

MINUTES OF THE
2021 - 2022 COMPENSATION REVIEW BOARD
AND CHARTER REVIEW COMMISSION
JANUARY 21, 2022

The following persons were present:

LUPI Q. GRADY, Chair
DENNIS C. BROWNLEE
SAMUEL H. DEAN
CAMILLE A. EXUM
STEPHANIE V. OVERTON STANARD
GLENDA R. WILSON
JACQUELINE B. WOODY

Staff Present:

ROBERT J. WILLIAMS, JR., COUNCIL ADMINISTRATOR
COLETTE R. GRESHAM, ASSOCIATE COUNCIL ADMINISTRATOR
KATHLEEN H. CANNING, LEGISLATIVE OFFICER
DINORA A. HERNANDEZ, LEGISLATIVE OFFICER
DONNA J. BROWN, CLERK OF THE COUNCIL
ROSALYN E. PUGH, ESQ., CONSULTANT
SHARON SAVOY WILLIAMS, ADMINISTRATIVE STAFF

Others Present:

JONATHAN R. BUTLER, DIRECTOR, OFFICE OF CENTRAL SERVICES
GLENN MOOREHEAD, DEPUTY DIRECTOR, OFFICE OF CENTRAL SERVICES
SHAWN STOKES, DIRECTOR, OFFICE OF HUMAN RESOURCES MANAGEMENT
RHONDA L. WEAVER, COUNTY ATTORNEY, OFFICE OF LAW
JOSEPH RUDDY, DEPUTY COUNTY ATTORNEY, OFFICE OF LAW

INTRODUCTORY REMARKS:

Chair Grady called the meeting to order at 10:01 am and Ms. Gresham did a roll call of members in attendance. Commissioner Stanard arrived after the meeting was called to order.

APPROVAL OF MINUTES:

The minutes from the January 5th meeting were reviewed. Commissioner Brownlee moved for approval of the minutes and Commissioner Wilson seconded the motion. The minutes were approved.

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CHARTER REVIEW BRIEFINGS: SUMMARY OF DEPARTMENTAL CHARTER
MANDATED DUTIES AND RESPONSIBILITIES AND POTENTIAL CHARTER
AMENDMENTS:

Ms. Gresham informed the Commission that they are continuing their Charter Review briefings with presentations. Staff has invited various agencies and department directors, including Legislative Branch administration, to give a summary of departmental mandated duties and responsibilities and any potential Charter Amendments that they are recommending. The presenters on the meeting agenda are Mr. Jonathan Butler, Director of the Office of Central Services, Ms. Shawn Stokes, Director of the Office of Human Resources Management, County Attorney Rhonda Weaver and Dinora Hernandez, Legislative Officer who will give an overview of certain Charter sections.

PRESENTATION BY JONATHAN R. BUTLER, DIRECTOR OF THE OFFICE OF
CENTRAL SERVICES:

Mr. Butler presented an overview of the Office of Central Services mandated duties as described in Article VI of the Charter. Mr. Butler recommended the following Proposed Charter Amendments:

Section 603 – Competitive Bidding (update to remove “proposals publicly opened” language)

Section 604 – Non-Discrimination in Employment (previously amended by CB-36-2018 & recommend adding personal appearance, political opinion and gender identity as a prohibited practice consistent with County’s Office of Human Rights – Section 2.185 “Purpose”)

Section 607 – Local and Minority Business (previously amended by CB-58-2006 and recommend including the “County” in this provision)

PRESENTATION BY SHAWN STOKES, DIRECTOR OF THE OFFICE OF HUMAN
RESOURCES MANAGEMENT:

Ms. Stokes presented an overview of the Office of Human Resources Management mandated duties as described in Article IX of the Charter. Ms. Stokes recommended the following Proposed Charter Amendment:

Section 908 – Right to Organize and Bargain Collectively (amend language to remove the specificity of the American Arbitration Association, and add the language, “in accordance with the parties collective bargaining agreement”)

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Commissioner Dean asked if the Council was handled the same when recruiting for employment similar to other departments or is there a distinction for the Council. Ms. Stokes stated they follow the same Personnel Law and procedures as other departments. Ms. Stokes also stated that her office works with the Council in terms of posting positions, creating eligibility lists, making sure the position is budgeted for and that there is the appropriate class of work the Council is seeking to fill the position with. Council Administrator Robert J. Williams, Jr. noted that he is aware of past issues where potential candidates who have been performing the job in many cases and are well qualified but may not have had the educational component to go with the position. He stated that the Legislative Branch has made certain that there are certifications and other training that can be secured going forward to facilitate that discrepancy.

Commissioner Brownlee inquired about language in the Charter that deals with state of emergencies as it relates to classified employees and essential employees who must come to work and how do we handle that from a systematic and administrative point of view. Rhonda Weaver, County Attorney, responded the County has its own powers under County Code Subtitle 6 Emergency Management that handles emergencies, and that power is authorized pursuant to State law, Public Safety Article. She stated that essential employees must be designated that way in their job descriptions pursuant to Subtitle 16 Personnel and there is no need to amend the Charter to provide for essential employees during state of emergencies.

Commissioner Woody had questions related to Mr. Butler's recommendation in terms of non-discrimination descriptors and whether that needed to be added in Section 901. She also inquired as to language in Section 904 that mentions special rule relating to the Fire and Police Services and if anybody knows why it specifically says Fire and Police Services as opposed to Public Safety. Ms. Weaver responded that it goes back to the Labor Code because the Fire and Police Services basically had a different set of arbitration rights under collective bargaining. It was originally referred to as Fire and Police Services which we jointly have termed Public Safety because it also included Correctional Officers. There was discussion on whether the language should be changed to Public Safety.

Commissioner Woody also asked Ms. Stokes if she had a chance to review the 2018 Charter Review Commission recommendations relating to the Personnel Board that were not on the ballot, Sections 906 and 907 on gender neutral language and the term "Personnel Officer". Commissioner Exum was also interested to know the position of County Attorney Weaver and Director on the gender-neutral language.

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PRESENTATION BY RHONDA J. WEAVER, COUNTY ATTORNEY, OFFICE OF LAW:
Ms. Weaver presented an overview of the Office of Law mandated duties as described in the Charter. Ms. Weaver had no recommendations for Charter amendments. Commissioner Woody asked a question regarding Schedule of Legislation, Section 5, and the meaning of “extraordinary work”. Ms. Weaver responded that sometimes extraordinary work is being outside the experience of attorneys in the Office of Law or in a large class action lawsuit not having the in-house resources to handle discovery. Commissioner Brownlee asked if the Council has the ability to make acquisitions and purchases using the extraordinary measures. Ms. Weaver stated that the Council already has that authority pursuant to Article III.

Ms. Gresham informed the Commission that the gender-neutral language is in the Code, but it is also referenced in Charter Section 1017(l) which states: “Whenever in this Charter the masculine gender is used, such words shall be construed to include the feminine gender”. However, the 2017-2018 Commission recommended the language should be changed throughout the Charter.

PRESENTATION BY DINORA A. HERNANDEZ, LEGISLATIVE OFFICER, COUNTY COUNCIL:

Ms. Hernandez presented an overview of Article I, Name and Rights of the County, Article II, Individual Rights, Article X, General Provisions and Article XI, Effect and Amendment of Charter mandated duties as described in Article IX of the Charter. Commissioner Dean asked a question regarding the Revenue Authority and if they are required to advertise in newspapers of record pursuant to the Charter. Ms. Hernandez responded she would follow up with information. Chair Grady asked a question regarding Section 1011. Custody of Paper and Records and what measurements are being taken to protect our documents. Council Administrator Williams stated that the Legislative Branch has been in the process of upgrading in order to retain much of the documents stored on micro film and microfilm and convert them to a more accessible media. He stated that the Clerk of the Council is required to maintain all those documents and make it accessible to the public. Mr. Williams informed the Commission that the computer system is maintained under the Executive Branch in the Office of Information Technology. Donna Brown, Clerk of the Council responded that the Legislative Branch is on the County network in terms of day-to-day operations but with any of the documents from 2009 to present, they have already been digitalized and are presently on the Council’s Legislative/Zoning Informational System. The Clerk’s office has begun to digitize historic documents from 2008 going backwards and that is on a different platform.

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FOLLOW-UP INFORMATION:

Ms. Canning provided an overview of the 2018 Ballot Questions and Recommendations of the 2017-2018 Charter Review Commission. Staff will provide the document to County Attorney Weaver and Director Stokes.

NEXT MEETING:

Ms. Gresham announced the next meeting is February 2, 2022, at 4:30 p.m. due to the Council retreat earlier that day that will end at 4 p.m. Chair Grady mentioned gearing up for the next step which is going to be meeting in their respective subcommittees. Ms. Gresham informed the Commission that the last presentations are scheduled on February 18th with Council Chair Hawkins, Council Vice Chair Harrison, and CAO Tara Jackson. The next meeting will focus on the information presented thus far and scheduling for the subcommittees. Staff will also invite Elections Administrator Alisha Alexander to discuss costs and voter turnout for the special election for Council District 8 pursuant to Section 309 Vacancies. Commissioner Exum stated that if the Elections Administrator is unable to appear, she would like to have her provide some written data.

ADJOURNMENT:

The meeting was adjourned at 12:01 p.m.