



**BALDWIN COUNTY COMMISSIONERS
PUBLIC HEARING AND REGULAR
MEETING**

**December 07, 2021
1601 N Columbia St, Suite 220
6:00 PM**

MINUTES

MEMBERS PRESENT

Henry Craig
John Westmoreland
Kendrick Butts
Emily Davis
Sammy Hall

OTHERS PRESENT

David McRee
Carlos Tobar
Dawn Hudson
Cindy Cunningham

CALL TO ORDER

Chairman Henry Craig called the December 7, 2021 Public Hearing and Regular Meeting to order at 6:00 p.m.

AMENDMENT TO AGENDA

Commissioner Kendrick Butts made a motion to amend the Agenda to move the Presentation to the Baldwin Lodge 159 to the first item prior to the Public Hearing. Commissioner Emily Davis seconded the motion and it passed unanimously.

PRESENTATION

100 Year Proclamation for Baldwin Lodge 159

Chairman Craig made a presentation to the members and representatives of Baldwin Lodge 159 and congratulated them on the 100th Anniversary of their organization.

Most Worshipful Grand Master Ronald Stevenson expressed his appreciation to the Board of Commissioners for the opportunity to be recognized and presented with the Proclamation recognizing the 100 Year Anniversary of Baldwin Lodge 159.

PUBLIC HEARING

Chairman Craig opened the public hearing for the Recreational Vehicle Park Lodging Tax.

County Manager Tobar discussed the proposed tax of 5% of the rent for every occupancy of a guest room or space in a tourist camp, tourist cabin, campground or any other place excluding residential and hotels/motels in which rooms or space are furnished for value in the unincorporated area of Baldwin County.

There were no comments from the public nor from the Commissioners.

Commissioner Sammy Hall made a motion to close the Public Hearing, Commissioner Kendrick Butts seconded the motion and it passed unanimously.

APPROVAL OF MINUTES

Commissioner Emily Davis made a motion to approve the minutes of the November 16, 2021

Work Session, November 16, 2021 Regular Meeting and the November 16, 2021 Executive Session as presented. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

ADMINISTRATIVE/FISCAL MATTERS

Georgia Department of Transportation (GDOT) Mowing and Maintenance Agreement for SR 22 / SR 24

County Manager Tobar stated Jonathan Dechko and Heidi Schneider are here to present a proposed agreement with the Georgia Department of Transportation for mowing and maintenance of the SR 22/SR 24 roundabout.

Representatives explained the benefits of the project and the mowing / maintenance and lighting agreement. They discussed the project overview including location; existing conditions; crash data; concept and alternatives, They also discussed the request for County contributions for the project. Mr. Dechko stated the purpose of the project is to improve safety of the SR 22 / 24 intersection. He reported this is fully federally funded and is projected to open in 2026.

Mr. Dechko stated GDOT is requesting that Baldwin County provide \$3,000 per year to energize and maintain fixtures as well as to be responsible for mowing & maintenance when DOT is not mowing. He stated DOT mows two times a year.

Commissioner Sammy Hall asked that if the project is federally funded why can't the State pay for these costs. Commissioner Emily Davis agreed. Mr. Dechko stated the Georgia Department of Transportation is tasked with the delivery of programs to improve safety; however, he does understand the concerns of the County. Commissioner Hall asked if other counties pay these costs? Mr. Dechko responded yes other counties do pay. Mr. Hall stated he doesn't have such an issue with mowing; but he does have issues with paying lighting. He stated he would not object to a one-time contribution of \$3,000 to get lights installed. Vice Chairman Westmoreland asked if grass has to be used in the center of roundabout. Ms.

Schneider responded that grass & shrubs will be planted and the reasons is to assist with any drainage issues. Vice Chairman Westmoreland asked how many lights will be required at the intersection. Response from Ms. Schneider was approximately twelve lights. Discussion was held on the possibility of installing truly solar panel driven lights. Ms. Schneider responded this would require much more right of way. GDOT representatives explained the State's reasoning is that this is a state route going through the County for the benefit of the County.

