

DEKALB COUNTY CHARTER REVIEW COMMISSION

August 10, 2023

In Person Meeting

Manuel J. Maloof Center

SUMMARY

I. CALL TO ORDER

II. ROLL CALL

Steve Henson, Chairman

Virginia Harris

Karen Bennett

Lance Hammonds

Claudette Leak

Mary Hinkel

Robert Wittenstein

Susan Neugent

Jim Grubiak

Bobbie Sanford

Vickie Turner

John Turner

ABSENT:

Dr. Gerald Austin Sr.

Clara DeLay

Sen. Sally Harrell

Dwight Thomas

STAFF:

Representatives of the Carl Vinson Institute

Zach Williams, COO

Viviane Ernstes, County Attorney

Barbara Sanders-Norwood, Clerk

III. MINUTES: The June 22 and July 13 minutes were approved.

IV. INTRODUCTION of INVITED GUESTS and ELECTED OFFICIALS: None

V. REPORT FROM THE CHAIR

VI. UNFINISHED BUSINESS: None

VII. NEW BUSINESS:

Commission members Robert Wittenstein, Mary Hinkel, and Jim Grubiak reviewed their suggested changes for sections 17, 18, 19 and 20, followed by discussion with attending Commission members.

VIII. REMARKS OF INTERESTED CITIZENS/PUBLIC COMMENT

Steve Binney

XI. NEXT MEETING DISCUSSION & ADJOURNMENT:

The next meeting will be Thursday, August 24 in person at the Maloof Auditorium. Discussion also consisted of preparing for two public hearings in September and suggestions were made concerning the agenda for those meetings and ways to attract greater attendance.

The Commission adjourned at about 8:10 p.m.

DEKALB COUNTY CHARTER REVIEW COMMISSION

AUGUST 10, 2023

MALOOF AUDITORIUM

I. **CALL TO ORDER:** 6:00 p.m.

II. **ROLL CALL**

Steve Henson, Chairman
Virginia Harris, Vice Chairperson
Mary Hinkel – Secretary
Karen Bennett
Claudette Leak
Susan Neugent
Bobbie Sanford
Jim Grubiak
Vickie Turner
Robert Wittenstein
Lance Hammonds
John Turner

ABSENT:

Dr. Gerald Austin, Sr.
Clara DeLay
Dwight Thomas
Sen. Sally Harrell

STAFF:

Zachary Willams – Chief Operating Officer
Viviane Ernstes – County Attorney
Barbara Sanders-Norwood, - County Clerk

III. REPORT FROM CHAIR

Chair Henson: I want to apologize for the cancellation of the last meeting. My wife was ill with COVID. I was afraid to come and try to run a meeting with her sick in the house. Thank you all for understanding.

We have three public meetings left on our agenda before the final reports are due in December and I am planning on the next meeting to be one of those public hearings. So, when we talk about the announced meetings, if there is any objection, let me know.

Commissioner Neugent: I would just like to suggest that we consider giving it at least a month instead of two weeks so that there can be adequate public notice of the meeting and that sort of thing. Just an idea.

Chairman Henson: For the public meeting?

Commissioner Nugent: Yes. If we are looking at public meetings, maybe give it at least a month to give people time.

Chairman Henson: Sounds good; we can consider that. One reason, I was thinking that I knew that a couple members weren't going to be here. Mr. Grubiak and Ms. Turner, so I was thinking, you know, we won't have to take action. We won't have to vote so that would be a good time for a public hearing. But, when we get to the meetings announcements, then bring that discussion up. This is kind of my report. I am certainly very comfortable with yielding and having a regular meeting on the 24th. Other than that, just kind of outline that we are moving along quickly. So, if we can, most months we will be having two meetings. We have to do our public hearings s well, but we are winding down and that is a good thing. We will bring back a cleaner version and hopefully get approval at some point in the next few months.

IV. MINUTES FROM PREVIOUS MEEETING

The minutes from the June 22nd and July 13th meeting were approved.

V. **UNFINISHED BUSINESS:** None

VI.

VII. NEW BUSINESS

Chairman Henson – Commissioner Grubiak made some revisions in his items, so probably on this composite sheet they may not be updated to the latest version, so we can discuss those.

Chairman Henson – Mr. Wittenstein, did you have any changes to Section 17 or did we discuss it?

Commissioner Wittenstein – The biggest change, and it is one we have talked about a few times, is to change the schedule for when the budget is presented and approved so that we start the year with a budget that every department head knows what his or her budget for the year would be. What I was proposing was that we ask the Chief Executive Officer to present the budget to the county commission by October 1 of each year and then give the county commission essentially the same amount of time they have today to review and revise that budget. So that by the middle of December, the budget has been approved and we start the year with an approved budget. What happens if they fail to approve a budget? Right now, the charter is – you just keep going without a budget until forever if necessary. What I have included here is a recommendation that if you get to the start of the year and they have not approved a budget, then the budget presented by the CEO becomes the budget until it is modified by the county commission. That ensures that some sense of certainty for department heads for planning purposes.

Chairman Henson – That pretty much wraps up his thoughts on 17. The situation with the budget right now is – as just a reminder everybody – is that DeKalb is slightly unique that we have the budget year start January 1st.

The budget is prepared and presented by the CEO on December 15th and it may not be approved until March or so. I think Ms. Hinkel and Mr. Grubiak all had dates in a similar nature to try it around – I think yours was the last day of September. Mr. Grubiak's date, the 1st of October or around that date.

Chairman Henson – We are presenting a recommendation to the legislature and the Board of Commissioners regarding what might be the best way to run the county. I've talked to a couple of commissioners. They do have a little concern about time lag while the budget's not done and also the holidays. The holiday is in

this time frame no matter what we do if we have a January 1st budget. I do think having months going on without an approved budget is a problem. I tend to support us maybe asking and putting in our recommendations that they have recommendations around the 1st of October and the budget starting January 1st and the budget being approved in December. I think that would be a smart thing to consider. I was going to ask Zach and the County Attorney to comment on that. What we are doing is not law, but I think it is an important issue that we should address one way or another, either through mentioning it in comments or on the side or changing it to an October 1st with an approval and last meeting sometime before December 31st.

Mr. Williams, you have had experience with other counties. Do you have any thoughts on if we change the charter where the budget had to be presented by October 1st and be approved by December 31st and then include some language like Mr. Wittenstein said which would basically say if the commissioners didn't approve the budget, the proposed budget would be the budget that you act on until they amend, change, or approve a different budget?

Mr. Williams – That seems workable. I don't know that the original impetus for the recommendations is currently in the charter. It sounds perfectly reasonable from my vantage point.

Chairman Henson – If the Commissioners don't like it, they should weight in and pass a resolution recommending something. I think we just put in a dialogue on the side that it needs to be looked at. It may never be looked at. If we recommend to the legislature that they change it to October 1st approve something by the end of December in our recommendations, it would be more likely to be addressed if there is true and legitimate concern for that being a good timeline.

Mr. Williams – I believe the current charter calls for an extended period of time when there is a change in the CEO. That may be something you might want to factor not your conversation. I do see the logic in that.

Commissioner Leak – There is also a midyear adjustment, so anybody new coming in - that would be an opportunity for them to submit to the commissioners any changes that they would want to see and any adjustments to be made during that July adjustment with the BOC.

Chairman Henson – I think it would be reasonable as Mr. Wittenstein said if they can't get the votes, the majority vote on the condition to approve the budget so they got something January 1st, they would operate on the CEO's recommended budget. If they have four votes to change it, then they will change the budget or make amendments to it or put a substitute motion in place.

Commissioner Hinkel – In my changes, I was trying to improve the timing, which we have talked about, and the transparency of the budgeting process, also to enable the commissioners to be more engaged with setting priorities and assessing department performance and needs, and amplifying citizen education about engagement with the county budget. The opening paragraph comes right out of the Model County Commission Act. It made sense to include. I noted that the submission of the final budget and audit to the Carl Vinson Institute of Government annually and to be posted on its website. Then I have the Chief Executive submitting to the board not later than September 30th or October 1st. Then I have members of the BOC may amend the proposed budget except that that the budget as finally amended and adopted must provide for all expenditures required by state law or by other provisions of this act and for all debt service requirements for the ensuing fiscal year. The total appropriation from any fund shall not exceed the estimated fund balance reserves and revenues. 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. Following these meetings, the Chief Executive Officer 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. I also added "and the budget may be amended during the calendar year which it covers upon formal action of the commission at a regular meeting or special or emergency meetings call for such purposes." I also added "at no time may funds be transferred from one department, fund, service, strategy, or organization unit to another without a written resolution by the BOC. " The Chief Executive Officer and Chief Operating Officer may transfer funds among programs. I then put in the Capital Improvement Program, which is in Section 2-113 of Article 3, Finance. "Has it ever been implemented?"

Commissioner Leak – Mary, can you repeat the section on transfer of funds?

Commissioner Hinkel – Repeated her statement on the transfer of funds.

Chairman Henson – To Zach – when the commission approves a budget, that budget directs a certain amount of money to each department. The COO's office doesn't transfer money from department to department.

Mr. William – Right. We cannot transfer funds from one department to another department. We cannot transfer funds into salary. You can move expenditures from professional services to another fund.

Commissioner Leak - There is a process where the information technology department takes on the cost or expense of some services and then they are further redistributed to the departments. Is that still a process?

Mr. Williams – Yes. What Mrs. Leak is describing is what is called cost allocation.

Mr. Turner – Ms. Hinkel -on the section with the public meeting. If the CEO has a budget ready to submit on October 1st then the public meetings could be handled immediately. When you are preparing for the budget, prepare for the meetings as well and just move everything up a month and have the meetings in October and have it posted on the website by the 1st of November which gives the public also 45 days to review, not just 15.

Chairman Henson – Jim, could you remind us of the state law on posting?

Commissioner Grubiak – There is some specific language in state law about the process for holding hearings and when you hold them and what notice is given and to whom the notice is given.

Mr. Wittenstein – The only thing that struck me was that the budget is dozens and dozens of pages, and I don't think you can print that in the Champion. So I think you would have to do a summary.

Commissioner Hinkel – Let's be realistic. The organ right now is The Champion. How many of you subscribe to the Champion? It is not known throughout the county as the legal organ. I don't know why we can't put information on the website.

Chairman Henson – I agree and support that.

Commissioner Grubiak – Let me just say a couple of things. On the day the budget is submitted to the commission, the Chief Executive Officer shall place a copy of the proposed budget in one or more public locations convenient to the public and shall provide a copy to any media upon request.

Commissioner Hammonds – I’m just kind of thinking about this process. We are talking about the process of communicating to the public about what the budget is. Then you have the part where because putting it in the legal organ, to me, is just kind of like checking a box. Nobody really is going to read it. I mean, they should read it, but you know the government can say, “Yes, I posted it out.” How do we get citizens to really engage with the budget and look at it and digest it?

I know Ms. Turner’s budget that they do in the school district, if you wanted to know what they are spending at my local school, you can do a word search on the online document. So, I’m just saying we’re talking about how we communicate the budget to the citizens and also how citizens can engage with the budget. I think there are two different things we are talking about.

Chairman Henson – Sounds good. Mr. Williams what is the process now on the budget and are there any public hearings or engagements?

Mr. Williams – Yes. There are a couple of things. Ongoing through the year, whether it’s individually with Commissioners or in their committees, there are ideas that come up with goals or strategies within the committee that often lead to funding. We are going to have to find ways to get the message out to people because it is exceedingly difficult to get people out to hear the message. But as it relates to what is called for in State law in terms of the public hearings on the budget, we go above and beyond that.

Chairman Henson – You have the budget now on the website?

Mr. Williams – Yes.

Commissioner Leak – When the budget director did his presentation, one of the things that I asked him about was an application called Open Gov, which was an interactive application that the county used to have on its website so that citizens could bring the budget up, dissect it any way that they wanted, and download it to a spreadsheet for their own purposes.

Commissioner Hammonds – Other than having a system of neighborhood planning units and some mechanism out there like that, it is probably difficult to put community engagement on the budget into the charter past what we are doing now just to kind of keep it general to make sure it is out there. I think the next step would be to say the problem really is how do we engage the public so they are more informed in this process. Can we use the NPU structure or some mechanism like our community councils in that effort? But that's going to require some work for us to get that together. It's another separate problem: how do we better engage the public in this process to make it better? That's how we'll get better services.

Commissioner Turner – Ms. Leak, what did you call that website?

Commissioner Leak – Open Gov. It was an application, and it required a lot of work and time. There are municipalities within the county that also use that, and they were very happy with the service. The Budget director was thinking of reestablishing that.

