



## SPECIAL CALLED MEETING

August 05, 2022  
2:00 PM

Albany-Dougherty Government Center  
222 Pine Ave, Room 100, Albany, GA 31701

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### AGENDA

*To comply with the request set forth by the Chairman of Dougherty County, GA and the guidelines of the Center for Disease Control (CDC) regarding the Coronavirus (COVID19) pandemic and social distancing, face coverings (masks) are optional for all meeting participants.*

The public will also have access to the live meeting by accessing the Dougherty County Georgia Government Facebook page at [facebook.com/Dougherty.ga.us](https://facebook.com/Dougherty.ga.us) or viewing the public government access channel (Channel 16).

1. Call the meeting to order by Chairman Christopher Cohilas.
2. Roll Call.
3. Delegations *(The Commission will hear comments on those items pertaining to Dougherty County for which a public hearing has not been held or scheduled. Please be brief, to the point, and considerate of time for others).*
4. Additional Business.
  - a. Consider for discussion the City's counterproposal received on August 4, 2022 and develop a response. **ACTION:**
5. Updates from the County Administrator.
6. Updates from the County Attorney.
7. Updates from the County Commission.
8. Adjourn.

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Coordinator at 229-431-2121 promptly to allow the County to make reasonable accommodations for those persons.*



August 4, 2022



**Via Hand Delivery**

Michael McCoy  
Government Center Building  
Suite 540

Re: *Sales Tax Distribution*

Dear Mr. McCoy:

We are pleased to hand deliver the enclosed correspondence.

Sincerely,

C. Nathan Davis  
City Attorney

CND/mer

Enclosure



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August 4, 2022

Hon. Christopher Cohilas  
Dougherty County Board of Commissioners  
222 Pine Ave., Ste. 540  
Albany, GA 31701

Dear Mr. Chairman:

Our firm has been retained by the city of Albany to assist in a review of the sales tax distribution under consideration by the City and the County. The City and the County find themselves in a situation where there has been an appreciable loss of population and minimal growth in the property tax digest. The City and the County are experiencing the same challenges, insofar as both must continue to deliver the same level of services, despite loss of revenue, and a significant increase in the costs of labor, equipment, and materials. Having said that, Georgia law, including the SPLOST statutes, make it clear that a division of the sales tax receipts must be based on population.

The formula that has been used historically in Dougherty County does not balance with the disparate population numbers today or in the volume of services delivered by both entities in their respective jurisdictions. The relevant numbers that the City has been using in its analysis indicate that the tax receipts, over the six-year collection period, would be \$16.6 million annually. Based on that assumption, the City's analysis and proposal indicates that a six-year, approximate revenue amount would be \$99.6 million.

On behalf of the City, we have reviewed the proposed distribution formula submitted by the County on August 1, 2022. While the City cannot accept the proposed distribution formula, the City would like to offer a counterproposal and avoid the loss of the property tax relief that SPLOST provides property owners in both the City and the County. To accomplish that goal, I offer the following options as counterproposals on behalf of the City:

**OPTION ONE**

The City's share is 67% and the County's share is 33%. This equates to \$66.732 million to the City and \$32.868 million to the County.

**OPTION TWO**

The City's sewer upgrade of \$15 million is treated as a Level 1 project and the County agrees to fund that amount from the proceeds before the current distribution formula of City 64%/County 36% is applied. In this proposal, the City receives \$69.144 million (with \$15 million required to be spent on the sewer project) and the County receives \$30.456 million. The City will be allocating additional sales tax proceeds to the sewer project.

**Without IGA**

The alternative is not something the City wants to consider, as this would involve calling the referendum without an intergovernmental agreement. The collection period, in that event, would be limited to five years, and the anticipated revenue amount would be \$83 million. The City would not receive any funds in the first year, while the County would receive the \$9.543 million declared as Level 1 projects. Pursuant to O.G.C.A. 48-8-115, the balance of year one collections would be withheld for distribution in years two, three, four and five. That balance and all other sales tax would be allocated to both the City and the County according to population, 81% City/19% County. The balance of the revenue, after the Level 1 projects are funded, would be \$73.457 million, of which the City would receive \$59.5 million, and the County would receive an additional \$13.957 million.

I would ask that you forward this correspondence to your colleagues on the County Commission, and that the commission consult legal counsel, should you have questions about my interpretation of the law, or a financial advisor, should you have questions about my projections.

I would take this opportunity to assure you and your colleagues on the County Commission that the City very much wants to reach an agreement, which would be the foundation for a partnership committed to providing the best services for the citizens of Albany and Dougherty County.

Sincerely,

A handwritten signature in blue ink that reads "Daniel W. Lee / CMD". The signature is written in a cursive style.

Daniel W. Lee