



REGULAR MEETING

January 04, 2021
10:00 AM

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

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 required 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 or viewing the public government access channel (Channel 16).

1. Call to meeting to order by Chairman Christopher Cohilas.
2. Swearing in of Commissioner Ed Newsome, District 1 and Commissioner Clinton Johnson, District 3 by Probate Court Judge Leisa Blount. *(Commissioner Gloria Gaines, District 5 will be sworn in virtually at 1 p.m. on January 4, 2021).*
3. Recognition of Commissioner Victor Edwards, Vice Chairman for Calendar Year 2021 per Resolution No. 91-011.
4. Roll Call.
5. Invocation.
6. Pledge of Allegiance.
7. Minutes.
 - a. Consider for action the Minutes of the December 7, 2020 Work Session, December 14, 2020 Special Called Meeting and December 14, 2020 State Legislative Meeting. **ACTION:**
8. 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).*

9. Zoning – **Public Hearing** *(those wishing to speak on these matters should print their name on the Sign Up Sheet in the rear of the Chamber).*

- a. Trevis McCullough, owner and applicant; requests to rezone 3.187 acres from C-7 (Mixed Use Planned-Development District) to C-2 (General Mixed-Use Business District). The property is located at the northwest quadrant of Antioch Road and Westview Drive. The property address is 1107 Antioch Road. The Planning Commission recommends approval with the condition that the following uses are not permitted: (1) Motor Vehicle Related Services to include: Sales/Maintenance/Repair/Body Shop; (2) Bars, Night Clubs. Mary Teter, Planning Manager, will address.
- b. Albert Powell, Jr, owner and applicant; requests to rezone 3.982 acres from R-1 (Single-Family Residential District) to C-8 (Commercial Recreation District). The property fronts the east side of The Circle. The property address is 222, 224, and 226 The Circle. The Planning Commission recommends approval. Mary Teter, Planning Manager, will address.
- c. Buford Jenkins, owner and applicant; requests Special Approval to operate a Drive-In Movie with Inflatable Screens on 6.63 acres within the C-3 District. The property fronts the west side of Liberty Expressway SE about 1,100' south of the intersection of Williamsburg Road and Liberty Expressway SE. The property address is 1729 Liberty Expressway SE. The Planning Commission recommends approval. Mary Teter, Planning Manager, will address.
- d. Proposed Text Amendment to Title II, Article 2, Section 2.01 6 (a-n): Community Residence Requirements of the Zoning Ordinance establishing regulations for the unincorporated County, including proposed amendments to Title I, Article 5: Definitions and to Table II.2.01 Permitted Uses subject to proposed Section 2.01 6 (a-n). Paul Forgey, Planning Director, will address.

10. Purchases.

- a. Consider for action the Resolution providing for the execution and acceptance of the bid for landscape maintenance and lawn care for Dougherty County from the lowest responsive and responsible bidder meeting specifications, WC Lawn Care (Albany, GA) in the amount of \$32,400 subject to the execution of the contract by the County Administrator. Seven contractors submitted a bid with the highest being \$294,000. Funding will be provided through the General Fund. Assistant County Administrator Scott Addison will address. Public Works Director Larry Cook and City of Albany Buyer Kimberly Allen are present. **ACTION:**
- b. Consider for action the purchase of one (1) 2021 Kia Sorento for Public Works from the Automobiles Manufactured in Georgia Initiative (AMIGI) contract vendor, Mike Murphy Kia (Brunswick, GA) in the amount of \$31,079. Funding is available in CIP. Assistant County Administrator Scott Addison will address. Public Works Director Larry Cook and City of Albany Buyer Tina Strassenberg are present. **ACTION:**

11. Additional Business.

- a. Consider for action the Resolution providing for the acceptance and execution of the Intergovernmental Agreement by and between the Georgia Department of Natural Resources and Dougherty County providing for the transfer of fourteen (14) individual tracts totaling 357 acres, more or less, in Dougherty County along the Flint River from DNR to Dougherty County. The property is identified as the "Flint River Educational Park" and includes the Radium Springs property. **ACTION:**
- b. Consider for action the proposed Board appointments. County Clerk Jawahn Ware will discuss. ***Appointments are made by nominations.***

Joint Board of Adjustments & Appeals – One (1) joint appointment with an unexpired three-year term ending October 1, 2022. One new applicant: Warren Grant. All joint appointments must be ratified by the City of Albany. See board packet page #1. **ACTION:**

Voter Registration and Elections – One appointment with a two-year term ending December 31, 2022. Incumbent Dontravious Simmons desires reappointment. Two new applicants: Warren Grant and Bishop Frederick Williams, Sr. See board packet page #3. **ACTION:**

- c. Consider for action the Zoning Consideration of Trevis McCullough, owner and applicant; request to rezone 3.187 acres from C-7 (Mixed Use Planned-Development District) to C-2 (General Mixed-Use Business District). The property is located at the northwest quadrant of Antioch Road and Westview Drive. The property address is 1107 Antioch Road. The Planning Commission recommends approval with the condition that the following uses are not permitted: (1) Motor Vehicle Related Services to include: Sales/Maintenance/Repair/Body Shop; (2) Bars, Night Clubs. **ACTION:**
- d. Consider for action the Zoning Consideration of Albert Powell, Jr, owner and applicant; request to rezone 3.982 acres from R-1 (Single-Family Residential District) to C-8 (Commercial Recreation District). The property fronts the east side of The Circle. The property address is 222, 224, and 226 The Circle. The Planning Commission recommends approval. **ACTION:**
- e. Consider for action the Special Approval Request of Buford Jenkins, owner and applicant; to operate a Drive-In Movie with Inflatable Screens on 6.63 acres within the C-3 District. The property fronts the west side of Liberty Expressway SE about 1,100' south of the intersection of Williamsburg Road and Liberty Expressway SE. The property address is 1729 Liberty Expressway SE. The Planning Commission recommends approval. **ACTION:**
- f. Consider for action the Resolution providing for the acceptance of the proposed Text Amendment to Title II, Article 2, Section 2.01 6 (a-n): Community Residence Requirements of the Zoning Ordinance establishing regulations for the unincorporated County, including proposed amendments to Title I, Article 5: Definitions and to Table II.2.01 Permitted Uses subject to proposed Section 2.01 6 (a-n). **ACTION:**

12. Updates from the County Administrator.

13. Updates from the County Attorney.

14. Updates from the County Commission.

- [a.](#) Chairman Cohilas' announcement of the 2021 Subcommittee Appointments and Commissioner appointment to the Retirement Fund Committee.

15. 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.

DOUGHERTY COUNTY COMMISSION

DRAFT

REGULAR MEETING MINUTES

December 7, 2020

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on December 7, 2020. Chairman Christopher Cohilas presided. Commissioners present were Victor Edwards, Lamar Hudgins, Russell Gray and Clinton Johnson. Commissioner Anthony Jones participated via the audio-conferencing feature. Also present were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Spencer Lee, Deputy County Clerk Bristeria Hope 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 Gloria Gaines and County Clerk Jawahn Ware were absent.

After the invocation and Pledge of Allegiance, the Chairman called for approval of the November 2nd Regular Meeting, November 9th Work Session and November 9 Special Called Meeting minutes.

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

The Chairman recognized 4-H Youth Development /County Extension Agent Jazmin Thomas and Dougherty County 4-H representatives to thank the Commission for its support. Ms. Thomas shared a video presentation prepared by some 4-H students who were not able to be physically present this year due to the pandemic. Ms. Thomas said that 4-H provided a 10-week program for the children to help guide them in learning sign language. There were virtual courses provided for the children as well.

The Chairman recognized Walter Kelley, Library Board of Trustees Chairman and Pauline Abidde, Library Director, to provide their annual report. Mr. Kelley mentioned how they have prepared for the reopening of the library by purchasing gloves, masks, lysol and other sanitary items to help reduce the spread of COVID-19. He shared that the overall spending for the fiscal year was underbudget, virtual programming has been going very well and that there was a policy adopted for the new event center. Ms. Abidde mentioned that they received the second half of the funds for the Westtown library.

The Chairman called for consideration of the purchase of one 2020 Peterbilt Dump Truck Chassis and Body for the Public Works Department from the Sourcewell contract vendor Performance Peterbilt (Albany, GA) in the amount of \$140,583. The purchase will "piggy-back" from the County's award in the February 17, 2020 Regular Meeting. Funding is budgeted in SPLOST VII.

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

The Chairman called for consideration of the approval of the change order in the amount of \$94,994.80 for the 2019 Alley Improvements Contract with Jim Boyd Construction. This Change Order will be for the addition of McEwen Alley. Funding is available in TSPLOST.

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

The Chairman called for consideration of the lump sum distribution in the amount of \$800 per employee for a total distribution with taxes in the amount of \$559,780. Funding will be provided from the General Fund (\$502,941), Special Services District (\$42,199) and the Solid Waste Enterprise Fund (\$14,64). Upon Commissioner Edwards' question, Mr. McCoy shared that the checks will be disbursed on December 18th.

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

The Chairman called for consideration of the recommendation to approve the proposed Alcoholic Beverage License renewals for Calendar Year 2021.

Commissioner Johnson 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 which are made by nominations:

The Joint Board of Adjustments & Appeals will be re-advertised for one vacancy to fill an unexpired three-year term ending October 1, 2022. All joint appointments must be ratified by the City of Albany.

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 incumbent Clifford Tolbert (rotational) was reappointed to the Air Conditioning, Heating & Ventilation Board for a one-year term ending December 31, 2021. The County will re- advertise for one vacancy.

Upon nomination by Commissioner Gray, incumbent Glenn Tyler Harris was unanimously reappointed to the Citizens Transportation Committee for a three-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, incumbent Dr. Anthony Parker was unanimously reappointed to the Economic Development Commission for a two-year term ending December 31, 2022.

Upon nomination by Commissioner Johnson, incumbent Sanford Hillsman (rotational) was unanimously reappointed to the Electrical Board for a one-year term ending December 31, 2021. There are four vacancies and the County will re-advertise.

Upon nomination by Commissioner Johnson, incumbent Harry James was unanimously reappointed to the Flood Plain Management Review Board for a three-year term ending December 31, 2023. The County will re-advertise for one vacancy (for the unexpired term ending December 31, 2021).

Upon nomination by Commissioner Johnson, incumbent Sanford Hillsman (County) was unanimously reappointed to the Gas Board for a one-year term ending December 31, 2021 and incumbent Rhett Parker (joint) was recommended to the City of Albany for ratification of appointment. The County will re-advertise for one vacancy

Upon nomination by Commissioner Gray, incumbents Doug Wilson and J. Douglas Porter were unanimously reappointed to the Golden Triangle Resource Conservation and Development (RC&D) Council for a two-year term ending December 31, 2022.

Upon nomination by Commissioner Hudgins, incumbent Francis M. Wakeford III was unanimously reappointed to the Historic Preservation Commission for a two-year term ending December 31, 2022. Upon nomination by Commissioner Edwards, the recommendation for Angela Cain Gibson to replace Annie Wilson was unanimously accepted for a two-year term ending December 31, 2022. Upon nomination by Commissioner Gray, the recommendation for Bryan Harden to replace Lacy Lee was unanimously accepted for a two-year term ending December 31, 2022. Upon nomination by Commissioner Gray, the recommendation for Hope Campbell to replace John P. Ventulett Jr. was accepted with four ayes and one nay by Commissioner Hudgins for a two-year term ending December 31, 2022.

Upon nomination by Commissioner Johnson, incumbent Glenn Singfield was unanimously reappointed to the Albany –Dougherty Hospital Authority for a five year-term ending December 31, 2025. Upon nomination by Commissioner Hudgins, Commissioner Clinton Johnson was unanimously reappointed to a five-year term ending December 31, 2025. Upon nomination by Commissioner Johnson, the recommendation for Dorothy Hubbard to replace Michael Laslie was

unanimously accepted to fill the unexpired five-year term ending December 31, 2022. Upon nomination by Commissioner Hudgins, the recommendation for James Hotz to replace Fred Ghiglieri was unanimously accepted for a five-year term ending December 31, 2025. Upon nomination of Commissioner Johnson, the recommendation for Joel Wright to replace Tania Smith was unanimously accepted to fill a five-year term ending December 31, 2025.

Upon nomination by Commissioner Johnson, incumbents Melissa Hodges and Bill Reilly were unanimously reappointed to a three-year term ending December 31, 2023.

Upon nomination by Commissioner Johnson, incumbents Walter Kelley and John Kirbo were unanimously reappointed to the Library Board of Trustees for three-year term ending December 31, 2023. Upon nomination by Commissioner Johnson, the recommendation for Joshua Miller to replace Haryl Dabney was unanimously accepted for a three-year term ending December 31, 2023. Commissioner Jones' reappointment was confirmed for the Library Board for a three-year term ending December 31, 2023.

Upon nomination by Commissioner Hudgins, 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, 2021.

Upon nomination by Commissioner Hudgins, incumbents Michael McCoy (active employee representative) and Charles Kelley were unanimously reappointed to the Retirement Fund Committee for a four-year term ending December 31, 2024. The County will re-advertise for one vacancy to fill an unexpired four-year term ending December 31, 2021. (Upon confirmation after the meeting, the appointments to the Retirement Fund Committee should be made by the County Chairman).

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, 2021.

Upon nomination by Commissioner Gray, incumbent Sonya Johnson was unanimously reappointed to the Southwest Georgia Housing Task Force for a one-year term ending December 31, 2021.

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, 2021. Upon the same nomination, the appointment of Casawn Lhuillier- Yheyais (joint) was recommended to the City of

Albany for ratification. 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, 2021.

Upon nomination of Commissioner Hudgins, incumbents JeNita Lane and Larry Thomas were unanimously reappointed to the Tax Assessors Board for a three-year term ending December 31, 2023.

Commissioner Gray encouraged citizens to go visit the event space at the library. Commissioner Johnson reminded the Board of the tour of the hospital starting at 1:00 p.m.

There being no further business to come before the Commission, the meeting adjourned at 10:33 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

DOUGHERTY COUNTY COMMISSION
SPECIAL CALLED MEETING MINUTES

DRAFT

December 14, 2020

The Dougherty County Commission met for a Special Called Meeting in Room 100 of the Albany-Dougherty Government Center on December 14, 2020. Chairman Christopher Cohilas presided. Present [in the Chamber] were Commissioners Victor Edwards, Russell Gray, Lamar Hudgins and Clinton Johnson. Commissioners Gloria Gaines and Anthony Jones participated via the audio-conferencing feature. Also participating in the Chamber were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Spencer Lee, 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.

After the invocation and Pledge of Allegiance, the Chairman called for approval of the November 16th Regular Meeting and November 30th Work Session minutes.

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

The Chairman recognized long serving Board members:

Historic Preservation Committee – Lacy Lee, John Ventullett, Jr and Anne Wilson

Hospital Authority - Fred Ghiglieri, Dr. Michael Laslie and Dr. Tania Smith

Retirement Fund Committee - Commissioner Lamar Hudgins

The Chairman recognized Commissioner Clinton Johnson to introduce Jana W. Dyke, President and CEO, Albany Dougherty County Economic Development Commission (EDC).

The Chairman recognized United States Department of Agriculture (USDA) Soil Conservationist Taylor Sinquefield to discuss the soil and water conservation programs that are provided for the citizens of Dougherty County.

The Chairman recognized Voter Registration and Elections Supervisor Ginger Nickerson to provide an update on the 2021 Runoff Election. Mrs. Nickerson shared that early voting starts today at the Civic Center. She will provide the number of ballots received to Mr. McCoy in the drop boxes from the general election per the request of Commissioner Gray. Commissioner Johnson shared kudos that were provided by the Secretary of State regarding Mrs. Nickerson. Fees assessed by the City of Albany for rentals and set up were addressed.

The Chairman called for a discussion of the zoning application of Trevis McCullough, owner and applicant; request to rezone 3.187 acres from C-7 (Mixed Use Planned-Development District) to C-2 (General Mixed-Use Business District). The property is located at the northwest quadrant of

Antioch Road and Westview Drive. The property address is 1107 Antioch Road. The Planning Commission recommended approval with the condition that the following uses are not permitted: (1) Motor Vehicle Related Services to include: Sales/Maintenance/Repair/Body Shop; (2) Bars, Night Clubs. Mary Teter, Planning Manager, addressed. The Public Hearing and Action are scheduled for January 4, 2021.

The Chairman called for a discussion of the zoning application of Albert Powell, Jr, owner and applicant; request to rezone 3.982 acres from R-1 (Single-Family Residential District) to C-8 (Commercial Recreation District). The property fronts the east side of The Circle. The property address is 222, 224, and 226 The Circle. The Planning Commission recommended approval. Mary Teter, Planning Manager, addressed. The Public Hearing and Action are scheduled for January 4, 2021. Staff recommended denial to rezone, but the Planning Commission provided approval. Commissioner Johnson received confirmation that conditions can be added. Commissioners Gray and Edwards voiced their concerns. Mr. Forgey shared that the Commission approved because the applicant owned adjacent property and the proposal would be insulated from the other properties. It was noted that three lots were owned by the County and reserved for greenspace.

The Chairman called for a discussion of the zoning application of Buford Jenkins, owner and applicant; request for Special Approval to operate a Drive-In Movie with Inflatable Screens on 6.63 acres within the C-3 District. The property fronts the west side of Liberty Expressway SE about 1,100' south of the intersection of Williamsburg Road and Liberty Expressway SE. The property address is 1729 Liberty Expressway SE. The Planning Commission recommended approval. Mary Teter, Planning Manager, addressed. The Public Hearing and Action are scheduled for January 4, 2021. Ms. Teter stated that access to this site must be approved by GDOT. The proposed operations are Friday-Saturday from 7:00 p.m.-11:30 p.m. Commissioner Gray is concerned that the business may not be permanent and would prefer that the owner work with the speedway to have an easement for access. Commissioner Jones reminded everyone that there are still races occurring that may interfere with the movie playing at the same time.

The Chairman called for a discussion of a proposed Text Amendment to Title II, Article 2, Section 2.01 6 (a-n): Community Residence Requirements of the Zoning Ordinance establishing regulations for the unincorporated County, including proposed amendments to Title I, Article 5: Definitions and to Table II.2.01 Permitted Uses subject to proposed Section 2.01 6 (a-n). Paul Forgey, Planning Director, addressed. The Public Hearing and Action are scheduled for January 4, 2021. Mr. Forgey mentioned that due to the gap of meetings, there will be a more in-depth presentation at this meeting. The proposal matches the City of Albany.

The Chairman called for consideration of the resolution confirming the appointment of Je'Nita Lane and Larry Thomas to the Dougherty County Board of Tax Assessors for the term beginning January 1, 2021 and ending December 31, 2023. County Clerk Jawahn Ware addressed. Mrs. Ware stated that the appointment required a formal resolution and typically presented on the same day of the nomination.

Commissioner Hudgins moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously. Resolution 20-068 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPOINTMENT OF MEMBERS
TO POSTS 2 AND 3 OF THE DOUGHERTY COUNTY BOARD OF TAX
ASSESSORS FOR A TERM BEGINNING JANUARY 1, 2021 AND ENDING
DECEMBER 31, 2023; REPEALING RESOLUTIONS OR PARTS OF
RESOLUTIONS IN CONFLICT HERewith; AND FOR OTHER
PURPOSES.

The Chairman called for consideration of the resolution declaring a 2012 Dodge Charger and a 2015 Dodge Charger (from the Dougherty County Police) as surplus and authorize sale through Underwriters Safety & Claims. Assistant County Administrator Scott Addison addressed. Mr. Addison said that these vehicles were in accidents and that this is standard procedure.

Commissioner Hudgins moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 20-069 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION TO DECLARE AS SURPLUS A SALVAGED 2012
DODGE CHARGER (VIN NO. 2C3CDXAT8CH287725) AND A 2015
DODGE CHARGER (VIN NO. 2C3DXAT4FH863511) AND HAVE
SAID SURPLUSSED SALVAGED VEHICLES DISPOSED OF
THROUGH UNDERWRITERS SAFETY AND CLAIMS, DOUGHERTY
COUNTY'S THIRD-PARTY ADMINISTRATOR; REPEALING
RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT
HERewith; AND FOR OTHER PURPOSES.

The Chairman called for consideration of the resolution providing for acceptance of an Age Friendly Region Designation Resolution. The Region 10 pilot program may allow our area to be the first regional AARP Age-Friendly Program in the nation. Southwest Georgia Regional Commission Director Suzanne Angell and Deputy Director Barbara Reddick addressed. Macon-Bibb was the first community in the nation in 2012 recognized with this designation. The recognition is a win-win for the City of Albany and Dougherty County with no foreseeable additional work.

Commissioner Johnson moved for approval. Upon a second by Commissioner Gray, the motion for approval passed unanimously. Resolution 20-070 is entitled:

AGE FRIENDLY REGION DESIGNATION RESOLUTION

The Chairman called for a discussion of the recommendation relative to a proposed Intergovernmental Agreement by and between the Georgia Department of Natural Resources and Dougherty County providing for the transfer of fourteen (14) individual tracts totaling 357 acres, more or less, in Dougherty County along the Flint River from DNR to Dougherty County. The property is identified as the "Flint River Educational Park" and includes the Radium Springs property. County Administrator Michael McCoy and County Attorney Spencer Lee addressed.

Action on this item is scheduled for January 4, 2020. Mr. McCoy shared that the funds received for procured property could allow us to move forward with the trail program. Attorney Lee said that discussion on this topic dates back to 1998. The IGA is for transfer of property for use only.

The Chairman called for consideration of the reappointment of the County Administrator through the extension of the employment agreement effective January 4, 2021 through January 3, 2022 per section 1-3-23 of the Dougherty County Code of Ordinances. County Attorney Spencer Lee addressed.

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

The Chairman called for a discussion of the FEMA Public Assistance Grant Recovery Financial Update for the January 2017 Tornadoes and the 2017 & 2018 Hurricanes. County Administrator Michael McCoy, Finance Director Martha Hendley, Consultant Ed Wall and CDBG-DR Program Manager Georgia Collier-Bolling addressed. Mr. McCoy stated that this was follow up on the directive from a question requested of Commissioner Gaines. Mr. Wall provided an update that the total eligible amount for all disasters is \$16,709,465.97 and noted the paid to date amount by entity. Mr. McCoy added that the local cost share is 15%. The federal paid 75% and the state paid 10%. Chairman Cohilas shared that we have a reimbursement rate based on the numbers presented at 92% so we recovered over and beyond so the taxpayers have been made whole. Mr. Wall commended the County for saving and being able to cash flow the disasters because the federal and state does not reimburse until the entities pay. Mr. Wall confirmed Commissioner Jones' statement that the County is debt free and could cancel debt to ourselves at any time. The amount still due is \$1,340,079.84.

Attorney Lee left at 11:40 a.m. Each Commissioner provided words of sentiment for the salutation for Commissioner Lamar Hudgins. A special award was presented. Words were provided by his wife Wanda Hudgins and she challenged the younger citizens to serve in public service. Final words were provided by Commissioner James Lamar Hudgins for serving for 28 years.

There being no further business to discuss the Commission, the meeting adjourned at 11:55 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

DOUGHERTY COUNTY COMMISSION
DRAFT
STATE DELEGATION MEETING MINUTES

December 14, 2020

The Dougherty County Commission met with the State Delegation in the Kirkland Center at Albany Technical College on December 14, 2020 at 12:35 p.m. Representative Winfred Dukes was the State Official physically present. State Officials Senator Freddie Powell-Sims and Representative Camia Hopson participated via the tele-conference option. Chairman Christopher Cohilas, Commissioner-elect Ed Newsome and Commissioners Victor Edwards, Russell Gray, and Clinton Johnson were present with Commissioners Gloria Gaines and Anthony Jones participating via teleconference. Staff in attendance were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Spencer Lee and County Clerk Jawahn Ware. Representatives of the media, other staff and citizens were present.

Representative Dukes opened the meeting with comments and the meeting was turned over to Chairman Cohilas.

After thanking the State Legislation for their support, Chairman Cohilas shared that the money received is being actively used to develop the Radium Springs area. He stated that Dougherty County does not have a financial ask for 2021 and discussed the following operational items that are aligned with the recommendations from the Association County Commissioners of Georgia (ACCG):

- Funding Broadband Deployment in Georgia. Representative Dukes shared that Dougherty County is not considered rural so the county is not in the pipeline for funding. He stated that there are plans to work with the City of Albany and emphasized the importance of County staff working with the City.
- Georgia's Voting Equipment, COVID-19 and Improved Elections. Chairman Cohilas shared the initiatives implemented for the most recent general election. Representative Dukes shared his concern about voter turn-out and asked that the County look at options that policy makers can review to help increase voter response.
- Increase Reimbursement for EMS Services. Chairman Cohilas stressed the reimbursement increase for EMS Services is of critical importance to Dougherty County. EMS Director Sam Allen addressed the questions pertaining to the current reimbursements and shared that the primary loss is in patient transport. Previously billing was allowed for any number of miles, but now the minimum miles are ten; but our average is four. Therefore, we are no longer able to bill for this service.

Under additional discussion, Commissioner Gaines asked about the State's deployment of the coronavirus vaccine pertaining to Dougherty County. Chairman Cohilas provided an update from his recent conversation with Phoebe. The State's Department of Public Health has not released a deployment strategy, but Phoebe is preparing to be a distribution site.

Representative Dukes shared that Dougherty County is listed 154 out of the 159 counties for quality of life and stated that there are some opportunities for the county [to utilize]. He also discussed relational concerns between the City and County and emphasized that he does not want priorities to be presented to the Legislation that can be addressed on the local level. During the

discussion the following requests were made by Representative Dukes: (1) that suggestions be provided on how to retain higher income individuals in Dougherty County, (2) the pros and cons pertaining the employment status of the Tax Commissioner that would work best for the citizens of Dougherty County, with a rationale provided from both [the City and County]. County Administrator Michael McCoy provided information pertaining to the position of the Tax Commission with Commissioner Russell Gray giving the historical context and law change preventing other counties from having a non-elected position.

Chairman Cohilas provided closing remarks with a respective appeal that the Delegation redirects the City of Albany when they make requests that should be presented by the County to ensure diplomacy. The stated consensus of the Delegation is to not act on any requests that have not received consensus from both the City of Albany and Dougherty County.

Senator Freddie Powell-Sims emphasized the support of the police by State Officials and shared her concern that some individuals may have been stating otherwise.

After no further concerns were presented in the meeting, the County Commission members were dismissed at 2:07 p.m. (The minutes reflect that Commissioner Johnson and County Attorney left at ~1 pm and Chairman Cohilas had to report to court, leaving at 1:43 pm).

Jawahn Ware, County Clerk



MEMORANDUM

Date: December 4, 2020
To: The Board of County Commissioners
From: Albany Dougherty Planning Commission
Subject: #20-045 Rezoning (1107 Antioch Road)

Trevis McCullough (20-045) has submitted an application to the Albany Dougherty Planning Commission requesting that the official Zoning Map of Dougherty County be amended to rezone 3.187 acres from C-7 (Mixed-Use Planned-Development District) to C-2 (General Mixed-Use Business District). The property is located at the northwest quadrant of Antioch Rd. and Westview Dr. The property address is 1107 Antioch Rd. The property owner/applicant is Trevis McCullough.

Helen Young offered a motion to approve the request to rezone the property located at 1107 Antioch Road from C-7 to C-2 with the condition that the following uses are not permitted:

- Motor Vehicle Related Services to include: Sales/Maintenance/Repair/Body Shop; Vehicle Service/Wash; Service Station/Convenience Store
- Bars, Night Clubs

The motion was seconded by Art Brown; the motion carried 6-0 with the following votes:

William Geer	Tie or Quorum
Billy Merritt	Yes
Art Brown	Yes
Jimmy Hall	Yes
Sanford Hillsman	Absent
Yvonne Jackson	Absent
Aaron Johnson	Yes
Charles Ochie	Yes
Helen Young	Yes
Dominique Riggins	Absent

STAFF ANALYSIS AND REPORT APPLICATION #20-045 REZONING



OWNER/APPLICANT:	Trevis McCullough
LOCATION:	1107 Antioch Rd. NW Quadrant of Antioch Rd. & Westview Rd.
CURRENT ZONING/USE:	
Zoning:	C-7 (Mixed-Use Planned-Development District)
Use:	Vacant Property
PROPOSED ZONING/USE:	
Zoning:	C-2 (General Mixed-Use Business District)
Use:	Barber Shop and BBQ Stand
ZONING/ADJACENT LAND USE:	
North:	R-2 (Single Family Residential District)
Land Use:	Sports Complex, Post Office,
South:	R-2 (Single-Family Residential District)
Land Use:	Putney Baptist Church, Vacant Property, Single Family Residence
West:	C-7 (Mixed-Use Planned-Development District)
Land Use:	Vacant Property, Convenience Store
East:	R-2 (Single-Family Residential District), C-3c (Commercial District Conditional)
Land Use:	Sports Complex, Church Parsonage, Cell Tower
MEETING INFORMATION:	
Planning Commission:	12/03/20, 2:00 P.M., Robert Cross Multipurpose Facility, 3085 Martin Luther King, Jr. Dr.
Public Hearing:	01/04/21, 10:00 A.M., 222 Pine Avenue, Rm.100
RECOMMENDATION:	Conditional Approval to C-2 (General Mixed-Use Business District)

BASIC INFORMATION

The applicant requests to rezone 3.187 acres from C-7 (Mixed-Use Planned-Development District) to C-2 (General Neighborhood Mixed-Use Business District). The current C-7 designation must include a minimum 20 percent residential and 20 percent commercial uses for development. An approved rezoning will allow for a commercial use without the residential component.

PHYSICAL CHARACTERISTICS AND INFRASTRUCTURE

The property is located at the northwest quadrant of Antioch Rd. and Westview Dr. This area is served by public water but not sanitary sewer. The property does not lie within the 100-Year Floodplain; its topography is generally level and wooded. Access is provided from Antioch Rd. and Westview Dr.

RELEVANT ZONING HISTORY

Planning Department records indicate that the subject property is located within a triangular area bounded by Radium Springs Rd., Antioch Rd., and Westview Dr. that has retained its original C-7 designation since the adoption of zoning (1969). The adjacent area has retained its original R-2 designation, except for a triangular tract (0.87 acres) to the southeast of the subject property, which was rezoned to C-3c (Commercial District) in 1981 with the condition that the use was limited to a microwave tower.

PLANNING CONSIDERATIONS

Listed below are several issues for consideration in evaluating this rezoning application.

1. *Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?*

The applicant plans to develop a portion of the property for commercial use, specifically a barber shop and a BBQ stand. A convenience store with fuel pumps is located at the northeast corner of Radium Springs Rd. and Westview Dr. Public institutional uses include a Post Office, recreational area/playground, and Putney Baptist Church. A single family residence is located at the southeast corner of Radium Springs Rd./Westview Dr. and at 1118 Antioch Rd. directly across from the subject property.

The proposed rezoning and use should be compatible with adjacent commercial and public institutional uses while providing a service to adjacent residential properties.

2. *Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?*

The rezoning should not adversely affect the existing use of adjacent commercial and public institutional operations. Conditional zoning to exclude certain uses, such as motor

vehicle related services, should protect adjacent residential properties from adverse impacts associated with those uses.

3. *Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?*

The property has a reasonable economic use with its current C-7 designation, which allows for a variety of commercial uses pending Special Approval of the County Commission. Residential housing is allowed by right. However, redevelopment of a property zoned C-7 requires a residential component (minimum 20 percent) and a commercial component (minimum 20 percent).

4. *Will the rezoning proposal result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?*

- **Impact on Utilities:** Public water is available to the site, but not sanitary sewer. The development will be served by an on-site septic system.
- **Impact on School System:** The proposed use will not impact the school system.
- **Impact on Transportation Network:** Staff estimates that the impact of the rezoning on the surrounding transportation network would be as follows:

Road Capacity: Information Not Available for This Site

Trip Generation: According to **Trip Generation (2018)**, the proposed use could generate the following Saturday Peak Hour trips:

- Hair Salon: 5 trips per 1,000 sq. ft. of gross floor area. The size of the proposed barber shop is not known at this time.

Road Improvements: According to the **FY 2018 - 2021 Transportation Improvement Program** and the **Dougherty Area Regional Transportation Study: 2045**, no state or federally funded projects are proposed for the area.

Road Classifications: Streets that provide access to the subject property are classified accordingly:

- Antioch Rd. is classified as an Urban Minor Arterial road.
- Westview Dr. is classified as a Rural Local road.

Public Transit Routes: Albany transit does not serve this area

Accident Information: According to Traffic Engineering, the subject property is not located near a high traffic accident location.

5. *Is the rezoning proposal in conformity with the policy and intent of the Albany-Dougherty Comprehensive Plan for Development (2026)?*

The **Future Land Use Map** recommends commercial development for the triangular area bounded by Radium Springs Rd., Westview Dr., and Antioch Rd; the property lies within this triangle. The request to rezone the property to another commercial classification is consistent with this recommendation.

6. *Are there other existing or changing conditions affecting the use and development of the property that provide grounds for approval or disapproval of the rezoning proposal as submitted?*

Staff did not identify any other existing or changing conditions that support approval or disapproval of the rezoning application.

RECOMMENDATION

Staff recommends **approval** to rezone to C-2 (General Mixed-Use Business District) with the condition that the following uses are not permitted:

- Motor Vehicle Related Services to include: Sales/Maintenance/Repair/Body Shop; Vehicle Service/Wash; Service Station/Convenience Store
- Bars, Night Clubs

Location



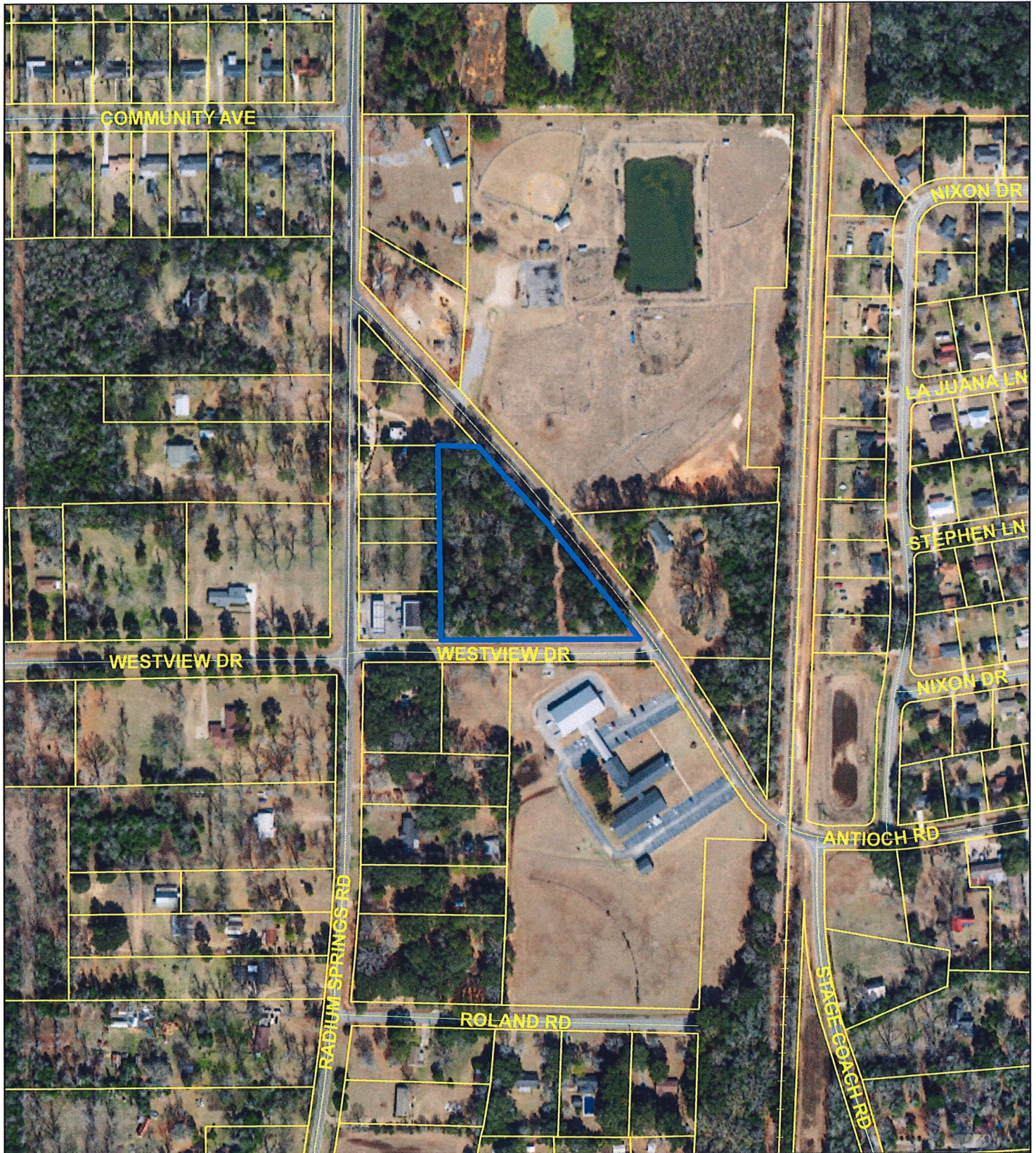
20-045 Rezoning C-7 to C-2
 1107 Antioch Rd.
 Owner: Trevis McCullough
 Applicant: Trevis McCullough



Disclaimer; Albany GIS makes every effort to produce the most accurate information possible. No warranties, expressed nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.

Aerial

Item 9a.



20-045 Rezoning C-7 to C-2
 1107 Antioch Rd.
 Owner: Trevis McCullough
 Applicant: Trevis McCullough



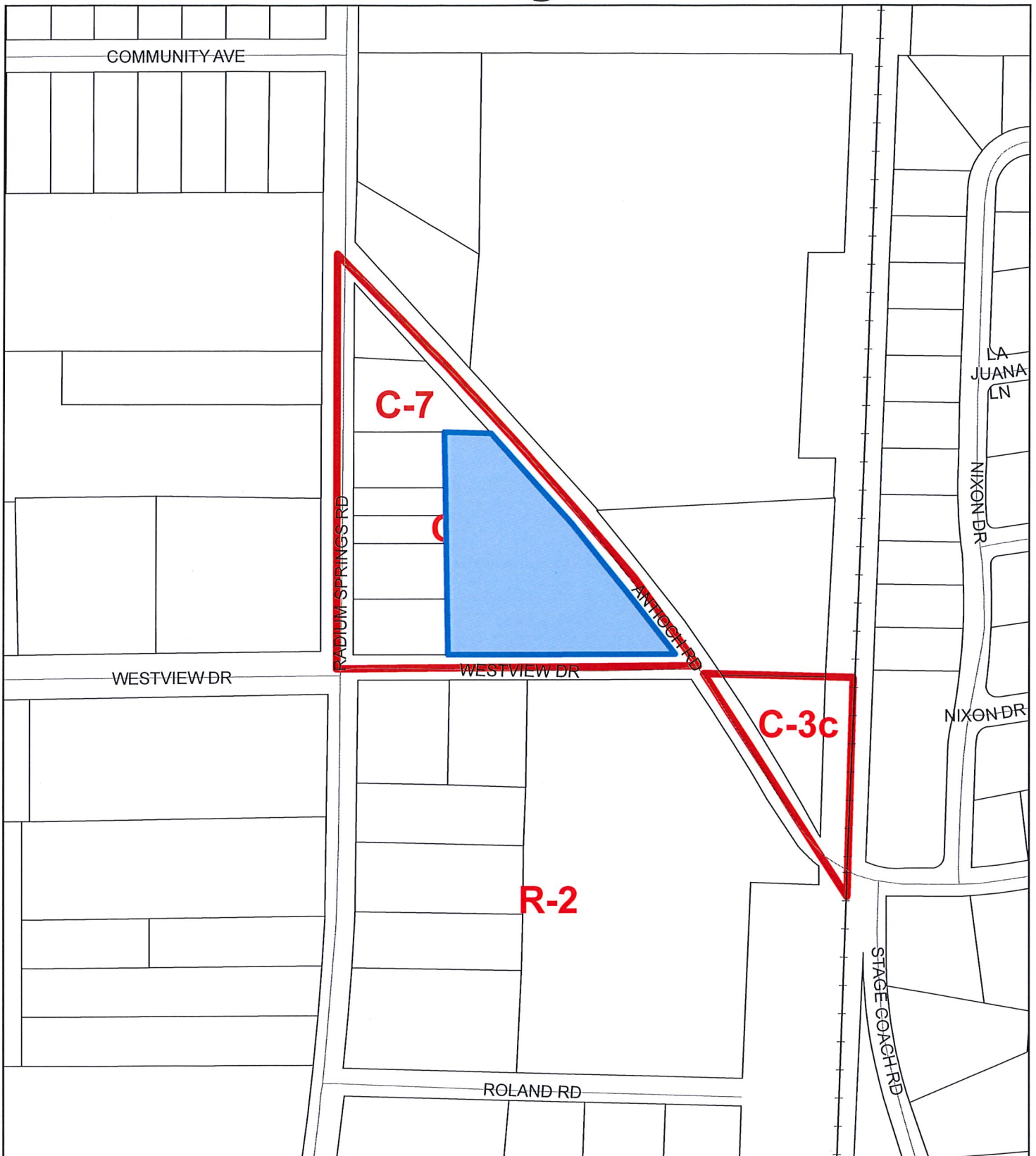
150 0 150 300 Feet



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Zoning

Item 9a.



20-045 Rezoning C-7 to C-2
1107 Antioch Rd.
Owner: Trevis McCullough
Applicant: Trevis McCullough

400 200 0 400 Feet



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Land Use

Item 9a.



20-045 Rezoning C-7 to C-2
1107 Antioch Rd..
Owner: Trevis McCullough
Applicant: Trevis McCullough



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Feet



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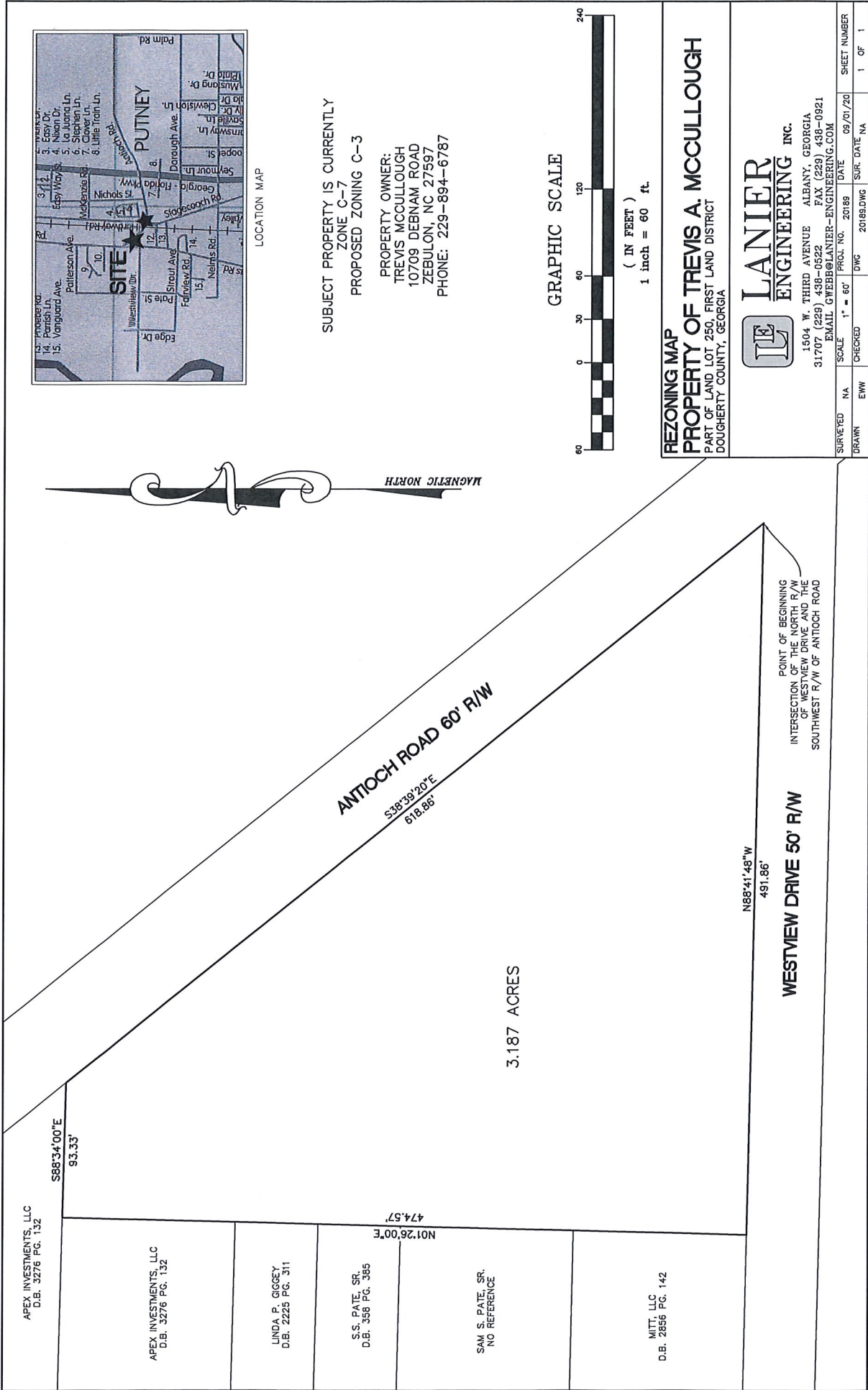
LEC #20189
September 1, 2020

Legal Description
Property of Trevis A. McCullough
Property to be rezoned from C-7 to C-3

All that certain tract or parcel of land situate lying and being part of Land Lot 250 of the First Land District, Dougherty County, Georgia and being more particularly described as follows:

Begin at the intersection of the north right-of-way of Westview Drive (60' r/w) and the southwest right-of-way of Antioch Road (60' r/w) and go north 88 degrees 41 minutes 48 seconds west along the north right-of-way of Westview Drive 491.86 feet; go thence north 01 degree 26 minutes 00 seconds east a distance of 474.57 feet; go thence south 88 degrees 34 minutes 00 seconds east a distance of 93.33 feet to the southwest right-of-way of Antioch Road; go thence south 38 degrees 39 minutes 20 seconds east along the southwest right-of-way of Antioch Road a distance of 648.86 feet to the north right-of-way of Westview Drive and the point of beginning.

Said tract or parcel contains 3.187 acres.



DOC# 010520
FILED IN OFFICE
09/25/2006 03:23 PM
BK:3220 PG:187-188
EVONNE S. MULL
CLERK OF
COURT
DOUGHERTY COUNTY
~~From State~~
REAL ESTATE TRANSFER T
AX
PAID: \$19.00

Item 9a.

Prepared by and return to:
Beverly Giddens of
Law Offices of Don McClure, P.C.
100 North Madison Street, P. O. Box
492
Albany, Georgia 31702

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DOUGHERTY

THIS INDENTURE, made the 22nd day of September, 2006, between

Robert J. Ray

of the County of , and State of Georgia, as party or parties of the first part,
hereinafter called Grantor and

Trevis A. McCullough

as party or parties of the second part, hereinafter called Grantee, (the words
"Grantor" and "Grantee" to include their respective heirs, successors and assigns
where the context requires or permits).

WITNESSETH that: Grantor, for and in CONSIDERATION OF OTHER GOOD AND
VALUABLE CONSIDERATION AND THE SUM OF TEN (\$10.00) DOLLARS, in hand paid at and
before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and
by these presents does grant bargain, sell, alien, convey and confirm unto the
said Grantee,

All that tract or parcel of land lying and being in Land Lot 250 in
the First Land District of Dougherty County, Georgia, and being more
particularly described as follows:

Begin at the intersection of the North right-of-way line of Westview
Avenue and the West right-of-way line of Antioch Road formerly known
as Stagecoach Road, run thence along the North right-of-way line of
Westview Avenue North 88 degrees 41 minutes 48 seconds West a
distance of 491.87 feet to a point; run thence North 01 degrees 26
minutes 00 seconds East a distance of 474.57 feet to a point; run
thence South 88 degrees 34 minutes 00 seconds East a distance of
93.33 feet to a point on the West right-of-way line of Antioch Road;
go thence along the Western right-of-way of Antioch Road on a chord
bearing South 38 degrees 39 minutes 20 seconds East with a chord
distance of 618.86 feet to the Point of Beginning. All in
accordance with a plat of survey prepared by Malcolm Burnsed,
Georgia Registered Land Surveyor No. 1691, dated August 20, 1997 and
entitled "Plat Property of Robert James Ray and Annie M. Ray," the
same being incorporated herein by specific reference thereto.

Subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular
the rights, members and appurtenances thereof, to the same being, belonging or
in anywise appertaining, to the only proper use, benefit and behoof of the said
Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

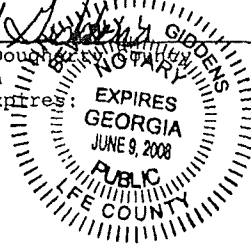
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered this
22nd day of September, 2006 in the
presence of:

Larry S. Owens
Witness

Bruce S. Owens
Notary Public, Douglas County, Georgia
State of Georgia
My Commission Expires: **EXPIRES
GEORGIA
JUNE 9, 2008**

File #12080-06



Robert J. Ray (SEAL)
Robert J. Ray

____ (SEAL)



APPLICATION TO AMEND THE ZONING MAP OF:
Albany, Georgia Dougherty County, Georgia

Property address: 1107 Antioch Road Albany GA 31705
 Name of property owner(s): Trevin McCallag
 Mailing address: 10709 Debraun Road
 City: Zebulon State: NC Zip code: 27597 Telephone: 229-894-6787

Name of applicant: Trevin McCallag
 Mailing address: 10709 Debraun Road
 City: Zebulon State: NC Zip code: 27597 Telephone: 229-894-6787

Zoning Classification:

Present zoning district C7
 Proposed zoning district C2

Current use: None
 Proposed use: Barber Shop / BBA

Please attach the following documents:

- A written legal description of the property giving the full metes and bounds description rather than plat reference.
- A copy of the deed verifying ownership status.
- Authorization by property owner form (if the property owner and applicant are not the same).
- A plat showing property lines with lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale (submit one copy of the plat if it is 11" x 17" or smaller. For larger plats, submit twenty copies).
- An 8" x 11" size map of the area (The map should be the same as the larger map).
- A disclosure of campaign contributions and gifts form.
- Filing fees should be paid when submitting the application. These fees are based on the zoning district that the applicant is applying for, and should be payable to the City of Albany.

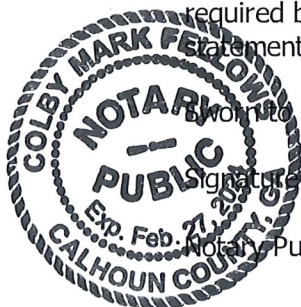
This application must be filed by the 10th of the month to be considered for the Planning Commission meeting of the following month.

I hereby authorize the Planning & Development Services Department staff to inspect the premises of the above described property and to place a public notice sign on the premises as required by law. I also hereby depose and say that all statements herein, and attached statements submitted are true and accurate to the best of my knowledge and belief.

I have read and subscribed before me this 24 day of August, 2020.

Signature of applicant: [Signature]

Notary Public: [Signature] My commission expires: 2-27-2024



(Staff use)

Posting fee: _____ Date paid: _____ Receipt: _____

PLANNING, DEVELOPMENT SERVICES & CODE ENFORCEMENT

P.O. Box 447 Albany, GA 31702 | Phone: 229.438.3901 | Fax: 229.438.3965 | www.albany.ga.us



VERIFICATION OF OWNERSHIP

Name of all owners: Trevis Antwan McCallough

Address: 10709 Debraam Road

City/State/Zip Code: Zebulon NC 27597

Telephone Number: (229) 894-6787

Property Location (give description if no address): 1107 Antioch Road
Albany Georgia 31705

I am the owner of the property listed above, which is the subject matter of the attached application, as shown in the records of the City of Albany, or Dougherty County.

[Signature] Owner Signature (all owners must sign) [Signature] Owner Signature (all owners must sign)

Personally appeared before me Colby Mark Fellows, who has stated that the information on this form is true and correct.

[Signature]
 Notary Public

8-7-2020
 Date

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the attached application.

Name: Hope McCallough

Address: 10709 Debraam Road

City/State/Zip Code: Zebulon NC 27597

Telephone Number: (229) 894-8239

PLANNING & DEVELOPMENT SERVICES



**APPLICANT/AGENT DISCLOSURE
CAMPAIGN CONTRIBUTIONS**
(Required by Title 36, Chapter 67A, Official Code of
Georgia Annotated)

The applicant filed on this date: 07 AUG 2020, to apply for a rezoning approval affecting described property as follows:

1107 Antioch Road Albany Georgia 31705

Yes No

☐ ☒ Within the last two years preceding the above filing date, the applicant has made campaign contributions aggregating \$250 or more to a member or members of the City Commission or County Commission who will consider application number _____.

(Please list the name(s) and official position of the local government official; the dollar amount; description, and date of each campaign contribution).

~~_____

_____~~

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

Sworn to and subscribed before me this 7th day of August, 2020.

[Signature]
Signature of Applicant

[Signature]
Notary Public
Commission expires 27-2024



MEMORANDUM

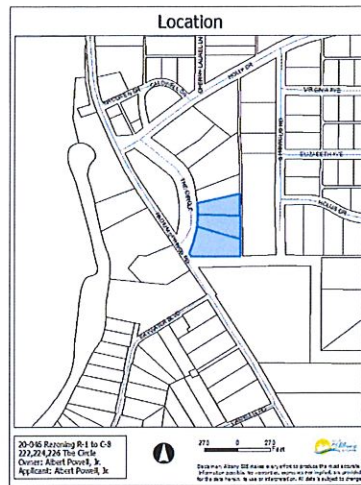
Date: December 4, 2020
To: The Board of County Commissioners
From: Albany Dougherty Planning Commission
Subject: #20-046 Rezoning (222, 224, 226 The Circle)

Albert Powell, Jr. (20-046) has submitted an application to the Albany Dougherty Planning Commission requesting that the official Zoning Map of Dougherty County be amended to rezone 3.982 acres from R-1 (Single-Family Residential District) to C-8 (Commercial Recreation District). The property fronts the east side of The Circle; the property address is 222, 224, and 226 The Circle. The property owner/applicant is Albert Powell, Jr.

Helen Young offered a motion to approve the request to rezone the property located at 222, 224, and 226 The Circle from R-1 to C-8; seconded by Art Brown; the motion carried 5-1 with the following votes:

William Geer	Tie or Quorum
Billy Merritt	No
Art Brown	Yes
Jimmy Hall	Yes
Sanford Hillsman	Absent
Yvonne Jackson	Absent
Aaron Johnson	Yes
Charles Ochie	Yes
Helen Young	Yes
Dominique Riggins	Absent

STAFF ANALYSIS AND REPORT APPLICATION #20-046 REZONING

**OWNER/APPLICANT:**

Albert Powell, Jr.

LOCATION:

222, 224, 226 The Circle

CURRENT ZONING/USE:

Zoning:

R-1 (Single-Family Residential District)

Use:

Vacant Property

PROPOSED ZONING/USE:

Zoning:

C-8 (Commercial Recreation District)

Use:

Event Center

ZONING/ADJACENT LAND USE:

North:

R-1 (Single Family Residential District)

Land Use:

Vacant Property

South:

R-1 (Single-Family Residential District),

C-8 (Commercial Recreation District)

Land Use:

Vacant Property, Radium Springs Gardens/Park

West:

C-8 (Commercial Recreation District)

Land Use:

Vacant Property, Radium Springs Gardens/Park

East:

R-1 (Single-Family Residential District)

Land Use:

Vacant Property, Single Family Residences

MEETING INFORMATION:

Planning Commission:

12/03/20, 2:00 P.M., Robert Cross Multipurpose
Facility, 3085 Martin Luther King, Jr. Dr.

Public Hearing:

01/04/21, 10:00 A.M., 222 Pine Avenue, Rm.100

RECOMMENDATION:**Denial to C-8 (Commercial Recreation
District)**

BASIC INFORMATION

The applicant requests to rezone 3.982 acres from R-1 (Single-Family Residential District) to C-8 (Commercial Recreation District). The property consists of three adjoining vacant parcels. An approved rezoning would allow for construction of an event center.

The proposed use will require Special Approval of the County Commission, which is a separate application. The applicant will submit the appropriate application pending approval of this application for rezoning.

PHYSICAL CHARACTERISTICS AND INFRASTRUCTURE

Public water and sanitary sewer serve this area. The property lies within the 100-Year Floodplain; its topography is generally level. A drainage canal adjoins the southern boundary of the property. Access is provided from the east side of The Circle between Holly Dr. and Radium Springs Rd.

RELEVANT ZONING HISTORY

Planning Department records indicate that the subject property and adjacent area to the east of Radium Springs Rd. has retained its original R-1 designation since the County adopted zoning in 1969. The east side of The Circle was rezoned from R-1 to C-8 in 1976.

PLANNING CONSIDERATIONS

Listed below are several issues for consideration in evaluating this rezoning application.

1. *Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?*

The applicant plans to develop the property as an event center (fabricated building) to include pavilions and associated parking areas. Several properties located on The Circle (north and west) are owned by Dougherty County and preserved as open space; there are no structures located on The Circle.

The development represents a dissimilarity with the residential land use to the east of Radium Springs Rd. and with the open space properties located on The Circle and to the west of Radium Springs Rd. (developed as a natural recreational and educational park).

2. *Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?*

The proposed use could affect any future development of the lot at 220 The Circle (privately owned); the R-1 designation allows for a single family dwelling, but it is

reasonable to assume that the owner would be hesitant to build a single family residence next to an event center. Also, noise from the event center could negatively impact the residential neighborhood to the east and disrupt the quietness of the Radium Springs Garden Park area to the west of Radium Springs Rd.

3. *Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?*

The property has a reasonable economic use as zoned. The current R-1 designation allows for single family residences and public/institutional uses.

4. *Will the rezoning proposal result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?*

- **Impact on Utilities:** The proposed use will not impact utilities.
- **Impact on School System:** The proposed use will not impact the school system.
- **Impact on Transportation Network:** Staff estimates that the impact of the rezoning on the surrounding transportation network would be as follows:

Road Capacity:

Road(s)	Traffic Capacity	ADT (2018)
Radium Springs Rd. @ Camilla Rd. Between Oakridge & Holly	20,600	3,560

Trip Generation: According to **Trip Generation (2018)**, a Recreational Community Facility could generate about nine (9) Saturday trips per 1,000 sq. ft. of gross floor area. The size of the proposed event center is not known at this time.

Road Improvements: According to the **FY 2018 - 2021 Transportation Improvement Program** and the **Dougherty Area Regional Transportation Study: 2040**, no state or federally funded projects are proposed for the area.

Road Classifications: Streets that provide access to the subject property are classified accordingly:

- Radium Springs Rd. is classified as an "Urban Minor Arterial" road.
- The Circle is classified as an Urban Local road.

Public Transit Routes: Albany transit does not serve this area

Accident Information: According to Traffic Engineering, the subject property is not located near a high traffic accident location.

Analysis: Road capacity is available to support the proposed rezoning and use.

5. *Is the rezoning proposal in conformity with the policy and intent of the Albany-Dougherty Comprehensive Plan for Development (2026)?*

The **Future Land Use Map** recommends low-density housing for the subject property and immediate area. The request to rezone the property to C-8 is not consistent with this recommendation. The west side of Radium Springs Rd. is recommended for Park/Recreation/Conservation uses and is developed as such (Radium Springs Gardens and Radium Springs Wildlife Observation Point).

6. *Are there other existing or changing conditions affecting the use and development of the property that provide grounds for approval or disapproval of the rezoning proposal as submitted?*

The Radium Springs Areawide Recovery and Development Plan, adopted by the County in 2019, includes The Circle within a rural neighborhood area and recommends the continuation of adjacent open space; commercial enterprises are slated to go closer to the Putney area. This recommendation, along with the Future Land Use Map, recommends that commercial development not be directed to this area.

Staff did not identify any other existing or changing conditions that support approval or disapproval of the rezoning application.

RECOMMENDATION

Staff recommends **denial** to rezone to C-8 (Commercial Recreation District).

Location



20-046 Rezoning R-1 to C-8
 222,224,226 The Circle
 Owner: Albert Powell, Jr.
 Applicant: Albert Powell, Jr.



270 0 270
 Feet



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Aerial



20-046 Rezoning R-1 to C-8
 222,224,226 The Circle
 Owner: Albert Powell, Jr.
 Applicant: Albert Powell, Jr.

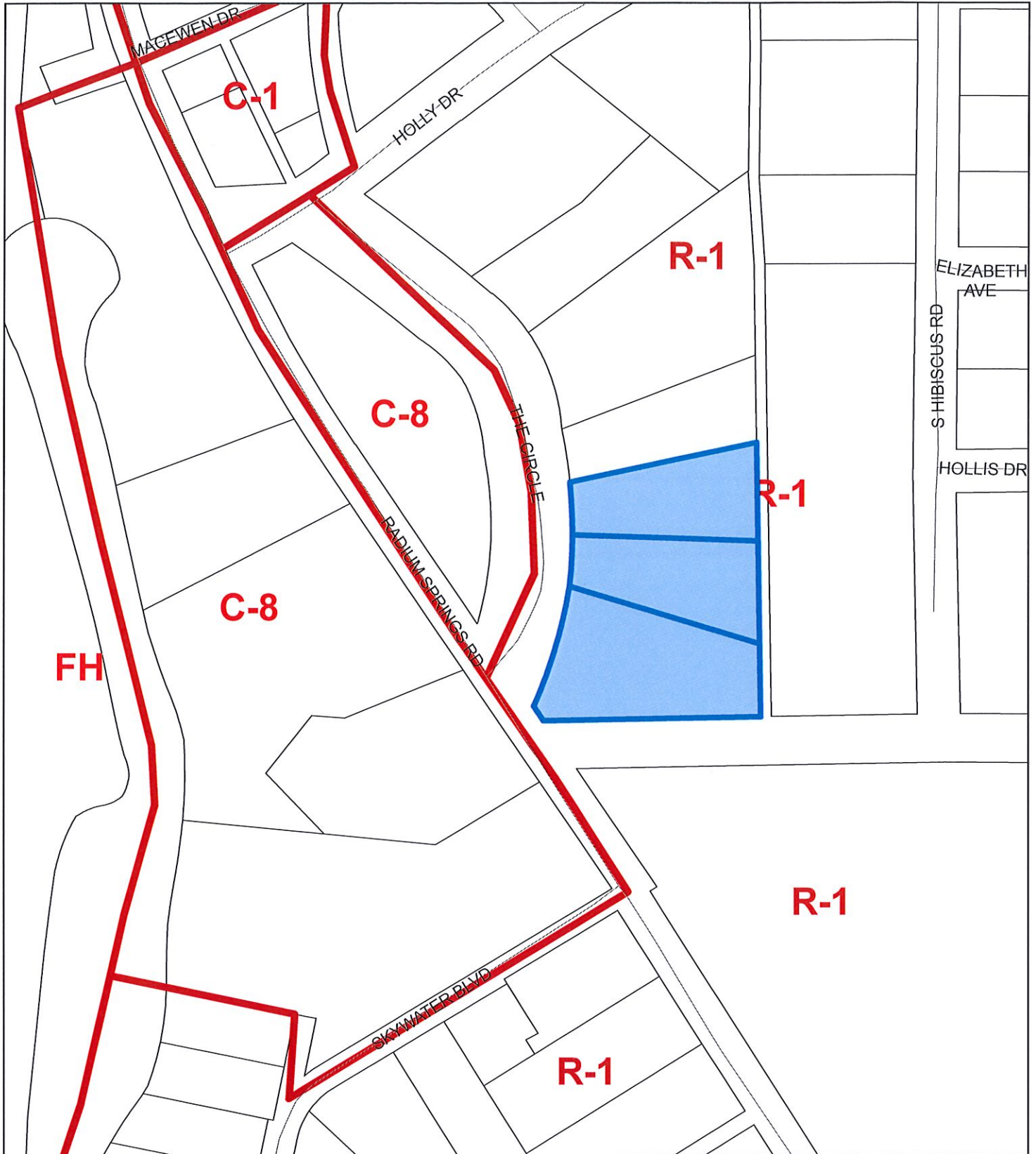


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Zoning



20-046 Rezoning R-1 to C-8
222,224,226 The Circle
Owner: Albert Powell, Jr.
Applicant: Albert Powell, Jr.



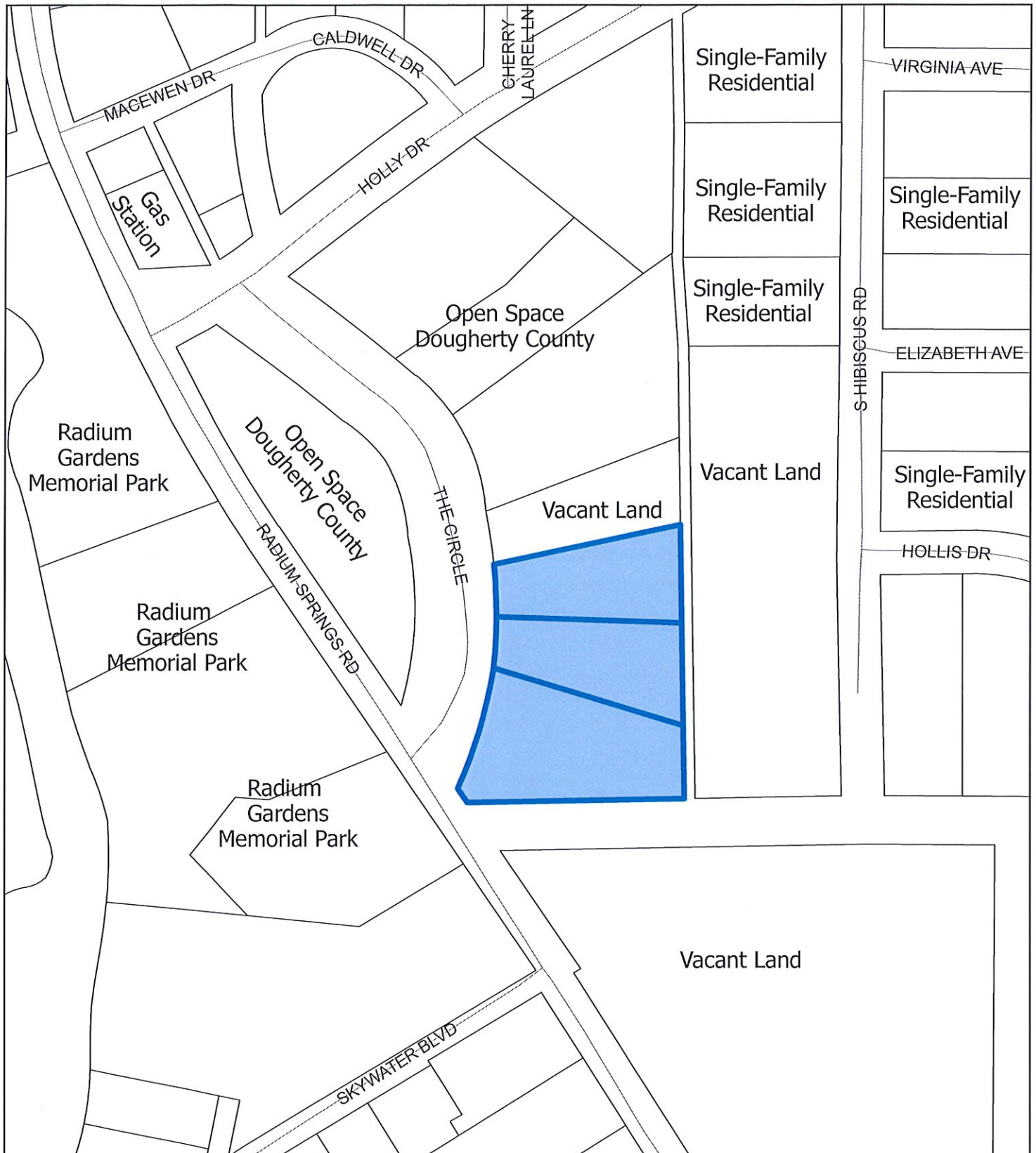
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Land Use

Item 9b.



20-046 Rezoning R-1 to C-8
 222,224,226 The Circle
 Owner: Albert Powell, Jr.
 Applicant: Albert Powell, Jr.



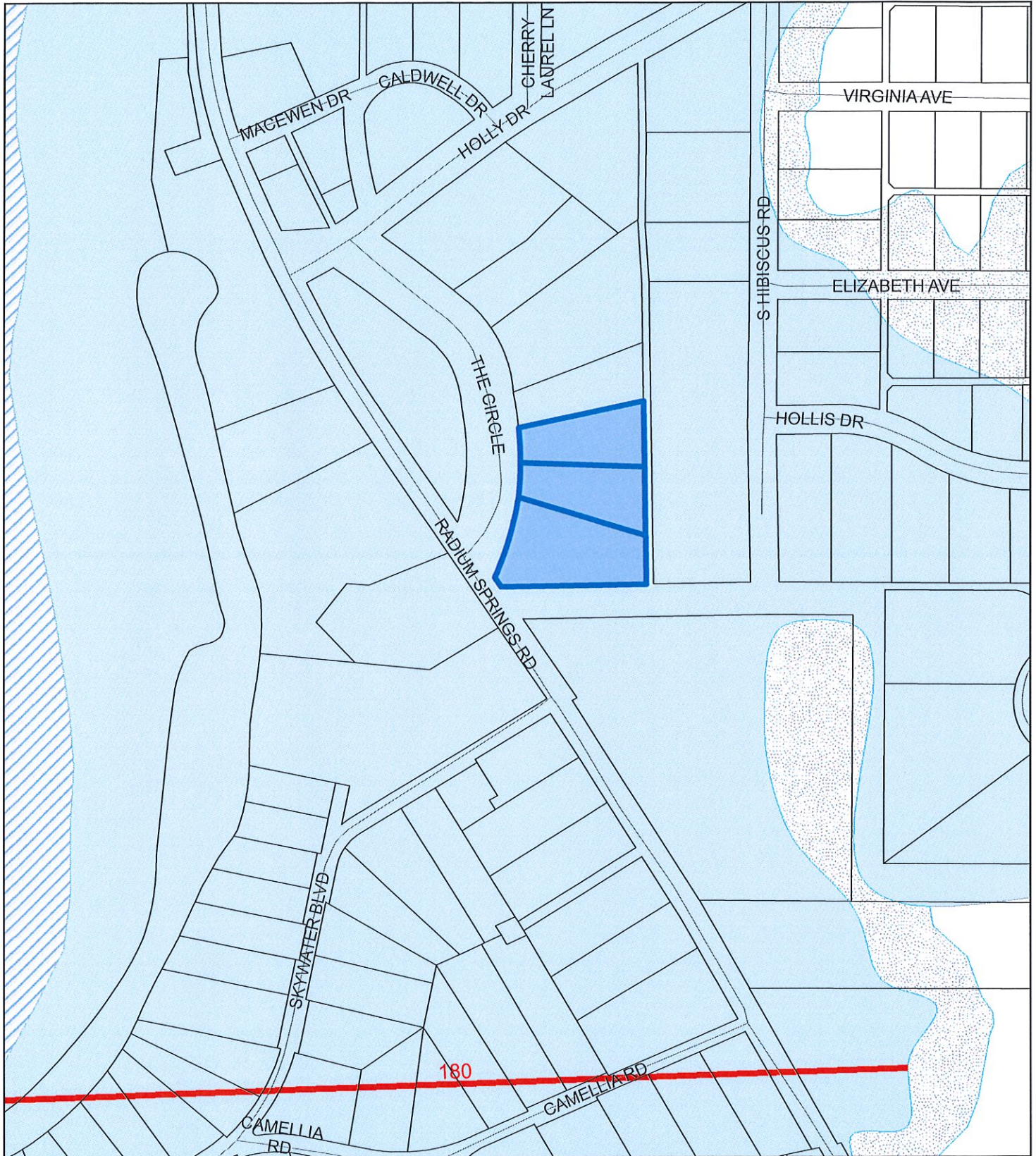
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100-Year Floodplain

Item 9b.



20-046 Rezoning R-1 to C-8
 222,224,226 The Circle
 Owner: Albert Powell, Jr.
 Applicant: Albert Powell, Jr.

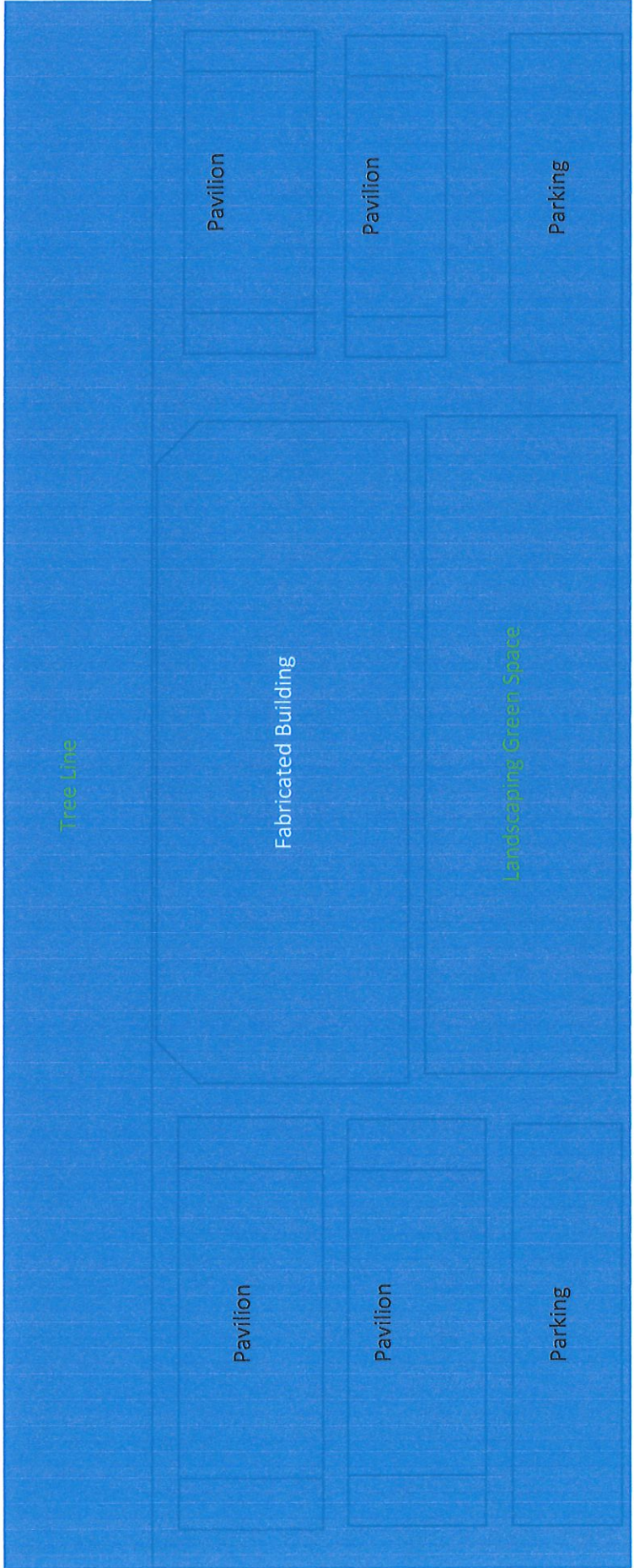


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**Admix Event & Venue Area
Radium Gardens, Albany Ga**



Drive Way

Drive Way

Drive Way

The Circle Road

→ Radium Springs Rd ←

Item 9b.

LEGAL DESCRIPTION

All that certain tract or parcel of land situate lying and being part of Land Lots 244 and 245 of the First Land District, Dougherty County, Georgia and being more particularly described as follows:

Begin at the Southeast right of way intersection of The Circle(150' R/W) and Radium Springs Road(70' R/W) and go 413.79' along the East right of way of The Circle along a non tangent curve to the left, having a radius of 629.83' and a chord bearing and distance of North 15 degrees 08 minutes 17 seconds East, 406.39'.

Go thence North 75 degrees 17 minutes 26 seconds East to the west side of a 20' unopen alley;

Go thence South 04 degrees 12 minutes 00 seconds West, 31.96' along the west side of said alley;

Continue thence South 00 degrees 12 minutes 00 seconds West, 475.51';

Go thence South 89 degrees 47 minutes 00 seconds West, 431.53', returning to the Point of Beginning.

Said tract or parcel contains 3.982 Acres more or less.



LIMITED WARRANTY DEED

**STATE OF GEORGIA
COUNTY OF DOUGHERTY**

This Indenture made this 6th day of August 2018 between Albert Powell, Jr., as party or parties of the first part, hereinafter called Grantor, and First Look Estate, LLC, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

Tract 1:

All that tract or parcel of land lying and being in Land Lots 244 and 245 of the First (1st) Land District of Dougherty County, Georgia, and being all of Lots 4, 5, 6, 7, and 8 of Block "F" of Radium Springs, Inc. revised subdivision plat of Section No. 1, according to a map or plat of said revised subdivision, recorded in Plat Book 2, Page 15 (Plat Cabinet 1, Slide A-39) in the office of the Clerk of the Superior Court of Dougherty County, Georgia.

Tract 2:

All that tract or parcel of land lying and being in Land Lot 245 of the First (1st) Land District of Dougherty County, Georgia, and being more particularly described as Lots F-18, F-19, and F-20, Section No. 1 of Radium Springs, Inc., according to a plat said subdivision as same is recorded in Plat Book 2, Page 15 (Plat Cabinet 1, Slide A-39) in the office of the Clerk of Superior Court of Dougherty County, Georgia.

Tract 3:

All that tract or parcel of land lying and being in Land Lot 245 of the First Land District of Dougherty County, Georgia, and being all of Lot 72 of Radium Springs, Inc., Section No. 3, according to a map or plat of said subdivision as same is recorded in Plat Book 2, Page 109 (Plat Cabinet 1, Slide A-51), in the office of the Clerk of Superior Court of Dougherty County, Georgia.

This conveyance and the warranties hereinafter contained are made subject to any and all restrictions, easements, covenants and rights-of-ways affecting said described property as shown on the above referenced plat of survey and as recorded in public records in addition to Restrictive Covenants of record at Deed Book 1222, Pages 295-308, further amended in Deed Book 1718, Pages 179-183, Clerk's Office, Dougherty Superior Court.

Said property is known as, under the present system of numbering for Dougherty County Georgia as 2514 Hibiscus Road, Albany, GA 31705.

THE SCRIVENER of this deed has not abstracted the subject property and does not certify to the title of same, nor does she certify to the description contained herein.

**APPLICATION TO AMEND THE ZONING MAP OF:****Albany, Georgia Dougherty County, Georgia**

Property address: 226, 224, 222 The Circle, Radium Springs
 Name of property owner(s): Albert Powell Jr (First Look Estate LLC)
 Mailing address: 100 Mato Cante Ct.
 City: Kathleen State: GA Zip code: 31047 Telephone: 229 395 1075

Name of applicant: Albert Powell Jr
 Mailing address: 100 Mato Cante Ct.
 City: Kathleen State: GA Zip code: 31047 Telephone: 229 395 1075

Zoning Classification:

Present zoning district R-1
 Proposed zoning district C-8

Current use: N/A
 Proposed use: Event Center

Please attach the following documents:

- A written legal description of the property giving the full metes and bounds description rather than plat reference.
- A copy of the deed verifying ownership status.
- Authorization by property owner form (if the property owner and applicant are not the same).
- A plat showing property lines with lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale (submit one copy of the plat if it is 11" x 17" or smaller. For larger plats, submit twenty copies).
- An 8" x 11" size map of the area (The map should be the same as the larger map).
- A disclosure of campaign contributions and gifts form.
- Filing fees should be paid when submitting the application. These fees are based on the zoning district that the applicant is applying for, and should be payable to the City of Albany.

This application must be filed by the 10th of the month to be considered for the Planning Commission meeting of the following month.

I hereby authorize the Planning & Development Services Department staff to inspect the premises of the above described property and to place a public notice sign on the premises as required by law. I also hereby depose and say that all statements herein, and attached statements submitted are true and accurate to the best of my knowledge and belief.

Sworn to and subscribed before me this 11 day of August, 2020.

Signature of applicant: [Signature]

Notary Public: Dein Clark

My commission expires: June 7, 2024

(Staff use)

Posting fee: _____ Date paid: _____ Receipt: _____



VERIFICATION OF OWNERSHIP

Name of all owners: Albert Powell Jr.
First Look Estate LLC
 Address: 100 Moto Cante Court
 City/State/Zip Code: Kathleen GA 31047
 Telephone Number: 229 395 1075

Property Location (give description if no address):

226, 224, 222 The Circle Radian Springs

I am the owner of the property listed above, which is the subject matter of the attached application, as shown in the records of the City of Albany, or Dougherty County.

[Signature]
 Owner Signature (all owners must sign) Owner Signature (all owners must sign)

Personally appeared before me Albert Powell Jr., who has stated that the information on this form is true and correct.

[Signature] August 11, 2020
 Notary Public Date

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the attached application.

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number: _____

Denise Clark
 Notary Public
 Worth County
 STATE OF GEORGIA
 Commission Expires
 7th Day of June, 2024



**APPLICANT/AGENT DISCLOSURE
CAMPAIGN CONTRIBUTIONS**
(Required by Title 36, Chapter 67A, Official Code of
Georgia Annotated)

The applicant filed on this date: 08/11/20, to apply for a rezoning approval affecting described property as follows:

226, 224, 222 The Circle, Radium Springs

Yes No

☐ ☒ Within the last two years preceding the above filing date, the applicant has made campaign contributions aggregating \$250 or more to a member or members of the City Commission or County Commission who will consider application number _____.

(Please list the name(s) and official position of the local government official; the dollar amount; description, and date of each campaign contribution).

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

Sworn to and subscribed before me this 11 day of August, 2020.


Signature of Applicant


Notary Public

Commission expires: June 7, 2024

Denise Clark
Notary Public
Worth County
STATE OF GEORGIA
Commission Expires
7th Day of June, 2024



MEMORANDUM

Date: December 4, 2020

To: The Board of County Commissioners

From: Albany Dougherty Planning Commission

Subject: #20-047 Special Approval (1729 Liberty Expressway SE)

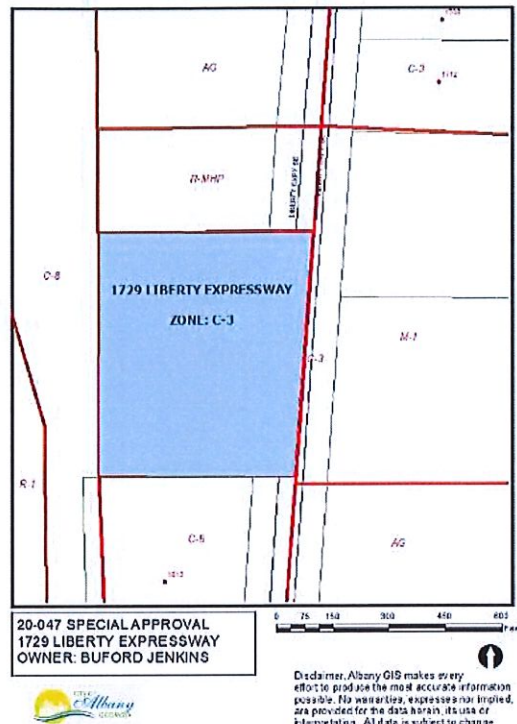
Buford Jenkins (20-047) has submitted an application to the Albany Dougherty Planning Commission requesting Special Approval to operate a Drive-In Movie with Inflatable Screens on 6.63 acres within the C-3 District. The property fronts the west side of Liberty Expressway SE about 1,100' south of the intersection of Williamsburg Rd. and Liberty Expressway SE; the property address is 1729 Liberty Expressway SE. The property owner/applicant is Buford Jenkins.

Art Brown offered a motion to approve the request to operate a Drive-In Movie located at 1729 Liberty Expressway SE; seconded by Helen Young; the motion carried 6-0 with the following votes:

William Geer	Tie or Quorum
Billy Merritt	No
Art Brown	Yes
Jimmy Hall	Yes
Sanford Hillsman	Absent
Yvonne Jackson	Absent
Aaron Johnson	Yes
Charles Ochie	Yes
Helen Young	Yes
Dominique Riggins	Absent

STAFF ANALYSIS AND REPORT APPLICATION #20-047 SPECIAL APPROVAL

LOCATION



OWNER/APPLICANT:	Buford Jenkins
LOCATION:	1729 Liberty Expressway
CURRENT ZONING:	C-3 (Commercial District)
CURRENT USE/PROPOSED USE:	Vacant Property / Drive-In Movie Theater
MEETING INFORMATION:	
Planning Commission	12/03/20, 2:00 P.M., Robert Cross Multipurpose Facility, 3085 Martin Luther King, Jr. Dr.
Public Hearing and Final Vote	1/04/21, 10:00 A.M., 222 Pine Ave., Rm. 100
RECOMMENDATION:	Approval

GENERAL INFORMATION: The applicant requests special approval to operate a Drive-In Movie Theater (Inflatable Screen) on a six-acre tract.

Special approval of the County Commission is required to operate an Outdoor Special Event Facility on one acre or more of property in the C-3 (Commercial) District.

SPECIAL APPROVAL CRITERIA

The Albany Dougherty Zoning Ordinance recommends that the Planning Commission consider the following factors for special approval requests:

1. The effect of the proposed activity on adjacent transportation network.

Road Capacity:

<u>Road(s)</u>	<u>Traffic Capacity</u>	<u>ADT (2019)</u>
Liberty Expressway SE (Liberty Ex. @ Williamsburg)	40,000	16,300

Trip Generation (2018) does not provide trip information on this type use.

Road Classifications: Liberty Expressway SE (US 19) is classified as an Urban Principal Arterial road.

Access to the site must be approved by GDOT. According to GDOT, the speed limit in this section of Liberty Expressway is 65 MPH, which will automatically require the need for a deceleration lane regardless of the number of trips generated. This should provide vehicle safety for entering the site.

Accident Information: Information from Traffic Engineering indicates that the property **is not** near a high-accident location.

2. The location of off-street parking facilities.

Two acres of individual parking spaces will be provided on each side of the double-sided inflatable screen.

3. The number, size and type of signs proposed for the site.

Two site identification signs will be located near the entrance of the property. Signage must comply with the Dougherty County Sign Ordinance.

4. The amount and location of open space.

Most of the six-acre lot will remain undisturbed.

5. Protective Screening.

The site is fenced and gated for security reasons.

6. Hours and manner of operation of the proposed use.

The drive-in movie theater will be open Friday and Saturday evenings from 7:00 pm. to 11:30 p.m.

7. Outdoor lighting.

Low intensity lighting will be provided for security reasons (pole lighting).

8. Ingress and egress to the property.

The property has access from Liberty Expressway. Access must be approved by GDOT.

9. Compatibility with surrounding land use.

The proposed use should be compatible with adjacent outdoor facilities to the west and north (US 19 Dragway and Albany Motor Speedway) and with industrial and agricultural operations to the east of Liberty Expressway.

10. Consistency with the Comprehensive Plan.

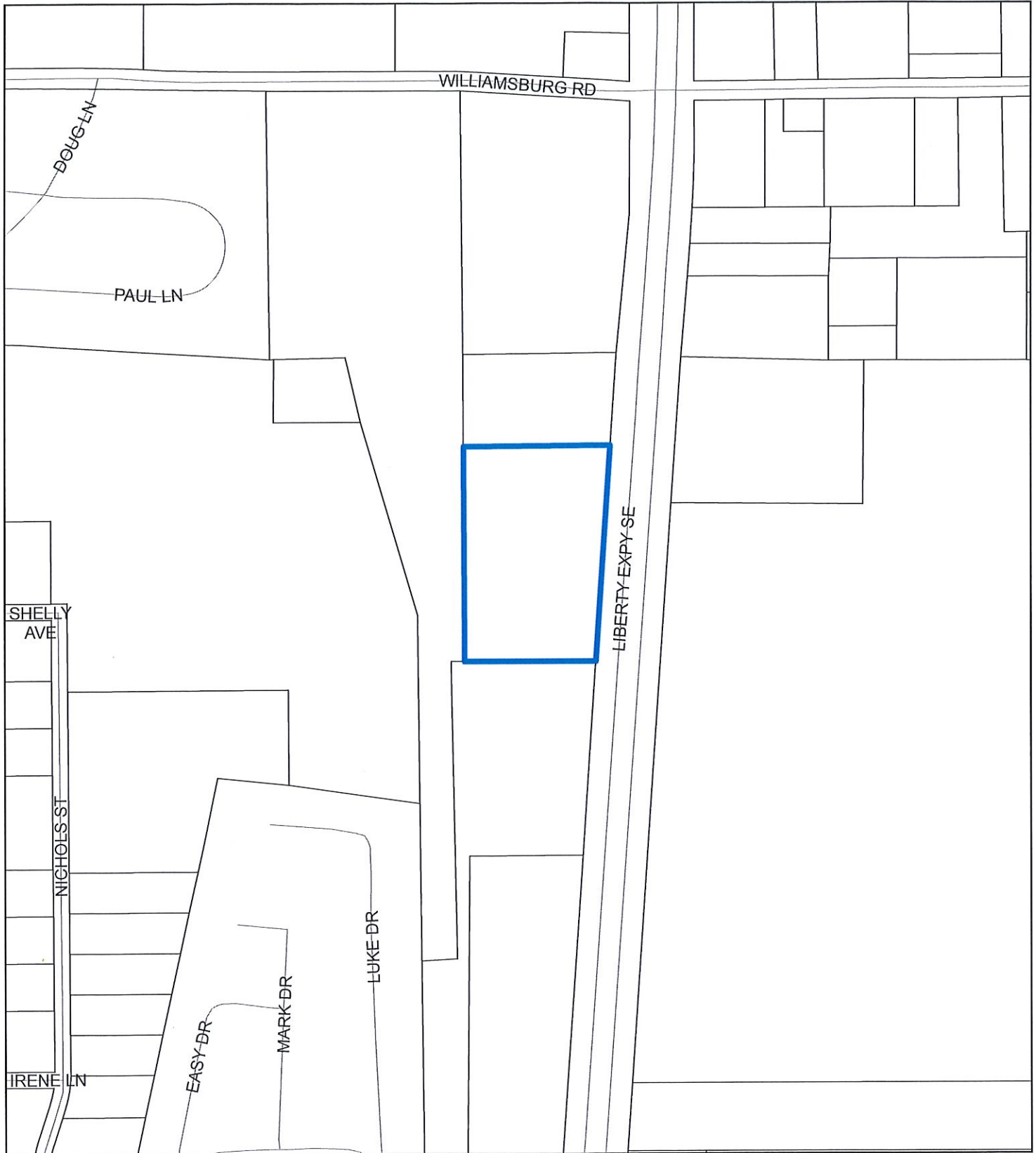
The **Comprehensive Plan (2026)** recommends commercial development for the subject property and adjacent properties located along the west frontage of Liberty Expressway; the proposed rezoning and use is consistent with this recommendation.

RECOMMENDATION

Staff recommends **approval** of this application.

Location

Item 9c.



20-047 Special Approval
1729 Liberty Expressway SE
Owner: Buford Jenkins
Applicant: Buford Jenkins



190 0 190 380 Feet



Disclaimer; Albany GIS makes every effort to produce the most accurate information possible. No warranties, expresses nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.

Aerial



20-047 Special Approval
1729 Liberty Expressway SE
Owner: Buford Jenkins
Applicant: Buford Jenkins



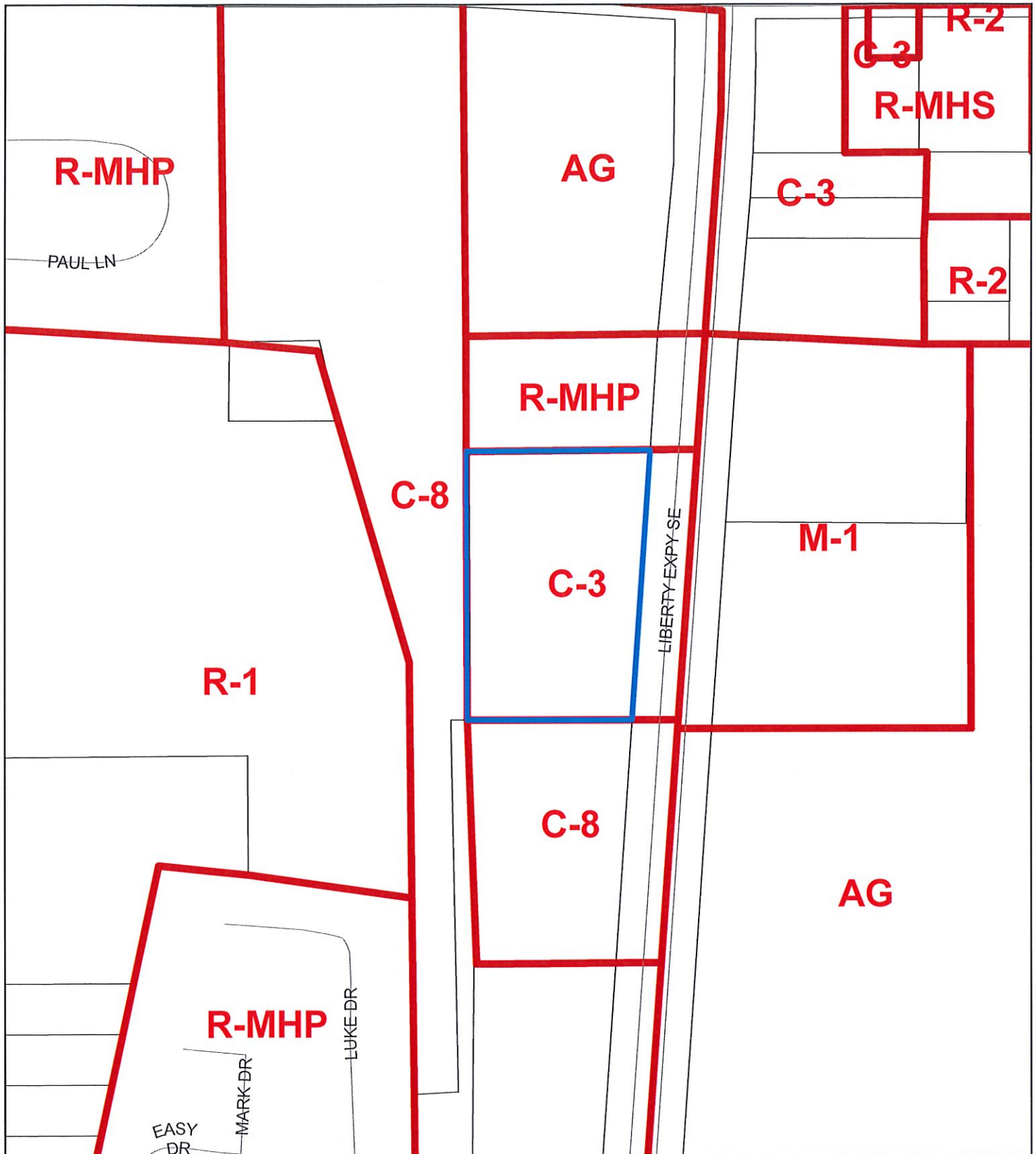
170 0 170 340 Feet



Disclaimer; Albany GIS makes every effort to produce the most accurate information possible. No warranties, expresses nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.

Zoning

Item 9c.



20-047 Special Approval
1729 Liberty Expressway SE
Owner: Buford Jenkins
Applicant: Buford Jenkins



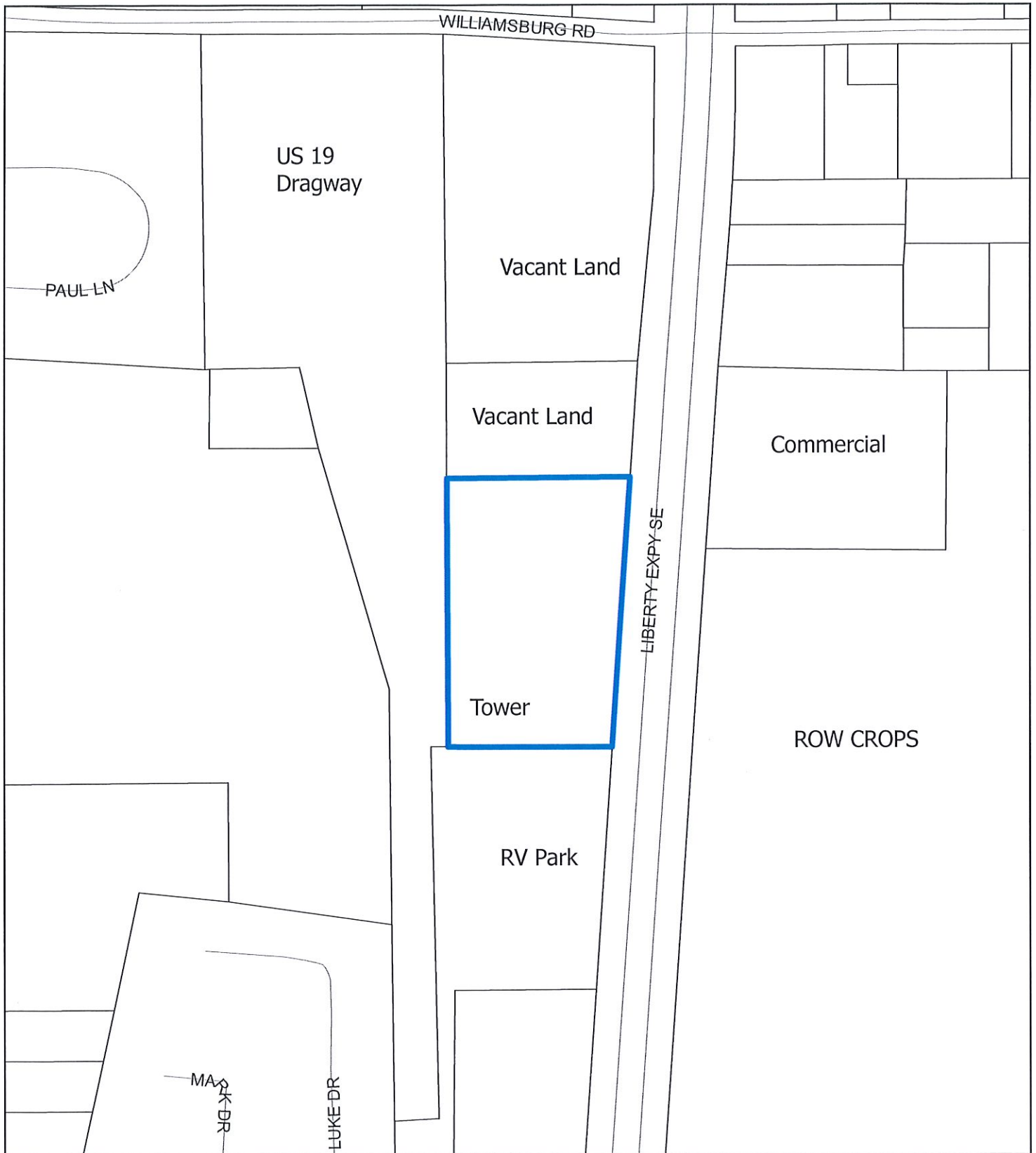
150 0 150 300
Feet



Disclaimer; Albany GIS makes every effort to produce the most accurate information possible. No warranties, expresses nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.

Land Use

Item 9c.



20-047 Special Approval
1729 Liberty Expressway SE
Owner: Buford Jenkins
Applicant: Buford Jenkins



150 0 150 300 Feet



Disclaimer; Albany GIS makes every effort to produce the most accurate information possible. No warranties, expresses nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.



ARTICLE 5: SPECIAL APPROVAL BY THE CITY/COUNTY COMMISSION (CC)

Section 5.01 APPLICATION FOR SPECIAL APPROVAL OF THE CITY/COUNTY COMMISSION.

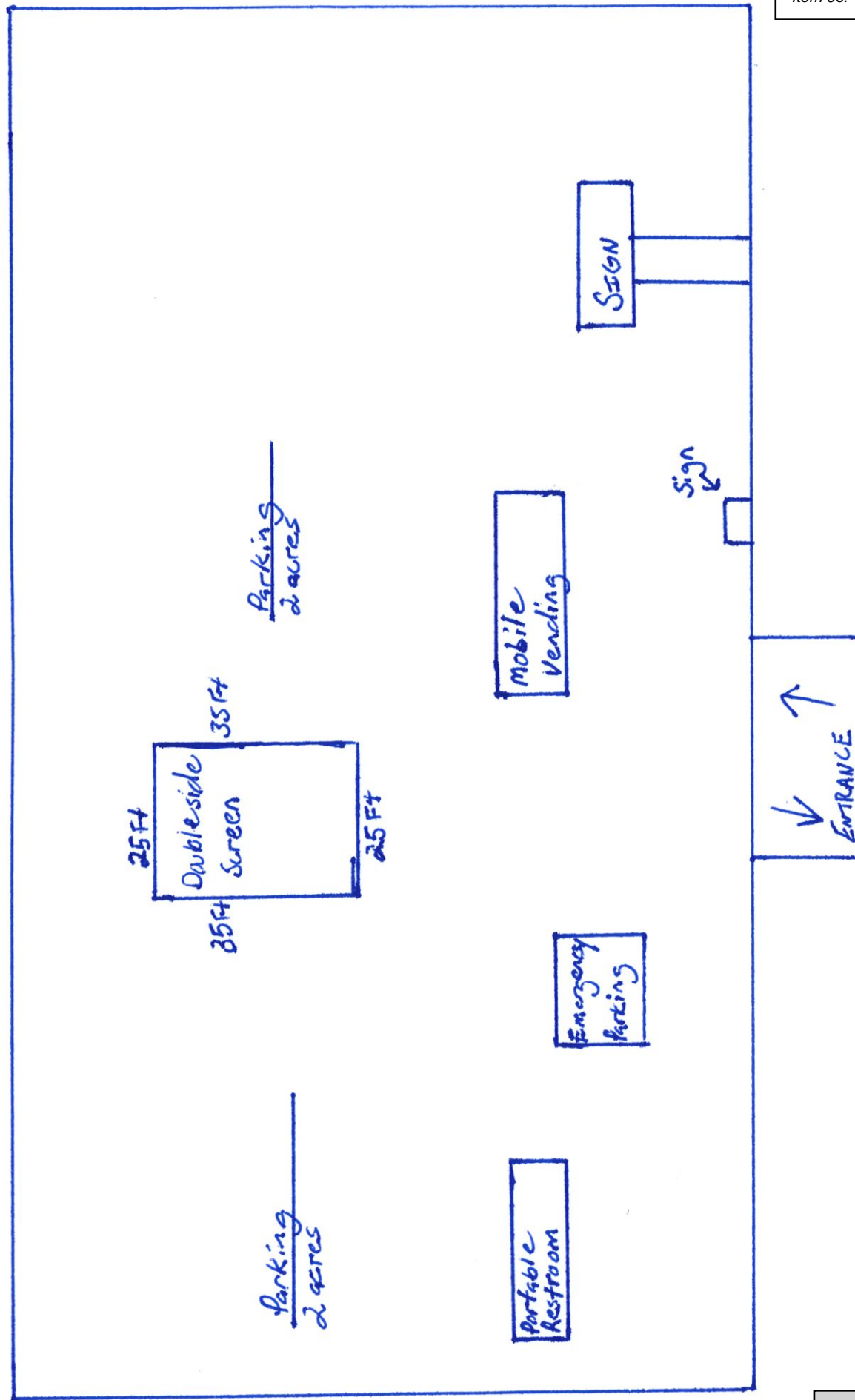
An application for special approval of the City/County Commission, for a use that is permitted under this Ordinance only after such special approval of the City/County Commission, shall include a letter of intent addressing all criteria listed below in this section, a site plan that includes all site plan review requirements found in following section 6.01, and basic project information from the applicant. The City/County Commission shall not take final action on the application until it has received a recommendation from the Planning Commission. An application may be approved, denied, or approved with conditions. In reviewing the application, the City/County Commission shall consider the following Special Approval Review Criteria: (See Section 6.01 for Site Plan requirements).

Special Approval Review Criteria

1. The effect of the proposed activity on traffic flow along adjoining streets. Will it adversely impact flow on adjoining streets? **NO - THERE ARE NO ADJOINING STREETS CONNECTED TO THIS PROPERTY.**
2. The location of off-street parking facilities. Are parking facilities adequate and properly located to serve the use and not impact surrounding properties? **YES - ALL PARKING IS LOCATED INSIDE OF THE FENCED LOT.**
3. The number, size and type of signs proposed for the site. **2 SIGNS: (1) 6x10 AND (1) 4x4 (ONE IS ILLUMINATED THE OTHER IS WOOD PAINTED)**
4. The amount and location of open space. Is open space adequate to preserve the character of the area and to reduce environment impacts? **THE TOTAL ACRES IS 10 ACRES. YES, THERE IS NO ENVIRONMENTAL IMPACT.**
5. Protective screening. Is screening adequate to protect the adjacent uses from any negative impacts of this use? **YES - SCREENING IS ADEQUATE BECAUSE ALL 10 ACRES ARE FENCED WITH LINK FENCE.**
6. Hours and manner of operation of the proposed use. Are they compatible with surrounding uses? **YES - HOURS ARE FRIDAY & SATURDAY 7:00 - 11:30 P.M.**
7. Outdoor lighting. **THERE IS ADEQUATE POLE LIGHTING OF THE ACREAGE SUPPLIED BY GEORGIA POWER.**
8. Ingress and egress to the property. Does it reduce negative impacts and/or does it enhance safety? **YES - THE PROPERTY HAS BEEN INSPECTED BY DOT AND WAS GIVEN A PERMIT TO EXPAND ENTRANCE TO ACREAGE THEREBY REDUCING NEGATIVE IMPACT AND ENHANCING SAFETY.**

BOTH APPROVED
BY DOT

1729 Liberty Expressway
Outdoor Magic Entertainment
6 acres





Special Approval Application

☐ City of Albany ☒ Dougherty County

Property Address: 1725-1729 LIBERTY EXPRESSWAY, ALBANY, GA 31705

Name of Property Owner(s): BUFORD JENKINS

Mailing Address: P.O. BOX 887

City: CAMILLA State: GA Zip Code: 31730 Telephone: 229.352.1473

Name of Applicant: BUFORD JENKINS

Mailing Address: P.O. BOX 887

City: CAMILLA State: GA Zip Code: 31730 Telephone: 229.352.1473

Current Use of Property: VACANT LOT / C-3

Property owner requests special approval to allow the following special use: _____

DRIVE-IN MOVIE WITH INFLATABLE SCREENS

The applicant is required to provide a site plan, an 8" X 11" copy of the site plan, and a letter of intent with each application. In the event the applicant is someone other than the current owner, the applicant must attach a letter of authorization signed by the current owner(s) of the property authorizing the filing of the application. This application must be filed by the 10th of the month to be considered for the meeting of the following month.

I hereby authorize the Planning, Development Services & Code Enforcement Department staff to inspect the premises of the above described property and to place a public notice sign on the premises as required by law. I also hereby depose and say that all statements herein, and attached statements submitted are true and accurate to the best of my knowledge and belief.

Sworn to and subscribed before me this 27 day of October, 20 20.

Signature of Applicant: [Signature]

Notary Public: [Signature] My commission expires: June 7, 2024.

(Staff Use)

Posting fee: \$640.⁰⁰ Date paid: 10/27/2020 Receipt: 139239

PLANNING, DEVELOPMENT SERVICES & CODE ENFORCEMENT

P.O. Box 447 Albany, GA 31702 | Phone: 229.438.3901 | Fax: 229.438.3965 | www.albany.ga.us

Denise Clark
Notary Public
North County
STATE OF GEORGIA
Commission Expires
7th Day of June, 2024



VERIFICATION OF OWNERSHIP

Name of all owners: Buford Jenkins

Address: 1725 - 1729 LIBERTY EXPRESSWAY

City/State/Zip Code: ALBANY / GA / 31705

Telephone Number: 229.352.1473

Property Location (give description if no address): _____

1725 - 1729 LIBERTY EXPRESS WAY
ALBANY, GA 31705

I am the owner of the property listed above, which is the subject matter of the attached application, as shown in the records of the City of Albany, or Dougherty County.

Buford Jenkins _____
 Owner Signature (all owners must sign) Owner Signature (all owners must sign)

Personally appeared before me Denise Clark, who
 has stated that the information on this form is true and correct.

Denise Clark _____
 Notary Public Date Oct. 27, 2020

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the attached application.

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number: _____

PLANNING & DEVELOPMENT SERVICES

Denise Clark
 Notary Public
 North County
 STATE OF GEORGIA
 Commission Expires
 7th Day of June, 2024



APPLICANT/AGENT DISCLOSURE
CAMPAIGN CONTRIBUTIONS
(Required by Title 36, Chapter 67A, Official Code of
Georgia Annotated)

The applicant filed on this date: OCTOBER 27, 2020 to apply for a rezoning approval affecting described property as follows:

1725 - 1729 LIBERTY EXPRESSWAY, ALBANY, GA 31705

Yes ☐ No ☒

Within the last two years preceding the above filing date, the applicant has made campaign contributions aggregating \$250 or more to a member or members of the City Commission or County Commission who will consider application number _____.

(Please list the name(s) and official position of the local government official; the dollar amount; description, and date of each campaign contribution).

N/A

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

Sworn to and subscribed before me this 27 day of October, 2020.

[Signature]
Signature of Applicant

[Signature]
Notary Public

Commission expires: June 7, 2020

Denise Clark
Notary Public
Worth County
STATE OF GEORGIA
Commission Expires
7th Day of June, 2024



APPLICANT/AGENT DISCLOSURE
CAMPAIGN CONTRIBUTIONS
(Required by Title 36, Chapter 67A, Official Code of
Georgia Annotated)

The applicant filed on this date: OCTOBER 27, 2020, to apply for a rezoning approval affecting described property as follows:

1725-1729 LIBERTY EXPRESSWAY, ALBANY, GA 31705

Yes No

☐ ☒ Within the last two years preceding the above filing date, the applicant has made campaign contributions aggregating \$250 or more to a member or members of the City Commission or County Commission who will consider application number _____.

(Please list the name(s) and official position of the local government official; the dollar amount; description, and date of each campaign contribution).

N/A

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

Sworn to and subscribed before me this 27 day of October, 2020.

Lamara Knighton
Signature of Applicant

Denise Clark
Notary Public

Commission expires: June 7, 2024

Denise Clark
Notary Public
Worth County
STATE OF GEORGIA
Commission Expires
7th Day of June, 2024



MEMORANDUM

Date: December 4, 2020
To: The Board of County Commissioners
From: Albany Dougherty Planning Commission
Subject: Proposed Text Amendment

At the November 16, 2020, Regular Meeting of the Board of County Commissioners, the County Commission authorized the Planning Commission and staff to provide a **Proposed Text Amendment to Title II, Article 2, Section 2.01 6 (a-n): Community Residence Requirements** of the Zoning Ordinance establishing regulations for the unincorporated County, including proposed amendments to **Title I, Article 5: Definitions** and to **Table II.2.01 Permitted Uses** subject to proposed **Section 2.01 6 (a-n)**.

Billy Merritt offered a motion to recommend approval for the proposed Text Amendment; seconded by Jimmy Hall; the motion carried 6-0 with the following votes:

William Geer	Tie or Quorum
Billy Merritt	Yes
Art Brown	Yes
Jimmy Hall	Yes
Sanford Hillsman	Absent
Yvonne Jackson	Absent
Aaron Johnson	Yes
Charles Ochie	Yes
Helen Young	Yes
Dominique Riggins	Absent

**A RESOLUTION
ENTITLED**

A RESOLUTION PROVIDING FOR AMENDING A PORTION OF TITLE II, DISTRICT REGULATIONS AND REQUIREMENTS OF THE ALBANY DOUGHERTY ZONING ORDINANCE SO AS TO ESTABLISH A NEW SECTION 2.01 6 ESTABLISHING COMMUNITY RESIDENCE REQUIREMENTS INCLUDING AN AMENDMENT TO TITLE I, ARTICLE 5: DEFINITIONS AND TO TABLE II. 2.01 PERMITTED USES SUBJECT TO THE NEW SECTION 2.01 6; REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Dougherty County, Georgia has found that it is in the best interest of the citizens of Dougherty County to amend its present Zoning Ordinance by amending a portion of Title II, District Regulations and Requirements of the Albany Dougherty Zoning Ordinance so as to establish a new Section 2.01 6 establishing Community Residence Requirements including an Amendment to Title I, Article 5: Definitions and to Table II 2.01 Permitted Uses subject to the new Section 2.01 6.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County, Georgia and it is hereby resolved by Authority of same as follows:

SECTION I The attached Dougherty County Community Residence Requirements amending a portion of Title II, District Regulations and Requirements of the Albany Dougherty Zoning Ordinance so as to establish a new Section 2.01 6 including an Amendment to Title I, Article 5: Definitions is hereby approved and the staff of the Albany-Dougherty Planning and Development Services Department is hereby authorized to make said change in the Albany Dougherty Zoning Ordinance.

SECTION II The attached Table II.2.01 Permitted Uses table subject to the new Section 2.01 6 amending Table II.2.01 is hereby approved and the staff of the Albany-Dougherty Planning and Development Services Department is hereby requested to make the necessary changes in the Albany Dougherty Zoning Ordinance.

SECTION III All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This the 4th day of January, 2021.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
Christopher S. Cohilas, Chairman

ATTEST:

County Clerk

Dougherty County Community Residences

Community Residence Requirements (NEW SECTION-Title II, Article 2, Section 2.01 6)

- (a) *Purpose and intent.* This section is intended to address the regulation of non-traditional living arrangements in existing single-family residential neighborhoods as well as in other zoning districts throughout the community. It is adopted in response to concerns that these types of living arrangements could impact the residential character of the neighborhoods in which they are located. This section is designed to help protect the character and stability of the county's neighborhoods while also maintaining a non-institutional setting for this type of housing.
- (b) *Applicability.* No person shall establish or operate a community residence (as defined in this ordinance), or let a person occupy any rooming unit in any community residence except in compliance with the provisions of this article.
- (c) *Business registration of existing community residences.* No person shall operate a community residence unless he holds a valid Occupational Tax Certificate (OTC) issued in the name of the operator and for the specific dwelling. Property owners operating a community residence shall register the community residence as an existing business within one hundred twenty (120) days from the effective date of this section. It shall be unlawful to continue to use or operate a community residence in the county after one hundred twenty (120) days from the effective date of this section, unless the community residence has been registered with the county. The county shall compile and maintain a list of registered community residences.
- (d) *Occupational Tax Certificate application requirements.* The application for an OTC shall include the agent of the property and the resident manager as applicable. The applicant for an OTC required by this section shall file with the application the following:
 - (1) A copy of the recorded plat for the property;
 - (2) A site plan, if no current as-built survey exists;
 - (3) A parking plan for the structure detailing where and how many vehicles are to be parked on site including a written statement describing the plan.

- (4) A floor plan of each floor of the building. Said floor plan shall be drawn to an acceptable architectural scale and shall show all stairs, halls, the location and size of all windows, the location and size of habitable rooms and the exits of each floor to be occupied. The intended use of every room in the building must be indicated on the floor plans submitted. For residences with 7 or more occupants (excluding employees or managers) complete architectural plans signed by a registered architect are required, and;
- (5) A written statement indicating the number of persons proposed to be accommodated or allowed on each floor. Services to be provided, if any.

Upon receipt of a complete application, the property may be assigned a conditional OTC. Conditional OTCs are granted to provide the applicant the local documentation necessary to apply for any required state license. This will be converted to permanent status when proof of state licensing is presented if applicable. Failure to provide a copy of the state license within 6 months voids the conditional OTC.

- (e) *State license.* When licensing is required by the state for the operation of a community residence as defined by this ordinance, proof of such license must be presented to obtain a permanent OTC. All such facilities shall display both their state license and OTC so they are plainly visible from the front doorway of the facility.
- (f) *Inspections.* All community residences must obtain fire and electrical inspections (where necessary, as a requirement of state or local laws) before either a certificate of occupancy or OTC may be issued or renewed by the County. Certification evidencing satisfactory inspections must be displayed in plain view visible from the front doorway of the facility.
- (g) *Distance separation.* Community residences shall be separated from any other community residence by a minimum of one thousand (1000) feet as measured from the property line of the existing licensed establishment to the property line of the proposed location. The method of measurement shall be the direct route of travel along a paved or otherwise improved route appropriate for public vehicular, bicycle or pedestrian traffic.
- (h) *Appointment of agent and agent responsibilities.* As part of the registration process, property owners of existing and new community residences shall appoint an agent, who lives in Dougherty County, as the person responsible for the property. The designated agent shall be available to be contacted twenty-four (24)

hours a day, seven (7) days a week. The agent is the party designated to receive all notices from the county concerning the use of the property. The name and telephone number of the agent responsible for the community residence will be provided by the county to any neighbors who contact the county with complaints about the community residence. The designated agent for the property shall be responsible for responding expeditiously to any complaints received by the county and resolving problems if they occur.

- (i) *Occupancy.* Maximum occupancy for any structure is determined by the location's zoning designation and the International Property Maintenance Code requirements.
- (j) *Construction, renovation, site improvements and design requirements.* In all residentially zoned districts, the square footage of an existing dwelling shall not be enlarged by more than 25 percent to facilitate use of the structure as a community residence. In no case shall alterations be permitted to an existing community residence for the purpose of increasing the number of persons served by such facility. Exterior modification of an existing dwelling and provision of required parking shall be compatible with the residential character of the surrounding neighborhood design and scale including landscaping. Any new construction shall be compatible with the residential character, scale and materials of the surrounding neighborhood and comply with historic district guidelines where applicable.
- (k) *Access by Public Right-of-Way.* Access to a community residence must be provided directly off an improved public right-of-way that meets either city or county standards.
- (l) *Signage.* Community residences must comply with the sign ordinance provisions in the zoning regulations for the underlying zoning district where the structure is located.
- (m) *Parking.* Parking congestion must be avoided. Both on-site and off-site parking shall conform to the standards contained elsewhere in this ordinance and be designed in such a way so as to be compatible with the residential character of the surrounding neighborhood.
- (n) *Responsibility for maintenance.* The property owner, property agent, and resident manager (where applicable) of each community residence shall be individually responsible for the maintenance of safe and sanitary conditions in every part of

the community residence. This is to include the maintenance of the exterior of the structure and landscaping. Exterior maintenance must be such that the structure's outward appearance is that of a residence, so as not to detract from the residential character of the neighborhood. Failure to meet these standards is grounds for non-renewal of the location's OTC.

(o) *Reasonable Accommodation Policy:*

Purpose

It is the policy of Dougherty County, pursuant to the Fair Housing Amendments Act of 1988, to provide individuals with disabilities reasonable accommodation in regulations and procedures to ensure equal access to housing, and to facilitate the development of housing for individuals with disabilities. The purpose of this section is to provide a formal procedure under which a disabled person may request a reasonable accommodation in the application of zoning policy, practice or procedures, and to establish relevant criteria to be used when considering such requests, all so as not to limit meaningful access to housing for the disabled.

Applicability

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities, or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures; or even waiving certain requirements when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment. A request for reasonable accommodation may be made by an individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use or zoning policy, practice or procedure acts as a barrier to fair housing opportunities.

This section is intended to provide for minor structural modifications and/or regulatory exceptions. Nothing in this section shall be interpreted to require the county to waive or reduce development or building fees associated with the granting of a reasonable accommodation request.

Application

Requests for reasonable accommodation shall be in writing and provide the following information:

A. Required information:

1. Applicant's name, address, and telephone number
2. Address of the property for which the request is being made
3. The name and address of the property owner and the owner's written consent to the application
4. The current use of the property
5. General information about the nature of the disability of the subject individual(s) that are the focus of the request
6. Zoning code provision, regulation or policy from which accommodation is being requested
7. Explain how the requested accommodation relates to the needs of the disabled person(s)

- B. Review with other land use applications: If the project for which a reasonable accommodation request is being submitted also requires some other land use approval (such as a rezoning) then the applicant shall submit the reasonable accommodation application first for a determination before proceeding with the other applications.

Approval Authority

1. Director of Planning. The Director of Planning has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter. The Director of Planning may refer the matter to the Planning Commission and or the Historic Preservation Commission as appropriate.
2. Planning Commission. The Planning Commission has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter, when referred by the Director of Planning or when a reasonable accommodation request includes any other land use request.
3. Historic Preservation Commission. The Historic Preservation Commission has the authority to decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter, when referred by the Director of Planning or when a reasonable accommodation request includes any exterior design modifications.

Notice Requirements

No advance notice or public hearing is required for consideration of reasonable accommodation requests before the Director of Planning. Requests for reasonable accommodation subject to review by the Planning or Historic Preservation

Commissions shall require advance notice but no public hearing. In this situation, advance notice shall be accomplished by including the request in the advertisement of the meeting agenda.

Decision

The Director of Planning shall render a written decision or refer the matter to the Planning Commission within 7 days after the application is complete. The Planning or Historic Preservation Commission shall approve, approve with conditions or deny the application, in writing, within 30 days of receiving the application from the Director of Planning.

Findings

The reviewing authority shall approve the application, with or without conditions, if it can make the following findings:

1. The housing will be used by a disabled person;
2. The requested accommodation is necessary to make specific housing available to a disabled person;
3. The requested accommodation would not impose an undue financial or administrative burden on the county; and
4. The requested accommodation would not require a fundamental alteration in the nature of a county program or law, including land use and zoning.

Appeal

A decision by the Director of Planning may be appealed within thirty (30) days to the Planning Commission and a decision of the Planning or Historic Preservation Commission may be appealed to the County Commission within thirty (30) days.

Fees

There shall be no fee for an application requesting reasonable accommodation. If the project for which the request is being made requires other planning permit(s) or approval(s), fees for applicable applications shall apply as established. There shall be no fees for appeals to decisions on reasonable accommodation.

Definitions (Title I, Article 5)

Child Care Institution (CCI): Any child-welfare facility which either primarily or incidentally provides full-time room, board and watchful oversight to six or more children through 18 years of age outside of their own homes, as licensed or commissioned by Georgia Department of Human Services, Office of Residential Child Care (ORCC). This may include, at the discretion of the Planning Director, child caring facilities also regulated by ORCC for individuals up to 21 years of age, including Outdoor Child Caring Programs (OCCP), Children's Transition Care Centers (CTCC), Maternity Homes, and Runaway and Homeless Youth Programs (RHYP).

Community Living Arrangement (CLA): Any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities (DBHDD).

Community Residence: A dwelling unit occupied by two or more typically unrelated persons as their normal place of residence, but in which separate cooking facilities are not provided for such resident persons. The term *community residence* includes but is not limited to fraternity house, sorority house, rooming house, boarding house, community living arrangement and personal care home. A retirement community, nursing home, hotel or motel or bed and breakfast inn shall not be deemed to be a group residence as herein defined.

Memory care services: means the additional watchful oversight systems, program, activities and devices that are required for residents who have cognitive deficits which may impact memory, language, thinking, reasoning, or impulse control, and which place the residents at risk of eloping, i.e. engaging in unsafe wandering activities outside the home.

Memory care unit: means the specialized unit or home that either holds itself out as providing memory care services or provides personal services in secured surroundings.

Personal care home: A building(s) in which housing, meals, and twenty-four-hour continuous watchful oversight for two or more adults are provided and which facility is licensed or permitted as a personal care home by the State of Georgia. The term *personal care home* shall not include a *child caring institution*, *transitional housing*, a *rehabilitation housing facility*, a

rooming house, a *boarding house*, or any facility that provides residential services for federal, state or local correctional institutions. *Personal care home* includes a *community living arrangement*, which is an establishment licensed by the state which undertakes through their ownership or management to provide or arrange for the provision of daily personal services, care or treatment for two or more adults who are not related to the owner or administrator and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities. The term also includes *memory care units* which provide memory care services in a secured environment.

- (1) *Family Personal Care Home*: A Personal Care home in a family type residence, non-institutional in character, which offers care for two to six adults.
- (2) *Group Personal Care Home*: A Personal Care home in a residence or other type of building that is non-institutional in character and offers care for seven to 15 adults.
- (3) *Congregate Personal Care Home*: A Personal Care home that offers care to 16 or more adults.

Personal Services: includes, but is not limited to, individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

Private home care provider: Provides “private home care services” which means an agency that is licensed to provide through its own employees or agents services at a client's residence that involves direct care to that client and includes nursing services, personal care tasks and companion or sitter tasks.

Recovery Residences: Housing for persons released from prison, jail or mental health facility who need a more restrictive environment than outpatient services to establish or maintain abstinence from alcohol and other drugs and criminal or other behavioral issues. *Recovery Residences* are categorized according to the intensity of the substance abuse services/counseling that is delivered.

- (1) *Standard Recovery Residences* require all residents to attend one or more hours of substance abuse services or counseling, or mental health counseling per week.

- (2) *Intensive Recovery Residences* require all residents to attend five or more hours of substance abuse counseling, or mental health counseling per week, delivered by certified substance abuse counselors.

Rooming, Lodging or Boarding House: A dwelling unit within which a resident family or manager offers lodging or lodging and meals, but no other personal services, to two or more unrelated adults in exchange for monetary compensation or other consideration.

Structured Housing: Housing for individuals who meet prison-release eligibility requirements but who do not have an available residence and for probationers or parolees who become displaced. Does not include substance abuse or mental health treatment, although other programs may be provided. Attendance at available programs is not required in Structured Housing.

Transitional housing facility: A building or buildings in which is provided long-term but no permanent living accommodations for more than six (6) persons who have no permanent residence and are in need of long-term housing assistance.

Table II.2.01 Permitted Uses

Zoning Districts	I-----Single-Family Residential-----I						I-----Traditional Mixed-Use-----I				I-----Business-----I			
	R-E 10 ac	R-G 2 ac	R-1 .3 ac	R-2 .2 ac	R-3 +du	R-MHS mobile	R-MHP rec/tralr	C-R th/apt	C-1 neigh'd business	C-5 OIR	C-6 tras	C-7 PD	C-2 mu	C-3 mu
Personal Care Home***														
Family Care Home 2-4 residents			Y	Y	Y	Y		Y						
Family Care Home 5-6 residents			CC	CC	CC	CC		Y						
Group Care Home 7-15 residents								Y	CC	Y	Y	CC	Y	Y
Congregate Care Home 16+ residents								Y	CC	Y		CC	Y	Y
Child Caring Institutions***														
Child-welfare facility 6 residents			CC	CC	CC	CC								
Child-welfare facility 7-15 residents								Y	CC	Y	Y	CC	Y	Y
Child-welfare facility 16+ residents								Y	CC	Y		CC	Y	Y
Recovery Residence								CC	CC					
Structured Housing								CC	CC					
Transitional Housing								CC	CC					
Miscellaneous Rooms for Rent														
Rooming House/Lodging House, min of a weekly stay, max 20 rooms									AR			CC	Y	Y
Bed and Breakfast, max 3 rooms ****	CC	CC	CC	CC	CC			AR	Y	Y	Y	CC	Y	Y
Inn, max 12 rooms									AR	Y		CC	Y	Y
Hotels/Motels and Similar Business Minimum guest unit size 250 sf									AR max 20 rooms	Y		CC	Y	Y
Day Care (including kindergartens)														
Family Day Care 6 or fewer clients	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y
Group Day Care 7-18 clients		CC	CC	CC	CC	CC		CC	Y	Y	Y	CC	Y	Y
General Day Care 19+ clients									AR	Y		CC	Y	Y

Y=Permitted AR=Administrative Review CC=City/County Commission Approval

Note: Special Use Permits require City/County approval as indicated by a CC

* On-site facility for employees' family members

** C-7 Uses shall include 20% residential and 20% commercial/retail

*** See Title II, Article 2, Section 2.01 for additional requirements.

CC/Cnty=County Commission Approval in County k=thousand sf=square feet H=All uses in the FH zo

= R-E and R-G district applies to County only

++ Applies only to Dougherty County. (Permitted as of right in the City of Albany)

See Title III Section 1.39.

****Not allowed in R-E, R-G, R-1, R-2, R-3, and C-R Districts in the County

**A RESOLUTION
ENTITLED**

**A RESOLUTION PROVIDING FOR THE APPROVAL AND ACCEPTANCE OF A PROCUREMENT
RECOMMENDATION DATED DECEMBER 10, 2020 WITH WC LAWN CARE IN THE AMOUNT OF
\$32,400.00 FOR THE PURPOSE OF PROVIDING FOR LAWN CARE SERVICES AT ALL DOUGHERTY
COUNTY EMS STATIONS AND THE DOUGHERTY COUNTY LIBRARIES; REPEALING
RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.**

WHEREAS, the Board of Commissioners of Dougherty County, Georgia is hereby desirous of approving and accepting a Procurement Recommendation dated December 10, 2020 with WC Lawn Care in the amount of \$32,400.00 for the purpose of providing for lawn care services at all Dougherty County EMS Stations and the Dougherty County Libraries.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County, Georgia and it is hereby resolved by Authority of same as follows:

SECTION I The attached Procurement Recommendation dated December 10, 2020 with WC Lawn Care (Albany) in the amount of \$32,400.00 is hereby approved and accepted. The County Administrator is hereby authorized to execute any and all documents necessary for full implementation of said Procurement Recommendation.

SECTION II All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This the 4th day of January, 2021.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
Christopher S. Cohilas, Chairman

ATTEST:

County Clerk



PROCUREMENT RECOMMENDATION

DATE: December 10, 2020

TITLE: DOCO Landscape/Lawn care

REFERENCE NUMBER: 21-021

OPENING DATE: November 2, 2020

BUYER: Kimberly M. Allen


Yvette Fields, Director

DEPARTMENT: DOCO Public Works

ACCOUNT NUMBER: General Fund

BUDGETED AMOUNT: \$55,000.00

DEPARTMENT CONTACTS: Jawahn Ware

RECOMMENDATION:

Recommend contracting with **WC Lawn Care, Albany, Georgia** to provide Landscape and Lawn care Maintenance at various County Buildings for a total expenditure of **\$32,400.00**.

BACKGROUND INFORMATION:

Bid Ref. #21-021 was advertised in the local paper, on the local access channel, and on the Georgia Procurement Registry. The bid opening was November 2, 2020. Seven (7) contractors submitted a bid.

This contract is for the lawn maintenance cycle which includes grass mowing, trimming, and edging, and proper removal/disposal of debris for the properties listed below.

EMS Stations

401 E. Honeysuckle

503 North Westover

1501 Clark Avenue

2040 Newton Road

1436 Palmyra Road

DOCO Libraries

2124 Waddell Avenue

2004 Stratford Drive

821 Oakridge Drive

300 Pine Avenue

2507 Dawson Road

CENTRAL SERVICES

**Other**

National Guard Armory-1500 N. Monroe Street

Mule Barn (101 S. Front Street) Located on Broad Avenue

Jeremy Brown, Project Engineer, and Larry Cook, Public Works Director, concur with this recommendation.

COUNTY ADMINISTRATOR ACTION:

☒ APPROVED

☐ DISAPPROVED

☐ HOLD

DATE

12/15/2020

COUNTY ADMINISTRATOR

List of documents attached:

Detailed Bid Tabulation



PROCUREMENT RECOMMENDATION

DATE: December 28, 2020

TITLE: **PW Admin Vehicle** DEPARTMENT: **1051 – Public Works**
 REFERENCE **Automobiles Manufactured in Georgia Initiative (AMIGI)** ACCOUNT **CIP Purchase - 3504110-542200**
 NUMBER: **contract 99999-001-SPD0000122** NUMBER:

OPENING DATE:

BUDGETED AMOUNT: **\$35,000**

BUYER: **Tina Strassenberg**

DEPARTMENT **Chuck Mathis**
 CONTACTS: **Russell Allenbaugh**


Yvette Fields, Director

RECOMMENDATION:

Recommend approval for the purchase of one (1) 2021 Kia Sorento from Mike Murphy Kia of Brunswick, Georgia. The expenditure will be \$31,079.00.

BACKGROUND INFORMATION:

Quote to purchase one (1) 2021 Kia Sorento LX as an administrative vehicle for the Public Works Department. The purchase will utilize the Automobiles Manufactured in Georgia Initiative (AMIGI) contract 99999-001-SPD0000122. The new vehicle will be replacing Unit 52260, a 2007 Ford Explorer.

COUNTY ADMINISTRATOR ACTION:

☒ APPROVED

☐ DISAPPROVED

☐ HOLD

COMMENTS:

12-31-2020
 DATE


 COUNTY ADMINISTRATOR

List of Documents Attached:

Quote

CENTRAL SERVICES

**A RESOLUTION
ENTITLED**

**A RESOLUTION PROVIDING FOR THE ACCEPTANCE AND EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE GEORGIA DEPARTMENT OF
NATURAL RESOURCES AND DOUGHERTY COUNTY, GEORGIA TRANSFERRING FROM THE
GEORGIA DEPARTMENT OF NATURAL RESOURCES TO DOUGHERTY COUNTY THE RIGHT TO
USE FOURTEEN PARCELS OF DNR OWNED PROPERTY FOR RECREATIONAL PURPOSES;
REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND FOR
OTHER PURPOSES.**

WHEREAS, the Board of Commissioners of Dougherty County, Georgia is desirous of approving and executing an Intergovernmental Agreement by and between the Georgia Department of Natural Resources and Dougherty County, Georgia transferring from the Georgia Department of Natural Resources to Dougherty County, Georgia the right to use fourteen parcels of DNR owned property for recreational purposes.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County, Georgia and it is hereby resolved by Authority of same as follows:

SECTION I The attached Intergovernmental Agreement by and between the Georgia Department of Natural Resources and Dougherty County, Georgia transferring from the Georgia Department of Natural Resources to Dougherty County the right to use fourteen parcels of DNR owned property for recreational purposes is hereby approved and the Chairman of the Board of Commissioners is hereby authorized to execute same and any and all other documents necessary for full implementation of the Intergovernmental Agreement.

SECTION II All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

This the 4th day of January, 2021.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
Christopher S. Cohilas, Chairman

ATTEST:

County Clerk

**INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE GEORGIA DEPARTMENT OF NATURAL RESOURCES
AND DOUGHERTY COUNTY, GEORGIA
(USE AGREEMENT)**

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement"), made this _____ day of _____ 2020, (the date to be inserted by the last party to execute) by and between the **GEORGIA DEPARTMENT OF NATURAL RESOURCES**, an agency of the State of Georgia (hereinafter referred to as the "Department"), and **DOUGHERTY COUNTY**, a political subdivision of the State of Georgia, whose address is Board of Commissioners of Dougherty County, Georgia, 222 Pine Avenue, Albany, GA 31702-5301, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, the State of Georgia holds title to and the Department is the custodian of that certain real property located in Dougherty County, Georgia, consisting of approximately 11 individual tracts that total 357 acres, more or less, together with all the improvements, tenements and appurtenances thereunto belonging or in any wise appertaining thereto, including the right of ingress and egress thereto and therefrom at all times and any improvements and other properties located thereon and used in connection therewith, as more particularly shown on Exhibits "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", and "O" attached hereto and incorporated herein by this reference (hereinafter "Premises"); and and

WHEREAS, pursuant to 1983 GA. CONST., ART. 9, SEC. 3, PARA. 1, the Department and the County may contract for any period not exceeding 50 years with each other for the provision of services, or for the joint or separate use of facilities or equipment; and

WHEREAS, the County desires additional open land to improve water quality and to expand their water education functions, historic preservation, wildlife conservation, and public interpretation and education about the values and vulnerabilities of the Flint River and passive recreation, which is defined here as recreation in the form of boating, hiking, primitive camping, fishing, running, jogging, biking, walking, skating, birding, observing or photographing nature, picnicking, playing non-organized sports, or engaging in free play; and

WHEREAS, the encouragement and facilitation of recreational opportunities is within the purview of the powers of the Department and the public policy of the State of Georgia as stated in O.C.G.A. § 12-3-5; and

WHEREAS, the County is empowered to provide recreational opportunities for their citizens and the public in general as stated in O.C.G.A. §36-64-2 and 36-64-3; and

NOW, THEREFORE, for and in consideration of the mutual public benefit and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1.
PREMISES

For and in consideration of the terms and conditions hereinafter set forth, and except as otherwise provided herein, the Department does grant to the County and the County does hereby accept exclusive possession of and permission to use the Premises.

2.
USE OF THE PREMISES

The County agrees that the Premises shall not be used for any illegal or unauthorized purpose. The County shall have use of the Premises for the purposes of providing additional open space to improve water quality and to expand its water education functions, historic preservation, wildlife conservation, and public interpretation and education about the values and vulnerabilities of the Flint River and to accommodate passive recreation, which is defined here as recreation in the form of boating, hiking, primitive camping, fishing, running, jogging, biking, walking, skating, birding, observing or photographing nature, picnicking, playing non-organized sports, or engaging in free play.

3.
CONSIDERATION

3.1 For and as partial consideration for the use of the Premises, the County agrees to keep each and every term and condition of this Agreement required to be kept by the County.

3.2 For and in partial consideration for the use of the Premises, the County agrees to provide for, at no cost to the Department, the construction of all improvements and renovations necessary for the Premises to be used for the purposes expressed herein.

3.3 For and in partial consideration for the use of the Premises, the County agrees to equip and operate the Premises at no cost to the Department.

4.
TERM

This Agreement shall be for a term of Fifty (50) years beginning on the date the right of use is conveyed to the County and ending at 11:59 P.M., prevailing legal time in Atlanta, Georgia, on the day immediately preceding the Fifty (50th) anniversary of the effective date hereof, unless sooner terminated as hereinafter provided. The right of the use of the Premises is herein granted to the County effective upon the execution of this Agreement.

5.
LIABILITY AND INSURANCE

5.1 General Liability Agreement: The County shall be jointly and severally responsible to the Department from the date this Agreement becomes effective or on the date the County takes possession of the Premises, whichever shall be earlier, for all injury to persons or damage of any kind to property, real or personal, resulting from any negligent act or omission or breach, failure or other default regarding the use of the Premises by the County, or any of its subtenants, its contractors, its agents, employees or others working at the direction of the County or on the County's behalf to the extent that Department suffers any loss therefrom.

5.2 Insurance Requirements

5.2.1 Insurance Certificates. The County shall, prior to taking possession, procure the insurance coverages identified below through commercial insurance or approved self-insurance at the County's own expense and shall furnish the Department an insurance certificate listing the Department as the certificate holder. The insurance certificate must provide the following:

- (a) Name and address of authorized agent
- (b) Name and address of insured
- (c) Name of insurance company(ies)
- (d) Description of policies
- (e) Policy Number(s)
- (f) Policy Period(s)
- (g) Limits of liability
- (h) Name and address of Department as certificate holder
- (i) Signature of authorized agent
- (j) Telephone number of authorized agent
- (k) Mandatory forty-five (45) days notice of cancellation/non-renewal (See 5.2.2(a) below).

5.2.2 Policy Provisions. Each of the insurance coverages required below, procured through commercial insurance, (i) shall be issued by a company licensed

by the Insurance Commissioner to transact the business of insurance in the State of Georgia for the applicable line of insurance, and (ii) shall be an insurer (or, for qualified self-insureds or group self-insureds, a specific excess insurer providing statutory limits) with a Best Policyholders Rating of "A" or better and with a financial size rating of Class V or larger. Each such policy shall contain the following provisions:

(a) The insurance company agrees that the policy shall not be canceled, changed, allowed to lapse, or allowed to expire until forty-five (45) days after the Department has received written notice thereof as evidenced by return receipt of registered letter or until such time as other insurance coverage providing protection equal to protection called for in this contract shall have been received, accepted, and acknowledged by the Department.

(b) The policy shall not be subject to invalidation as to any insured by reason of any act or omission of another insured or any of its officers, employees, agents or other representatives ("Separation of Insureds").

(c) Each Insurer is hereby notified that the statutory requirement that the Attorney General of Georgia shall represent and defend Department, State of Georgia, their employees and officers remains in full force and effect and is not waived by any policy of insurance. The Attorney General of Georgia shall represent and defend the Department, State of Georgia, their employees and officers. In the event of litigation, any settlement on behalf of the Department, State of Georgia, their employees and officers must be expressly approved by the Attorney General. The County and its insurance carrier may retain, but are not obligated to retain, counsel to assist with the defense of the Department, State of Georgia, their employees and officers, in which case there will be mutual cooperation between the Attorney General and such counsel.

(d) Self-insured retention, except for qualified self-insurers or group self-insurers, in any policy shall not exceed Ten Thousand Dollars (\$10,000.00).

