

DEKALB COUNTY CHARTER REVIEW COMMISSION

March 29, 2023

In Person Meeting

Manuel J. Maloof Center

SUMMARY

I. CALL TO ORDER – 6:05 p.m.

II. ROLL CALL

Steve Henson, Chairman

Virginia Harris, Vice Chairwoman

Claudette Leak

Mary Hinkel

Lance Hammonds

Susan Neugent

Clara DeLay

Jim Grubiak

Dwight Thomas

John Turner

ABSENT:

Dr. Gerald Austin Sr.

Karen Bennett

Bobbie Sanford

Vickie Turner

Robert Wittenstein

Ex-Officio Representative Karla Drenner

Ex-Officio Senator Emanuel Jones

STAFF:

Zachary Williams, Chief Operating Officer

Representatives of the Carl Vinson Institute

III. MINUTES – Minutes from the March 9, 2023 meeting are not yet available. They will be voted on at the April 13, 2023 meeting.

- IV. INTRODUCTION and PRESENTATIONS of INVITED GUESTS
Panel discussion and Q&A featuring Dr. John Eaves, former Fulton County Chair; Charlotte Nash, former Gwinnett County Chair; and Zach Williams, DeKalb COO.
- V. REPORT FROM THE CHAIR: Referenced working with the Carl Vinson Institute to develop a future work plan.
- VI. UNFINISHED BUSINESS: None
- VII. NEW BUSINESS:
The Chair distributed a draft work plan and future schedule for the Commission's consideration. Further discussion about this will occur at the April 13 meeting.
- VIII. REMARKS OF INTERESTED CITIZENS/PUBLIC COMMENT
Steve Binney
John Frayse (sp?), Kings Road communities
Andrew Bell, Restore DeKalb
Willie Freeman
Kathie Gannon
Joel Edwards
Angela Patrick
Sandra Holmes, Restore DeKalb
- XI. NEXT MEETING DISCUSSION & ADJOURNMENT:
The next meeting will be Thursday, April 13 in person at the Maloof Auditorium beginning at 6:00 p.m.

The Commission adjourned at 8:25 p.m.

DEKALB COUNTY CHARTER REVIEW

MALOOF AUDITORIUM

MARCH 29, 2023

I. CALL TO ORDER – 6:09 P.M.

II. ROLL CALL

Steve Henson, Chairman
Virginia Harris, Vice Chairwoman
Mary Hinkel
Claudette Leak
Lance Hammonds
Susan Neugent
John Turner
Clara DeLay
Jim Grubiak
Dwight Thomas

ABSENT:

Dr. Gerald Austin
Robert Wittenstein
Bobbie Sanford
Vickie Turner
Karen Bennett
Ex-Officio Senator Emanuel Jones
Ex-Officio Representative Karla Drenner

GUESTS:

Dr. John Eaves, Former Fulton County Chairman
Ms. Charlotte Nash, Former Gwinnett County Commission Chair
COO Zachary Williams, DeKalb County Chief Operating Officer

III. MINUTES:

There were no draft minutes ready to review at this meeting. The minutes from the March 9 meeting will be reviewed and approved at our next meeting.

IV. INTRODUCTION OF GUESTS

Chairman Steve Henson introduced the two invited esteemed political leaders and experienced county government leaders, including Ms. Nash, who actually was County Manager in besides being a County Chair. He asked Dr. Eaves to share a little bit about himself.

Dr. Eaves stated that it was a pleasure to be here with his former peer, Chairwoman Charlotte Nash and of course Zach Williams who is here at DeKalb. He stated that he served as Chairman of Fulton County for 11 years and prior to that he had a good record of professional involvement and engagement. "I am a Morehouse man. I went to Yale University for my masters, studied religion here and then ultimately got my PhD from the University of South Carolina. After years of administrative work in higher education at various colleges and universities, I served in the Peace Corps for seven years. While doing great work in Africa, southeastern Asia and South America, I decided that there was a lot of need around the world but there is also great work to be done in my own backyard. At that point, I decided to go into politics and ran for the Chairman of the county government in 2006. I served three years and was very fortunate to have accomplished a lot of good things with a lot of collaboration with cities as well as our commission and our constituency."

Chairman Steve Henson then introduced Chairwoman Nash, former Chair of Gwinnett.

Former Chairwoman Nash thanked him for the opportunity to come before this Board. "I started off as a staff person in Gwinnett County in 1977 in the Finance Department and served for ten years as the director of finance, chief financial officer for Gwinnett County and then County Administrator. It was the title we used but that position in Gwinnett has all the powers that you would expect a county manager to have. One of my former colleagues is here tonight, Virginia Harris. I retired the first time as a staff person at the end of 2004, and began consulting with a number of other local governments in the state of Georgia. So, I got a taste of how local government is done outside of Gwinnett County. My predecessor as Commission Chair resigned before his term ended and I was asked to run for Commission Chair. Ultimately, I did and finished out his term and then two more terms as Commission Chair. Just a bit about Gwinnett County, when I went to work in 1977 the population was a little less than 80,000 and when I left at the end of 2020 it was over 900,000. There are 16 cities wholly or partially within Gwinnett County. Most of the County is still unincorporated. 70 percent or so of the population lives in the areas that are still unincorporated Gwinnett County. Gwinnett County also provides most of the municipal style services on a county-wide basis or just about a county-wide basis That will give you a little bit of context for some of my answers to you tonight.

Chairman Steve Henson - We also have Zach Williams – DeKalb County Executive Assistant or COO. He is basically the County Manager and worked in Fulton County before. Anything you want to add?

Zach Williams – I am honored to just sit among them.

Chairman Steve Henson – One reason I have him up front too, is so that when you do ask questions, sometimes it will be good as they talk about Gwinnett and Fulton just to compare how that works. As a legislature, when we had bills before us in the past and some referred to county manager, we always had to remind ourselves that we do have someone to fill that role who was a county manager in Florida and Fulton County and does much of the managerial work as well in DeKalb.

Chairman Steve Henson – Asked Chairwoman if she would open up with a little bit about her role in County government.

Chairwoman Nash –If you looked at Gwinnett County’s enabling legislation, you would be amazed at how many things are worded there similarly to what is in the DeKalb enabling legislation. The sections related to the CEO are different, but we still operate under that was passed in 1968, and the first commissioners took office in 1969. I suspect Senator Mason, who sponsored the enabling legislation, copied DeKalb County’s enabling legislation- the Organizational Act. There’s been some divergence over time. The big difference can be summed up in the definition of what the commission is. In Gwinnett County, the Chairman is specifically noted as a member of the commission. With the CEO structure that is a little bit different. The County Manager actually had the Executive Assistant title in Gwinnett. But the individual who took that position was Wayne Shackelford. We had no doubt about the power that Wayne Shackelford had to manage Gwinnett. It really didn’t matter what his title was. He had a lot of power to handle things from an administrative standpoint. I mention that because that individual and his approach to things helped set the culture in Gwinnett for the good I believe in most cases. What I have learned in the 40 plus years of my work with local government is that people who want to make a system work will make any structure work. People who don’t, can mess up even the best. In terms of the County Manager, the approach that I took to it, I was named county administrator during the time that Wayne Hill was commission chair. There were strong district commissioners in the case of Gwinnett. All five commissioners or four district commissioners and the chair are elected county wide. All five had a say. They had to vote on the naming of the County administrator. It was very clear that I was going to be reporting to all five of them.

From a staff standpoint, there’s a lot of pressure associated with that. No matter what you call the chief administrative officer, that person tends to focus on the internal operations - the administrative functions, making sure that department directors are doing their jobs, setting the culture at the staff level, working through those kinds of issues, and, essentially, trying to turn the policy that has been set by the elected body into reality. Sometimes you beg them not to do things, quite honestly, because you know that there are some issues that perhaps haven’t been thought through. When I switched over to the other side, as I call it, I found out being an elected official is actually different. I’ve had to eat my words. It’s different when you know you’re facing the voters on a constant basis. It is not an easy thing to do. Gwinnett County has changed so drastically and is considered the most diverse county in the southeastern United States. Over 25 percent of our population was born outside the United States. During my time as Commission Chair that was one of the big issues. So, as Commission Chair, I was definitely focused on the community and the external facing aspect. I counted on Glen Stevens, who is still the administrator in Gwinnett County, to make sure things were going well inside. The chair of the commission is actually charged with maintaining liaisons with all the other elected officials: the cities, the federal and state agencies, all these kinds. That in and of itself could have been a full-time job.

I probably got a little bit over the line by trying to dabble a little bit too much in the administrative stuff. That is not totally comfortable; however, we figure out ways to make it work.

That is kind of one of the dividing things I think that I see in most organizations, particularly large county governments is the elected person is spending a lot of their time focused externally and the staff person, the chief administrative officer, is focused internally.

Chairman Steve Henson - Dr. Eaves.

Dr. John Eaves – Well said by Chair Nash. One of the things that she said that struck me is “there’s no perfect form of government.” The individual that wants to make it work will make it work. It’s just the gradual accumulation of good people and management that make it work and make it better. Also, in Fulton, we had quantitative data in terms of customer service, perception of our government, and our efficiency rose mostly because of the governance and the county management administration. It was just the people that were there and so I think that was important. There were a few differential things about Gwinnett and Fulton that I think are important. We do have a strong county manager form of government. Zach served for about three or four years. That is by design to allow for a professional like him to run the administrative aspect of government, as Charlotte Nash pointed out. I have a lot of varied experiences professionally. I probably could have managed the county to a certain degree, but couldn’t touch Zach, you know. So, we were empowered as commissioners to hire the County Manager. In fact, we only had three direct reports: The County Manager, the County Attorney, and the County Clerk. The Commission, outside of that, was only responsible for providing governance, policy development, approval of the budget, and oversight. The manager really ran the day-to-day operation as Charlotte Nash pointed out. That was his or her responsibility. That person was hired as a professional. We held him or her accountable. We evaluated that person. We rewarded that person. We removed that person based on his or her performance. But it was up to the County Manager to run the County. I have a short anecdotal story similar to Charlotte. After having served for several years and starting to begin to see my chest swell a little bit in terms of being Chairman, I decided to test our County Manager. I said, you ought to hire such and such a person. And he said: “Respectfully, Mr. Chairman, that is my responsibility.” And so that was the dividing line. I could be a part of the hiring process of him, but it was his responsibility to hire and oversee the whole process of the 4500-employee base. So as Chair, we have specific responsibilities. The Chair was the presider of meetings, could convene meetings, could call meetings, sign official documents on behalf of the county, contracts, et cetera, act as the official spokesperson. Whenever there was something good or bad that happened at the county under our jurisdiction, it was my responsibility to be the face. And I took the heat, and I took the praise, even if I didn’t deserve it. I was also part of what’s called the budget commission. They prepared the budget. We had close to a billion-dollar budget and then a \$900,000+ general operational budget. The County Manager did a lot with the county finance director to prepare the budget, but I was on the budget commission. I chaired the meeting and I was one of the three votes on that board in terms of preparing the budget and presenting it to the board of commissioners. When the Board of Commissioners approved the budget, I was only one of seven votes. The power of the Chair was being able to rely on your own soft skills as a leader to bring about collaboration and coordination despite the partisan and racial dynamics that were present in Fulton County and that may be to a certain degree present here in DeKalb. I just had to find four votes and

I couldn't do it as a super majority, black majority, or super democratic majority. I had to get Republican and white support for anything we did. It was important for me to really galvanize and work together and get people to see the common denominator. The County manager oversaw the employee base. In fact, the last county manager I worked with, I said, let me handle the politics. You handle the employees. I found that to be the best formula or best mixture. I just handled the politics, interacting with the community, interacted with my board and that was the limit of my responsibility, but I found that was the best of what I could do for our constituents. I want to reiterate what Charlotte Nash said, No matter what form of government you have and there could be some that may be a little bit better than others, but at the end of the day, you just have to have good, dedicated leadership that's really there for the hearts of the people and strive towards working together. That's the only way that this thing can really work in a optimal way.