Commissioner Turner – I think that is another approach, but I think that what we all know is this is lack of engagement. To me it's not a lack of transparency. It is just a lack of engagement. The Zoom space is a very positive way now to engage our stakeholders in meetings where they don't want to come out. I don't believe it is something that is going to be resolved. I don't believe it is a document that you put in the paper and hope that they read it.

Chairman Henson – That is why we don't need term limits because it takes eight years in office before you can really find stuff in the budget.

Commissioner Hinkel – I am going to keep pushing. It is communication and it is not just putting it out there. It is asking "How can we better inform the public?"

Commissioner Wittenstein – The CEO has three pages or so of a budget message which provides an overview. There is also sections about increasing paving potholes because we want to reduce the time from you know 17 days to 14 day or whatever it is. That stuff is in the budget message and that is published. So that would be the place to go.

Commissioner Grubiak – The State law says that the governing authority, meaning DeKalb, the Commissioners, and the CEO together, serve as the budget officer

unless some other person is designated in the local charter or by the governing authority to serve as the budget director. Now, the options could be the CEO, the OMB director, the finance director, the COO, or somebody else. I'm just suggesting that we add some language to make it clear that the chief executive serves as the county budget officer unless someone else is designated by him. Now, it may be that it is already implied.

Chairman Henson – I am going to give a copy to the County Attorney before she leaves. In one paragraph it simply presently says “officers,” and he feels it is more legally appropriate to put “officials.” It says the probate judge is a constitutionally I guess, mentioned officer that was not on the list of exceptions with the tax commissioner. I want you to look over these paragraphs.

Mr. Williams – When we present it to the CEO, there is a budget director who, you know, has the daily oversight and management of a staff of budget folks who work with departments on budgets. But clearly, when the budget is presented, the budget letter, as Mr. Wittenstein mentioned, and the budget comes from the CEO.

Chairman Henson – The State Law says every county has to have a county budget officer and that is designated by the governing authority. To our County Attorney, I assume there is either an action of the governing authority to appoint somebody or Michael Thurmond is acting as budget officer, or who is acting as budget officer in DeKalb County?

County Attorney Ernestes – I am trying to look up the State Law.

Chairman Henson – Has there been any conflict between the commissioners and the executive branch on information?

Mr. Williams – No, not that I have seen or heard.

Chairman Henson – I would like the County Attorney to look over a copy of this and report back.

Commissioner Hammond – In my community, they ask about the medians being cut. The Commissioner might say that there is not enough in the budget to cover that. They would then talk about it in the PECS meeting.

Mr. Williams – There may be things that we have not presented as we want more investment and beautification.

Commissioner Wittenstein – So to specifically say that administration can put it together, and the administration presents to the county commission, but ultimately the county commission is the one who gets oversight into how finances are handled in the county.

Chairman Henson – Moving to Section 18 - at present, the charter states, “subject to the approval of the commission the CEO shall establish rules to regulate purchasing.

Chairman Henson – Mr. Grubiak, does yours differ in substance?

Commissioner Grubiak – A little bit of substance and a little bit in detail as well. The Operational Task Force met for a good part of a year and looked at a number of things, including the ethics board and the independent auditor. They also looked at the purchasing system for DeKalb County and felt there were things left to be desired. The Task Force said “The County’s purchasing policy is set by the CEO and can be changed at any time by the CEO.” They determined that the determination of the purchasing policy is a function of the legislative branch, the commission and the purchasing policy should be enacted by ordinance, codified and changed only with the approval of the commission. The recommendation should be amended and require that county adopt a purchasing code regulating purchasing for all county departments offices and agencies. It went on to say the commission should use the current purchasing policy as the starting point in adopting a purchasing code. Any subsequent changes would be made by the commission subject to veto, of course, by the CEO. I am trying to put into place a process for beginning the establishment or the passage of an ordinance by the BOC. The Chief Executive shall submit to the commission a proposed ordinance subject to approval by the commission for the purpose of regulating, procurement and purchasing. The proposed ordinance with any commission amendments shall be approved by the commission within 60 days of receiving the draft from the Chief Executive. That “60 days” is just a number I pulled out of the air. If the commission fails to approve or reject the ordinance within the time specified, the initial ordinance as proposed by the chief executive shall stand approved. Following the approval of the initial ordinance, the Chief Executive may promulgate rules, regulations and or guidelines to administer the ordinance. Subsequent amendments to the ordinance may be

proposed for commission approval by the CEO or the Commission. You can seek redress in the Courts if for some reason the rules and regulations don't match up with what the ordinance says.