5.2.3 Insurance Coverages. The County agrees to purchase through commercial insurance or approved self-insurance and have the authorized agent state on the insurance certificate that the following types of insurance coverages, not inconsistent with the policies and requirements of O.C.G.A § 50-21-37 have been procured by the County. The minimum required coverages and liability limits are as follows:

(a) Workers' Compensation. The County agrees to provide Workers' Compensation coverage in accordance with the statutory limits as established by the General Assembly of the State of Georgia. A group-insurer must submit a certificate of authority from the Insurance Commissioner approving the group insurance plan. A self-insurer must submit a certificate from the Georgia Board of Workers' Compensation stating that the County qualifies to pay its own workers'

compensation claims. The County shall require all subtenants or contractors using the property or performing work under this agreement to obtain an insurance certificate showing proof of Workers' Compensation.

(b) **Employers' Liability Insurance.** The County shall also maintain Employers Liability Insurance Coverage with limits of at least \$1,000,000 per occurrence. The County shall require all subtenants or contractors performing work under this agreement to obtain an insurance certificate showing proof of Employers' Liability Insurance Coverage.

(c) **Commercial General Liability Insurance.** The County shall provide Commercial General Liability Insurance (1993 ISO Occurrence Form or equivalent), which shall include, but need not be limited to, coverage for bodily injury and property damage arising from premises and operations liability, personal injury liability, fire coverage and contractual liability. The Commercial General Liability Insurance shall provide at minimum the following limits:

	Coverage	Limit
1.	Premises and Operations	\$1,000,000 per occurrence
2.	Personal injury	\$1,000,000 per occurrence
3.	General Aggregate	\$2,000,000 per policy
4.	Contractual	\$1,000,000 per occurrence

Additional Requirements for Commercial General Liability Insurance:

The policy or policies must be on an "occurrence" basis.

(e) **Insurance on Premises:** The County shall at all times have in place insurance coverage covering improvements and fixed equipment against "all risks" including, but not limited to, loss or damage by fire, lightning, explosion, windstorm or hail, smoke, aircraft, watercraft, vehicles, vandalism, sprinkler leakage, sinkhole collapse, volcanic action, earthquake, flood, falling objects, water damage, theft or collapse. Such insurance shall name the Department and the County as insureds as their interests may appear.

5.2.4 **Termination of Obligation to Insure.** Unless otherwise expressly provided to the contrary, the obligation to insure as provided herein shall not terminate until the end of the Term of this Agreement, as such Term may be renewed, modified or extended, or the County shall have vacated the Premises, whichever is the later.

5.2.5 **Failure of Insurers.** The County is responsible for any delay resulting from the failure of its insurance carriers or self-insurance program to furnish proof of proper coverage in the prescribed form, or for the insolvency or financial failure of such insurance carriers or self-insurance program.

6.
UTILITIES

At no cost to the Department, the County shall cause to be furnished and shall pay for all utilities including but not limited to water, gas, light, power, sanitation (sewage or otherwise), garbage pickup and disposal, telephone and other utilities or services required for the County's use of the Premises.

7.
WARRANTY AND REPRESENTATION

The County hereby acknowledges that the Department is making no representation or warranty whatsoever as to the title, the condition of or any other matter relating to the Premises. The County will accept the Premises "as is" "where is" and acknowledge that the Premises are suited for the uses intended by the County or may be made so by the County at no cost to the Department. Notwithstanding this waiver contained in this Section, the County does not waive any beneficial rights arising out of, or from, construction or design defects.

8.
INSPECTION, MAINTENANCE AND OPERATION

8.1 The County shall keep the Premises in good order and repair and shall be responsible for all repairs, maintenance and replacement, interior and exterior, structural and nonstructural, ordinary and extraordinary and foreseen and unforeseen, to the Premises. All costs and expenses necessary for the repair, maintenance and operation of the Premises shall be the sole responsibility of the County. Upon termination of this Agreement, the Premises shall be returned to the Department in as good or better condition as when the County took possession, natural wear and tear only excepted.

8.2 At no cost to the Department, the County shall put, keep and maintain, at its sole cost and expense, all interior and exterior portions of Premises, including but not limited to any sidewalks, bridges, parking areas and passageways adjoining the same in a clean and orderly condition.

8.3 If the Premises are totally destroyed by storm, fire, lightning, earthquake or other casualty, this Agreement shall terminate as of the date of such destruction. Damage to the Premises, or any part thereof, other than total destruction shall in no way relieve the County from their duties and obligations herein made and agreed to be kept by the County except to the extent those obligations are made impossible to perform, nor shall it otherwise relieve the County of the provisions of this Agreement. The County's obligation to maintain the Premises shall survive

the termination of this Agreement for those expenses or repairs incurred during the term of the County's occupancy.

9.

ASSIGNMENT AND SUBLETTING

9.1 The County may sublease portions of the Premises to others provided such sub-lessee's operation is a part of the general operation of the County under this Agreement and under the supervision and control of the County and provided such operation is within the purposes for which the Premises shall be used. Except as provided in the preceding sentence, the County shall not, without the prior written consent of the Department, assign this Agreement or any interest hereunder, or sublet the Premises or any part thereof. No assignment or sublease which the County enters into with respect to this Agreement shall in any way relieve the County of any responsibility, obligation or liability under this Agreement.

9.2 The Department may, without the consent of the County, transfer or assign this Agreement or any of Department's rights or duties hereunder to another agency, department or authority of the State of Georgia. Except as set forth above, no other assignment may be made by the Department without the prior written consent of the County.

10.

TERMINATION

10.1 Any party may terminate this Agreement with forty-five (45) days written notice to the other, if the other party defaults by failing to perform any of its obligations or duties hereunder and such default remains continuing thirty (30) days after such notice. If this Agreement is terminated by the Department pursuant to this provision, the County shall be deemed to have abandoned and surrendered the Premises, and the Department may, without legal process, enter upon and take immediate possession and control of the Premises to the complete exclusion of the County. The failure of a party to exercise such rights after one or more defaults shall not be a waiver of the rights of the party upon any subsequent default.

10.2 Any party may terminate this Agreement for convenience with three hundred sixty-five (365) days written notice to the other.

11.

NOTICES

Notices, requests, demands and other communications provided for hereunder shall be in writing or sent by facsimile transmission to the facsimile number indicated below (which shall be followed by an immediate telephone call to confirm delivery); mailed by first class United States certified mail, return receipt request; delivered by overnight carrier (such as, but not limited to, UPS, Federal

Express or DHL); or personally delivered to the applicable party at the addresses indicated:

In Case of the County, to:

County Administrator,
Dougherty County, Georgia
Post Office Box 1827
Albany, Georgia 31702

In case of Department, to:

Commissioner
Department of Natural Resources
2 Martin Luther King, Jr. Dr. SE
Suite 1252, East Tower
Atlanta, Georgia 30334
Facsimile: (404) 656-0770
Confirmation: (404) 656-3500

Or at such other address, facsimile or telephone number as time to time is designated by party receiving the notice.

12.

GENERAL PROVISIONS OF THIS AGREEMENT

12.1 The brief headings or titles preceding each section herein are merely for the purpose of section identification, convenience and ease of reference, and shall be completely disregarded in the construction of this Agreement.

12.2 All time limits stated herein are of the essence of this Agreement.

12.3 Each of the provisions of this Agreement shall apply, extend to, be binding upon and inure to the benefit or detriment of the Department and the County and to the successors and assigns of the Department and the County authorized under this Agreement. Each of the provisions of this Agreement shall be deemed and treated as real covenants running with the land during the term of this Agreement.

12.4 No failure of either party to exercise any right or power given to the other party under this Agreement, or to insist upon strict compliance by the other party with the provisions of this Agreement, and no custom or practice of the Department or the County at variance with provisions of this Agreement shall constitute a waiver of the County or the Department's right to demand exact and strict compliance by the other with the terms and conditions of this Agreement.

12.5 All rights, powers and privileges conferred by this Agreement upon the Department and the County shall be cumulative, and not restrictive, of those given by law.

12.6 Excepting only causes beyond the County's control and for causes and at times permitted hereunder, the County shall not abandon or vacate the Premises during the term of this Agreement. If the County abandons or vacates the Premises for a continuous period of 180 days or more, the County shall be in default of this Agreement.

12.7 The County shall vacate the Premises promptly upon the termination of this Agreement. Any holding over or continued use or occupancy of the Premises by the County after termination of this Agreement without express written consent of the Department shall not constitute a Tenancy-At-Will in the County, but the County shall be a Tenant-At-Sufferance and may be required to vacate the Premises immediately without notice.

12.8 If any provisions in this Agreement or any portion thereof should be ruled void, invalid, or unenforceable or contrary to public policy by any court of competent jurisdiction, then any remaining portions of such provisions and all other provisions of this Agreement shall survive and be applied, and any invalid portion shall be construed or reformed to preserve as much of the original words, terms, purpose and intent as shall be permitted by law.

12.9 Should any provision of this Agreement require judicial interpretation, it is agreed and stipulated by and between the parties hereto that the court interpreting or construing the same shall not apply a presumption that the provisions hereof shall be more strictly construed against one party by reason of the rule of construction that an instrument is to be construed more strictly against the party who prepared the same.

12.10 In the enjoyment of the use herein granted by the Department to the County and of the rights and privileges incident thereto, the County shall at all times comply with all applicable laws of the State of Georgia and of the United States, all applicable rules and regulations promulgated pursuant to any and all such laws, and all applicable local codes, ordinances, rules and regulations. The County shall not in their use and occupancy of the Premises discriminate on the basis of race, gender, color, national origin, religion, age or disability. This provision may be enforced by termination of the Agreement, by injunction, and by any other remedy available at law to the Department.

12.11 No estate in land shall pass out of the Department by virtue of this Agreement.

12.12 Each party hereby certifies that it has complied with, and will continue to comply with during the term of this Agreement, the applicable provisions of the

Georgia Security and Immigration Compliance Act, O.C.G.A. § 13-10-90 *et seq.*, and any applicable provisions of the rules of the Georgia Department of Labor, Rule 300-10-1-.01 *et seq.*, implementing the Act.

12.13 The parties certify that this Agreement does not and will not violate the provisions of O.C.G.A. § 45-10-20 *et seq.* in any respect.

12.14 The parties represent that they have the right, power and authority to enter into this Agreement and that no further approvals, permissions, or consents of any sort from any persons or entities are necessary for them to enter into this Agreement.

13.

MODIFICATIONS AND AMENDMENTS

No modification of or amendment to this Agreement shall be binding on either party hereto unless such modification or amendment shall be in writing and signed by authorized representatives of both the Department and the County.

14.

IMPROVEMENTS AND GRANTS

14.1 Upon commencing use of the Premises, the County may install and operate, at no cost to the Department, in and on the Premises such additional fixtures, trade fixtures, equipment, machinery and appliances as the County shall consider necessary for the permitted purposes hereof; provided that the County complies with all laws, rules and regulations regarding the installation and operation thereof. Except as may otherwise be provided in this Agreement; the County may remove any of their personal property from the Premises without the prior consent of the Department. Upon the expiration or earlier termination of this Agreement, the County shall have one hundred and twenty (120) days within which to remove the County's personal property from the Premises. The County shall repair any damage to the Premises caused by the installation or removal, at any time, of personal property. Any equipment or personal property of the County remaining on the Premises beyond such one hundred twenty (120) day period after the expiration or early termination of the Agreement shall be deemed the property of the Department and may be retained or disposed of by the Department at the Department's discretion without accounting to the County for the proceeds of any sale thereof. The County acknowledges that all equipment and personal property located at or on the Premises will be at the County's risk and the Department shall not be liable for any damage thereto or loss thereof.

14.2 All buildings and other items placed upon the property by the County that are customarily considered to be real property shall remain upon the property at the expiration or earlier termination of the Agreement and the ownership of such

buildings and items shall be vested in the State at the time that the building or item is placed upon the property.

14.3 The County agrees to provide for the construction, at no cost to the Department, of any improvements necessary for the Premises to be used for the purposes expressed herein. Other than installing equipment and other personal property as set forth in Section 14.1, the County agrees that no improvements to the Premises, whether new construction, modification, alteration or renovation, either interior or exterior in nature, shall be commenced until plans and specifications for the improvements have been reviewed and approved in writing by the Department and any necessary building permits have been obtained by the County.

14.4 The Department understands that the County may seek various grants in connection with its use of the Premises pursuant to this Agreement, and the Department agrees to cooperate fully with such efforts including, without limitation, execution of any necessary documents showing the County's and the City's right of use of the Premises to obtain such grants.

15.

RIGHT TO INSPECT AND USE PREMISES

The Department reserves the right and the County agrees to permit representatives of the Department to enter the Premises at all reasonable times for the purposes of inspecting the Premises and determining compliance with this Agreement.

IN WITNESS WHEREOF, the Department and the County, acting by and through their duly authorized hereinafter named officers, have caused these presents to be signed, sealed and delivered all as of the date hereof.

(SIGNATURES CONTINUED ON NEXT PAGE)

SIGNED, SEALED AND
DELIVERED in the
presence of:

**DEPARTMENT OF NATURAL
RESOURCES**

By: _____
Mark Williams
Commissioner

Witness

Notary Public

(NOTARY SEAL)

My Commission Expires:

SIGNED, SEALED AND
DELIVERED in the
presence of:

**BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA**

By: _____
Christopher S. Cohilas
Chairman

Witness

Notary Public

(NOTARY SEAL)

My Commission Expires:

Exhibit A
Map of the Property

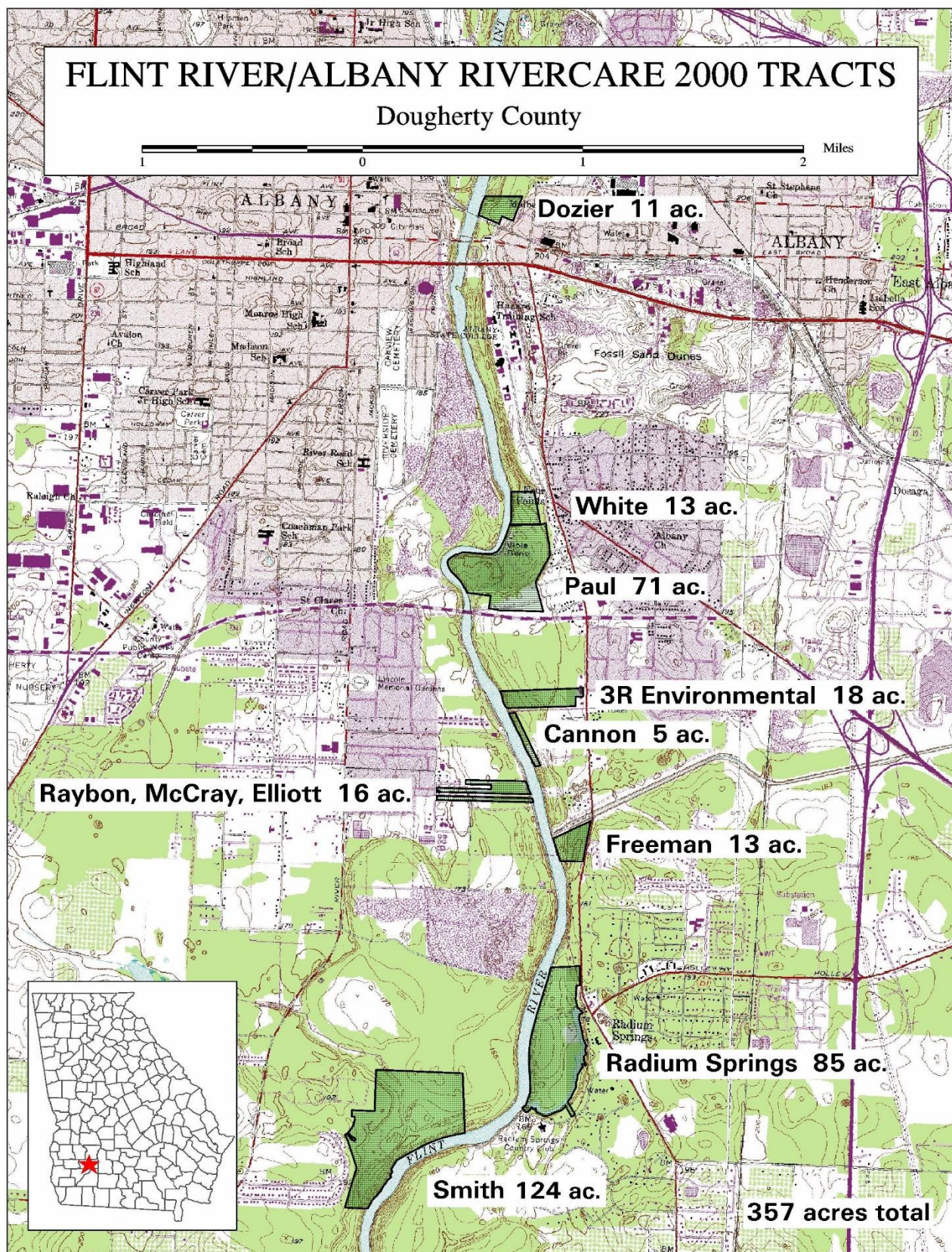


Exhibit B Dozier Tract

BOOK 2165 PAGE 325

All that tract or parcel of land containing approximately 11.26 acres, situate, lying and being in Land Lot 268, First Land District, Dougherty County, Georgia, as shown on a March 24, 2000, revised August 11, 2000, plat of survey prepared for the Department of Natural Resources by Royal Surveyors, Inc., more particularly M. Rhett Royal, Georgia Registered Land Surveyor No. 2156, a copy of which is recorded in Plat Cabinet 1, Slide 2684, in the Office of the Clerk of Superior Court, Dougherty County, Georgia, and incorporated herein and made a part hereof by this express reference thereto, said property being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at U.S.G.S. Monument, Reference Mark Darrow A Reset P.I.D. - B.T. 2238, N:568706.99, E:2312387.99, Grid Coordinates, Georgia West Zone, NAD83, travel thence North 59° 36' 38" West a distance of 10,384.14' to a Georgia Department of Natural Resources monument, the Point of Beginning; thence travel North 66° 41' 38" West a distance of 525.46' to a point where a DNR monument is set at the top of river bank; thence travel North 16° 46' 43" East a distance of 272.17' to a point along the Flint River water line as of March 24, 2000; thence travel North 19° 11' 35" East a distance of 131.81' to a point; thence travel North 24° 03' 59" East a distance of 70.79' to a DNR monument set; thence travel North 89° 26' 32" East a distance of 891.51' to a DNR monument set; thence travel South 19° 42' 18" West a distance of 634.49' to a point where a DNR monument has been set; thence travel North 67° 46' 55" West a distance of 286.69' to a point where a DNR monument has been set; thence travel South 19° 52' 21" West a distance of 195.00' to a DNR monument, THE POINT OF BEGINNING.

LAW OFFICES
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& GOLDSMITH, LLP
1 WESTGATE DRIVE
DRAWER 71708
BANY, GEORGIA
31709-1708
(912) 863-2441

10-347.001/503-46

12-20-00

609600

Exhibit C White Tract

BOOK 2110 PAGE 110

All that tract of land containing 13.32 acres, situate, lying and being in Land Lot 266, First Land District, Dougherty County, Georgia, as shown on a March 24, 2000 plat of survey prepared for the Department of Natural Resources by Royal Surveyors, Inc., more particularly M. Rhett Royal, Georgia Registered Land Surveyor No. 2156, a copy of which is recorded in Plat Cabinet 1, Slide C-61-F, in the Office of the Clerk of Superior Court, Dougherty County, Georgia, and incorporated herein and made a part hereof by this express reference thereto, said property being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the U.S.G.S. Monument located on Mitchell Avenue, Reference Mark Darrow A Reset P.I.D. - B.T. 2238, N:568706.99, E:2312387.99, Grid Coordinates, Georgia West Zone, NAD83, travel thence South 81° 54' 49" West a distance of 8,015.28' to a monument, the Point of Beginning; thence travel South 13° 51' 57" East a distance of 798.57' to a monument; thence travel South 71° 18' 44" West a distance of 813.45' to a DNR monument set at top of river bank; thence travel South 71° 18' 44" West a distance of 22.03' to a point; thence travel along the Flint River North 14° 59' 08" East a distance of 324.66' to a point; thence travel North 03° 19' 27" West a distance of 694.90' along the Flint River to a point; thence travel North 86° 20' 04" East a distance of 41.25' to a DNR monument set at top of river bank; thence travel North 86° 20' 04" East a distance of 516.30' to the Point of Beginning.

RECORDED DATE: 7-13-2000
IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

22-145.003/503-47

009600

Exhibit D Paul Tract

BOOK 2110 PAGE 107

File Number: 06102000-Gardner

All that tract or parcel of land containing 71.444 acres, situate, lying and being in part of Land Lot 266, First Land District, City of Albany, Dougherty County, Georgia, as shown on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/Paul Tract", dated April 6, 2000, prepared by J. B. Faircloth & Associates, P.C., J. B. Faircloth, Registered Land Surveyor No. 2120, which shall be recorded in Plat Cabinet 1, Slide C636, Dougherty County Public Records, and being more particularly described as follows:

BEGINNING at the location where Land Lot Line 266 intersects the Northern boundary of Oakridge Drive (260' right-of-way), said point being U.S.G.S. Monument, Grid Coordinates, North, NAD 83 Georgia West Zone, N:564713.7605 and E: 2303771.7444; travel thence North 85° 37' 18" West a distance of 243.00' to a point; travel thence North 04° 22' 42" East a distance of 300.00' to a DNR monument set; travel thence North 85° 37' 18" West a distance of 571.56' to a point; thence travel North 22° 48' 57" West a distance of 46.02' to a point; thence travel North 31° 27' 13" West a distance of 246.63' to a point along the low water mark as of April 6, 2000; thence travel North 39° 56' 13" West a distance of 103.45' to a point; thence travel North 48° 59' 03" West a distance of 277.39' to a point; thence travel North 30° 45' 06" West a distance of 157.67' to a point; thence travel North 00° 06' 43" East a distance of 95.90' to a point; thence travel North 35° 14' 58" East a distance of 116.07' to a point; travel thence North 58° 01' 04" East a distance of 133.10' to a point; thence travel North 80° 17' 45" East a distance of 83.45' to a point; thence travel North 59° 38' 35" East a distance of 94.04' to a point; thence travel South 88° 36' 03" East a distance of 574.87' to a point; thence travel North 81° 13' 35" East a distance of 127.45' to a point; thence travel North 71° 32' 18" East a distance of 77.78' to a point; thence travel North 57° 21' 55" East a distance of 56.73' to a point; thence travel North 33° 45' 58" East a distance of 139.12' to a point; thence travel North 24° 34' 42" East a distance of 174.28' to a point; thence travel North 17° 30' 44" East a distance of 156.53' to a point; thence travel North 71° 18' 44" East a distance of 813.43' to a DNR monument found; thence travel North 71° 18' 44" East a distance of 108.51' to a DNR monument set, which is located on the West boundary of Barbre Lane (50' right-of-way); travel thence around the curve on the Western boundary of Barbre Lane, said curve having a bearing of South 02° 52' 25" East a distance of 23.63', said curve having a length of 23.85' and a radius of 50'; thence travel South 10° 47' 00" East a distance of 254.49' to a point; thence travel around a curve having a chord of South 14° 43' 56" East a distance of 56.70', a length of 56.75', and a radius of 411.67' to a point; thence travel South 18° 40' 52" East a distance of 49.74' to a point; thence travel along a curve having a chord bearing of South 13° 31' 59" East a distance of 64.68', said curve having a length of 64.76' and a radius of 360.39' to a point; thence travel South 08° 22' 06" East a distance of 275.74' to a point; thence travel along a chord having a bearing of South 08° 34' 35" West a distance of 87.33', a length of 88.61' and a radius of 149.67' to a point; thence travel South 25° 32' 16" West a distance of 594.31' along the Western boundary of said Barbre Lane (40' right-of-way); thence travel along a curve having a chord bearing of South 03° 31' 25" West a distance of 162.36', a length of 166.43' and a radius of 216.58' to a point; thence travel South 18° 29' 27" East a distance of 642.88' to a point where a DNR monument is set; thence travel South 88° 35' 36" West a distance of 1057.45' to the Point of Beginning.