Chairman Steve Henson – Zach, we are going to open it up to questions for these two. Would you like to make any comments?

Zachary Williams – Chief Operating Officer – To sit here with Dr. Eaves and Chair Nash is an honor. When I first came to Georgia about 15 ½ years ago, one of the first people I met and I had the distinguished or the distinct honor of meeting with was Charlotte Nash who was the County Administrator at the time in Gwinnett County. I also had the opportunity to interview with or be interviewed by Dr. Eaves, and have him extend the offer for me to leave Broward County as the Assistant County Administrator at the time and become the Fulton County Manager. I would like to just reemphasize something that Dr. Eaves and Charlotte said, you need a professionally trained administrator who focuses on the internal. You can call that person whatever you would like to call that person. Dr. Eaves and the other commissioners in Fulton would focus on expanding the brand and actually building our credibility. I recall, for example, Dr. Eaves, in Fulton County going through the great recession without laying off employees and all those things because that was a tone set by Dr. Eaves and his colleagues that we are going to be known for caring and we're going to care. So, we actually built senior centers and things like that because that was important to them and they allowed myself and the rest of the team to make it happen. So, you know the distinction of roles and having your professional administrator, call it executive assistant, COO, or what have you, focus on the internal makes a world of difference. Thank you.

Chairman Steve Henson – Thank you. Any Questions? Lance Hammonds

Commissioner Hammonds – Were there times when you felt that you were handcuffed and there was a better way to do things? Were there any limiting factors that you found in your form of government that if you had a magic wand, you would say, I'm going to improve my system this way?

Chair Nash – As commission Chair, I'll be honest, I used to joke – I think there are still eight sole commissioners in the state of Georgia. I joked that that's what I wanted to be when I grew up. It can be frustrating. I don't know about you all but I don't agree with my husband of 50 years every day. In fact, we disagree on a daily basis. We see things differently. And there are good things that have come out of our marriage no matter how painful it was. Constantly trying to find ways to compromise, having to work for the votes as Dr. Eaves

mentioned, that can get frustrating sometimes when you think you see so clearly where it needs to be. However, one of the members that you're frustrated with suddenly says something and you say Oh my God. I didn't think of that. So that's part of the governing commission.

Chairman Steve Henson – Were you part time or full-time as Chair

Chair Nash – Full time and the others were part time.

Chairman Steve Henson – Dr. Eaves did you have something that you think could be changed that could have been better in your role as Chair>

Dr. John Eaves – Yes. I oversaw 1.1 million residents, compared to other counties but I was only part time. Got paid \$47,000 a year. But there was full-time expectation. I was on 15 Boards by nature of my chairman role. I had to convene and be present at every meeting. Constituents didn't want to hear that I was part time. If they called, they wanted an answer. If they had a meeting, they wanted me to attend. And so it was definitely a full time called position with part-time pay. I would say the other challenging part of it was similar to what Chairwoman Nash pointed out is sort of herding the cats. That's a metaphor in terms of trying to get everyone on the same page and managing the meetings, the board meetings and the strong personalities, that was very difficult. There were times that I envied the power of the CEO where he or she might be able to make some decisions without necessarily getting the support of the Board. I could not do anything unilaterally. It was always speaking on behalf of the official policy decisions or decisions made by the board. So I was one of seven votes. I had to get three other votes and that was my power. Power was not delegated to me in an executive way other than the legislative process.

Chairman Steve Henson – You mentioned the budget. You were on a budget committee, one of three, and then they referred the budget to others. You had to get four votes to pass the budget. In our case, the CEO meets with the staff and pretty much establishes a budget. You still have to have a collaborative. You have to get the commissioners to support you either way. Was that difficult being a part-time person, even though you really put your life into it and you worked full-time, developing that budget like that?

Dr. John Eaves – It could have been harder. I think this is one of the strengths of a county manager who is trustworthy. A lot of the budget development was in the hands of the manager and the finance director. The Chair was a part of the process. A lot of heavy liftig was done by the manager. The legislative process of approving the budget did fall mostly on me. The crowning achievement was towards the end of my tenure getting a 7-0 vote. That came with a lot of development and utilization of my own soft skills as well as the manager and team who helped develop a good budget.

Chairman Steve Henson – Madam Vice Chair.

Madam Vice Chair Harris - I know both the County Manager and County Administrator positions are responsible for all the internal operations. Was there ever a time either of you could make any procedural changes to the budget process or the purchasing processes without the board approval?

Dr. John Eaves – No, by policy it took 4 votes. No matter how much I wanted to pound the chest as chair, I could not legally change the budget or anything without the board doing it. There was then a process. For me In the Chair position, it was frustrating. It meant that I had to work harder to achieve whatever was of benefit for the public.

Chairwoman Nash – In Gwinnett, its actually the chair that has the responsibility for preparing the budget and presenting it to the district commissioners. So, it's a little bit different, it sounds like, from having a three-member commission. That was obviously, my bailiwick. Coming out of being CFO, I was very comfortable with the budget process. I depended on the staff. You can't deal with a \$2 billion budget as a single elected official. I spoke individually with each Commissioner before we started the budget process to get an idea of what kind of priorities they had. We also had a planning session a few months before the budget process was adopted. As Chair, I made the decision that I would involve members of the community. I actually used five to seven members from the public on our budget review team. The Chair also had the responsibility for making sure that everybody stayed within their budget. There were no exclusions from that. I had a Superior Court judge issue a court order because I wouldn't approve a desk for him. I said nope.

Chairman Steve Henson – What latitude did you have or the county manager have if changes need to be made without going back to the commission?

Chairwoman Nash – We actually granted latitude to department directors to move money around within their budget up to a certain amount. The County Administrator has some authorization to approve it. The budget document itself gave a bottom-line figure to each department. It took board action to change the total that was appropriated for each department.

Chairman Steve Henson – Staffing – If staffing went down and they wanted to give people a little raise in one little section, the director of that department could do that.

Chairwoman Nash – They couldn't touch personnel without going through the regular process.

Chairman Steve Henson – In DeKalb, Mr. Williams, is that something they would have to get your and the CEO's approval of if the department –

COO Williams – Yes. So, the county commission adopts the CEO-recommended budget. They can make whatever amendments. But once that budget is adopted, it's adopted at the department level. So within the department there is the ability to move funds around as long as you're not adding to the personnel line. If you increase your personnel allotment, the amount of money for the personnel, then only the Board can approve that. If you wanted to take things from contracted services and put them into training to get extra money or something like that, that can be done, but that still – that requires my signature.

Chairwoman Nash – The question about purchasing. I don't think I answered that. The purchasing ordinance lays out different levels of authority that can be handled at the department level and the process is lined out very specifically. That is adopted by the entire commission. Not by the Chair alone or the County Manager.

Chairman Steve Henson – Ms. Neugent?

Commissioner Neugent – I've been diverted by what you just said. So there's a purchasing ordinance?

Chairwoman Nash – Yes

Commissioner Neugent – In Gwinnett?

Chairwoman Nash – Yes

Commissioner Neugent – Tell us a little bit about that.

Chairwoman Nash – It lays out the procedure for certain dollar figures. You know, a small amount of money, it may be ok. It may be ok to take phone quotes on it. You may take informal quotes for another dollar figure. But then bigger dollar figures take a full-blown bid process or if its professional services, RFP process. But it's really lined out in terms of levels, how the different process. And any kind of purchase over \$100,000 has to come to the board for action. Commissioner Eaves?

Dr. John Eaves – We are very similar. So, the County Manager had authority. I can't remember the exact amount. It may have been \$50,000 or some amount. Anything above that had to get board approval. In terms of the board, we were not involved in the procurement process until the end when it was presented to us and we voted up or down or we deferred it until the next board meeting for potential action. But we were not involved with that process at all until the end.

Commissioner Neugent – In DeKalb, we have a finance department, we have audit function inside the finance department, we have an independent internal audit office and separate board for that. In our last meeting, we talked about the SPLOST funds and various other special funds that are developed and how those are managed, organized, reported, that sort of thing. I'm interested in finding out if both Gwinnett and Fulton if the same things exist there how were they organized. Is there sort of a central function for that or are they more dispersed?

Dr. John Eaves – The county manager was the chief administrator and the Commission based on the Fulton County side, we relied heavily on the finance director in terms of his or her own opinion, his or her own management and financial skills. In fact, he and she sat prominently in our board meeting along with the county manager. That individual reported to the county manager. Even though he or she reported to the county manager, we still elicited his opinion, his expertise, and relied heavily on it. But the manager oversaw that. The Commission – ultimately, we couldn't really do anything with the finance director unless we went to the manager.

Chairman Steve Henson – Mr. Williams, do you have any comments?

COO Williams – Yes, I think Dr. Eaves hit the nail on the head. The functions are very similar in Fulton and DeKalb in terms of the responsibilities of the finance department, the role of the CFO. I believe the CFO is actually one of the few positions that is a CEO nomination and

board confirmation position, which shows the importance of that type of function. But having worked in both operations they are very similar. As it relates to the purchasing policy, it is very similar to what Chairwoman Nash described is how it operates here as well. You then have State Law that guides a lot of that especially as it related to construction.

Chairwoman Nash- In Gwinnett, the finance director reports to the county administrator. There is a lot of interaction between the elected officials and the CFO because there's just so much related to finance. It's part of every decision in many ways. There's the chief administrator officer, there's an attorney, and there's the finance officer. Those folks get involved in most aspects of what's going on with the county government. The Chief Administrative Officer and the internal auditor have to work together on a lot of things. It's a little closer from an administrative standpoint. When you have part-time commissioners, they're not there to be in the middle of a lot of those kinds of decisions that have to be made.

Dr. John Eaves – We had a similar evolution in terms of the role of the auditor where ultimately the auditor was reporting to the board. We empowered that individual to report to us, to work more independently outside of even the county manager's office. And perhaps if I'd stayed there longer, we may have actually gone a little bit higher to something like what's called an IG.

Chair Nash – Inspector General.

Dr. John Eaves – Almost potentially getting into the ethics aspect or even potentially, if we could do it, be a little bit of a check on the board of commissioners. But we never – it was just an idea that I had and never could act on it because I moved on. We saw the need for it.

Chairman Steve Henson – I think that's some of the issues with our county ethics, we have an independent Board.

Commissioner Leak – Dr. Eaves, I was interested when you said that you had been able to measure the customer satisfaction level. And I would be curious on how you engaged the public. I was interested in the fact that you included the public in the budget meetings. What did you do to determine that you had increased customer satisfaction and how did you engage the taxpayers, because that's the bottom line, taxpayers in your processes and boards and those kinds of things?

Dr. John Eaves – Yes. I'm not sure if this was when you were there Zach, or not, but we began to put a lot of emphasis on customer service because we recognize as a government in 2006, 2007, that Fulton County was not the poster child of good government in metro Atlanta or the state of Georgia. We just had a bad reputation and so we wanted to promote civility and efficiency. We wanted to make sure our board meetings became civil. We wanted to make sure that there was less infighting. We wanted to have greater training of your staff and accountability of our staff and the professionalism of our staff. Over time we had benchmarks. We had KPI's. As a board, we became more business oriented in terms of identifying goals. So we began to evolve as a county government and the governance of the county began to evolve as well. And so we decided to benchmark where we were in terms

of perceptions. Not only did we see our perception change over time in terms of performance – I think it was like 75 percent favorable opinion of Fulton County based on our data collection, but even the National Association of Counties which is the professional umbrella organization like the League of Cities, they gave us an award for how we had changed as a county government. Now on the flip side in terms of the public participation and I know Zach can certainly vouch for that – we had a billion plus dollar budget and we would have a public meeting in every district across the county and maybe 15 people would show up for it. Despite all we did to let people know how important it was, they were not necessarily present in large volumes.

Chairwoman Nash – At the staff level, we have a fairly robust use of key indicators and set goals. Each department director has goals that are set for the department as a whole. The county administrator has responsibility for evaluating the process on an ongoing basis, and that becomes a part of the evaluation process for department directors. From the standpoint of external evaluations, periodically, external firms have been retained to do the type of thing that Dr. Eaves was talking about of assessing what the public's impression is of the service they were receiving from Gwinnett County. Depending upon what is going on, it's amazing what kind of impact that can have on people's impression of the government as a whole. Trash was one of my big issues in Gwinnett because nobody was happy with their solid waste. We had private firms doing that and it was a rocky transition to those private firms a short while before I took over of Chair. On the budget process, one of the things we had the same kind of problem with folks not showing up for the hearings that we might have on the budget. Each department director and each elected official did a presentation to the review committee. Those were filmed and placed on the website. The district commissioners could go to those videos and see what the presentation from the department director was on that budget as they were reviewing the budget request.

Chairman Steve Henson – Zach, do we do any polls? Do you do anything to try to get the gauge or poll a reaction on how DeKalb's doing?

COO Williams – I can't think of a poll. We may have done some for specific areas or focus.

Commissioner John Turner – This is a little hypothetical. Are there any areas where you as Chief Elected official think that the CEO structure has either benefits or liabilities in performing that roll as the outward facing and knowing that the county manager – the Chief executive officer has run the internals. But in terms of your specific role, that the CEO has a benefit or a liability compared to the structure you worked in?

Dr. John Eaves – I would call commissioners in the evening and make sure – understand where people were in terms of voting, particularly on the hot button issues. They were - Grady Hospital and I would have to call and get a sense of who was going to be supportive of this. It was a lot of pressure on me and a lot of work on me as Chair to move an agenda forward. The CEO may not have to work quite as hard to really galvanize and reach out to commissioners like I did. The upside was that in spite of the effort, the outcome was generally probably best for everybody. That four people – particularly if it was a bi-partisan, multi-racial coalition - it was just a good look for everybody for at least four of us to be on board.

Chair Nash – The one thing that I can't imagine is not being the presiding officer of the commission meetings. I could make motions and second motions at the business meeting. I mean having another presiding officer and being sort of removed from that, I think that makes it more difficult. The structure is one thing. One chair – a previous chair of the commission in Fulton County may have taken a very different approach and not had that kind of conversation. Different people with different personalities bring different approaches to it. At times, even as chief administrative officer, I found myself mediating differences among commissioners. It's a matter of people figuring out what it takes to make things work.

Commissioner Hinkel – I wanted to ask about the county manager's role in hiring and firing staff and department heads. Were they hired or fired by the County Manager?

Dr. John Eaves – Yes, the board only supervises three and then ultimately four people: the County Manager, the County Attorney, the Clerk to the Commission, and the Auditor. The County Manager was the administrator of the department heads and so that individual was empowered to hire and fire. Out of courtesy, the county manager would inform us that he or she was going to take that action or had taken that action. Ultimately it was his responsibility.

Chairwoman Nash – Very similarly, the county administrator had responsibility for hiring and firing. It's not in the enabling legislation. It's in his contract.

Commissioner Hinkel – Mr. Williams, do you have that kind of power in DeKalb?

COO Williams – It's delegated power from the CEO. It's the CEO's enumerated power, but I do have that ability. There will always be a conference with the CEO before taking any action like that.

Commissioner Grubiak – So the authority to hire and fire has been delegated to you by the CEO, I think you said?

COO Williams – Well, there's not a written delegation. But, you know, in managing the enterprise on a daily basis, if there were a department head and it's really the department heads we're talking about as they all report to me, if I felt the need to make that decision, it would be a conversation with the CEO and get his okay. Yes, I feel comfortable that I would be able to do that.

Commissioner Grubiak – So it's not like officially delegated?

COO Williams – No. It's not in my contract.

Commissioner Leak – You mentioned a contract for the county manager and our COO, executive assistant, is under contract as well. Did you have any other department heads that were under contract because in DeKalb, the majority of department heads come under the Merit System. If there are any issues with that department head, you've got to go through an HR process. So, I'm just curious if you had any positions that were contract rather than under an HR merit or non-merit position?

Chairwoman Nash – All department directors in Gwinnett County are under contract. They are not part of the merit-system.

Dr. John Eaves – I don't remember. I've been out for seven years; I just don't remember.

Chairman Steve Henson – Mr. Williams.

COO Williams – In Fulton, they served at will, the department heads. I don't recall them having a contract. I remember myself, the attorney and Mark.

Chairman Steve Henson – In DeKalb, the sanitation department head doesn't have a contract?

COO Williams – No.

Commissioner Neugent – It's been at least proposed in a general fashion that maybe as this commission is looking at the structure of DeKalb government that we discontinue the at-large or the super district commissioners that we have. I would love to hear the pros and cons of having broader districts, singular districts, more districts, no super districts, all of that, sort of what are the pros and cons of having broader districts, etc. What benefit would accrue to the citizens of DeKalb if we made changes or what disbenefits?

Chairwoman Nash – One of the things that I think that we have to guard against and most local governments experience this when they have geographically based districts is that sometimes commissioners can get too focused on their own district and not see as much of the broader county needs, particularly when there's differences in different geographic areas of the county. So, from that perspective, the super district, I think that's probably one of the intents of it is to give those two individuals a broader slice of the county so that they're looking at things from a broader standpoint. We were fortunate for the most part in Gwinnett that the district commissioners were not strictly focused on their districts. They were looking at the needs of the county more broadly than that.

Dr. John Eaves – The district commissioner setup is good in terms of that commissioner is the undeniable unmovable, defender of his or her district. The downside is they're narrowly focused and they don't necessarily think about some other district – it's our gain at your loss. The pressure on me was how do I patch this up. However, we did have a super district for several years until the legislature abolished it. So, we had a District 2 commissioner who was also county wide. I truly tried to govern the whole county. It was harder to work with six districts, and me as chair than it was five districts and two super – county-wide people. It was harder than it was before, but we made it work. It should have been easier because you had two people who had a county-wide view of things.

Commissioner Grubiak – I just want to go back to the point about the department heads being on a contract. Would you kind of elaborate on that? Why would a county prefer to do that rather than have department heads or other key staff merit system protected.