GDOT is requesting consideration by Baldwin County to partner with the State on this project by providing maintenance and lighting costs. GDOT is hoping to get the County to buy in on this in order to proceed forward with roundabout. Chairman Craig asked what value of the roundabout is. DOT representatives responded \$3.6 million dollars of which \$2.4 million is the actual cost of construction. Chairman Craig stated he felt the cost of \$3,000 should not cost the progression of the project, and the County needs to work with DOT on this project.

Chairman Craig felt the County should not take a chance with losing this project and their good working relationship with DOT. Commissioner Butts asked what if the cost of the project goes up? DOT representatives stated they cannot provide a more concrete number or projections on cost of energy at this time. The information is based on past costs.

Ms. Schneider stated they are asking for the County's indication of support; not asking to sign agreement today. GDOT wants to know if the County is willing to work with them on the project. They are looking for an assurance to move forward. GDOT representatives requested confirmation that the County is willing to be on board and contribute some amount to help with cost of maintenance and lighting costs. Mr. Dechko stated GDOT will try to keep costs down. The request is for an indication of support in order for GDOT to have time to work out details of moving forward.

Commissioner Hall made a motion to form a partnership with GDOT to move forward on the roundabout project with the understanding DOT will look for other alternatives for costs with information on costs to be brought back before the Board at which time Commissioners will make a decision on how much the County will contribute. Vice Chairman John Westmoreland seconded the motion and it passed unanimously.

Recreational Vehicle Park Lodging Tax

County Manager Tobar reported a public hearing on the proposed Recreational Vehicle Park Lodging Tax was held earlier tonight. He highlighted specifics of the Ordinance and requested Board approval on the I RV park lodging tax of 5%.

Vice Chairman Westmoreland made a motion to approved the Recreational Vehicle Park Lodging Tax Ordinance as presented. Commissioner Hall seconded the motion and it passed unanimously.

A copy of the Ordinance is herewith attached and made an official part of the minutes at page 112 and 113

CHIP 2022 Grant Application Certification Assurances —

County Manager Tobar reported an application is being prepared to submit to the Department of Community Affairs (DCA) for housing rehabilitation in the Oconee Heights/Harrisburg area He stated he is working with Consultant Rhonda Gilbert on the application which if funded will provide 100% of construction costs for housing rehabilitation. At the time of award, the consultant will determine those properties eligible for rehab and the project will be bid according to grant requirements. He stated no county money will be used for rehab. As a requirement of the application, he presented CHIP application certification assurances for the Board's consideration.

Commissioner Emily Davis made a motion to approve the 2022 CHIP application certification assurances as presented. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

A copy of the Certification Assurances is on file in the Commissioners' office.

Transit Zero Tolerance Policy

County Manager Tobar presented a Zero Tolerance Policy for the Transit Program as required by the Department of Transportation.

Commissioner Kendrick Butts made a motion to approve the Transit Zero Tolerance Policy as presented. Commissioner Sammy Hall seconded the motion and it passed unanimously.

A copy of the Transit Zero Tolerance Policy is on file in the Commissioners' office.

FY 2022 Budget Resolution

Assistant County Manager Dawn Hudson reported all legal requirements have been met for the adoption of the FY 2022 Budget. Legal notices were published and required public hearings were held. She stated the budget was presented at the November 2, 2021 meeting and this budget is the same as presented at that meeting.

Vice Chairman John Westmoreland made a motion to approve the Resolution adopting the budget for FY 2022 as presented. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

A copy of the Budget Resolution fo FY 2022 is herewith attached and made an official part of the minutes at pages 112 and 113.

Resolution Supporting Reform to Georgia's Annexation Dispute Resolution Law

Chairman Craig stated a copy of the Resolution supporting reform to Georgia's annexation dispute resolution law was sent to all commissioners for their review. ACCG recommended the adoption of the resolution with a copy being submitted to ACCG and the local legislative delegation. This resolution will urge the General Assembly to adopt meaningful reforms to Georgia's annexation dispute law during the 2022 legislative session.

