, its specific geographic areas, communities and neighborhoods and the citizens thereof; and
- (3) In conformity with such development goals, policies and objectives, identify parks, recreation facilities, sites for public buildings and structures, utilities, transportation systems and facilities, housing,

community facilities, manufacturing and industrial sites, future land use for all classifications and such other elements, features and policies as will promote the improvement of the county.

(b) In preparing or revising the comprehensive development plan, the county manger shall seek the views and opinions of citizens of the county and shall establish and publicize formal procedures to obtain such views and opinions.

(Acts 1981, p. 4304, § 1)

Sec. 17. Budgeting; control of expenditures.

The county manger shall submit to the board not later than October 1 of each year a proposed budget governing the expenditures of all county funds, including capital outlay and public works projects for the following

calendar year. The proposed budget submitted to the commission shall be accompanied by a report containing information and data relating to the financial affairs of the county pertinent to arriving at and establishing the annual budget.

The county manger shall cause to be published in the official organ of DeKalb County a copy of the proposed budget along with a notice to the public that a public hearing on the proposed budget shall be held at a time and place certain, which time shall be not less than ten (10) days of [from] the publication. At this public hearing the commission shall review the proposed budget. It may adopt the budget as presented by the county manager or it may make such amendments thereto as it deems necessary to maintain the county in a sound financial condition.

Nothing herein shall prevent the commission from continuing the hearing on the proposed budget from time to time, provided the time and place to which the hearing is continued shall be publicly announced at the previous hearing. However, the final budget shall be approved and adopted before December 15 prior to the start of the fiscal year to which it pertains.

In the event that the county commission fails to approve a budget by December 15, the budget presented by the county manager shall be automatically adopted until a budget revision is approved by the county commission.

The final budget shall constitute the commission's appropriations of all funds for such year. The budget may be amended during the calendar year which it covers upon formal action of the commission in a regular meeting, but no increase in appropriations shall be made therein without provision also being made for financing same.

A copy of the final budget adopted shall be transmitted by the county manager to the grand jury of DeKalb

County Superior Court then in session within ten (10) days of its adoption.
No expenditure of county funds shall be made except in accordance with the county budget, or amendments thereto, adopted by the Commission. The county manager shall enforce compliance with this requirement by all departments, offices, or agencies of the county government, including elected county officers, with the exception of the tax commissioner, clerk of the superior court, district attorney, and sheriff.
(Acts 1981, p. 4304, § 1; Ord. No. 85-17, § 1, 7-23-85; Acts 2007, p. 4073, § 1)
Sec. 18. Purchases; contracts.
(a) The county manager shall draft and submit, subject to the approval of the commission, rules to regulate purchasing for all county departments, offices, and agencies of the county government, with the exception of the tax commissioner, clerk of the superior court, district attorney, and sheriff. Except as hereinafter provided, formal sealed bids, after notice of same has been published one (1) time in the official organ of DeKalb County, must be obtained on all purchases exceeding fifty thousand dollars (\$50,000.00). Purchases exceeding fifty thousand dollars (\$50,000.00) may be made without formal sealed bids from any vendor who, at the time of purchase, has an existing contract or schedule with a county or municipality if such contract was procured by a competitive process, or the State of Georgia or the federal government so long as all such purchases are made pursuant to the price, terms, and conditions of said contract and if the county receives all the benefits of such contract.
(b) Except for contracts of employment, the commission shall authorize all contracts involving the expenditure of county funds in excess of one hundred thousand dollars (\$100,000.00).
(c) No more than one (1) contract involving the expenditure of county funds during a fiscal year may be made with any vendor without approval of the commission.
(d) Subdividing a proposed contract which is for an amount above the threshold specified in subsection (a) or (b) of this section into smaller contracts or subcontracts for the purpose of avoiding the requirement of subsection (a) or (b) of this section shall be prohibited and such contracts or subcontracts shall be void ab initio.
(e) Except for contracts of employment, all contracts for purchase shall be published on the county website within thirty (30) days of approval of such contracts.

