

DOUGHERTY COUNTY COMMISSION

DRAFT

REGULAR MEETING MINUTES

November 21, 2022

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on November 21, 2022. Chairman Christopher Cohilas presided and called the meeting to order at 10:00 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson and Anthony Jones. Also present were County Administrator Michael McCoy, County Attorney Alex Shalishali, County Clerk Jawahn Ware, and other staff. The public and representatives of the media participated in person and via live streaming of the meeting on the County's Facebook page and the government public access channel. Commissioner Ed Newsome was absent.

After the invocation and Pledge of Allegiance, the Chairman called for approval of the minutes of the October 17th Regular Meeting, October 31st Work Session, and October 31st Special Called Meeting.

Commissioner Jones moved for approval. Upon a second by Commissioner Johnson, the minutes were unanimously approved.

The Chairman called for consideration of the request from the Voter Registration and Elections Board to amend the General Fund Budget to fund early voting at the Civic Center and pay employees for extended hours in the amount of \$94,000. Chairman Frederick Williams and Elections Supervisor Ginger Nickerson addressed. Chairman Williams shared that a runoff election will occur and asked the Board to consider extending the budget to use the Civic Center again for citizens to vote. Upon a question by Commissioner Johnson, Chairman Williams said that the turnout at the Civic Center was about 40%. Commissioner Gray reminded them of the Candy Room's availability and free usage. Bishop Williams stressed that the Civic Center is a safer place for the voters and better for traffic flow. Commissioner Johnson asked that we find a way to boost our turnout for voting. Commissioners Edwards and Gaines provided thanks to Bishop Williams for all of his hard work. Commissioner Johnson asked that the precinct locations be placed on an easel at the Civic Center to help assist voters [needing to vote on Election Day]. Mrs. Nickerson informed the Commission that the public service announcement will be provided to the citizens and the City of Albany agreed to pay half of the cost.

Commissioner Jones moved for approval. Commissioner Johnson seconded the motion. The motion for approval passed with five ayes and one nay by Commissioner Gray.

The Chairman opened the public hearing for Vicente S. Sontay, owner and Lanier Engineering, Inc., applicant (22-074) request for special approval to construct a Religious Institution with a cemetery (church) in a R-2 (Single-Family Residential District). The parcel is a 5.0-acre vacant parcel. The property is located at 1416 Nelms Rd. The Planning Commission recommended approval. Angel Gray, Planning Manager, addressed.

Lanier Engineering Director Bobby Donnelly spoke in favor of the special approval on behalf of Mr. Sontay. He shared that a detailed report had been done and they proposed to leave a buffer around the edges. He mentioned relative to the cemetery, the ordinance does not have many specifics. It was shared that the state handles the plot and sizing but there has to be approval of the request from local government in order to operate a cemetery. President of the Putney Neighborhood Watch Willie Williams spoke in opposition to the special approval and shared that this could affect the property value of the homes in the area. He also said that the cemetery could affect the underground water in which most of the citizen's water is supplied by a well. Citizen William Kincheloe spoke in opposition to the special approval due to the concern about traffic flow in the neighborhood. Citizen Benny Porter spoke in opposition to the special approval due to the location of the church which is close to a dangerous intersection. He mentioned that GDOT has proposed safety improvements to reconfigure the intersection and felt that it would be best to reconsider the special approval after the research has been done. Citizen Todd Mims spoke in opposition to the cemetery. Citizen Grace Thomas spoke in opposition to the cemetery and echoed the same thoughts about the underground water concerns. Citizen Dean Phinazee was in opposition to the special approval. Citizen William Napp was in opposition to the special approval. Citizen Rashunda Trice was in opposition to the cemetery and shared contamination concerns. Citizen Edna Kincheloe was in opposition to the special approval. During the public hearing, the Coroner was added to address questions pertaining to burying individuals with or without a casket; but was not able to confirm if residuals [from bodies] enter ground water. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman opened the public hearing for Ivy RV Park, LLC, owner and Joseph Jackson, applicant (22-077) request for special approval to construct a Recreational Vehicle Park in a C-8 (Commercial Recreation District). The parcel is a 4.195-acre vacant parcel. The property is located at 3420 Sylvester Rd. The Planning Commission recommended approval. Angel Gray, Planning Manager, addressed. Mr. Jackson thanked the Commission and was available to them for any questions. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman called for consideration to approve the proposed alcoholic beverage license renewals for Calendar Year 2023. Chief Deputy Anthony Donaldson recommended approval.

Commissioner Jones moved for approval. Upon a second by Commissioner Gray, the motion for approval passed unanimously.

The Chairman called for consideration of the recommendation from the Emergency Medical Services Department to apply for a First Responders State Microgrant in the amount of \$20,000 for the use of equipment, supplies, technology, and other materials directly related to first responder functions. This is a 100% grant with no local match. The application deadline is November 22, 2022. EMS Director Sam Allen was present to address.

Commissioner Jones moved for approval. Upon a second by Commissioner Gray, the motion for approval passed unanimously.

The Chairman called for consideration of the proposed board appointments.

Upon nomination by Commissioner Gray, incumbent Arwena Jones was unanimously recommended to the City of Albany for ratification of the appointment for the Joint Board of Adjustments and Appeals.

Upon nomination by Commissioner Johnson, incumbents Thomas Driggers (joint) and Clint Newsome (joint) were unanimously recommended to the City of Albany for ratification of appointment and incumbents Quianna Lavant (County) and Clifford Tolbert (rotational) were reappointed to the Air Conditioning, Heating & Ventilation Board for a one-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, incumbent Sonja Johnson was unanimously reappointed to the Citizens Transportation Committee for a three-year term ending December 31, 2025. The County will re-advertise for one vacancy to fill a three-year term ending December 31, 2025.

Upon nomination by Commissioner Johnson, incumbents Lawrence Knighton and Matt Reed were unanimously reappointed to the Economic Development Commission for a two-year term ending December 31, 2024. Upon nomination by Commissioner Johnson, the recommendation for Emmett Griswold to replace Dr. Anthony Parker was accepted for a two-year term ending December 31, 2024.

Upon nomination by Commissioner Johnson, incumbent Sanford Hillsman (rotational) was unanimously reappointed to the Electrical Board for a one-year term ending December 31, 2023. The County will re-advertise for four vacancies to fill a one-year term ending on December 31, 2023.

Upon nomination by Commissioner Johnson, incumbent Rosa Malone was unanimously recommended to the City of Albany for ratification of the appointment to the Fire Code of Appeals. The County will re-advertise for three vacancies to fill a three-year term ending December 31, 2025.

The County will re-advertise for two vacancies to fill a three-year unexpired term ending December 31, 2024 for the Flood Plain Management Review Board.

Upon nomination by Commissioner Johnson, incumbent Sanford Hillsman (County) was unanimously reappointed to the Gas Board for a one-year term ending December 31, 2023 and incumbent Rhett Parker (joint) was recommended to the City of Albany for ratification of appointment. The County will re-advertise for one vacancy to fill a one-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, incumbent Doug Wilson was unanimously reappointed to the Golden Triangle RC & D Council for a two-year term ending December 31, 2024. The County will re-advertise for one vacancy to fill a two-year term ending December 31, 2024.

Upon nomination by Commissioner Johnson, incumbent Dr. Charles King Jr. was unanimously reappointed to the Dougherty County Health Board for a six-year term ending December 31, 2028.

Upon nomination by Commissioner Johnson, incumbents Angela Cain Jones, Quianna Lavant and Kenneth Loudenbarger were unanimously reappointed to the Historic Preservation Commission for a two-year term ending December 31, 2024. Upon nomination by Commissioner Johnson, the recommendation for Will Davis to replace Bryant Harden was unanimously accepted for a two-year term ending December 31, 2024.

Upon nomination by Commissioner Johnson, incumbent Dorothy Hubbard was unanimously reappointed to the Albany/Dougherty Hospital Authority for a five-year term ending December 31, 2027. Upon nomination by Commissioner Edwards, the recommendation for Sheri Barlow to be appointed for a five-year term ending December 31, 2027 passed with four ayes and two nays by Commissioners Gaines and Gray. The nomination for Sharon “Nyota” Tucker

made by Commissioner Gaines failed by receiving only two votes from Commissioner Gray and Commissioner Gaines.

Upon nomination by Commissioner Johnson, incumbents J.D. Sumner, Lew Culpepper and Jay Smith were unanimously reappointed to the Keep Albany Dougherty Beautiful Board to fill a three-year term ending December 31, 2025. Upon a nomination by Commissioner Johnson, the recommendation for Jerry Goodman to replace Bryant Harden was unanimously accepted for a three-year unexpired term ending December 31, 2024. Upon a nomination by Commissioner Johnson, the recommendation for Tomekia Cooper to replace Lisa Harrell was unanimously accepted for a three-year term ending December 31, 2025. KADB will re-advertise for one vacancy to fill a three-year term ending December 31, 2025.

Upon nomination by Commissioner Johnson, incumbent Dr. Brenda Hodges Tiller was unanimously reappointed to the Library Board of Trustees for a three-year term ending December 31, 2025. Upon nomination by Commissioner Johnson, Haryl Dabney was appointed for a three-year term ending December 31, 2025 (replacing Will Davis) with four ayes by Chairman Cohilas and Commissioners Edwards, Johnson, and Jones and three nays. The nomination for Will Davis made by Commissioner Gaines failed by receiving only three votes by Commissioner Gray, Commissioner Gaines, and Chairman Cohilas. Upon nomination by Commissioner Gray, Dr. Joseph Stubbs was appointed for a three-year term ending December 31, 2025, with five ayes and one nay by Commissioner Gaines. The nomination of Will Davis made by Commissioner Gaines failed due to a lack of a second vote.

Upon nomination by Commissioner Jones, incumbents Billy Merritt, Art Brown and Jimmy Hall Jr were unanimously reappointed to the Planning Commission for a three-year term ending December 31, 2025.

Upon nomination by Commissioner Jones, incumbents Lee Eppley (Master Plumber), Rhett Parker (Master Plumber) and Glenn Harris (Citizen Member) were unanimously reappointed to the Plumbing Board for a one-year term ending December 31, 2023.

Upon appointment by Chairman Cohilas, incumbent Greg Rowe (retiree representative) was unanimously reappointed to the Retirement Fund Committee for a four-year term ending December 31, 2026. The County will re-advertise for one vacancy to fill a four-year term ending December 31, 2026. The Chairman asked staff to contact to John Inman IV to see if he desires to serve on this board.

Upon nomination by Commissioner Johnson, incumbent Glenn Harris was unanimously reappointed to the Southwest Georgia Community Action Council for a one-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, incumbent Sonya Johnson was unanimously reappointed to the Southwest Georgia Housing Task Force for a one-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, Raymond Breaux (County) was unanimously reappointed to the Southwest Georgia Community Action Council for a one-year term ending December 31, 2023. Upon appointment of Chairman Cohilas, Commissioner Anthony Jones was reappointed to serve as his designee for the Southwest Georgia Regional Commission with a one-year term ending December 31, 2023. The County will re-advertise for one vacancy to fill a one-year term ending December 31, 2023.

Upon nomination of Commissioner Johnson, incumbent William Ashberry was unanimously reappointed to the Tax Assessors Board for a three-year term ending December 31, 2025.

Upon nomination of Commissioner Gray, incumbent Frederick Williams was unanimously reappointed to the Voter Registration and Elections Board for a two-year term ending December 31, 2024.

The Chairman called for consideration of the resolution confirming the appointment to the Dougherty County Board of Tax Assessors for the term beginning January 1, 2023 and ending December 31, 2025.

Commissioner Johnson moved for approval. Upon a second by Commissioner Jones, the motion for approval passed unanimously. Resolution 22-052 is entitled:

A RESOLUTION
ENTITLED

A RESOLUTION PROVIDING FOR THE APPOINTMENT OF
MEMBER TO POST 1 OF THE DOUGHERTY COUNTY BOARD
OF TAX ASSESSORS FOR A TERM BEGINNING
JANUARY 1, 2023 AND ENDING DECEMBER 31, 2025;
REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN
CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

The Chairman called for the zoning consideration for the Fish House Campgrounds, Inc, owner and Lanier Engineering, Inc., applicant (22-022) request for special approval to operate a Women's Recovery Center in a C-1 (Neighborhood Mixed-Use Business District). The parcel is a 73.261 acre developed parcel. The property is located at 2908 Gillionville Road. The Planning Commission recommended approval. According to the Georgia Zoning Procedures Law and Conflict of Interest in Zoning Actions 36-66-4(f)&(g), the public hearing on this consideration shall be held at least six months and no more than nine months prior to the date of final action on the zoning decision. The Dougherty County Commission presented the application for special approval in the May 16, 2022 Regular Meeting. Angel Gray, Planning Manager, addressed.

Commissioner Gray moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously.

The Chairman called for the zoning consideration for Vicente S. Sontay, owner and Lanier Engineering, Inc., applicant (22-074) request for special approval to construct a Religious Institution with the cemetery (Church) in a R-2 (Single-Family Residential District). The parcel is a 5.0-acre vacant parcel. The property is located at 1416 Nelms Rd. The Planning Commission recommended approval.

Commissioner Jones moved to deny the special approval. Commissioner Edwards seconded the motion. Under discussion, Commissioner Johnson confirmed that the citizens did not come before the Planning Commission. Mr. Donnelly shared that the owner would not have any issues if the cemetery was removed. Planning Manager Angel Gray shared the legality of the withdrawal process of an application and said that it would have to take place before the public hearing. Commissioner Gray offered a substitute motion to construct the church without the cemetery. Chairman Cohilas suggested that the application come back to the Commission after the safety measure was reconsidered by GDOT. Commissioner Gaines echoed the same information. Commissioner Johnson said that he did not think that traffic should be a major [focus]. The substitute motion failed due to a lack of a second and the original motion to deny carried with five ayes and one nay by Commissioner Gray.

The Chairman called for the zoning consideration for Ivy RV Park, LLC, owner and Joseph Jackson, applicant (22-077) request for special approval to construct a Recreational Vehicle Park in a C-8 (Commercial Recreation District). The parcel is a 4.195-acre vacant

parcel. The property is located at 3420 Sylvester Rd. The Planning Commission recommended approval.

Commissioner Jones moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously.

Commissioner Gaines asked for clarification on the email that was sent by Attorney Shalishali referencing overtime. She said that her request was for a policy regarding the issue of exempt employees. Attorney Shalishali shared that FLSA is the policy that requires paying overtime to non-exempt employees and exempt employees with discretion. He added there is no blanket band to providing overtime to exempt employees. Mr. McCoy shared that he reacted to a department manager's request and his predecessor made equivalent decisions relative to overtime. Commissioner Edwards clarified that he wanted Mr. McCoy's practice to continue. Chairman Cohilas said that a discussion about the overtime policy for exempt employees with discretion could be placed on the next Work Session upon the decision of Mr. McCoy.

Commissioner Gray provided an update on the recent ChalkFest event hosted by the Albany Museum of Art.

There being no further business to come before the Commission, the meeting adjourned at 12:29 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK