



REGULAR MEETING

November 20, 2023
10:00 AM

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

AGENDA

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 the meeting to order by Chairman Lorenzo Heard.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. Minutes.
 - a. Consider for action the Minutes of the October 16th Regular Meeting and October 30th Work Session. **ACTION:**
6. 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*).
 - a. Citizen Kevon Douglas present to discuss noise concerns.
 - b. Disaster Recovery & Grant Programs Consultant Georgia Collier-Bolling present to update the Board on the status of the County's participation in the FEMA Hazard Mitigation Grant Program (HMGP) 4297 Acquisition & Demolition and other FEMA related grant engagements.
7. Zoning Public Hearing. (***Those wishing to speak for or against this item should sign the Sign Up sheet located on the table in the rear of the Chamber.***)
 - a. Kevon Douglas, owner and applicant, (23-074) requests to rezone approximately 2.16 acres from R-2 (Single-Family Residential) to C-3 (Commercial District). The rezoning would allow for the parking of a semi-truck. The property is at 1306 Lily Pond Road. The Planning Commission recommends denial. Angel Gray, Deputy Planning Director will address.

8. Additional Business.
 - a. Consider for action the recommendation to accept a US Department of Transportation Safe Streets for All (SS4A) Planning and Demonstration Grant (#20.939) in the amount of \$263,000. The joint city and county application requires a 20% local match of \$52,600, with Dougherty County being responsible for \$26,300. The federal portion of the grant is \$210,400. Funding will be provided from TSPLOST II. The Commission approved the grant application in the June 5, 2023 Regular Meeting. **ACTION:**
 - b. Consider for action the Resolution providing for the acceptance and execution of the Mutual Aid Agreement renewal with the Marine Corps Logistics Base (MCLB) on behalf of the Dougherty County Emergency Medical Services (EMS) Department providing reciprocal support in the event of any natural and/or man-made crisis. **ACTION:**
 - c. Consider for action the Resolution providing for the acceptance and execution of Easement Agreement between Dougherty County, Georgia, the City of Albany, Georgia and the United States of America, acting by and through the Administrator of the General Services Administration, for the purpose of constructing and maintaining certain security fencing for the C.B. King United States Courthouse States Courthouse. County Attorney Alex Shalishali will address. **ACTION:**
 - d. Consider for action the Zoning Consideration of Kevon Douglas, owner and applicant, (23-074) request to rezone approximately 2.16 acres from R-2 (Single-Family Residential) to C-3 (Commercial District). The rezoning would allow for the parking of a semi-truck. The property is at 1306 Lily Pond Road. The Planning Commission recommends denial. **ACTION:**
9. Updates from the Assistant County Administrator.
 - a. **REMINDER** - The County Commission will meet with the State Delegation on tomorrow, November 21st, at 8 am at the Chehaw Park Creekside Center for the annual meeting.
 - b. The 2024 County Commission Meeting Schedule is available.
10. Updates from the County Attorney.
11. Updates from the County Commission.
12. 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

October 16, 2023

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on October 16, 2023. Chairman Lorenzo Heard presided and called the meeting to order at 10:00 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Ed Newsome, and Anthony Jones. Also present were Assistant County Administrator Barry Brooks, County Attorney Alex Shalishali, County Clerk Jawahn Ware, and other staff. The public and representatives of the media participated in person and via live streaming of the meeting on the County's Facebook page and the government public access channel.

After the invocation and Pledge of Allegiance by the Chairman, he called for approval of the minutes for the September 18th Regular Meeting and September 25th Work Session.

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

The Chairman recognized citizen Willie Jones to accept the proclamation recognizing his recent 100th Birthday. Bethel AME Pastor, other members, family and friends were also present to share in the recognition of the centenarian. The proclamation read as follows:

**Proclamation to Honor Willie Lee Jones in Commemoration of His
One Hundredth Birthday**

Whereas, Mr. Willie Lee Jones was born on September 23, 1923 in Terrell County, Georgia and is the sole child of Mr. Eddie Lee and Mrs. Wille Bell Jones, and

Whereas, Mr. Willie Lee Jones relocated to Albany, Georgia after marrying Elease Evelyn Cooper 67 years ago and they were blessed with three daughters, Tynese Jones, Dedra Evans (Jones) and Donna Hall (Jones). He is also the proud father of four daughters from a previous marriage, Alice Hendricks, Willa Merrit, Annie Lee Jones and Sandra Pascal. He has 12 grandchildren and 12 great-grandchildren.

Whereas, after working for more than 40 years at Nilo Plantation in Albany, Georgia, Mr. Jones retired and is a Stewart (Emeritus) and active member of Bethel A.M.E. Church in Albany where he is currently recognized as the oldest member and stays busy enjoying his family and friends, fishing and gardening.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dougherty County, Georgia and it is hereby proclaimed by the Authority of same that the life of Mr. Willie Lee Jones is commemorated on September 23, 2023 his 100th birthday.

This is the 16th day of OCTOBER 2023.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
LORENZO L. HEARD, Chairman
Dougherty County Commission

The Chairman opened the public hearing for King Randall, owner and applicant, (23-053) request to rezone a 24.74-acre vacant parcel from R-2 (Single-Family Residential District) to C-8 (Commercial Recreational District). The rezoning would allow for the construction of a multipurpose facility. The property is at 2901 Barnaby Drive. The Planning Commission recommended denial. Paul Forgey, Planning Director addressed. If the County Commission considered approval for rezoning, staff recommended that the request be conditioned to only allow for the proposed site layout [plan] and that parking be reduced considerably. King Randall and citizens Jacara Fuller and Sharri Anderson spoke in favor of the request. Citizens Willie Dawson, Barbara Dawson, Emma Robinson, Robert Lewis, Frank Williamson, and Alvin Hightower spoke in opposition of the request. All the individuals who were opposed shared that the program by King Randall was beneficial but was not recommended for the residential neighborhood. It was clarified for Commissioner Johnson that only 2901 Barnaby Drive would be changed to C-8, not the surrounding parcels. The differences between special approvals, variances, and zoning use changes were noted. Mr. Forgey provided options for the Board to consider. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman opened the public hearing for Orchard Machinery Corporation, applicant and JTMF LLC, owner, (23-064) request to rezone 2-acres from C-1 (Neighborhood Mixed-Use Business District) to C-3 (Commercial District). The rezoning would allow for the operation of a commercial parts and service business for orchard machinery. The property is at 2824 Gillionville Road. The Planning Commission recommended approval. Paul Forgey, Planning Director addressed. The owner's representative BJ Vanhousen clarified questions of the Board. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman called for consideration to approve the alcohol application from MJT Management Group, Travis W. Williams licensee, at 1304 Williamsburg Road for Consumption- Liquor, Beer, and Wine. The Albany-Dougherty Marshal's Office recommended approval.

Commissioner Jones moved for approval. Commissioner Johnson seconded the motion. Under discussion, Commissioner Gray had a question regarding the business name and it was confirmed by Deputy Marshal Mitchell. There being no further discussion, the motion for approval passed unanimously.

The Chairman called for consideration of the resolution providing for the acceptance and execution of the rental agreement renewal between the Dougherty County Board of Commissioners and the State Properties Commission on behalf of the Department of Driver Services located at 2062 Newton Road, Albany, GA 31701 by the Assistant County Administrator.

Commissioner Gray moved for approval. Upon a second by Commissioner Newsome, the motion for approval passed unanimously. Resolution 23-050 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION FOR ACCEPTANCE AND EXECUTION OF
THE RENTAL AGREEMENT BETWEEN DOUGHERTY
COUNTY, GEORGIA AND THE STATE PROPERTIES
COMMISSION ON BEHALF OF THE DEPARTMENT OF
DRIVER SERVICES; REPEALING RESOLUTIONS OR PARTS
OF RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.

The Chairman called for consideration of the recommendation from the Emergency Medical Services Department to apply for the FY 2024 EMS Trauma Related Equipment Reimbursement Grant through the Georgia Trauma Commission in the amount of \$10,434. This is a 100% grant with no local match.

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

The Chairman called for a consideration of the resolution providing for the approval of a stipend for the Assistant County Administrator pending his duties as acting County Administrator. County Attorney Alex Shalishali addressed by recommending approval.

Commissioner Gaines moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 23- 051 is entitled:

A RESOLUTION
ENTITLED
A RESOLUTION PROVIDING FOR THE APPROVAL OF A
STIPEND FOR THE ASSISTANT COUNTY ADMINISTRATOR
PENDING HIS DUTIES AS ACTING COUNTY
ADMINISTRATOR; REPEALING RESOLUTIONS OR PARTS
OF RESOLUTIONS IN CONFLICT HEREWITH; AND FOR
OTHER PURPOSES.

The Chairman called for the zoning consideration of King Randall, owner and applicant, (23-053) request to rezone a 24.74-acre vacant parcel from R-2 (Single-Family Residential District) to C-8 (Commercial Recreational District). The rezoning would allow for the construction of a multipurpose facility. The property is at 2901 Barnaby Drive. The Planning Commission recommended denial.

Commissioner Gray moved for approval. Commissioner Johnson seconded the motion. Commissioner Edwards made a substitute motion to deny the zoning consideration. Commissioner Gaines seconded the substitute motion. The motion to deny passed with four ayes by Commissioners Edwards, Gaines, Jones and Chairman Heard and three nays by Commissioners Newsome, Gray and Johnson.

The Chairman called for the zoning consideration of Orchard Machinery Corporation, applicant and JTMF LLC, owner, (23-064) request to rezone 2-acres from C-1 (Neighborhood Mixed-Use Business District) to C-3 (Commercial District). The rezoning would allow for the operation of a commercial parts and service business for orchard machinery. The property is at 2824 Gillionville Road. The Planning Commission recommended approval.

Commissioner Gaines moved for approval. Upon a second by Commissioner Johnson, the motion for approval passed unanimously. The zoning proclamation reads as follows:

A RESOLUTION
ENTITLED
A RESOLUTION AMENDING THE ZONING REGULATIONS
AND MAP OF THE UNINCORPORATED AREA OF
DOUGHERTY COUNTY, GEORGIA (RESOLUTION NO. 212,
AS AMENDED) SO AS TO CHANGE THE STATUS OF THE
PROPERTY HEREINAFTER DESCRIBED.