Chapter 2-14 - TAXATION

ARTICLE I. - IN GENERAL

2-14-2—2-14-19 - Reserved.

ARTICLE II. - RECREATIONAL VEHICLE PARK LODGING TAX

2-14-20 - Definitions.

The following words, terms and phrases shall, for the purposes of this ordinance and except where the context clearly indicates a different meaning, be defined as follows:

(a)Person. An individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, non-profit corporation or cooperative non-profit membership, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit, the plural as well as the singular number, excepting the United States of America, the State of Georgia, and any political subdivision of either thereof upon which the County is without power to impose the tax herein provided.

(b)Operator. Any person operating a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels in the unincorporated area of Baldwin County, including; but not limited to, the owner or proprietor of such premises, lessee, sublessee, lender in possession, license to or any other person otherwise operating such hotel.

(c)Occupant. Any person who, for a consideration, uses, possesses, or has the right to use or possess any tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels in the unincorporated area of Baldwin County under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

(d)Occupancy. The use or possession, or the right to the use or possession, of any tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels in the unincorporated area of Baldwin County. Occupancy also means the right to the use or possession of the furnishings or to the services or accommodations accompanying the use and possession of the room or space.

(e)Guest Room. A room, lodging, or accommodation occupied, or intended, arranged, or designed for occupancy, by one or more occupants, other than meeting rooms, intended, designed and use for such purpose.

(f)Rent. The consideration received for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property or services of any kind or nature, and also the amount for which credit is allowed by the operator to the occupant, without any deduction therefrom whatsoever.

(g)Return. Any return filed or required to be filed as herein provided.

(h)County Manager or designee. The County Manager or designee appointed by the Board of Commissioners of Baldwin County, Georgia.

(i)County. Baldwin County, a political subdivision of the State of Georgia.

(j)Space. Location with a prescribed right, use, possession or occupancy of an RV park or campground, including accessory structures, as defined by the operator.

(k)Tax. The tax imposed by this ordinance.

(l)Monthly Period. The calendar months of any year.

2-14-21 - Imposition and Rate of Tax.

There is hereby levied and assessed, and there shall be paid a tax of five percent of the rent for every occupancy of a guest room or space in a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels, in which rooms or space are furnished for value in the unincorporated area of Baldwin County.

The tax imposed by this ordinance shall be paid upon any occupancy on and after October 1, 2021, although such occupancy is pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid, or charged or billed, or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period from October 1, 2021, and any monthly period thereafter.

2-14-22 - Persons Liable for Tax; Extinguishment of Liability.

Every person occupying a guest room or space in a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels, in the unincorporated area of Baldwin County is liable for the tax. His liability is not extinguished until the tax has been paid to this County except that a receipt from an operator naming a place of business in this County or from an operator who is authorized by the County Manager or designee under such rules and regulations as he may prescribe, to collect the tax and who is, for the purposes of this ordinance, regarded as an operator maintaining a place of business in the unincorporated area of Baldwin County, which receipt is given is sufficient to relieve the occupancy from further liability for the tax to which the receipt refers.

2-14-23 - Collection of Tax by Operator; Receipt to Occupant; Rules for Collection Schedules.

Every operator maintaining a place of business in the unincorporated area of Baldwin County, as provided in the next preceding Section, and renting guest rooms or space in the unincorporated area of Baldwin County, excluding residences and hotels/motels, shall, at the time of collecting rent from the occupant and on demand shall give to the occupant a receipt therefor. In all cases of transactions upon credit or deferred payment, the payment of tax to the operator may be deferred in accordance therewith, and the operator shall be liable therefor at the time and to the extent that such credits are incurred in accordance with the rate of tax owing on the amount thereof. The County Manager or designee shall have the power to adopt rules and regulations prescribing methods and schedules for the collection and payment of the tax.

