

DEKALB COUNTY CHARTER REVIEW COMMISSION

PUBLIC HEARING DISTRICT 5

September 14, 2023, 6:00 P.M.

LOU WALKER SENIOR CENTER

I. CALL TO ORDER

II. ROLL CALL

Steve Henson, Chairman
Virginia Harris, Vice Chairman
Mary Hinkel
Claudette Leak
Robert Wittenstein
Clara DeLay
Jim Grubiak
Dwight Thomas
John Turner
Susan Neugent
Bobbie Sanford

STAFF:

Zachary Williams, COO
Matthew Welsh, Deputy County Attorney
Barbara Sanders-Norwood, County Clerk
Lori Brill – Carl Vinson Institute

III. REPORT FROM THE CHAIR

Chairman Henson – I want to have the members of the commission introduce themselves, say who appointed them or what agency appointed them, and if they wish, mention some of the community backgrounds and a little bit themselves. I want to start on my far left.

Commissioner Clara DeLay - I was appointed by Commissioner Larry Johnson and I have an extensive background and have served as the Chair to the ethics board.

Commissioner Claudette Leak – worked with the CEO’s office under Zachary Williams on County-wide projects. Most of my career was spent in the private sector working with Delta Airlines and the automation company. I was appointed by the House Delegation members.

Commissioner Bobby Sanford - I am a longtime resident of Dekalb County. I am a long-time resident of Dekalb County - I think about 56 years to be more specific. I am very active in the community as well and thank you all for being here.

Commissioner Mary Hinkel – I was appointed by the DeKalb County House Delegation. I have lived in DeKalb County for 45 years and my background has been as a neighborhood leader. I serve on Community Council District 2. I am also Chair of the DeKalb Citizens Advocacy Council.

Commissioner John Turner - I am a resident of DeKalb County for about 45 years and lived in the North lake/Lakeside area. My background was in the private sector for 40 years doing marketing and marketing research and consumer insights, and for the past 8 years I've been on the community council for district 2 and over the past 2 of those years I've chaired the community council for district 2.

Commissioner Jim Grubiak - I can't match these others from my left to right and how long they've been a resident of DeKalb County. I've only been here 35 years and spent 34 years as general counsel to the Association of County Commissioners and have worked in the area of county government for several decades. Appointed by District 6 Commissioner Ted Terry.

Commissioner Susan Nugent – I was appointed by the District 2 Commissioner Michelle Long Spears. I too am active in the community. I live in the Lake Claire area of the City of Atlanta in DeKalb County and have lived there for over 45 years. I take deep interest in my home county. Most recently I was President and CEO for the Fernbank Museum of Natural History and before that I had a couple of decades of experience with the Metro Atlanta Chamber of Commerce and chamber of commerce public policy, so I had to take a deep interest in how our government operates and how it serves.

Commissioner Robert Wittenstein - I was appointed to this commission by Robert Patrick of District 1. My family moved here when I was 4 months old back in 1958, so I've been here a while. I went to Fernbank Elementary school and my mother went to Druid Hills High School, so we have deep roots here. I am a former City of Dunwoody Council member and a former elected official. After serving in the city council, I was asked to Chair the City of Dunwoody's Charter Review so I come with experience for having done that and I am delighted to be here as a deep-rooted county resident.

Commissioner Dwight Thomas – I am an attorney and a lifelong resident of DeKalb. I have been involved here in terms of litigation against the County and I've also been involved in representing DeKalb County.

Chairman Steve Henson – Commissioner Bobby Sanford is an experienced politician and she was appointed by Commissioner Larry Johnson – Commissioner District 3.

Chairman Steve Henson – I was appointed by CEO Michael Thurmond and served in the State Senate between 1991 and 2021 and I was chair of the Senate Delegation from DeKalb County, and I am honored to be here, and we're honored for this group to come together.

Let me tell you a little bit about the Charter Review background. We started with the Organizational meeting. Originally, the CEO planned to start this in 2019 and as they started to get together in early 2020 the pandemic hit, and we had to put it on hold and wait until the time was more conducive to us getting together and doing the study on Charter. Starting last year in April the CEO had an organizational meeting with us via zoom and then in June, we started meeting and asking our county attorney and staff to review the charter. We then started reviewing the charter in greater detail.

This is a public hearing. We won't take any official action at this meeting, but we will be here to listen to you. We want to hear from you. We hope to make sure there's full discussion and understanding of what

your comments are, but we're not going to argue with you or talk to you or support you in your statements.

We will, you know, be here until 8:00 p.m. and it's not a great crowd now. Hopefully, people will come in and we'll be here to listen to you but I just want you to know if you say something we're not really entering into a dialogue or discussion. I'll be happy to stay after the meeting for some time so if anybody wants to come up and ask me any questions about what the charter does now or not, I'll be glad to discuss this with you currently. There are some County Representatives who have been gracious enough to attend every meeting we have had. Mr. Zach Williams and he is a great asset to the information of what the Charter is about. He has worked in a similar position in Fulton County, and I think another county, so he brings a wealth of knowledge.

Chairman Henson – Mr. Williams, would you please step up and grab the microphone and introduce the county attorney 's office and anyone else you think is appropriate from the County.

Mr. Williams - Thank you so much Mr. Chair. I have the distinct honor and privilege of being the Executive Assistant, which is called in the Charter the Chief Operating Officer, and I work for both the CEO and the Board of Commissioners. They have the responsibility for daily oversight and management of the County and of the organization and with us today we have Matthew Welch who is Deputy County Attorney. He has been with the County almost 10 years. Mr. Welch and I worked together in Fulton County, so he brings a wealth of experience and knowledge. He manages the Consent Decree and all that goes with that and a lot of different things that are the environment.

Chairman Henson - Carl Vincent Institute, a nonprofit out of University of Georgia in the university system is here today and Ms. Lori Brill and Hadley, we appreciate you being with us and giving us support today. Thank you very much. We had emailed a press release that talked a little bit about some of the items the charter review commission is looking at. We've gone through our meetings and as I say we've been doing it for about a year and a half. We've been looking at the organization – the CEO executive branch and the legislative branch with the commissioners - we've been looking at how they function. We've been looking at issues such as the budget process. For example, the Budget is approved in March even though the fiscal year starts in January, so we're looking at those kinds of issues. It's been a very interesting thing, but we're really interested in any issues that the public may have about how they feel about government. Your garbage gets picked up and that's great and if it doesn't that's a problem, but it may or may not be related to the Charter. But we want to hear about it because there may be things in the Charter that can help. So, we want to hear about all your issues. If you do know it's a Charter issue then let us know that, but any issue we look forward to hearing from you today. I believe the notice said 3 minutes per person. You will be asked to come to the podium. State your exact address and make your presentation. My timekeeper will keep the time. Unless there are any other comments from the members of the Commission, we will open it up to public comments.

Amy Taylor - Resident of South Dekalb - I'm a Cobb County transplant, if you will, but I live on Key Road so I'm sure all of you know what's going on down there, which is the Atlanta Police Training Facility situation. So, in my 3 years of living here I have learned a lot about how DeKalb works and how relationships between Atlanta and DeKalb seem to work. I've attended a lot of council meetings and been very involved. I'm also very involved with the Entrenchment Creek Park issue so therefore I am very upset with the fact that I moved here thinking I was going to be living next to a green space and close to lovely parks and a forest in DeKalb, and a year and a half ago my entire reasoning for choosing

my home is being destroyed and one of the parks that's very close to my house that I was hoping to visit and enjoy and cherish is closed to the public indefinitely because of CEO Thurmond, who refuses to open the park back up even though there is no reason to close it. Issues regarding both the park and DeKalb County have been brought to council and are being kicked down the road 30 days, deferred 30 days and 6 months later we're still deferred 30 days, specifically on the park issue. So, I think the CEO powers (seemingly endless powers) over things he thinks are supposed to happen should be limited and I think this tactic of kicking things down the road 30 days with deferment needs to be limited in my opinion to one deferment, maybe two, if it's something that needs to be reviewed a second time. I think you know the issues that have been forced into my life have been unheard and have been unfairly handled by both DeKalb and Atlanta and I think DeKalb seems to be in Atlanta 's pocket and I think it's a shame, so thank you.

Chairman Steve Henson - Thank you. I know we have at least one more, but I will let my Vice Chair get here and introduce herself. If you would just say your name and any other pertinent information regarding your community involvement.

Commissioner Virginia Harris - I was appointed by CEO Thurmond and I have been a community leader for over 20 years. I retired from Gwinnett County government as County Auditor and I'm very involved in a lot of social and advocacy organizations. Thank you very much.

Steve Binney - Good evening. I am Steve Binney from Clarkston. Over the last 40 years DeKalb County has told us what to do and how to do it. Now we can suggest changes to DeKalb County. The most important question to start out, do we want to remain the only county in Georgia with a very powerful CEO and weak Commissioner form of government? A government committee which included lawmakers from across the State met for several months before this charter review process first began. Its report included criticism of DeKalb politics - such limited authority on the commission undermines any political balance between the CEO and the commission. This type of governmental structure the report said is not necessarily a bad idea with a good and ethical CEO, but what happens when a bad and not so ethical CEO has control of the reins? Why add more commissioners at all if in the end they have very little to no power over the actual decisions made that affect their constituents? I propose that the CEO form of government should be changed to allow for a greater distribution of power throughout DeKalb County. I believe the number of current commissioners (7) is too few for the current number of residents in DeKalb County. I suggest the number of commissioners be set at 9 individual and 2 super commissioner districts. Two super districts are needed to help to bring a county wide perspective to issues that need one. What about term limits? In these times of rapid change new blood is needed in our governing systems. Our CEO has a term limit set at 8 years. I would like to set up 2 terms of 4 years as a maximum for Commissioners. The county's appointment process needs tightening up. Also appointments often take too long to be made or not made at all. Transparency in communication need to be improved. The official organ of Dekalb County is currently The Champion which is not easily available in all parts of Dekalb County. Including other local Dekalb County information outlets will increase the visibility of announcements made by the county. The CEO 's budget deadline of December 15th is too late a date for county commissioners to give a close and careful evaluation of the proposal and have to vote on it in February given the holiday season. The current budgeting process allows bullying to get what the CEO wants and needs to be revised. Do we need a provision in our county charter to protect whistleblowers from retaliation by the county while the accusations are investigated? I believe we do and hope that you will believe so also and add some employee whistleblower protections into the new organizational act.

Mr. Hammond 's ideas surrounding neighborhood planning units are very positive and should be acted upon. NPUs meeting on a regular scheduled basis both increase citizens interest in the county and allow our commissioners to know their constituents better. Please give NPUs very serious consideration. Thank you very much for your time.

My name is Carlile Leila. I live on the east side of the County. The Stephenson area. I understand that this is a resurrection of the open meeting of the Review Commission, and I must admit I'm not familiar with the workings or anything that's embedded in the Charter. My question is how an ordinary citizen gets exposed and familiarizes themselves as to what is expected of them and what is expected of the Commission and secondly members of the Commission when appointed. Are they selected or appointed based upon their place of residence? I'm not familiar with most of the people on the panel but I would hope that I could recognize somebody from my neighborhood as a member and unfortunately, I can't at this point. Maybe I'm just not as exposed to that should be, but it would be nice for the multiplicity of the residents of the DeKalb County to have access and they should be able to know who their representative is on the Review Committee. That's my comment.

Chairman Henson – The CEO created the Charter Review Commission; he did have appointments from all the Commissioners, and he had hoped that probably that would bring representation. I believe it does. I believe the representatives from each of the Commissioners live in their district, so you do have some geographic spread over it. Ms. Harris and I are both appointed by the CEO, and you know we both live in the Stone Mountain area and Tucker area, but you know there has been a spread. So, there is somebody probably from your Commission District and around the County on the Charter Review Commission. Related to your comments, I should have said earlier.

Chairman Henson – Yes Ms.DeLay?

Commissioner DeLay - Do you know Lance Hammond? I believe he is in your district.

Chairman Henson - I'm not that far from you. I'm over in Smoke Rise which is not too far from your area. I had represented that area in the senate before. Karen Bennett is also on the Charter Review Commission and she lives in that general area if you know Karen Bennett so there are members on the commission that are from that geographic area. Right now, you can Google Charter Review Commission. The easy way to find the information would be to go to the DeKalb County website. Mary can you easily tell them how to do this?

Commissioner Hinkel – When you're on the main website, it's under the CEO. If you Google DeKalb County Charter Review Commission you will get to the site, but there are like four buckets. One bucket has historical documents and that may be where one copy of the charter is and then there's a bucket where the members are and then there's the bucket of the meetings with all of the materials that we've been sent and public comments and then there's another bucket but I can't remember what that bucket is called. There is also a link there that you can utilize to leave comments.

Chairman Henson – And some of the public comments have been quite long and detailed so you know that when you go to that link you can send us your comments and then we take those and provide them to each member of the Charter Review Commission. You may go on the website and present us with some thoughts. We are set to complete this in December and that's our goal so we're hoping over the next couple of meetings we will actually be honing down to going over and deciding what changes we

can make. The object of this study was to look at the Charter and try to find areas where there were consensus. We need 10 members of the Charter Review Commission to vote for areas of change so there probably won't be that much of a dramatic change because you need 10 members. Plus, whatever we recommend does not become law. What we recommend will go to the County Commission and the CEO for their comments and it will go to the Georgia Legislative delegation from DeKalb County and that delegation is the one that wrote the Charter and can change the Charter by law. They can change it to make a change in the charter and if it's anything substantive which most things are, then that must come to the DeKalb County citizens for a referendum, so it'll be on the ballot. So, if we made a change tomorrow it wouldn't take place tomorrow, it has to be recommended to the legislative delegation that has to introduce into a Session of the General Assembly. If you go on that website, read the charter and see things you don't like or things that you or other people would want to change, you can go to your Legislator - House or Senate- to introduce legislation to amend the charter. If they can get it to pass both delegations and both full chambers of the legislature it goes to the Governor for a signature and then again if it was done it would go to a referendum. I think you heard the quality of people here who were experienced and knowledgeable and involved in the community to a high extent to take this process on. I want to commend them for that effort.

Commissioner Leak – Mr. Chair - I was going to suggest when we did the Public Notice there were some things that you had listed on that notice that we have covered maybe we can throw those out and if anybody has any opinions or comments relative to the things that were on the Public Notice that might help give us some feedback as well.

Chairman Henson - Well I appreciate that. You know hopefully you saw this, but we did send out a Press Release commenting on certain things about the County which has a CEO form of government and executive branch and a board of commissioners the legislative branch form of government that's somewhat simplified but in a general sense that's accurate. Do you have thoughts on this structure of county government? And we've heard a few thoughts that with the growth population do we need additional commissioners? Do you like having 2 super commissioners or 2 commissioners you know when you include the super district commissioners? Do you think more funding should be provided to enhance neighborhood-based citizen protest patient structured supported by county resources? Do you believe that would help citizens communicate more directly county departments and provide a better way to have added input can the government decisions? Do you have any thoughts or input on the roles and duties of the CEO or county commissioners that could be changed in the charter to make the County budget more effective the county budget is approximately 1.7 billion? Do you have any thoughts or suggestions on the budget process to ensure public input and to ensure the most important budget priorities addressed do you feel the county government responded adequately to the recent pandemic issues that arose from the health crisis do you have any input concerning citizen boards which are established by the commission or the charter how the airport and managers supported by the government and to be honest with you having been the legislature a long time having brought you know having this charter issue brought to me we don't expand the citizens to be an expert on as chairman pointed out the charter itself or the legalities and so that is why I think the CEO appointed this, so people would actually go over kind of detailed much of the actions of county government are done outside the charter is kind of like a US constitution. It's a framework of government but underneath that is ordinances created by the county commission or the governing authority because CEO can veto approve those and so there are all kinds of laws or ordinances created by the commission that really empower

them to do much of what they do they set up the protocol on the hearings for the county budget by ordinance they set up most of these study committees by an ordinance most of the committees are established under the county government has existed under the charter but not in the charter in the charter there is an auditor audit oversight function in the charter and then an auditor and then there is an ethics board so there's some things have been added to you know help clear government runs well.

Chairman Henson - I just do want to emphasize to the members of commission that we were going to have a meeting the 28th of this month I believe and unfortunately the county government has meetings I think Sloss related that the auditorium wouldn't work and also no matter where we were we were not going to be able to get on a live stream or record or be able to rerecord it so since I had to next meeting hopefully we'll be going over kind of the charter and maybe making some actual changes maybe not for a final vote for first run through I thought it was important as you know we have as many people there as possible would be that we and where it can be recorded and live streamed so I just want to tell everybody it is very important that on the 5th and 12th especially if I of next month if you can attend those meetings it's very important we need 10 votes to help move things forward and you know we're not going to take any final action till we get them to the very end so we can go once to do through the 5th if we've approved some things we can come back and address it again but I would like it best tenants we can have and I think we it will be somewhat substantive Mr. Wittenstein.

so we had to cancel the meeting on the 28th thank you I would say that you know what it meant 27th but somebody had to go see Ringo Starr and no I'm teasing several members have complex on the 27th we couldn't get the meeting there OK members commission final call for well not the final call I'm going to wait about 10 more minutes we're going to wait till 7:00 o'clock if any commissioners who do you want to leave you can but I'm going to wait till 7 and just sit here and see if anybody else comes in then we will adjourn.

Commissioner Hinkel - just wanted to point out to everyone, including myself, whether this commission does or does not recommend major changes to the form of government or address other ways to balance the powers between the CEO and the commissioners I think that you and I as voters need to make sure that we start asking candidates for those positions the following questions: How do they see the roles of these 2 branches of county government working together? What are their priorities and how do this match up with citizens? How will they work with neighborhood leaders to better address problems in our local communities? And other than by our vote, which is once every 4 years, how can we hold them accountable? For example, will they publish scorecards or dashboards that reflect their unified goals and objectives and indicate a status of accomplishment during their terms of service? And as frustrating and time-consuming as this is, we all need to pay attention and personally interact and communicate with our elected officials so that they live up to their promises and also our expectations. And I say all of this having through this two-year year process come to empathize with the county COO, the county attorney, and the staff of DeKalb County. It may seem like all we do is criticize you. You're juggling numerous balls. But we can still do a better job and we the citizens need to be holding our elected leaders more accountable.

Chairman Henson - Thank you very much. The commission was established with 17 members. I was chair of the delegation. One of the members automatically is chair of the senate delegation; one member is the chair of the house delegation. They're expected to come when needed but they often will take what we recommend to their delegations and work it out there so they don't always participate so but it was

17 members to members have not been appointed so we have 15 I believe at this time and the answer your question so we have 15 members yes sign the alternate that

Commissioner Turner - I have some comments I've written down that I'd like to read if I may. Forty years ago, Manuel Maloof orchestrated a pretty radical change to the DeKalb County Charter. It split the governing authority into two silos giving most all operational authority to the new CEO position. There have been both intended and unintended consequences to that change. Now 40 years hence this commission is charged with evaluating the charter and to make recommendations for changes that could better serve the citizens of DeKalb County. Some say that this vehicle of government - Dekalb County- runs just fine as it is and needs no repairs but from the multiple comments from citizens at our meetings and at public hearings like this there is ample evidence from the people we serve that this vehicle is not running smoothly. In fact, it appears that the check engine light flashes constantly. 40 years from now most of us in the room and I say most of us-not all or those watching the hearing- will be dead and gone. We won't be here 40 years from now and the County will be run by other public servants. I believe our vision and the commission 's actions are to think into the future and recommend what would be the best outcome in charter structure for DeKalb for the next 40 years. What we do now or not do now will have lasting impact on the people we serve. I'm reminded too that the changes we recommend are not about any specific person or persons. They are only about the structure and principles of our county government. This summer my wife and I visited Gettysburg battlefield in Pennsylvania. It was an inspiring lesson for us in unity through intense struggle. In the visitor center there is a quote from President Dwight Eisenhower on the wall and he said our leadership - political economic, or moral - involves persuading others to do something now that will bring fruit in the future. I, too, hope this Commission could do something now to bring fruit in the future. We are now at the point of the Commission 's work where we will soon be making recommendations for changes to the Charter. We have the opportunity to show the leadership to make the hard choices to repair this governmental structure - not just for now but for decades to come. We cannot continue to ignore the check engine light on the dashboard; repairs need to be made. Thank you.

Commissioner Leak - Thank everybody for coming out tonight. As a resident of DeKalb County for 53 years I've seen a lot of changes and I think that somewhere down the line we've all had a complaint or two and we have thought that we had a wonderful idea about how to make the government work. My concern throughout this process has been to continue to encourage the participation of you and other stakeholders within your communities. We've put everything that we've done out there on the county website as mentioned by our secretary. Spread the word. The meeting dates are posted on the website We also include the minutes so if you want to see what we've done, what issues have been considered, now is the time to do it. I think that one of the things in my view we're looking for is good outcomes and solutions. Anybody can complain but we're looking for solutions. But we want to find those solutions from you who are the taxpayers and the recipient of the services that your county delivers so to the extent that you can encourage your contacts and your organizations to go to that website and most of our meetings are all videotaped so you can go back and see what we said or didn't say but please identify those things that you think impact you. This is an opportunity but the window of opportunity is closing because we have to finish this work and report at the end of December so I just put the sense of urgency out there.

Commissioner DeLay - I just wanted to pick back up on that this is really about citizen participation and for citizens to understand that you've got one CEO and you've got seven commissioners. Those people

cannot be all things to all people, so if your trash is not being picked up, it's not Michael Thurmond's fault and it's not even your commissioner's fault. So, if you have a complaint about that, contact the right partner and try to get that resolved but let's not throw the baby out with the bathwater because we're mad at Michael Thurmond for whatever reason we might be mad at him. This is his last hurrah so citizens I just urge you to participate and educate yourselves about what's actually going on with the County. I've learned so much just being on this commission about who is responsible for what, but everybody's doing a great job and we just have to kind of come together and make sure we are complaining to the right person about the right thing for results.

Chairman Henson - I do want to thank you all for attending and since it's come up, we do have public comments at every meeting from June of last year on. We've had three public hearings. We're going to be working on recommendations and before we go to the legislature, we'll have two more public hearings to tell you what they are and we welcome input to the general assembly. We are going to act on any recommendations we put forth so they would have a public hearing so please you know if we make some recommendations you don't like, and I don't think that's going to happen, people are going to be interested in your input and the legislature is going to be interested, so if you see future public hearings on this, please participate and know that your voice is heard. And if you have a public comment, the next meeting will be in the Maloof Auditorium at our regular business meeting where we've reserved time at the end for comment. We start around 6:00 p.m. and meetings run till 8:00 p.m. or after usually about 20 minutes before we allow public comments. Mr. Binney has been there almost everyone and so that will be at the Maloof Auditorium on October 5th and 12th if everything goes as planned. The public hearings have not been set yet - one will be in the 3rd Commission District and one will be in the 1st Commission District. I am going to adjourn, please go to the website and make comments and suggestions to us. Thank you so much and I appreciate it.

Steve Henson, Chairman

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