BE IT RESOLVED by the Board of Commissioners of Dougherty County, Georgia, and IT IS HEREBY RESOLVED by authority of same:

SECTION I: That from and after the passage of this Resolution, the official Zoning Regulations and Map of the unincorporated area of Dougherty County, adopted December 1, 1969, as amended, be, and the same are hereinafter described as follows:

| | |
|------------------|---|
| CHANGE FROM: | C-1 (Neighborhood Mixed Use Business District) |
| TO: | C-3 (Commercial District) |
| OWNER/APPLICANT: | JTMF, LLC (Owner) Orchard Machinery Cooperation (Applicant) |

LOCATION: 2824 Gillionville Road

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 82 IN THE SECOND LAND DISTRICT OF DOUGHERTY COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF WESTOVER ROAD, EXTENDED NORTHERLY, WITH THE SOUTH RIGHT OF WAY LINE OF GILLIONVILLE ROAD, EXTENDED EASTERLY, WHICH POINT IS 100 FEET EAST OF THE MOST WESTERLY END OF THE MITER OF THE SOUTHWEST CORNER OF THE INTERSECTION OF SAID ROADS, AND RUN THENCE SOUTH 87 DEGREES 40 MINUTES 00 SECONDS WEST ALONG THE SOUTH RIGHT OF WAY OF SAID GILLIONVILLE ROAD A DISTANCE OF 1,258.03 FEET TO THE POINT OF BEGINNING; RUN THENCE SOUTH 02 DEGREES 20 MINUTES 00 SECONDS EAST A DISTANCE OF 432.44 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY OF A DOUGHERTY COUNTY DRAINAGE CANAL (80 FOOT RIGHT OF WAY); RUN THENCE NORTH 56 DEGREES 35 MINUTES 00 SECONDS WEST ALONG THE NORTHEAST RIGHT OF WAY OF SAID DRAINAGE CANAL A DISTANCE OF 317.53 FEET TO A POINT; RUN THENCE NORTH 02 DEGREES 22 MINUTES 35 SECONDS WEST A DISTANCE OF 246.92 FEET TO A POINT ON THE SOUTH RIGHT OT WAY OF SAID GILLIONVILLE ROAD; RUN THENCE NORTH 87 DEGREES 40 MINUTES 00 SECONDS EAST ALONG THE SOUTH RIGHT OF WAY OF SAID GILLIONVILLE ROAD A.DISTANCE OF 257.88 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING DESIGNATED TRACT 4-A OF THE SUBDIVISION OF ESTATE FARMS PARTNERSHIP, SECTION ONE, ACCORDING TO A MAP OR PLAT OF SAID SUBDIVISION AS -SAME IS RECORDED IN PLAT CABINET 1, SLIDE C-28, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF DOUGHERTY COUNTY, GEORGIA.

SECTION II: That all resolutions or parts of resolutions in conflict herewith be and the same hereby are repealed.

CHAIRMAN

ATTEST:

CLERK

APPROVED: October 16, 2023

Mr. Brooks distributed TSPLOST brochures and provided an update on the plan for the Flint River Trails. He shared that the approved animal truck will be obtained this week. The UTV approved for EMS had been received and would be upfitted but was operational. The Central Library was temporarily closed pending a maintenance issue. Mr. Brooks added that

he was working to find a building for the Public Works crew quarters. The current building was closed for mold issues and he was working with the City of Albany to possibly use a building. An update on the Jefferson Street closure was provided and he shared the County’s concerns dated to August regarding safety and access. He also noted that we were not involved with the closure but had been taking proactive measures regarding EMS involvement. Mr. Brooks mentioned that the City was the last “voice” and the County could offer recommendations. Commissioner Gray had suggestions and EMS Director Sam Allen addressed. Commissioner Gaines wanted to ensure that Phoebe and Mr. Steiner understood and clarified that the County has no responsibility for the road closure and signage, but were trying to be good citizens. Mr. Brooks said that the City of Albany was requesting assistance from GDOT and stressed that the County was trying to work with Phoebe and the City of Albany weekly. It was mentioned that even though we were not legally responsible, we were working to serve the community.

Commissioner Edwards asked Mr. Brooks to come up with a solution to provide clearance of trees in Southgate. Mr. Brooks shared that he would provide an update. He also informed the Commission of an issue regarding theft at one of the maintenance sheds. Chairman Heard recognized Commissioners Jones and Newsome for their specialty certificates. Commissioner Johnson provided an update from the recent ACCG conference and NAMI Walk. Commissioner Gaines provided an update on the ASU homecoming. She also reminded individuals in the unincorporated areas of Dougherty County to please still vote because of the TSPLOST issue and encouraged use of early voting as an option. Commissioner Jones commended Clerk Ware for assisting him in enrolling in his classes. Chairman Heard thanked the individuals for their investment in the community for the ASU homecoming.

There being no further business to come before the Commission, the meeting adjourned at 11:42 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

DOUGHERTY COUNTY COMMISSION
WORK SESSION MEETING MINUTES

DRAFT

October 30, 2023

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on October 30, 2023. Chairman Lorenzo Heard presided and called the meeting to order at 10:00 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Anthony Jones, and Ed Newsome. Also present were Assistant County Administrator Barry Brooks, County Attorney Alex Shalishali, County Clerk Jawahn Ware and other staff. The public and representatives of the media participated in person and via live streaming of the meeting on the County's Facebook page and the government public access channel.

After the invocation by Chairman Heard, he asked the Commission to review the October 2nd Regular Meeting, October 9th Work Session, and October 9th Special Called Meeting.

The Chairman recognized Heidi Hailey, Facilities Management Director, to provide an update on the Judicial Building. Superior Court Judge Willie Lockette was present. Ms. Hailey said that she was working closely with the SRJ Architect and the final plans will be approved by Judge Lockette and staff. Judge Lockette shared the proposed plans for the caseload, the potential applicant pool for the Governor to interview, and the project's target schedule. Ms. Hailey shared that after the plans had been approved, the project would have to be bid for work. Additional questions and concerns were addressed by both.

The Chairman recognized David Hodges, Chief Ranger, to provide the Georgia Forestry Commission Annual Report. Mr. Hodges shared that the report period was from July 1, 2022-June 30, 2023. He highlighted key activities that impacted staff and the County. Currently, Dougherty County has 130,792 forested acres (211,00 acres of total land area) and 61.99% of the County was forestland. Ranger Hodges answered questions from the Board. Per the question of Commissioner Edwards, it was suggested that the best solution was for property owners to contact the Ranger for concerns. In regard to forestland, Ranger Hodges shared with Commissioner Gaines that most land was privately owned and he would confirm the GIS mapping. An update on control burning regulations was shared since permits were no longer required. He also added that citizens may be fined for noncompliance.

The Chairman recognized Angel Gray, Deputy Planning Director, and the NPM Management team, to provide an update and plans for the Pearce Pointe Mobile Home Park redevelopment at 600 Holly Drive. Mrs. Gray provided an update on the number of permits issued and a historical overview. Mr. Pat McKey, who now serves as the Chairman of the Board for NPM, provided the update. Currently, 40 of the 60 available homes were being filled with tenants. Though the property was in the district of Commissioner Edwards, Commissioner Jones voiced his concern that the infrastructure and current implementation does not mirror the plans that were presented to the Board. CEO Ian Young addressed this by sharing landscaping and additional plans for development. The Board was asked to please be patient because the process has been slower than

anticipated due to the permitting procedure. Commissioner Edwards commended NPM for being responsive. It was shared that the total number of homes will be approximately 200. Mr. McKey shared constraints for lifecycle, fees, and issues with the economy. He added that the company's commitment was to Dougherty County. Mrs. Gray addressed the concerns for permitting, especially as it pertains to those in the floodplain. She confirmed that Dougherty County was more restrictive than other counties but verifying compliance was very important noting that the department ensures compliance on the federal level as well.

The Chairman recognized David Maschke, Consultant, Maschke and Associates, and Heidi Hailey, Facilities Management Director, to provide an update on the proposed Morgue and improvements to Putney Park. The plan was to release the bid for the morgue at the beginning of the year. The schedule was still on task to move in at the end of 2024 with a ribbon cutting at the beginning of 2025. Mr. Maschke will resend an updated project cost per the request of Commissioner Newsome. In regard to Putney Park, he provided flexible concepts for meeting setups. It was planned to bid the projects separately but ideally, one contractor can be awarded for potential cost savings. Questions pertaining to safety and use of restrooms were addressed by Ms. Hailey for Commissioner Gaines. Commissioner Edwards shared how this was being addressed at Radium Springs and Mr. Maschke confirmed that cameras were in the plan for both buildings. Commissioner Edwards asked that keypad accessibility be provided. Mr. Brooks shared that he was working with Ms. Hailey to update the security and access for all our buildings. He added that it was his preference that there be key card access. Commissioner Jones thanked individuals for supporting this and asked the citizens in District 6 to remain patient.

The Chairman called for a recommendation to accept the bid for filter maintenance services for Facilities Management from the lowest responsive and responsible bidder, Service Pros, LLC (Leesburg, GA) in the amount of \$83,584.16. Two bids were received with the highest being \$109,991. Funding is budgeted in various accounts. City of Albany Buyer Ricky Gladney and Facilities Management Director Heidi Hailey addressed. It was shared that this would be for about 34 locations and several hundred filters monitored.

The Chairman called for a recommendation to purchase a 2024 Kia K5 for ADDU from State Contract GA #99999-001-SPD000122-0003 from Kia Autosport (Columbus, GA) in the amount of \$29,910.95. Funding is budgeted in ARPA. Assistant County Administrator Barry Brooks and County Clerk Jawahn Ware addressed. Mrs. Ware shared that based on this unique vehicle request, no responses were received to the bids. The ARPA consultants confirmed that a competitive quote process can be used. This purchase was from a state contract and the next one will be via the approved process.

The Chairman called for a recommendation to purchase a 2023 Ford F150 Pick Up Truck for ADDU from the lowest quoted vendor Griffin Ford (Tifton, GA) in the amount of \$43,204. Funding is budgeted in ARPA. Assistant County Administrator Barry Brooks and County Clerk Jawahn Ware addressed.

The Chairman called for a recommendation to purchase a 2024 Caterpillar 826H Compactor for Solid Waste from State Contract GA #99999-001-SPD0000177-0024 from Yancey Bros. Co. (Albany, GA) in the amount of \$1,119,613. Funding is budgeted in Solid Waste Capital Outlay.

Assistant County Administrator Barry Brooks and Interim Solid Waste Director Melvin Williams addressed.

The Chairman called for a recommendation to renew the Real Estate Lease Contract between JFT Public Properties, LP, the City of Albany and Dougherty County, Georgia on behalf of the GBI for the building located at 1301 Evelyn Ave, Albany, Ga. The lease renewal period is from October 1, 2023 to September 30, 2024. County Administrator Barry Brooks and County Attorney Alex Shalishali addressed. Special Agent in Charge, Eric Schwalls was present. Attorney Shalishali confirmed that the rental agreement cost would be split between the City of Albany and Dougherty County. He added that the 2019 contract was the same with the exception of an increase in the amount to \$4,958.33 (approximately \$800 more). He also shared that this was a one-year lease with an automatic five, one-year renewals unless the Board desired to terminate.

The Chairman called for a recommendation to declare the listed vehicle and equipment as surplus and authorize the disposal of or sale of same via an online auction. Assistant County Administrator Barry Brooks addressed.

The Chairman called for a recommendation to approve the proposed Alcoholic Beverage License renewals for Calendar Year 2024. The Albany-Dougherty Marshal's Office recommended approval. Chief Anthony Donaldson addressed.

The Chairman called for the recommendation of the proposed board appointments. County Clerk Jawahn Ware addressed.

Air Conditioning, Heating, & Ventilation Board – There are four appointments: one County, two joint, and one rotational, all with a one-year term ending December 31, 2024. Quianna Lavant (County), Clint Newsome (joint) and Clifford Tolbert (rotational) desire reappointment. Incumbent Thomas Driggers (joint) is deceased. There are no new applicants. All joint appointments must be ratified by the City of Albany. There is one vacancy.

Citizens Transportation Committee – There is one appointment with a three-year term ending December 31, 2026. Incumbent Glenn Tyler Harris desires reappointment. There are no new applicants.

Dougherty County Development Authority – There are three appointments with a four-year term ending December 31, 2027. Incumbents Dr. Joe “Tripp” Morgan and Michael Tabarrok desire reappointment. Incumbent Sybil Thomas does not desire reappointment. There are six new applicants: Aunquarius Brown, Haryl Dabney, Tameeka Daniels, Lawrence Knighton, Lawrence Roberts and J. Scott Steiner. There is one vacancy. Commissioner Gaines asked Attorney Shalishali to provide statutory responsibilities of this Board. He responded to her question and she expressed that she felt that the Board was redundant based on the duties of the EDC and Payroll Development Authority (PDA). Mrs. Ware shared that the Development Authority has met approximately three times since her employment as the Clerk.

Economic Development Commission – There is one appointment with a three-year term ending December 31, 2026. Incumbent Brian Church desires reappointment. There are two new applicants: Aunquarius Brown and Lawrence Knighton.

Electrical Board – There are five appointments: one County appointment for a Master Electrician, two joint appointments for an Electrical Supplier, one joint appointment for a Professional Engineer and one appointment for a joint citizen member, all with a one-year term ending December 31, 2024. Incumbent Sanford Hillsman (joint citizen member) desires reappointment. There are no new applicants. There are four vacancies. All joint appointments must be ratified by the City of Albany. Mrs. Ware addressed concerns regarding Commissioner Johnson’s question referencing the efficiency of one-year boards. She added that Dougherty County was working with the City of Albany [Clerk] and Planning Department to create a more efficient process. The one year Boards have not met in over 20 years but this reveals that our entities have good code in place because there have not been any appeals. The process will be presented to the City of Albany Commission first because it is their initiative to make the change.

Fire Code Board of Appeals – There are three appointments with a three-year unexpired term ending December 31, 2025. There are no new applicants. There are three vacancies.

Flood Plain Management Review Board – There are three County appointments. Two with a three-year unexpired term ending December 31, 2024, and one will fill a three-year term ending December 31, 2026. Incumbent Harry James desires reappointment for the term ending December 31, 2026. There are no new applicants. There are two vacancies.

Gas Board – There are three appointments: one County, one joint and one rotational with a one-year term ending December 31, 2024. Incumbents Sanford Hillsman (county) and Rhett Parker (joint) desire reappointment. There are no new applicants. There is one vacancy. All joint appointments must be ratified by the City of Albany.

Dougherty County Health Board- There is one appointment with a six-year term ending December 31, 2029. Incumbent Dr. Bernard Scoggins desires reappointment. There are no new applicants.

Albany/Dougherty Hospital Authority – There are two appointments with a five-year term ending December 31, 2028. Incumbents Joel Callins and Ferrell Moultrie served the maximum of two consecutive terms. There are four new applicants: Dr. J. Price Corr Jr., Tommy Gregors, Jacqueline Jenkins, and Lawrence Knighton. There are two vacancies.

Keep Albany-Dougherty Beautiful – There are two appointments with a three-year term ending December 31, 2026. Incumbents Melissa Hodges and Bill Reilly desire reappointment. KADB recommended reappointment.

Library Board – There are two appointments with a three-year term ending December 31, 2026. Incumbents Walter Kelley and Charlotte Ledford desire reappointment. There are no new applicants.

Plumbing Board -There are three appointments with a one-year term ending December 31, 2024. Two County appointments must be a Master Plumber and one appointment represents a citizen member. Incumbents Lee Eppley (County, Master Plumber), Glenn Tyler Harris (Citizen Member) and Rhett Parker (County Master Plumber) desire reappointment. There are no new applicants.

Southwest Georgia Community Action Council – There is one appointment with a one-year term ending December 31, 2024. Incumbent Glenn Tyler Harris desires reappointment. There is one new applicant: Tameeka Daniels.

Southwest Georgia Housing Task Force - There is one appointment with a one-year term ending December 31, 2024. Incumbent Sonya Johnson does not desire reappointment. There are no new applicants. There is one vacancy.

Southwest Georgia Regional Commission – There are three appointments: one County, one Chairman designee (appointee must be a Commissioner) and one joint with a one-year term ending December 31, 2024. Incumbents Raymond Breaux (County), Anthony Jones (Chairman designee), and Haryl Dabney (joint) desire reappointment. There are no new applicants. The Chairman will appoint his designee.

Stadium Authority– There is one appointment with a four-year term ending December 31, 2027. Incumbent Alistari McKendrick desires reappointment. There are no new applicants.

Tax Assessors Board– There are two appointments with a three-year term ending December 31, 2026. Incumbents Je’Nita Lane and Larry Thomas desire reappointment. There is one new applicant: Lawrence Knighton.

Mr. Brooks reminded the Board that the Governmental Affairs Committee will meet immediately following the Work Session. He shared that PIO Phyllis Banks was working with the City of Albany on the Christmas parade and if anyone wanted to participate to please let her know. Commissioner Edwards wanted a copy of the service awards program when it was available. Commissioner Johnson said that Albany High School is now the voting precinct instead of Phoebe Healthworks because of construction in the area. It was requested that Ms. Banks distribute this information to the public. Commissioner Johnson also shared information regarding a recent groundbreaking and commended the partnership and leadership of the Dougherty County Police Department and Public Works when addressing citizen concerns. He announced awards received by the area that were presented at the Department of Community Affairs (DCA) conference. Commissioner Gaines added more information regarding the Habitat for Humanity groundbreaking. She also thanked the Landbank and the Flint River Habitat for Humanity. Commissioner Jones shared that an anonymous letter was received from the citizens in District 6 regarding Community Avenue. He requested that citizens contact him directly. The Chairman read a letter received thanking the Board for a job well done in cleaning up the holding pond located on the corner of West Town Road and Gordon Avenue.

There being no further business to discuss the Commission the meeting adjourned at 11: 50 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK



MEMORANDUM

Date: November 2, 2023
To: Dougherty County Board of Commissioners
From: Albany-Dougherty Planning Commission
Subject: 23-074 – County Rezoning – 1306 Lily Pond Rd

Kevon Douglas (23-074) has submitted an application to the Albany Dougherty Planning Commission requesting that the Official Zoning Map of Albany, Georgia, be amended to rezone approximately 2.16 acres from R-2 (Single-Family Residential) to C-3 (Commercial District). The rezoning would allow for the parking of a semi-truck. The property is at 1306 Lily Pond Road (00202/00002/011). The property owner/applicant is Kevon Douglas. District 2

Art Brown offered a motion for denial (as recommended by staff); Willie Simmons seconded the motion.

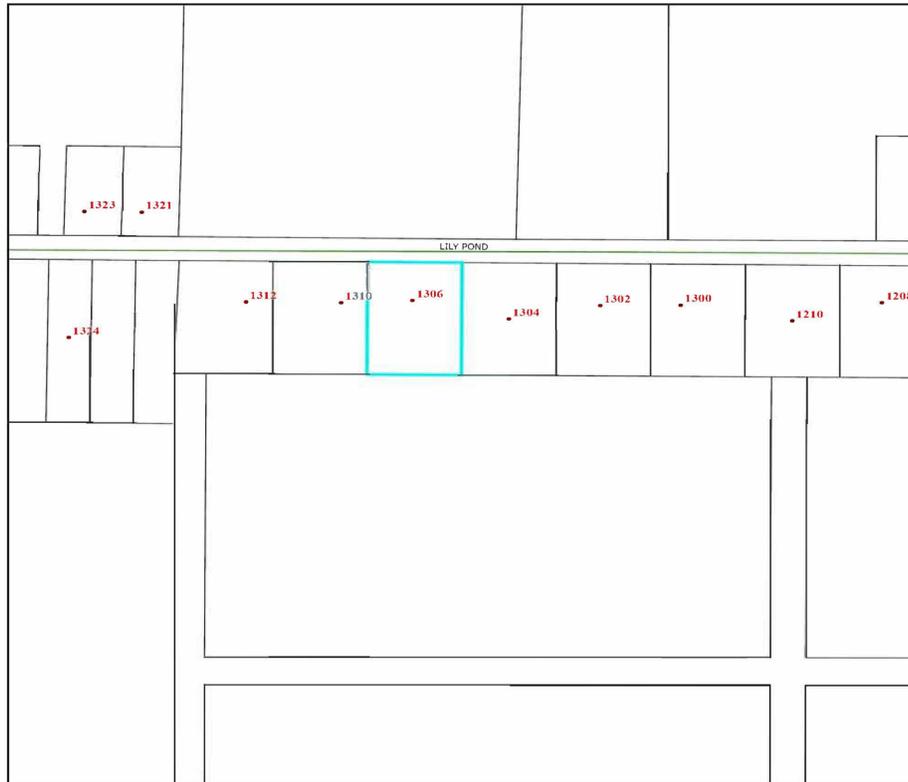
Motion was approved 6-0 with the following votes:

- Sanford Hillsman Chairman - Absent
Aaron Johnson Vice Chairman - Tie or Quorum
Jimmy Hall Yes
William Geer Yes
Helen Young Yes
Yvonne Jackson Yes
Art Brown Yes
Willie Simmons Yes

PLANNING & DEVELOPMENT SERVICES

P.O. Box 447 Albany, GA 31702 | Phone: 229.438.3901 | Fax: 229.438.3965 | www.albanyga.gov

STAFF ANALYSIS AND REPORT APPLICATION #23-074 REZONING



OWNER/APPLICANT:

Kevon Douglas

LOCATION:

1306 Lily Pond Rd.
00202/00002/011

CURRENT ZONING/USE:

Zoning:
Use:

R-2 (Single-Family Residential)
Residential

PROPOSED ZONING/USE:

Zoning:
Use:

C-3 (Commercial District)
Truck Parking and Homesite

ZONING/ADJACENT LAND USE:

North: Zoning:
Land Use:

C-8 (Commercial Recreation District)
Flint Skeet & Trap Club

South: Zoning:
Land Use:

R-2 (Single-Family Residential)
Agricultural and Homesite

West: Zoning:
Land Use:

R-2 (Single-Family Residential)
Homesite

East: Zoning:
Land Use:

R-2 (Single-Family Residential)
Homesite

MEETING INFORMATION:

Planning Commission: 11/02/2023, 2:00 P.M., Government Center,
222 Pine Avenue, Rm. 100

Public Hearing: 11/13/2023, 10:00 A.M., Government Center,
222 Pine Avenue, Rm. 100

RECOMMENDATION: DENIAL

BASIC INFORMATION

The applicant requests to rezone approximately 2.16 acres from R-2 (Single-Family Residential) to C-3 (Commercial District). The rezoning would allow for the parking of a semi-truck.

PHYSICAL CHARACTERISTICS AND INFRASTRUCTURE

This location is a 2.16-acre parcel. The proposed site is not within the 100-year floodplain.

RELEVANT ZONING HISTORY

Based on reviewing the past zoning maps, the area was initially zoned R-2 when Dougherty County adopted zoning in 1969 and remains unchanged. The parcel across Lilly Pond to the north is zoned C-8 due to a shooting range that pre-dates zoning.

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 proposed use is to allow truck parking and single-family residential. Special approval is required for single-family residential in a C-3 (Commercial District), although the residential use would be allowed to continue if the rezoning is approved. The proposed use is unsuitable for the use and development of nearby property.

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

Yes, the proposed zoning would adversely affect the existing use and adjacent properties by allowing commercial uses in a residential neighborhood.

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

The existing use of the parcel is Single-Family Residential. The parcel has a reasonable economic use as a developed residential lot.

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

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

Trip Generation: Based on reviewing the proposed use, there would be minimal additional trips being generated because this is only one residential dwelling unit anticipated. Other trip data cannot be found.

AADT: Lily Pond had an Average Daily Traffic (AADT) count of 1,360 in 2022. Information is not available for Traffic Capacity.

Road Improvements: According to the **FY 2024-2027 Transportation Improvement Program** and the **Dougherty Area Regional Transportation Study 2045**, The Georgia Department of Transportation (GDOT) is currently funding Off-System Safety Improvements along Lily Pond Rd. and Eight Mile Rd.

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

- Lily Pond Road is classified as a Minor Arterial Road.

Public Transit Routes: Albany Transit System has no stops in this area.

Accident Information: No Fatal Accidents have occurred in this area over the past year.

Proposed Driveway/Parking Plan: No parking plan is provided. The property has a concrete driveway access to the residence. Applicant proposes to park the commercial vehicle (semi-truck) on his property.

Analysis: Staff finds there should be no significant adverse impact on the surrounding transportation network anticipated due to the proposed use at this time.

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

No. The designation of this site is Low-Density Residential, as shown in the Albany-Dougherty Comprehensive Plan. The proposed C-3 rezoning would not maintain conformity and would allow a commercial use that would be generally incompatible with the neighboring residential uses.

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 has not identified further changing conditions affecting the use and development of the property that provide grounds for approval or disapproval of the rezoning proposal as submitted.

RECOMMENDATION

Staff recommends **Denial** to rezone 2.18 acres from R-2 (Single-Family) to C-3 (Commercial District)



APPLICATION TO AMEND THE ZONING MAP OF:

City of Albany Dougherty County

Property Address: _____

Name of Property Owner(s): Kevin Douglas

Mailing Address: 1306 Lily Pond Road

City: Albany State: GA Zip Code: 31701

Telephone: (229) 376-0693 Email: MailKevin7@gmail.com

Name of Applicant: Kevin Douglas

Mailing Address: 1306 Lily Pond Road

City: Albany State: GA Zip Code: 31701

Telephone: 376-0693 Email: MailKevin7@gmail.com

Zoning Classification:

Present zoning district: residential Current use: Residential

Proposed zoning district: commercial Proposed use: Business/Commercial

Please attach the following required 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).
- An 11" x 17" or larger size plat showing property lines with lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale.
- 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.

A complete 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.

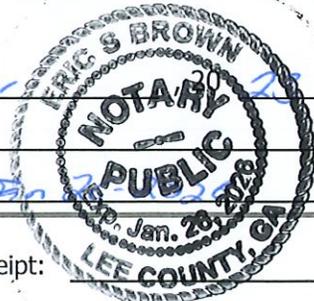
Sworn to and subscribed before me this 10 day of October

Signature of Applicant: [Signature]

Notary Public: [Signature] Commission expires: Jan 26, 2028

(Staff Use)

Posting fee: _____ Date paid: _____ Receipt: _____





VERIFICATION OF OWNERSHIP

Name of all owners: Kevin Douglas
Address: 1304 Livingston Road Albany
City/State/Zip Code: Albany, GA 31707
Telephone Number: 229/376-0693
Email: Hdkkewon7@gmail.com
Property Location (give description if no address):

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.

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

Personally appeared before me [Signature], who has stated that the information on this form is true and correct.

Notary Public [Signature] Date Oct 10 2023



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

Name: NO
Address: NO
City/State/Zip Code: NO
Telephone Number: NO
Email: NO



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

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

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).

None

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

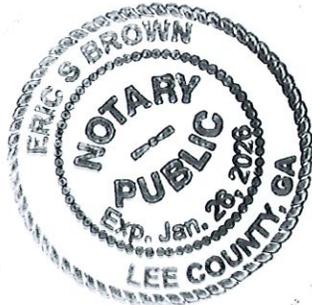
Sworn to and subscribed before me this 10 day of October, 20 23

[Signature]

[Signature]

Signature of Applicant

Notary Public



Jan 26 2026

Commission Expires

Hello zoning committee and I am a resident of Dougherty Co.

I Live at 1306 Lily Pond Road Albany CA 91701. I am writing this letter to get my property zoned for commercial use to park my semi truck for safety and to sleep in it as well because of the loud noise from the skeet shoot which is approximately 200 feet from my house. I am a combat veteran who suffers from PTSD, Anxiety, and migrains. There are time when the shoot will run from 7am to 10pm at night. I am willing to pay the cost to get my property zoned for the safety and well-being of me. Thanks
Kevin [Signature]
10/9/23

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LOCATION

Item 7a.



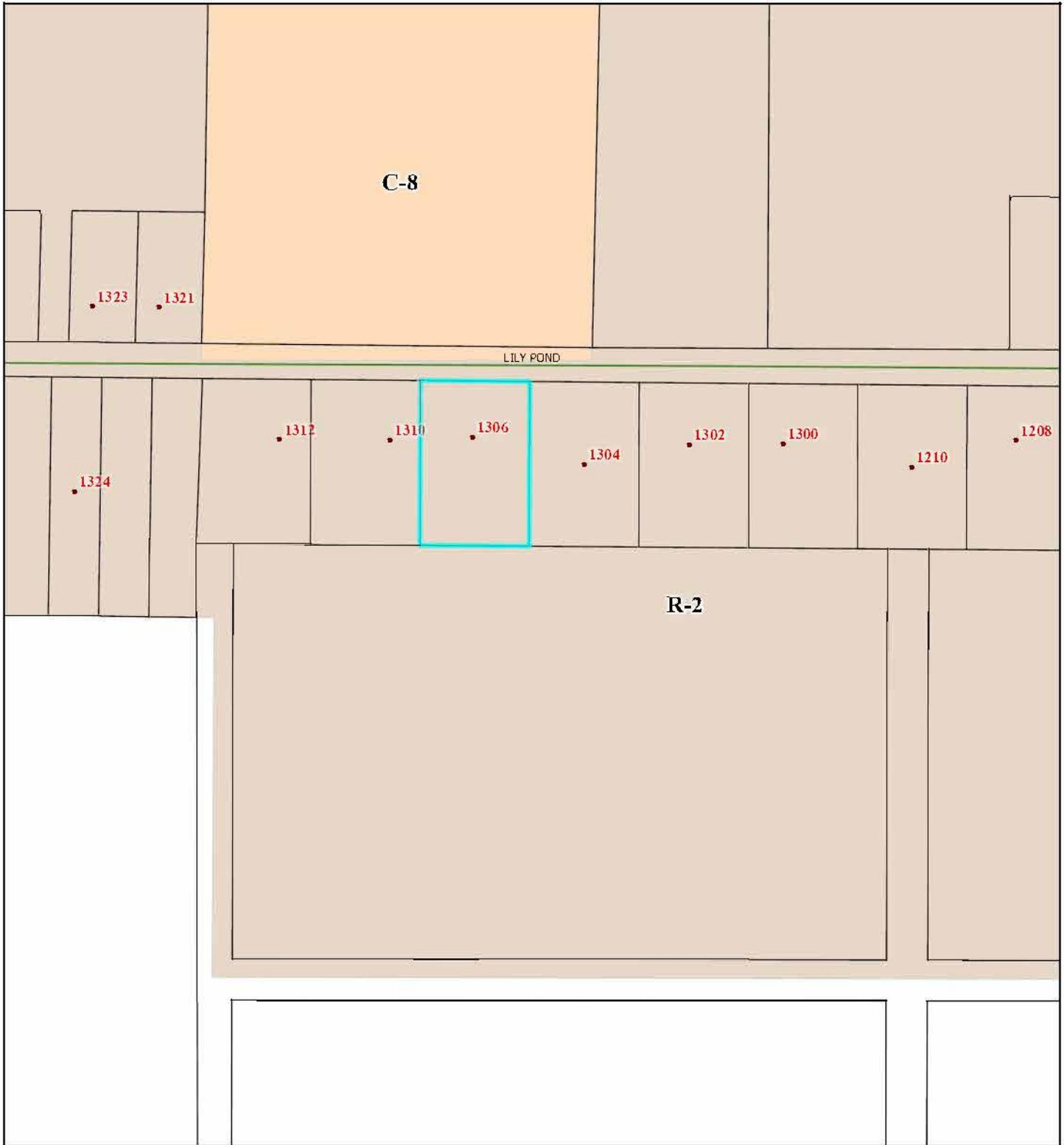
23-074
1306 Lily Pond Rd.
REZONING



Disclaimer: Albany GIS makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. All data is subject to change.



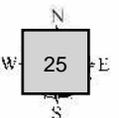
ZONING



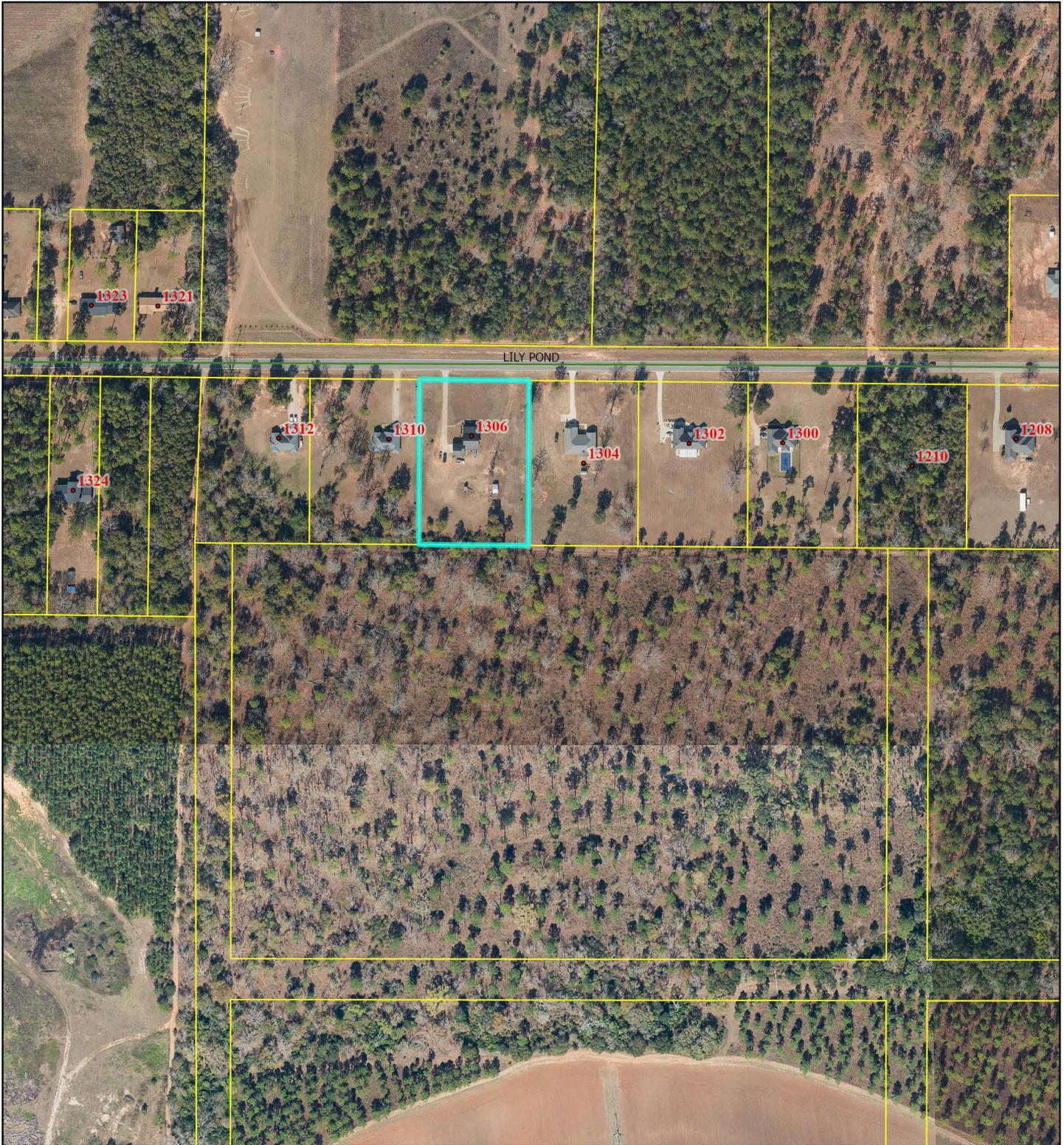
23-074
1306 Lily Pond Rd.
REZONING



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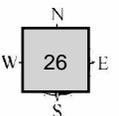
AERIAL



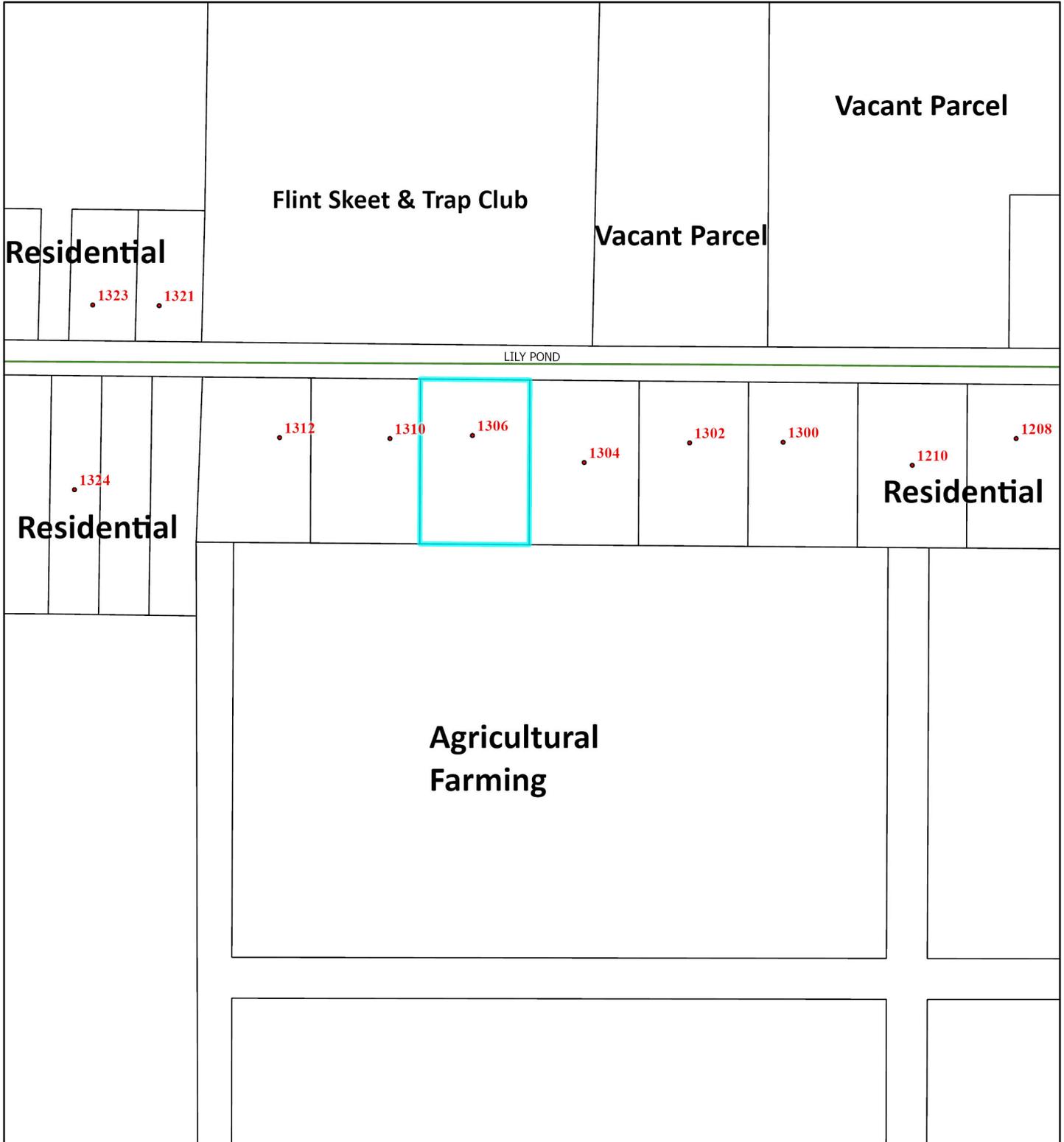
23-074
1306 Lily Pond Rd.
REZONING



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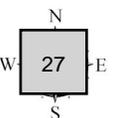
CURRENT LANDUSE



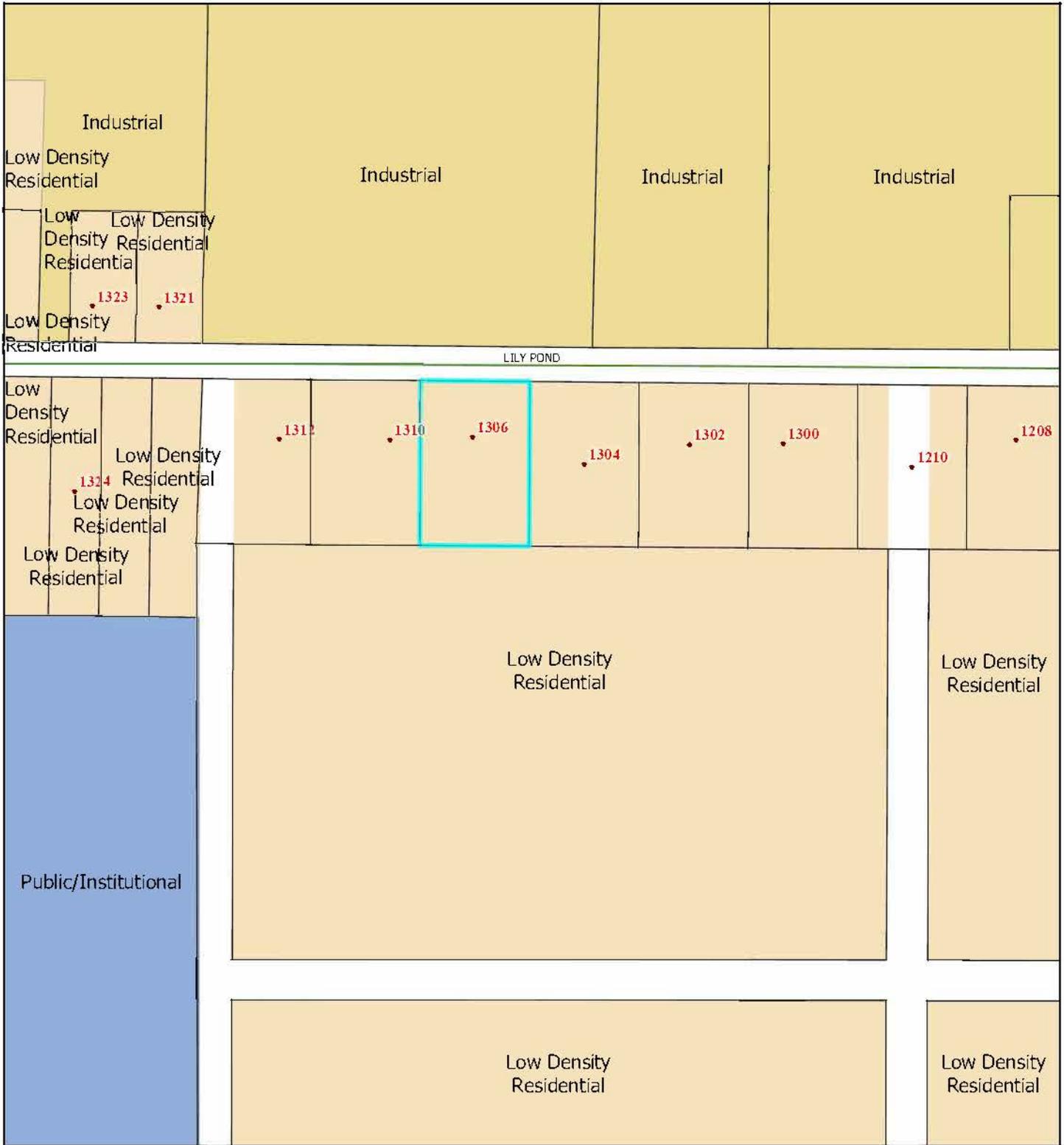
23-074
1306 Lily Pond Rd.
REZONING



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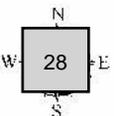
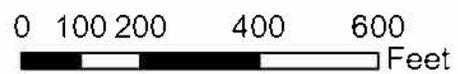
FUTURE LANDUSE



23-074
1306 Lily Pond Rd.
REZONING



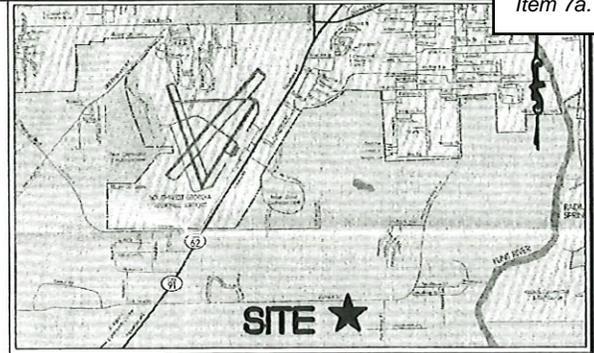
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PROPERTY OWNER:
 KEVON M. DOUGLAS
 1306 LILY POND ROAD
 ALBANY, GA 31701
 229-288-4088

PROPERTY CURRENT ZONING: R-2
 PROPOSED ZONING: C-3



LOCATION MAP

LILY POND ROAD 80' R/W



TIM COLEY
 CONSTRUCTION, INC.
 D.B. 3289, PG. 314

N00°14'55"E
 376.38'

LOT 11
 2.159 AC.
 PROPERTY TO BE
 REZONED FROM
 R-2 TO C-3

S00°14'55"W
 376.02'

POINT OF BEGINNING
 NORTHEAST CORNER OF LOT 11,
 OF ESTATE FARMS SECTION ONE
 AS RECORDED IN PLAT BOOK
 1D, PAGE 15F

TRENTAVIUS D.
 JACKSON
 D.B. 5080, PG. 18

S89°45'05"E
 250.00'

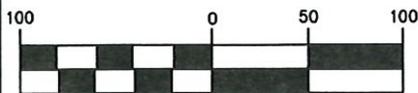
N89°49'57"W
 250.00'

NONAMI OGLETHORPE, LLC
 D.B. 3665, PG. 78

REZONING MAP
PROPERTY OF KEVON M. DOUGLAS

1306 LILY POND ROAD
 ALL OF LOT 11 OF ESTATE FARMS SECTION ONE AS RECORDED IN
 PLAT BOOK 1D, PAGE 15F
 PART OF LAND LOT 356, FIRST LAND DISTRICT
 DOUGHERTY COUNTY, GEORGIA

GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.



LANIER
ENGINEERING INC.

1504 W. THIRD AVENUE ALBANY, GEORGIA
 31707 (229) 438-0522 FAX (229) 438-0921
 EMAIL GWEBB@LANIER-ENGINEERING.COM

| | | | | | | | | | |
|----------|-----|---------|-----------|-----------|-----------|-----------|----------|--------------|----|
| SURVEYED | NA | SCALE | 1" = 100' | PROJ. NO. | 23208 | DATE | 10/18/23 | SHEET NUMBER | |
| DRAWN | EWV | CHECKED | | DWG | 23208.DWG | SUR. DATE | NA | 1 OF 1 | 30 |

LEC #23208
October 18, 2023

Legal Description
Property of Kevon M. Douglas
Property to be rezoned from R-2 to C-3

All that certain tract or parcel of land situate lying and being part of Land Lot 356 of the First Land District, Dougherty County Georgia and being more particularly described as follows:

Begin at the Northeast corner of Lot 11, The Estate Farms, Section One as recorded in Plat Book 1D, Page 15F, said point also being on the South right-of-way of Lily Pond Road (80' r/w) and go South 00 degrees 14 minutes 55 seconds East a distance of 376.02 feet; go thence North 89 degrees 49 minutes 57 seconds West a distance of 250.00 feet; go thence North 00 degrees 14 minutes 55 seconds East a distance of 376.38 feet to the South right-of-way of Lily Pond Road; go thence South 89 degrees 45 minutes 05 seconds East along the South right-of-way of Lily Pond Road a distance of 250.00 to the Northeast corner of Lot 11, The Estate Farms, Section One and the point of beginning.

Said tract or parcel contains 2.159 acres.

November 1, 2023

Community opposition to the proposed rezoning change

We the retired senior citizens, military retirees, veterans, and devoted families of the Lily Pond Road subdivision of Dougherty County are in opposition to the petition for rezoning of Residential property at 1306 Lily Pond Road to allow commercial vehicles to be parked thereon. Commercial trucks, tractors, equipment, parked on the grounds of residential lots and operating within residential community clearly violates the spirit and intent of the aforesaid Restrictive Covenant.

We, the community residence are also requesting that the **bureaucracy of law enforcement, Code enforcement and the courts system enforce the ordinances that are in place**, to prevent the further destruction of our neighborhood and community.

Historical Background of our Community

The trailblazers representing the original land purchasers who acquired property within the Lily Pond Road Subdivision were *families seeking a community to raise their families in an environment which reflect their common sustained values within a gradual changing landscape and culture*. Among them were Attorney Marian Smith and spouse, 1721 Lily Pond Road, the owners of **King and King Realty Company**; Mr. Cochran, the owner of **Cochran Studio**; Dr. Alma and Mr. William Nobles, 1420 Lily Pond Road, **Nobles florist, day care, and businesses**; Mr. Davis (decedent), previous owner of **nursing home on Martin Luther King Blvd.**; Dr. Artis and Annie Allen **Brown, Clark Brown Realty**; Rev. Robert and Mrs. Mary Lewis, 1710 Lily Pond Road, acquired and built in 1984; Mr. and Mrs. Nathaniel Dickerson, 1611 Lily Pond Road; and others, having successful careers elected to build or purchase within the subdivision, and having desires for rules, and restrictive covenants, as governance to secure and maintain the beauty of their community as well as to secure, perhaps their largest investment, that is their home, where each resorted to after departing from their place or business or occupation.

We realized that business and commercial interest should be within a commercial zone for business and therefore they all sought protection under the governance of protective covenants as spelled out in the restrictive Covenant filed September 1980 within the Dougherty County as herein stated below to and incorporated by reference.

We are convinced that many of the *newcomers* are not aware of the governance of the restrictive Covenants of the community and are therefore in violation of several of the covenants as mentioned herein below and incorporated by reference. We seek to inform and educate the petitioner and zoning board that will make recommendations to our County Commissioners relative to this matter.

The residential land purchased was purchased with **Protective Restrictive Covenants** which ran with the lots sold within the subdivision of **Whitehead Farm Estates** contains 23 restrictions with eleven of the relevant restrictions mentioned below. In deed book 662 pages 564 and 570, noted in Clause II of the Protective Restrictive Covenants "... protect the owners of the building sites against such improper use of surrounding building sites as will depreciate the value of their property; to preserve, as far as practicable, the natural beauty of said property...

1. All numbered lots in said area shall be used for residential purpose exclusively,

3. No portion of any lot, other than that approved as herein specified, shall be used for any purpose other than that of lawn;nothing herein contained, however, shall be construed as preventing the use of same for walks, drives, private swimming pools, tennis courts, and other appropriate private facility, the planting of trees or shrubbery, the growing of flowers, ornamental plants or statuary, fountains or similar ornamentation, for the purpose of beautifying said premises....No weeds, underbrush or other unsightly objects shall be placed or suffered to remain anywhere therein.

4. It shall be the responsibility of each lot owner to prevent the development of any unclean, unsightly, or unkept conditions of building or grounds on such lot which shall tend to destroy the beauty of the neighborhood as a whole or the specific area

5. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at anytime be used as a residence temporarily or permanently.... except during the construction of the main dwelling.

6. For a one-story residence, the floor area of the main structure, exclusively of one-story open porches and garages, shall be less than 1800 square feet...two stories the ground floor area shall not be less than 1450 square feet

7. In the event any purchaser of any lot, such as grantee of deed to which these restrictions are attached, permits any underbrush, weeds or broom sage to grow up on any such lot to a height above 2 feet, ...and on request fails to have said weeds cut within 30 days, any agent of the Declarant may enter upon said land and cut and remove the same at the expense of the owner...

8.No livestock, fowl, or animal of any kind, except as permitted by this section...2 cats, two dogs and other household pets...

9. Each lot owner shall provide receptible for garbage in a screen area not visible to from any road...

10.No commercial signs, including for rent or for sale shall be erected or maintained on any lot except as may be required by legal proceedings or except by a licensed Realtor..."

The document filed within the **Dougherty County Clerk's office Sept 8, 1980, Royce B. Hinson** (CLERK)

1306 Lily Pond Rd

Albany Dougherty Planning Commission Meeting
Thursday, November 2, 2023
2:00 P.M.

Government Center – 1st Floor – Room 100
 222 Pine Ave Albany, Georgia 31701

| NAME | ADDRESS | PHONE NO. EMAIL ADDRESS | APPLICATION NO. | WISH TO SPEAK? | ARE YOU FOR OR AGAINST? <i>(Circle your stance below)</i> |
|---------------|-------------------|----------------------------|-----------------------------|----------------|--|
| MR Dickersd | 1611 | 929-485-9475 | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN OPPOSITION |
| Willie Lawson | 2806 Spelman Rd | 333-1354 | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN OPPOSITION |
| Mary E. Lewis | 1710 Lily Pond Rd | 499-0996 | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN OPPOSITION |
| Robert Lewis | 1710 Lily Pond Rd | 499-0995 | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN OPPOSITION |
| OTIS COLES | 1515 Lily Pond Rd | 255-8610 | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN OPPOSITION |

1306 Lily Pond Rd

Albany Dougherty Planning Commission Meeting
 Thursday, November 2, 2023
 2:00 P.M.
 Government Center – 1st Floor – Room 100
 222 Pine Ave Albany, Georgia 31701

| NAME | ADDRESS | PHONE NO. EMAIL ADDRESS | APPLICATION NO. | WISH TO SPEAK? | ARE YOU FOR OR AGAINST? <i>(Circle your stance below)</i> |
|-------------------|--------------------|----------------------------|-----------------------------|---|--|
| NEAL ROBERTSON | 1161D LILY POND RD | | 23-074 1306 Lily Pond Rd | Y <input checked="" type="radio"/> N | IN FAVOR IN <input checked="" type="radio"/> OPPOSITION |
| GRANTHE T. ORTEGA | 1306 LILY POND RD | | 23-074 1306 Lily Pond Rd | <input checked="" type="radio"/> Y N | IN FAVOR IN <input checked="" type="radio"/> OPPOSITION |
| | | | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN <input checked="" type="radio"/> OPPOSITION |
| | | | 23-074 1306 Lily Pond Rd | Y N | IN FAVOR IN <input checked="" type="radio"/> OPPOSITION |

**A RESOLUTION
ENTITLED
A RESOLUTION FOR APPROVAL, ACCEPTANCE AND EXECUTION OF THE
MUTUAL AID AGREEMENT RENEWAL WITH THE MARINE CORPS LOGISTICS
BASE ON BEHALF OF DOUGHERTY COUNTY EMERGENCY MEDICAL SERVICES
DEPARTMENT PROVIDING RECIPROCAL SUPPORT IN THE EVENT OF ANY
NATURAL OR MAN-MADE CRISIS; REPEALING RESOLUTIONS OR PARTS OF
RESOLUTIONS IN CONFLICT HEREWITH;
AND FOR OTHER PURPOSES.**

WHEREAS, the Board of Commissioners of Dougherty County, Georgia has considered and is hereby desirous of approving and adopting the Mutual Aid Agreement Renewal with the Marine Corps Logistics Base on behalf of Dougherty County Emergency Medical Services Department providing reciprocal support in the event of any natural and/or man-made crisis;

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

SECTION I The attached the Mutual Aid Agreement Renewal with the Marine Corps Logistics Base on behalf of Dougherty County Emergency Medical Services Department is hereby approved and adopted and the Dougherty County Chairman along with any other appropriate Dougherty County staff are hereby authorized to execute any and all other documents necessary to the full implementation of said Mutual Aid Agreement.

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

This the 20th day of November, 2023.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
Lorenzo L. Heard, Chairman

ATTEST:

County Clerk



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
814 RADFORD BOULEVARD SUITE 20302
ALBANY GEORGIA 31704-0302

**MUTUAL AID AGREEMENT
BETWEEN
DOUGHERTY COUNTY EMERGENCY MEDICAL SERVICE
AND
MARINE CORPS LOGISTICS BASE ALBANY, GEORGIA**

This Mutual Aid Agreement (MAA) M67008-092123-A008 is entered into by and between Dougherty County Emergency Medical Services (EMS) and Marine Corps Logistics Base (MCLB) Albany, Georgia. When referred to collectively they shall be referred to as the PARTIES

1. **AUTHORITY.**

1.1. Title 15, Chapter 49, Section 2210, United States Code

1.2. Title 42, Chapter 15A, Section 1856a, United States Code

1.3. DOD Instruction 4000.19, Interservice and Intragovernmental Support

1.4. Base Order 4400.46 (ser), Support Agreement Program and Defense Regional Interservice Support (DRIS)

2. **PURPOSE.**

The purpose of this Agreement is to secure for each the benefits of MAA in the event of natural and/or man-made disasters involving hazardous materials response, weapons of mass destruction, confined space rescues, mass casualty incidents, and aircraft mishaps, emergency medical and firefighting services.

3. **RESPONSIBILITIES OF THE PARTIES:**

3.1. The PARTIES agree as follows:

3.1.1. The rendering of assistance under the terms of this agreement shall not be mandatory.

Subj: DOGHERTY COUNTY EMS Mutual Aid

3.1.2. The PARTY receiving the request for assistance should immediately inform the requesting department if assistance cannot be rendered for any reason.

3.1.3. Each PARTY hereby waives all claims against the other party for compensation for any loss, damage, injury or death occurring as a consequence of the performance of this agreement, except those claims authorized pursuant to authority (1.1).

3.1.4. Each PARTIES emergency services departments are invited and encouraged, on a reciprocal basis, to frequently visit each other's activities for guided familiarization tours consistent with local security requirements and, as feasible, to jointly conduct pre-planning inspections and drills.

3.1.5. The technical heads of the emergency departments of each PARTY to this agreement are authorized and directed to meet and draft any detailed plans or procedures of operation necessary to effectively implement this agreement. Such operational plans and procedures shall become effective upon ratification by the signatory PARTIES and attached to this agreement.

3.2. MCLB Albany will:

3.2.1. Upon request by a representative of the Dougherty County EMS dispatch equipment and personnel of the Public Safety Division, when available, to any point within the area for which the Dougherty County EMS normally provides emergency medical services.

3.2.2. Determine the number of personnel and amount/type of equipment to be furnished to the representative of the Dougherty County EMS.

3.2.3. Report to the officer in charge of the Dougherty County EMS organization at the location to which this equipment is dispatched and will be subject to the orders of that official.

3.2.4. Be released by Dougherty County EMS when its services are no longer required or when its Fire and Emergency Services personnel are needed within the area for which they normally provide emergency medical services.

Subj: DOGHERTY COUNTY EMS Mutual Aid

3.2.5. Ensure that all equipment used by its Fire and Emergency Services Branch in carrying out this Agreement will be owned by the United States Government and all personnel acting for MCLB Albany under this Agreement will be an employee of MCLB Albany and the United States Government.

3.2.6. Upon request of the Dougherty County EMS Training Officer share in specialized practical training and classes with Dougherty County EMS. Sharing and providing resources for common mission requirements.

3.2.7. Provide training at no cost.

3.3. Dougherty County EMS will:

3.3.1. Upon request by a representative of MCLB Albany, dispatch equipment and personnel of Dougherty County EMS, when available, to any point within the jurisdiction of the MCLB Fire and Emergency Services Branch.

3.3.2. Determine the number of personnel and amount/type of equipment to be furnished to the representative of the MCLB Public Safety Division.

3.3.3. Report to the officer in charge at the location to which this equipment is dispatched and will be subject to the orders of that official.

3.3.4. Be released when their services are no longer required or when the Dougherty County EMS is needed within the area for which it normally provides emergency medical services.

3.3.5. Ensure that all equipment used by Dougherty County EMS in carrying out this Agreement will be owned by the Dougherty County EMS and all personnel acting for Dougherty County EMS under this Agreement will be an employee or volunteer member of Dougherty County EMS.

3.3.6. Upon request of the Marine Corps Logistic Base Albany, Georgia, the Fire & Emergency Services Training Officer will share in specialized practical training and classes with Dougherty County EMS. Sharing and providing resources for common mission requirements.

3.3.7. Provide training at no cost.

Subj: DOGHERTY COUNTY EMS Mutual Aid

4. **JOINT PROVISIONS.** The PARTIES to this MOA agree to comply with laws, regulations, policies, and procedures applicable to the services and support provided under this Agreement.

5. **PERSONNEL.** Each PARTY is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each PARTY is responsible for supervision and management of its personnel.

6. **GENERAL PROVISIONS**

6.1. Point of Contact (POC). The following POCs will be used by the PARTIES to communicate in the implementation of this agreement. Each PARTY may change its POC upon reasonable notice to the other PARTY.

6.1.1. For MCLB, Albany:

6.1.1.1. Primary: Support Agreements Manager
Phone: DSN: (229) 639-8959

6.1.1.2. Alternate: Support Agreements Analyst
Phone: DSN: (229) 639-7494

6.1.1.3. MCLB, Albany Fire Chief
Phone: (229) 639-8882/8914

6.2.1. For Dougherty County:

6.2.1.1. Director, Dougherty County EMS
1436 Palmyra Road
Albany, Georgia 31701
Phone: (229) 439-7011

6.2. Correspondence. All correspondence to be sent and notices to be given pursuant to this MAA will be addressed, if to the MCLB, Albany:

6.2.1. Commanding Officer
Marine Corps Logistics Base
814 Radford Blvd, Suite 20302
Albany, GA 31704-0302

and, if to Dougherty County EMS:

Subj: DOGHERTY COUNTY EMS Mutual Aid

6.2.2. Dougherty County EMS
1436 Palmyra Road
Albany, Georgia 31701

6.3. Funds and Manpower. This MAA does not document nor provide for the exchange of funds or manpower between the PARTIES, nor does it make a commitment of funds or resources.

6.4. Mutual Aid Agreement. This MAA may only be modified by the written agreement of the PARTIES, duly signed by their authorized representatives. This MAA will be reviewed annually on or around the anniversary of its effective date, and triennially in its entirety.

6.5. Disputes. Any disputes relating to this MOU will, subject to any applicable law, Executive Order, directive, or instruction, be resolved by consultation between the Parties or in accordance with DoDI 4000.19.

6.6. Termination of Understanding. This MAA may be terminated in writing at will by either PARTY.

6.7. Transferability. This MAA is not transferable except with the written consent of the PARTIES.

6.8. Entire Understanding. It is expressly understood and agreed that this MOU embodies the entire understanding between the PARTIES regarding the MAA's subject matter.

6.9. Effective Date. This MAA takes effect beginning on the day after the last party signs.

6.10. Expiration Date. This MAA expires nine years to the day after the last PARTY signs.

**A RESOLUTION
ENTITLED
A RESOLUTION FOR APPROVAL, ACCEPTANCE AND EXECUTION OF AN
EASEMENT AGREEMENT BETWEEN DOUGHERTY COUNTY, GEORGIA, THE
CITY OF ALBANY AND THE UNITED STATES OF AMERICA THROUGH THE
ADMINISTRATOR OF THE GENERAL SERVICES ADMINISTRATION;
REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT
HEREWITH;
AND FOR OTHER PURPOSES.**

WHEREAS, the Board of Commissioners of Dougherty County, Georgia has considered and is hereby desirous of approving and executing a certain Easement Agreement between Dougherty County, Georgia, the City of Albany, Georgia and the United States of America, acting by and through the Administrator of the General Services Administration, for the purpose of constructing and maintaining certain security fencing for the C.B. King United States Courthouse;

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 Easement Agreement between Dougherty County, Georgia, the City of Albany, Georgia and the United States of America, acting by and through the Administrator of the General Services Administration, is hereby approved and adopted and the Dougherty County Chairman is hereby authorized to execute any and all other documents necessary to the full implementation of said Easement Agreement.

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

This the 20th day of November, 2023.

BOARD OF COMMISSIONERS OF
DOUGHERTY COUNTY, GEORGIA

BY: _____
Lorenzo L. Heard, Chairman

ATTEST:

County Clerk

RETURN TO:

Page, Scrantom, Sprouse, Tucker & Ford, P.C.
 Attn: Alex M. Shalishali.
 P.O. Box 1199
 Columbus, GA 31902

STATE OF GEORGIA,
 COUNTY OF DOUGHERTY

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this "Agreement"), is made and entered into as of _____, 2023, by and between DOUGHERTY COUNTY, GEORGIA and the CITY OF ALBANY, GEORGIA (hereinafter collectively referred to as "Grantors"), and the UNITED STATES OF AMERICA, acting by and through the ADMINISTRATOR OF THE GENERAL SERVICES ADMINISTRATION (hereinafter referred to as "Grantee").

WITNESSETH THAT:

WHEREAS, Grantors are the owners of a portion of that certain tract of land known and identified as Tax Map Parcel No. 0N201/00003/001, bounded in part on the south by W. Broad Avenue, on the east by N. Washington Street and on the north by Pine Avenue as generally shown and depicted on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter referred to as "Grantors' Property"), and certain improvements thereon, including a certain parking garage facility identified as the "Parking Garage" on Exhibit "A" (hereinafter referred to as the "Parking Garage"); and

WHEREAS, Grantee is the owner of a portion of that certain tract of land known and identified as Tax Map Parcel No. 0N201/00003/001, bounded on the south by W. Broad Avenue, on the east by North Washington Street, and on the north and west by the Grantor's Property, together with the building and improvements known as the C.B. King Federal Courthouse, shown and depicted as that certain property described as "United States of America D.B. 1744-172, 35, 808 SQ. FT. 0.822 ACRES" on that certain plat of survey entitled "ALTA/LAND TITLE SURVEY – BOUNDARY/EASEMENT C.B. KING U.S. COURTHOUSE + FEDERAL BUILDING (GA0012) SITE" dated March 7, 2023], prepared by Nash Survey & Design and recorded in Plat Book 9, page 49-49, in the office of the Clerk of Dougherty County, Georgia, a copy of which is attached hereto as Exhibit "B" (hereinafter referred to as the "Courthouse Property"); and

WHEREAS, Grantors and Grantee desire to enter into this Agreement to provide Grantee with an easement for the purpose of constructing and maintaining certain security fencing for the Courthouse Property to prevent pedestrian access over the Fence Easement as defined below;

NOW, THEREFORE, for and in consideration of \$1.00, the premises recited and the mutual covenants and conditions hereinafter set forth, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantors and Grantee covenant and

agree to the following terms and conditions:

1.

Grantors hereby, grant and convey to Grantee a perpetual and exclusive easement on, over and across that portion of the Grantors' Parcel shown and identified as "FENCE EASEMENT 0.038 ACRES 1639 S.F." on the survey of the Courthouse Property attached hereto as Exhibit "B" (hereinafter referred to as the "Fence Easement"), for the purpose of maintaining, repairing and replacing such security fencing and in order to prohibit pedestrian access to the Courthouse Property on and over the Fence Easement area as shown on said survey. Such easement rights shall include the right to adjoin such security fencing to the southern wall of the Parking Garage as reasonably necessary for the intended uses of the Fence Easement as set forth above. In addition, Grantee shall have a non-exclusive easement across so much of Grantors' Property adjacent to and outside the Fence Easement area as reasonably necessary from time to time for access to the Fence Easement area for the sole purpose of repairing, maintaining, and replacing such security fencing. Notwithstanding the foregoing terms to the contrary or the area subject to the Fence Easement as shown on the above-referenced survey, the easement rights granted herein shall not include the right to place any such fencing in a location which denies pedestrian access to the Parking Garage by means of the existing doorway in the southern wall of the Parking Garage at the east end of such wall.

2.

RESERVATION BY GRANTORS

Grantors reserve all rights of ownership in and to the Grantor's Property which are not inconsistent with the terms of this Agreement and the easements granted herein.

3.

GOVERNMENT LIABILITY

The Government will be responsible to the extent provided under applicable federal law for all claims resulting from the Government's actions on the Fence Easement. In accordance with the terms and subject to the conditions, limitations, and exceptions set forth in the Federal Tort Claims Act of 1948, as amended (28 U.S.C. Section 2671, et seq.) ("Tort Claims Act"), the Government shall be liable to persons damaged by any personal injury, death or injury to or loss of property, which is caused by a negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment under circumstances where a private person would be liable in accordance with the law of the place where the act or omission occurred. The foregoing shall not be deemed to extend the Government's liability beyond that existing under the Tort Claims Act at the time of such act or omission, or to preclude the Government from using any defense available at law or in equity.

4.

MISCELLANEOUS

2

(a) No Dedication. Except as herein specifically provided, nothing contained in this Agreement shall be deemed to be a gift or dedication of any property or any interest therein to the general public or for any public use or purpose whatsoever, it being the intention of the parties hereto that nothing in this Agreement, expressed or implied, shall confer upon any person other than the parties hereto and their respective successors, successors-in-title and assigns, any rights or remedies under or by reason of this Agreement.

(b) Severability. If any provision of this Agreement, or portion thereof, or the application thereof to any persons or circumstances, shall, to any extent, be held invalid, inoperative or unenforceable, the remainder of this Agreement, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby. It shall not be deemed that any such invalid provision affects the consideration for this Agreement, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

(c) Choice of Law. This Agreement will be governed by the federal laws of the United States of America, and if such laws are not applicable to the issue in question, then this Agreement shall be construed and interpreted in accordance with the laws of the State of Georgia.

(d) Amendment; Modification; Termination. This Agreement may only be amended, modified or terminated at any time by an agreement in writing, executed and acknowledged by all of the parties to this Agreement or their respective successors, successors-in-title and assigns and this Agreement shall not otherwise be amended, modified or terminated.

(e) Time is of the Essence. Time is of the essence of this Agreement.

(f) References. Any reference herein to Grantee or Grantors shall be deemed to be a reference to Grantee or Grantors or their respective successors, successors-in-title or assigns, except as may be limited in application as specifically provided elsewhere in this Agreement.

(SIGNATURES ON NEXT PAGES)

IN WITNESS WHEREOF, Grantors and Grantee have caused this Agreement to be duly executed and delivered by their authorized representatives, under seal, on the day and year first above written.

GRANTORS:

DOUGHERTY COUNTY, GEORGIA

By: _____
Name: _____
Title: _____

(SEAL)

Signed, sealed and delivered
in the presence of

Unofficial Witness

Notary Public
My Commission Expires: _____

(NOTARY SEAL)

CITY OF ALBANY, GEORGIA

By: _____
Name: _____
Title: _____

(SEAL)

Signed, sealed and delivered
in the presence of

Unofficial Witness

Notary Public
My Commission Expires: _____

(NOTARY SEAL)

[SIGNATURE PAGE OF GRANTEE]

GRANTEE

UNITED STATES OF AMERICA,
Acting by and through the
GENERAL SERVICES
ADMINISTRATION

By: _____
Name: _____
Title: _____

(SEAL)

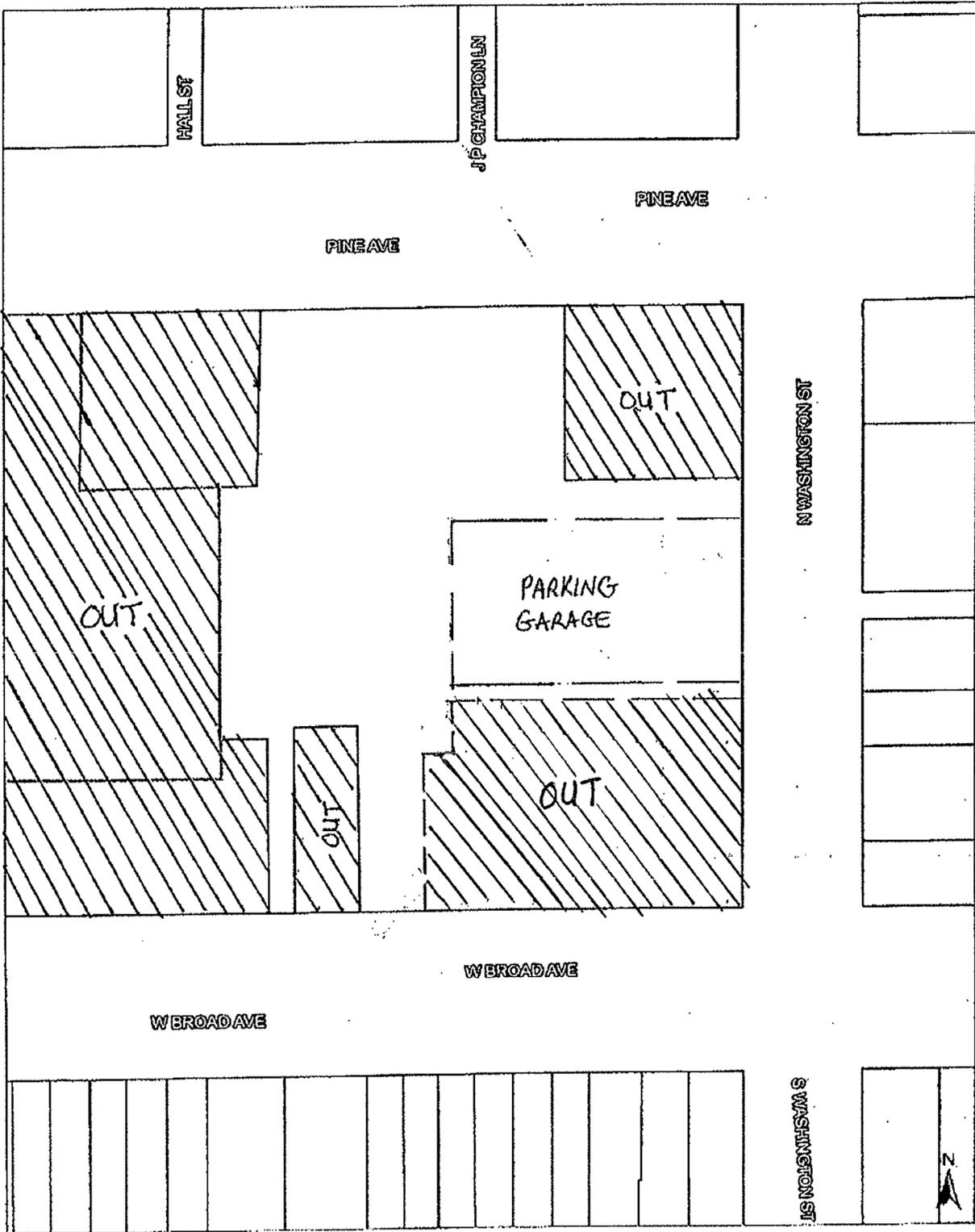
Signed, sealed and delivered
in the presence of

Unofficial Witness

Notary Public
My Commission Expires: _____

(NOTARY SEAL)

EXHIBIT "A"



2024 County Commission Meeting Schedule

Below are the meeting dates for the Dougherty County Commission for Calendar Year 2024.

All meetings are on Mondays at 10:00 a.m. unless otherwise noted and are held at the Albany-Dougherty Government Center, 222 Pine Avenue, Albany, Georgia in Room 100. The public can also view via the County's Facebook page or Government Access Channel.

A face covering is not required for meeting participants.

| DATE | MEETING | DATE | MEETING |
|--------------------------|------------------------------------|---------------------------|--------------------------------|
| January 1, 2024 | New Years Day <i>No Meeting</i> | July 1, 2024 | Regular Meeting |
| January 8, 2024 | Regular Meeting* | July 8, 2024 | Work Session |
| January 15, 2024 | MLK Holiday <i>No Meeting</i> | July 15, 2024 | Regular Meeting |
| January 22, 2024 | Regular Meeting | July 22, 2024 | <i>No Meeting</i> |
| January 29, 2024 | Work Session | July 29, 2024 | Work Session |
| February 5, 2024 | Regular Meeting | August 5, 2024 | Regular Meeting |
| February 12, 2024 | Work Session | August 12, 2024 | Work Session |
| February 19, 2024 | Regular Meeting | August 19, 2024 | Regular Meeting |
| February 26, 2024 | Work Session | August 26, 2024 | Work Session |
| March 4, 2024 | Regular Meeting | September 2, 2024 | Labor Day <i>No Meeting</i> |
| March 11, 2024 | Work Session | September 9, 2024 | Regular Meeting |
| March 18, 2024 | Regular Meeting | September 16, 2024 | Work Session |
| March 25, 2024 | Work Session | September 23, 2024 | Regular Meeting |
| April 1, 2024 | Regular Meeting | September 30, 2024 | Work Session |
| April 8, 2024 | Work Session | October 7, 2024 | Regular Meeting |
| April 15, 2024 | Regular Meeting | October 14, 2024 | Work Session |
| April 22, 2024 | <i>No Meeting</i> | October 21, 2024 | Regular Meeting |
| April 29, 2024 | Work Session | October 28, 2024 | Work Session |
| May 6, 2024 | Regular Meeting | November 4, 2024 | Regular Meeting |
| May 13, 2024 | Work Session | November 11, 2024 | Work Session |
| May 20, 2024 | Regular Meeting* | November 18, 2024 | Regular Meeting |
| May 27, 2024 | Memorial Day <i>No Meeting</i> | November 25, 2024 | Work Session |
| June 3, 2024 | Regular Meeting | December 2, 2024 | Regular Meeting |
| June 10, 2024 | Work Session | December 9, 2024 | Work Session |
| June 17, 2024 | Regular Meeting | December 16, 2024 | Regular Meeting |
| June 24, 2024 | Work Session | December 23, 2024 | <i>No Meeting</i> |
| | | December 30, 2024 | <i>No Meeting</i> |

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 X0 promptly to allow the County to make reasonable accommodations for those persons.

**Denotes a change to the standard meeting schedule where there would have been two meetings scheduled. As of November 13, 2023*