

DOUGHERTY COUNTY COMMISSION
SPECIAL CALLED MEETING MINUTES

DRAFT

December 13, 2021

The Dougherty County Commission met for a Special Called Meeting in Room 100 of the Albany-Dougherty Government Center on December 13, 2021, at 10:00 a.m. Chairman Christopher Cohilas presided. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Anthony Jones and Ed Newsome. Also present were Assistant County Administrator Scott Addison, County Attorney Spencer Lee and County Clerk Jawahn Ware and other staff. The public and representatives of the media participated in person via live streaming of the meeting on the County's Facebook page and the government public access channel. County Administrator Michael McCoy was absent.

The Chairman called for approval of the minutes of the November 15th Regular Meeting, November 29th Work Session and November 29th Special Called Meeting.

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

The Chairman recognized citizens Chris Harvey and Don Dally, representatives from the Radium Springs Neighborhood Association to speak about the existing historic Radium Springs Water Tower. Mr. Bobby, Mr. Don and Mr. Salter were also present. Mr. Dally shared that the tower is a landmark and presented a petition signed by over 300 people in support of the request. Attorney Lee shared that if the County desired to do a study to restore the tower, then there are two ways for the County to acquire the property: (1) via eminent domain or (2) via the Land Bank. It was mentioned that the current owner is a defunct organization board and there was a consensus to proceed to obtain an analysis of the tower to possibly be restored. Per the request of Commissioner Johnson, Chairman Cohilas asked for additional information pertaining to what grants are available via the Department of Natural Resource (DNR) and for staff recommendations to be discussed at the next Commission meeting. Commissioner Johnson also asked for caution tape to be placed in the areas and offered his assistance with DCA. Attorney Lee responded to Commissioner Gray's concern on the County taking action on private property and he confirmed that it could be done from a safety standpoint perspective. Commissioner Gray also asked Commissioner Johnson to contact the Historic Preservation Committee.

The Chairman called for consideration to purchase one 2022 Ford SUV Interceptor in the amount of \$33,220 for the Sheriff's Office from Phil Brannen Ford (Perry, GA). The vehicle will replace a previously salvaged 2016 Ford SUV Interceptor. The vehicle is available for immediate delivery. Funding is budgeted in SPLOST VII- Sheriff's Vehicles. Assistant County Administrator Scott Addison addressed. Mr. Addison said that there were issues in purchasing off state contract or bidding and there is an immediate need for this purchase.

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

The Chairman called for consideration of the resolution providing for the acceptance and execution of a Memorandum of Understanding between the Dougherty County School System (DCSS) and Dougherty County. DCSS is requesting assistance to apply for the State of Georgia's Law Enforcement & First Responders Grant Supplement. Assistant County Administrator Scott Addison addressed and Dougherty County School System Superintendent Kenneth Dyer was present. Mr. Addison said that this is a requirement for government to assist (on behalf of the school board).

Commissioner Jones moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 21-078 is entitled:

**A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL AND
EXECUTION OF A MEMORANDUM OF UNDERSTANDING
BETWEEN THE DOUGHERTY COUNTY SCHOOL SYSTEM AND
DOUGHERTY COUNTY, GEORGIA FOR THE PURPOSE OF
HAVING DOUGHERTY COUNTY APPLY FOR A GRANT ON
BEHALF OF THE SCHOOL DISTRICT AND ITS DISTRICT
OFFICERS ALLOWING POST- CERTIFIED LAW ENFORCEMENT
OFFICERS OF THE DOUGHERTY COUNTY SCHOOL SYSTEM TO
BE ELIGIBLE FOR A ONE TIME BONUS; REPEALING
RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT
HEREWITH; AND FOR OTHER PURPOSES.**

The Chairman called for a discussion relative to providing for the future passage of a Resolution/Ordinance enacting an Excise Tax in the amount of eight percent upon the furnishing for value to the public of any room or rooms, lodging, or accommodations furnished by any person or legal entity located in the unincorporated area of Dougherty County operating a hotel, motel, inn, lodge, tourist camp, tourist cabin, rental cabin or any other place in which rooms, lodgings or accommodations are regularly furnished for value. Rashelle Minix, Executive Director of the Albany Convention and Visitors Bureau addressed. County Attorney Spencer Lee was present for questions. The impact of the pandemic shutdown was shared and there was not a huge decrease in the occupancy rate because hotels housed medical personnel. However, the revenue decreased because of lower costs for rooms and hotel performance fairs with other cities. House Bill 317 and short-term vacation rentals were discussed. At the beginning of July 1, 2021, platforms will be responsible for the collection and remission of state and local fees. Commissioner Johnson provided additional insight regarding the responsibilities. In layman's terms, County citizens are not being taxed and the County is leaving money on the table without passage. It was noted that the County will need to pass an ordinance and Attorney Lee presented the outline of items required which will involve three additional meetings which included a public hearing and a request via resolution for enabling legislation. There was an unanimous consensus to proceed and Commissioner Jones asked if Ms. Minix will enable a time for the Ray Charles statue to stop singing. She added that the statue normally should stop playing at 10:00 p.m. but she will follow up.

The Chairman called for consideration of the resolution providing for the approval and execution of a Settlement Agreement between Teramore Development LLC et al and Dougherty County, Georgia relative to Civil Action File No. SUCV 2021 0009 styled Teramore Development LLC et al vs. Dougherty County Board of Commissioners et al. County Attorney Spencer Lee was present to address any concerns.

Commissioner Jones moved for approval. Commissioner Newsome seconded the motion. The motion for approval was passed with six ayes and one nay by Commissioner Gaines. Resolution 21-079 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL AND EXECUTION
OF A SETTLEMENT AGREEMENT BETWEEN TERAMORE
DEVELOPMENT LLC AND DOUGHERTY COUNTY, GEORGIA
RELATIVE TO CIVIL ACTION FILE NO. SUCV 2021 0009 STYLED
TERAMORE DEVELOPMENT LLC ET AL VS. DOUGHERTY COUNTY
BOARD OF COMMISSIONERS ET AL; REPEALING RESOLUTIONS OR
PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.

Commissioner Johnson shared thoughts and concern for those that lost their lives in Kentucky and sent a special congratulation to the recent Albany State University graduates. He added that he wanted to make it clear that there was no contention regarding the DCP Chief position and that the original motion to accept the agreement passed unanimously. Commissioner Johnson stated that he would like to send a thank you letter to GDOT for the work done and he offered to write the letter. However, the Chairman directed Mr. Addison to have the PIO Wendy Howell write a letter; other letters can be written [by Ms. Howell] for each Commissioner to sign individually but he will sign one letter for the entire Board.

There being no further business to come before the Commission, the meeting adjourned at 10:55 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK