

# FINAL

2020 Overview Commission  
Thursday, January 23, 2020 6:00-8:00p  
UGA Health Sciences Campus  
120 Wright Hall, 100 Foster Road  
Athens, GA 30606

## **Members Present**

Mumbi Anderson, Paul Bunce, Armand Chapeau, Gail Cowan, Richard Davis, Joseph Fabregas, Andrea Farnham, Elizabeth Higgins, Brandy Kirkwood, Stephanie Lynn, John Napier, Peter Norris, Timothy Pierce-Tomlin, Frank Platt, Hunaid Qadir, Taisheema Schley, Roy Schmidt, Sherry Tanner, Ellen Walker

## **Members Absent**

Bernard Tant, Alex Vanden Heuvel

**Guests:** Blaine Williams, Stephanie Maddox, Chris Caldwell, David Boyd

**Members of the public:** Alvin Sheats, Michael Smith

Meeting called to order at 6:00p

### I. Introductions

Hard copies of the Boards and Commission handbook were distributed. Name tags were distributed.

### II. General Comments from the Chair

Elizabeth thanked guests for their attendance

### III. Approval of Minutes of Previous OC Commission Meeting

A motion was made by Richard Davis, seconded by Toby Chapeau to approve the minutes. The motion passed by unanimous vote.

### IV. Manager's Office Presentation

Blaine Williams thanked the group for their service for a year.

#### A. Overview of ACCUG Government Structure

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Hard copies of the presentation were distributed. Blaine noted that there are less than 40 consolidated governments in the country. Notably, ACC was 2nd in GA and 28th in the nation.

Blaine gave background on how cities and counties layout service delivery strategies so citizens are not being double taxed. Because we are consolidated, our city no longer has to negotiate with the county for service provision - that is very time consuming. We split sales tax with Bogart and Winterville. We provide police services to Bogart and Winterville but they still have their own police force. Winterville is primarily in Clarke county and only a portion of Bogart is in Clarke county.

Blaine then explained the legal framework for why counties exist with regards to representation. Within the county government, there are constitutional officers like sheriff, probate judge, tax commissioner, coroner. They do not report to M&C but they depend on them for funding for operations. Having a consolidated county and city is a whole lot less complicated because there are no intergovernmental negotiations needed. We are a nonpartisan county - we concentrate on delivering services to the citizens. There is an interest in this community for the government to do more than most governments.

Blaine provided an organizational chart of the ACC Government. He explained the power dynamics of Manager's office with relation to Mayor and Commission. The manager runs the day to day operations, makes hiring and firing decisions, the Mayor sets the agenda and appoints committees, and the commission approves the budget and creates ordinances (county law).

Blaine explained there are about 40 departments, and the staffing level is 1700 employees (12 per 1000 citizens). The list of departments provided are below:

## 40+ Departments / Offices

• Airport	• Geospatial Information Office	• Public Utilities
• Attorney*	• Housing & Community Development	• <b>Sheriff</b>
• Office of Organizational Analysis*	• Human Resources	• <b>Solicitor General</b>
• Board of Elections & Registration	• Inclusion Office	• Solid Waste
• Building Inspections & Permits	• Information Technology	• SPLOST (Special Purpose Local Option Sales Tax)
• Central Services	• <b>Juvenile Court</b>	• <b>State Court</b>
• Clerk of Commission*	• Leisure Services	• <b>Superior Court</b>
• <b>Clerk of Superior and State Courts</b>	• <b>Magistrate Court</b>	• Sustainability Office
• Cooperative Extension	• Manager's Office	• Tax Assessor
• <b>Coroner</b>	• Municipal Court*	• <b>Tax Commissioner</b>
• Corrections	• Organizational Development	• Transportation & Public Works
• <b>District Attorney</b>	• Planning Department	• Transit
• Economic Development	• Police	
• Finance	• <b>Probate Court</b>	
• Fire and Emergency Services	• Public Information Office	

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It was pointed out that Animal Services was missing - it was a recent change. Blaine is going to get a replacement list for us.

Blaine explained the asterisks and bolded items.

- Asterisked charter officers - - they do not answer to the manager - directly appointed by M&C
- Bolded are other elected officials - they do not answer to the manager

Next he explained how the agenda is developed at the working meeting. He explained how agenda items are created with background information, current data, etc. All of this is included with an agenda item so that it provides a true historical snapshot in time.

He talked about how work sessions are televised. He explained the meeting schedule for work sessions, agenda settings, and full commission meetings. He said there are some standing committees - legislative & government operations committee (5 commissioners each) who can ask the mayor to assign an issue to one of the committees. Work is assigned to committees based on workload. The great thing about the standing committees, is that any one ordinance or issue to come before the commission has already been negotiated and agreed upon by at least half of the commission.

Frank Platt asked about whether the public safety committee still exists. Blaine says they don't have that anymore but he would be open to the idea.

Toby Chapeau asks if a mayor can serve for more than 2 terms if they are non consecutive terms - Blaine did not know.

John Napier asked if boards and commissions are tied to departments. Blaine said that not all boards and commissions have staff liaisons, but they gradually have reworked some of this and now most boards and commissions have staff liaisons. He wishes commissions would let M&C know what they hope to accomplish each year. He clarified the work of boards and commissions are independent - they just have staff that "help" them. He gave the example of inclusion office. The Mayor will appoint an external committee to work with that office. He suggested they will be more tightly connected than some boards - similar to Airport Authority. Advisory boards should expect that their recommendations might be ignored or changed.

Blaine went into great detail about the Manager, Mayor and Commission responsibilities and powers. Mayor has specific duties per the charter. Setting the agenda is a big power the mayor has. Nothing can go on the agenda without the mayor's permission but 7 commission members can override the mayor. Mayor makes appointments. Commission does the interviews for some boards and commissions. Commission votes on the appointments.

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Mayor also participates in the budget process. Manager creates the initial budget, then the Mayor applies his consideration (in other words, he gets to shape the budget and this is a large power), then it goes to the commission for approval. He explained the concept of “big rocks.” When the budget is being created, they have Big Rocks meetings, where M&C can ask for major mission and goal changes to the budget - for example the \$4M prosperity package came out of Big Rocks. M&C must give staff the opportunity to have feedback on all decisions but M&C can ultimately do what they want but they are accountable to the public.

He talked about how the Commission can also remove charter officers within 24 hours notice if they want to. They also adopt ordinances.

The Manager is day to day operations, hire and fire, budget preparation, citizen complaints, studies and investigations, purchasing (within limits or need M&C approval). Even if there is money budgeted, the manager has to go to M&C for anything over \$200,000.

## B. Manager Perspective of Overview Commission (OC) Duties

Blaine explained that the period July 1, 2018 - June 30, 2019 is the year we should be looking at. You should request any resources you need to do the work. You can access any department, and constitutional officers. There is so much to look at. He suggested we think about experiences each of us have had that cause you concern about the government. Things we should be doing or should stop doing. It's easy to get overwhelmed. Focus on several impactful things.

## C. Discussion and Questions

Elizabeth Higgins asked about how to create a report that is well received - not too granular but useful. Blaine says a good point - look at common threads. Government has a tremendous capacity. Decide if you want to suggest solutions or identify problems and let the government suggest solutions. It's really up to the commission what we want to do.

Qadir - do you do any informal audits for departments? Blaine says performance measurements with data is something they are trying to get better at. The data must be objective. The Manager's office meets with departments every month and sometimes quarterly. Ongoing knowledge of goals and objectives and budget directives so its constant adjustment. They really try to deal with HR issues as they occur and not let things get to crisis mode, like Animal Services. There are indicators for most departments and they will provide this to us.

Sherry Tanner asked about hiring resources and whether departments are fully staffed or are they returning funds for not hiring. Blaine says we can get this from budget documents. He says that lack of hiring isn't always for lack of trying. Depts spend about 97% of their budget on

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average which go toward unrestricted fund balance. Usually some funds are left because they overestimate expenses to be conservative.

Frank Platt asked a question about code enforcement and the relationship with building inspection. Blaine explained that they are a Special revenue fund because they provide a service. Code enforcement does not have special revenue funds - they are not incentivized to write tickets.

## V. Chief Finance Officer Presentation David Boyd, Finance Director, Chris Caldwell

David explained that CFO is incorrect term - he is a director. CFO is a broader term and gives you more authority. He gave an example of a recommendation from the 2010 Overview Commission that was not in his purview to control which would have been a power that a CFO might have.

The 2010 recommendation was that the finance dept should establish online payment systems for the government. He doesn't have that authority. They can help depts set up online payment systems but they can't make them accept online payments. They also can't make departments use the same system.

When we are making recommendations, we need to make sure the dept has the authority to implement the recommendation. If the recommendation exceeds their authority, consider listing it as an overall recommendation.

### A. Finance and Budget 101 for the ACCUG

David provided a budget in brief handbook. He explained that the State dictates budget processes and Government accounting regulations tells us how to do our accounting.

He gave a run down of the budget process and timeline. He explained that budget development is required by state law for general fund and tax based revenues. The Budget division also works throughout the year to make sure budgets are being managed properly.

David used the handbook to explain the difference between fund types. These funds and how to account for them are dictated by the GASB. The auditors make sure the financial statements meet the 91 GASB pronouncements. Because of that, we have to segregate our budgets into the various formats. There are two different types of funds - government funds and proprietary funds. Government funds have to be set by state law. General funds are the most important government fund. 75% of all employees paid out of the general fund. Everything that doesn't have a specified revenue source goes into the general fund. 85% of the fund is tax revenue. Of

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that tax revenue, 65% is from property and sales tax, and 20% of it is from other taxes. Remaining 15% comes from charges for services. General fund takes up the biggest part of the budget process. General fund budget is \$140M.

Special revenue funds are setup to be compliant with accounting regulations but some are required by the state like 911. 911 service comes under police but the state requires it to be shown separately because it's paid for on telephone bills so it is a separate special revenue fund. We have to file separate reports on 911 every year. Putting the money into a different account from general funds makes sure it is only spent on appropriate items. The 911 fund needs a budget because it is a governmental fund.

Capital project funds are large capital investments. SPLOST and TSPLOST are the big ones.

Enterprise funds are like small businesses. Things like landfill, water and sewer, transit, etc. and really any larger organization that charges a fee for service to the public. Some of these still are supported by taxes but they don't charge enough to cover the costs.

Joe Fabregas - asked the difference between special revenue and enterprise funds. David explained that GASB segregates accounting functions between those that are cash basis or accrual basis. If you are running a utility, that is accrual based because you send people bills, and they pay at a later date. You also have assets and debt that are tied to the function/organization. This is an enterprise fund. If you are charging simple one off fees for services, like a fine for building code violations, that is just special revenue. There are no big assets or debt, and there isn't a long term recurring residual income stream.

Gail Cowie - What governments do we use for peer governments? He said they consider the three urbanized unified governments in Georgia and other counties that are similar in size and scope (Gainesville, Rome, Brunswick) Blaine interjected that we also look beyond Georgia as well because of the scale of services we offer. We are comparable to large urban governments.

He explained what a CAFR (Comprehensive Annual Financial report) is and said it is posted online. Comparison for budget to actual for all general and enterprise funds. Everybody is under the budget that is approved by M&C. If they go over budget, we have to explain.

Elizabeth Higgins asked how the comprehensive plan informs the budget development process. Blaine says they try to consolidate all of this and give to commission as they approve the budget. In the past they haven't used the comp plan but Blaine thinks that should always be considered and they try to encourage that.

Blaine says they are trying to setup an online interface with all the goals and plans and studies - they need to do a better job of telling the story.

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Performance measures are in each dept of the budget - he will give these to us. We will be able to see measures that each dept can be measured with.

## B. Discussion and Questions

Sherry tanner - Does the Overview Commission have a budget? And what is it?

Blaine says Chris looked at 2010 and there was not a separate budget. They aren't sure what expenses we would incur. The mayor pledged resources. In thinking about the manual in the future, maybe we can specify a budget for the next commission. They can do that. Budget for the production of the document, any outside resources or experts. But we can get what we need.

Break at 7:27p for 7 minutes.

Readjourn at 7:37

## VI. Member Presentations

### A. Review of Boards and Commission Handbook – Andrea Farnham

#### **Sunshine Requirements**

Andrea gave a general outline of sunshine law requirements.

Mumbi asked the question where one of the commission members had a meeting or discussion with a person in the government and wondered whether individual members should be working independently of the commission to collaborate or partner on possible actions. Elizabeth recommended that no one meets with any individual in the government on official business without working through the commission. As an individual as a citizen, you are not limited to talking to members of the government, but you cannot talk for the board without authority.

Several members inquired about whether a single member or multiple members can visit with departments for individual meetings without giving notice. Elizabeth said yes, but further explained the 7 day notice requirement for “normally” scheduled meetings, and 24 hours for special called meetings. If you are going to have regular meetings, communicate the schedule of meetings with either of the secretaries who will get it to Jean Spratlin. Meetings with government staff are not considered public for the purposes of giving notice, if there is no committee or commission quorum. Elizabeth will get final clarification on this. Blaine interjected that any notes you make will be subject to open records.

#### **BAC Handbook**

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Andrea reviewed many of the key issues in the BAC handbook. She suggested the first 15 pages are most relevant.

Andrea made a good point that we won't all agree on everything. She believes we should not ignore dissenting opinions on any issue where we don't have consensus and we should record those dissenting opinions.

Andrea also referenced the use of outside consultants - the consultant will be managed by staff because of the contractual obligation. She referred to the BAC Handbook on page 5 which says "when a consultant is retained by ACCGOV as part of BAC's work, the consultant will be managed by staff as there is a contractual obligation between ACCGOV and the consultant. Additionally the consultant will need to have a single point of contact for the engagement. The BAC will act in an advisory role and work with the consultant and staff to accomplish the charge provided by the Mayor and Commission"

She also emphasized to remember not to deliberate over email (1:45:08 in the recording).

Toby Chapeau suggested the BAC may not even apply to the OC. Elizabeth recommended we should follow advice on conduct but we can get more clarity from the attorney.

Andrea made a statement that the auditor is assigned to us as our staff liaison. Elizabeth was very clear that this is not the case - we are not obligated to work with the auditor unless it is useful for us to do this. We may very well utilize that office but we are free to work with other parties as needed. We are independent of any arm of the government and we report directly back to the M&C - not the auditor.

Andrea said to review the conflict of interest statement. Be aware of personal and financial conflicts. We should disclose any conflicts we have. She also suggested we should consult with the County Attorney on what qualifies as a conflict.

Sherry Tanner asked how we could use outside parties and maintain independence if the county has to manage the contracts. Andrea Farnham also voiced concern about conflicts of interest that could arise from hiring an outside consultant.

Gail Cowie explained that responsibility for managing people and products can lie with the OC as purchaser of the service, and managing the payments on the contract is the responsibility of the county. She suggests we can maintain independence if the only thing the county is doing is managing the legalities of the contract and paying the bills, as long as the different roles are clear.

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## B. Document Requests - Timothy Pierce-Tomlinson

Consolidate requests for documents in the Document Acquisition spreadsheet. Executive Committee will communicate with the auditor to acquire the documents. Do not personally contact any county administrator for documents outside of the executive committee. We need to have a single point of contact.

## C. Communication using Google Groups - Ellen Walker

Encouraged everyone to send every communication through google groups so it is captured and archived. The gmail we setup is for external communications. Mumbi will be monitoring it and responding.

The meeting was then ended without reaching the end of the agenda.

A motion was made by Sherry Tanner, seconded by Peter Norrise to adjourn the meeting. The motion passed by majority vote, with Timothy Pierce Tomlin and Ellen Walker dissenting.

None of the following agenda items were addressed.

D. Executive Committee (Provisional) – Report of the Meeting with Auditor and with CVIOG.

E. Report of the Meeting with prior Commission Vice Chair and with prior Auditor

F. Recommendations for Board Consideration regarding administrative and facilitation support and resources for the OC.

## VII. Formation of Committees - Vice Chair

A. Review the Proposal for departments organized under named committees

B. Seek volunteers for each committee

C. Adjourn for Breakout sessions for Committees to Organize

D. Re-convene for feedback and for committee chair and committee secretary nominations

## VIII. Next Scheduled Meeting

IX. Other Items as needed

X. Closing Remarks

NOTE: This meeting is open to the public. However, public comments are not received unless the Committee Chairperson requests that an individual provides information to the Committee.