



## REGULAR MEETING

August 15, 2022  
10:00 AM

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

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### AGENDA

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

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

1. Call the meeting to order by Chairman Christopher Cohilas.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. Minutes.
  - a. Consider for action the Minutes of the July 18th Regular Meeting, July 25th Work Session and July 25th Special Called Meeting. **ACTION:**
6. Public Hearing for the Proposed Millage Rate Increase to 19.069 mils for the County-Wide General Fund. The millage rate of 9.173 will remain the same for the Special Services District. ***(Those wishing to speak on this matter should print their name on the Sign up Sheet in the rear of the Chamber prior to the start of the meeting).***
7. 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).*

8. Additional Business.
  - a. Consider for action a Resolution imposing a County one percent sales and use tax as authorized by Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, specifying the purposes for which the proceeds of such tax are to be used; specifying the period of time for which such tax shall be imposed; specifying the estimated cost of the facilities to be funded from the proceeds of such tax; requesting the Election Superintendent to call an election of the voters of Dougherty County to approve the Imposition of such sales and use tax; approving the form of ballot to be used in such an election; and for other purposes. County Attorney Alex Shalishali will address. **ACTION:**
9. Updates from the Assistant County Administrator.
  - a. **Reminder-** Due to five meetings in the month of August, there will be NO meeting on August 22, 2022. The next meeting will be a Work Session on August 29, 2022.
  - b. **Reminder-** There are two additional Public Hearings scheduled on the proposed millage rate: 6 p.m. Monday, August 15, 2022 and 10 a.m. Monday, August 29, 2022 in Room 100 of the Albany Dougherty Government Center.
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

July 18, 2022

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on July 18, 2022. Chairman Christopher Cohilas presided and called the meeting to order at 10:05 a.m. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Anthony Jones, and Ed Newsome. Also present were County Administrator Michael McCoy, 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. Assistant County Administrator Scott Addison and County Attorney Spencer Lee were absent.

After the invocation and Pledge of Allegiance, the Chairman called for approval of the minutes of the June 27th Regular Meeting.

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

The Chairman opened the SPLOST VIII public hearing and Mr. William Wright spoke about his concerns. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman introduced the new County Attorney Alex Shalishali.

The Chairman recognized Ms. Lou Ester Milledge Hardy to accept the proclamation recognizing her achievements in Dougherty County. Mr. George Andrews, founder of Capitol City Bank was recognized by Commissioner Gaines. The proclamation reads as follows:

WHEREAS: Lou Easter Milledge-Hardy, was born on June 17, 1956, to Rufus and Louise Milledge in Lee County, Georgia; the eleventh of eighteen children. She graduated from Lee County High School in May 1975 and attended Darton College, Meadows Business College, and Albany State University. She graduated from Troy University College with a major in Business Administration; and

WHEREAS: Mrs. Hardy was blessed with two children, Courtney Kintrell Hardy, Sr., and Alicia Shaunte' Hardy-Drake; a son-in-law Cornelius Drake, and four grandchildren; Mia Hardy, Courtney Kintrell Hardy, Jr., Maliyah Hardy; and Caleb Lazar Drake; and

WHEREAS: Mrs. Hardy is a retired banker of thirty-two years, the first black female Branch Manager of an Afro-American Bank, Capitol City Bank of Albany, Georgia; and is currently employed with Dougherty County School System, where she has served as a Parent Facilitator for the past four years; and

WHEREAS: A member of First Mount Olive Missionary Baptist Church, she serves as a Sanctuary Choir Ministry President; member of the Praise Team; Announcer/ Welcome Ministry; President of Women’s Devotion Ministry; and Pastor’s Aide Ministry; and

WHEREAS: Awards Mrs. Hardy has received include Top Sales award and Customer’s Excellence Award (Bank of America) ; PTO and Employee Award (DCSS-Southside Middle School); Honorary Award (Another Tut’s Production of Atlanta Georgia); recognized in 2017 by Trademark Women of Distinction; participated in the Mrs. Georgia Pageant in 1986 and chosen as Mrs. Congeniality in 2006; crowned Mrs. Dougherty County in 2007 and was chosen again as Mrs. Congeniality in the Mrs. Georgia Pageant the same year. In 2019, Mrs. Hardy was the 3rd place runner-up in the Ms. Senior Georgia Pageant, receiving the Sales Award. May 2021, Mrs. Hardy was the 1st runner-up in the Ms. Southwest Georgia Senior Pageant and was crowned in that pageant on September 18, 2021, as Ms. Southwest Georgia Senior. In December 2021, Mrs. Hardy received DCSS’s FACE Rock Star Award; and

WHEREAS: Mrs. Hardy serves on the Albany Community Together Board, Albany Civil Rights Institute, and Miss Albany. She served as a Judge for Albany State University Pageant 2022, a Judge for Juneteenth Pageant June 18, 2022, and was a nominee for the Albany Herald Women of the Year of Award. She is also a model for Another Tut’s Production; and

WHEREAS: Dougherty County Commission, the Milledge Hardy and Drake families, Rev. Gary C. Sanders, Sr., the family of First Mt. Olive Missionary Baptist Church will be honoring Lou Easter Milledge-Hardy as their “2022 Living Legend”, and recognizing her for being an exemplary servant of her Family, Church Family and the Community of Albany, Georgia; NOW

THEREFORE: We, the Board of Commissioners of Dougherty County, Georgia, do hereby proclaim July 18, 2022 as Lou Easter Milledge Hardy Day in the County of Albany, Georgia, and urge the Milledge, Hardy and the Drake families, and the congregation of First Mt. Olive Missionary Baptist Church to join me in honoring her achievements. I further urge her extended family and friends to join in the celebration to pay homage to Mrs. Hardy and wish her continued success in her future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Dougherty to be affixed.

BOARD OF COMMISSIONERS  
DOUGHERTY COUNTY, GEORGIA

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Christopher S. Cohilas, Chairman

The Chairman recognized Consultant Ed Wall to provide a multi-year financial projection update to the Board. Mr. Wall corrected information received from the public to note that Dougherty County spends \$800 per capita and not \$8,800 as presented. A comparison of Lee, Valdosta-

Lowndes, Bartow, Macon-Bibb, Bulloch and Tift counties were provided. His presentation was noted as “apples to apples” comparing similar services. He concluded from the question of Commissioner Gaines that the concern is the value of the digest. He also said that it needed to grow by focusing on economic development. He presented assumptions forecasted due to inflation, pay study implementation and a potential increase in property taxes. He stated that if no pay study is implemented, a millage rate is still needed to prevent the County’s reserves from being lower than the County’s standards. The millage rate effect on a \$100,000 home was provided and numbers did not reflect the homestead exemptions. A 2.5 mil increase would cause an \$8 monthly impact (\$100 annual), 4 mils impact is \$13 (\$160 annual) and 4.5 mils is \$15 (\$180 annual). He shared that his last forecast was that the previous rate increase would last under five years. Commissioner Johnson asked what is being done to address the County’s issue. After a lengthy discussion ensued, Mr. Wall will work with Mr. McCoy and Mrs. Hendley to provide additional suggestions requested by the Board. Mr. Wall did share that every County that he works with must increase their millage rate this year primarily due to higher wages. The Chairman said that it appears that there is no choice, and an increase is coming but options will be explored. Mr. Wall did clarify for Commissioner Gaines that if a millage increase is not done, then reserves would have to be used. Chairman Cohilas concluded that Mr. Wall work with the Finance Committee relative to today’s discussion to consider reassessment of the tax digest, and within 60-90 days provide the pros and cons of creating a special tax district and asked for a report with recommendations be provided before setting the millage rate.

The Chairman opened the public hearing for Ronnie Gay & Charlotte A. Gay; owner and applicant (22-037) request to rezone 4.195 acres from R-2 (Single Family Residential District) to C-8 (Commercial Recreation District). The proposed use is for Recreational Vehicle Park. The property is located at 3420 Sylvester Road. The Planning Commission recommended approval. Angel Gray, Planning Manager, addressed. Mr. Gay was present but yielded the request to speak. There being no additional comments regarding the proposed matter, the Chairman closed the public hearing.

The Chairman called for consideration to purchase three 2022 Police Interceptor SUVs for the Albany Dougherty Drug Unit (ADDU) from sole bidder Wade Ford (Smyrna, GA) for a total expenditure of \$103,627.02. Funding is budgeted the American Rescue Plan (ARPA). City of Albany Buyer Corey Gamble and ADDU Major Ryan Ward were present.

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

The Chairman called for consideration to purchase one 2022 F-150 for Solid Waste from the State Contract Vendor Wade Ford (Smyrna, GA) in the amount of \$38,942.68. The vehicle is available for delivery. Funding is available in the Solid Waste Enterprise Fund. County Administrator Michael McCoy will address. City of Albany Buyer Corey Gamble and Solid Waste Director Campbell Smith are present.

Commissioner Jones moved for approval. Commissioner Johnson seconded the motion. Under discussion, Mr. McCoy clarified that this will be replacing the vehicle that caught on fire.

Mr. Smith shared that there were issues with the previous vehicle's make and model. There being no further discussion, the motion for approval passed unanimously.

The Chairman called for consideration to purchase two 2022 F-150 for Public Works from the State Contract Vendor Wade Ford (Smyrna, GA) for the total expenditure of \$60,934. The vehicles are available for delivery. Funding is available in SPLOST VII. City of Albany Buyer Corey Gamble and Public Works Director Chuck Mathis were present.

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

The Chairman called for consideration to accept one of the three proposed compensation and classification study plans.

Commissioner Jones moved for approval for Option B. Commissioner Gray seconded the motion. Under discussion, Mr. McCoy provided additional millage rates regarding the benefits increase. Commissioner Johnson asked for more time to digest the information that was received. The vote for the implementation of Option B was passed with four ayes and three nays by Commissioners Edwards, Gaines and Johnson. There was a discussion regarding clarification of the implementation. Commissioners Edwards and Johnson were clear that they are in favor of providing raises for employees but needed to have clarity of the implementation date and funding of the study. Chairman Cohilas said that the implementation will start in October 2022 according to the document. He added that if the Board would like to put the item on the agenda to be retracted, it can be. Commissioner Gaines was not pleased because all considerations were not taken prior to the vote and she stated that she attempted to table the vote but her substitute motion was ignored. There being no further discussion, the motion for approval passed unanimously. Recess was taken at 11:59 a.m.- 12:03 p.m.

The Chairman called for the zoning consideration of Ronnie Gay & Charlotte A. Gay; owner and applicant (22-037) request to rezone 4.195 acres from R-2 (Single Family Residential District) to C-8 (Commercial Recreation District). The proposed use is for Recreational Vehicle Park. The property is located at 3420 Sylvester Road. The Planning Commission recommended approval.

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

The Chairman called for consideration of the resolution authorizing the Intergovernmental Agreement with the City of Albany for the 2022 Byrne Justice Assistance Grant (JAG) Program in the amount of \$21,200. The Agreement stipulates that the County will receive 20% of the total award (\$106,000). County Administrator Michael McCoy addressed. Finance Director Martha Hendley was present.

Commissioner Jones moved for approval. Upon a second by Commissioner Edwards, the motion for approval passed unanimously. Resolution 22-034 is entitled:

#### A RESOLUTION

ENTITLED  
A RESOLUTION PROVIDING FOR THE ACCEPTANCE AND EXECUTION OF  
AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF  
ALBANY AND DOUGHERTY COUNTY RELATIVE TO A 2022 BYRNE  
JUSTICE ASSISTANCE (JAG) PROGRAM AWARD; REPEALING  
RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;  
AND FOR OTHER PURPOSES.

Commissioner Johnson welcomed County Attorney Alex Shalishali and he asked County Administrator McCoy to have GDOT conduct a comprehensive safety study on Liberty Expressway. He also requested that a comprehensive housing study be done to work on the tax base and that the Board have a conversation about the pay study increase. Chairman Cohilas said that Mr. Wall will be back at the next work session. It was added that we need a consistent way to pay people. Commissioner Edwards confirmed with Mr. McCoy that the employees will receive the \$1000 increase funded by ARPA in December. Commissioner Gaines shared she was concerned about the impact that the pay study increase will have on the citizens and the employees and said that today's actions were not fair.

There being no further business to come before the Commission, the meeting adjourned at 12:09 a.m.

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CHAIRMAN

ATTEST:

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COUNTY CLERK

DOUGHERTY COUNTY COMMISSION  
WORK SESSION MEETING MINUTES

DRAFT

July 25, 2022

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on July 25, 2022. Chairman Christopher Cohilas presided and called the meeting to order at 10:05 am. Present were Commissioners Victor Edwards, Gloria Gaines, Russell Gray, Clinton Johnson, Anthony Jones and Ed Newsome. County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Alex Shalishali, County Clerk Jawahn Ware and other staff were also present. The public and representatives of the media participated in person via live streaming of the meeting on the County's Facebook page and the government public access channel. County Attorney Spencer Lee was absent.

The Chairman asked the Commission to review the minutes of the July 11th Regular Meeting and July 11th Work Session.

The Chairman opened the SPLOST VIII public hearing and Mr. William Wright spoke about his concerns. He said that SPLOST was never intended to be forever and the County should be growing the tax digest. He added that the County still has money from SPLOST IV which has not been used but [citizens] are still being for additional money, therefore [the County is] acting upon greed and not need. He plans to provide written documentation on suggested projects and needs for the Commission's review and consideration. There being no further discussion, the public hearing was closed.

The Chairman recognized HR Director Dominique Hall to update the Commission on the recent job fair. Ms. Hall said that 70 individuals attended, 44 applications were completed and that this was the largest turnout in a single day this year. She added that she will continue to work with community partners in posting jobs and shared other marketing plans. She said that we have about 135 vacancies out of over 600 positions. Other questions and suggestions were posed by the Board.

The Chairman recognized Albany Technical College Director of the Community Development Block Grant Disaster Recovery Grant, Michelle Williams to inform the community of the Rebuild Southwest Grant that allows individuals to go to school for free. Ms. Williams said that about \$8.3 million was awarded from 2018 Hurricane Michael and those funds can be used for 20 counties for low and moderate-income individuals who cannot get financial aid. Those who are looking to obtain certificates and are not Pell grant eligible and those with bachelors that have lost jobs because of the storms are eligible. Currently, this grant is not limited for a specific program but individuals must be an applicant of the college. Suggestions on how to partner with the Dougherty County Human Resources department were discussed. Only three years are remaining with the grant. She was asked to provide information to the County's Public Information Officer Wendy Howell. Suggestions of partnering entities and individuals were provided.



The Chairman called for the millage rate recommendation from the Finance Committee. Finance Committee Chairman Ed Newsome and Financial Advisor Edmund Wall addressed. Upon the request of Commissioner Johnson, prior the presentation, Commissioner Newsome shared that the Finance Committee vote on the recommendation was 2-1 with Commissioner Johnson voting against the millage rate increase proposal. Mr. Wall explained the impact inflation is having on the community which in turn impacted the millage rate. Suggestions of other revenue sources were provided and it was said that creating a special tax district is not advantageous. The commuter tax implemented in New York is discouraged because it may deter individuals moving to the area. The Landfill Franchise fees were discussed, and it was suggested money due from the General Fund be written off because funds were not available. A resolution from Attorney Shalishali will be presented per the request of Commissioner Gray to ensure that the closure costs are restricted to prevent accidental spending (currently in the amount of \$8.5 million). The suggested solution is to implement a 10% franchise fee on the Solid Waste Fund. This will project about \$468,199 a year in income. The landfill fund is healthy and it can afford to pay a franchise fee and has no debt.

A schedule of rates for tipping fees will be presented later by Assistant County Administrator Scott Addison. The proposed mil increases for the next years were discussed. If no action is taken, our reserves will drop to 15 days which means the County will need to borrow money for payroll in the summer months and it will harm the County's credit rating. Mr. McCoy clarified for Commissioner Gaines that all positions are still funded even if there are vacancies. Commissioner Gaines questioned if the County is providing services at a level we can afford. Mr. McCoy shared that expenditures have been thoroughly reviewed and addressed additional concerns. There is no millage rate increase proposed for the Special Services District. Mr. Wall summarized that we have a budget that we will have to pay for, either with a millage rate increase or our savings. He told Commissioner Edwards that the rate does not have to be set by August 1<sup>st</sup>. Mr. McCoy shared that the setting of the millage rate must be done every year and there may be a delay. Mr. McCoy also provided an update that the staff gave in the Finance Committee Meeting pertaining to tipping fees. Commissioner Jones suggested that consolidation be considered. Commissioner Johnson asked Mr. Wall, as our financial consultant, to work aggressively to ensure that our employees are paid adequately in advance. Commissioner Newsome concurred and shared that we cannot be in the predicament that we have been in the past. Mr. Wall discussed the increase in other local governments and noted that one increased their rate 30%. It was also mentioned by Commissioner Johnson that he did not support the increase of 3.5 mil but would a 4.5 mil increase. The Chairman said that he understood the reasoning for possibly proceeding with the 4.5 mil increase because it would potentially keep the Commission from coming back next year for another increase.

The Chairman recognized Tax Director Shonna Josey and Chief Appraiser Joseph McPherson to discuss the Certified 2022 Tax Digest for the Countywide M&O and Special Services District. Board of Tax Assessors Chairman William Ashberry and Vice Chairman Larry Thomas were present. Mrs. Josey presentation was based on the 3.5 mil increase. The net parcel count for the 2022 Countywide M&O is 37,815. The net personal property M&O assessed value is 309,228,158 and will levy \$5,896,672. The net real property M&O assessed value is 1,699,829,169 and will levy \$32,414,042. The net M&O assessed value for all properties is 2,043,158,820 and would levy \$38,960,996. The total taxes levied to include the

Forest Land Protection Reimbursement (FLPA) and PILOT is \$41,287,800. The Homestead & Property Exemptions and Summary were reviewed. The proposed notices for advertisements and the 5-year history of levy were shared. Questions of the Board were answered. For the 2022 Digest for the Special Services District, the parcel count is 9,330. The presentation is based on the recommendation to keep the millage rate the same from 2021 at 9.173. The net personal property M&O assessed value is 49,221,933 and will levy revenues of taxes of \$451,512. The net real property M&O assessed value is 523,933,270 and will levy revenues of taxes of \$4,806,040. The net M&O assessed value for all properties is 588,033,437 and would levy \$5,393,755. The total taxes levied include FLPA, the P&G PILOT, and the 20-year Bio-green PILOT and the estimated Dougherty County Solar is \$6,120,741. The Homestead & Property Exemptions and Summary were reviewed. The proposed notices for advertisements and the 5-year history of levy were shared. There being no questions pertaining to the Special Services District, the 2022 Tax Digest processing timeline was shared. Mrs. Josey stated that the latest [date] advertisements can be submitted is August 2, 2022.

The Chairman called for a discussion to renew the service agreement with Ambulance Medical Billing (AMB), (Paducah, Kentucky) for EMS billing. Assistant County Administrator Scott Addison addressed. EMS Director Sam Allen was present. The Chairman added that the company has been performing services and the department is pleased.

The Chairman called for a discussion to amend the Fiscal Year 2023 ARPA budget and the Fiscal Year 2023 budgets to include the implementation of the Pay Study Option B for the General Fund, Special Services District and the Solid Waste Enterprise Fund. County Administrator Michael McCoy and Finance Director Martha Hendley were present to address. Chairman Cohilas stated that the item will be removed from the agenda to allow staff to make recommendations based on today's discussion.

The Chairman called for a discussion of the revised SPLOST VIII proposed projects. County Administrator Michael McCoy addressed. Mr. McCoy shared that the changes were previously mentioned and that the budget is still \$36,000,000 and he will be working with the City Manager because time is of the essence. Chairman Cohilas shared Commissioner Johnson's suggestion to have a line item for the joint recreation projects. Chairman Cohilas also mentioned that the vast majority of our funding is proposed to be spent inside of the City. He then discussed the tier funding and what is the top priority. Mr. McCoy said that he was waiting on the Board's direction on how to proceed

Commissioner Gray left at 12:53 pm.

Commissioner Johnson shared that there is a lot of duplication of projects on both lists and shared that there should be a category for intentional projects. Chairman Cohilas asked the County Administrator and County Attorney to research and determine the flexibility available in SPLOST for projects and work with the City of Albany.

The Chairman called a discussion to have the Chairman notify the City of Albany of the County's position relative to the Negotiation of the Special Local Option Sales Tax VIII proceeds. The recommendation is to keep the distribution the same percentage split of 64%

City and 36% County. Chairman Christopher Cohilas and Commissioners discussed. County Administrator Michael McCoy was present. Action on this item was scheduled in the following Special Called Meeting. There was unanimous consent to proceed.

Attorney Shalishali was asked to introduce himself and provide comments. He shared that he has been in contact with Attorney Lee and they will work together. Commissioner Gaines shared her thank you card received from Rolling Hills Subdivision for the Commission's clean-up from the storms, alley paving, and other projects. She also shared the passing of the 3<sup>rd</sup> child of CB King and mentioned some of Mr. King's accomplishments. Commissioner Edwards asked about the status of the update on the Coroner's office and the status of the conceptual drawings from Ron Huffman. Mr. McCoy said the presentation of Mr. Huffman will be in August. Commissioner Johnson asked when will employees understand their actual increase because the Commission is getting calls because employees are concerned. Mr. McCoy shared that it will be sent to the department managers mid-next week. Commissioner Johnson asked that the Commission be notified as well. Commissioner Gaines questioned how a projected cost was provided but numbers are still being produced. Mr. McCoy shared that projections were received from the consultant and this is how figures were provided. He added that the plan adopted is now a pay range and no longer steps; and the consultant is proposing new salaries for each employee. Mr. McCoy had shared that the staff was prepared if Option A was selected. Chairman Cohilas concluded and shared the rising concern of monkeypox in the United States and asked Mr. McCoy to schedule a presentation by Dr. Ruis.

There being no further business to discuss the Commission the meeting adjourned at 1:16 p.m.

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CHAIRMAN

ATTEST:

\_\_\_\_\_  
COUNTY CLERK

DOUGHERTY COUNTY COMMISSION  
SPECIAL CALLED MEETING MINUTES

DRAFT

July 25, 2022

The Dougherty County Commission met for a Special Called Meeting in Room 100 of the Albany-Dougherty Government Center on July 25, 2022 immediately after the Work Session. Chairman Christopher Cohilas presided and called the meeting to order at 1:16 pm. Present were Commissioners Victor Edwards, Gloria Gaines, Clinton Johnson, Anthony Jones and Ed Newsome. Also present were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Alex Shalishali, County Clerk Jawahn Ware and other staff. The public and representatives of the media participated in person via live streaming of the meeting on the County’s Facebook page and the government public access channel. County Attorney Spencer Lee and Commissioner Russell Gray were absent.

The Chairman called for consideration of the motion to have the Chairman notify the City of Albany of the County's position relative to the Negotiation of the Special Local Option Sales Tax VIII proceeds. The recommendation is to keep the distribution the same percentage split of 64% City and 36% County.

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

There being no further business to come before the Commission, the meeting adjourned at 1:17 p.m.

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CHAIRMAN

ATTEST:

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COUNTY CLERK

**A RESOLUTION IMPOSING A COUNTY ONE PERCENT SALES AND USE TAX AS AUTHORIZED BY PART 1 OF ARTICLE 3 OF CHAPTER 8 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX SHALL BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE FACILITIES TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; REQUESTING THE ELECTION SUPERINTENDENT TO CALL AN ELECTION OF THE VOTERS OF DOUGHERTY COUNTY TO APPROVE THE IMPOSITION OF SUCH SALES AND USE TAX; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER PURPOSES.**

**WHEREAS**, Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (the “Act”) authorizes the imposition of a county one percent sales and use tax (the “SPLOST”) for the purpose, inter alia, of financing certain capital outlay projects which include those set forth herein; and

**WHEREAS**, the Board of Commissioners of Dougherty County, Georgia has determined that it is in the best interest of the citizens of Dougherty County, Georgia (the “County”) that a one percent SPLOST be imposed in a special district within the County to raise approximately \$109,800,000 for the purpose of funding capital outlay projects (the “Projects”); and

**WHEREAS**, Dougherty County, Georgia (the “County”) has entered into an intergovernmental agreement with the City of Albany (the “City”).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Dougherty County, Georgia as follows:

- (A) Assuming the question of imposing a County SPLOST is approved by the voters of the special district in the election hereinafter referred to, the SPLOST shall be imposed for the term, purposes and costs as follows:
1. In order to finance the Projects described herein, a SPLOST in the amount of one percent (1%) on all sales and uses in the County is hereby authorized to be levied and collected within the special district created in the County as provided in the Act.
  2. The proceeds of the SPLOST are to be used to fund the Projects. The Projects consist of “County Projects” and “City Projects.” The County Projects, the City Projects, and the Estimated Costs are set forth in the Special Purpose Local Option Sales Tax Intergovernmental Contract attached hereto as Exhibit “A”.
  3. The SPLOST is to be imposed for a period of six (6) years.
- (B) Call for the Election; Ballot Form; Notice.
1. The election superintendent of the County is hereby requested to call an election in all voting precincts in the County on the 8<sup>th</sup> day of November, 2022, for the purpose

of submitting to the qualified voters of the County the question set forth in paragraph 2, below.

2. The ballots to be used in the election shall have written or printed thereon substantially the following:

“( ) Yes      Shall a special one percent sales and use tax be imposed in the special district of Dougherty County for a period of time not to exceed six (6) years and for the raising of an estimated amount of  
( ) No      \$109,800,000 for the purpose of funding [general list of projects ] for Dougherty County and for funding [general list of projects ] for the City of Albany?”

3. It is hereby requested that the election be held by the election superintendent of the County in accordance with the election laws of the State of Georgia, including without limitation, the election laws relating to special elections. It is hereby further requested that the election superintendent of the County canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the state revenue commissioner.

4. The election superintendent of the County is hereby authorized and requested to publish a notice of the election as required by law in the newspaper in which sheriff’s advertisements for the County are published once a week for four weeks immediately preceding the date of the election. The notice of the election shall be in substantially the form attached hereto as Exhibit “B”.

(C) The clerk of the Board of Commissioners is hereby authorized and directed to deliver a copy of the resolution to the election superintendent of the County, with a request that the election superintendent of the County issue the call for an election.

(D) The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of SPLOST.

(E) The Resolution shall take effect immediately upon its adoption.

This the \_\_\_\_\_ day of August, 2022.

BOARD OF COMMISSIONERS OF DOUGHERTY COUNTY, GEORGIA

By: \_\_\_\_\_  
Chris S. Cohilas, Chairman

ATTEST:

\_\_\_\_\_  
County Clerk

# **EXHIBIT A**

## **SPLOST Intergovernmental Agreement**



STATE OF GEORGIA  
COUNTY OF DOUGHERTY

SPECIAL PURPOSE LOCAL OPTION SALES TAX  
INTERGOVERNMENTAL CONTRACT

This Intergovernmental Contract, dated August 11<sup>th</sup>, 2022 (the "Contract") between Dougherty County, Georgia (the "County"), and the City of Albany (the "City"), both acting pursuant to lawful authority by their respective governing bodies, does hereby

WITNESSETH:

**WHEREAS**, Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, as amended (the "Act"), authorizes the imposition of a one percent sales and use tax (the "Sales and Use Tax") for purposes, inter alia, of financing capital outlay projects specified in Section 48-8-111(a)(1)(A) through (N); and

**WHEREAS**, the County and the City wish to use the proceeds of the proposed Sales and Use Tax for the purposes described above.

**NOW THEREFORE**, the parties hereto mutually agree as follows:

Section 1. Representation of the Parties. Each party hereto makes the following representations and warranties which are specifically relied upon by all other parties as a basis for entering this Contract:

- (a) The County agrees that it will take all actions necessary to call an election, to be held in all the voting precincts in the County on the 8th day of November, 2022, for the purpose of submitting to the qualified voters of the County for their approval, the question of whether or not a Sales and Use Tax of one percent shall be imposed on all sales and uses in the special district of Dougherty County, as authorized by the Act for 24 calendar quarters (six years), commencing April 1, 2023, for the purpose of funding the projects specified in Appendix A attached hereto (hereinafter more fully referred to and hereby defined collectively as the "Projects"). The amount of money to be raised by the Sales and Use Tax is estimated to be one hundred million dollars.
- (b) The City is a municipal corporation as defined by law and judicial interpretation and a "qualifying municipality" as such term is defined in the Act and has validly adopted an ordinance to authorize the City to enter into this Contract at a public meeting of its governing board conducted in compliance with the Open Meetings Act, O.C.G.A. § 50-14-1, et seq. The population of the City represents no less than 50% of the aggregate municipal population of the County.

- (c) The County is a political subdivision of the State of Georgia created and existing under the Constitution and laws of the State and has validly adopted a resolution to authorize it to enter into this Contract at a public meeting conducted in compliance with the Open Meetings Act, O.C.G.A. § 50-14-1, et Seq.
- (d) In executing this Contract, it is the intention of the County and City to comply in all respects with O.C.G.A. § 48-8-110 et seq. and all provisions of this Intergovernmental Contract shall be so construed.

Section 2. Conditions Precedent. The obligations of all parties under this Contract are conditional upon the following events:

- (a) The adoption of a resolution by the governing authority of the County authorizing the imposition of the Sales and Use Tax and calling the election hereinbefore referred to.
- (b) The approval of the Sales and Use Tax by a majority of the voters in the County voting in the election for those purposes.
- (c) The collecting of the Sales and Use Tax revenues by the state revenue commissioner and transferring the same to the County.

Section 3. Apportionment of Proceeds. All funds received by the County from the Georgia Department of Revenue from the imposition of the Sales and Use Tax shall be apportioned by the County according to the formula provided herein. The parties hereto understand and agree that the figures set forth herein are binding and not subject to change or modification except upon written agreement by all parties.

- (a) The County Projects and the City Projects to be funded with the proceeds from the Sales and Use Tax are specified in Appendix A attached hereto (the "County Projects" and the "City Projects and collectively "the Projects".)
- (b) The County agrees that in connection with the election authorizing the imposition of the Sales and Use Tax, that the County shall pay to the city from the proceeds of the Sales and Use Tax the County receives each month from the Georgia Department of Revenue the sum of money represented by the ratio of the amount of the City Projects bears to the total amount of all Projects (that ratio being 64% to the City and 36% to the County); such payment to be received by the City no later than 5 days after receipt by the County.
- (c) The parties hereto understand that the City Projects may be financed with net proceeds of City Debt. In that case, proceeds of the Sales and Use Tax will be used to pay debt service due on City Debt prior to being used to pay the costs of the City Projects not financed with net debt proceeds.
- (d) The costs of the Projects listed in Appendix A are estimated amounts and the City

and the County may adjust the allocation of its Sales and Use Tax proceeds to their different Projects as needed.

- (e) The parties also understand that the distribution amounts in Appendix A attached hereto are based on the assumption that the Sales and Use Tax raises the estimated amount, i.e. \$109,800,000. In the event Sales and Use Tax proceeds exceed \$109,800,000, thirty-six percent (36%) of such excess shall be retained by the County and sixty-four percent (64%) of such excess shall, upon five days of receipt, be transferred by the County to the City.

Section 4. Term of this Contract. The term of this Contract shall expire at the later of June 30, 2030 or the date that the accounts of the County holding Sales and Use Tax proceeds are fully depleted, but in no event shall this Contract run for more than fifty years from the date hereof. If the voters of the County shall fail to approve the Sales and Use Tax, this Contract shall be of no force and effect after the date of such failure to approve.

Section 5. Mutual Covenants. Each party to this Contract does hereby covenant and agree to the following:

- (a) The County and the City each agree that they will maintain specific records for the Sales and Use Tax proceeds each receives to verify that all such proceeds so received are expended for the purposes set forth in Appendix A attached hereto.
- (b) The parties hereto agree that to the extent lawfully permitted, if Debt proceeds allocated to a particular project are not needed to complete such project, the City of the County may reallocate such debt proceeds to any projects of the City or the County which are set forth in Appendix A hereto.
- (c) Sales and Use Tax Proceeds received by the County and the City shall be kept in a separate account from other funds of such County or City, shall not in any way be commingled with other funds of such County or City and shall be used exclusively for the specified purposes.

Section 6. Project Monitoring, Record-Keeping and Reporting. All parties to this Contract shall promptly move forward with the acquisition, construction, equipping and installation of the Projects in an efficient and economical manner and at a reasonable cost in conformity with all applicable laws, ordinances, rules and regulations of any governmental authority having jurisdiction in the premises. The governing authority of the County and the governing authority of the City shall comply with the requirements of O.C.G.A. § 48-8-121(a)(2), which requires that certain information be included in the annual audit of such County or the City and O.C.G.A. § 48-8-122, which requires the publication of annual reports concerning expenditures for the Projects.

Section 7. Priority and Order of Project Funding. The parties hereto agree that the County will fund its \$3,500,000 contribution Storm Water Sewer Program over the first two years it receives Sales and Use Tax proceeds in the amount of \$1,750,000 per annum.

Section 8. Arbitration. The parties hereto agree to submit any controversy arising under this Contract to arbitration pursuant to the provisions of O.C.G.A. § 9-9-1 et seq., the Georgia Arbitration Code. Such arbitration shall in all respects be governed by the provisions of the Arbitration Code and the parties hereby agree to comply with and be governed by the provisions of said Arbitration Code as to any controversy so submitted to arbitration.

Section 9. Counterparts. This Contract may be executed in several counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

Section 10. Governing Law. This Contract and all transactions contemplated hereby shall be governed by, construed and enforced in accordance with the laws of the State of Georgia.

Section 11. Severability. Should any provision of this Contract or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Contract or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Contract shall be valid and enforceable to the full extent permitted by law.

Section 12. Notices. All notices, demands or requests required or permitted to be given pursuant to this Contract shall be in writing and shall be deemed to have been properly given or served and shall be effective on being deposited or placed in the United States mail, postage prepaid and registered or certified with return receipt requested to the addresses appearing below, or when delivered by hand to the addresses indicated below:

- (a) Board of Commissioners of Dougherty County  
222 Pine Avenue, STE 540  
Post Office Box 1827  
Albany, Georgia 31702  
Attention: County Administrator
- (b) City of Albany  
222 Pine Avenue, STE 560  
Post Office Box 447  
Albany, Georgia 31702-0447  
Attention: City Manager

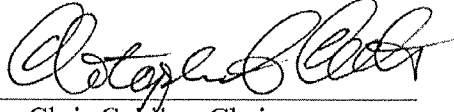
Section 13. Entire Agreement. This Agreement, including any attachments or exhibits, constitutes all of the understandings and agreements existing between the County and the City with respect to distribution and use of the proceeds from the Sales and Use Tax. Furthermore, this Agreement supersedes all prior agreements, negotiations and communications of whatever type, whether written or oral, between the parties hereto with respect to distribution and use of said Sales and Use Tax.

Section 14. Amendments. This Agreement shall not be amended or modified except in writing executed by the governing authorities of the County and the City.


IN WITNESS WHEREOF, all parties hereto have agreed as of this 11<sup>th</sup> day of August, 2022.



DOUGHERTY COUNTY, GEORGIA

By:   
Chris Coblas, Chairman

Attest:

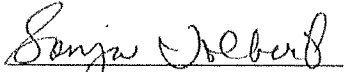
  
Clerk



CITY OF ALBANY

By:   
Bo Dorrough, Mayor

Attest:

  
Clerk

**APPENDIX A  
COUNTY SALES AND USE TAX PROJECTS**

County Fire Trucks & Equipment.....	\$3,600,000
County Fire Station Improvements & Equipment .....	\$700,000
EMS Ambulances & Equipment.....	\$3,400,000
EMS Station Improvements & Equipment .....	\$500,000
Sheriff's Department Vehicles & Equipment.....	\$2,213,000
County Police Vehicles & Equipment .....	\$2,300,000
County Police Building Improvements & Equipment.....	\$1,500,000
Road, Streets and Bridges/Equipment.....	\$2,920,000
Storm Drainage Improvements/ Equipment .....	\$4,200,000
Jail Improvements & Equipment .....	\$2,000,000
Mental Health Facility Improvements .....	\$600,000
Health Department Facility Improvements.....	\$1,200,000
Government Center Improvements/ Equipment .....	\$710,000
Judicial Building Improvements/Equipment .....	\$1,787,000
Central Square Complex Improvements & Equipment .....	\$350,000
Riverfront Resource Center Improvements .....	\$220,000
Parking Deck Improvements/Equipment.....	\$100,000
Library Improvements/ Equipment.....	\$600,000
Facilities Management Building Improvements/Equipment .....	\$200,000

Public Works Facilities Improvements/Equipment .....	\$100,000
County Parks Improvement/Equipment.....	\$1,000,000
County Departmental Vehicles .....	\$700,000
RiverQuarium Improvements .....	\$425,000
Thronateeska Improvements .....	\$125,000
Chehaw Park Improvements .....	\$450,000
Information Technology Upgrades/Equipment .....	\$1,000,000
Albany Museum of Art Relocation.....	\$600,000
Albany Civil Rights Museum .....	\$650,000
Hugh Mills Stadium Improvements/Equipment .....	\$500,000
Economic Development/Industrial Park .....	\$1,000,000
Albany Technical College Criminal Justice Demonstration Center .....	\$350,000
City of Albany Sewer Project .....	\$3,500,000
<b>Total:.....</b>	<b>\$39,528,000</b>

**APPENDIX A**  
**CITY SALES AND USE TAX PROJECTS**

<b>Description</b>	<b>Amount</b>
Sanitary and Storm Water Sewer capital improvements. To include Combined Sewer Separation work, sewer extensions, sewer system improvements, equipment, and loan repayment for the above-mentioned items	\$25,272,000
City Recreation Facilities capital improvements. To include new construction, improvements, renovations, and equipment to city-owned buildings and properties.	\$13,000,000
Downtown Revitalization and Master Plan implementation through capital renovations, improvements, and new construction of City/ADICA-owned buildings and properties, including Ritz Theatre and Cultural Center.	\$8,000,000
Cultural and Quality of Life capital projects with City's Third-Party Partners. To include renovations and improvements for Chehaw, Flint Riverquarium, Throneateeska, Albany Museum of Art, and Civil Rights Institute.	\$6,000,000
Public Safety (Fire/Police/911) capital purchases and improvements. To include new trucks/vehicles, equipment purchases, and new construction or improvement to city-owned buildings and properties.	\$6,000,000
Flint River Entertainment Complex capital purchase and improvements. To include city-owned buildings and properties (Civic Center, Municipal Auditorium, Veterans Amphitheater)	\$2,000,000
IT Hardware and Software	\$3,250,000
GIS/GPS Infrastructure Mapping	\$1,000,000
Vehicle purchases	\$3,000,000
Dept Equipment Purchases	\$2,500,000
Albany Tech - Criminal Justice Demonstration Center	\$250,000
<b>Total</b>	<b>\$70,272,000</b>



# **EXHIBIT B**

## **Notice of Election**

**TO THE QUALIFIED VOTERS OF DOUGHERTY COUNTY, GEORGIA**

**NOTICE IS HEREBY GIVEN** that on the 8<sup>th</sup> day of November, 2022, an election will be held at the regular polling places in all the election districts of Dougherty County, Georgia (“the County”), at which time there will be submitted to the qualified voters of the county for their determination the question of whether a one percent county special purpose local option sales and use tax (the “SPLOST”) shall be imposed on all sales and uses in the special district created in the County for a period of six (6) years for the raising of approximately \$109,800,000 for the purpose of funding capital outlay projects (“the Projects”) specified in the form of the ballot set forth below:

- ( ) Yes      Shall a special one percent sales and use tax be imposed in the special district of Dougherty County for a period of time not to exceed six (6) years and for the raising of an estimated amount of \$109,800,000 for the purpose of funding [general list of projects ] for Dougherty County and for funding [general list of projects ] for the City of Albany?”
- ( ) No