Commissioner Wittenstein – That is not what is happening. That is what the Charter says, but my understanding is that's not been the position of the administration. The CEO is not open to the county commission weighing in on purchasing plans, right? As it sits today, it is a dead document.

Chairman Henson – I tend to like slightly better Mr. Grubiak's version,

Commissioner Hinkel – So where Mr. Grubiak has the chief executive "may" promulgate rules, shouldn't we use "shall" promulgate.

Chairman Henson – Either would be functional. If he doesn't, the general ordinance would be presented to the commission. It would be approved and you would have the commission weighing on the ordinance.

Commissioner Leak – I think one of the recommendations the Independent Auditor was recommending was that there be a complete rewrite of the purchasing policies. So where would we place that? Would it fall under 18 as a recommendation? I think it should be included.

Chairman Henson – I think that would be probably correct. Probably not part of the Organizational act restructure but in any dialogue we have on the section about updating the rules and regulations.

Commissioner Leak – I recognize that this whole process is about recommendations but I think that some of them need to be presented as recommendations and not as an aside item.

Chairman Henson - What are you saying?

Commissioner Leak – What I am saying is that perhaps somewhere in Section 18 as part of our recommendation would be the incorporation of the findings from the Independent Internal Auditor that the policies should be totally revised for the purchasing and contracting.

Chairman Henson – I don't think that would be... at least my thoughts and what I am trying to get to is to present to you all a kind of a revised org act that will have revised sections in it. The policies and sub-governmental structure rules and regulations we won't be addressing at this time. Nowhere in this document would it say that "effective January 25 these rules and regulations will all be rewritten."

Commissioner Leak – I don't think that we could put an effective date on any of it because some of it has to be presented to the other bodies, official bodies and they have to put it on their time schedule for consideration. I don't see any date by which any of these recommendations would be included.

Commissioner Wittenstein – What we should be doing is indicating that prior to approval, the Independent Internal Auditor shall produce a letter of recommendation or something that provides the Independent Internal Auditor with an opportunity to let the commission know if there are things that they think ought to be included or excluded or reworded.

Chairman Henson – You know, I honestly don't know that is the role of the Independent Internal Auditor. I don't see that as his role. Those are policy decisions on what your budget is.

Commissioner Wittenstein – I think what we are talking about here is whether or not the purchasing processes that have been outlined are adequate, right? Whether or not the checks and balances exist that ensure that county money is spent appropriately and in accordance with the budget.

Commissioner Grubiak – If what I am proposing were to become law, the CEO would start with the current policies and guidelines that he has in place that is used to run the current purchasing and procurement operations.

Chairman Henson – Updating the Rules and Regs is their job and we can't do it all for them. I trust that they will do the right thing.

Commissioner Wittenstein – Ms. Hinkel, there was a section that you redlined that I was curious about why you took it out. It is the second half of that first paragraph and I could not figure out why you had.

Commissioner Hinkel – The purchases exceeding \$50,000 may be made without formal sealed bids from any vendor who at the time of purchase has an existing contract or schedule. I don't understand why. You are assuming that these purchases are all related and that this vendor is qualified.

Chairman Henson – I think state law kind of addresses that issue and brings forth a qualified person who has other bids or approved by other state agencies, that they are qualified and don't need the same process.

County Attorney Ernstes – I was just going to explain what that provision relates to so that you could understand. The State of Georgia may issue a competitively bid RFP or invitation to bid to purchase police cars for the GBI, the state troopers and they get a great deal because they are purchasing a number. It is when the City or Count wants to take advantage of that good deal. You may put it out for your own procurement, and you don't get as good of a deal from the Ford Motor Company because you're only buying 15 cars. If you get to participate in a competitively-procured contract with a better deal and a better price for cars, you are spending less money. The precursor is the original contract has to be competitively procured. You as the individual county must get the same benefits. You can't charge more. You must get the same benefits as the state gets.

Chairman Henson – Ok, we will now go to number 19. Mr. Grubiak.

Commissioner Grubiak – The first suggestion is just a technical change dealing with technology. The current Org. Act. says it should be posted on the Courthouse bulletin board, but just a suggestion – make it the county website. We might have to keep that bulleting board in there. The second suggestion – if you look at subsection C, it says “Except as hereinafter provided the provisions of this section” meaning all of section 19, department of finance – “are advisory only. The Chief Executive, subject to approval of the commission, may provide for the organization.”

Chairman Henson – Everything on (a) 1 through 11 keeping and maintaining accurate records, compiling annual budget, making quarterly allotments and so forth down to item 11 are advisory only. There are other legal obligations. I would like to have Mr. Williams look at the issue before we come for some final meetings and ask your finance department that if on Section 19 the language that says this language is advisory, if that was struck, if there is any problem that we are causing that prevents them from adjusting things to make the accountants happy and doing it the way the accountants want?

County Attorney Ernestes - I think the reason for the “advisory only” is if some of those duties were going to be moved to a different department, when you read that whole paragraph the very last paragraph about advisory only doesn’t necessarily mean that you won’t do the functions but that they may be provided by a different department.

Chairman Henson – Ok. We might be able to include some language that would cover that. We will look at Section 20. Mr. Grubiak.

Commissioner Grubiak – The following technical things:

1. Some of the provisions in code sections 36-1-25 could be inserted here.
2. Subsection (b). “Copies of contracts, maps, or similar materials may be included in the minutes or incorporated by reference to a alternate location

or locations identified by ordinance or a resolution of the governing authority.

3. The second is a reference dealing with the fees that the clerk can charge and it says reasonable fee and what is reasonable fee. 50-18-71 it caps per page fees at 10 cents per page. In the case of electronic records, the county can charge only the actual cost of media on which it is produced.

Chairman Henson- The Clerk is appointed by the Commission. hat would remain. The clerk is responsible for the minutes and records. The commission approved someplace for a proper placement of all the records and that the clerk is responsible, as they are under State Law for maintaining those records.

Commissioner Hinkel – The clerk’s office shall be the repository of all official records of the commission and the CEO. Only those ordinances, resolutions, actions, order, or proceedings conveyed to the clerk are valid and enforceable. This came to me from a commissioner.

Chairman Henson – Right now, state law and case law does have some parameters on contracts. If a contract is not in the minutes, it leaves certain openings to get those minutes and make sure they are codified. I think putting more of a burden for us to enforce our contracts probably is not a smart thing to do.

County Attorney Ernstes – It is obviously your recommendation. I don’t think that the failure to accomplish a ministerial task of forwarding an ordinance or a resolution to a clerk should invalidate the action by the elected official. But obviously, it is up to your recommendation.

Chairman Henson - Any more comments on 20? It not, are there any objections to going to Public Comment?

VIII. PUBLIC COMMENT

Stephen Binney: Good Evening, Charter Review Members, Section 17 states that the Chief Executive shall submit a proposed budget to the County Commission not later than December 15th. In certain circumstances the last meeting of the commission for the month of December could be the 15th, the first commission meeting after the presentation of the budget could be as late as first or second week of January.

If the submittal date could be changed to the second Tuesday of December we can be assured that at least one commission public meeting on the budget will be held before the beginning of each new year.

During the years in which a new CEO is coming into office the submittal date is pushed back until January 15th, which allows the commission less than 6 weeks to evaluate and finalize the budget process before March 1st by which date it must be approved.

In addition, between January 1st and March 1st expenditures shall not include disbursements for new personnel, new services, or new equipment. Why should we limit potential new personnel, services, or equipment to ten months a year instead of 12 months like other government entities?

All this points to the advantages of moving our county's budget approval date to earlier in the year. We could move it to October 1st, to be in line with the start of the federal fiscal year or to July 1st, to be in line with the state of Georgia's fiscal year.

The Organization Act could state the process to accomplish this. Moving up the budget approval date a month at a time till the desired date is reached or otherwise. Submittal by December 15th, during the holiday season is inefficient and approval by March 1st is ineffective.

Section 18 (a) states that formal sealed bids must be obtained on all purchases exceeding fifty thousand dollars.

Subsection (b) states that the commission shall authorize all contracts in excess of one hundred thousand dollars. What category do the contracts between fifty and a hundred thousand dollars fall into?

Subsection (c) allows the commission to increase the dollar amounts but not to decrease them, so be careful if you are considering setting new levels in Section 18.

While neither the CEO or the Commission can abolish the the department of Finance or the office of the Director of Finance, please take note that at the end of Section 19 the CEO, with the approval of the Commission , may provide for the reorganization of the department of Finance and may specify and provide for the powers and duties of the Director of Finance and other personnel of the department as they see fit. Does subsection (c) need more specifics, a stated reason, or is leaving it open to the interpretation of the CEO and Commission sufficient in this case?

Section 22 forbids officials from having interests in contracts but at the end it states "Provided, however, that the provisions of this section shall not be applicable to any contract which has been approved, prior to execution, performance and payment thereon, by a majority of the commission by a proper entry on the minutes of the commission". What exactly does that mean?

Next time let's talk ethics. Thank you for your time and consideration.

PUBLIC COMMENTS FROM THE DEKALB MUNICIPAL ASSOCIATION:

Chairman Henson – There are three items the DMA mentioned and they are in your folder.

1. County Manager System
2. Open Records Officer
3. Performance Standards

I would like to discuss at our next meeting open records reports handled by the Division Director. Is that correct Mr. Williams? Are they handled by each department head?

County Attorney Ernstes – The county is in the process of doing that. We are in the process of putting together what is called a **GovQA process** and we will

have a defined custodian for the receipt of the initial open records act request either via email or through this process. Each department will have a person who collects the records and is trained in redacting the records, but it will keep the whole process in a computerized format. We were well on our way to getting it going when COVID hit and it slowed down. We are trying to get to the pilot program with some of the large departments and some of our small departments and trying to be able so that people can actually use a credit card to pay for these things. It is underway; it has just not been completed.

IX. NEXT MEETING – August 24, 2023

Chairman Henson – Commissioner Neugent brought up a concern on whether or not we will have enough time to inform the public. Are there any comments whether or not we should have a regular meeting and try to put the public meeting off until the first week in September?

Commissioner Leak – I agree with having a least a month to get out and get the word out. Perhaps the month of September should be dedicated to getting those two meetings completed.

Commissioner Turner – So your intention is to complete the review of all the Org Act sections at the August 24, 2023 ,and the new sections?

Chairman Henson – I believe we can.

Commissioner Turner – So that would be the agenda for the public hearing?

Chairman Henson – The Public hearing would be for us to basically tell the public that we are still open to changes, maybe talk about some of the things that we will bring up at our final meeting, such as whether or not the CEO vote on those issues or has the vote of the commission. Some of the issues

that we have kind of talked about and may be in our final recommendations we might bring them up to talk about.

Commissioner Hinkel – I think it is important that at the upcoming public meetings we do have some sense of what we can report to people, what we are thinking about, and get reaction to that.

Commissioner Sanford – One of my concerns has always been trying to involve our citizens more in this process. I think Commissioner Leak had recommended perhaps a survey and I know I have missed a number of meetings. Have we done anything yet about opening it up for the citizenry to give us some feedback or to make certain that people who are still not aware that we are meeting and not quite sure about what it is all about are made more aware?

Commissioner Turner – How about NPU's?

Chairman Henson – We were going to have a meeting with Mr. Cedric Hudson on the development plan and NPUs were going to be the discussion. We can talk about NPUs with Lance and Susan who would work with Atlanta. My thoughts are that we are not going to put NPUs in the Org Act. Even in Atlanta, it is an ordinance created by the commissioners.

Commissioner Turner - One other thought – I think there is some sort of a consensus that this would not go forward, but I think we owe it to the public to at least address the county manager form of government. It is something that we discussed and where we might be and the whys and the wherefores of what the decision might be. I think a lot of people might come to the meeting.

Commissioner Leak - I think that term limits is one issue that has come up too, that falls into that category, form of government as an interest – area of

interest. It is not that we are taking a position because there has been no official vote on anything.

Chairman Henson – Both points well taken. Maybe we can get something together.

Commissioner Hammond - Let's just say here are the topics and just put them out there because we are going to have to take a final vote anyway. We are getting feedback. So let's just be bold.

X. ADJOURNMENT:

Hearing no further comment, the Chairman adjourned the meeting.

Steve Henson, Chairman

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

|

,

Formatted: Justified, Indent: Left: 0", Hanging: 1", Line spacing: single