Chairwoman Nash – The merit system was not going to accommodate the salaries that we needed to pay to attract the right kind of talent. It's a very pragmatic reason. The other aspect – there was so much pressure on getting things done. If somebody wasn't

performing, there needed to be a mechanism where they were treated fairly as they go out the door but it was my decision for it to go that direction since I was the one reporting to the commissioners in terms of whether we were getting things done.

Dr. John Eaves – We had a merit system. We discovered as commissioners, as policy makers that there were wide variances of pay. I think it was called a pay study and we found that there were wide ranges of pay within the departmental ranks and maybe even the rank and file. So, we invested the money into the pay equity study. We then made a decision as a board to pay competitively and sort of recalibrate the pay. The model was the best that we could. We had the manager, the attorney, and the clerk under contract.

Chairman Steve Henson – Zach, do you think there's any great burden on firing bad people at any level of government, especially the upper levels, but also rank and file? Are you able to act effectively to make sure we have employees that are doing their job?

COO Williams – I think we are. It's not much of a challenge, if it's necessary, it happens.

Chairman Steve Henson – We deeply appreciate you taking the time and leaving your home and your families to be with us tonight. Dr. Eaves, could you just give us a word of wisdom, a good farewell.

Dr. John Eaves – I applaud you for the time and effort and commitment that you're making in the original charge that CEO Thurmond made in terms of having this committee. I think that it's always good to reassess the structure of government. Fulton's population has changed, maybe not as big of a change as Gwinnett, but it's now almost a fully municipalized county. Probably one of the only in the state of Georgia where almost every inch of the county is accounted for by a city. So, the county has made some adjustments to that reality. Most of it has been budget and to a certain degree personnel, but not in terms of governance. That was the Georgia legislature that forced that. So, I think that the internal effort that you're doing to review DeKalb County is actually a good thing. I would encourage you to continue doing your due diligence, do a comparison of what our perspectives offer to you. I will say that the CEO model in Georgia, of the 159, it's the only one. I don't see anything wrong with tweaking what's in place.

Chairwoman Nash – You all have taken on a big task. I suspect by this time you've met enough and talked enough and hard enough to know that's the case. It's not easy to figure out what you think is going to work for the community in the future. It is so important the approach that people bring to their jobs whether it's at the staff level or it's at the elected official level. Local government can be the most wonderful place to be or it can be the most frustrating place to be. I can recall – DeKalb County was our idol in Gwinnett. We would never have had a chance to have that Western Electric plant that became – it's the OFS property now, but it was a milestone in Gwinnett's economic development - if DeKalb County had not provided sewer service to us. Likewise, later on Gwinnett County returned the favor. There is sewage flowing from DeKalb County treated in Gwinnett County plants. Your CEO and I have talked many times on the telephone conferring with each other about different issues as I did with John and now Rob Pitts. We have more in common than we

differ. We are facing the same kind of challenges. If there is anything that we can do, we will be glad to help.

Chairman Steve Henson – Thank you. We were asked by the citizens to get experts so we got two of the finest. We really appreciate you very much.

V. REPORT FROM THE CHAIR

Chairman Steve Henson – I will be handing out a work schedule that we'll look to work to. I do want to comment that we had one speaker left from the last meeting who was not able to attend this meeting and also John Green, we had talked about him, a former county auditor, coming. He got a new job so he couldn't come today. We will try to work those in later. I do want to say that over the next few weeks, we will probably hear from less speakers. If you think there is someone we need to talk to, call and let me know. We did talk about the budget at our last meeting and perhaps we will have Zach and the finance person to weigh in on that so we can clarify some of the things that Mr. Wittenstein brought up and make sure we know the right direction when that comes up.

VI. UNFINISHED BUSINESS

None

VII. NEW BUSINESS

I'm going to go ahead and have the Secretary help me hand out these timelines. We will incorporate these into the minutes and get them out to the public. Our goal in the Executive Order was to try to be done by October. To have a final report totally printed and ready it might be difficult to have that ready. So, we hope to have all our meetings done before October. I am hoping that we will be able, next meeting, to start looking over the sections of the charter itself. We can give back feedback if sections need to be changed. I think Section 8 is the one on setting the salaries of the CEO and it refers back to an earlier statute that set salaries. I believe there was a bill in the legislature this session that sets the salary of the CEO the same as the Superior Court Judge and sets the commissioners' salary. So, we basically may need to have that section reflect that, the current state law, the general assembly or the commission, whatever state law and state constitution permits, salaries can be set. Section 5 covers the CEO's position. We may want to look at that section. We need ten votes to actually recommend a change. Our commission is to seek change. Because some of these things are very complex. I want the public to understand our task wasn't to look at one thing, it was to look at this 30-section charter and try to fix it. I'm trying to make sure that we have some meetings in June where it would be to continue reviewing and recommend changes. I suspect things like the budget or CEO, those might be full meetings where we bring it back later to talk about. Also, we know we have to have three more public hearings. I started to move one of them up to June. We may not want them all then. We may want to move one up. Carl Vinson Center and its grad students worked hard on this as well. They suggested to me that we mix up some easier issues with the tougher issues and try to work on them in the April meeting. I didn't want to predetermine what's going to be a tough issue and what's not. Let's just take them in order and go through them.

Commissioner Hinkel – I would like to send out the ACCG model Georgia county charter so that you have that. I don't know if you remember it. At one of our very first meeting, the ACCG representative said there was a model county charter. We have it now and I think now is the best time to get that to you all.

Commissioner John Turner – How do you envision us commenting or offering suggestions in preparation for the next meeting or the May meeting when we're going to be addressing certain sections? Do you want us to send comments in advance that can be compiled for us all to review or what are your thoughts on that?

Chairman Steve Henson – Certainly, any of you that have comments that you want to share with the entire board, if you would send to me or even, Mary, who would forward it to me and then later send it to the Board. If it's of a personal nature, I will respond in a private way. Commissioner Leak.

Commissioner Hammonds – If we have a topic that we want to discuss - like NPUs - would we talk with you and come up with some language from a couple others that are doing this and then we submit that to Carl Vinson and have them massage it and bring it back to the group? Is that the process?

Commissioner Steve Henson – Absolutely. That would be a good example.

Commissioner Hinkel – I think you have two very interested people, including myself, so three, four. You have a group.

Commissioner Steve Henson – Well, we might have to double really because of Carl Vinson's tie to try to address certain issues like that.

Commissioner Grubiak – NPU's, it might be best served by having a subcommittee that can really focus on that. It's really fairly complicated.

Commissioner Steve Henson – It's difficult scheduling time and getting things to work. I think if two or three of you can work on things on your own and if other people likewise think it's a good idea, get with them and work on it and try to bring it back to the entire group on your own, that's great.

Commissioner Leak – The Executive Order mentioned delivery of services, and how to improve the delivery of these services. Can we have more conversation? This handout basically focuses on the Org Act. So, we take care of that, we've had lots of discussions. What I would like to see is consideration for more discussion about the delivery of services.

Commissioner Steve Henson – I appreciate that – if you think of some specific department or person you want to talk to, let me know.

Commissioner Leak – One that comes to mind is code compliance.

Commissioner Steve Henson – Did we have the person that handled that Zach?

COO Williams – We had the Chief building official. That was Marcus Robinson.

Commissioner Leak – Yes that was Planning.

COO Williams – Right

Chairman Steve Henson – Okay. Thank you. Let's put that on the agenda.

Commissioner Neugent – Related to the handout, this is probably self-evident, but for April 13th and you know, the next five or six after that, you start with speakers.

Chairman Steve Henson – Yes.

Commissioner Neugent – So you are suggesting that at all of these upcoming meetings, we would have sort of a program of sorts, an hour or so of that?

Chairman Steve Henson – No. I put speakers because I did not know and I thought we might have speakers that still come like we've had in the past where we might have a request for a department head.

Commissioner Harris – Would we have to schedule another public hearing along the way as well?

Chairman Steve Henson – Yes. At the end, of course. I think I have three, one with a regular work meeting and in August and September I believe I have three.

Commissioner Hinkel – Where is the third one?

Chairman Steve Henson – We've got to get a third one.

Commissioner Hinkel – It would be good to be in the fall after people get back from vacations and school starts.

Chairman Steve Henson – Sounds good.

VIII. PUBLIC HEARING

Steven Binney, Clarkston, Georgia: Good Evening, Charter Review Members, I want to thank everyone for coming tonight. Our last meeting was very informative and provided examples of some of the problems inherent in a CEO-centric form of governance.

Commissioners lack of access to information during the procurement process or even after the contractor has been chosen limits their input into the process and opens up the use of the bullying and last-minute proposals that the CEO office currently uses to force projects to be approved.

Commissioners should have the ability to look into and investigate those projects or proposals that they wish to obtain more information on.

Are you satisfied with Dekalb County's current Contract and Procurement process? A process that has been audited and criticized for many years but which the county has refused to change. Would you like to make some adjustments to the process. Now, during the charter review process is the time to make these desired changes happen.

The March 1st deadline to have the county's budget completed and voted on is so out of touch with all the other counties and cities within the Atlanta metropolitan area that it must be revised and corrected. The best solution I believe would be to target a fiscal year budget deadline but in Dekalb County's current situation that may be a very hard goal to reach. At the very least I would suggest an end of year deadline with an approval date of December 31st or the middle of January. This would require the CEO's office to submit a budget to the County Commission by October 1st or the 15th to allow the commission the time needed to conduct a proper review of the proposed budget.

I believe Commissioner Larry Johnson is concerned that the idea being floated of installing terms limits is a way to get him out of office and is taking it personally. While I do not think that is the intention, it does bring to mind the options to grandfather in certain aspects of the new organization act or to consider effective start dates as needed.

During this process I have heard some chatter about how much change should we put into this new charter. Will asking for too much change increase the chances of rejection by the Dekalb Legislative Delegation? Increase the amount of objection and opposition from Dekalb County Government? Increase the odds of being disapproved by the voters when and if the new charter reaches that point?

Any journey starts with a single step but here in Dekalb County we have been motionless for over 40 years and we have a lot of ground to travel. What may not be a problem now might be a problem in the future if proper changes are not made to Dekalb County's charter in this review process. It is the Charter Review Commission's responsibility to put in all the recommendations and changes you deem necessary to help Dekalb County become a better place to live for all of us. The responsibility for the final form of the Charter will lie with the politicians when you submit your recommendations to Mike Thurmond, the county commission, and the Dekalb Legislative Delegation. The final product will most likely turn out to be a compromise of some sort and I suggest that backing down from ideals or ideas before negotiations begin is not a strong bargaining position. Fight for what you believe in. The future of Dekalb County and all of us that live here are counting on you. Thank you for your time and consideration.

Mr. John Frieze representing the Kings Road community: We are very interested in better availability to our government. We are really concerned about delivery of services. It does matter whether we have a County Manager or a CEO-styled government person because we're concerned about the quickest contact to those who represent us in getting things done. We've had quite a problem with a lot of areas where there's not a connectivity between one part of the government and another part of the government. It's like, oh that's not our job. You have to go here. Part of that is because there's not really a performance accountability structure for a lot of these places that needs to be to know if these things are getting done for the community. Also, we'll be connecting with other communities near us because this makes a very big difference and it does matter what kind of structure you have. That decision is important and it is also important that the right people be placed in those positions. I would like to say something about the super district commissioners. That has been a good idea, especially in regard to the one that has been responsive to us. We are very interested in the results and responsiveness to citizens and accountability for the people who serve us.

Mr. Andrew Bell – Restore DeKalb: I'm coming up to discuss the fact that Dr. Eaves mentioned 150 people attend meetings at 2 minutes a piece. That doesn't happen here. If you want to know why there's not a lot of public participation, because myself and some other individuals were here the other day. And we spent three hours here. And the people who spoke didn't speak up on any issue. It was more

like a campaign rally, which I have no problem with. The problem I have is they infringed on other people's right to voice their concerns in a public meeting. The way it is structured now, people are being prohibited from voicing their concerns and opinions. That should not be happening. A Commissioner should not stack the deck to prevent other people from speaking. I think we need something in the charter to prevent that from happening again in the future. If you have eight people saying you are the greatest ever, then you need to have it in the charter that people who sit here for over three hours to speak and have to run out and feed the meter have a chance to speak too. What is a public hearing if the public can't speak.

Willie Pringle: I've been a resident of DeKalb for over 50 years. First of all, I want to say I give honor to God who is the head of my life and my name is Willie Pringle. One of the problems I look at and see right now to see how our county is going down, when I look at and see all the service that we're paying for and that we have people that's supposed to be caring for and looking out for but when you make out paperwork, when you do phone calls, you don't get no response. I can truly say I don't mind calling out my representative. If you come and ask for my vote I tell you my vote is sacred. Too many of my ancestors have paid the price for me to have that voice to speak out and speak up for what I see is going wrong. My Commissioner, Larry Johnson, yes, I would say to the board, here please take into consideration now about term limits. Why is that? Because when we got elected people getting in position, they get complacent. And that's one of the things from the local level all the way to our federal level. Because everything starts locally. I want to see term limits. Because it's sad to say now, my Commissioner Larry Johnson, he's just there for his own interest. And I'll tell him face to face. I love him with the love of Jesus. But the bottom line of it is brother, it's time now for you to step aside and let somebody else take the helm. Because when you do not answer when your constituents calling you – for over five years, our community association has been trying to meet with Larry Johnson. And like I tell his liaison people, we didn't vote for you. We voted for Larry Johnson. Now, if Larry Johnson don't want to meet with us, I said, I don't need you to be a message carrier. There's a first Sunday in every month. You're going to end up, hey, I have to look at us at ballot box. Because why? You have to remember, the same way we vote you in, we can vote you out. I don't care who you are there's nothing wrong picking up the phone and giving that person a call. The one person on that commission I got to give credit for is Ms. Lorraine Cochran-Johnson. I have to say my hat is off to her. She is one of the only commissioners that I got to say out of all the years since I've been in this County and reaching out to our commission she will get back. Even if she's in a meeting, she'll let you know, I will get back with you. I appreciate it but this won't be the last time you'll be seeing Mr. Pringle's face because I'm involved. Our school system – that's one of the problems that I look at that needs to be addressed.

Former Commissioner Kathie Gannon: I used to serve on the Board of Commissioners, one piece of that structure. I hope you will have a panel of commissioners, perhaps to look at the same issues from their perspective. It might be interesting. I'm really thrilled to see so many people here unlike those budget meetings that they refer to where you get five folks to come, but that's it. But anyway, I just wanted to comment on a couple of things. I really was a strict advocate of the CEO-form of government and the structure that we have in DeKalb County. I thought it was – I guess I thought it was pretty cool that we were the only one in Georgia that had it. In serving at NACO and going around the country, I really was convinced that it was the best way to form. But then I have also had the privilege of serving under four CEOs. And I have seen problems come forward that are the same problems sort of over and over again. And it didn't matter who was in the office. It was more, I think, a function of the structure. So I think that idea of tweaking is a good thing. And I'm really thrilled that you are spending the time and your due diligence to look at these issues. I'm very impressed with the questions and the kind of attention that you're showing to this detail. A couple of things that came out tonight that I think were of interest was the idea that we have a need. The function is a different kind of skill totally. And as we have seen,

all of our CEO's were not trained in the administrative functions of the day-to-day under the Organization Act. Yes, they can delegate. There is no written contract, no legislation form to clarify those roles and who the department heads are reporting to. here is a no direct report line. They go to the CEO. I think looking at the budget process would also be a very helpful area to tweak and improve on.

Gerald Edwards, member of Restore DeKalb, citizen of DeKalb County for 38 years: Through the transition, it has gone down to the point that I want to move the hell out of here. When it comes to county services, that needs to be improved. The commissioners have the responsibility to hold the CEO accountable. When you have a so-called clique within the commissioners' circle that leans toward the CEO and give the CEO anything he wants by a 4-3 vote, okay, it's a problem. It's disrespectful for the citizens of DeKalb County. It's not part of the integrity. We have some issues here that need to be addressed: Code enforcement, one of the biggest problems in DeKalb County. DeKalb County is a dumping ground. I ride and leave my house and drive down to Dunwoody or Brookhaven; it's like a different world. Something needs to be done. The charter review committee needs to make some changes to make these commissioners accountable and not in their own self-interest of doing things for themselves. It's about we, the people.

Angela Patrick: I've been in DeKalb County all my adult life since I was 19 years old. I have worked with every CEO we have had all the way back to Manuel Maloof. I loved him. I learned a lot from him. As a matter of fact, he's the author of our form of government. I'm here primarily and because of time when I hear discussion about term limits, I want everybody to think about that. There is a mechanism to limit a person's service and it's called the vote. You don't do a good job, then it's time to vote them out. Very simple. But when you put term limits into the commission position, you may really be limiting the county's access to some really good resources, really good leadership, experience. We need new people coming in to work with the people that are already here. So, limiting a commissioner to just two terms is really something you need to think about very hard before making changes to the charter. I served on the charter review twice. I was appointed twice by elected officials, so I know what you guys are going through. It's not easy. But I didn't find any discrepancies to the point that we should throw it out and get rid of it. We have a hybrid CEO-form of government. And they both work. My primary concern is term limits. The term limit is at the ballot box. If you get elected and don't do a good job, I am going to vote you out. If you have new commissioners every four years you have inexperienced commissioners making decisions about our county. So, think long and hard about term limits for our commissioners.

Sandra Holmes: I live in DeKalb County. I am a member of Restore DeKalb. I have lived in the Ellenwood area for the last 20 plus years. I've seen it go down and I have had a need to call the code enforcement office and beg them to come out and clean up the areas. We need term limits because we've got people that do what they want to do when they want to do it and it shouldn't be. I shouldn't have to call and beg for my community to be clean. If you see something, say something.

Chairman Steve Henson – Hearing no further comments, I call this meeting adjourned.

Steve Henson, Chairman

Barbara Sanders-Norwood, Clerk
Board of Commissioners and Chief Executive Of-
ficer