

DOUGHERTY COUNTY COMMISSION

DRAFT

REGULAR MEETING MINUTES

June 17, 2024

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on June 17, 2024. Chairman Lorenzo Heard presided and called the meeting to order at 10:00 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Anthony Jones, Clinton Johnson, and Ed Newsome. Also present were County Attorney Alex Shalishali, Acting County Administrator Barry Brooks, County Clerk Jawahn Ware and other staff. The public 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 of the May 20th Regular Meeting.

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

The Chairman opened the public hearing for the proposed FY 2024-25 Budgets. There being no one present to speak in favor or opposition, the Chairman closed the public hearing.

The Chairman recognized citizen Bruce Capps to provide an update on poverty. Mr. Capps noted recent events and the things, both positive and negative, he felt impacted our area. He proposed that a citizen committee be created, not by the Board but by residents, to better evaluate the needs on the subject of poverty. After the meeting of the proposed committee, there may be a funding ask to the Commission for additional research, possibly conducted by CVIOG, and for other projects to be provided. Commissioner Edwards thanked Mr. Capps for the presentation and shared that our Board was very compassionate, and many community organizations were currently addressing the concerns. Commissioner Edwards suggested that Mr. Capps collaborate with these different entities and that he would also be willing to participate. Commissioner Gaines suggested that the Board consider Mr. Capp's request and that the County collaborates with the City of Albany. The Chairman directed that there be a conversation with City of Albany Commissioner Jon Howard and then there will be a follow-up provided to ensure there are no duplication of efforts.

The Chairman recognized Public Information Officer Phyllis Banks to update the Commission on the recent 2024 Juneteenth Event. Ms. Banks requested to come back to the Board with financial information and the comments from the committee debrief. Based on the T-shirt issuance, the goal of 300 people attending was met; but numbers were higher because not all participants wanted to receive a t-shirt. Kudos and suggestions were provided by the Board and Mr. Brooks shared that an after-action report would be provided.

The Chairman recognized Ms. Tammy Jackson, a resident of 22 years on Shady Glen Lane to speak to the Board regarding the proposed improvements of the access points on her street. This item was listed later on the agenda for action for the County's right-of-way to join the cul-de-sac of Shady Glen Lane. She provided a verbal complaint against former County Administrator Michael McCoy regarding his interaction and response to her concerns. She also suggested that more money be expended to repair the entire road.

The Chairman recognized Chanelle Jackson, COO of Elev8 Athletics to introduce her organization to the Board and suggested that mental health and wellness be offered to children especially in sports, at a younger age. She mentioned her organization desired to partner with the City of Albany and Dougherty County to provide life planning beyond sports. Her ask was for the Board to sponsor 40 children for the upcoming camp at \$56 a child. Commissioner Johnson will ask PIO Banks to help promote the event. Commissioner Gray shared that our funding was dedicated to the City of Albany's Recreation Department, and they have programs; but suggested that she contact Recreation Director Steven Belk. Upon a question by Commissioner Edwards, Attorney Shalishali said that it was suggested that a vendor agreement be entered and does not foresee the County not being able to provide sponsorship. Commissioner Johnson suggested that Mr. Brooks contact Ms. Jackson.

The Chairman recognized citizen Cedrick Shelton who wanted to follow up on the County's next event for t-shirts. Commissioner Gray suggested that Mr. Shelton contact the Downtown Development Authority because he has a business located downtown. It was shared that the City of Albany was responsible for the July 4th events. Mr. Shelton thanked Clerk Ware for sending him information pertaining to the upcoming Partnership Powerhouse event.

The Chairman opened the zoning public hearing for Dave Patel, applicant, and C. W. Geer, Jr., owner, (24-027) request to rezone a 2.83-acre parcel from C-1 (Neighborhood Mixed-Use Business District) to C-2 (General Mixed-Use Business District). The rezoning would allow the development of a commercial development. The property is at 1542 South Mock Road parcel. The Planning Commission recommended approval. Angel Gray, Deputy Planning Director addressed. Ms. Gray said that the recommendation does comply with future land use. After the Planning Commission met, citizens have anonymously contacted staff and shared they were excited about the development but do not want a package store. Commissioner Jones suggested that the request be approved with a condition for no liquor package store. Commissioner Johnson said that there be no condition because there were no strong efforts to close any [similar] illegal business and he also mentioned that we support economic development and should be business friendly. Commissioner Gray mentioned that the Commission should only focus on the requested petition and he reminded the Board of the County's action to have Sunday alcohol sales. The Chairman reconfirmed that any alcohol licenses would have to come back to our Board for action. Commissioner Jones shared that he does not want to halt the decision. Commissioner Gaines asked the County

Attorney for an update on whether the Board could decide alcohol licenses at the zoning level.

Mr. Lanier shared that he was present to address concerns. Mr. Geer spoke in favor of the property approval and said that there was a desire for full retail space. He does not suggest a condition be placed on the request, especially considering that there was a previous package store there for 65 years. Upon a question from Commissioner Johnson, Mr. Geer confirmed that he did abstain from the vote due to his involvement with the Planning Commission. There being no further discussion, the Chairman closed the public hearing.

The Chairman called for consideration of the resolution providing for the acceptance and execution of the contract from Flint River Consulting (Albany, GA) to survey and perform a subsurface investigation for Phase I of the Dougherty County Stabilization Project on Gillionville Road in the amount of \$35,100. Funding is available in SPLOST VI.

Commissioner Johnson moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 24-023 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL AND
EXECUTION OF CONTRACT FROM FLINT RIVER
CONSULTING TO SURVEY AND PERFORM A
SUBSURFACE INVESTIGATION OF PHASE 1 OF
DOUGHERTY COUNTY STABILIZATION PROJECT ON
GILLIONVILLE ROAD; REPEALING RESOLUTIONS OR
PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.

The Chairman called for consideration of the recommendation to approve the alcohol application from Mahadev Cordele, Inc., Alpeshkumar A. Patel licensee, dba Stop N Shop, at 700 Cordele Road for Package- Beer and Wine. The Albany-Dougherty Marshal's Office recommended approval.

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

The Chairman called for consideration of the nomination of County Clerk Jawahn Ware to serve as the Commission's Voting Delegate at the NACO Business Session on July 15, 2024 in Hillsborough County, Florida.

Upon nomination by Commissioner Johnson, Clerk Ware was unanimously appointed to serve as the voting delegate at the NACO Business Session.

The Chairman called for consideration of the resolution providing for the acceptance of the Task Order from Atlantic Coast Consulting to proceed with professional services to Solid Waste for the modifications of the Horizontal and Vertical Expansion of the Dougherty County Fleming/Gaissert Road Municipal Solid Waste Landfill. The total contract amount for the Task Order shall not exceed \$225,000. Atlantic Coast Consulting is the County's current consultant company. Funding is budgeted in the Solid Waste Enterprise Fund.

Commissioner Johnson moved for approval. Upon a second by Commissioner Gray, the motion for approval passed unanimously. Resolution 24-024 is entitled:

RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE
ACCEPTANCE OF THE TASK ORDER FROM
ATLANTIC COAST CONSULTING TO PROCEED
WITH PROFESSIONAL SERVICES TO SOLID
WASTE FOR MODIFICATIONS OF THE
HORIZONTAL AND VERTICAL EXPANSION OF
THE DOUGHTERY COUNTY FLEMING/GAISSERT
ROAD MUNICIPAL SOLID WASTE LANDFILL;
REPEALING RESOLUTIONS OR PARTS OF
RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.

The Chairman called for consideration of the resolution providing for the amendment to the Code of Ordinances of Dougherty County, Georgia, Part II Chapter 2-14 Solid Waste Article IV Vegetation Control. This Ordinance shall be effective immediately upon adoption.

Commissioner Johnson moved for approval. Commissioner Edwards seconded the motion. Under discussion, Commissioner Edwards thanked all Board members for the support and update. He added that this will give Code Enforcement more teeth for enforcement purposes. There being no further discussion, the motion for approval passed unanimously. Resolution 24-025 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION TO AMEND THE DOUGHERTY COUNTY
VEGETATION ORDINANCE; TO REPEAL CONFLICTING
ORDINANCES AND RESOLUTIONS; TO PROVIDE FOR
SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND
FOR OTHER PURPOSES.

The Chairman called for consideration of the resolution providing for the amendment to the Code of Ordinances of Dougherty County, Georgia adding a new chapter 12-12.5 Timber Harvesting. This Ordinance shall be effective immediately upon adoption and repeals the existing Timber Harvesting Ordinance, adopted on October 16, 2017.

Commissioner Gaines moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously. Resolution 24-026 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION TO AMEND THE DOUGHERTY
COUNTY TIMBER HARVESTING ORDINANCE; TO
REPEAL CONFLICTING ORDINANCES AND
RESOLUTIONS; TO PROVIDE FOR SEVERABILITY;
TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.

The Chairman called for consideration of the recommendation to establish a Tenant Based Task Force to assist in the Development of a Master Plan for the Dougherty County Judicial Building. The Dougherty County Judicial Building needs a comprehensive, cost-effective, and operationally efficient Master Plan. Approval is requested to obtain the necessary authority to create a “Judicial Building Task Force” to work with the architectural firm of SRJ Architects, Inc. to develop the comprehensive plan. Funding to support this developing plan will follow for Board approval in FY 2025.

Commissioner Newsome moved for approval. Commissioner Johnson seconded the motion. Under discussion, Commissioner Gaines asked who would lead the Task Force. Upon confirmation by the Public Works Committee Chairman, Commissioner Newsome said that he would be responsible, and this aligns with the recommendation of staff. Commissioner Johnson requested that the Coroner be added to the Task Force. There being no further discussion, the motion for approval passed unanimously.

The Chairman called for consideration to accept Option B for the improvement of access points from the County Right-of-Way joining the Cul-de-Sac of Shady Glen Lane in the amount of \$4,120 as recommended by the Public Works Committee. Funding is available in TSPLOST. The purchase is within the Administrator's authority but discussion amongst the full Board was requested.

Commissioner Gray moved for approval to accept Option B. Commissioner Johnson made a substitute motion to accept Option A. Commissioner Edwards seconded the substitute motion. Option A would include a surface on each side of the cul-de-sac. It was also noted that a section of the right of way equaled 150’ by 16’ square feet for a total cost of \$31,336. The substitute motion passed via roll call with five ayes by Commissioners Johnson,

Edwards, Gaines, Jones, and Chairman Heard and two nays by Commissioners Gray and Newsome.

The Chairman called for the zoning consideration of Dave Patel, applicant, and C. W. Geer, Jr., owner, (24-027) request to rezone a 2.83-acre parcel from C-1 (Neighborhood Mixed-Use Business District) to C-2 (General Mixed-Use Business District). The rezoning would allow the development of a commercial development. The property is at 1542 South Mock Road parcel. The Planning Commission recommended approval.

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

The Chairman called for consideration of the continued presentation and review of the proposed FY 2025 Budgets as recommended by the Finance Committee. Finance Committee Chairman Clinton Johnson, Acting County Administrator Barry Brooks, and Interim Finance Director Amy Westenfeld addressed. Mr. Brooks shared that there were no significant changes and for the sake of time, additional reports pertaining to expenditures will be provided individually. Commissioner Newsome asked about tipping fees and Mr. Brooks said that a balanced budget could be passed, and the tipping fee increase can be brought back afterward. Commissioner Jones commended the Board for all requests taken under consideration and requested that employees be considered. Commissioner Johnson shared that considerations were being made. Mr. Brooks asked if the Board would allow a recommendation to come back later in the year and reemphasized that Board's consideration was important. Commissioner Gaines asked about the 8% increase in revenues from taxes. Mr. Brooks shared the proposed assumptions and Chairman Heard said that it will be best to allow our consultants to provide the most accurate information.

Mr. Brooks thanked everyone for their hard work during the budget process and reminded the Board that the Administrative Offices of Dougherty County Board of Commissioners will be closed on Wednesday, June 19th in observance of the Juneteenth Holiday. It was noted that the Board of Commissioners will have a Special Called Meeting at 1 pm on Friday, June 21, 2024 in Room 100 for purposes of entering into Executive Session. Lastly, he mentioned that FY23 audit was received and filed.

Commissioner Edwards asked Mr. Brooks to investigate the fence line issue at Robert Cross and to direct the issue to our Public Works Committee. He inquired about why individuals who were "on call" did not have a County-issued phone. Mr. Brooks thanked Commissioner Edwards for bringing this to his attention and said he would research this information because typically devices were provided. It was noted that Commissioner Edwards wanted the Parks and Recreation Intergovernmental Agreement to be explained. He added that he wanted clarification on what the County's roles were and what the relationship with the City of Albany should be. Mr. Brooks mentioned that this request tied into our best practices and the strategic plan he had been sharing. Commissioner Edwards emphasized his request that Commissioners be on the Board and Committees when services and events were provided

by the Commission. It was added that the purpose was for Commissioners to provide input and not take over.

Commissioner Johnson shared that he supports the best practices initiative and updated the Board on his visit to the Marine Corps Logistics Base (MCLB) and shared that there were opportunities for additional service delivery agreements. Commissioner Gray resurfaced the issues on the tennis center and requested that the County Attorney research the legality of determining the project insolvent on if returning the SPLOST funds to offset the millage rate could possibly provide tax relief. Attorney Shalishali gave a brief summarization of the process and noted that funds could only be used for tax abatement. Commissioner Gaines thanked staff for completing tasks and performing well despite all being under attack by certain segments of the community. She also thanked Mr. Brooks for supporting the Board in an unbiased way. Similar sentiments were echoed by the County Attorney relative to being grateful for the current progression. She recognized former State Representative Lawrence Roberts who was in attendance and shared the passing of Deacon Bennie Toy who died at age 104 and hoped that the Board would do a recognition. Commissioner Jones asked that Mr. Brooks please promote the completion of the audit and thanked those who met with MCLB. He shared that our policy should be removed where employees cannot speak to a Commissioner. Commissioner Jones supported the Board moving forward with the tennis center project and said Deacon Solomon Sanders of Cutliff Grove Missionary Baptist Church died and asked for recognition. The Chairman requested a moment of silence for the deaths mentioned. He said that he would like to see the Municipal Court be brought back to the Judicial Building and restated his desire that a County person representing the Board understands that this [request] is nonnegotiable. The Chairman made the decision for Commissioner Edwards, as Chair of the Recreation Committee, to chair all committee events held by the County.

There being no further business to come before the Commission, the meeting adjourned at 12:16 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK