

MINUTES

DECATUR COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS' BOARDROOM

TUESDAY, DECEMBER 9, 2025

PRESENT: CHAIRMAN PETE STEPHENS, VICE CHAIRMAN DENNIS BRINSON, COMMISSIONERS, GEORGE ANDERSON, STEVE BROCK, AND RUSTY DAVIS, COUNTY ADMINISTRATOR ALAN THOMAS, COUNTY ATTORNEY BRUCE KIRBO, AND COUNTY CLERK MICHELLE WEST

ABSENT: COMMISSIONER BOBBY BARBER, JR

INVOCATION AND THE PLEDGE OF ALLEGIANCE

Chairman Stephens called the regular meeting to order at 9:00 a.m. After the call to order, Randy Williams gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

Chairman Stephens requested to amend the agenda by moving item 6 to consider after executive session. Commissioner Davis made a motion to approve the agenda, with the amendment. Commissioner Brock seconded the motion, a vote was taken and unanimously approved.

SPECIAL PRESENTATIONS

There were no Special Presentations.

PUBLIC PARTICIPATION

There was no Public Participation.

APPROVAL OF MINUTES

Vice Chairman Brinson made a motion to approve the minutes of the Commissioners' meeting held November 23, 2025, as presented. Commissioner Brock seconded the motion; a vote was taken and unanimously approved.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Consider Approval of Resolution – Spring Creek Charter Academy Project Revenue Bonds. Chairman Stephens recognized County Administrator Thomas who stated a public hearing was held earlier today concerning a proposed issuance by the Development Authority of Bainbridge and Decatur County of the Charter School Revenue bonds, with a maximum amount not to exceed \$40,000,000. County Administrator Thomas stated no questions were presented at the public hearing with the issuance of the bonds being approved. County Administrator Thomas stated this agreement has no liability to Decatur County and is recommending approval by the Board. Commissioner Brock made the motion to approve the resolution for the revenue bonds, a copy of which is attached. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

Consider Approval of Intergovernmental Agreement – Development Authority. Chairman Stephens recognized County Attorney Kirbo who recommended Decatur County, Decatur County School District, Decatur County Tax Commissioner and the Development Authority of Bainbridge and Decatur County enter into an agreement on the distribution of payments in lieu of taxes for Decatur Solar Energy Center. After a brief discussion, Commissioner Davis made a motion to approve the agreement, a copy of which is attached. Vice Chairman Brinson seconded the motion, a vote was taken with Commissioners Stephens, Brinson, Anderson, Davis voting yea and Commissioner Brock voting nay.

Consider Staff Appointments – Acting Fire Chief and EMA Director. Chairman Stephens recognized County Administrator Thomas who stated in the Commissioners' packet is a copy of Chief Charlie McCann's retirement letter effective December 31, 2025. County Administrator Thomas thanked Chief McCann for his almost 42 years of dedicated service to the Decatur County Fire Department. County Administrator Thomas is recommending to appoint Jamie Earp as the acting Fire Chief and Tonya Griffin as the acting EMA Director effective January 1, 2026. Commissioner Brock made a motion to approve the appointments. Vice Chairman Brinson seconded the motion, a vote was taken and unanimously approved.

Consider Resolution – Qualifying Fees for 2026. Chairman Stephens recognized County Administrator Thomas who stated to be compliant by law the qualifying fees have to be set before February 1 of any year in which a general primary, nonpartisan election or general election is to be held. County Administrator Thomas stated a copy of the proposed qualifying fees is included in each commissioner's packet and recommended approval by the Board. Commissioner Davis made a motion to approve the qualifying fees, a copy of which is attached. Commissioner Brock seconded the motion, a vote was taken and unanimously approved.

Consider Approval of Budget Amendments. Chairman Stephens recognized County Administrator Thomas who stated our consultant, Perry Henry is proposing the budget amendments for fiscal year ending June 30, 2025 which has a net zero change in dollar value and is part of the finalizing process of the audit and recommends approval to the Board. Commissioner Brock made the motion to approve the amendments, a copy of which is attached. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

Consider Cancellation of December 23, 2025 Meeting. Vice Chairman Brinson made the motion to cancel the meeting. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

EXECUTIVE SESSION – PERSONNEL

Commissioner Brock made the motion to enter into executive session to discuss personnel. Commissioner Davis seconded the motion; a vote was taken and unanimously approved.

After the executive session, the Commissioners assembled back in the boardroom. Commissioner Anderson made the motion to enter back into regular session. Vice Chairman Brinson seconded the motion, a vote was taken and unanimously approved.

Chairman Stephens stated personnel was discussed in executive session with County Administrator Thomas agreeing to stay until March 31, 2026. Vice Chairman Brinson made a motion to accept County Administrator Thomas's contract extension. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

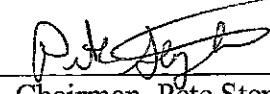
Consider Board Appointment. Chairman Stephens stated Matt Johnson has agreed to fulfill the term of Jeremy Ryan on the Bainbridge-Decatur County Recreation Authority Board beginning immediately and ending December 31, 2026. Commissioner Brock made a motion to approve the board appointment. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

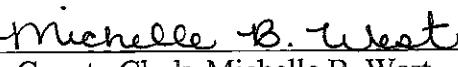
COMMISSIONERS/ADMINISTRATOR'S REMARKS

The Commissioners thanked everyone for coming.

ADJOURN

There being no further business, the meeting, on motion by Commissioner Brock, was duly adjourned. Commissioner Anderson seconded the motion; a vote was taken and unanimously approved.

Approved: 
Chairman, Pete Stephens

Attest: 
County Clerk, Michelle B. West

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
DECATUR COUNTY, GEORGIA APPROVING THE
ISSUANCE OF THE DEVELOPMENT AUTHORITY OF
BAINBRIDGE AND DECATUR COUNTY CHARTER
SCHOOL REVENUE BONDS (SPRING CREEK CHARTER
ACADEMY PROJECT)**

WHEREAS, on at least seven days' notice published in the *Post Searchlight*, a public hearing was held at the Decatur County Board of Commissioners, 203 W Broughton Street, Bainbridge, Georgia 39818 on December 9, 2025 at 8:30 a.m., concerning a proposed issuance by the Development Authority of Bainbridge and Decatur County (the "Issuer") of its Charter School Revenue Bonds (Spring Creek Charter Academy Project) (the "Bonds"), in a maximum principal amount not to exceed \$40,000,000 in one or more series, subseries or issuances as a part of a plan of finance; and

WHEREAS, the proceeds of the sale of the proposed Bonds, when and if issued, are to be used, along with other funds, for the benefit of Spring Creek Charter Academy, Inc. (the "Company"), a Georgia nonprofit corporation and an organization expected to receive a determination letter stating it is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), or a limited liability company of which the Company is the sole member, for the following purposes: (a) financing or refinancing (including through reimbursement) the acquisition, construction, furnishing, and equipping of an approximately 81,709 square foot educational facility located on an approximately 45 acre tract of land located at 2501 Vada Road, Bainbridge, Georgia 39817 ("Facility"); (b) funding certain reserve fund(s) for the Bonds; (c) funding interest on the Bonds; and (d) paying the costs of issuance of the Bonds (collectively, the "Project"); and

WHEREAS, the Company will use the Facility to operate Spring Creek Charter Academy, a public charter school (the "Charter School"); and

WHEREAS, all or a portion of the proposed Bonds, when and if issued, are expected to be qualified Section 501(c)(3) bonds as described in Section 145 of the Code; and

WHEREAS, the proposed Bonds, when and if issued, will not be an obligation of Decatur County (the "County"), or of the State of Georgia or of any county, municipality, or political subdivision of the State of Georgia; the proposed Bonds will not be paid from taxes, but will be payable by the Issuer solely from amounts to be paid or provided by the Company; and no performance audit or performance review shall be conducted with respect to such bond issue; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides, in effect, that in order for the interest on the proposed Bonds to be excluded from the holders' gross incomes for federal income tax purposes, the "public approval" requirements of said section must be complied with; and

WHEREAS, the location of the Project is entirely within the County, and the Board of Commissioners of the County (the "Board") constitutes the elected legislative body of the County and is a proper body for granting the necessary public approval; and

WHEREAS, the Issuer has requested that the Board approve the issuance of the Bonds for the purposes stated above, the nature and location of the Project, and the plan of financing for the Project with the Bonds; and

WHEREAS, the Board finds and determines that it is in the public interest of the County to grant such approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Decatur County as follows:

Section 1. The issuance of the Bonds by the Issuer for the benefit of the Company in a maximum principal amount not to exceed \$40,000,000 for the above-described purposes, the nature and location of the Project, and financing for the Project, described above, are hereby approved for purposes of Section 147(f) of the Code.

Section 2. Such approval by the Board does not constitute any representation by the County to the prospective purchasers of the Bonds as to the creditworthiness of the Company, or the economic feasibility of the Project, nor does it create, either expressly or by implication, any obligation on the part of the County for the payment of the Bonds or debt service thereon, such Bonds and debt service thereon being payable solely from the sources described above.

Section 3. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 9th day of December 2025.

By: 
Chairman of the Board of Commissioners
of Decatur County, Georgia

ATTEST:

Michelle B. West

Clerk of the Board of Commissioners
of Decatur County, Georgia

[SEAL]



CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Decatur County, Georgia (the "Board"), **DO HEREBY CERTIFY** that the foregoing pages of typewritten matter pertaining to the approval of the issuance of Development Authority of Bainbridge and Decatur County Charter School Revenue Bonds (Spring Creek Charter Academy Project), constitute a true and correct copy of the resolution adopted on December 9, 2025, by the Board at a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such resolution appears of record in the Minute Book of the Board which is in my custody and control.

GIVEN under my hand and the official seal of Decatur County, Georgia, this 9th day of December, 2025.

Michelle B. West

Clerk of the Board of Commissioners
of Decatur County, Georgia

[SEAL]



INTERGOVERNMENTAL AGREEMENT

This agreement is made and entered into as of the 9th day of December, 2025, by and among Decatur County, Georgia (“County”), Decatur County School District (“District”), Tax Commissioner of Decatur County (“Tax Commissioner”), and the Decatur County-Bainbridge Industrial Development Authority (“Authority”).

WITNESSETH THAT:

WHEREAS, the Authority and Decatur Solar Energy Center, LLC (“Decatur Solar”) entered into a Memorandum of Understanding, a Bond Lease, and other documents (“Bond Documents) resulting in the issuance of a revenue bond; and

WHEREAS, the Bond Documents provided that Decatur Solar would make payments (“PILOT Payments”) in lieu of taxes; and

WHEREAS, the parties hereto entered into an Intergovernmental Agreement Relating to Distribution of Payments in Lieu of Taxes, which agreement provided: (a) if an Infrastructure Bond on a previous project with Anovian LLC issued on or before May 15, 2025 then 100% of each PILOT Payment would be remitted according to a subsequent joint direction of the County and the Authority; but (b) if an Infrastructure Bond on the previous project with Anovian LLC did not issue on or before May 15, 2025 then 48.91% of each PILOT Payment would be remitted to the County, 47.23% of each PILOT Payment would be remitted to the District, and 3.86% of each PILOT Payment would be remitted to the Authority; and

WHEREAS, while it would have been possible for an Infrastructure Bond on the Anovian LLC project to issue on or before May 15, 2025, it would have been financially imprudent; and

WHEREAS, the Authority owes approximately \$2,000,000.00 (“Publix Debt”) on a “gap” funding arrangement which was necessary in order to bring a Publix supermarket to Decatur County, and the Authority owes approximately \$350,000.00 (“Bainbridge Manufacturing debt”) on a previous project with Bainbridge Manufacturing; and

WHEREAS, the Decatur Solar PILOT Payments are expected to be approximately \$780,000.00 per year for ten years.

NOW, THEREFORE, the parties agree as follows:

1.

The above recitals are made a part of this Agreement.

2.

The parties to this agreement agree that all the Decatur Solar PILOT Payments will be distributed to the Authority until the Publix Debt and the Bainbridge Manufacturing Debt have been paid in full, which is expected to be in slightly more than three years. The Authority will use the PILOT Payments received by the Authority for the payment of the Publix Debt and the Bainbridge Manufacturing Debt and for no other purpose. Within ten days of receipt of each PILOT Payment the Authority: (a) will apply the full PILOT Payment amount so received toward the Publix Debt and/or the Bainbridge Manufacturing Debt; and (b) will provide proof thereof to the other parties to this agreement. No PILOT Payment amounts will be distributed to the Authority in excess of what is needed to pay in full the Publix Debt and the Bainbridge Manufacturing Debt, and if any portion of any PILOT Payment is issued to the Authority in excess of what is needed to pay in full the Publix Debt and the Bainbridge Manufacturing Debt, the Authority will remit the excess amount to the County and the District in the percentages set forth

in paragraph 3, below.

3.

Once the Publix Debt and the Bainbridge Manufacturing Debt have been paid in full, all Decatur Solar PILOT Payments will be distributed to the County, the District and the Authority as follows: 48.91% of each PILOT Payment will be remitted to the County, 47.23% of each PILOT Payment will be remitted to the District and 3.86% of each PILOT Payment will be remitted to the Authority.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals as of the day and year first above mentioned.

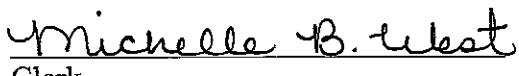
DECATUR COUNTY, GEORGIA

BY:



Chairperson

ATTEST:



Clerk

(IMPRESS SEAL)



DECATUR COUNTY SCHOOL DISTRICT

BY:



Chairperson

ATTEST:



Secretary

(IMPRESS SEAL)



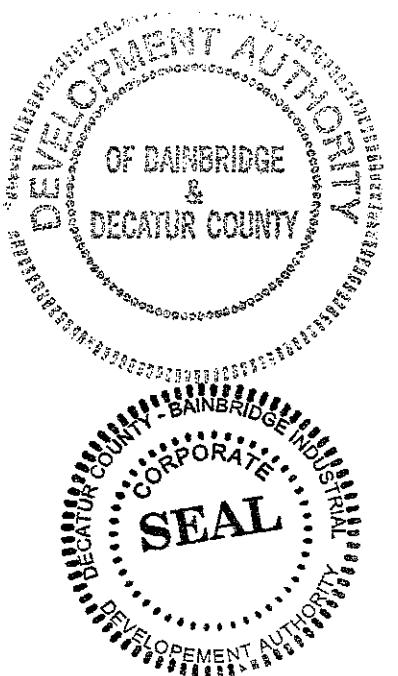
TAX COMMISSIONER OF DECATUR COUNTY

BY:



(SEAL)

Mark Harrell as Tax Commissioner



DECATUR COUNTY-BAINBRIDGE
INDUSTRIAL DEVELOPMENT
AUTHORITY

BY:

K. D. Cole
Chairman

ATTEST:

Jed Martin
Secretary

(IMPRESS SEAL)

RESOLUTION
of the
DECATUR COUNTY COMMISSION

Re: Qualifying Fees; County Offices

WHEREAS, Georgia law specifies that the governing authority of the county shall set the qualifying fee for elected county offices no later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held; and

WHEREAS, general primary, nonpartisan and general elections are by state law set to be held during the calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to O.C.G.A. § 21-2-131, the qualifying fees are hereby set and published for the following elective county offices of Decatur County:

County Commissioner	\$	216.00
Board of Education	\$	54.00
Coroner	\$	108.00
Chief Magistrate	\$	1,935.37
Probate Judge	\$	1,897.42
Sheriff	\$	2,318.83
Clerk of Court	\$	1,897.42
Tax Commissioner	\$	1,897.42
State Court Judge	\$	1,623.40
State Court Solicitor General	\$	1,498.84

This 9th day of December, 2025.

Attest:

Michelle West
Michelle West, County Clerk

Decatur County Commission:


Pete Stephens, Chairman

Decatur County, Georgia
 2025 Year End Budget Amendments
 For the Fiscal Year Ended June 30, 2025

		Original	Proposed Amendment	Final	Actual Expense	(Over) Budget
General Fund						
Tax Commissioner	Increase(decreased) Expenditures	671,037.00	5,000.00	676,037.00	671,331.00	4,706.00
Tax Assessor	Increase(decreased) Expenditures	609,438.00	8,000.00	617,438.00	613,842.00	3,596.00
Superior Court	Increase(decreased) Expenditures	181,581.00	10,000.00	191,581.00	189,161.00	2,420.00
Probate Court	Increase(decreased) Expenditures	267,293.00	12,000.00	279,293.00	276,070.00	3,223.00
Jail	Increase(decreased) Expenditures	4,050,176.00	405,000.00	4,455,176.00	4,445,647.00	9,529.00
Conservation	Increase(decreased) Expenditures	223,915.00	40,000.00	263,915.00	257,321.00	6,594.00
Property Taxes	(Increase) decreased Revenues	(8,850,000.00)	(480,000.00)	(9,330,000.00)		
Net Overall Fund Charge		(2,846,560.00)		(2,846,580.00)	6,453,372.00	30,068.00
Other Funds:						
Confiscated Assets - SRF						
Revenues	(Increased)Revenues	(8,500.00)	(23,000.00)	(31,500.00)		
Expenditures	Increased Expenditures	8,500.00	23,000.00	31,500.00	30,868.00	632.00
Net Overall Fund Charge		-	-	-	30,868.00	632.00
Victim's Assistance - SRF						
Revenues	(Increased)Revenues	(32,000.00)	(5,000.00)	(37,000.00)		
Expenditures	Increased Expenditures	32,000.00	5,000.00	37,000.00	36,208.00	792.00
Net Overall Fund Charge		-	-	-	36,208.00	792.00
Mandatory Drug Fund - SRF						
Revenues	(Increased)Revenues	(20,150.00)	(2,000.00)	(22,150.00)		
Expenditures	Increased Expenditures	20,150.00	2,000.00	22,150.00	21,553.00	597.00
Net Overall Fund Charge		-	-	-	21,553.00	597.00
Decatur Jail Inmate Fund - SRF						
Revenues	(Increased)Revenues	(143,000.00)	(1,000.00)	(144,000.00)		
Expenditures	Increased Expenditures	169,768.00	1,000.00	170,768.00	169,870.00	898.00
Net Overall Fund Charge		26,768.00	-	26,768.00	169,870.00	898.00
A-1 Truss - SRF						
Revenues	(Increased)Revenues	-	(500,000.00)	(500,000.00)		
Expenditures	Increased Expenditures	-	500,000.00	500,000.00	500,000.00	-
Net Overall Fund Charge		-	-	-	500,000.00	-
Multiple Grants Fund - SRF						
Revenues	(Increased)Revenues	(8,000.00)	(32,000.00)	(40,000.00)		
Expenditures	Increased Expenditures	29,174.00	32,000.00	61,174.00	60,485.00	689.00
Net Overall Fund Charge		21,174.00	-	21,174.00	60,485.00	689.00
Bond Debt Service Fund						
Revenues	(Increased)Revenues	(834,050.00)	(140,000.00)	(974,050.00)		
Expenditures	Increased Expenditures	834,050.00	140,000.00	974,050.00	967,838.00	6,212.00
Net Overall Fund Charge		-	-	-	967,838.00	6,212.00
Net Budget Amendment - ALL FUNDS	No net change in Overall Budget	(2,798,618.00)	-	(2,798,618.00)		

STATE OF GEORGIA
COUNTY OF DECATUR

AFFIDAVIT OF CHAIRMAN OR PRESIDING OFFICER

Pete Stephens, Chairman of the Decatur County Board of Commissioners, being duly sworn, states under oath that the following is true and accurate to the best of his/her knowledge and belief:

1. The Decatur County Board of Commissioners met in a duly advertised meeting on: December 9, 2025.
2. During such meeting, the Board voted to go into closed session.
3. The executive Session was called to order at 9:30 a.m. p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law;

Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. 50-14-2(1);

Discussion of tax matters made confidential by state laws as provided by O.C.G.A. 50-14-2(2) and (insert the citation to the legal authority making the tax matter confidential) _____;

Discussion of the future purchase, disposal of or lease of real estate as provided by O.C.G.A. 50-14-3(4).

Discussion of deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. 50-14-3(6).

Other _____

_____ as provided in _____.

This 9th day of December, 2025.



Pete Stephens, Chairman
Decatur County Board of Commissioners

Sworn to and subscribed
Before me this 9th day of

December, 2025.

Notary Public

Michelle B. West

Commission Expires:

