

DEKALB COUNTY CHARTER REVIEW COMMISSION

July 13, 2023

In Person Meeting

Manuel J. Maloof Center

SUMMARY

I. CALL TO ORDER

II. ROLL CALL

Steve Henson, Chairman

Virginia Harris

Clara DeLay

Claudette Leak

Mary Hinkel

Dwight Thomas

Robert Wittenstein

Susan Neugent

Jim Grubiak

ABSENT:

Dr. Gerald Austin Sr.

Karen Bennett

Lance Hammonds

Sen. Sally Harrell

Bobbie Sanford

Vickie Turner

John Turner

STAFF:

Representatives of the Carl Vinson Institute

Zach Williams, COO

Terry Phillips, County Attorney

Barbara Sanders-Norwood, Clerk

III. MINUTES: The June 8 minutes were approved.

- IV. INTRODUCTION of INVITED GUESTS and ELECTED OFFICIALS:
Commissioner Bradshaw was in attendance
- V. REPORT FROM THE CHAIR
- VI. UNFINISHED BUSINESS: Additional review of Sections 13 and 13(A)
- VII. NEW BUSINESS:
Commission members Robert Wittenstein, Mary Hinkel, Claudette Leak and Jim Grubiak reviewed their suggested changes for sections 14, 15 and 16 followed by discussion with attending Commission members.
- VIII. REMARKS OF INTERESTED CITIZENS/PUBLIC COMMENT
Jocelyn O'Neal
Andrew Bell
Steve Binney
JoAnn Proctor
Martha Pacini
- XI. NEXT MEETING DISCUSSION & ADJOURNMENT:
The next meeting will be Thursday, July 27 in person at the County's Sam Street Building beginning at 6:00 p.m.

The Commission adjourned at 8:10 p.m.

CHARTER REVIEW COMMISSION MEETING

July 13, 2023

Maloof Auditorium

- I. CALL TO ORDER – 6:04 P.M.
- II. ROLL CALL
 - Steve Henson, Chairman
 - Virginia Harris, Vice Chairwoman
 - Mary Hinkel
 - Claudette Leak
 - Clara DeLay
 - Dwight Thomas
 - Jim Grubiak
 - Susan Neugent
 - Robert Wittenstein

ABSENT:

- Karen Bennett
- Lance Hammonds
- Bobbie Sanford
- Dr. Gerald Austin, Sr.
- Vickie Turner
- John Turner

STAFF:

- Zachary Williams, Chief Operating Officer
- Vivienne Ernstes, County Attorney
- Representatives from the Carl Vinson Institute
- Barbara Sanders-Norwood, County Clerk

III. REPORT FROM THE CHAIR

Chairman Henson - I just want to thank everybody for being here and we're going on with section 13. Next month we'll be meeting at the Sams Street building, so if you don't know where that is, talk to me before you leave, and I or my secretary will provide emails to you.

Hopefully, we will continue meeting for the next two or so months to try to go through the entire Org Act and get an idea of where we are, and then I'll bring sections of the Org Act back with some changes that I think maybe we can pass muster with 10 of us.

Speaking to the public: We went over some important sections last month. At our last meeting we went over sections 11 and 12 of the Org Act and of course you know a lot of people on this Commission have some different feelings on whether the County Manager or CEO form of government or a strong

Chairman form of government should exist, but what we're trying to do is find a recommendation to improve what we have and one that 10 members can find some agreement on. That's a difficult task but I want to thank each and every member for working hard to try to work in a collaborative spirit to try to come up with something that may not be exactly what you want, but it's something that will benefit the DeKalb County citizens and at least move our structure of government in the right direction.

The secretary just reminded me to ask for a motion to approve the minutes. We do not have the last meeting minutes, but we do have the June 8th minutes. So, if all of you would look through your folder and look at those June 8th minutes. There is a MOTION to approve, a second, and hearing no changes, all in favor? Thank you. Now we're going to start with our continuing review of Section 13 of the Org Act.

IV. UNFINISHED BUSINESS – SECTION 13

Commissioner Hinkel (See attachment of suggested changes)

I would support the Commission/County Manager form of government suggested by Mr. Wittenstein at the last meeting primarily because that form of government establishes the most direct lines of authority, accountability, and communication. However, if this is too radical a change for now, I think Mr. Grubiak's suggested changes in section 13 which we reviewed last time would begin to balance and better define the authority and roles of the CEO, Board of Commissioners, and the COO and help create a culture more committed to the efficient and effective delivery of services and citizen engagement.

So, what I'm going to do tonight is just emphasize some of the changes that I suggest not covered by Mr. Grubiak in his section. If you look at paragraph G of section 13, this is the one where the Chief Executive shall have the power to investigate the affairs, records and expenditures of various authorities. I would add to that paragraph at the last sentence: final reports from these investigations shall be made public at a Commission meeting and posted to the county website. What I said in my comments which hopefully all of you have seen is this is in support of public transparency and citizen education.

Then paragraph H: I like Jim 's language here that he has about the leadership role of the chief executive in intra-and intergovernmental affairs. I would suggest moving this paragraph to the beginning of the CEO section because it provides a good overview of the CEO 's leadership role and authority.

Then paragraph I, which has to do with the chief executive preparing and submitting a complete annual report on the financial affairs of the county. You notice there's a sentence that says the chief executive shall cause a summary of said annual report to be published in the official organ of DeKalb County. I would add and "on the county website" and then again next to the last sentence I've added: " a summary shall also be communicated to the public in a format more easily understood by the public and shall provide summary information on the top forecasted expenditures that require 80% of the expected total revenues. The summary information shall also include each department directors name, number of employees, and number authorized, versus number paid, previous year budget and proposed year budget and the last two years of actual expenditures separated by salaries, outside fees, contracts, materials and so on. What I said here is elected leaders should be doing a better job of explaining county budgets to taxpayers so that we are regularly informed and can gain perspective on rate and tax increases and identify county priorities via where our tax dollars are being spent. If you think I'm being crazy about this, I will tell you that the Government Finance Officers Association has recently put out a

report that calls for this type of reporting to improve public engagement. We're becoming such a diverse country we need to be doing a better job of educating our citizens. The GFOA is calling for simpler language and better explanations of things so I feel vindicated that I'm not too crazy.

Commissioner Hinkel – Moving to Section 13 A : Appointments to Public Office. I agree in this section with Mr. Grubiak that the Board of Commissioners needs the ability to act on board appointments if the CEO does not. Establishing time requirements to make appointments in a timely fashion is warranted and assigning responsibilities to the COO for supervising the appointment process makes sense, so I would support his changes there.

However, I would add that the whole idea of citizen boards and their purpose and operations should be examined more thoroughly, and I hope we can recommend that the county establish a Public Engagement Commission to work with the COO to review the county's board study, the DeKalb Citizens Advocacy Councils' recommendations, and the best practices in this area. As I say in my comment: addressing the timeliness and communication of appointment opportunities to the public (and among the appointing authorities themselves) is warranted. There are also model processes that should be looked at in terms of the ease of act public access to information on board policies and procedures. As I've said before, the City of Atlanta has an entire code section devoted to the operation of public boards. A possible recommendation of our Commission is to create such a commission. This is more complicated than just saying to the COO "go do it"; we need a Public Engagement Commission tasked with exploring this whole area.

Commissioner DeLay- When you say exploring the whole area, do you mean board appointments or how boards work?

Commissioner Hinkel – Both. I think just dealing with the appointment process doesn't totally respond to the issues that I've seen in board meetings. DeKalb Citizen Advocacy Council looked at like 8 different boards. We watched the zoom meetings. Some boards are working terrifically; some not so much. Remember Lance Hammond said he was put on a board which had no purpose. I don't think we can justify that. We've got like 40 something boards, some of which none of us know what they're about. We really need to look at this more thoroughly. In Atlanta, for example, after a certain time the boards have to make reports, and if they're falling apart they're dissolved. I'm sure the legal office will have comments about this, but it's not just fixing the appointment process, it's also identifying what boards we need and how will they work. I think staff liaisons to the boards are important so they're not just thrown off by themselves to do things.

Commissioner Leak - I just would like to remind everyone that several months ago the COO advised us that there was a consulting group working on this issue. Do we have that report yet COO Williams?

COO Williams – You are referring to the report done relative to the boards that we're talking about Mrs. Leak. Yes, we can bring that to the next meeting or e-mail the update. It's really a status check of each of the 40 boards. It just shows where there are vacancies and the terms of the different members of the committees.

Chairman Henson - Mrs. Hinkel, your comments about City of Atlanta those boards and those requirements is in an ordinance created by the City Council?

Commissioner Hinkel - I can't speak to all the boards they've established, but the process of how they're being established at least for the citizen boards is set. I don't know how they're doing with their Marta representatives and that kind of thing, but speaking of the citizen boards - it's more that they have established how to set them up so they can function. Yes, I said code; it's not in their original organization act that I know of. Some of those boards are created by the state. The independent boards are functioning well now and they usually have their own outside counsel and they have administrative support – for example, the voting board is working well, the ethics board is or will be working well. I'm really talking about these other boards, like the Parks Advisory Board, Watershed Advisory Board, etc.

COO Williams -I'm talking about those created via executive order or resolution or some act of the governing authority as opposed to state law and as opposed to the charter.

Commissioner Hinkel - I'm just making a recommendation that a Public Engagement Commission be established to study best practices and look at models around the country and City of Atlanta and at least examine them and come up with some guidelines and work with the COO to give us something that really engages citizens, that's respected by the departments of government, and has a purpose.

Commissioner Leak - Because we're talking about the Org Act and the Org Act, especially 13, is dealing with the appointments - what we've seen and looking at some of these boards is for example that people may have a two-year term and they've been on there for eight years, or they're serving on multiple boards. We have 750,000 people living in Dekalb County so it kind of skews the viewpoint and input a little bit. Somebody needs to be defined as having oversight. Whether we put in there that it is the Board of Commissioners or the CEO 's office, but not only that, a lot of these boards do not meet state requirements for meetings and publishing the meetings ahead of time so that citizens know when they're going to have it or an agenda and or by-laws, so you know I concur with Mary that it is a little bit more complex but it relates to the Org Act Section 13 A.

Commissioner Neugent - Mary you were saying though that there's an element of what you're proposing that's outside of the scope of the charter, there's also an element of what you're proposing aside from the impact of this CEO 's appointment that would be inside the Charter to trigger these things to set up that process is that correct?

Commissioner Hinkel - I agree with Jim's language about the COO assuming responsibility for this process and I would hope that's in the charter. I would also hope that we would recommend a Public Engagement Commission be established to work with him, and I guess that would take the commissioners making a resolution or something.

Chairman Henson - I don't think anybody has any objection to us in our dialogue that will have certain lines that are red line crossing things out, but also to have the statement that we think it would be wise for the Commission to encourage public involvement at every level and that a Commission on public involvement would be a wise thing we hope they look at undertaking.

Commissioner Neugent - I sort of like the idea of finding a way to make that a part of the concept embodied in the charter as well. I'm not sure exactly how to do it. That's why I was asking Mary that. There's an element of what she's proposing that could find its way into the language of our recommendations if we all like that idea.

Chairman Henson - Also one thing that will happen if we do adopt language similar to the one that Mr. Grubiak presented with the COO having responsibility for these and notifying vacancies and etcetera and keeping up with that, I think if that's in the Charter there'll be more attention brought to them and we'll find a place where we can find out where they are and who they are and how they exist. That in and of itself will be a big step forward because right now you know unless you go to Mr. Williams you don't know what all 40 of those are and I think that kind of building the process will be opening the door a little bit to finding out more.

Commissioner Hinkel - If we have a new section that calls for a Charter review Commission every 5 or 10 years, that group could also begin to look at changes based on what the Public Engagement Commission and the COO learn as this process moves forward and matures. There may be changes needed that could be part of a future Charter.

Chairman Henson - Remember too in your folders is a summary of different suggested changes as we go through the sections. It may not be perfect but it's very close to a summary of different people's proposals. We do have a commissioner here and he just missed the opening comments. If he has anything he wants to say. Commissioner Steve Bradshaw are you present?

Commissioner Bradshaw – Yes and everything is well.

V. NEW BUSINESS

Section 14

Commissioner Wittenstein (see attached document)

Commoner Wittenstein - I really only have one change on Section 14 and that is to standardize calling the position “Chief Operating Officer” instead of “Executive Assistant.” I'd love to give the Chief Operating Officer some more powers and duties, but those powers and duties would come from the CEO and we've already had a discussion about that. The only other change is that if we are hiring somebody as a COO they should have a Master's degree in a related field and not just a four-year college degree. For a county of our size, a person in this position needs to be fairly advanced in their career and just a four- year college degree I didn't think was sufficient. So if you look at section 14 C in my red line I've changed college to masters and there's a whole list of different disciplines including the phrase “related field” so that would give them plenty of opportunity to hire a qualified candidate. And I point out Zach has a Masters.

Commissioner Thomas - Simply because you have a degree doesn't necessarily make you the most qualified. And also, we've got people in our society who don't have degrees, however, they move into great things. I'm just a little concerned about the fact that you've got to have a Master's degree as opposed to maybe something else that can equal a Master's degree.

There are some people who have experience; they take classes. You know the fact that they've just got a college degree and not the Master's degree doesn't necessarily mean that they're not the most qualified candidate. I also would like to know when we change the language what is the reason for changing the language from Executive Assistant to Chief Operating Officer? What are the semantics on that?

Chairman Henson – Well, number one there is primarily an Executive Assistant also referred to as Chief Operating Officer, and in practice it's also referred to as both. There are two things here: One is to make it solely referred to as one or the other, and secondly some of the members feel that the Chief Operating Officer or Executive Assistant may not be doing a broad managing of the county and that the CEO does that all the time. I'm of the opinion that even though most power lies with the CEO, whoever the CEO is, he or she relies heavily on the chief operating officer or executive assistant to manage the County. I believe that's probably the practice. I don't have a problem with them running the county, because in fact they are the full time person helping the CEO and county governing authority run the county. So it may be “semantics” but I think it makes some people feel more comfortable if the person who is assisting in the management of the county is referred to as a “manager” or “COO.” It conveys more authority than just “executive assistant.” Although my personal perspective, which is not the same as everyone's, is that people lower down the line are concerned that the COO or executive assistant respects them, because they know they can go to him or be fired by him or he can go up the chain to the CEO to fire them, but some people feel that maybe their respect is diminished because they're just referred to as an “assistant.” So, I think that is why some people want to do it.

Commissioner Leak - I agree with Dwight as far as your rationale on having a Master's degree because some people's work experience is equivalent to a PhD depending on how long they performed, what discipline they had, and that kind of thing. So, for that reason I would not be inclined to put a Master's degree there. It is up to the citizens when they go to the polls and want to vote for somebody if they think that person has the right credentials or not; but I don't think it should be incorporated into the Org Act.

Chairman Henson - Now just to clarify for the public watching, the CEO doesn't have to have these qualifications. It's the chief operating officer - the person who is the manager. But you're right if the people going to the poll and their elected official puts someone in there who is not doing a good job, he or she will pay the price. So, they are trying to find the best person and you would think that would often include someone with a Master's degree, but you are both saying somebody may have 20 years running county government and may not have a Masters, which would preclude them or exclude them.

Commissioner Thomas – Did Mrs. Nash have a Master's degree?

Chairman Henson – I don't know.

Commissioner Harris – She did not when she first started but she did get it later. I will have to go back and look.

Commissioner Thomas – But did she have it when she first started.

Commissioner Harris – No

Commissioner Hinkel – Why don't we go back and add a sentence saying “in lieu of a Master's degree ,,, something about experience. I think there's something like 5 years of experience and supervisory capacity already in the Org Act. We can add a sentence beginning “ In lieu of a Master 's degree ...” and add what we expect.

Chairman Henson - Do you know if Richard Stogner had a Master's?

Commissioner Thomas – I think he did.

Chairman Henson – Re the concern about Master’s degree, if you have some other language you want to present before we come up with something final, we’d certainly consider putting it in there. Re the position’s title, the CEO can call them whatever they want. I think it’s a stronger term and in fact some of Mr. Grubiak’s language is trying to highlight that the county COO or executive assistant does have strong managerial responsibilities and you know I think that is case today. and I don’t think that’s problematic trying to point that out.

Commissioner DeLay: I appreciate the consistency of having one or the other.

Commissioner Leak: I have a question more than anything else in section 14 about a copy of the final budget adopted being transmitted by the CEO to the grand jury of DeKalb County then in session within 10 days of the adoption. So, I just wanted to know when they get this report, what do they do with it, does anybody know the County Attorney?

Chairman Henson - I think that would be more for the budget section. Is it in 14 toward the end?

Commissioner Grubiak - In the first go round the question came up about the Commission confirming the executive assistant. Right now, the chief executive shall nominate and the Commission shall confirm a COO, if we’re using that term. My suggestion was that we just make it clear that this says they shall confirm. and really there’s nothing that says that they shall confirm. It’s presented to them for consideration and they may confirm or not confirm so it was just kind of technical change and I think there were some general agreement about that fact. I think it should say a Chief Operating Officer whose nomination shall be subject to confirmation by the Commission which is really what the content is.

In subsection B this says that when directed to do so by the Chief Executive the COO may exercise any duties and powers vested in the CEO by law order and so on. What I’m suggesting is that we add a provision that says any such delegation pursuant to this subsection shall become effective upon execution of an executive order of the Chief Executive describing the delegation and a copy of any such order shall be transmitted to the Commission upon execution, and that’s so that’s the Commission knows what the delegation is and the public knows what the delegation is, as opposed to the CEO just saying “Mr. COO do this today and maybe you won’t have that delegation tomorrow, but you do today.” It seems to me there should be some thought given to the process of delegation.

Commissioner Wittenstein - That causes me a little bit of concern because what I worry about is the CEO then holding everything and not delegating it. If the delegation has to be so written and the public notified, then it may be a little harder for them to work together. But you know, for example, I think Mr. Williams has 21 direct reports - he has to do performance reviews on all of them but he does those representing the CEO because the CEO is actually their boss and if the CEO were to say “I’m going to delegate the doing of reviews for department heads to the COO” that might that might be a hard thing for him to delegate, but I’m sure that’s getting delegated. So I’d much rather feel like it maybe ought to be informal and allow for give and take, rather than actually require the CEO to relinquish some authority to the COO in a public way. That’s the concern.

Commissioner Howard – And what about that hamstringing the CEO and in such a way that sometimes things need to be done you know and you’re working within time constraints and time is of the essence

and you don't have time to send something out and write and send it to the Commission. What's the purpose of sending it to the Commission.

Commissioner Grubiak: Well, the purpose is so the Commission knows who's doing what. As I said earlier the CEO can delegate informally anything he or she wants to delegate at any point in time and on any given day and can withdraw the delegation at any given point and any given day. It seems like for the benefit of the county there should be some thought given to what's delegated and what's not, but that doesn't mean it takes a long time to do it. An executive order could be 10 lines on a piece of paper: I've decided to delegate let's say it's hiring I mean you're hiring certain department heads and the CEO decides "I don't really want to be doing that myself. There's certain department heads I would want to delegate to the COO so he could operate the county and that doesn't mean he would do that but he could do that, but if he's going to do that it seems like there should be something in writing that that reflects what that decision is.

Commissioner Thomas - He's going to need to get a legal opinion from the County Attorney; that may take some time.

Commissioner Grubiak - I don't see why ...

Chair Henson - Do you see any concern of unintended consequences? If I was CEO and I had to give an executive order outlining my duties to the chief operating officer I would do so and pretty much just make him advisory and everything it'd be clear that he was just advisory. I think it would actually diminish his role because I wouldn't put out there that I was yielding anything permanently. It would all be, you know, the COO will help me address things in an advisory role and I'll take action when necessary. I think you might actually diminish the role of the COO because if I have to put it in writing and be held to it, then I'm not going to put anything in writing and be held to it.

Commissioner Grubiak - I kind of would quibble with that. So, I think you know if you're the CEO you're tasked with managing the entire county, right? I mean that's what the function of the CEO is - to administer all the duties of the county, I mean all the responsibilities of the county - all the functions of the county. There may be many things that CEO may say - I just don't really want to deal with those things maybe they're the details of the management and the details of administration of certain functions that rather than have to just kind of have people guess who's doing what I'm going to in writing create an executive order saying I'm delegating these things to my COO. Now I can also withdraw that delegation. There's nothing permanent about it. I can do it for a month... I can do it for a year... I can do it for four years. I can withdraw it anytime but if you're yes and that and

Chair Henson – But, yes, that can happen now. The CEO can do an executive order delegating to the COO or he could do a letter, basically, and publish it but if I knew I had to make the slightest change to it or I was going to have to redo a proclamation or executive order and re-send it to the Commission, then I would be very hesitant to make that to begin with. Because if I had to change it, then I can't just go down and tell the CEO "Well don't do that because I think that won't work in this timeline, 3 months from now I plan to do this, and this just doesn't work out in the best interest of the county right now." I might have the COO say OK, but I wouldn't if it was not in my initial executive order. Would that be right telling him to do that? No, it wouldn't probably be, so do I have to do an executive order that I can tell him not to do it? I just think you might be trying to over manage through the charter the operations of county government and the people that you have elected and hope to do the job.

Commissioner Leak - Having worked under three COOs in DeKalb, not including the current administration, the COO is on task all the time and is almost 100% on site, so there's things walk through the door unexplained and unanticipated. He has the authority to move forward and get things done to keep things moving. So from that standpoint of the CEOs being very available versus the CEOs a lot of times who are not in the office I think leaving it just as a general delegation of powers will be sufficient for me.

Chairman Henson - I didn't have any big problem when you mentioned to me earlier and I still don't, but I do think what it will tend to do is my executive order or an executive order by the CEO will be less detailed than you think it will be, and it will actually leave more doubt on what the authority of the COO is. Because I would not want to have to every time change it to do another order. Whereas anytime I want to step in, if I left it that he's just advisory, I could do that. You know what I mean?

Commissioner Grubiak - I sort of do, but I'm still thinking that right now we don't know what the COO 's job is. Several of us have asked if there is a job description. Is there anything that says what the CEO does? And the answer is no, there's no job description, there's no contract, there's nothing that is especially delegated. I think someone asked at one point if Zach could fire employees, and I think he said yes.

Chairman Henson - There's two questions here to revisit: Can you fire people and do people respect your authority? And do you feel that you understand your responsibilities and do you feel that your responsibilities are understood basically by others including our commissioner back there and others in county government?

Mr. Williams - So I'll take the second question first. I believe that my responsibility is clear. I am responsible for the daily oversight and management of the organization. I'm responsible to the CEO and the Board of Commissioners to do that and staff understands that and operates in accordance. As regards the firing, the chief executive is the Executive so personnel decisions of hiring and firing are ultimately his. There's a certain amount of delegated authority that I have on a daily basis to on-board positions up to a certain level. Department heads -- the expectation would be that the CEO is certainly advised, consulted, and gives the final approval as it relates to hiring or firing those positions.

Commissioner Grubiak – How is that power delegated?

Mr. Williams – I've worked for three CEOs and, in each instance, I think it is more conversational. There's not a memorandum like you're describing except as it relates to purchasing. There are delegated purchasing authorities and responsibilities that are in writing because they have to be because it's a signature for purchasing things. But as it relates to the daily oversight and management of the organization that's simply the role of the chief operating officer or executive assistant and the three CEOs that I have worked for simply expect that and advise that of the team.

Commissioner Grubiak - Section F deals with the assistant to the CEO and what I'm proposing that we do to in the charter is delegate the authority to hire the two assistants to the COO. That would be subject to consultation with you know the powers that be of course, but I'm suggesting that the COO have the power to appoint two administrators to assist him pursuant to this subsection and be subject to employment agreements. And if additional assistants are needed then they can also be hired by the

COO subject to budget authority being provided by the CEO and the Board of Commissioners in the county budget.

Chairman Henson - In the present charter there's a reference of those two employees and at present the CEO is the person that hires and fires them or decides to let the COO do it, and you're trying to put into the charter... into the actual structure that those two assistants for the COO will be hired and fired by the COO.

Commissioner Grubiak - What led me to that suggestion really is the report we got somewhere along the line over the past months that the COO has something like 20+ odd reports which seems to be an untenable number of reports. In any organization there should be fewer than 22 and so if he does have 22 reports then he needs some assistance to help manage those 22 reports. I think as of now that authorization has not been invoked if I'm not mistaken so those two assistants that are contemplated by the charter have not been created. So, this was a way to kind of shift some authority to the COO so he can handle his own responsibilities however it's been delegated. As it is now the COO has a lot of responsibilities on his plate and I think any anyone who looks at that relationship from an outside standpoint - a neutral party - you know someone who studies organizational administration would say 22 reports is not workable and so this a way to start towards creating some way of staffing the COO function in a way that would be beneficial to the county. So, these positions, and by having a contract too, I mean the intent is also to make somebody responsible directly to the COO and then the COO is responsible for their work as well so it creates a kind of a accountability that I think would be beneficial to the county as a whole and to the citizens of the county.

Commissioner Wittenstein: I like that and these strike me as political appointees. You know a new CEO comes into office and has a couple of buddies and wants to make sure that his buddies are working in the COO 's office, right, and they're his guys or his gals and they're working at the pleasure of the CEO. That strikes me as being potentially problematic If the COO, who is responsible for running the day-to-day operations, picks his or her own right-hand people that strikes me as being something that maybe is a little more help healthy.

Commissioner Leak: The Org Act references the 2 assistants in section 14 but there was also in one of our previous presentations, I think, Zach you mentioned there were some deputy CEOs. I'm curious as to which version would work best in terms of what you're trying to accomplish. If you leave it with the assistants, I think establishing some responsibilities and what you presented is good and I can accept that. I'm just wanting to see do you need the assistants and the deputies. Deputies are not defined in the Org Act. Do they need to be?

Chair Henson? I think that the Org Act referencing these two, it probably you know opens up a whole can of worm as far as research and trying to get into all the other levels of employment that probably it's a little easier for us to stick to these two. I don't want to limit you to that, but you know these two are already referenced in the Org Act and this delineation of who can hire and fire I think is trying to give more responsibility to the COO position and that's you know that's probably simpler than trying to open up some more. So I kind of urge you to stick with these two positions for the time being.

Mr. Thomsas – Does this put limitations on the executive authority? Probably your state government is going to have those types of terms carrying out his executive duties,

Chair Henson - There's none that I can think of - any department or department head that has constitutionally the authority to hire people under him. Now there are more, you know, other elected administrators in state government like the AG and Labor Commissioner and Secretary of State. In our county government we're limited a little bit. We have a probate judge and a few of those, but not quite as many, but no it is restrictive. The only thing you know that kind of eases my concern about that is I think any CEO - when they hire the executive assistant - there's going to be discussion about these positions. If we change the authority, and that the COO will be cognizant that you know they're hiring somebody that they talked to the CEO about and that there's some kind of conversation and he might feel a little more authority to hire somebody and get somebody but I doubt they would do so without sitting down and talking to the CEO as well. So, I see where Mr. Grubiak is going and I don't think it's too far reaching.

Mr. Williams, do you have any comments? The specific question is presently there are two spots in the charter and you wouldn't be required to fill them but if you have been given the power to fill those positions.

Mr. Williams - So the positions you're referring to in the charter referred to assistant county administrators. Those positions are hired and presumably fired at the discretion of the CEO. So the question is if these positions were to be hired and presumably fired by the COO or executive assistant and me in this case, would I have conversation or consultation with the CEO. Is that the nature of your question?

Chair Henson: Do you think it would be appropriate to see if we put it in the Org Act? Do you think that that would be just the understanding that you'll take care of those positions

Mr. Williams - This is based on 30 some odd years of experience. At executive levels in most of those any person in a position like mine working for a chief executive would not make key hiring decisions without consultation with the CEO because at the end of the day the CEO is elected and held to account by the voters. So any key positions in the CEO's administration I think it would behoove anyone you know in the COO position to ensure that the CEO was ultimately comfortable with any hires.

Chairman Henson - Mr. Grubiak is also trying to put the responsibility on the COO to make sure that those executive assistants function well and do their job right, so do you think putting the burden or the responsibility to hire and fire them on the COO changes that in any way?

Mr. Williams - I don't. I can't speak to Mr. Stogner or others before him, but I can speak for the last 10 years. The CEOs have deferred the daily operation, management, and oversight of the enterprise to the COO, and so to your question, to keep up on the work product and things like that, whether the COO hires them or not, I would think that the CEO will task that position to ensure that the work is getting done.

Chairman Henson - As far as budgetary constraints, the Commission approves of a certain budget for the executive office I assume. The CEO directs that money. You know you could have one less employee and give a 5% raise or you can spend it all or you can send some back. Ultimately, the budgetary allowance for those two employees would still follow with the CEO. Is that not correct?

Mr. Williams - Yes the budgetary allowance would fall within the CEO's purview and that presumption is that those assistant county administrator positions are filled and occupied. I believe that the deputy

COO as Ms. Leak mentioned was introduced under Burrell Ellis. Since CEO Ellis those deputy CEOs have really functioned in that manner.

Chairman Henson - Regarding Mr. Wittenstein's comments on the CEO hiring somebody. I know from watching the Mayor of Atlanta, many times people who are you know qualified to assist, but there's not a role, they become senior advisors. This happened from Mayor Campbell on, and right now the CEO of DeKalb County, if he or she wanted to create a senior advisor or some other position within the government, if there was a budgetary allowance for it, they could do that correct?

Commissioner Wittenstein - The question I have is during the three CEOs that you've had, how much involvement have you had on selecting these two assistants? Are you fielding resumes and doing rounds of interviews and presenting with the CEO and participating in the decision-making process? Or has this been a case of the CEO coming to you and saying here's the people I'd like you to consider because I'd like them to get considered.

Mr. Williams – First, those positions, the assistant county administrators, we really haven't used with that title. The title has been the deputy chief operating officer and so there's been some involvement. When I arrived, I believe Ms. Bolero was the DCOO over Economic Development, she was here already. There was some involvement in discussion when we brought back the deputy COO over Infrastructure and some discussion you know when the CEO brought Director Lumpkin on board. So those positions are not really called the assistant county administrators as it is in the Charter, they're called deputy COOs and you know those are by the authority of the CEO, but I suspect in any hires and such that I would be involved just like I am with the police chief or any other major positions. Under this current structure they are deputy chief operating officers. The current position that is occupied is deputy Chief Operating Officer for Public Safety Director calling Public Safety Director Lumpkin that is one but the structure that conforms to 2 assistant county administrators is just not a structure that DeKalb County has employed in the past over 10 years.

Commissioner Hinkel – How do you explain this chart? This shows all these people reporting to the Chief Operating Officer.

Commissioner Grubiak - It's confusing but with the two positions that might be being alluded to in the current Org Act, one is filled with a person not acting as an assistant to the COO, even though it's titled assistant to the COO. Whether they call it deputy COO or not, the job is not to assist the COO; it is to do something entirely different. So we either should, as Mr. Wittenstein said, just delete them entirely or make them function, which I would prefer to do. I would like to help Zach be the best that he can be. I think it would be beneficial to the county if he had someone he could be responsible for, and they'd be responsible to him.

Mr. Williams - If I could just clarify - and thank you Mr. Grubiak for making for me be the best Zack that I know how - but in the daily operation and oversight of the organization - and you and Mrs. Hinkel did mention the number of departments - we operate in what we call "clusters." There's a public safety cluster, administrative cluster, planning and sustainability cluster, public works and infrastructure and so those chieftains or those deputy COOs that oversee those three primary clusters - public works and infrastructure, public safety, and development function – are assisting me or whoever is the COO in the operation and management of the organization, so they're not an assistant in the sense of an

administrative assistant, they are a Bureau chief and oversee a line of business, public safety or what have you, and that is how they assist the COO.

Commissioner Grubiak -So, they're not assistants to the COO. This is why the term that they used in the charter assistant county administrator. That's not an administrative assistant level; that is a senior executive level position.

Commissioner Wittenstein - The question remains: are these two positions needed? Would they be beneficial to the county or not? Or should we just delete them entirely and just not worry about it?

Chairman Henson – Mr. Grubiak, just have a look at it and we'll talk, but I think there's certainly concern that it wasn't what we really thought the positions were meant to be, so maybe being deleting them might be the way to go. But we probably would put in our narrative that we are as a Commission concerned that the COO has a tremendous amount of people reporting to him and that we are concerned that 20 or more reports is a lot and we hope that there will be a look at whether or not additional support staff for the COO and management is needed. Are there any layers or groupings below you? Do all 23 or 19 people, depending on how you look at the chart, report directly to you on a on a weekly or monthly basis or do you have any other filters or something?

Mr. Williams - I would I would have to look at the exact number, but public safety, for example, reports through the Director of Public Safety - so the Fire Chief, police chief, emergency manager, 911, medical examiner, animal care - all report to the Director of Public Safety and the Director of Public Safety reports to me. And so each cluster is designed that way. There are vacant positions in the deputy COO of planning and so that cluster is reporting to me at present but they would report to me through the DCOO and in public works there is a public works director so your sanitation, transportation, roads and drainage, fleet all report to that public works director and he reports to me. It's true that all those senior managers are skilled, have masters degrees and they don't need you to go over every decision or manage them. I am there as a resource should they need anything. We're describing Sanitation is an \$80,000,000.00 enterprise, Watershed is a \$260,000,000 enterprise, so these are leaders who have you know plenty of credentials, plenty of know-how, and you know don't need my daily tasking, but I am there to provide counsel, guidance, and assistance as appropriate.

Commissioner Hinkel - So perhaps this chart could be changed to reflect the actual organization of our county.

Mr. Williams - Right and I can't see it from here but I would think that probably it is the chart, but since the key positions are vacant at the top of those clusters there's no nobody identified as top in clusters that you're talking about, so there is no DOOO. There should be.

Commissioner Hinkel – When there is a complicated problem that can't be address through 311 or one department, where is the integration of these areas? Do they talk among themselves in each cluster?

Mr. Williams -The reason that we are organized in clusters is because quite often issues you know have commonality, you know sometimes Roads and Drainage issues and Stormwater issues and Watershed issues and Sanitation issues, they kind of blend together and code enforcement so that is how that operates right and you know the role of the DCOO is to not only to ensure that folks are meeting and resolving issues, but there's a certain amount of cross pollination that's needed within the cluster and then you know different clusters have issues that may resonate. In Parks that also have a police

component, or that has a Sanitation component, so all of that is part of what we do on a daily basis and I think as I described early on. Every Monday I meet with each cluster and we kind of go through what's going on.

Commissioner Leak - Could I ask Mr. Williams a question, in your view, and I don't want to belabor this point, but I just want to be clear. The current Org Act references these two administrators and you're saying that those positions haven't been filled in 10 years.

Mr. Williams - I'm saying that those positions by name have not been filled since I've been here, but we have had deputy chief operating officers who fulfilled that function.

Commissioner Leak - So would you envision that deputy officers will provide a better integration for the organization than the assistants?

Mr. Williams - I think it's semantics in terms of what you call each of these positions and again I would just go to you hire leaders and you give them responsibility. What you call them is you know is not as relevant as what their responsibilities are, and a clear understanding by them and their team as to what's expected.

Chairman Henson - Sounds good. I see that there are some disagreements. I may look at that section with you and get back with you, Mr. Grubiak. We may strike those or give him a head heads up on what we plan to recommend and have him ready with the alternatives, but I think we should move on.

Commissioner Grubiak - Just to have the delegation of responsibilities there is our suggestion that we add a new subsection G to section 14, which is the delegation provision. The chief executive may delegate to the chief operating officer matters concerning the operation, supervision, and administration of one or more of the departments or agencies and then the scope of the chief executive authority including but not limited to appointment, compensation, and removal of department directors and other employees of the county. I was really kind of following on the same concept suggesting there be more formality and thought given to who does what and in relation to the CEO, so if he wants to delegate. We're talking about future CEOs really because this is going to take place sometime in the future if it's passed at all, but this is a process for thinking about whether the CEO should delegate certain substantial responsibilities to the COO including hiring, firing and so on.

So, it's just kind of stepping towards the direction of having more direct management by the COO. My objective is to have accountability and responsibility and authority to do the things that need to be done for DeKalb County in lieu of having a County Manager, for example. This is what the County Manager would be doing; these things for the most part. We don't have a County Manager, so if we had a CEO at some point in the future that says I would like to delegate many of these or some of these important responsibilities to the COO so he can be empowered to manage and be responsible for how staff are responsible to him and they're accountable to the COO. We're trying to create accountability, responsibility, and authority as three key goals. It was my thought that this would take a step towards that but my thinking was you have some kind of a playbook here for a future CEO that is thinking about things and says I'd rather focus on the leadership responsibilities, the big picture, and important across the board kinds of responsibilities of the CEO and officially delegate these management issues to the COO even if it's not everything but certain departments that I think are most important for the COO to manage and get off my plate.

Chairman Henson - It really is already the purview of the CEO to delegate. This just says that he can it makes it clear that he or she can and if they want to do an executive order to that fact that you know it would be understood that they have that prerogative they probably or should do have that prerogative now to delegate but this would make it clear and I think Mr. Grubiak and some people are concerned that the COO isn't a county manager. I believe that the position right now is that role but it makes it clear that they could delegate it.

County Attorney Matthew Welch – The Org Act is right in front of me and all I would say to Mr. Grubiak's point as to his proposed Section G and yours, Mr. Chair, that the power already exists without being specifically outlined. I would say, as to Section F, that power would exist whether it was specifically outlined in the Organizational Act or not as Mr. Williams laid out. The CEO can create positions, there are budgetary restrictions and requirements that go along with that here in Section F.

Chairman Henson - We lost two positions. We're just thinking right now about do you see any problem where it says Chief Executive may delegate to the Chief Operating Officer matters concerning the operation, supervision, administration of one or more of the departments or agencies within the scope of the executive's authority including but not limited to the appointment, compensation, or removal of department directors and other employees of the county. My only concern is right now I believe they have that authority. By outlining it, is there any inference that we're saying that he can't do other things? I mean is this limiting in any way. Are there any unknown consequences of maybe putting this in because I think right now the thought is that it would just make clear to any future CEO to reflect on the operation of the county government and reflect that the COO should be utilized in a manner that does some of these functions whether they do it by executive order or they do it by or causal relationship He's just trying to I think highlight that for future CEOs.

County Attorney Matthew Welch - If that is the will of this body I think that language could be crafted that would make it clear that this was in explanation or furtherance of, but not to limit, the other powers of delegation. You're correct of course when you draft you want to be careful that you're not impinging on another right by trying to explain a portion of that right or power, but I think that careful crafting would make it clear that this is an explanation of one of those powers or in furtherance of that delegation but not intended to limit his ability to delegate in other areas if that addresses your question.

