

DOUGHERTY COUNTY COMMISSION

DRAFT

REGULAR MEETING MINUTES

June 5, 2023

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on June 5, 2023. Chairman Lorenzo Heard presided and called the meeting to order at 10:00 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Ed Newsome and Anthony Jones. Also present were Assistant County Administrator Barry Brooks, 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.

After the invocation and Pledge of Allegiance by the Chairman, he called for approval of the minutes for the May 1st Regular Meeting and May 8th Work Session.

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

The Chairman recognized Steven Belk, Parks and Recreation Director, to provide an update to the Board. Mr. Belk provided information about Driskell Park, Henderson Park preparations, and funding received from the Governor Kemp grant (\$6.6 million; with 2.2 million allocated for three community parks). Summer programs being held at the three facilities and other partnerships with the Sheriff's Office were shared. He added that there are upcoming plans for the community which include specific events in the County. Journey to Juneteenth events information was provided to the Board. Due to the closing of the skate park, more events will be planned for children on the first and second Fridays of the month. The collaborative partners that help to enhance the involvement of the children in the community were mentioned.

The Chairman recognized Public Works Director Chuck Mathis who introduced the three high school students that are interning with the department during the summer.

Citizens were present to speak about action taken by the Board on May 22, 2023. Tom Gieryic was opposed to the action taken by the Board. Mike Burrell, a citizen of District 6, spoke about the unwarranted dismissal of the County Administrator. Ms. Maurice Cook, a citizen of District 6, spoke positively of Commissioner Jones and Michael McCoy. Annie Hill spoke as a concerned citizen and not an employee regarding the actions taken against of Mr. McCoy and asked that the Board recognize his achievements. Sabrina Hayes did not speak in favor or against the action but asked the citizens to respect the decision being made. Joyce Barlow did not speak in favor or against the action but she shared her thoughts as a concerned citizen about

the betterment of Dougherty County. She encouraged the Board to resolve the issue so that the County can move forward and provided points for the Board to consider. Reverend Lawrence Knighton spoke about the fiscal concerns and funding received by the area. He outlined that economic development focus needs to be made. He also shared that the previous actions made by the previous Board and Attorney were not addressed. Othellious Cato spoke about validating actions of the Board and stated that people voted for representation; and if the actions were not desired, action will be taken during elections. Cassandra Richardson requested that the Board respect [their] positions; and pleaded if actions were not taken correctly, for [the Board] to please correct them. If [the actions] were correct, then the Board should [try to] continue to make this city the “Good Life City” for all individuals. Colette Jenkins spoke in favor of supporting the Board’s decision. Diana Brown spoke in favor of the termination and was disappointed regarding the media being selective on the topics shared in the meeting.

The Chairman called for consideration to approve the alcohol application from JNKR Inc., Rushabh Bharat Patel licensee, dba Lotus, at 1000 Liberty Expressway for Package- Beer and Wine. The Albany-Dougherty Marshal’s Office recommended approval.

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

The Chairman called for consideration of the resolution declaring one 2011 Peterbilt Dump Truck and one 2017 Adapco Guardian 190 G4 ULV Machine as surplus and authorizing an Intergovernmental Transfer of the same in the sale amount of \$11,200 to the Randolph County Board of Commissioners.

Commissioner Jones moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously. Resolution 23-026 is entitled:

**A RESOLUTION
ENTITLED**

**A RESOLUTION PROVIDING FOR DECLARING SURPLUS A
COUNTY OWNED 2011 PETERBILT DUMP TRUCK AND A 2017
ADAPCO GUARDIAN 190 G4 ULV MACHINE AND AUTHORIZING
THE SALE OF SAME IN AN INTERGOVERNMENTAL TRANSFER
TO THE RANDOLPH COUNTY BOARD OF COMMISSIONERS FOR
THE SUM OF \$11,200; REPEALING RESOLUTIONS OR PARTS OF
RESOLUTIONS IN CONFLICT HEREWITH; AND FOR OTHER
PURPOSES.**

The Chairman called for consideration to amend the SPLOST VII budget in the amount of \$10,556,060.58. SPLOST VII collections ended on March 31, 2023 and the budget must be amended to report the collections received over the budgeted amount. The SPLOST VII

projects within the SPLOST Fund need to be amended by \$3,800,181.81 and interest earned amended by \$650,654.72. Projects approved by the Board in the May 1, 2023 Regular Meeting for Putney Park and Morgue need to be entered in the SPLOST Fund as approved leaving an unappropriated amount of \$1,395,836.53.

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

The Chairman called for consideration to increase and amend the General Fund budget by \$3,198,040 for a total budget of \$62,179,734 and increase and amend the Special Services District Fund in the amount of \$221,362 for a total budget of \$9,213,290. The budgets must be amended to reflect the amounts recommended in the Payroll Cost Study. Funding is available in ARPA and was budgeted at the beginning of FY23, but the actual budget for each department was not known until the study was received. This amendment is necessary to allocate to each department the amount that the study increased the department's budget.

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

The Chairman called for consideration of the resolution declaring the listed vehicles as surplus and authorizing the disposal of or sale of same via an online auction. County Clerk Jawahn Ware addressed. Mrs. Ware shared the standard approval for ADDU and she recommended approval.

Commissioner Jones moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 23-027 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION DECLARING AS SURPLUS THE ATTACHED
LIST OF VEHICLES; PROVIDING FOR DISPOSAL OF OR
SALE OF SAME ON AN ONLINE AUCTION; REPEALING
PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER
PURPOSES.

The Chairman called for consideration of the recommendation from Planning & Development and Public Works to apply for a US Department of Transportation Safe Streets for All (SS4A) Planning and Demonstration Grant (#20.939) in the amount of \$200,000 - \$250,000. The project scope and resulting cost have not been fully determined. This is a joint city and county application with a (County) local match of \$20,000- \$25,000. The plan would identify streets and roads in each jurisdiction that need safety improvements. The plan recommendation would include cost estimates separately for each government (unless there are roads that need improvements that go through both). The county's match will be provided from TSPLOST2.

Finance Director Martha Hendley addressed. Planning Director Paul Forgey, Public Works Director Chuck Mathis and Engineering Manager Jeremy Brown were present.

Commissioner Jones moved for approval. Commissioner Edwards seconded the motion. Under discussion, Mr. Forgey explained how the plan scope will identify the roads for improvements. The focus is to identify areas and ranks by need for safety and not solely the desire for improvement. There being no further discussion, the motion for approval passed unanimously.

The Chairman called for the presentation and review of the proposed FY 2024 budgets as recommended by the Finance Committee. Finance Committee Chairman Clinton Johnson and Finance Director Martha Hendley addressed.

Chairman Johnson provided accolades for the work done and proudly presented a conservative budget. Mrs. Hendley started the presentation of the General Fund 2022/2023 Year End Projections. The beginning fund balance on July 1, 2022, was \$17,121,212 (unaudited) with estimated revenues over/under expenditures is \$9,444,098 leaving an estimated fund balance on June 23, 2023 of \$26,565,310. Information for taxes levied has not been received and was not recorded on the sheet provided. The proposed FY 2023/2024 General Fund M&O is \$66,892,096, CIP is \$237,928. The CIP fund balance is decreasing and has a proposed ending balance in FY 2024 of \$762,344. It was noted that most of our capital improvements are funded by SPLOST and the budgeted items listed are those not qualified for SPLOST payment. The proposed budget for the Alternate Dispute Resolution is \$90,000 with an increase in the fund balance to \$173,203.

For the Special Service District Fund, the beginning (unaudited) unrestricted net position on July 1, 2022, was \$8,609,037 with revenues less expenditures is \$650,699, leaving an estimated ending net position on June 30, 2023 of is \$9,259,736. The millage rate is 9.173. The tax digest was not known during the presentation. The proposed FY 23/24 budget is \$9,848,536. Under discussion, Commissioner Edwards requested that \$50,000 still be budgeted for home demolition.

The Solid Waste Enterprise Fund was discussed. The beginning (unaudited) unrestricted net position on July 1, 2022, was \$28,728,605 with an estimated income from the operation of \$462,500, leaving an estimated net position on June 30, 2023, of \$29,191,105. The cash balance and closure/post-closure amounts were shared. The proposed M&O FY 2023/2024 for the Solid Waste Enterprise Fund is \$4,266,826 and the capital outlay is \$3,070,000. It was noted that management is recommending increasing the tipping fees rate from \$38.97 to \$41.70 which is the 2022 CPI rate of 7%. Options on how the Board can handle the reimbursement due from loans made during the storms were shared. Attorney Shalishali will provide clarity regarding a question of Commissioner Gaines.

The total budget for Confiscated Funds (that include ADDU, Sheriff's Office and District Attorney) is \$510,400. The DHS Building Fund proposed budget for FY 2023/ 2024 M&O is

\$204,454 and CIP is \$580,000. The fund balance has increased and has an estimated fund balance of \$3,174,762. The Lease Commercial Fund is proposed for FY 2023/ 2024 to be \$54,550. Our total grant fund is budgeted at \$2,440,786 for the upcoming fiscal year. The Law Library budget is \$316,025. It was noted that the County is not funding the Self-Help Library in the amount of \$202,675 due to a grant being received.

There is a decrease in the proposed FY 2023/2024 Drug Abuse Treatment Educate (DATE) fund in the amount of \$57,000. It was clarified for Commissioner Johnson that the increase for the Sheriff's Youth Programs to \$15,000 is for the current FY (2022/2023).

Mrs. Hendley explained how the encumbrances for the ARPA fund must be handled and the proposed funding for FY 2023/ 2024 is \$1,769,505. The funds collected and budgeted for the opioid epidemic litigation were \$129,110. Attorney Shalishali discussed some of the funding uses for the funding and shared that additional details will be provided. Mrs. Hendley shared with the Board that a Jail contract increased in the amount of \$686,174. She also said that she plans to present this amendment and any other received prior to the Board's vote on June 26th.

The Chairman called for consideration of the recommendation from the County Attorney to enter into Executive Session for the purpose of discussing potential litigation and personnel issues.

Commissioner Johnson moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. The Board was in executive session from 12:10 pm – 2:26 pm.

Upon reconvening, the Chairman moved to rescind the Board's vote on May 22nd to relieve the County Administrator of his duties and to rescind the offer of the Assistant County Administrator. Upon a second by Commissioner Gray, the motion for approval passed unanimously.

The Chairman moved to terminate the County Administrator for just cause for failure to exercise good judgment in his decision to appoint an Assistant County Administrator without discussing the action with the members of the Board pursuant to Section 1-3-25 paragraph 9 of the municipal code to allow for disapproval of the appointment. Commissioner Johnson seconded the motion. Commissioner Newsome asked for the motion to be reread. Under discussion, Commissioner Gray asked for clarification regarding when written notice needed to be provided [to Mr. McCoy]. County Attorney Shalishali shared that code was not specific about receiving the written statement prior to or after the termination. The Chairman stated that a written statement will be provided after [the vote]. The motion passed with four ayes and three nays by Commissioners Newsome, Gray and Jones.

Under Commissioner updates, Chairman Newsome shared that he was not pleased with the vote and stated his concerns. Commissioner Gray wanted to clarify if Barry Brooks was employed as the Assistant County Administrator, and the County Attorney said yes. Commissioner Gray also asked for someone to be appointed as interim immediately to continue county business.

There being no further business to come before the Commission, the meeting adjourned at 2:34 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK