



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## **DRAFT -Minutes**

### **OPS-County Operations Committee**

*Commissioner Mereda Davis Johnson*

*Commissioner Michelle Long Spears*

*Commissioner Ted Terry*

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Thursday, August 29, 2024

1:00 PM

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### **Special Called Meeting**

Meeting Started At: 1:01 PM

Attendees: Commissioners Davis Johnson, Terry, Long Spears, Patrick

**Present**      3 - Commissioner Mereda Davis Johnson, Commissioner Michelle Long Spears, and Commissioner Ted Terry

#### **I. MINUTES**

**2024-1072**      Commission District(s): All Districts  
Minutes for the August 20, 2024 County Operations (OPS)  
Committee Meeting;  
**This agenda item was no official recommendation**

*No vote occurred*

#### **II. AGENDA ITEM**

**Airport (PDK)**

[2024-1048](#) Commission District(s): 1 and 6  
Consent to Sublease under Contract No. 500676 (formerly No. 79-1971) with Epps Air Service, LLC dba Aero Center Epps Atlanta, LLC (formerly Epps Air Service, Inc.) to SkyTech, Inc. in Accordance with Section 27 of the Lease Agreement. There is no cost to the County  
**MOTION was made by Ted Terry, seconded by Mereda Davis Johnson, that this agenda item be recommended for approval to the Board of Commissioners, due back on 9/10/2024. The motion carried by the following vote:**

**Yes:** 2 - Commissioner Davis Johnson, and Commissioner Terry

**Absent:** 1 - Commissioner Long Spears

*Information provided by Hunter Hines, Interim Director PDK*

*Question MDJ: they are subleasing a portion of the existing lease?*

*Hines: Correct:*

*Question MDJ: COO, do leasers have the authority to sublease?*

*COO Williams: Yes, chapter 27 airport code allows for this however nothing can happen without Directors approval and final approval from the board*

*-TT: motion to approve*

[2024-0995](#) Commission District(s): ALL  
SS - Support and Maintenance for Symphony Noise and Operations Monitoring System (NOMS) at DeKalb Peachtree Airport (Sole Source): for use by the Department of Innovation and Technology (DoIT). Consists of a five-year agreement for support and maintenance of the Airport's NOMS system. Awarded to PASSUR Aerospace, Inc. Amount Not To Exceed: \$602,171.00.  
**MOTION was made by Ted Terry, seconded by Mereda Davis Johnson, that this agenda item be recommended for approval to the Board of Commissioners, due back on 9/10/2024. The motion carried by the following vote:**

**Yes:** 2 - Commissioner Davis Johnson, and Commissioner Terry

**Absent:** 1 - Commissioner Long Spears

*Information provided by Hunter Hines, Interim Director PDK*

*-TT: motion to approve*

**Fleet Management**2024-0989

Commission District(s): ALL

CO - Change Order No. 3 to Contract No. 1271176 Motor & Aviation Fuels & Related Services (Omnia Partners Cooperative Agreement No. 53315): for use by Public Works-Fleet Management and the Department of Facilities Management (FM). This contract seeks to purchase from the competitively let Omnia Partners Cooperative Agreement for the purchase of red dyed diesel fuel used to fuel off-road County equipment. This request seeks to increase contract funds and term through October 31, 2025. Awarded to Mansfield Oil Co. Amount Not To Exceed: \$1,025,000.00.

**MOTION was made by Ted Terry, seconded by Mereda Davis Johnson, that this agenda item be recommended for approval to the Board of Commissioners, due back on 9/10/2024. The motion carried by the following vote:**

**Yes:** 2 - Commissioner Davis Johnson, and Commissioner Terry

**Absent:** 1 - Commissioner Long Spears

*Information provided by Robert Gordon, Director*

*MDJ: Director Please come back to OPS to discuss your apprenticeship*

*-TT: motion to approve*

**III. DISCUSSION**

Charter Review Recommendations

*Comments provided by former CEO Burrell Ellis*

*Ellis: Question on section 2, regarding super districts. I don't believe the need for those districts remains. I'd ask you to consider if it's time for DeKalb to go back to the 'at large' Commissioner model in oppose to the super districts*

*MDJ: I want to get clarification, with super districts each commissioner represents half of the County currently, what you are suggesting is 'at large' meaning both Commissioners would represent the entire the County? Ellis: yes, if you may recall it used to be north and south and shifted east and west. My question is if we should go back to Commissioners County wide- reason being then you would have commissioners who are representing the interest of the entire county in addition to the 5 representing districts. It is just a suggestion. Ellis: in section 3 subsection C - I believe election dates need to be changed from 2022 to 2024.*

*TT: I think the dates in subsection C and D should be switched*

*Ellis: for section 3 subsection E - should the meeting language be changed to "regularly schedule" or provide a specific date?*

*TT: I agree, keeping it to the first day of January. You need time to prepare.*

*Ellis: I agree but add a date certain. Section 5A - chief executive officer, I am against lowering the age to 21.*

*MDJ: would you suggest going back to 30?*

*Ellis: I don't know the magic number, I'm in favor of age 30*

*MDJ: I am in agreement with you on age*

*TT: We might need to change it in accordance with State law*

*County attorney: the 12 months is associated with State law, for all offices throughout the state. Additional context provided.*

*Ellis: section 5 C - in the event of a vacancy - that person can still run for full two terms as CEO - what happens if the person is removed from the office and returns to office, are they eligible for two more terms? I think that needs to be addressed.*

*TT: I agree this needs to be flushed out. I think many the term "full term" is the key there. If you don't serve a full 8 years maybe you can serve another.*

*Comments provided by County Attorney.*

*Ellis: I think the word "serve" is critical. If a CEO were removed and returned they should have the opportunity to serve two full terms.*

*Ellis: Section 6 vacancies has some inconsistencies in it. I would suggest a review of the section as a whole. Example in Section 6D - does a commissioner that is removed get to return and finish their term? Additionally 6E that protects the COO, from discharge by the interim CEO; I wonder if the same rule should apply to the County Attorney.*

*MLS: is it true that the governor has the ability to appoint commissioners to vacancies? Should that be included in our Org act?*

*County Attorney: I don't believe the law allowed the governor to appoint in that situation. IF you want to include that language we would need to vet that language. I'm not sure if the board could write that language and impose the action onto the Governor's office. Additional comments provided.*

*Question MDJ: if the office is vacated we can hold a special election?*

*County Attorney: the issue that occurred in this instant was a provision of state law that provided a 90 day time period for special elections. I believe the law has been changed but I will get you the bill and follow up.*

*Question MDJ: would we still need to do the elections independently?*

*County Attorney: I believe the issue was addressed but I will follow up and address these questions.*

Ellis: section 9 a - I am in support to the part time provision. has it been removed? I don't see it as limiting earning power of those in part time elected positions. Additional comments provided.

MDJ: I do think part time is implied because we are not given full time salaries. I don't think there is any specific language.

Ellis: It could be helpful to have is specifically labeled as "part time"

TT: I don't think we need to necessarily indicate it. I would argue that its kept how it is and commissioners decide on an individual bases.

Question MLS: for clarity, the state sets our compensation?

County Attorney: there are a couple of ways, one is a local law through state delegation, there was a provision in the organizational act that allows this and sets compensation.

Question TT: what are your options of the proposed removal of the Commissioner allowance?

County Attorney: It was my suggestion to leave that untouched.

Question TT: what is your option on section 9 number 10 - land use and zoning. Is it your opinion that this section zoning issues can be approved with just one commissioner or do you believe you should have consensus of both representatives?

Ellis: when I was on the commission it was a standing practice you needed at least one commissioner in approval of the proposals. I'm still in support of that practice.

TT: I would suggest this be changed requiring both commissioners are in the affirmative.

MDJ: I would say either/or instead of bounding both

MLS: I'm in agreement with Commissioner Davis Johnson, specifically due to our two vacancies right now.

Ellis: section 9c - speaking to criminal penalties - I'm not in support of that change. I believe it is oppressive. I'm not in favor of section 9d and I'm strongly opposed to section 9e regarding subpoena power.

MDJ: I agree with you

Ellis: section 15 subsection F - I think the CEO needs more than 30 days for appointments. I would be in support of 90 days.

TT: I'm agnostic on the number days, but I do want to see it specified.

Ellis: I understand the goal, but there should be enough time to find the right people.

RP: I could argue the opposite of this suggestion. If there is an emergency that comes up, like the pandemic, makes me hesitant to put a time constraint on the decision. They may need more time if events occur.

Ellis: maybe there is language for exemptions in emergency situations.

MDJ: we can talk further, I don't think we as the board should fill CEO appointments.

TT: I would agree if there was a declaration of an emergency then the clock stops. We can flush this out further

RP: or if the CEO provides an acknowledgment of going over 90 days or whatever time limit.

Additional Comments provided

Ellis: section 19 - My concern of proposed budget cycle is that it would be proposed by October 1 and adopting by December 31st, all before new commissioners take office, this is also over the holidays when the public is distracted by the holidays.

Comments provided by Commissioner Davis Johnson

Question MLS: so the year we have a new CEO the process starts in January and conclude in March? I am in agreement with Commissioner Bradshaw's suggestion of 19b that the budget is presented in October and finalized by December 15th. So are you suggesting that only in the years we have a new CEO it is pushed to January?

Ellis: No, I am suggesting you don't change it even in the years you don't have a new CEO. Additional

*comments provided.*

*Comments provided by Commissioner Davis Johnson*

*TT: I so like the idea of the CEO proposing the budget early. I think the solution would be going to a fiscal year cycle when the mileage rate is secured with the understanding amendments can occur as the boards pleasure.*

*Ellis: Section 19 E - the CEO is responsible for the County wide budget and I think the governing authority ought to have some say to constitutional's budgets.*

*MDJ: are you saying we should manage their department budgets?*

*Ellis: as a hypothetical - if you have a constitutional that overspends their budget there should be some sort of check through the commission.*

*MDJ: I am in agreement that if a constitutional goes over but also if a Commission goes over. Maybe we need to outline how it is paid back. There should be something that also addresses Commissioners going over our budgets.*

*Question MLS: Are you suggesting we defined 'enforced compliance' in the Organizational Act when it comes to our constitutional offices?*

*Ellis: I think it would be helpful, ultimately you need to bring them in and have the conversation*

*Question MLS: how can you really enforced it? Do we take it out of the next fiscal year?*

*Ellis: I'd start with why the over spending occurred in the first place. You should have the opportunity to have that conversation in the first place.*

*MDJ: not take it out of the next fiscal year budget but be responsible to pay it back. If there is an emergency or they need more money that's a conversation, but if you're just spending to spend then you need to pay it back.*

*TT: My understanding is when you budget for constitutional offices, they still need to go to the finance director, and go through the system. The current system is set up that if you don't have money in that line item it will not go through.*

*Question MDJ: COO can you verify*

*COO Williams: yes the CV360 system went into effect august 5th authorizes line items*

*Question MDJ: what about Constitutional Offices, specifically?*

*COO Williams: When you authorize the funds they have the ability to spend them, we are involved whether it through HR, procurement or finance department. Additional comments provided.*

*Ellis: section 20 - purchasing and contracts, regarding the statement of 120 days after the approval of the referendum. I missed what that is referring too.*

*Comments provided by County Attorney*

*Ellis: then maybe it should say " upon approval of the act"?*

*County Attorney: it just depends on what gets enacted, its referring to the timing. Eventually this has to go to the voters.*

*Question MLS: what is your option of us adopting a purchasing ordinance ?*

*Ellis: I guess I'm okay with it. I'm not opposed to the CEO having the power but it should be made known to the Commission.*

*Ellis: Section 27 open records officer; I think it is a good idea but it allows certain offices to be omitted, such as the solicitor general. I think all offices should have an open records officer.*

*Question MDJ: County Attorney can you clarify how it works now verse one officer over everything*

*Context provided by County Attorney*

*MLS: I am in support because we have had missed requests over the last few years*

*Question MDJ: have we had many instances of requests missed?*

*County Attorney: I could not quantify the number of missed requests. I think the effort is to reduce mistakes how we get there is the choice of the Commission.*

*Ellis: overall I am in support of the spirit of it. I think the language could be reviewed. My last comment is section 28 - I don't know if I want to see a mandatory provision, you can change the Org act as seen fit. It could cause change unnecessarily.*

*Comments provided by Commissioner Davis Johnson*

*Ellis: I appreciate the opportunity to provide input. I also think asking for input from incoming commissioners would also be beneficial.*

*MDJ: we've asked central staff to reach out to incoming CEO Cochran Johnson to the next meeting, September 17th.*

*TT: my question is for us and how we want to organize our recommendations. The session starts in January and done by end of March. I just want to highlight that if we wait for new commissioners then we probably would give recommendations till 2026.*

*MDJ: If it takes us till 2026 for us to go over the recommendations with new commissioners, then I'm fine with that, I'm not going to rush the process.*

*MLS: I'm open to amending our adopted resolution that our recommendations being submitted in January but the delegation will need time to also review and ask their questions.*

Meeting Ended At: 2:45 PM

**MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be adjourned meeting. The motion carried by the following vote:**

**Yes: 3 - Commissioner Davis Johnson, Commissioner Long Spears, and Commissioner Terry**

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Barbara H. Sanders-Norwood CCC, CMC