

DEKALB COUNTY CHARTER REVIEW COMMISSION

June 8, 2023

In Person Meeting

Manuel J. Maloof Center

SUMMARY

I. CALL TO ORDER

II. ROLL CALL

Steve Henson, Chairman
Virginia Harris, Vice Chairwoman
Claudette Leak
Lance Hammonds
Mary Hinkel
Robert Wittenstein
Susan Neugent
Bobbie Sanford
Dr. Gerald Austin Sr.
Jim Grubiak
John Turner

ABSENT:

Karen Bennett
Clara DeLay
Dwight Thomas
Vickie Turner

STAFF:

Representatives of the Carl Vinson Institute
Viviane Ernstes, County Attorney
Barbara Sanders-Norwood, Clerk
John Matelski, Chief Innovation and Information Officer

III. MINUTES: Minutes from the May 11 and May 17 meetings were approved

IV. INTRODUCTION of INVITED GUESTS:

Mr. Lavois Campbell, Chief Audit Executive of the Office of Independent Internal Audit

Mr. Tim Hardy, Deputy Director, Code Compliance

- V. REPORT FROM THE CHAIR: Announced that the Senate Delegation has appointed Senator Sally Harrell to the Commission. She will start attending meetings in August.

- VI. UNFINISHED BUSINESS: The Chair and Commission members discussed the need to move Charter section discussion along, given that we have a 12/31 deadline for the Commission and that the Carl Vinson Institute staff will need two months to complete the final report. The Chair's goal is to make recommendations that he hopes will be supported by the CEO, BOC, and the state legislative delegation. Any recommendation for change will require the approval of 10 commission members, which is a very high bar, but one he sees as necessary to illustrate consensus. Discussion also included the suggestion of taking possible straw votes on various charter items to see where Commission members stand on them and to add a minority report within the Commission's report. Due to the presentations at this meeting, no additional sections were reviewed. However, at the next meeting members will be discussing Sections 11 (Presiding Officer), 13 (CEO) and 14 (Exec. Asst.) together since they are so interrelated.

- VII. NEW BUSINESS:
Commission member Claudette Leak suggested the Commission sponsor an online customer survey related to county services and a survey of employees. The Chair will take that under advisement.

- VIII. REMARKS OF INTERESTED CITIZENS/PUBLIC COMMENT
Jocelyn O'Neal
Charles ?
Pedra Stokes
Sandra Holmes
Rep. Viola Davis
Comm. Ted Terry
Steve Binney

- XI. NEXT MEETING DISCUSSION & ADJOURNMENT:
The next meeting will be Thursday, June 22, in person at the Maloof Auditorium beginning at 6:00 p.m.

The Commission adjourned at 8:40 p.m.

DEKALB COUNTY CHARTER REVIEW COMMISSION

MALOOF AUDITORIUM

JUNE 8, 2023, 6:00 P.M.

MINUTES

I. CALL TO ORDER

II. ROLL CALL

Steve Henson, Chair
Virginia Harris, Vice Chair
Claudette Leak
Mary Hinkel
Lance Hammonds
Robert Wittenstein
Susan Neugent
Bobbie Sanford
Dr. Gerald Austin Sr.
Jim Grubiak
John Turner

ABSENT:

Karen Bennett
Clara DeLay
Dwight Thomas
Vickie Turner
Sally Harrell

STAFF:

Zachary Williams, Chief Operating Officer
Vivienne Ernstes, County Attorney
Lori Brill, Carl Vinson Institute
Barbara Sanders-Norwood – County Clerk

III. MINUTES

Chairman Henson – asked for a motion to approve the minutes from May 11, 2023, and May 17, 2023, if there were no corrections. Commissioner Wittenstein made the Motion, and it was seconded by Commissioner John Turner to approve the minutes.

IV. INVITED GUESTS

Chairman Henson introduced the **Chief Auditor, Mr. Campbell** to the members and asked him to provide a brief overview of his office, what it does, how it interacts with the CEO and the commissioners, and any way he thinks the charter or organizational act helps empower him or causes any issues that he might want to be addressed or have this commission recommend changes to make sure his position functions fully and effectively. Since he is an auditor and has to deal with the Finance Department and the internal staff of the county, is that relationship one that works, that he feels he gets the information he needs and anything we can address?

Mr. Campbell – Just to provide some information on the establishment of the Office of Independent Internal Audit. The office was created by House Bill 599 in 2015 and officially began operations during the fall of 2016. It has since been codified in the Organizational Act, Section 10A. One point to note is that the office is completely independent. Structurally, it is independent; meaning that the CAE is not subject to the control or the direction or supervision of the county administration or the Chief Executive Officer or the commission or any other employee or department within the DeKalb County government.

Each year each employee, along with the CAE, is required to complete an annual independence attestation to identify any conflicts of interest or any real or perceived impairment of independence. In addition to that before a staff member is assigned to a project, they must fill out a complete attestation, again declaring that there is no conflict of interest, anything that can impair their objectivity as it relates to that specific audit project. At least once every third year, that independence is assessed by an external independent body, the Association of Local Government Auditors, who come into the office, do their review interviews, and try to determine whether the audits and the various projects that have been performed by the Department are indeed independent and as objective as possible.

We believe in excellence, professionalism, respect, dedication, passionate about the work that we do and of course, maintaining a spirit and principle of integrity in everything that we do. Our main purpose - our mission - is to provide an independent, objective, insightful, nonpartisan assessment of the stewardship or performance of the various policies, programs, and operations in promoting efficiency, effectiveness, and integrity in DeKalb County. Essentially to safeguard the public funds to ensure that the citizens are getting the services that they were promised, the quality of service that the citizens desire as well.

Structurally, we have lost one IT Manager and we are in the process of hiring another one. The CAE reports to the Audit Oversight Committee. This committee was established as well by House Bill 599 and it has five standing members. None of these individuals are county employees. They are individuals who must be resident within the county as well. On a quarterly basis the CAE will have to make a report to the Audit Oversight

Committee to give them an update on the activities of the office. Since the beginning operations in late 2016, early 2017, we have issued over 30 audit reports, with over 162 audit findings. We have touched upon at least 21 different departments or agencies within the county, ranging from the Finance Department, Purchasing and Contracting, DeKalb Work Source, Human Resources, Public Safety, Planning and Sustainability, and so forth, as well as elected offices, such as the Probate Court and Juvenile Court. Some of the key processes that we have audited include the accounts payable process and treasury process. With these audits we have assisted the county with improving the internal controls that will help mitigate the loss of control or ensure the quality the citizens expect is received with what I believe are practical and useful recommendations to improve that process and to further save guard the funds of the county.

In terms of the status of management action plans since 2017 we have issued over 30 audits with 162 audit findings to date. Approximately 42 percent of those findings have either been closed or completed pending further verification by the department. In addition, about 20 percent are partially complete and 8 percent are open or in progress. Meaning that administration is actively working to address those issues. For about 5 percent of the findings, management has accepted the risk. They have decided not to adopt the recommendations as stated within the audit reports. They implemented some alternate approach which mitigates some of the risk, but not necessarily to the extent that we as the audit department would have desired. Seven percent are currently in progress and about 20 percent are not yet due for a follow-up. We try to follow up on previously issued reports at least within 3 or 6 months, depending on the risk level.

Chairman Henson – Are you happy with this? Are the departments being responsive? Are they taking your audits seriously? Are they being diligent in addressing the things that you find? Or are you being put in the bottom drawer, and they're doing the easy stuff, blowing off the hard stuff?

Mr. Campbell – I would love to say that 100 percent of the findings have been addressed. But practically speaking some issues do take time. In terms of the cooperation of the county administration I must say they have been cooperative. So once that key message is conveyed management tries to accurately address it. Not necessarily as quickly as we would like. We understand that are other projects and challenges that they may have to deal with before getting to those recommendations. We make regular reports to let the commission be aware of which findings are still outstanding. And if there are any issues or challenges that is also communicated to the commission as well.

Commissioner Hinkel - Do you make a personal report to them or is this just written reports?

Mr. Campbell – Both

Commissioner Hinkel - Good

Mr. Campbell – we do issue a written report for every follow up audit. But for areas that I believe are high risk I will request a meeting with a relevant subcommittee and make a personal presentation.

Mr. Campbell – Once a finding has been identified it is typically with management. Once the discussion takes place, we issue a final draft report and by law management has 60 days to respond to those recommendations.

Commissioner Leak – could you explain what it means to be partially complete? The management response includes the expectation or projections that the department provides to you, correct?

Mr. Campbell - That is correct.

Commissioner Leak – So what is partially completed? Are these missed deadlines or what does that represent?

Mr. Campbell - They may have multiple action plans or different parts of an action plan that are needed to address a particular finding. So, if you have a situation where they have developed the process, but not the training, we will consider that to be partially complete. But the action plan is not yet 100 percent complete until that training has taken place. One good example would be the water billing audit. Where the county is responsible for replacing thousands of water meters. If during the process, we realize that 80 percent of the meters have been replaced we will have considered that partially complete.

Commissioner Leak – If you know that you have that number of meters to be replaced, the response to you would be a phased approach. You know you can't do it all at one time. So, does it ever occur where they give you a 40 percent due by this date, 40 percent by another date and the remainder by another date? Do you ever get that?

Mr. Campbell – Yes, we have had reports, management actions plans or responses that do indicate a phase approach. Sometimes something may be considered partially completed when we're expecting it to be completed by a particular date and it was not.

Commissioner Leak – What are some examples of an excepted risk?

Mr. Campbell – One of the most recent examples was with the water billing audit. That audit was performed by KPMG. We enlisted their services to conduct that audit. One of the recommendations that the audit required was that the administration combine the oversight for the water building process. One of the findings from the audit is separate directives and separate management. Finance reported to one director and watershed management to another. One of the recommendations was to have a combined central office to oversee the entire process. So, they decided not to accept the recommendation as is.

Mr. Campbell – We do perform non audit contract reviews on non-audit services. These are at the request of management. They are not considered audits because the request comes in from management - where they seek our support in terms of this case. They may provide us with documentation that has been provided using departments to review it to determine whether sufficient information is there to support the funds being requested. Between October 2018 and December 2022, we have reviewed approximately 146 procurement related commission agenda items valued at 1.6 billion dollars. As a result of our review the

contract value was adjusted by 100 million dollars. That equates to approximately 15 times the operating budget of the department over that same period. Another key accomplishment is that in October 2022 the department completed its first independent external peer review. We received the highest written possible pass with no exceptions and management comments. This review was conducted by the Association of Local Government Auditors which is a North American institution that governs all.

One suggestion for a change to the organization act has to do with once the draft report has been issued. By law and the organization act, section 10 AJ, section 4, allows county management up to 60 days to draft their response to the audit. This is the timeline in which we expect to complete the implementation of the action plans so we believe that by reducing this timeline it will allow the final audit report to be issued in a more timely manner and help also to demonstrate the proactiveness of the willingness of county management to respond to audit issues especially urgent or higher risk issues to be able to encourage them to actually craft or draft an action plan to address those issues in a more timely manner. I will say this: that we have had recent audits where we have identified a few high risk issues, especially in a few IT audits as well where we have worked with management in terms of identifying higher risk issues, where we have agreed and we have encouraged them that the 60 day timeline would be too long a period of time to actually start addressing those issues. In many cases management has actually started proactively implementing some of those action plans even before they have provided their official response.

Chairman Henson - Did the 60-day issue always meet the 60-day issue or are you comfortable with the responses because if we're dropping at 30 or 40, I want to know the status of how they're responding in 60?

Mr. Campbell - Yes, so currently they do meet the 60-day guideline on average.

Chairman Henson - And when you were talking about issues especially IT, are those security concerns?

Mr. Campbell - yes, security concerns.

Chairman Henson - So your audit is much more in depth than a financial audit. Just for the public who's watching this meeting, this is a systematic audit on how government functions or how different departments are functioning - a lot more than just the financial accounting purpose.

Mr. Campbell – Yes

Commissioner Harris - How do you go about developing your audit plans for the year? Do you receive information from management on what you need to do, and do you include the constitutional offices in this plan?

Mr. Campbell – Yes, so to summarize our audit planning process usually on an annual basis we do solicit the input from various stakeholders but that includes management. We may interview senior management for a number of departments or at the very least we have sent a survey to every department within the county and basically we asked them to identify any

risk anything that they may be concerned about, anything that they believe may actually prevent them from actually achieving their main objectives. In addition to that we have conversations with the commissioners we meet, with the members of the Audit Oversight Committee, and we meet with various members of the county senior management essentially trying to ascertain from them if there is anything at all that they themselves are concerned about. But as an independent office, we also do our own independent analysis. We may review various sources to identify emerging risks within the public sector. We may look at what other jurisdictions are doing and what other risk or other issues have been identified by similar jurisdiction. Ultimately the decision that relates to the selection of the audits rests with our office so as I mentioned before it is not something that is directed in any way by county management.

Commissioner Harris - I saw that you provided us with information from 2017 through the current date. What about the results - have you cleared up everything for 2017-2018? Are some of those items still outstanding?

Mr. Campbell – Yes, so a few of them are still outstanding. I think most notably is the purchasing audit that was issued back in 2018. That was a comprehensive audit that examined the various controls within the county as it relates to the purchasing practices, comparing that to better practices guidelines as to what should be in the policy, the practices and the controls that should be in place at the time we had issued that report recommended that there be overall a complete revision of the current county purchasing policy.

Now there is some context to that as to why it has taken so long. I need to point out that initially there was a legal challenge as to who - and I think the County Attorney may be able to speak more to that - but there was a challenge as to who had the legal authority to actually implement a new purchasing policy. Was it the commissioners or the CEO? Now that took some time, I believe a year or a few years to actually come to a resolution. Since then we have worked with management to identify the need to continue implementing that recommendation, so I think last year we had a follow up meeting with them and we identified a timeline of December of this year to actually revise the current purchasing policy. Our intention is to actually do a follow up this summer or before the end of December 2023 to just ascertain their progress in actually meeting that particular goal.

Commissioner Leak - I didn't see anything in the legislation regarding consequences of not completing the implementation of results, so from your viewpoint for these situations where there is failure to complete what we're talking about are deficiencies and what's being provided to you by the department is a corrective action plan so I've talked to your predecessor and looking at some of the audits because it's like years that the findings have been out there and they're incomplete so my question is more about the consequences of not completing these plans. Are there any?

Mr. Campbell – No. Ultimately one of the fundamental principles of internal audit departments is that there has to be a separation between the role of management and the role of the audit department. Our role is to identify and bring awareness to the issues and to make practical recommendations, but we cannot compel management to actually implement those action plans. I have started ensuring that if there are any issues that are outstanding

that those are reported to the individuals who can compel the management to implement those, namely the county commissioners to ensure that they are aware that any particular findings are issues that have not yet been addressed and how long since all these issues have been outstanding and that's actually included in the annual report in addition to regular reports through the course of the year but as far as you are correct there's nothing within the act that actually stipulates a consequence for not implementing the action plans.

Chairman Henson - And of course management may disagree with the audit results in some regards and that's always an issue, but your reports ... your audit reports at the end of the year, that's also public?

Mr. Campbell – Yes, so all the audit reports are public.

Chairman Henson - So that is also a safeguard - that your reports are public so they can be reviewed by the public as well as you meet with commissioners and the CEO and the management to make sure everybody's aware of that in case they want to bring it out in a public sense?

Mr. Campbell - That is correct.

Commissioner Leak - I guess I want to make sure about the objective here. The objective is more than just reporting. The objective is to correct things that could adversely or negatively impact the county. Is that correct?

Mr. Campbell – That is correct.

Commissioner Leak - I just wanted to make the distinction that you have an obligation to report your findings. The implementation part belongs with the governing authority. Is that what I'm hearing?

Mr. Campbell – Yes. We try to facilitate that process by trying to have a lot of times a lot of negotiations with the management trying to convey the message that these findings are not simply there to say we caught the county red handed or we got you with this particular issue. In most cases so far I would have to say that we have been able to secure management agreement with those recommendations and those findings in about 100% of the cases but you're right in terms of the actual implementation that rests with the governing authority.

Commissioner Nugent - in response to Miss Harris question, I'm doing a little quick math. Does this mean that your annual budget hovers around \$6.5 million?

Mr. Campbell – No, our annual budget is approximately \$1.6 million?

Commissioner Nugent – \$1.6 million?

Mr. Campbell – Yes

Commissioner Nugent - Is that inclusive of any external audit assistance that you get?

Mr. Campbell – Yes, it is.

Commissioner Nugent – So that is inclusive of say, the KPMG audit?

Mr. Campbell – Yes, it is.

Commissioner Nugent - I was going to ask you about the purchasing policy so you've touched on it to some degree but just to make sure that we all understand back in 2018 you identified the need for such that is still unresolved to this day/ Is that correct?

Mr. Campbell – That is correct.

Commissioner Nugent - And you believe it's your recommendation that having a policy as you recommended would be beneficial to the county financially and process wise, I take it?

Mr. Campbell – That is correct.

Commissioner Wittenstein - Just to follow up on Miss Harris question, I don't think you got to it, was whether you audit the other constitutional officers. For example have you audited the jail? Are the other areas of the county within your purview?

Mr. Campbell - We have done audits with the probate court and the juvenile court. In the past we have had audits that included the Sheriff's Department. We do have the jurisdiction to look at all constitutional offices, so they are on the agenda not within this year but within the years to come.

Commissioner Wittenstein - I guess one question I would like to ask is you put a budget recommendation before the commissioners and they act on that budget. Have you felt that they've been responsive to your needs, and do you feel that you're adequately funded?

Mr. Campbell – Yes, we are.

Commissioner Wittenstein - Do you think it would be fair to say that the legislature when they created the independent auditor they weren't trying to create somebody to run the county outside of the elected officials? They were trying to create an institution within government that would look over and help report problems – an institution that was independent from the political environment but would make public both to the commissioners and elected officials any issues that might be problematic?

Mr. Campbell - That is correct.

Commissioner Grubiak – I just want to compliment you on the non-audit contract reviews. That seems significant. How did that come about? That's not in the Org Act I don't think and the enabling act, but that seems significant.

Mr. Campbell - It is in the Org Act, along with our mission statement. We are responsible for conducting audit investigations, inquiries, and reviews. It may not be specific to those exact words within the act but the Independent Auditor does have a responsibility not only to perform audits but to find other ways to actually ensure and safeguard the public funds as well. I think this came about back in 2018 through discussions with the county commissioners realizing that they had a short period of time to actually review the materials that were submitted by the user departments when they were seeking approval for various contracting activities. We started off with one subcommittee. Since then, we have done contract reviews for almost all the subcommittees as well.

Commissioner Grubiak - So the chart where you have the accepted risk notation on there, I think it said there were 5 audits where there was risk identified and the risk has been accepted. I'm trying to understand how significant that is. I mean if there's risk that you find that implies that the county administration is saying well, we're OK with the risk but it doesn't talk about how significant the risk is. The degree of the risk that's involved - can you give us a quick overview?

Mr. Campbell - I would have to follow up with you in terms of the details of all the 5 but I do know that it includes the water billing order that was mentioned. That perhaps is one of the most significant ones that I can recall right off the top of my head but I can certainly communicate that information to the Commission and oftentimes it may involve a situation of management discretion as to what they implement and how they implement it.

Commissioner Grubiak - Does your report specify well what that risk is?

Mr. Campbell - Yes it does.

Commissioner Grubiak - And so if we were so inclined to read your whole report, we would have an idea of what the risk was and what our elected officials were not responding to?

Mr. Campbell – That is correct.

Commissioner Hinkel - When do you say the “county” that includes the administration and the board of commissioners?

Mr. Campbell - No, it would be the county management.

Commissioner Hinkel – So it's the administration.

Mr. Campbell – Yes it would be the administration, whoever is the key control owner.

Commissioner Grubiak – Right, the management and executive branch would have to be the ones who address it. Whether or not the commissioners wanted to inquire about it, bring it up, raise it, or make it a public issue is another prerogative.

Commissioner Hammond – I know you said you don't have to act on the audits, but you were making recommendations. Since all the department heads report up to the COO and he reports to the CEO, I just wonder in the performance metrics of the department heads, is there anything that addresses audits? When you turn a report in for a department and you have these recommendations, I am just wondering if the person they report to - the COO - if that is part of their performance metrics?

Mr. Campbell – I know that is something that I would not be able to speak to at this time. Maybe someone from the County would be able to speak on that.

Commissioners Turner – We have been addressing through our meeting understanding best practices in different areas of governmental structure and your work is about best practices, financial best practices, organizational management best practices, correct? You have a body of staff and outside resources to address best practices in county government. In your opinion are there any structural impediments based on how DeKalb County is structured, the CEO and

BOC structure when you brought up the issue of the purchasing, that there was a disagreement on who should have the policy of changing purchasing policy. In your opinion are there any structural impediments to best practices that the county could affect because of the structure that we are using now?

Mr. Campbell – That is a legal question. In terms of how much that impacts the operations of the county and achieving those goals. So far, we have not identified any significant impediment to achieving those objectives of the county.

Chairman Henson – When we passed this legislation in 2015 and created it, I kind of felt we were better, more detailed and had a better audit plan than many counties. Do you have any idea how many counties have your position and do most have your position with the same quality?

Mr. Campbell – There are a few counties that do across the U.S. But there are several of them where the internal audit department itself is not necessarily as fully independent from the structure. That is a benefit of this Act and that is an advantage.

Chairman Henson – Someone mentioned that your independent board is appointed in part by Commissioners or the CEO. Is that problematic in any way or have you felt any problem with that?

Mr. Campbell – That is correct. The framers of the bill probably took that into consideration as well. Even though they provide oversight to the department, they cannot direct or influence the office. The BOC can give advice and they can give feedback. Ultimately, the decision as to what we look at, what we audit, what we report on, rests solely with the Office of the Independent Internal Audit.

Chairman Henson – Thank you Mr. Campbell for the presentation and we apologize for preventing you from speaking the other day. Now we will hear from Mr. Hardy,

Mr. Hardy – My name is **Timothy Hardy**, and I am the deputy director for Code Compliance for DeKalb County. We wear a lot of hats from a regulatory standpoint. We enforce all the county's property maintenance codes, housing codes, business licenses, things of that nature. We try to have a three-pronged approach to code compliance. We want to educate our citizens and our constituents out there, so they know what a code violation looks like and know the importance of preserving their communities. Our goals for FY23 are to commit 30 residential properties to the Law department for abatement, through the MRM process, as well as the mowing and securing of buildings and removal of trash in conjunction with the demolition of buildings. We are committed to two hotel motel sweeps per month and two multifamily sweeps per month. We have added a commercial quarter inspection team that started back in 2019. Our goal is to have two commercial quarter sweeps through the year 2023. To date, we have completed 14 sweeps in multifamily, those are the apartment complexes, and issued about 120 citations, collected more than \$163,000 in fines. We have completed four hotel motel sweeps, issued 31 citations, and collected about \$900 through the courts. We also have countywide sign sweeps. We try to conduct sign sweeps once a month. It is normally the third Friday in each month. That is the removal of signs from the

public right of way. We have completed three additional commercial quarter sweeps, we have also issued about 130 citations and collected over \$32,000 in funds. We have submitted seven properties for demolition. We have had eleven properties demolished this year alone. Most of the funding for the structured demolitions is through our Community Development Department. There are some situations where federal funds can't cover the demolition and then we have monies that we are funded each year to cover the demolitions as well as the abatements. We have also submitted seven properties for abatement this year and five have been abated in 2023.

Our staffing snapshot consists of 20 positions filled in our frontline code officers, another twelve senior code officers. We have six vacancies and another vacancy at the senior level. We have five supervisors, and the rest are administrative support. Special Project Coordinators who handle most of our training and some of our quality control. We have a total of 57 positions. We conduct inspections, as well as the reinspection throughout the compliance. About 90 percent of the residential inspections are complaint generated, which means that people are calling these complaints into the office. The open storage piece is consistent, as well as the inoperative vehicles. Zoning enforcement is a small portion, just based on the sheer numbers but those cases tend to take a lot more time. We spend a lot of time on the zoning cases, and they are not resolved as easily or as quickly. We also have a vacant foreclosure registry. Owners are required to register those properties. There is a one-time registration fee of \$100 and if the property continues to be registered and the information provided is accurate, you don't have to pay that fee annually.

Mr. Hardy – another part of our multifamily inspection program is the Interior Code Compliance Certificate. Each apartment complex is required to provide inspections by a third party representing at least 20 percent of their units meet the minimum standards. The code compliance certificate allows you to renew your business license. Annually, each of those 250 complexes that we have out there has to provide a certificate that says at least 20% of their units comply. The idea is that over a five-year period there would be 20% and then the cycle starts again. This is commercial quarter sweeps. Once we have hired all the folks that we are trying to get on board they will be responsible for the inspection enforcement of the video surveillance ordinance that was recently passed and that goes into effect on June 30. Complaints in MRM means when we run into a dead end through the regular criminal enforcement citations in magistrate court, we will send those properties into our MRM program. We have a team of officers that prepares those files, sends them to the Law department, and then the Law department processes the files and tries to get them on a court docket.

Commissioner Neugent – You have a great proactive program. How much time would you say monthly, that you attend to the 875 calls you get for service versus the proactive work that you do? Can you get to those 875 monthly calls?

Mr. Hardy – We can get to most of them. As you notice, on one of the screens, we are averaging about five days before the initial inspection of each complaint that is called in. Every call does not mean it is a new complaint. Sometimes it is a follow up call.

Commissioner Nuegent – We hear from time to time that to respond to some complaints that citizens have made, code enforcement is trying to find the owner of the property. I suspect that is a difficult thing in some cases. What kind of resources do you have to put against that?

Mr. Hardy - There are a small group of cases where we have a lot of difficulty finding owners. Typically, those cases will end up in the MRM process that I mentioned earlier. Our first order of business is to look at the tax records of course so whoever 's on there is usually the owner of record. We have a search vehicle that we use to find people which we think works well. Any kind of notifications we send out where we haven't made contact will typically be certified mail. The water bill is typically a good source of information as far as who the residents are. The code says the owner is the responsible party so it can be that property owner or someone that actually resides there. Some of the more difficult pieces are when you have the trusts or corporations that own properties, if there's some property that hasn't gone through probate, someone recently died and the heirs either don't care to maintain the property or are fighting about whose responsibility it is --- those are the challenges.

Commissioner Nugent - Thinking on those major multifamily units, I sort of was thinking about \$1000.00 per fine or per citation and then thinking about the stories that we've read about these big multifamily units that have so many elements that are out of compliance it seems like there's a gap there. Would you agree?

Mr. Hardy - Well I would say the fine doesn't always match what the public 's perception is so to speak. Any citation we issue could be up to \$1000.00 for that citation and \$1000.00 per day if we issued citations per day. Typically, it's somewhere a little bit lower than that; it could be anywhere from \$150.00 to \$800.00 so sometimes I think based on the egregious nature of what you see in the media and the fine amounts they don't always match up.

Commissioner Nugent - Do commissioners come to code enforcement and ask for your help in resolving some matters?

Mr. Hardy – Almost daily.

Commissioner Leake - I have 2 questions - basically it's a 2 part question. Part of what we're charged with doing is trying to figure out how we can enhance service delivery and I just want to know from your viewpoint what enforcement powers do you currently have in terms of residential properties? Now I know in terms of a lot of what we saw in your presentation dealt with apartments and complexes and things like that. I'm more looking in terms of residential.

Mr. Hardy – OK, so we have the power to inspect. We have the authority to issue notices. We also have the authority to issue citations. Once that citation is issued it goes to our solicitors' office. At that point the code compliance officer that's directly involved just becomes the key witness for the solicitors' office who is in charge of prosecuting those citations that we bring to them. So that's pretty much our authority: to inspect and determine that the violation exists and then take the appropriate action, be it a notice or a citation. If it's an egregious act, get that individual into court and then let our solicitors' office handle it from there.

Commissioner Leake - I know that you get a lot of calls regarding code enforcement complaints. What enforcement powers do you need that you would recommend that would help your division eliminate some of those complaints? Are there powers that you would need that you don't currently have?

Mr. Hardy - There are some things out there that we are considering, one would be the international property maintenance code that we've been working with the law department on and we'll be bringing that back to the PECS committee. There are some emergency powers within that model code that could be beneficial, and I think with the assistance of the law department and the policymakers, we should be able to get it adopted soon, so that would be helpful.

Commissioner Leak - My other question is with the current process for bringing code violations or issues to your department 's attention. It's mostly a complaint driven by someone in the community so my question would be - have you found any other organizations where there's a more proactive approach to addressing code violations?

Mr. Hardy - I think that's directly tied to density. We're in a metro area and we have a lot of residents and a lot of businesses and a lot of people so there's going to be a lot more activity. I think in a smaller municipality or smaller area you could probably be a little bit more proactive. I think that within the metro area we're in it's difficult. We always strive for it. Right now we're running about 5 days before the initial inspection.

Chairman Henson - John has also got a brief presentation and it will likely answer somebody's questions so I'm going to allow him to go at this point I had a couple myself.

Mr. Matelski - My name is John Matelski, I am the Chief innovation and Information officer for the county and the department of innovation and technology falls under my auspices. What we wanted to really show you and I appreciate Mr. Campbell being here today. Because I think this particular one is where we see the system working, the audit system and the administration working together based on this audit. The CEO pulled together an interdepartmental team consisting not only of code compliance and planning, and IT, but also law and other stakeholders so that we could address some of the deficiencies that have been plaguing the system. Where IT with their technology can actually help resolve some of the issues because this wasn't all about code compliance. We had multiple systems - the code compliance system as well as the court system, so the CEO brought the courts to the table. Basically, we are currently in the process of modernizing not just the technology but tweaking some of the business procedures as well. Because we should all know by now that if you implement a technology, but your business practices aren't right, you're just going to be doing wrong things more quickly. Basically, as we work together as a team including the courts, code enforcement and IT, we are working diligently to come up with a plan that is going to help automate and create some significant efficiencies, not only for internal staff but also for our citizens. As well, we are expected to go live with those enhancements in June or by the end of June so a lot of the things again that have been plaguing not just code compliance but I mean when you have to take things to the court and you're handing them here and then you come back a week later and they're giving them back and you got to do all the manual entry those are some of the significant challenges we face so at the end of the day not only again

will internal staff benefit but residents will also benefit because they'll have greater transparency and access into the data. They'll be able to submit their complaints online, submit relevant documentation and those types of things so we've worked diligently again thanks to the auditing and to the CEO pulling everything together to get us to the point where hopefully by June we will see a lot of efficiencies created both internally and externally.

Commissioner Leak - This is my last question, Mr. Campbell was talking about his office of internal audits there was an audit report released March of 2022 from the office of the independent internal auditor and in there were seven items' findings in that report of those 74 or repeat findings which meant in a previous audit this issue had come up four of those seven so my question is can you give us a status update on where you are with those findings?

Mr. Hardy - We actually had a meeting with the auditors yesterday. One of the findings was related to staff evaluations and missing our gaps in that. We're now 100% compliant with that piece of it. Some of the other findings were the SOP 's not being complete. SOP 's are standing operation procedures. We feel like we've changed and fixed all of those documents, but they're still going to be some additional changes based on the information that Mr. Matelski just gave you, meaning as we move from a manual system to an automated system we're going to have to tweak some of those inspection procedures and reinspection procedures as to how we get outside citations to the court. As he mentioned, one of the things we do now is we hand deliver them. With the new system we'll be able to issue that citation in the field similar to the way that DeKalb police does, get a signature, and then it will automatically go to the courts ,so a lot of those manual processes that we have put in the SOP 's that are there, they're still in draft form because we know that we're going to have to change them.

Commissioner Leak - Well if the go-live date, and I'll direct this to Mr. Matelski, is the end of the month it appears to me that those processes and procedures should already be developed so that it can be incorporated when you go live.

Mr. Matelski - So right now what we're doing is we're going through the final testing and training for that implementation which will go-live at the end of the month. Tim and his team have been working on updating the standard operating procedures as we go through some of the testing. We still are finding "oops that didn't work exactly right, we'll tweak it." Sometimes it might affect the SOP 's;most of the time it actually won't. Our goal was to have all of the SOP 's updated and actually I'll defer to you but I believe it was going to be within the quarter after go live and that way we can let the dust settle and then finalize. Mr. Hardy and team can finalize the SOP 's. And then again sometimes when the dust settles you might find something that still wasn't exactly the way it was supposed to be and you have to tweak again, but I believe, and I'll defer to Mr. Hardy, I believe that the goal was to try to finalize it after one quarter after going live which would be the end of this month.

Mr. Hardy - We feel like we'll need probably maybe 60 days or so just to know exactly how the system is going to work and then we'll update or tweak those SOP 's but the documents are there. We've already changed some, updated some - it's just a matter of matching it to where we're going as opposed to where we are now.

Commissioner Leak - I think it's an issue of managing expectations so as a citizen, if I hear you going live June 30th, I think that everything is in place to make that work, whereas if you say it'll be ready on August 30th that's a different story and different expectations.

Mr. Matelski -Understood. I think to Mr. Hardy 's point - I think the goal really is to have those SOP 's pretty much 99% by the go-live date, but again as the dust settles, as we found with many implementations, we'll find a thing here or tweak something there or the interface might do something a little bit different, so again I won't speak for Mr. Hardy and his team, but our goal is to have the SOP's at 99%. We'll take the draft mode off within the 60 to 90 days after they go live.

Commissioner Hinkel - Where do the fines go, is it to the general fund?

Mr. Hardy - Yes

Commissioner Hinkel - Who do you report to?

Mr. Hardy – I report to COO Williams.

Commissioner Hinkel – So are you a stand-alone department?

Mr. Hardy – Yes

Commissioner Hinkel – How often do you provide an update or meet with the PECS Committee?

Mr. Hardy – As often as they invite me. They will invite us in for updates. I would say maybe quarterly.

Commissioner Hinkel – You and I have talked about this before but there are laws in the book about code enforcement boards that can be set up that can impose civil fines. These are citizens code enforcement boards that have civil, rather than criminal, enforcement powers. I think you told me you had experience with that in Fulton County. Is there any reason why our county can't at least, through the PECS Committee, I suppose, and the administration investigate having a code enforcement board like that?

Mr. Hardy – I don't think there is any reason we cannot. However, that is the decision of the administration and the policymakers.

Commissioner Hinkel – Ms. Ernstes, I think you were looking into this. We had in 1982 a license review board made up of citizens, that was created but never established. Were you going to speak?

County Attorney Ernstes – Yes, I have an answer to that. You found something that I had not realized when I was preparing this book for you all. I just hadn't thought about it. The '81 law went into effect. It goes to referendum. The first CEO isn't elected until 1984. So, when you look at these laws, you must look at what was in place. I have included, in 1983, and that is a mistake. If you look at it, you can see, and it took me a while to find it. I figured out this answer last night. I had been trying to figure out where it was in the Org Act and why it didn't get recodified. Well, it's not in the Org Act. It's in the 1956 law that was superseded by the

Organizational Act. It is a home rule ordinance that amends the 1956, '59 law that was abolished when the 1981 Org Act was put into place. So that is why it is not in place. It was never part of the Organization Act in 1981. With respect to license review boards, because that is what existed, there was a 2018 amendment to the business license, which is technically an occupation tax certificate. You will find there are policy reasons for having a board. There are policy reasons for having hearing officers. It depends on the kinds of duties that the board is asked to do. When you think about a board that is thinking about legislative duties, things like a planning commission or that is making recommendations on zoning to, the Board of Commissioners is listening to what a community wants in a zoning proposal. Often counties and cities choose to have hearing officers because they act sort of like mini courts. As recently as 2022 the Supreme Court has amended the Zoning Procedures Law to specify the difference between legislative acts and quasi-judicial acts and to put in more rules with respect to zoning that are quasi-judicial acts. The Board of Commissioners chose to go with a hearing officer route in the business license context.

Commissioner Hinkel – What I am concerned about is the businesses that continue to get licenses but have continual code violations. What I understand is if they don't have an active code violation in January, when they go for their business license, they get it. But then they go right back to doing their violations. I want to know how the county can address the repetitive commercial code violators who have a history of bad citizenship in this county. Once the system is in place, I would like to know that this department is looking at innovative ideas to deal with these problems. In my neighborhood people are hesitant to speak to a neighbor about a problem. I think we are going to see more and more with gun violence. I would like to think that my county code compliance officer is thinking of innovative ways that we can deal with this. I have been through the code enforcement court system with my sign guy on Mason Mill. It took 18 months to three years to finally get that resolved. He was put in jail for 18 months, but he is back. He is following the law. It is such a laborious process.

Commissioner Hammonds – I know some HOAs have in their covenants about cutting grass, and they can fine residents or whatever. Is there any collaboration between those HOAs that have those things between your department or do you get many calls from HOAs regarding code enforcement in the areas that they don't cover?

Mr. Hardy – Yes, we attend a lot of HOA meetings. Some of the commissioners have what they call HOA boot camps. We meet with these organizations quite often. The issue is while some of their covenants may match what is in the ordinance, a lot of them don't. We don't necessarily have the power to enforce the covenants. What we try to help them do is identify anything that may be going on in their community that could be considered a code violation. We encourage them to call us for that. There are some issues that we just can't fix for them because it is not a code violation even though it may violate their covenants.

Commissioner Wittenstein – If my math is right, you guys are doing 24 apartments a year and the average apartments would expect to be inspected about once every ten years. Is that about right, with the burn rate that you have going?

Mr. Hardy – Part of the apartment inspection program involves the multifamily task force. What that task force does is identify those properties that we consider problem properties.

So, we are not looking at every apartment out there. Frankly, some of them don't need our attention. They do very well with property maintenance and management. It's those 15 to 20 that are problems. In recent months, the hotel motel piece has kind of slacked off. The multifamily stuff has picked up. So, we added a multifamily inspection monthly, while decreasing the hotel motel inspection.

Commissioner Sanford – I noticed in your report that your largest segment of cases revolves around unresolved cases. I was wondering if you could explain why that is so and give me some examples of why there would be so many unresolved cases. What happens once a case is not resolved? Why is that so?

Mr. Hardy – We average probably about 800 or so complaints a month. Most of those complaints started with an inspection and perhaps a warning notice. This notice can take anywhere from 15 to 30 days. While we are resolving violations, those complaints continue to come in. So, each officer may be carrying 100 or so active cases. We are always actively resolving cases, but we are always getting complaints as well.

Commissioner Sanford – How many opportunities are violators given once they go to court?

Mr. Hardy – That is not something that I control. The best thing I can do, or my team can do, is bring those violators to the courts. As far as the fine amounts are concerned, we don't recommend them, nor do we have any role in it.

Commissioner Sanford – Are the unresolved cases connected with their having been sent to court? Or are they not?

County Attorney Ernstes – I think I can shed a little light on that. With COVID, a lot of cases have amassed. I will say that at least the magistrate court has reported, at least on the MRM process, because it is a civil process, we are continuing to do them via zoom, by agreement of the parties, and that has increased participation. People don't have to come down to the courthouse and I do think oftentimes the judges try to get the property cleaned up or the issue resolved, rather than trying to put someone in jail, or have a fine. Often resets occur with the promise that you are going to clean up your property and bring back photographs or solve the problem in some way. That does account for some of the resets.

Commissioner Leak – How do you determine the effectiveness of your department? What do you use to base whether you improve it? What do you have that lets you know how to assess the progress of the department or the division?

Mr. Hardy – We gauge it by the number of proactive inspections that we complete. The number one thing that code compliance can control is the initial time they make the inspection. From the time the call comes in until we go visit that property and assess it. That is the only thing we can really control. If it is a zoning case, it could be any number of months. The only thing you can really control is how quickly you make that inspection after the complaint comes in.

V. REPORT FROM THE CHAIR

Chairman Henson - Any other questions? Ok, I want to mention that Kim Jackson is now chair of the Senate Delegation. She is going to try to come to the 22nd meeting. Hopefully we will get her a little engaged and visiting and she may have Sally Harrell participate. She won't be available this month. These folders were prepared by Macy and Lori Brill from CVI, and I would like to have them tell us what they had placed in front of us.

Macy stated that they have several documents. The top document is the most recent edits made by Commissioner Leak. That was a late submission. There are edits from Section 11 through 13A, which will replace the two documents of hers in the folder. All the rest in the folder are other CRC member suggested edits. We then have the table of contents. It should be underneath the packet of Commissioner Leaks' edits. This will organize the supplemental research in the binders that we provided. There is also the subpoena inquiry, which is the only document that is supplemental research for today's meeting. The final document is the one placed on legal paper. This is a summary of all the edits that have been submitted to the committee by the members: Edits from Commissioners Leak, John Turner, Mary Hinkel, Jim Grubiak and Robert Wittenstein.

Chairman Henson – I would like the authors to look at them to make sure that they are accurate and reflect what you wanted. The next thing I would like to discuss in my chairman's report is we have been reviewing and looking at stuff for a year. We now must conclude our report. It must be ready by December. We would prefer that it be finalized by December, meaning, if the order says we are finished in December we'd like to have the final report from Carl Vinson to review at that meeting and have it totally done. They would prefer two months because they must review it, have their supervisors look at it and then give it back to us. We are really looking at October. We are really on a tight deadline. I just want to mention that in July we have already sent out a schedule with a meeting for July 13, 2023. If there is no objection, I think we should plan on having a second meeting in July as well. The second meeting will be on July 27, 2023. I also want to caution there was a big question on the table about the CEO position and the county chairman position and how we progress with that and we can break it up and each discuss it. I'm not trying to set the agenda. I'm just telling you what my thoughts are. My thoughts are that we were sent forth to try to get things that could be a consensus that we were directed to have 10 votes for anything we added the charter. Changing from a chairman to CEO is a major issue and I don't think we've been able to give it its proper due as far as consideration because we're going over the whole charter. We had a tremendous task ahead of us. That doesn't mean that it's not worth consideration but I certainly think that if we're going to achieve anything and try to get it done by October, I certainly think that that is one goal or one thing that will not be done. I personally support the CEO's position. I was appointed in 1982 to the JTPA board by the commissioners. I've worked with commissioners for a long time, and in the legislature, I went through several hearings. I personally like having the elected CEO. I understand the differences in the strong county manager concept and it works sometimes and other times not, but that being said, there is disagreement, but I don't think there's a threshold of 10 people that want to change that now. I certainly want people to make their statements and we could poll people if there's unreadiness, it doesn't mean it can't be revisited later if something comes up but as

we move through these sections we have to have it in some context and I don't think we have the context where we're making that change, but again that is up to you all. I don't want to be prevented from making any recommendations because we don't get through and we need to be able to address some issues that I think we brought up and we'll be able to find some consensus on. Before we go on to 11 regarding the presiding officer, in which a few of your recommendations did touch on county chairman versus CEO and our presiding officer, is there anybody that wants to discuss that? Also, as you present your recommendations at any time you want we can take a straw poll and we can actually make a motion to try to include them. I am also open to that as things go through, but personally I think that issue is one that you should have as a secondary issue because I think there are not 10 votes at this time. Would anyone want to comment on that?

Commissioner Leak - I don't feel that I'm in a position to make a call one way or the other - not just the CEO position and that's not our number one priority that's part of the whole list. We have the BOC to look at and also efficiency of the delivery of services, so I don't want to make that one thing the primary discussion until we get through some of the things that we've been talking about regarding service delivery, like code enforcement. Those kinds of things would be my recommendation. In addition, when it comes to the 10 it's almost like not being able to get recommendations on the table if the threshold is so high to even get approval to put an item on the report. I don't know how much benefit we've provided; however, the alternative might be and I would suggest that there be an additional Minority report presented. We have our final Majority report, but I think there are some issues that we should have a separate report where there wasn't this high threshold to meet, but there are issues that need to be addressed and considered by the legislature and the Board of Commissioners. so that's my viewpoint right now. The fact that we haven't really had the formal process of approving anything that says "OK we're going to check the CEO versus chairman checklist done"- that shouldn't be the only thing that we should be concerned about.

Commissioner Wittenstein - I hear you. I am one of those champions of changing the structure. Let me say I suspect that you're right that there aren't the votes there to do that. We have not had a straw vote yet and I'd like us to do that at some point but also the relationship between the Board of Commissioners and the administration is contained in the sections that we're doing right now so this 11 through 13 or 11 through 20 or 18 or whatever it is that's the period that we ought to look at once we get past that. I think we'll move quicker because we won't keep coming back to it because these are the sections where those things are outlined, and I think we won't get bogged down meeting after meeting after meeting once we get through these sections that illustrate the powers of the Board of Commissioners, the power of the presiding officer and the power of the CEO and the county manager that are -contained, and then we'll move on and hopefully this will become something that we aren't still talking about in November.

Commissioner Hammonds - I think we probably do need to take a vote and maybe with some way with parliamentary procedure we could limit discussions, so we don't get bogged down, but we do address it. And if you get 10, you get 10. If you don't get 10, you don't get 10. But we go on record as saying that we did vote on it. but I think where we get bogged down is

that long discords on conversation So, if it's parliamentary correct for this committee to address the topic, to limit discussion or limit each person 's comments so we don't waste a lot of time with the rhetoric. Then maybe that would assist us in getting through it.

Commissioner Harris - I believe that maybe some of the discussion should be limited. Because we have gotten bogged down on a lot of discussions. I think that maybe we should start paying more attention to those documents as well. The documents from the Carl Vinson institute are providing those grammatical errors those kinds of things for us.

Commissioner Hinkel - You mean the technical changes?

Commissioner Harris – Yes

Commissioner John Turner - One of the issues of whether to have a county chair or CEO that is certainly one discussion, but that's very cut and dry as I've been reading some of the text suggestions from other members. It's not just that it's also within the structure of having a CEO and the BOC, but to better integrate and balance the functionality of those 2 functions of the government to better serve the citizens. Like right now the CEO doesn't have to go to any board meetings, doesn't have to go to any BOC meetings. Maybe one of the things needed is to have the CEO better integrated into the board meeting. That's all part of our discussion so I must agree with Mister Wittenstein that we need to get through the discussion of the relationship of the BOC and the CEO and those offices before we can make an informed decision.

The second thing is it's about the 10 votes and I know we have 10 votes that's been mandated to us. I did a little math and 10 folks out of the 17 seats on the Commission is 59%. So, we would need a 59% yes with 10 out of 17 seats, but we don't have 17 seated commissioners. We only have 14 and if you do 10 out of 14 it's 70%; that's a super majority and seems a little out of balance. Start again, is there any way that we can mitigate given the number of seats that are filled to keep that percentage that the CEO wants us to have and that can be our consensus? Or are we bound with that absolute number of 10?

Chairman Henson - we're bound to have 10. I think there was a reason to try to have consensus to refer some legislatures listen nothing prohibits an active community group or advocates or end or an individual from presenting a proposal that has a consensus kind of presentation to the legislature of things we've talked about and maybe can recommend to them. Nothing prohibits individually any of your members from doing a report that you 4 members worked on the committee and recommend that the legislature that they take certain action contrary to what the full board says... nothing will prevent an individual from going to your legislature and having a legislator introduced legislation that there is variance. I think the goal here was to try to find some consensus because it could get done. What has often happened at the Georgia legislature is that somebody will bring an issue such as correcting the language on the salaries or how that is set and then it gets other issues in there that are more controversial and nothing passes and that we would try to fix some of the things that could be done and I think we can go broader than that I think there are more substantive things that we can add to that then we can get consensus on to make changes but I think there was a purpose to try to get 10 votes there was a purpose to have a high

threshold. Otherwise, it would be so easy to be picked apart from a political standpoint by different people to disregard what we came up with. To answer your question Mr. Hammonds, do you want us to draw a poll at this point?

We can do that. I don't mind the discussion. Again, this meeting has gone by us haven't picked up any section yet. Now at 11 we did talk about it a little bit, maybe it would be clearer I think Mr. Wittenstein kind of wanted to go through the sections and bring it up. So maybe in a second when you go over it we can pull it up there but how many people know they would like to change from a CEO form of government to a county Commission chair government and of course the one reason I hesitate even to ask that question is there so many variations of that, that it really you know and to Mr. Turner 's point even if you stay with the CEO there's a lot of variations on how much authority the CEO has that we need to address so I'm just trying to clear things up a little bit that we're moving forward with basic structure. And I don't really know how to best do that. Because I think it becomes convoluted when we go over presiding officer and other things when we're also discussing so many other factors and we also have a subcommittee meeting on Monday about the number of commissioners which refers to some of your amendments and recent ones so I'm going to let Mr. Grubiak go next and then you can go.

Commissioner Hammonds - I think we need to continue to talk about some of the alternatives. Mr. Wittenstein 's proposal - he put a lot of effort into that, others have put a lot of effort into their suggestions. I think it would be inappropriate to just short circuit that discussion. We may have to get to the point of this straw poll idea relatively soon, but I think we need to at least hear from the members before we start getting to that point.

Commissioner Hinkel - The Carl Vinson institute gave us a chart that showed from the various counties the powers and duties of the Board of Commissioners, the powers and duties of the chair or the CEO, and the powers and duties of the County Manger. If you have those you can look at them, but a way of looking at this is not so cut and dry, one or the other. I personally would like a chart where we have the Board of Commissioners their powers and duties we have this whether it's a chair or CEO there's this one leader elected leader that can have powers and duties and then the county manager because in all of the going back and forth over these last few years about whether it's a chair or it's a CEO we've never really as far as I know looked at the county manager position. I think there's a way of strengthening professional management of the county that we can achieve if we lay it out and there's plenty of work for people to do. Let's lay out that work - - the powers and duties - and see where they align, whether it's a chair or CEO I'm looking to the future when we don't have an effective CEO. I'd like to have a structure in place that we can rely upon. We have the guardrails of the Board of Ethics; we have the guardrail of the Independent Auditor. We now need to kind of fix this structure and I don't think we have to say it's the CEO of the chair. I think let's look at it broadly and then go forward.

Chair Henson - I understand what you're saying and I appreciate that but if we don't look at a and pretty much what we have and try to amend and change it you open it up a lot of structural changes that take a lot of real involvement and work, more so than I think that this volunteer committee is going to be able to get done with before October, so I mean I'm not

saying what you're saying is wrong I mean if we were full time 3 people working with Vivian that sounds like a good thing but we are volunteer Commission looking at the structure as it is today and trying to make it better and we're doing it with a limited amount of time plus the Carl Vincent institute is at \$150,000.00 contract.

Commissioner Austin - I really appreciate the opportunity to be a part of this Commission. I haven't been able to attend all of the meetings because of some personal things, but I've been on all of the videos and thank you for the emails, I have received lots of information. I think that it's a matter of time and availability and I know that we have come through a lot of paperwork and looking at all of the various aspects of the charter. I've been in this county 10 years and I had an opportunity to see a number of things but also this was the first time having to really go through the charter and there are so many syntax and just errors that need to be fixed there and when we start looking at trying to move from an executive form and legislative branch I mean it's really not critically broke we're not going to fix it within the next few months but I do think like Miss Leak had a suggestion that I thought was very good in terms of a majority and minority report because everyone has thoughts and opinions and should be respected and need to be heard and I can understand your challenge there Mr. Chairman you are trying to navigate this very diverse group and there are very strong opinions here and publicly but I do think we should focus on what we can reasonably accomplish and do it well if the 10 votes and I discussed that a little bit and you explained it to me in terms of that that is something that we were mandated there and they're not there if they're not reasonably there then let's focus on looking at what we can reasonably accomplish and of course we've got enough to take care of and within the next few months and I know there are some subcommittees and maybe we can divide and conquer and look at that but I think that we should try to focus on what we can accomplish and try to add value to this county. We've got a lot of issues. I really appreciate the various presenters because we're taking a very good forensic look but what can we reasonably do in terms of this time frame I'm of the opinion that there are too many issues that will just drag this out and we will not be able to really do any substantive changes to the charter and so I appreciate reading it and I'm looking forward through all of the paperwork here but I appreciate the comments and the various views so I'm of the opinion that we should try to major on what we would consider what we can accomplish as opposed to simply trying to tackle that which you know we don't of course it's just a recommendation but we have to have the votes to get that.

Commissioner Sanford - Mr. Chair I was just going to say I don't think my personal vote is one that I should be giving. I think we're all here representing different constituencies and I think we should be listening to what they're saying and that's why it's been important for me to try and involve them as often as possible because I don't personally think I should give my personal opinion on the vote. I don't think that's what matters. I think it's hearing from our constituents and getting some general consensus as to what our citizens want.

Commissioner Grubiak - I'm just going to suggest that I mean 11, 13 and 14 really are the heart of the discussion and you really can't start 11 unless you're ready to go on to 13 and 14 OK.

Chairman Henson - I am moving on to the comment made by Mr. Grubiak that we move to public comment, and we first listen to our County Attorney.

County Attorney - That was what I was going to say, could you take public comment now instead of waiting until the end of the meeting?

Chairman Henson - I think we will probably conclude with public comment and make a brief discussion and at the next meeting if both public and the members know that we're going to probably run a little late we might even be pushing 9:00 o'clock at the next meeting so at this time let's see if there's anything on the agenda that I since we skipped over the section remark by interested public citizens you are limited to 3 minutes you should be a resident of DeKalb County.

VI. PUBLIC COMMENT

Jocelyn O'Neill - When we're dealing with code enforcement, the data that was presented by Mr. Hardy, they are not as proactive as we would like to see them as residents and constituents of DeKalb County. I would like to say that when they get to court that's where the ball starts rolling down the hill backwards; that's exactly where it goes. I've been dealing with them on the Advisory Council for about 15 years back during the day Doctor Gill, the chairman and my husband and Johnny Cole would sit down and start the ball rolling. That's been many years ago. We cannot get a judge to have a conversation with us now, by invitation or otherwise. I've sent two invitations. And the problems we have is with the solicitors office – they will present for the county what the violation is and then once it goes to the judge it just rolls down the hill backwards. If you got a bad child and you never discipline him they're not going to respect you and keep doing the same things and they finally come up and kick you on the leg and that's what's happening right now with us. I want to say this, I don't know what you all can do with it as far as the organization act, we have a lot of utility companies that are very disrespectful to our county and I'll say I've been doing broken poles hanging wires, trees for many years. Georgia Power will come out and replace the pole or do whatever ticket the other companies to come and take their stuff off and put it on the new polls that may take a year 2 years 3 years it's just simply ridiculous and then their wires hang on the ground with that little black tube thing it's just simply ridiculous. I don't know what could happen as far as the county relationship with these companies but something needs to happen really bad. And to get the County to come in and clean up not just the limbs across the sidewalks, but the trees that are hanging at 9:00 o'clock and 10:00 o'clock. Something needs to happen other than me. Also, the metal plates that go over the streets are horrible. People say it's because of the speed of the vehicles but it's poorly put on the streets and they're tearing up vehicles.

Charles Pigler - My name is Charles Pigler. I've been working on code enforcement for an extensive amount of time. When I first started with code enforcement they only had 8 people in the whole county so that always has been an issue. Code enforcement used to be up under the Police Department. With sustainability nothing ever happened we've also done court watches on code enforcement and your problem is not code enforcement, it's those 7 that sit up there and the solicitors and the judges that creates the fines. Now I'm just going to say that about code enforcement but one thing I want to say about this reorganization. I came down in order to hear that you are going to make my service better. The CEO don't pick up any trash, Board of Commissioners don't write any citations, now I understand that you all want to change, but the change comes from the people and it is up to the people whether they want a CEO or they want seven commissioners. Now you can sit there and you can create this but

the bottom line is if you're not going to deliver my services any better if you got a county manager. One county has one and it's terrible; they have all kinds of problems with the county manager because you don't have to answer to the people. Only way we get any kind of traction at the top of this is that they are elected officials and guess what, you know if you don't like them you can vote them out, so let's not spend a whole lot of time on the CEO. Lets spend time on what kind of services you're going to deliver me for sanitation. My water bill went from 2 months to a month those are the kind of services that make me want to live in DeKalb County. I've been here for 37 years and all this you're talking about now we've seen it before. It used to be a time the county Commission could go to a department head, but Vernon Jones stopped that. We used to get 3 trash pickups in this county per week, you get one now; used to be that the county would come out and pick up your limbs and trees for free, there is a fee now; this is what I want you all to talk about. The CEO doesn't pick up any of that. So, when you tell me to take a straw poll let's not waste the time with that, let's make your time constructive on city services delivering the best city service that you can deliver to the citizens of the Dekalb County.

Pedra Stokes - I am Pedra Stokes I'm a resident of DeKalb County I'm also the chair for the DeKalb Code Compliance Advisory Council and I could probably go longer than 3 minutes, but I I'm just going to pass my question since the presenters were allowed to leave I can't ask any questions. I talked to Mr. Hardy often and we have lots of conversations, so my primary concern is similar to what everybody else is saying: a lot of us are paying a whole lot of money to get a whole lot of nothing. It's unfortunate and a lot of it is code compliance for me specifically we have really good meetings and we talk about just everyday issues that people deal with things like Airbnb. This is why I got started in this situation wanting to be in a place where I could know what's going on and have a voice and I'm also learning about why it's so difficult to get things done in DeKalb County. It seems as soon as you feel like you've taken two steps forward you realize you've taken ten back and that makes people want to give up or just not be involved or just not be included. If you guys never have anything to do with presenting something that's going to make the situation better all this conversation about voting I get it to some degree but as the gentleman said: ?can we proactively do something Mister Hardy talked about proactively going through about the county to look at certain things. That is not how that situation is run - it's run like that on paper, but I know everybody here has driven by a gas station or a house that literally looks like the same month to month. I see a lot of the code people when I go to the post office that posted up in the parking lot and I know that that's not what they're getting paid to do, so I just hope that you guys make an effort to get some things put in place where we're not paying for nothing, because right now it's a lot of people who are paying a lot of money and a lot of taxes for very poor services and I know I'm not the only one who feels that way.

Sandra Holmes - I've been in DeKalb County over 30 years I would like to encourage you to make some recommendations for the judges to meet with code compliance because without them being involved in understanding what needs to be done or our feelings it falls on deaf ears. Also, I'd like for you to just ride in our communities in the South DeKalb area see what we're complaining about and understand how we feel, understand how my phone starts for the most part ringing at 9:30 in the in the morning with the complaint from the residents of the South DeKalb area and not only that but the school so we need your help but give us help where we need it.

Representative Viola Davis - I represent House District 87 primarily in Tucker, Stone Mountain and Pine Lake and I came here today mainly because I wanted to take a chance to just listen and observe. One thing that really caught my attention is the fact that we have deficiencies in the issues of enforcement. I

need more information in that area because if we form an audit and external audit department that identified deficiencies and the most they're going to do is sit on a piece of paper, it's not really any movement to have a corrective action plan so that we are moving forward that's something that we should concern us all. I wanted to remind everyone just how difficult it is to pass some of this legislation, even when it's just local. If you recall how many times we had to draft the Board of Ethics the first time it went through and it was voted down by the people, then we did it for a second time. The second time I was in charge of drafting that legislation and believe me when I say being a community activist coming up here standing right here on this podium advocating for the people. I'm with the number of people here if you can get some legislation or some type of report that you can send to us that you honestly believe can move that is good. But to focus on the more controversial issues, it is a problem to get it through the process. That's not to say that we won't work hard to do it, but we're talking about the Capitol. If any of you have any questions or if you need me to do anything further do not hesitate to ask because remember the taxpayers and voters are the employers and I am an elected official, the employee.

Commissioner Ted Terry - Thanks again for all your time this evening. I'm glad that we've kept y'all hydrated. Here's a couple of ideas: Number one the executive order in Atlanta there's a provision in their charter when the mayor does an executive order, after a certain amount of time the City Council has to adopt it or approve it and, in our Charter, an executive order can just basically go on and on and on. I would suggest y'all look at what Mr. Turner pointed out. There are currently three vacancies on the Commission, and I didn't actually know that. I thought that it was fully appointed so I don't know if there's anything we can do to encourage just getting those 3 slots filled but I think it would be important to have a full board. To his point about the 10 votes needed for an actual recommendation. There was this suggestion about the CEO coming to Commission meetings. I would like to recount when I was younger watching on C-span Prime Minister questions in the British parliament anyone ever seen that on c-span. Once a week or once a month one hour, the Prime Minister just has to answer questions from the backbenchers and the front benchers so that might be an interesting opportunity just so if there's ever an issue where commissioners can't get a meeting with the CEO 's. When you only see the CEO at ribbon cuttings or proclamation days which really aren't the best time to ask things and bring things up. The 13A appointments I think are really important. It's clear that there's a lot of vacancies or expired terms that exist amongst the various boards. We have two vacancies on the development authority. I was there today for a vote and they kind of looked at me and said can we get the CEO to fill our two seats and I said oh sure I'll ask and so I think this actually came up several times in the last two years that we're actually to senator Henson 's point about just proposing amendments to the charter regardless of y'all 's recommendation and the idea there was just if the 13A appointments don't get filled, I think it was like 60 or 90 days the Board of Commission could have some recommendation or something to make sure we're not filling seats that are obviously there for a reason or that someone might be there on an expired term and I guess in a technical sense that they're not renominated by the commissioners and they never have a chance really to weigh in on one way or the other.

Steven Benny - As I look out this evening, I see good people who are devoting their time and energy to a worthwhile project. However, in this imperfect world of ours good people can end up making poor decisions. I see a majority of the members with positive ideas, working to make DeKalb County a better place for all of us to live. I see a smaller group of members who seem to be satisfied with the status quo. Being satisfied with the status quo leads to stagnation, stagnation leads to decay, decay leads to chaos

and eventually death. Unfortunately, you will need 10 out of 14 votes to change anything. How often can you get 70% of 14 people you agree on anything? I see one person who responds to each suggestion for change by asking COO Williams, "Can't the Commissioners already do that? Or doesn't the CEO's office already do that?" "This person seems to have taken it upon themselves the job of defense attorney for the current form of DeKalb County government. I wish to remind this board that the current DeKalb County Organizational Act has its origins in racism and the desire to keep blacks out of the decision making process. It doesn't matter who is in charge now because the end result is the current Act is simply a system that allows those in power to diminish the input of its citizens no matter what their color or heritage may be. The balance between freedom and power is the foundation of a democracy. The current organization act emphasizes power over freedom and Dekalb County is worse off for it. Unfortunately, I see only cosmetic changes and minor tweaks in the future of this Commission. I'm still hoping for an increase in the number of county Commission seats to nine, including retention of the two super districts but that will have to wait until Monday night's discussion. Speaking of meetings, in reading through section 12 it appears the county is falling short of its notification parameters but public transparency has never been a strong point of DeKalb County government. I also notice that that no mention of public comment length is in section 12. Constituents have tried to change this over the years but have been thought it by the commissioners at every turn. If the intention of this board is to make the county commissioner position a full time one then perhaps you could add a line expanding required public comment time up to 60 minutes at the very least. Is one hour of 80 hours of work every 2 weeks really too much to ask? Under CEO appointment (13A) the time lengths are often ignored by the CEO 's office and the commissioners should be given the power to make those appointments if the CEO refuses to do so. On the other hand, the CEO made 3 appointments to this board and look where it has gotten us. Thank you very much for your time and consideration.

Commissioner Ted Terry – Quickly I have just a couple of other points I would like to make. In the org act we have the CEO and then the executive assistant. The way I read those roles is that they really seem to be sort of 2 separate positions. I love Zach but I think the spirit of that provision is that they should be 2 different people and I don't know if that is a charter change but to me it seems like those are 2 different roles. Something maybe just for discussion also is this idea of whether you're talking about county manager or deputy COO I think that type of structure would allow for a little bit more opportunity. Speaking as myself for commissioners to engage on things before sort of bringing it up on the final level for a decision we were talking earlier about sort of how controversial you want to get and I understand that the board here doesn't want to do something too controversial and I think Representative Davis also pointed out that out and so I might offer the opportunity as some of the new newer cities have done where there is sort of a mandated reconvening of the charter review Commission I think every 5 years or 10 years. I'm not really sure how it works for those other cities but it seems to me that that would be sort of an ongoing check in. I think y'all have been created for by executive order but if this was just sort of a thing that we did regularly, folks would have confidence that things that didn't get addressed in one meeting would be addressed in another. Just a side note on some of the code compliance issues and sort of the court backlog, the Magistrate Court of course can just hire more judges but we can't create more Superior Court judges unless the legislation does it and I don't know if that's an organic thing but we had a presentation from the public defender a week or 2 ago and she reported that already this year they had cleared about 3000 cases but they received 5000 cases and so that trend is a little concerning because I know a lot of those cases are in the Superior Court so something maybe for all of us to consider going to the legislature and asking for additional judges to increase that capacity. Finally, just

like y'all are a citizen resident Advisory Board I believe there's 30 plus of those boards, but there's one called the technical advisory committee that is far as I know has never met. There's the appointments to it and so some of the things I heard earlier about whether it's code compliance are kind of the nitty gritty of how government works. I'm a big believer in small democratic operations to allow residents to kind of just close the gap and understanding on how the government works.

Commissioner Leak - I'd like to just add 2 items as new business and we can discuss it at future meetings. Based on some of the public comments that we've heard tonight about service delivery I would like to suggest that as a Commission we have an online customer survey related to services to get a feel from a broader spectrum of residents in the county about the service delivery options. The other item is the potential for a survey employee survey.

Commissioner Harris – We do have a subcommittee meeting on Monday, June 12, at the Redan Trotti Library at 6:30 p.m.

Chairman Henson – Ms. Leak, I'll take that under advisement. Any other comments? If not, we adjourn.

Steve Henson, Chairman

Charter Review Commission

Barbara Sanders-Norwood, CMC, MMC

Clerk to the Board of Commissioners and Chief

Executive Officer