LAW OFFICES
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WEAT & GOLDSMITH, LLP
2405 WESTGATE DRIVE
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31706-1780
(912) 863-2441

PAUL, LEG/501-49

RECORDED DATE: 7-13-2000

IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

006606

Exhibit E 3R Environmental Tract A

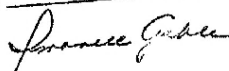
BOOK 2138 PAGE 093

Tract A:

To find the Point of Beginning, commence at USGS Monument, Reference BV 088 204, N:562933.987, E:2305824.166, Grigg Coordinates, Georgia West Zone, NAD 83, where a DNR monument has been set, the Point of Beginning; thence travel South 01° 14' 14" East a distance of 200.00' to a point along the Western boundary of Radium Springs Road (86' right-of-way) where a DNR monument has been set; thence travel South 84° 59' 18" West a distance of 167.00' to a point where a DNR monument has been set; thence travel South 01° 14' 14" East a distance of 225.00' to a point where a DNR monument has been set; thence travel South 84° 59' 12" West a distance of 1,630.68' to a point along the bank of the Flint River as of May 8, 2000, where a DNR monument has been set; thence travel North 04° 27' 06" West a distance of 2,723' to a point; thence travel North 38° 41' 06" West a distance of 111.41' to a point; thence travel North 29° 39' 26" West a distance of 85.28' to a point; thence travel North 06° 48' 08" West a distance of 132.14' to a point; thence travel North 35° 46' 00" West a distance of 110.06' to a point where a DNR monument has been set; thence travel North 84° 59' 18" East a distance of 1,983.13' to a point located on the Western boundary of Radium Springs Road where a DNR monument has been set, the Point of Beginning. Said tract is described as Tract A and contains 17.565 acres.

RECORDED
DATE:

10-2-00



, CLERK

LAW OFFICES
GARDNER, WILLIS,
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2408 WESTGATE DRIVE
P.O. DRAWER 71788
ALBANY, GEORGIA
31708-1788
(912) 883-2441

10-201.003/503-55

009552

"Said property is more particularly shown on a Plat recorded in Plat Cabinet 1, Slide C65G in the office of the Clerk of Superior Court of Dougherty County, Georgia and incorporated herein and made a part hereof."

Exhibit F

3R Environmental Tract B

BOOK 2137 PAGE 349

To find the Point of Beginning, commence at USGS Monument, Reference BV 088 204, N:562933.987, E:2305824.166, Grigg Coordinates, Georgia West Zone, NAD 83, where a DNR monument has been set, the Point of Beginning; thence travel South 01° 14' 14" East a distance of 200.00' to a point along the Western boundary of Radium Springs Road (86' right-of-way) where a DNR monument has been set; thence travel South 84° 59' 18" West a distance of 167.00' to a point where a DNR monument has been set; thence travel South 01° 14' 14" East a distance of 225.00' to a point where a DNR monument has been set; thence travel South 84° 59' 12" West a distance of 1,630.68' to a point along the bank of the Flint River as of May 8, 2000, where a DNR monument has been set, the Point of Beginning; from said Point of Beginning, travel thence North 04° 27' 06" West a distance of 2,723' to a point; thence travel North 38° 41' 06" West a distance of 111.41' to a point; thence travel North 29° 39' 26" West a distance of 85.28' to a point; thence travel North 06° 48' 08" West a distance of 132.14' to a point; thence travel North 35° 46' 00" West a distance of 110.06' to a point; thence travel South 84° 59' 18" West a distance of 20.88' to a point located at the low water mark of the Flint River as of May 8, 2000; thence travel South 31° 11' 38" East a distance of 109.75'; thence travel South 07° 58' 11" East a distance of 144.30' to a point; thence travel South 33° 53' 15" East a distance of 207.03' to a point; thence travel North 84° 59' 12" East a distance of 22.38' to the Point of Beginning. Said tract is more particularly described as Tract B and contains 0.280 acres.

RECORDED
DATE

10-2-00



, CLERK

LAW OFFICES
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ALBANY, GEORGIA
31706-1788
(912) 883-2441

10-259.006/503-55

009552

"Said property is more particularly shown on a Plat recorded in Plat Cabinet 1, Slide C65G in the office of the Clerk of Superior Court of Dougherty County, Georgia and incorporated herein and made a part hereof."

Exhibit H Raybon Tract

BOOK 2134 PAGE 312

All that tract or parcel of land containing 5.557 acres, situate, lying and being in part of Land Lots 304 and 320, First Land District, City of Albany, Dougherty County, Georgia, shown on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/Raybon Tract", dated April 6, 2000, prepared by J. B. Faircloth & Associates, P.C., J. B. Faircloth, Registered Land Surveyor No. 2120, which shall be recorded in Plat Cabinet 1, Slide C65F, Dougherty County Public Records, and being more particularly described as follows:

BEGINNING at the intersection of the Southern boundary of Swaggott Road and the Eastern boundary of Joshua Street (60 foot right-of-way), said point being the Northwest corner of Lot 6, Swaggott Subdivision, as evidenced on a plat recorded in Plat Book 2, Page 266, Dougherty County Public Records; thence travel South 00° 04' 00" West a distance of 83.10' to a DNR monument found; thence travel South 89° 55' 25" East a distance of 1301.67' to a point where a DNR monument has been set; thence travel North 00° 04' 00" East a distance of 103.10' to a point; thence travel North 89° 56' 00" West a distance of 616.67' to a point where a DNR monument has been set; thence travel North 00° 04' 00" East a distance of 103.10' to a point where a DNR monument has been set; thence travel South 89° 56' 00" East a distance of 1439.93' to a point along the low water mark of the Flint River as of April 6, 2000; thence travel South 41° 11' 30" East a distance of 40.2' to a point; thence travel South 08° 23' 23" East a distance of 59.51' to a point; thence travel South 18° 54' 28" East a distance of 107.61' to a point; thence travel South 28° 24' 07" East a distance of 17.47' to a point; thence travel North 89° 56' 00" West a distance of 901.83' to the DNR monument set, the Point of Beginning. Said tract contains 5.557 acres.

RECORDED DATE: 9-22-2000
IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

LAW OFFICES
GARDNER, WILLIS,
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(912) 983-2441

10-256.001/503-48

006524

Exhibit I McCray Tract A

BOOK 2123 PAGE 305

All that tract or parcel of land containing 5.0370 acres, situate, lying and being in part of Land Lots 304 and 320, First Land District, City of Albany, Dougherty County, Georgia, as shown on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/McCray Tract", dated March 23, 2000, prepared by Richard M. Pace, Registered Land Surveyor No. 1508, which shall be recorded in Plat Cabinet 1, Slide 264F Dougherty County Public Records, and being more particularly described as follows:

Tract I:

COMMENCE at the intersection of the Eastern boundary of Joshua Street (60 foot right-of-way) and the South right-of-way of Swaggott Road; go thence along the Eastern boundary of Joshua Street South 00° 04' 35" West a distance of 83.10' to the Point of Beginning. From this Point of Beginning, travel South 89° 55' 25" East a distance of 2,165.50' to a point on the top bank of the Flint River; go thence South 29° 42' 35" East a distance of 115.22' to a point on the top bank of the Flint River where a DNR monument is set; go thence North 89° 55' 25" West a distance of 2,222.74' to a point on the Eastern boundary of Joshua Street; go thence along the East right-of-way of Joshua Street North 00° 04' 35" East a distance of 100.00' to the Point of Beginning. Said tract contains 5.0370 acres.

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(912) 883-2441

10-223 014/503-57

RECORDED DATE: 8-18-2000
IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

009548

Exhibit J

McCray Tract B

BOOK 2123 PAGE 308

All that tract or parcel of land containing .0899 acres, situate, lying and being in part of Land Lots 304 and 320, First Land District, City of Albany, Dougherty County, Georgia, as shown on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/McCray Tract", dated March 23, 2000, prepared by Richard M. Pace, Registered Land Surveyor No. 1508, which shall be recorded in Plat Cabinet 1, Slide 64E, Dougherty County Public Records, and being more particularly described as follows:

Tract II:

COMMENCE at the intersection of the Eastern boundary of Joshua Street and the Southern boundary of Swaggott Road; go thence East along the Eastern boundary of Joshua Street South 00° 04' 35" West a distance of 83.10' to a point; thence travel South 89° 55' 25" East a distance of 2,165.50' to a point, the Point of Beginning. From said Point of Beginning located at the top bank of the Flint River, go thence South 89° 55' 25" East a distance of 40.00' to a point on the waters edge of the Flint River as existed on February 22, 2000; go thence along said waters edge of the Flint River South 28° 58' 15" East a distance of 114.39'; go thence North 89° 55' 25" West a distance of 38.30' to a point on the top bank of the Flint River where a monument is set; go thence along said top bank of the Flint River North 29° 42' 35" West a distance of 115.22' to the Point of Beginning. Said tract contains .0899 acres.

RECORDED DATE: 8-18-2000
 IMANELL GABLE, CLERK
 DOUGHERTY COUNTY, GEORGIA

LAW OFFICES
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 2408 WESTGATE DRIVE
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 (912) 883-2441

10-223.014/503-57

008548

Exhibit K Elliott Tract

BOOK 2120 PAGE 316

All that tract or parcel of land containing 5.021 acres, situate, lying and being in Land Lots 304 and 320, First Land District, Dougherty County, Georgia, as shown on a May 16, 2000 plat of survey prepared for the Department of Natural Resources by J. B. Faircloth & Associates, P. C., more particularly J. B. Faircloth, Registered Surveyor No. 2120, entitled "Flint River Educational Park, Elliott Tract", a copy of which is recorded in Plat Cabinet 1, Slide 2646, Dougherty County Public Records and incorporated herein and made a part hereof by this express reference thereto, said property being more particularly described as follows:

To find the Point of Beginning, commence at the Eastern boundary of Joshua Street (60' right-of-way) and the Southern boundary of Swaggott Road; thence travel South 00° 04' 00" West a distance of 280.60' to a Point of Beginning; from said Point of Beginning, travel thence South 89° 56' 00" East a distance of 2285.94' to the low water mark along the Flint River river bank as of May 16, 2000; thence travel South 18° 40' 22" East a distance of 100.32' to a point; thence travel North 89° 56' 00" West a distance of 2318.17' to a point where a DNR monument has been set; thence travel North 00° 04' 00" East a distance of 95.00' to the Point of Beginning. Said tract contains 5.021 acres.

RECORDED DATE: 8-11-2000
IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

LAW OFFICES
GARDNER, WILLIS,
SWEAT & GOLDSMITH, LLP
2408 WESTGATE DRIVE
P.O. DRAWER 71708
ALBANY, GEORGIA
31706-1798
(812) 853-2441

10-195,011/503-56

009545

Exhibit L

Freeman Tract A

BOOK 2116 PAGE 039

All that tract or parcel of land containing 12.336 acres, situate, lying and being in part of Land Lots 243 and 264, First Land District, City of Albany, Dougherty County, Georgia, shown as Tract A on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/Freeman Tract", dated May 16, 2000, prepared by J. B. Faircloth & Associates, P.C., J. B. Faircloth, Registered Land Surveyor No. 2120, which shall be recorded in Plat Cabinet 1, Slide C645, Dougherty County Public Records, and being more particularly described as follows:

BEGINNING at the point where the Old Radium Springs Road (56' right-of-way) intersects the Southern boundary of Land Lot Line 264 and the Northern boundary of Land Lot Line 263; travel thence North 06°59' 48" East a distance of 240.10' to the point where said Old Radium Springs Road intersects the Eastern boundary of Land Lot Line 264 and Western boundary of Land Lot Line 243; travel thence North 08° 56' 48" East a distance of 459.90' to a point; travel thence South 88° 22' 48" West a distance of 13.32' to a point, which point is Grid North, NAD 83 Georgia West Zone, North 558778.583 and East 2305889.967, where a DNR monument has been set, the Point of Beginning; thence travel South 88° 22' 48" West a distance of 536.65' to a DNR monument set; thence travel North 18° 52' 27" West a distance of 573.20' to a DNR monument set; thence travel North 63° 01' 48" East a distance of 973.71' along a fence to a DNR monument set on the Western boundary of Radium Springs Road (86' right-of-way); travel thence in a Southwesterly direction along a curve on the Western boundary of Radium Springs Road, whose chord is South 06° 46' 31" West, a distance of 143.23' in length, having a radius of 1955.32' and a chord of 143.20', to a point; thence travel South 08° 52' 26" West a distance of 836.63' to the Point of Beginning. Said tract is more particularly described as Tract A on that certain plat and contains 12.336 acres.

RECORDED DATE: 7-31-2000
 IMANELL GABLE, CLERK
 DOUGHERTY COUNTY, GEORGIA

LAW OFFICES
 GARDNER, WILLIS,
 WEAT & GOLDSMITH, LLP
 8403 WESTGATE DRIVE
 P.O. DRAWER 71188
 ALBANY, GEORGIA
 31709-1788
 (813) 885-2441

10-202, 011/503-50

009553

Exhibit M Freeman Tract B

BOOK 2116 PAGE 039

All that tract or parcel of land containing 12.336 acres, situate, lying and being in part of Land Lots 243 and 264, First Land District, City of Albany, Dougherty County, Georgia, shown as Tract A on a certain plat prepared for the State of Georgia, Department of Natural Resources, entitled "Flint River Educational Park/Freeman Tract", dated May 16, 2000, prepared by J. B. Faircloth & Associates, P.C., J. B. Faircloth, Registered Land Surveyor No. 2120, which shall be recorded in Plat Cabinet 1, Slide C44E, Dougherty County Public Records, and being more particularly described as follows:

BEGINNING at the point where the Old Radium Springs Road (56' right-of-way) intersects the Southern boundary of Land Lot Line 264 and the Northern boundary of Land Lot Line 263; travel thence North 06°59' 48" East a distance of 240.10' to the point where said Old Radium Springs Road intersects the Eastern boundary of Land Lot Line 264 and Western boundary of Land Lot Line 243; travel thence North 08° 56' 48" East a distance of 459.90' to a point; travel thence South 88° 22' 48" West a distance of 13.32' to a point, which point is Grid North, NAD 83 Georgia West Zone, North 558778.583 and East 2305889.967, where a DNR monument has been set, the Point of Beginning; thence travel South 88° 22' 48" West a distance of 536.65' to a DNR monument set; thence travel North 18° 52' 27" West a distance of 573.20' to a DNR monument set; thence travel North 63° 01' 48" East a distance of 973.71' along a fence to a DNR monument set on the Western boundary of Radium Springs Road (86' right-of-way); travel thence in a Southwesterly direction along a curve on the Western boundary of Radium Springs Road, whose chord is South 06° 46' 31" West, a distance of 143.23' in length, having a radius of 1955.32' and a chord of 143.20', to a point; thence travel South 08° 52' 26" West a distance of 836.63' to the Point of Beginning. Said tract is more particularly described as Tract A on that certain plat and contains 12.336 acres.

RECORDED DATE: 7-31-2000
IMANELL GABLE, CLERK
DOUGHERTY COUNTY, GEORGIA

LAW OFFICES
GARDNER, WILLIS,
WEAT & GOLDSMITH, LLP
2408 WESTGATE DRIVE
P.O. DRAWER 71706
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31709-1706
(812) 885-2441

10-202.011/503-50

009553

Exhibit N Smith Tract

BOOK 2145 PAGE 292

COMMENCE at the intersection of the Southern boundary of Catalpa Lane (60' right-of-way) and the Eastern boundary of Sweetbriar Road; travel thence North 54° 53' 05" East a distance of 155.00' to a point where a DNR monument has been set, the Point of Beginning; travel thence North 54° 53' 05" East a distance of 20.00' to a point located on the Southeastern boundary of Catalpa Lane; travel thence along the Southeastern boundary of Catalpa Lane in a Northeasterly direction along a curve having a length of 36.81', radius of 470.00', chord of 36.80', and a bearing of North 52° 38' 27" East to a point; travel thence South 39° 36' 09" East a distance of 177.26' to a point; travel thence North 43° 02' 27" East a distance of 17.79' to a point; travel thence South 46° 05' 44" East a distance of 66.36' to a point; travel thence North 44° 47' 22" East a distance of 52.95' to a point; travel thence North 45° 12' 38" West a distance of 68.00' to a point; thence travel South 43° 02' 27" West a distance of 28.89' to a point; thence travel North 42° 25' 50" West a distance of 173.21' to a point on the Southeastern boundary of Catalpa Lane; thence travel in a Northeasterly direction along a curve having a length of 377.72', radius of 470.00', chord of 367.64', and bearing of North 23° 13' 31" East to a point where an iron rebar has been set; thence travel North 00° 12' 07" East a distance of 40.00' to a point where an iron rebar has been set; travel thence North 89° 47' 53" West a distance of 76.00' to a point where an iron rebar has been set; travel thence North 00° 12' 07" East a distance of 157.94' to a point where a DNR monument has been set; travel thence South 89° 44' 24" East a distance of 537.63' to a point where a DNR monument has been set; travel thence North 00° 15' 36" East a distance of 989.68' to a point where a DNR monument has been set; thence travel along a fence line South 89° 58' 53" East a distance of 2071.68' to a point where a DNR monument has been set; travel thence South 04° 15' 15" East a distance of 1421.94' to a point located at the low water mark of the Flint River as of April 24, 2000; travel thence South 76° 24' 10" West a distance of 332.77' to a point; travel thence South 70° 28' 05" West a distance of 381.91' to a point; travel thence South 64° 29' 54" West a distance of 319.03' to a point; travel thence South 57° 12' 40" West a distance of 734.96' to a point; travel thence South 30° 46' 58" West a distance of 234.23' to a point; travel thence South 15° 57' 10" East a distance of 61.17' to a point; travel thence South 25° 43' 30" West a distance of 90.07' to a point; travel thence South 28° 07' 42" East a distance of 49.81' to a point; travel thence South 50° 03' 02" West a distance of 77.06' to a point; travel thence South 31° 34' 31" West a distance of 139.46' to a point; travel thence South 45° 02' 04" West a distance of 59.48' to a point; travel thence 26° 52' 08" West a distance of 149.02' to a point; travel thence South 40° 13' 47" West a distance of 283.11' to a point; travel thence South 26° 30' 08" West a distance of 241.44' to a point; travel thence North 89° 50' 04" West a distance of 548.96' to a point where a DNR monument has been set; travel thence North 14° 12' 07" East a distance of 982.51' to a point where a DNR monument has been set; travel thence North 20° 17' 53" West a distance of 694.07' to a point where a DNR monument has been set; travel thence along a curve having a length of 153.80', radius of 594.02', chord of 153.37', and a chord bearing of North 27° 42' 45" West to a point, the Point of Beginning. Said tract contains 124.918 acres.

LAW OFFICES
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31709-1788
(912) 883-2441

10-202, 008/503-53

RECORDED DATE

10-24-00
MARSHALL GATTE, CLERK
DOUGHERTY COUNTY, GEORGIA

809600

"Said property is more particularly shown on a Plat recorded in Plat Cabinet 1, Slide C66C in the office of the Clerk of Superior Court of Dougherty County, Georgia and incorporated herein and made a part hereof."

Exhibit O
Radium Springs Tract

All that tract or parcel of land situate, lying and being in Land Lots 244, 245, 262 and 263 of the First Land District of Dougherty County, Georgia and being more particularly described as All of Tract 1 as shown on that certain plat titled "Georgia Department of Natural Resources Flint River Educational Park – Radium Spring Tract" prepared by Stevenson & Palmer Engineering Incorporated as said plat is shown and recorded in Plat Cabinet 1, Slide 56G in the Office of the Clerk of Superior Court of Dougherty County, Georgia. Said tract contains 84.6803 acres, more or less.

Joint Board of Adjustments & Appeals

One new applicant

Warren Grant

Clark, Bristria

From: Warren Grant <w_d_grant@outlook.com>
Sent: Monday, December 07, 2020 7:43 PM
To: Clark, Bristria
Subject: Re: Voter registration

I would also like to be considered for the "Joint Board of Adjustments and Appeals."

Get [Outlook for iOS](#)

From: Clark, Bristria <BClark@dougherty.ga.us>
Sent: Monday, December 7, 2020 8:38:10 AM
To: Warren D. Grant <w_d_grant@outlook.com>
Subject: RE: Voter registration

Thank you so much! We received your information and will take it to the Board.

Bristeria Clark Hope
 Deputy County Clerk



Dougherty County Board of Commissioners/County Administration
 222 Pine Avenue Room 540 Albany, Ga 31701
 Phone: 229.431-2121 EXT. 0
 Web: www.dougherty.ga.us
 Email: bclark@dougherty.ga.us

-----Original Message-----

From: Warren D. Grant [mailto:w_d_grant@outlook.com]
Sent: Sunday, December 06, 2020 3:02 PM
To: Clark, Bristria
Subject: Voter registration

PUBLIC RECORDS NOTICE: Georgia has a very broad public records law. Most written communications to or from City and County officials regarding City and County business are public records available to the public and media upon request. Your email communications may be subject to public disclosure.

Voter Registration and Elections

Incumbent

Dontravious Simmons

Two new applicants

Warren Grant

Fredrick Williams Sr.

GETHSEMANE WORSHIP CENTER INTERNATIONAL

"KEEPERS OF THE NORTH GATE"

Bishop Frederick Williams Sr., Th.D.

529 10TH AVENUE
ALBANY, GA 31707

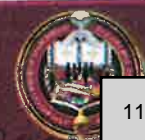


Dear Dougherty County Board of Commissioners,

This letter is to recommend Dontravious for re-appointment to the Board of Voters Registration and Elections. I have found Dontravious Simmons to be an upstanding member of this board. He is an intelligent man of principles and is in good standings at this time. He would be an excellent candidate for re-appointment.

In His Service,

Bishop Frederick Williams Sr. Th.D.



Warren D. Grant
214 Ashwood St.
Albany, GA 31705-5352
229.317.2270 -229.886.8415
[w d grant@outlook.com](mailto:w_d_grant@outlook.com)



December 6, 2020

Ms. Ware

Please submit my name for consideration to the "Voter Registration and Elections."

Sincerely,

Warren D. Grant



To whom it may concern,

I Bishop Frederick Williams Sr. Th.D. am officially adding my name to the candidate list for appointment to the Board of Elections as the County Representative. I have served on the Board of Voter registration and Elections for six years. I have been the Chairmen for the last three years. I have found my tenure to a great learning and growing experience. The relationships formed on this committee are invaluable and would never had been possible had I not been on this board. I look forward to continuing this journey as we focus on making the elections process in Albany/Dougherty County a safe, timely, and accurate one. I am extremely proud of the work and effort we have put in thus far and look forward to continuing this work in years to come.

Sincerely,

Bishop Frederick Williams Sr.

Bishop Frederick Williams Sr. Th.D.



2021 *COMMITTEE APPOINTMENTS*

Finance

Ed Newsome, Chair
Russell Gray
Clinton Johnson

Governmental Affairs

Gloria Gaines, Chair
Clinton Johnson
Ed Newsome

Public Health

Russell Gray, Chair
Gloria Gaines
Clinton Johnson

Public Safety

Anthony Jones, Chair
Gloria Gaines
Ed Newsome

Public Works

Victor Edwards, Chair
Russell Gray
Anthony Jones

Recreation

Clinton Johnson, Chair
Victor Edwards
Anthony Jones