

**MINUTES**

**DECATUR COUNTY BOARD OF COMMISSIONERS**

**COMMISSIONERS' BOARDROOM**

**TUESDAY, AUGUST 22, 2023**

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

ABSENT: VICE CHAIRMAN DENNIS BRINSON

**INVOCATION AND THE PLEDGE OF ALLEGIANCE**

Chairman Stephens called the regular meeting to order at 7:00 p.m. After the call to order, Chairman Stephens gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

**APPROVAL OF AGENDA**

Commissioner Davis made a motion to approve the agenda, as presented. Commissioner Anderson 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**

Commissioner Brock made a motion to approve the minutes of the Commissioners' meeting held August 8, 2023, as presented. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

**Consider Tax Levy for 2023.** Chairman Stephens recognized County Administrator Thomas who stated included in the Commissioners' packet was the resolution to set the tax levy for 2023, with a net M & O millage rate recommended at 8.94 mills. The resolution also identifies the Board of Education's levy at 14.565 mills, which the Board of Education has approved and sent the certification. County Administrator Thomas is recommending approval by the Board. Commissioner Davis made a motion to approve the resolution, a copy of which is attached. Commissioner Brock seconded the motion, a vote was taken and unanimously approved.

**Consider Request from GDOT – Support for 27S/Woodhull Road Roundabout.** Chairman Stephens recognized Randy Rathburn, GDOT Assistant District Engineer who stated the intersection of SR 1/US 27 and Woodhull Road has gone through the TMU Safety Program and was picked as one of the candidates for a program project due to the number of crashes that have occurred there. Mr. Rathburn stated DOT is proposing a roundabout be constructed in order to mitigate the crashes. In order to move forward with the concept and to schedule public outreach meetings, DOT requires a letter from the Board of Commissioners stating that the Board is in support of the project and are in favor of the project moving forward.

Commissioner Barber made a motion to approve a letter in support of the SR 1/US 27 and Woodhull Road intersection project moving forward, but is requesting that a traffic light be installed at the intersection. Commissioner Barber would also like to include in the letter of support for consideration of projects for the intersections of SR 1/US 27 N and Bethel Road and SR 38/US 84 and SR 310. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

**Consider Decatur/Grady E911 Memorandum of Understanding.** Chairman Stephens recognized County Administrator Thomas who stated the Decatur County Board of Commissioners and the Grady County Board of Commissioners have mutually agreed to separate the E911 operations, as a result of the separation included in the Commissioners' packet is the Memorandum of Understanding to start that process. County Administrator Thomas stated the Grady County Board of Commissioners have already approved the Memorandum of Understanding and County Administrator Thomas is recommending approval by the Board. Commissioner Brock made a motion to approve the Memorandum of Understanding, a copy of which is attached. Commissioner Davis seconded the motion, a vote was taken and unanimously approved.

**Consider Authorizing Resolution for Rural Transit 5311 Program.** Chairman Stephens recognized County Administrator Thomas who stated in the Commissioners' packet was a letter from Southwest Georgia Regional Commission requesting an approved resolution for them to apply for the rural transportation grant on behalf of Decatur County. County Administrator Thomas stated this is an annual grant and in reviewing the activity report submitted by SWGRC the community utilizes the service and recommends approval of the resolution by the Board. Commissioner Davis made a motion to approve the resolution, a copy of which is attached. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

**Consider Approval of Errors & Releases.** Chairman Stephens recognized County Administrator Thomas who recommended that the Board approve the errors and releases, stating the Tax Commissioner and the Board of Assessors have approved. Commissioner Brock made a motion to approve the Errors and Releases. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

### Executive Session – Litigation

Commissioner Davis made the motion to enter into executive session to discuss litigation. Commissioner Anderson seconded the motion, a vote was taken and unanimously approved.

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

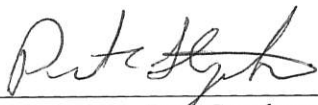
Chairman Stephens stated litigation was discussed in executive session and no action was taken.

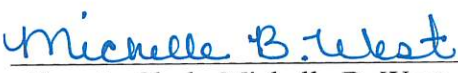
### COMMISSIONERS/ADMINISTRATOR'S REMARKS

The Commissioners thanked everyone for coming.

### ADJOURN

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

Approved:   
Chairman, Pete Stephens

Attest:   
County Clerk, Michelle B. West



## RESOLUTION PROVIDING FOR DECATUR COUNTY TAX LEVY FOR 2023

BE IT RESOLVED by the Commissioners of Decatur County, Georgia, at a regularly scheduled meeting on August 22, 2023 that the following rate of taxes be and the same is hereby fixed and levied on all taxable property within Decatur County, Georgia, for the year 2023, to-wit:

- 8.94 mills (on all taxable property located in the incorporated areas) for County general purposes (M&O).
- 8.94 mills (on all taxable property located in the unincorporated areas) for County general purposes (M&O).
- 1.25 mills (on all taxable property except for that located within the City of Bainbridge) for the Fire Services Special District.
- 0.250 mills (on all taxable property county wide) for the Bainbridge and Decatur County Development Authority.
- 1.250 mills (on all taxable property county wide) for the Bainbridge-Decatur County Recreation Authority.
- 2.00 mills (on all property county wide) for the Bainbridge-Decatur County Hospital Authority.
- 0.86 mills (on all property in unincorporated areas) for items specifically identified by the Service Delivery Agreement as for the unincorporated areas.
- 1.00 mills (on all property county-wide) for Economic Development Bonds.

BE IT FURTHER RESOLVED that the millage rates per tax district are as follows:

Description	Unincorporated	City Attapulgus	City Bainbridge	Town Brinson	City Climax
Gross M&O Mill Rate	11.94	11.94	11.94	11.94	11.94
Less: Sales Tax Rollback	(3.00)	(3.00)	(3.00)	(3.00)	(3.00)
Net M&O Millage	<u>8.94</u>	<u>8.94</u>	<u>8.94</u>	<u>8.94</u>	<u>8.94</u>
Fire Services District	1.25	1.25	-	1.25	1.25
Hospital Authority	2.00	2.00	2.00	2.00	2.00
Recreation Authority	1.25	1.25	1.25	1.25	1.25
Uninc. Services per SDS	0.86	-	-	-	-
Economic Development					
Bonds	1.00	1.00	1.00	1.00	1.00
Development Authority of Bainbridge & Decatur County	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>	<u>0.25</u>
Total Special Districts	<u>6.61</u>	<u>5.75</u>	<u>4.50</u>	<u>5.75</u>	<u>5.75</u>
Total of M&O & Special Distircts Millage	<u><u>15.55</u></u>	<u><u>14.69</u></u>	<u><u>13.44</u></u>	<u><u>14.69</u></u>	<u><u>14.69</u></u>

BE IT RESOLVED that the Insurance Premium Tax shall be used for fire protection in the unincorporated area.



BE IT FURTHER RESOLVED that the Tax Commissioner of Decatur County, Georgia, be and he is hereby ordered to make out and collect taxes for the year 2023, and to pay over to the County General Fund, at the rate herein levied for general county purposes, and the rate levied herein for Fire Services, and to pay over to the County Bond Debt Service Fund at the rate levied herein for Economic Development Bonds, and to pay over to the Bainbridge and Decatur County Development Authority that portion of the tax herein levied for that Authority, and to pay over to the Bainbridge-Decatur County Recreation Authority that portion of the tax herein levied for that Authority, and to pay over to the Hospital Authority of Bainbridge, Decatur County, GA that portion of the tax herein levied for that Authority.

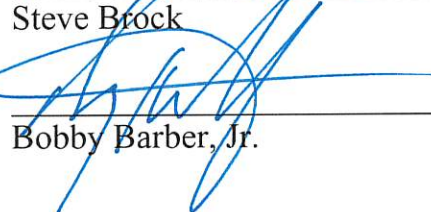
BE IT FURTHER RESOLVED by this Board that the tax rate of County-wide School Taxes in Decatur County, Georgia, outside of any independent school systems therein, of 14.565 (14.115 School and 0.450 Library) mills, or \$14.565 on the \$1,000.00 valuation, as recommended and certified to this Board by the Decatur County Board of Education be and the same is hereby fixed and levied on all property subject to taxation in the county, for the year 2023.

BE IT FURTHER RESOLVED that the Tax Commissioner of Decatur County, Georgia is hereby ordered to collect said taxes for said year and to pay over to the said Decatur County Board of Education that portion of the tax herein levied for the support and maintenance of education for the county-wide schools.

BE IT FURTHER RESOLVED that the Clerk of the Board advertise this levy as required by law, and that the same be recorded on the minutes of this Board, a copy of the same to be furnished to the Tax Commissioner of Decatur County, Georgia, a copy to the Revenue Department of the State of Georgia, and a copy to the County Superintendent of Schools.

ON MOTION of Commissioner Davis and seconded by Commissioner Brock, this resolution was adopted by a vote, as designated below, this 22nd day of August 2023.

**BOARD OF COMMISSIONERS OF DECATUR COUNTY, GEORGIA**

	YEA	NAY
 _____ Pete Stephens, Chairman	<input checked="" type="checkbox"/>	_____
<u>Absent</u> _____ Dennis Brinson, Vice Chairman	_____	_____
 _____ Steve Brock	<input checked="" type="checkbox"/>	_____
 _____ Bobby Barber, Jr.	<input checked="" type="checkbox"/>	_____

YEA

NAY

George Anderson

George Anderson

Thomas R. (Rusty) Davis

Thomas R. (Rusty) Davis

Michelle B. West

Attest:

B. W. Kirbo, Jr.

Bruce W. Kirbo, Jr. - County Attorney



## Intergovernmental Memorandum of Understanding

This memorandum of understanding is entered into the 15th day of August between Grady County, Georgia, by and through its Board of Commissioners and Decatur County, Georgia, by and through its Board of Commissioners.

The purpose of this memorandum is to establish the parties' objectives and goals with respect to the joint emergency service system established by the parties and to provide a framework for separating the system in a mutually-beneficial manner so that each county is responsible for its own answering service.

During the early 1990s, the parties identified a need for an emergency services system to benefit the citizens of Decatur and Grady. They determined that by combining their efforts, they would achieve significant cost savings in the delivery of such services. To that end, on April 6, 1993, the parties entered into an agreement to establish a "joint emergency telephone number 911 system plan" to ensure that all citizens of both counties receive emergency service in time of need.

Through their combined efforts, the parties established a joint emergency services system that includes the following:

- 1) A joint answering service center at the Decatur County Jail Complex<sup>1</sup> that provides dispatch and emergency call answering services for law enforcement, fire, and emergency medical agencies;
- 2) A committee known as the "Decatur-Grady 911 Committee" that is responsible for developing policies and guidelines for the operation of the system and the answering center;
- 3) An "Advisory User Board" for the purpose of advising and supplying technical information to the Decatur-Grady 911 Committee;
- 4) The position of E-911 service director, responsible for the overall operation of the service.

The agreement contains the following terms that cover the parties' rights and obligations with respect to the ownership and operation costs of the system:

- 1) The parties "shall hold interest in the title to the equipment and furnishings of the answering center in such proportion as each county shall have telephone lines that shall be subject to the monthly tariff to provide E-911 service on January 1 of the most recent year that the agreement is in effect;"<sup>2</sup>
- 2) The parties shall share liability in the same proportion as above;
- 3) Employees of the system shall be deemed employees of Decatur County;

<sup>1</sup> The service center is now located at a separate facility.

<sup>2</sup> Currently, the parties agree that Decatur County's interest is \_\_\_\_\_ and Grady County's interest is \_\_\_\_\_.

- 4) The parties shall share costs related to the operation and maintenance of the system, to include employee payroll and benefits, "in the same proportion as the monthly average for the number of telephone lines subject to charge in each county from January 1 to November 30 during the previous calendar year, hereinafter referred to as ('operating cost ratio')."<sup>3</sup>

On August 17, 2017, the parties entered into another intergovernmental agreement to purchase, install, and administer a 700 MHz simulcast digital trunking radio communications system for public safety and government operations. The parties consider the radio system separate from the emergency services system contemplated in the 1993 agreement. The parties intend to keep the radio system agreement in effect.

The system contemplated under the 1993 agreement has been in operation for approximately 30 years. Both parties have met and continue to meet their obligations under the agreement. However, over time, circumstances have changed such that the parties now believe it is in their mutual interests to separate the system so that each party is responsible for operating and maintaining its own emergency answering service.

The agreement provides that either party may unilaterally terminate the agreement upon twelve months' written notice to the other party. Upon termination, the non-terminating party shall have the right to purchase the terminating party's interest in the assets of the answering center by paying the terminating party a sum equal to the market value of the terminating party's interest in the assets.

The parties have determined that the unilateral termination and buy-out provision of the agreement will not suit the parties' current needs and interests and is thus not a viable option for separating the services. Paragraph 14 of the agreement does permit the parties to "wholly or partially" amend the agreement with a majority vote of the Decatur-Grady e-911 Committee and approval by each county. As such, the parties believe that the agreement should be amended to permit the separation and that the amendment should generally contain the following terms and conditions:

- 1) Decatur County will pay to Grady County a sum equal to 46% of the market value of the assets currently in service and jointly owned by the parties (the term "market value" will be defined by the parties at a later date through discussion and negotiation);
- 2) The parties will compile and approve a schedule of assets that will be included in the valuation;
- 3) The parties will compile and approve a schedule of the liabilities related to the emergency services system that are currently outstanding, if any, and develop a mutually agreeable framework for dividing responsibility for them;

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<sup>3</sup> Currently, the parties agree that Decatur County's share is 54% and Grady County's share is 46% of such costs. In practice, Grady County reimburses Decatur County its share of the operating cost ratio each month.

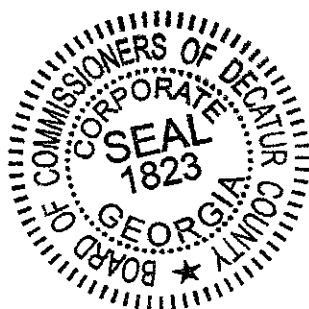
- 4) Grady County will cease paying the operating cost ratio supplement it is currently paying to Decatur County; once operations for Grady County cease.
- 5) The parties will release one another from all claims related to or arising from the services contemplated by the agreement;
- 6) The parties will indemnify each other in proportion to the current operating cost ratio from any unknown liabilities which may arise from the services contemplated by the agreement;
- 7) The Decatur-Grady 700 MHz Radio System Intergovernmental Agreement shall remain in effect;
- 8) The Decatur-Grady 911 Committee and Advisory User Board shall remain active and continue to fulfill those functions and responsibilities as set forth in the Decatur-Grady 7000 MHz Radio System Intergovernmental Agreement.

It is the parties' intent to move forward under this memorandum of understanding in good faith. Each party understands that this memorandum does not constitute a binding contract or an amendment to the parties' 1993 agreement. It does not impose any new legal obligations on either party or relieve either party from its current obligations. Nevertheless, the parties express their intention to cooperate with the other in meeting the goals and objectives set forth herein. This memorandum shall be approved by the Board of Commissioners of each party in accordance with the Open Meetings Act.

Reviewed, considered and approved by:

Decatur County

By: Pete Stephens  
Pete Stephens, Chairman



Attest: Michelle West  
Michelle West, County Clerk

Grady County

By: Phillip Dfrew  
Phillip Dfrew, Chairman

Attest: John White  
John White, County Clerk



**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND GEORGIA DEPARTMENT OF TRANSPORTATION, FOR A GRANT UNDER TITLE 49 U.S.C., SECTION 5311.**

**WHEREAS**, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grants to non-urbanized (rural) areas for mass transportation projects; and

**WHEREAS**, the contract for financial assistance will impose certain obligations upon Applicant, including the provision of the local share of project costs; and

**WHEREAS**, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

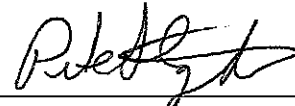
**WHEREAS**, it is the goal of the Applicant that Minority Business Enterprise (Disadvantaged Business Enterprise and Women's Business Enterprise) be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority business shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW THEREFORE, BE IT RESOLVED BY Decatur County Board of Commissioners hereinafter referred to as the "Applicant",

1. That the Designated Official Southwest Georgia Regional Commission, hereinafter referred to as the "Official", is authorized to execute and file an application on behalf of Decatur County Board of Commissioners with the Georgia Department of Transportation, to aid in the purchase of bus transit vehicles and/or the planning, development, and construction of bus transit-related facilities pursuant to Section 5307 of the Federal Transit Act.
2. That the Official is authorized to execute and file such application and assurances, or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That the Official is authorized to execute and file all other standard assurances, or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.
4. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation.
5. That the Official is authorized to set forth and execute Minority Business Enterprise, DBE (Disadvantaged Business Enterprise) and WBE (Women Business Enterprise) policies and procedures in connection with the project's procurement needs as applicable.

- 6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9030.1E, FTA Certifications and Assurances for Federal Assistance 2023 as listed in this grant application and General Operating Guidelines as illustrated in the Georgia State Management Plan.
- 7. That the applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements for this grant application.

APPROVED AND ADOPTED this 22<sup>nd</sup> day of August, 2023.

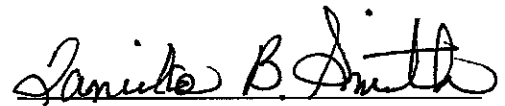


Signature of Authorized Official

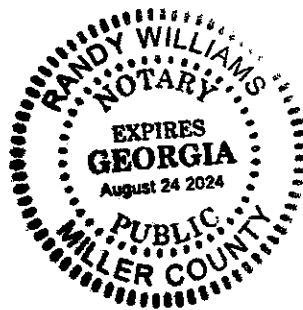
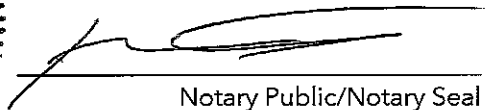
Pete Stephens, Chairman

Name and Title of Authorized Official

Signed, sealed, and delivered this 22<sup>nd</sup> day of August, 2023 in the presence of



Witness

Notary Public/Notary Seal

**CERTIFICATE**

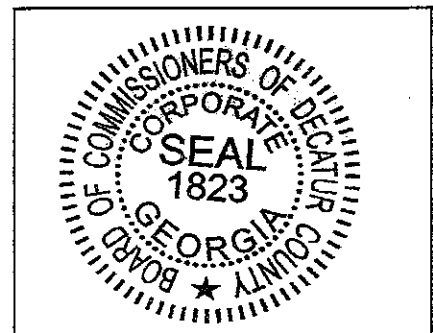
The undersigned duly qualified and acting County Clerk of

Decatur County (Title of Certifying/Attesting Official) (Applicant's Legal Name) certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting held on

August 22, 2023.

Michelle West  
Name of Certifying/Attesting Officer

County Clerk  
Title of Certifying/Attesting Officer





**Mark Harrell**  
**DECATUR COUNTY TAX COMMISSIONER**  
*P.O. Box 246 / 112 W. Water St*  
*Bainbridge, GA 39818*  
*Phone:248-3021 / Fax: 248-2110*

8/11/2023

**E & R / NOD - Property Tax Digest**

**2022 Digest Year**

Map & Parcel	Name	100% Value From	100% Value To	Memo
Personal Property	Barker John W	\$ 11,113.00	\$ -	Sold jet-skis in 2021. Delete 2022 tax bill.
Personal Property	Carbon Recall of Bainbridge LLC	\$ 8,500.00	\$ -	Business closed December 2021. Delete 2022 tax bill.
Personal Property	Hoskins James T	\$ 45,715.00	\$ -	Boat is in Florida. Delete 2022 tax bill. Refund \$824.08.
		\$ 65,328.00	\$ -	
		\$ 65,328.00	\$ -	

Mark Harrell - Tax Commissioner

David J. Kendrick - Board of Assessors

Pete Stephens, Chairman - Board of Commissioners

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 August 22, 2023.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 7:40 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 or to be 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);

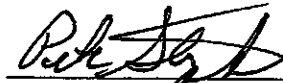
Discussion of tax matters made confidential by state law as provided by O.C.G.A. 50-14-2(2) and (insert the citation to the legal authority making the tax matter confidential) \_\_\_\_\_;

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 22<sup>nd</sup> day of August, 2023.



Pete Stephens, Chairman  
Decatur County Board of Commissioners

Sworn to and subscribed  
Before me this 22<sup>nd</sup> day of  
August, 2023.

Notary Public Michelle West

My commission expires:  
\_\_\_\_\_