Chairman Henson - That does. Does anybody have any problems since this isn't changing but making it clear that he or she is able to delegate. Are you having a problem with adding this? If not, would you make sure there's no one intended consequences and look at this language and maybe even correspond or get Mr. Grubiak's phone number and make sure that we have language we prepare for our final document when it's approved.

Attorney Matthew Welch – Absolutely. My initial suggestion would simply be to combine it with the existing paragraph B and say in furtherance of this so that there is no confusion that it is a separate power. I think the two were crafted together but I'm happy to talk to Mr. Grubiak offline and work on that language.

Commissioner Hinkel - Documents that you all have for me has the county manager being given a lot more power to hire and fire and do whatever so I know that's a dead end right now so you can move to Section 15.

Commissioner Wittenstein - Section 15 is the CEO 's veto power and I don't think the CEO ought to have veto power. If the County Commission does something that is the law of the land.

Chairman Henson - I disagree. At present the CEO does have veto power. That veto can be overridden by five votes and of course Ms. Leak earlier had a recommendation that most people didn't hear any real opposition to that would remove the vote on some of those issues, leave it truly as an executive - a president or a governor-with the veto. You're thinking that the veto power is again more power than the CEO needs. I believe we would have a hard time getting 10 votes. On the final review you might put that in your back pocket, that might be one of those final things you pull out to try to amend the final document. Any other changes?

Commissioner Grubiak – Section 15 - The first one is technical point. If you read the last sentence of subsection B, it really appears that it should fit within subsection A. The two different subject matters are just a technical rearrangement. I don't think it changes anything, maybe this is where we need a County Attorney to make sure it doesn't change anything. If you just read the content of A it's talking about the ordinances adopted by the Commission, but it just seems like that phrase that if the chief executive does not approve or veto the ordinance of the resolution within 8 days it should become effective without the chief executive approval. It doesn't change any language if it just moves it to section A. If you read them together, I think it just makes sense.

Chairman Henson – Since you are talking to him (County Atty. Welch), Mr. Grubiak, I don't think anybody has any objection to make the document as compact and as understandable as possible. Could you look to see if that has any unintended consequences?

Commissioner Grubiak - One last thing I forgot to mention on this is just the title of section 15. It says the veto power of the chief executive, but it really goes beyond the discussion of the veto power of the chief executive. It talks about enacting ordinances and resolutions. So, for clarification purposes, put in the title after veto power let's put "Enactment of ordinances and resolutions" or something to that effect just to clarify what's in section 15, but not to change anything.

Chairman Henson – OK, does anybody else have anything? I think those were the only ones we had for 15? OK section 16 is about the CEO will occasionally present to the Board of Commissioners a comprehensive development plan which considers the economic and social aspects of the county and sets forth communities' specific goals, policies, and objectives those county facilities. We have a brief one by Mr. Grubiak, but we have some serious thoughts by Mrs. Hinkel on this action so Mary Hinkel would you please go first?

Commissioner Hinkel - For several years I've been involved with community council and as a neighborhood leader with the planning and sustainability department, which has come a long way in these years. My hats off to them. Several years ago, CAN – the civic association network which is mainly in central DeKalb - looked at the idea of NPUSs. We talked with the planning department of the City of Atlanta and about more community engagement through NPUs. I've also looked at three counties outside of Georgia which are executive/legislative type counties like us: Prince Georges County Maryland, Jackson County Missouri, which is Kansas City, Pierce County Washington which is Tacoma as well as the city of Atlanta. The purpose of the changes I'm suggesting here are trying to address more rigorous citizen input and additional education and engagement of community councils, zoning board, and Planning Commission members with the comprehensive plan, the inclusion and tie in of the capital

improvement program and capital budget with the development plan, annual updating and communication of the status of plans and annual updating and posting of the county zoning ordinances and maps. I'm stressing the importance of planning identifying estimated costs and again educating taxpayers so instead of "from time to time" I'm saying the chief executive shall present to the Commission and a long-term comprehensive development plan to be used as a guide for the growth and development of the county which shall consider the present and planned physical economic and social aspects of the county. Number two is the same. Number 3 is conformity with such development goals policies and objectives identified the general location character and extent of streets and thoroughfares and then all this other stuff that's still in the language. Then paragraph B: the chief executive officer shall be responsible for the review and revision of the comprehensive development plan in a manner as prescribed by state law and the board of Commission. In preparing or revising the comprehensive development plan the chief executive shall seek the views and opinions of citizens of the county and shall establish and publicize formal procedures which is still in the current language, but I'm adding at a minimum these formal procedures shall include holding public hearings in each Commission district in such manner as the Commission shall prescribe by ordinance. The approved comprehensive development plan shall be used as a guide for the preparation of the county's capital improvement program and capital budget, both of which shall require public hearings to be held as prescribed by Commission ordinance. I think even in Cobb County and these other counties they have long term looks at the development plan and its status. So, I'm suggesting a 6-year development plan using the comprehensive development plan, capital improvement program, capital budget and any appropriate regional plans as guides. The chief executive officer within one year of being installed into office, he or she will also prepare and present to the public and the Commission a 6-year plan which shall include proposed capital improvements and economic development plans and general administrative goals as well as an up-to-date zoning map for all properties within the county limits. The public presentation will occur as a combined meeting of the Planning Commission, Zoning Board and community councils. Approval and adoption of the 6-year plan shall occur by resolution of the Board of Commissioners, the zoning map must be posted on the county website. Following the adoption of an annual updating of the 6-year plan, the Commission shall amend the county zoning ordinances to conform to the updated development plans in accordance with procedures presented by general law. Then there's an annual comprehensive planning update report. I'm keeping him or her busy. At least 100 days prior to the end of the fiscal year the chief executive officer shall present to the Board of Commissioners an updated report on the accomplishments and status of capital improvements and economic development plans and general administrative goals contained in the 6-year plan. He or she will also include variances from the previous update as well as amendments to the 6-year plan and long-term comprehensive development plan.

Paragraph E: I've added neighborhood planning units. Working together the chief executive officer, Board of Commissioners, and I've had county manager but let's make it chief operating officer should establish planning units for promoting greater transparency, accountability, and communication on the part of county government to ensure broader diversity of community members participating in DeKalb County government. One of the things we've learned through the CAN NPU meeting was that active NPUs in the city of Atlanta have increased citizen participation in government and provided political leadership to the city. In 2017 approximately 50% of the Atlanta City Council members had started in their NPUs. NPUs are used as a communication vehicle for two-way communication and can be called upon to suggest citizen representatives to boards and committees.

Commissioner Thomas – The State has rules and regulations about comprehensive development. Are they consistent with those and the county commission rules?

Commissioner Hinkel- I have no idea. I mean they're supposed to. This time we did the 2050 unified plan with transportation and land use planning combined. The county used an outside facilitator and it was a much better process and more inclusive. We've done a better job, but prior to that my sense was these exercises in developing the comprehensive plan were just that - just an exercise to be able to send something to the state. I want more integrity in this process and more coordination, and I want a longer-term vision. I may be totally ignorant but, in my mind, for example, I'm thinking people knew about the sewer issues a long time ago. If we had been more vocal, I mean if there had been a process where people had to become more knowledgeable about these matters, the public could have been doing more. Just recently regarding storm water management fees, the super district commissioners held a town hall meeting about why we need to increase the storm water rate. It was a dynamite presentation. We can do this. We can educate our citizens and we can engage them, and I just think we need to do it.

Commissioner Thomas – We want to take any litigation off the table. I think it would be prudent to make sure the state law is similar and all working together. Otherwise, you're going to have some litigation.

Commissioner Hinkel – You're right. I don't want litigation. I want to meet the requirements of the State, but I want a process that's more engaging and educational for the taxpayer.

Chairman Henson - I think all of us echo those thoughts as far as wanting an educated and informed public. I want to go back to you talking about the sewers. That reminds me of the resolution that was passed in the legislature in 1993 about global warming being caused by humans and that we need to do something about it. In 1993 I passed the resolution. The fact is that even if people understand stuff that there's a large cost involved like the sewer fixes even though a lot of people knew it you know it's put off. The cost is you know a problematic thing. Getting constituents to do things that in the short term cost some money is problematic. I think her concerns and interests are the ones we do echo a public involvement and try and whether the charter is the best place for all this, or the county should address it. Just looking at it, is is a rather simplistic comprehensive development outlined in the in the charter and maybe Terry and Zach we do have state law department community affairs and other things that we must develop economic planning for, so there are some guidelines as Mr. Thomas said that we want to make sure we adhere to. I don't know about the 6-year development plan and how that plays into it, whether we want to be that detailed. Even things like inserting in the first sentence I don't have any problem with putting the word long-term in front of comprehensive development plan, but I think that would be in almost all cases defining long term I don't know if it's subsequently changes.

Commissioner Grubiak – There are detailed regulations at the state level. The department of community affairs has a raft of regulations on the comprehensive planning process. The counties must adhere its state law and there's regulations. I'm not familiar enough with to say whether this of course complies with those regulations or not. We do need to look at look at those and see if we need to somehow tie the two together in a way that may just reference the state regulations, but these may or may not match what's in state law.

Chairman Henson - Who handles your comprehensive plan Mr. Williams?

Mr. Williams - Planning and Sustainability

Chairman Henson - Would you be willing to set up a meeting with myself and Mrs. Hinkel where we just sit down and talk to him about this and her goals and you know find out a little more about what is required under the State law and by DCA and others, so we're better understanding what is done now. We don't want to add things unnecessarily to the charter?

Mr. Williams – Sure. It will be Cedric Hudson and Sylvia Smith. Just give me a couple of dates.

Chairman Henson - Thank you. We might look at these and bring back something to you. One thing on these proposals I think we do need to talk about, and I know Mrs. Neugent and Mr. Hammond have an interest in this. I know Mr. Hammond was unable to attend one of our meetings. But we're going to get together one day next week and talk a little bit about NPUs and I think you went and spent some time in Atlanta talking about NPUs. In Atlanta NPUs had been created by an ordinance, not in the Org Act, to further public input and involvement. Does anybody have a problem with putting in our charter then mention of NPUs that they may be used. I have a problem with it saying shall because it certainly we have working community groups now in DeKalb County but again it's something that we kind of put forth in the charter the tools that can be used. As Mrs. Hinkel mentioned earlier, you know there will be subsequent charter review commissions and if we put it in there might be a road map they want to change it from shall to may in the future or may to shall. Does anybody have a problem with her comments about mentioning NPUs if the word "may" is used? I think it might help people look at it, but it won't necessarily force it to be done, especially if the existing community councils are there and others because there would be a transition. Mrs. Neugent, do you have some thoughts on that since you spent some time in that service?

Commissioner Neugent – What I referenced earlier was the civic association network is not county wide, that it's more a central DeKalb activity, and I think one of the things that we learned in talking to the folks at the city of Atlanta who are involved in the NPU's, that through the disparity in resources throughout the county every part of the county doesn't have the same level of resources and the use of a sort of a conversion to a neighborhood planning unit those planning units circumscribed by areas that have sort of identities together might be beneficial in helping create a system, that it does have a broader spread of resources to each area the county. So, I mean it was just a discussion that Lance and I had about how we might begin a discussion at some point about how the community associations and CAN could be converted into an NPU system. So, I think it'd be beneficial to wait and hear from Lance since he's done a little more of this work looking into this and has a lot of interest in advancing it and I'll certainly be supportive of him in doing that.

Chairman Henson - OK I mean my thought is that either in our commentary we mentioned that NPUs be looked at or that we put that it may be used because we do have to remember more study needs to be done. The City of Atlanta is one whole political entity. DeKalb County does not have that uniformity. We have cities within the county so it's a different organizational structure and different animal than City of Atlanta. NPUs would work differently in some cases. So, you know it's really something that maybe a Commission like this must step looking a little more than we are, but I do think it's something that several Commission members have an interest in encouraging that it be looked at. I'll continue to talk to Mr. Hammonds. Maybe we'll talk about that at a future meeting but that would be my comment. Are there any further comments on the one what was presented by Mrs. Hinkel?

Commissioner Grubiak- I do have a question and perhaps that can answer this one if we're looking at section 16 and it says the chief executive officer shall the present comprehensive development plan I

guess to the to the BOC. But if you look back on section 9 one of the powers of the Commission is to regulate land use by the adoption of a comprehensive development plan. I'm just trying to understand how those two fit together. They almost seem like they're saying the BOC does it under section 9 and the CEO does it under section 16. I'm sure that's not how it works in practice, but if you can clarify that.

Mr. Williams - So you're talking about the presentation of the comprehensive development plan to the Board of Commissioners?

Commissioner Grubiak - Yes well, it's section 16, it says the chief executive shall present to the Commission the comprehensive development plan which I presume means he is preparing it or staff or whomever is preparing it and then if you look back on section 9 under the power of the Commission it seems it says for the commissioners one of their powers is to regulate land use by the adoption of the comprehensive development plan.

Mr. Williams - I think what that speaks to is and this is just my supposition, but the practical application is that the staff and all staff work for and under the direction of the CEO, so the planning and sustainability staff are responsible for the development and presentation of the comp plan to the Board of Commissioners. So, when they're saying the CEO, I'm thinking it's the planning and sustainability staff, which is CEO staff, but ultimately the adoption and of course the regulation of all zoning activities are the responsibility of the board.

Commissioner Grubiak – So the administration generates the plan or creates the plan and it's the responsibility of the board of commissioners to consider and adopt it.

Mr. Williams - Much like the budget. And then ultimately it goes back to the CEO and staff to implement it.

Chairman Henson - I know under consideration for the plan before commissioners have changed it before being adopted. Any other questions on that part?

VI. PUBLIC COMMENTS

Chairman Henson - It is time for our public comments. I do want to point out to you that Mr. David Tanner from the Carl Vincent institute is here. Please stand and say hello. He is Ms. Brill's supervisor and director of that department.

Mr. David Tanner – I'm just excited to see the momentum that you've got going. We can support you as you continue to move forward. Continue to let us know how we can best help you move forward with the work you're doing. I think hopefully we're getting to a place where some of the content the staff is developing for you is helping things move, but it's really a pleasure to work with you and I've got my list for Lori of things to follow up on that we've discussed so far tonight, so thank you.

Chairman Henson - Thank you and Ms. Brill has been doing an excellent job. And of course, Macey and Colin are just excellent young people and we very deeply appreciate their involvement.

Mrs. Jocelyn O'Neill - I was just totally amazed about some of the reporting from the I call them "made-up names." I never heard of them clusters how we got so far away from what's already in the organization act as far as the flow chart of an employees and I want to know too if we don't have those people in those positions where is the salary where's the money who's holding those positions? Mr.

Williams did say something about even though they don't use those titles that someone is doing the job. County Arborist wants to go back, and this goes back into some of the stuff that we dealt with code enforcement and all that type of stuff. County Arborist I talked with a few years ago alright he says he has no car he has no staff, and he only protects the county. If you don't have a car for staff, what could you be doing for the county? so, he may know a few things about the law I'd like to be corrected on what he does because now you know they should talk about the Georgia pine. how great they are but they're not great anymore they're killing people and if the County Arborist is not moving around the county to see what's going on in the right of ways it's a serious situation. We have problems right now with property owners who are being allowed to operate after 2 or 3 violations, criminal activities, sanitation problems and they just continue to operate. I even have a homeless little building in Glenwood and Dandridge, and it has a no trespassing sign on it yes just amazes me how do you have a makeshift room with a no trespassing sign on it. So, with commercial properties my suggestion is for some of these commercial properties that continue with criminal activities and the filth we've gone from nasty to filthy situations that the local license or those Lotto tickets be restricted from that store. I don't know if there would be the police or if it'd be code enforcement that should take those machines or those things that they gain a lot of money for go back into their neighborhoods and look like they're the most outstanding people I'm sure that lawns are cut. I'm sure that the areas where their commercial properties are nice and clean but on the South side it's a big star and I know they go to some nice places. car repairs and neighborhoods are just becoming no matter what's done we still have cars piled that need repairs. One other thing I want to say is we need to consider having term limits for our commissioner's term limits and salaries. Are we just doing contracts, are we having a merit system? does the county use merit systems for hiring people is that only for the average people or is that for the executive positions?

Andrew Bell - I was looking online at the meeting and a couple things struck me. The most prevalent I guess we kind of ended on that, is that it doesn't seem like the public is being put first. It doesn't seem that way there was another discussion I believe about master's degrees. Society is changing you know. You will eliminate talent. You know let's say if you wanted Jeff Bezos, he didn't have a master's degree, Mark Zuckerberg people of that caliber. Even though they're probably not going to work for the county, but I'm just making an example that things move different now. People get certifications whatever now if it's a specialty or whatever like somebody mentioned finance so yeah if it's finance you would want somebody to have a masters or PhD in finance that makes sense. But if it's like a leadership role where you want to be a visionary and move the country forward, then you want the best qualified person whatever degree they have or don't have. They may be doing you know astronomical things and then they don't get the job because of some you know criteria. I mean we have Chick-fil-A you know Truett Cathy. You got a lot of presidents in the United States who did not go to college. So along with that we need to have some criteria on or making it the CEO and the COO whether their duties that there needs to be clear. If the CEO appoints the COO that's on the surface that's fine but then when the COO starts appointing people then we're not being accountable to the public again. So, whoever these positions are they need to go through the regular hiring process like all the other county employees, because we didn't elect to see y'all and it seems to me you know I come to these meetings the public only has 30 minutes. That's ridiculous. So, what are we doing about that? Are we getting some more time for the public, the people that's paying for everything, are we making that part of this article? We have got to have some clear duties and responsibilities for the CEO and the COO. What are they? We need that in

the charter so that we can hold people accountable so that the government can be transparent, thank you.

Stephen Benny - I would like to reiterate that under 13g the CEO has the power to investigate the affairs, records, and expenditures of the various entities of the county but is also given the responsibility to report gathered information to the commission. This process has not been followed in the past and was violated by the current administration recently. Perhaps a stronger word, like "mandatory" instead of "responsibility" needs to be used here. Under appointments, I would suggest the establishment of a yearly review of all appointed boards and committees so that memberships can be kept up to date as well as an evaluation of the current need and function of said boards, seeing as there appears to be an overabundance of them at this time. Section 14a states that the COO shall be responsible to the CEO and the commission which sounds like they work for both sides. However, 14b states that when directed to do so by the CEO, the COO may exercise any of the administrative duties and powers vested in the CEO by law. This makes it sound like they work for the Chief Executive. Further and fuller clarification may be needed in establishing who the COO works for and is responsible to. 14f allows the Chief Executive to have the exclusive power to appoint two administrators to assist the COO in such manner as the CEO shall direct. Should these two appointments be subject to commission confirmation like the COO position is? Section 15b establishes a veto override by a two-thirds vote of the commission's total membership. Currently it takes five votes out of seven (or 71%) to override a veto. If two additional commission districts are added then the total commission membership will be nine. It would then take six votes out of nine to override a veto or exactly two-thirds. The Organization Act was written with the idea of a nine-member county commission. What can I say, it is there in black and white. 15c allows the CEO to veto any item or items of any ordinance or resolution making or not making appropriations without vetoing the entire ordinance or resolution. Itemized veto power is an interesting concept, potentially having both positive and negative impacts. I bring this up as a potential way to further equalize and encourage communication between the CEO and the county commission. Removing the itemized veto power will help facilitate negotiations between the chief executive and the county commission over budget items in the future I believe. The final decision is yours. Next meeting let's talk about how to get the county's budget back on a fiscal year schedule or at least approved before March 1st. Thank you for your time and consideration.

Joanne Proctor - This is my first time coming to a meeting, so I didn't understand everything correctly, but one of the things I did notice we talked about was 13 A about appointments. I was concerned about that with boards with the community and with you know the difference now because we have a different community board also but there have been situations where people are on all the boards, and I think that's a conflict of interest. It was addressed before by Cochran she was the only one address that when I boarded up at a meeting. the other thing I wanted to inquire about was the board for the commissioners when no one is running against the commissioner what is the status, so you keep them on the board just for that reason are they doing anything for that community have they improved something have complaints been resolved with that commissioner? Why are they still there and not doing nothing for the areas that residents have complained over and over about me Redan and

Harrison? Tried to make meetings everything nothing is resolved any of you go to Redan and Harrison. look at chevron and the Boston market, you tell me if you want that in your neighborhood. I have brought it up and brought it up nothing is being done. Do I need to go to the media go look at Harrison and redan and Boston market the Chevron and BP. They look like 3rd world countries to me these people have bought furniture out. I have called code enforcement, police, commissioner what else is there left to do. You are the people who make these rules so when does this stop. What is being done that's what I want to know. Mr. Zach, I didn't know that was you I had issues before in my area, I didn't get help from my commissioner and I'm being honest this is the man who helped me so he's stepping in for commissioners who's not doing their jobs. So, what are you going to do for the commissioners that are not doing their jobs? If you really talk to the community a little bit more, you will hear the complaints thank you.

Martha Puccini - I am from the Victoria Estates neighborhood in DeKalb County abutting Emory University in the City of Atlanta but in unincorporated DeKalb. I'm here because I am really interested in strengthening the internal audit function. It is my understanding that the county Commission has adopted a policy where contracts over a certain amount are automatically reviewed by the internal auditor. That has resulted in some good savings for the country and I would like to see that substantially expanded and in writing for this reason. My neighborhood is currently dealing with a \$300,000.00 allotment to PATH to build a path in the City of Atlanta on private land from the VA to Wesley Woods that runs right through my neighborhood 's backyard and through some old growth forest. No amount of trying to bring any kind of sanity to that situation has resulted in anything. The County and Emory University and the PATH are perfectly content to do this work despite all the ecological damage. I think an auditor would have been able to look at that and probably think differently about it and that \$300,000.00 could have gone to a park somewhere or fixing a pothole or something. It wasn't needed to be spent that way, so I think expanding the internal audit function to really take a close look at all contracts would be a real benefit to the county. Thank You.

Chairman Henson - Thank you. Is there any further public input? I'll just remind everybody we, of course, aren't your county commissioners. We're here on a specific task to work on the charter and all your input is something I think many of us would like to have entered into more of a dialogue with you or ask questions whatever, but to allow as many people as possible to testify and to talk we really can't do that, but you know if you can catch me afterwards or whatever I'd be glad to talk to any of you about anything and certainly many of you saw Zach here and possibly can get his number before you leave. We appreciate your concerns, and we appreciate that you are DeKalb County residents who pay taxes and what the best government possible and that's why we've volunteered to come and work on this project. So, we appreciate your thoughts and your input and although we haven't responded we are listening to you and if we can act to do something to improve your situation, we will.

We have talked to Mr. Williams and he would be able to get the meeting and conference room over at the Sam's Street building, which is on the outskirts of Avondale. If you don't know exactly where it is, it's just right there between Decatur and Avondale. That will be our next location. Mr. Williams, you probably have a map to that location and address that you can share with Mrs. Hinkel who will share it with the members.

Chairman Henson - Thank you. This meeting is adjourned.

Steve Henson, Chairman

Barbara Sanders-Norwood, Clerk

Board of Commissioners and Chief Executive
Officer