

Service Delivery



Bill Slaughter, Chairman

Joyce E. Evans, Vice Chairman
Commissioner, District 1

Scott Orenstein, Commissioner, District 2

Mark Wisenbaker, Commissioner, District 3

Demarcus Marshall, Commissioner, District 4

Clay Griner, Commissioner, District 5

An overview
of
Service Delivery related
to the 2008 Service
Delivery Agreement,
Items Presented, and the
Term of the Existing
Agreement



Outline of Service Delivery Review

- Purpose
- Services Funded by Lowndes County by Funding Source
- Current Agreement
- 14 Items Presented by the Cities for Discussion
- Revised Agreement
- Term of Agreement
- Closing



Definitions

- Incorporated – property located inside city limits.
- Unincorporated-property located outside city limits.
- SDS-service delivery strategy. Frequently used to refer to the Service Delivery Strategy Agreement.

Purpose of Service Delivery Law

- *Simple, concise agreement describing:*
 - which local governments will provide
 - which service
 - in which specified areas
 - how the cost of services will be funded
- *The strategy shall avoid:*
 - Duplication of services
 - Competition between local governments
- *Funding equity is achieved by providing:*
 - County services provided primarily for the benefit of areas outside city limits and the County's share of jointly funded services shall be funded by residents and property owners outside city limits
 - Other county services should be funded from countywide revenues



Lowndes County Current Funding From County Wide Revenues



- 911 Call Answering & Emergency Vehicle Dispatch
- Animal Control
- Clerk of Court-State, Magistrate, Juvenile Courts
- County Road System Construction
- County Road System Maintenance
- State Court
- Criminal Prosecution-State Court
- Death Examinations
- Economic Development
- Elections-Federal, State, County
- Emergency Management
- Emergency Medical Services
- Extension Services
- Family & Children Services
- Indigent Defense – Juvenile, State, Superior Courts
- Libraries-Countywide
- Mental Health
- Parks & Recreation-Countywide
- Property Tax Valuation
- Public Health

**For funding purposes,
services identified for
the benefit of Lowndes
County citizens living
inside and outside city
limits.**

Lowndes County Current Funding From Unincorporated



- Mosquito Control (Fully Fund)
- Code Enforcement (Fully Fund)
- Planning (Fully Fund)
- Zoning (Fully Fund)
- Fire Protection & Emergency Rescue (Fully Fund)
- Airport (County Share)
- Regional Planning (County Share)
- Geographic Information Systems (County Share)

For funding purposes,
services identified for
the benefit of citizens
living outside city
limits.

Lowndes County Current Funding From Other Revenue Sources



Hotel/Motel Tax Collections

- Tourism Promotion
- Conference Center
- Airport

Special Tax Districts/Enterprise Funds

- Special Tax Lighting Districts

Court Fines

- Drug Abuse & Treatment Education

User Fees

- Hospital (patient fees)

SPLOST/Enterprise Funds

- Water
- Sewer



Current Agreement

The funding source(s) for each service was identified and agreed upon by Lowndes County and the Cities of Valdosta, Remerton, and Lake Park upon the execution of the 2008 Service Delivery Strategy Agreement.

Only 2 cities in addition to Valdosta are required to execute the agreement. The Cities of Hahira and Dasher did not sign the 2008 Agreement. 8



Review of the Current Agreement

Timeline:

- **April 12, 2016**-Lowndes County gave notice of a May 4 meeting to the Cities as required by law, to review the current agreement.
- **May 4, 2016**-Lowndes County offered to renew the existing agreement. Neither the services provided by local governments, nor the funding sources, have fundamentally changed in the last 8 years.
- **May 5, 2016**-The Cities presented Lowndes County with an original list of 14 items they wanted to discuss.
- **July 27, 2016**-After months of meetings and correspondence, the City of Valdosta called for mediation.
- **September 28, 2016**-Local governments met at the James H. Rainwater Conference Center and officially began mediation.
- **November 28, 2016**-Mediation ended without an executed Service Delivery Strategy Agreement.



Item 1-Litter Control

- Service identified in current agreement.
- Currently provided by Keep Lowndes Valdosta Beautiful.
- Funding:
 - by Lowndes County using Solid Waste Host Fees, which are paid by users of the Evergreen Land Fill.

KLVB determines the projects for which it uses these funds. Valdosta may encourage KLVB to host projects within the City's limits. Historically, many, if not most of KLVB's projects have been within Valdosta.



Item 2-County Road System Construction and Maintenance

- Service identified in current agreement.
- Currently provided by Lowndes County.
- Funding:
 - by Lowndes County using general funds. The Cities also use their general funds to construct and maintain their streets.

The current agreement includes a map of the county road system. There are 6.87 miles of county roads inside city limits. Lowndes County funds the construction and maintenance of these roads.

Item 3-Funding Tourism Promotion, Conference Center, Arts Center



- Services identified in current agreement.
- Currently provided from funds other than property tax dollars.
- Funding:
 - by those local governments with hotels and motels collecting taxes paid by those staying overnight. More hotels/motels results in a higher amount of taxes collected. A percentage of collections are required by law to be spent on tourism promotion.

Prior to 2008, Lowndes County collected all hotel/motel taxes. At Valdosta's request, as a part of the 2008 agreement, it was agreed Valdosta would levy the tax inside city limits and the County would levy the tax outside city limits.

This change required the County to support the Airport with additional funding from revenues generated outside city limits to overcome the loss created by the decrease in hotel/motel tax collections. Not all funds from hotel/motel tax collections are required to be used for tourism promotion. In 2015, Valdosta retained \$676,751.00 in unrestricted funds, Lowndes County uses the unrestricted collections to fund the Airport. Lowndes County does not retain unrestricted funds.



Item 3 (continued)-Conference Center

- Service identified in current agreement.
- Currently provided by the Conference Center & Tourism Authority.
- Funding:
 - from hotel/motel taxes paid by local governments to the Authority for tourism product development which can be used for the Conference Center.

At its discretion, the City of Valdosta currently provides additional funding for the Conference Center. That funding comes from hotel/motel taxes, not property taxes. The proposed Service Delivery draft states Valdosta may, at its discretion, provide additional funding from legal funding sources.



Item 3 (continued)-Arts Center

- Service identified in current agreement.
- Currently provided by the Lowndes-Valdosta Arts Commission.
- Funding:
 - Valdosta agreed to fund this service. Valdosta funds this service using hotel/motel taxes, not property tax dollars.

Valdosta decides when and by how much to fund this service. The SDS Act does not require Valdosta to fund this service. The SDS Act does not require the County to fund this service. To date, LVAC has not made a request to the County for funding. One local government cannot bind another. The Cities cannot dictate how another local government allocates funds that they were not elected to spend. The same applies to the County with regards to the Cities. Further, the current Commission cannot allocate funding that is not otherwise required on behalf of a future Commission.

Item 4-Water/Sewer Service Areas

- Services identified in current agreement. The agreement includes service area maps.
- Currently provided by Lowndes County and the Cities within agreed upon service delivery areas as required by service delivery law.
- Valdosta may expand its service area into the County's service area with County approval, by following the process in the current agreement. Lowndes County has not received a request for an extension from Valdosta or any other city into the county's service area since the maps were agreed upon in 2008. Regardless, the process works. There are already over one-hundred locations where Valdosta provides these services outside its city limits.
- Funding:
 - Both governments use enterprise funds and SPLOST funds to provide services.

Item 4-Water/Sewer Service Areas

(continued)

Historically, Valdosta has required those receiving water/sewer services outside the city limits of Valdosta to annex into the City once the city limits reach the property line of those receiving service.

This exposes property owners outside city limits to being annexed inside city limits. The current draft provides a process by which Valdosta can expand its service area at the request of the property owner.

It does not allow for the expansion of services without a request approved by the County. To do so would harm those living outside city limits by having a negative impact on water/sewer rates. It would also be contrary to responsible planning practices.

Growth is expected of all local governments. Both Lowndes County and the City of Valdosta have experienced growth without a shift in water/sewer service areas. Expansion of the City of Valdosta's water/sewer system in an effort to gain customers and increase revenue should not be at the expense of those who have chosen to live or own property outside city limits.



Item 5 – Parks & Recreation

- Service identified in current agreement.
- Currently provided by the Valdosta-Lowndes County Parks and Recreation Authority.
- Continues to provide an award winning service, recognizing both services provided and local volunteers.
- Funding:
 - The local Act of the General Assembly creating the Authority states the Authority will be funded by Lowndes County at a minimum of 1.25 mills.

The creation of the Valdosta-Lowndes Parks and Recreation Authority was a result of 2008 negotiations during the development of the current service delivery agreement. This service was discussed prior to mediation. Valdosta did not request a change in the service or service funding, only that the City be given more credit for supporting programs and services provided by the Authority. As required by the Act, Lowndes County and Valdosta appoint an equal number of appointees to the Authority. The City Manager is also an ex officio member of the Authority.



Item 5 (continued) – Development Authority

- Service identified in current agreement.
- Currently provided by the Valdosta-Lowndes County Industrial Authority (d.b.a. Development Authority).
- Funding:
 - In accordance with and for the term of the December 2008 Intergovernmental Contract between Lowndes County and the Authority. The amount of the funding is 1.0 mill.

The city governments are not a party to the current funding agreement between Lowndes County and the Authority.



Item 6 – Unincorporated Area Revenues

Current unincorporated area revenues to be accounted for in the County's special services fund are listed in the draft 2016 SDS Agreement. They are: alcoholic beverage license fees, alcoholic beverage excise taxes, cable television franchise fees, financial institution taxes, fire department revenues, insurance premium taxes, occupation taxes, soil control permit fees, solid waste franchise fees, unrestricted hotel/motel taxes, zoning fees.

The special services fund provides funding for services that are provided primarily to citizens and other property owners outside city limits and the County's share of jointly funded services. Countywide general funds allocate funding for 20 services identified in the Service Delivery Strategy Agreement as services benefiting Lowndes County residents living inside and outside city limits.



Item 7 – Crime Lab

- The Crime Lab is not listed in the current agreement.
- Currently provided by the City of Valdosta.
- As provided by law, law enforcement services provided by sheriffs are not local government services for the purpose of SDS.

Valdosta's Crime Lab supports law enforcement. It is not a service that is used by citizens. Valdosta charges fees for the use of its crime lab. Law enforcement agencies can use state crime labs operated by the Georgia Bureau of Investigations at no cost.

The Lowndes County Sheriff currently contracts with Valdosta for certain crime lab functions. A future Sheriff of Lowndes County may continue to contract with Valdosta or decide to obtain crime lab functions in a different manner.

By law, the Lowndes County Board of Commissioners cannot force a Sheriff to use or not to use particular crime lab providers.



Item 8 – Special Services Fund

- Lowndes County will maintain its special services fund to account for the following revenues from the unincorporated area:
 - alcoholic beverage license fees
 - alcoholic beverage excise taxes
 - cable television franchise fees
 - financial institution taxes
 - fire department revenues
 - zoning fees
 - insurance premium taxes
 - occupation taxes
 - soil control permit fees
 - solid waste franchise fees
 - unrestricted hotel/motel taxes
- From this fund, Lowndes County will pay the following:
 - code enforcement
 - fire protection/emergency rescue
 - mosquito control
 - planning
 - solid waste collection regulation
 - zoning
- And the County's share of the following jointly funded services:
 - airport
 - geographic information systems
 - property rehabilitation
 - regional planning



Item 9 – Municipal Prisoner Housing

- Housing municipal (city) prisoners is the responsibility of each city.
- A Sheriff is not required to contract with any city to house municipal prisoners.
- The Board of Commissioners cannot require the Sheriff of Lowndes County to house municipal (city) prisoners.
- By law, the Sheriff is not a part of service delivery.

The amount of housing per day charged to a city for housing inmates in the Lowndes County Jail is determined by the Sheriff. An agreement between a city and the Sheriff for the housing of inmates is also determined by the Sheriff. Prior to mediation, a city questioned the Board of Commissioners' ability to intervene in the event a Sheriff chose to close the Lowndes County Jail to inmates from a city.



Item 10 – Solid Waste Host Fee

- The solid waste host fee is paid to the County by law as the host government of the Evergreen Landfill.
- The amount of the fee is \$1.00 per ton of waste received. \$449,426 was received in FY2015.
- Lowndes County provides a portion of the host fee to Keep Lowndes Valdosta Beautiful for litter control.
- The host fees are otherwise used or retained for expenses related to the closed landfill in Clyattville. The EPD estimate for post closure costs is \$815,000. This amount does not include the actual cost of all liabilities that could occur.

The solid waste host fee is collected by Lowndes County as provided by law because the landfill is physically located in the County. The \$1.00 per ton is paid by those businesses disposing of waste in the landfill. Evergreen Landfill is owned by a private company. Anyone the landfill chooses to do business with can dispose of waste accordingly.



Item 11 – Extension Services

- Service identified in the current agreement.
- Provided by the University of Georgia and Fort Valley State University and funded by the County's general fund.
- Countywide services include support to residents and businesses related to yard and lawn care needs across the community.

Extension Services sponsor 4-H programs for students in both the Lowndes County and City of Valdosta School Districts. In addition, the service supports the Master Gardner Extension Volunteer Program in seven Valdosta schools.



Item 12 – Annexation Disputes

- Disputes regarding annexation are governed by Title 36, Chapter 36, Article 7 of the Official Code of Georgia.
- This Article was enacted by the General Assembly in 2007.
- The provision of the original SDS Act requiring SDS agreements to include a process for resolving annexation disputes was deleted by a 2004 amendment to the SDS Act.

Due to the change in the law, no further discussion or explanation was required related to this item.

Item 13 – Jointly Funded Services

- Services identified in the current agreement.
- Lowndes County and one or more Cities currently fund:
 - The Airport (provided by the Airport Authority)
 - Regional Planning (provided by the Regional Commission)
 - Geographic Information Systems(GIS) (provided by the Regional Commission)
- The County's share of revenues for these services is paid from unincorporated revenues as stipulated by the current agreement.

Airport Authority-the Act creating the Authority provides for Valdosta & Lowndes County to each pay one half of the Authority's budget.

Regional Planning-is determined by law based on the County's unincorporated population.

GIS-48.6% Valdosta, 48.6% Lowndes, 1.9% by 911, 1.0% by Building Inspections



Item 14 – Land Bank Authority

- Service is not identified in the current agreement.
- The Land Bank Authority was created by an agreement between Lowndes County and the City of Valdosta in 1999.
- The agreement provides for both the City and the County to provide both funding and personnel support.
- The Land Bank Authority has not asked Lowndes County for funding or personnel support.
- At such time a request is made, it will be considered.
- If approved, the request will be funded from unincorporated revenues.

The agreement creating the Landbank Authority was created in 1999 to provide for cost sharing and personnel support. The majority of the property managed by the Authority is inside the city limits of Valdosta.



Revised Service Delivery Agreement

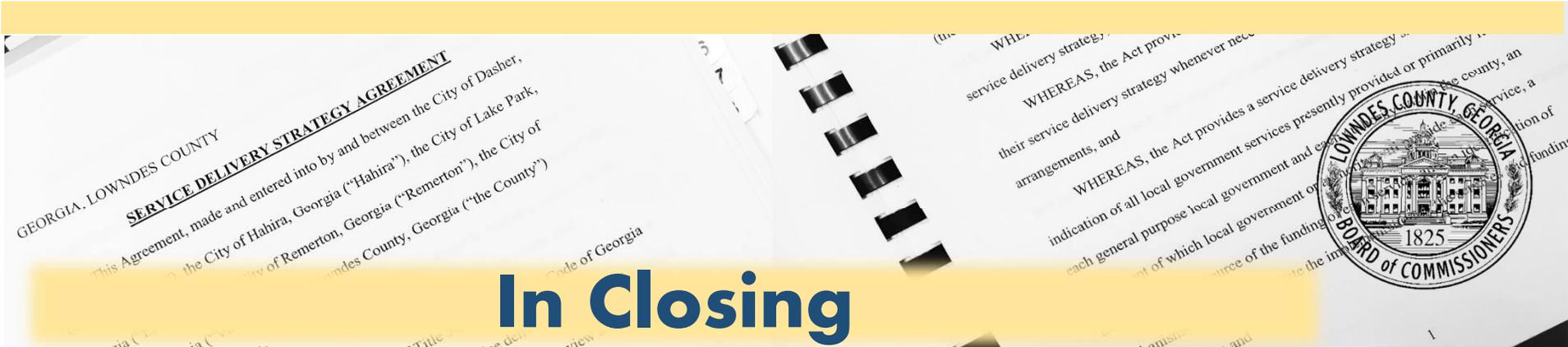
In response to the items raised by the Cities, Lowndes County has prepared a revised Service Delivery Agreement. The proposed draft includes agreeable changes to the existing agreement.

- The revised Agreement follows the service delivery law on paying for county roads. County roads shall be paid from county-wide revenues and city streets shall be paid from city revenues. The revised Agreement follows Georgia law on paying for city streets.
- The revised Agreement gives Valdosta the discretion to fund the Conference Center and the Arts Center from any legal source.
- The existing agreement with regards to water/sewer follows Georgia law. It includes water/sewer service areas for the Cities and the County. The revised agreement includes changes to the process requested by Valdosta. It permits changes in service areas based on agreement of the property owner, City, and County.



Term of Agreement

- *The current agreement has not expired.*
 - The service delivery law says the Agreement “shall remain in effect until revised.”
 - The current agreement signed by Lowndes County, Valdosta, Remerton, and Lake Park says the same thing.
 - *Based on the service delivery law, the County remains eligible for state administered financial assistance, grants, loans, and permits.*
 - This is because the County remains included in a verified strategy.



In Closing

Lowndes County has spent a tremendous amount of time and effort answering questions, listening to statements, and considering requests made by Valdosta and on behalf of Hahira, Remerton, Lake Park, and Dasher.

The County has been working for six months to develop an agreement that is fair to citizens and property owners inside and outside city limits. To approve an extension of the existing agreement which by law remains in effect would accomplish nothing but an unnecessary delay.

The Lowndes County Board of Commissioners is in a position unique to counties across the state being that members are elected to represent citizens living inside and outside city limits.

Roughly half of Lowndes County's total population resides inside city limits, while the other half resides outside city limits.

It is the intent of the Lowndes County Board of Commissioners to establish policy that is positive for all of Lowndes County. Policy that has a negative impact on half of the County's population is not positive for all of Lowndes County.

All policy created must be in accordance with the law.