2-14-24 - Unlawful Advertising Regarding Tax.

It is unlawful for any operator to advertise or hold out or state to the public or to any guest directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator or that it

will not be added to the rental of the guest room, or that, if added, it or any part thereof, will be refunded.

2-14-25 - Registration of Operator; Form and Contents; Execution; Certificate of Authority.

Every person engaging or about to engage in business to offer occupancy of a guest room or space in a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels, in which rooms or space are furnished for value in the unincorporated area of Baldwin County shall immediately register with the Planning Department of the County, on a form provided by the Planning Department. Persons engaged in such business must so register not later than 15 days after the date this ordinance becomes effective and the tax is imposed as set forth in Section 2-14-21, but such privilege of registration after the imposition of such tax shall not relieve any person from the obligation of payment or collection of tax on and after the date of imposition thereof, regardless of registration. Such registration shall set forth the same name under which such person transacts business or intends to transact business, the location of his place or places of business and such other information which would facilitate the collection of the tax as the County Manager or designee may require. The registration shall be signed by the owner if a natural person; in case of ownership by an association or partnership, by a member or partner; in the case of ownership by a corporation, by an executive officer or some person specifically authorized by the corporation to sign the registration. The County Manager or designee shall, after such registration, issue without charge a certificate of authority to each operator to collect the tax from the occupant. A separate registration shall be required for each place of business of an operator. Each certificate shall state name and location of the business to which it is applicable and shall prominently display therein so as to be seen and to come readily to the notice of all occupants and persons seeking occupancy. Such certificates shall be nonassignable and nontransferable and shall be returned immediately to the County Manager or designee upon the cessation of business at said location. Should the County Manager or designee deem it necessary, in order to facilitate initial registration hereunder of persons engaged in business, or prior to the date of imposition of tax as set forth therefor, other than those provided in this Section. Such provisions shall be made to effect the purposes hereof.

2-14-26 - Determination, Returns and Payments.

(a)Due Date of Taxes. The tax imposed by this ordinance shall become due and payable from the occupant at the time of occupancy of any guest room or space in a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels, in the unincorporated area of Baldwin County. All amount of such taxes collected by any operator shall be due and payable to the County Manager or designee monthly on or before the twentieth day of every month next succeeding such respective monthly period as set forth in Section 2-14-21.

(b)Return; Time of Filing; Persons Required to File; Execution. On or before the twentieth day of the month following each monthly period shall be filed with the County Manager or designee in such form as County Manager or designee may prescribe, by every operator, liable for the payment of tax hereunder. For purposes of this Section, a return shall be deemed filed if postmarked on the twentieth day, or, if the twentieth day falls upon a Holiday recognized by the State of Georgia or upon a Saturday or Sunday, then a return postmarked on the next business day shall be regarded as timely filed.

(c)Contents of Return. All returns shall show the gross rent, rent from permanent residents, taxable rent, amount of tax collected or otherwise due for the related period, and such other information as may be required by the County Manager or designee.

(d)Delivery of Return and Remittance. The person required to file the return shall deliver the return, together with the remittance of the Net Amount of Tax Due to the Finance Department at 1601 N. Columbia Street, Suite 230, Milledgeville, Georgia 31061.

2-14-27 - Deficiency Determinations.

(a)Recomputation of Tax; Authority to Make; Basis of Recomputation. If the County Manager or designee is not satisfied with the return or returns of the tax or the amount of the tax required to be paid to the County by any person, she may compute and determine the amount required to be paid upon the basis of any information within her possession or that may come into her possession. One or more than one Deficiency Determinations may be made of the amount due for one or more than one monthly period.

(b)Interest on Deficiency. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction thereof from the 20th day after the close of the monthly period for which the amount or any portion thereof should have been returned until the date of payment.

(c)Offsetting of Overpayments. In making a determination the County Manager or designee may offset overpayments, for a period or periods, against underpayments, for another period or periods, against penalties, and against the interest on underpayments. The interest on underpayments shall be computed in the manner set forth in Section 2-14-28(c).

(d)Penalty; Negligence or Disregard of Rules and Regulations. Reserved.

(e)Penalty for Fraud or Intent to Evade. If any part of the deficiency for which a deficiency determination is made due to fraud or an intent to evade any provisions of this ordinance or other authorized rules and regulations, a penalty of 50 percent of the total amount of taxes due, exclusive of penalties, shall be added thereto in addition to the other penalties provided in this ordinance.

(f)Notice of County Manager or designee's Determination; Service of. The County Manager or designee, or her designated representative, shall give to the operator written notice of his determination. The

notice may be served personally or by mail; if by mail such service shall be addressed to the operator at his address as it appears in the records of the County Manager or designee. In case of service by mail of any notice required by this ordinance, the service is complete at the time of deposit in the United States Post Office.

(g)Time Within Which Notice of Deficiency Determination to be Mailed. Except in the case of fraud, intent to evade this ordinance or authorized rules or regulations, or failure to make a return, every notice of a deficiency determination shall be mailed within three years after the twentieth day of the calendar month following the monthly period for which the amount is proposed to be determined, or within three years after the return is filed, whichever period should last expire.

2-14-28 - Determination if No Return Made.

(a)Estimate of Gross Receipts. If any person fails to make a return, the County Manager or designee shall make an estimate of the amount of the gross receipts of the person, or as the case may be, of the amount of the total rentals in the unincorporated area of Baldwin County which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make the

return and shall be based upon any information which is or may come to the possession of the County Manager or designee. Upon the basis of this estimate the County Manager or designee shall compute and determine the amount required to be paid the County, adding to the sum thus determined any applicable penalties. One or more determinations may be made for one or for more than one period,

(b)Manner of Computation; Offsets; Interest. In making a determination the County Manager or designee may offset overpayments for a period or penalties, and against the interest on the under payments. The interest on under payments shall be computed in the manner set forth in Section 2-1428(c)

(c)Interest on Amount Found Due. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction thereof, from the twentieth day of the month following the monthly period, for which the amount or any portion thereof should have been returned, until the date of payment.

(d)Penalty for Fraud or Intent to Evade. If the failure of any person to file a return is due to fraud or an intent to evade this ordinance or rules and regulations, a penalty of 50 percent of the amount required to be paid by the person, exclusive of penalties, shall be added thereto in addition to the other penalties provided in this ordinance.

(e)Giving of Notice; Manner of Service. Promptly after making his determination, the County Manager or designee shall give the person written notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

2-14-29 - Penalties and Interest for Failure to Pay Tax.

(a)When any operator fails to make any return or to pay the full amount of the tax imposed by this ordinance, a penalty shall be added to the tax in the amount of five percent or \$5.00, whichever is greater, if the failure is for not more than 30 days. An additional penalty of five percent or \$5.00, whichever is greater, shall be added for each additional 30 days or fraction of 30 days during which the failure continues. The penalty for any single violation under this Section shall not exceed 25 percent or \$25.00 in the aggregate, whichever is greater. The penalty imposed herein shall be in addition to the tax, any other penalties, and interest on the unpaid tax as set forth in this ordinance.

(b)The amount of the unpaid tax, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction thereof, from the twentieth day of the month following the monthly period, for which the amount or any portion thereof should have been returned, until the date of payment.

2-14-30 - Collection of Tax.

(a)Security, the County Manager or designee May Exact; Amount; Sale of; Notice of Sale; Return of Surplus. The County Manager or designee whenever he deems it necessary to ensure compliance with this ordinance, may require any person subject thereto to deposit with him such security as the County Manager or designee may determine. The amount of the security shall be fixed by the County Manager or designee but shall not be greater than twice the person's estimated average liability for the period for which he files returns, determined in such a manner as the County Manager or designee deems proper, or \$5,000.00, whichever amount is the lesser.

The amount of the security may be increased by the County Manager or designee subject to the limitations herein provided. The County Manager or designee may sell the security at public auction, with

the approval of the Board of Commissioners if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest or penalty due. Notice of the sale may be served upon the person who deposited the security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the County Manager or designee. Upon any sale, any surplus above the amounts due shall be returned to the person who deposited the security.

(b)Action for Tax; Time for. At any time within three years after any tax or amount of tax required to be collected becomes due and payable and at any time within three years after the delinquency of any tax or any amount of tax required to be collected, the County Manager or designee may bring action in the courts of this State, or any other State, or of the United States in the name of the County to collect the amount delinquent together with penalties and interest, court fees, filing fees, attorney's fees and other

legal fees incident thereto. The bringing of such an action shall not be a prerequisite for the issuance of a fieri facias (fi. fa.) under the provisions of subsection (g) hereof.

(c)Duty of Successors or Assignees of Operator to Withhold Tax from Purchase Money. If any operator

liable for any amount under this ordinance sells out his business or quits the business, his successors or assigns shall withhold a sufficient portion of the purchase price to cover such amount until the former owner produces a receipt from the County Manager or designee showing that he has been paid or a certificate stating that no amount is due.

(d)Liability for Failure to Withhold; Certificate of Notice of Amount Due; Time to Enforce Successor's Liability. If the purchaser of a business fails to withhold purchase price as required in subsection (c), the purchaser shall become personally liable for the payment of the unpaid taxes. Within 30 days after receiving a written request from the purchaser for a certificate, the County Manager or designee shall

either issue the certificate or mail notice to the purchaser at the address as it appears on the records of the County Manager or designee of the amount that must be paid as a condition of issuing the certificate. The time within which the obligation of a successor may be enforced shall start to run at the time the operator sells out his business or at the time that the determination against the operator

becomes final, whichever event occurs the later. Any purchaser that fails to withhold from the purchase price the amount of unpaid taxes or fails to pay any amount of such tax for which it becomes liable as a result of said purchase shall not be permitted to obtain an occupation tax certificate or alcoholic beverage license until all such taxes, including all penalties and interest, have been paid in full.

(e)Tax Credit, Penalty or Interest Paid More than Once or Erroneously or Illegally Collected. Whenever the amount of any tax, penalty, or interest has been paid more than once, or has been erroneously or illegally collected or received by the County under this ordinance, it may be offset as provided in Section 2-14-28(c). If the operator or person determines that he has overpaid or paid more than once, which

fact has not been determined by the County Manager or designee he will have three years from date of payment to file claim in writing stating the specific ground upon which claim is founded. The claim shall be audited by the Baldwin County Finance Department. If the claim is approved by the County Manager or designee, the excess amount paid the County may be credited on any amounts then due and payable from, the person by whom it was paid, or his administrators or executors.

(f)Lien for Taxes. The lien of taxes collectible under the provisions of this ordinance shall date from January 1 of the year in which the taxes become due, and the lien of such taxes shall be a special lien on the property upon which the same are due and a general lien against all property of the taxpayer owing same.

(g)County Manager Authorized to Issue Fieri Facias. The Baldwin County Manager is hereby authorized to issue a fieri facias (fi. fa.) for execution and levy to satisfy the amount of any tax, penalty, or interest due but not paid under the provisions of this ordinance.

(h)Eligibility for Occupational Tax and/or Alcoholic Beverage License. Any person who fails to pay the tax imposed herein to the County or fails to pay any amount of such tax required to be collected and paid to the County shall not be permitted to obtain or renew their occupation tax certificate or alcoholic beverage license until all such taxes, including all penalties and interest, have been paid in full.

2-14-31- Administrator of Ordinance.

(a)Authority of County Manager or designee. The County Manager or designee shall administer and enforce the provisions of this ordinance for the levy and collection of the tax imposed by this ordinance.

(b)Rules and Regulations. The County Manager or designee shall have the power and authority to make and publish reasonable rules and regulations not inconsistent with the Ordinance, other laws or ordinances of Baldwin County and the State of Georgia, or the constitution of this State or the United States for the administrator and enforcement of the provisions of this ordinance and the collection of the taxes hereunder.

(c)Records Required from Operators, etc., Form. Every operator renting guest room or space to a person in a tourist camp, tourist cabin, campground, or any other place, excluding residences and hotels/motels, in the unincorporated area of Baldwin County shall keep such records, receipts, invoices, and other pertinent papers in such form as the County Manager or designee may require.

(d)Examination of Records; Audits. The County Manager or designee or any person authorized in writing by the County Manager or designee may examine the books, papers, records, financial reports, equipment and other facilities of any operator renting guest rooms to a person and any operator liable for the tax, in order to verify the accuracy of any return made, or if no return is made by the operator, to ascertain and determine the amount required to be paid.

(e)Authority to Require Reports; Contents. In administering the provisions of this ordinance, the County Manager or designee may require the filing of reports by any person or class of persons having in such person's or persons' possession or custody information relating to rentals of guest rooms or space which are subject to the tax. The reports shall be filed with the County Manager or designee when required by the County Manager or designee and shall set forth the rental charged for each occupancy, the date or dates of occupancy, and such other information as the County Manager or designee may require.

(f)Disclosure of Business of Operators, etc., Limitation on Rule. The County Manager or designee or any person having an administrative duty under this ordinance shall not make known in any manner the business affairs, operations or information obtained by an audit of books, papers, records, financial reports, equipment and other facilities of any operator or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person not having such administrative duty under this ordinance, except in case of Judicial proceedings or other proceedings necessary to collect the tax hereby levied and assessed, or as required by the Georgia Open Records Act. Successors, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, may be given information as to the items included in the measure and amount of unpaid tax or amounts of tax required to be collected, interest and penalties.

2-14-32 - Severability.

If any section, subsection, sentence, clause, phrase or a portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional by any court of competent jurisdiction, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted had such invalid portion not been included herein.

2-14-33 - Violations.

Any person violating any of the provisions of this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be punished as provided by the Code of Ordinances of Baldwin County. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person, and shall be punished accordingly.

Any operator or other person who fails to register as required herein, or to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other date required by the County Manager or designee or who renders a false or fraudulent return shall be deemed guilty of an offense and upon conviction thereof shall be punished as aforesaid. Any person required to make, render; sign, or

verify any report who makes any false or fraudulent report, with intent to defeat or evade the termination of an amount due required by this ordinance to be made shall be deemed guilty of an offense and up convictions thereof shall be punished as aforesaid.

2-14-34 - Effective Date.

This ordinance shall become effective upon the 1st day of January, 2022. Amendments to this ordinance shall become effective upon the date specified by the Baldwin county Board of Commissioners when said amendment is adopted.

Adopted this 7 day of December 2021


Henry R. Craig, Chairman

BALDWIN COUNTY, GEORGIA
FISCAL YEAR 2022
BUDGET RESOLUTION

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR 2022 (JANUARY-DECEMBER) FOR EACH FUND OF BALDWIN COUNTY, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES, ADOPTING THE ITEMS OF ANTICIPATED FUNDING SOURCES, PROHIBITING EXPENDITURES TO EXCEED APPROPRIATIONS, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES.

WHEREAS, a Proposed Budget for each of the various Funds of the County has been presented to the Board of Commissioners; and,

WHEREAS, appropriate advertised public hearings have been held on the FY 2022 Proposed Budget, as required by Federal, State and Local Laws and Regulations; and

WHEREAS, the Board of Commissioners has reviewed the Proposed Budget and has made certain amendments to Funding Sources and Appropriations; and

WHEREAS, the Budget for each Fund includes Appropriations for Fiscal Year 2022, incorporates certain levies, assessments, fees and charges to finance these expenditures and lists the Anticipated Funding sources; and

WHEREAS, each of the Funds has a balanced budget, such that Anticipated Funding sources equal Proposed Expenditures; and

NOW, THEREFORE, BE IT RESOLVED that the within and attached Budget Summary and Supplemental Fee Schedule is hereby approved as the Budget for the 2022 Fiscal Year.

BE IT FURTHER RESOLVED that in accordance with O.C.G.A 83-8-8, the proceeds from the tax on insurance premiums estimated to be \$2,000,000 for FY2022, shall be used for the provision of fire protection services to the residents of the unincorporated Baldwin County.

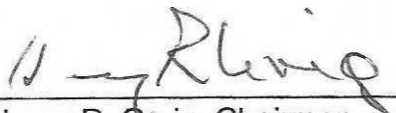
BE IT FURTHER RESOLVED that the Budget shall be adjusted so as to adapt to changing governmental needs during the fiscal year as follows, such amendments shall be recognized as approved changes to this resolution in accordance with O.C.G.A. 36-81-3 (d) (1):

Any increase in Appropriations in any Fund for a Department, whether through a change in Anticipated Revenues in any Fund or through a transfer of Appropriations among Departments, shall require the approval of the Board of Commissioners with the following exceptions: in the case of insurance reimbursements for vehicle collisions and other equipment losses, the Finance Director and the County Manager are granted authority to allocate funds to the appropriate Department from insurance proceeds and/or from the Risk Management Fund for the replacement or repair of damaged equipment; in the case of donations for specified purposes, the Finance Director and the County Manager are granted authority to allocate funds to the appropriate Department and from contingency for leave payments that are unanticipated; in the case of end-of-fiscal year adjustments, the Finance Director and the County Manager are granted

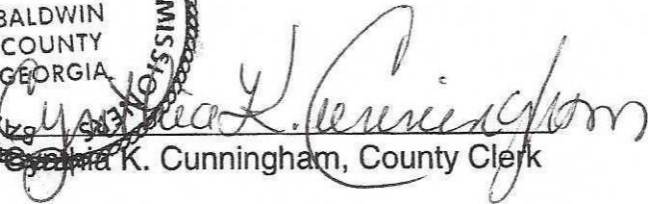
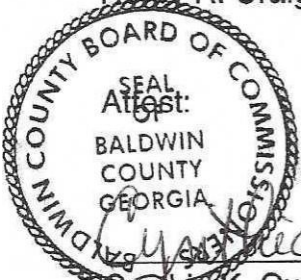
authority to transfer available appropriations among Departments and to make other adjustments as necessary to ensure that overall expenditures are in agreement with appropriations, as required by the Department of Audits. Reallocation of Appropriations in any Fund among the various accounts within a Department shall require only the approval of the Finance Director and the County Manager.

BE IT FURTHER RESOLVED that in accordance with GASB 54, it will be the County's policy to maintain an adequate General Fund unassigned fund balance to provide liquidity in the event of an economic downturn or natural disaster and the financial standard to maintain for the unassigned fund balance will be 10% of budgeted expenditures.

BE IT FURTHER RESOLVED that temporary tax anticipation notes shall be authorized as needed for general operating expenditures incurred during fiscal year 2022. Such notes shall not exceed \$6,500,000 and shall have a maturity date of December 31st of the calendar year in which the notes are executed. Interest rate proposals shall be requested from full-service financial institutions, including all those located within Baldwin County. This amount is within the legal debt level of Baldwin County for temporary loans, which is 75% (\$12.75 million) of the total amount of taxes collected in the previous year (\$17 million).



Henry R. Craig, Chairman



Cynthia K. Cunningham, County Clerk

FY22

Baldwin County Board of Commissioners

FY22 General Fund

Approved Budget GENERAL FUND

Revenues:

Taxes		\$19,380,000
Intergovernmental Revenue	\$1,822,000	Charges for Services
\$2,079,000	Fines and Forfeitures	\$659,000
Investment Income		\$0
Miscellaneous Revenues		\$95,000
Total Revenues - General Fund		\$24,035,000

Expenditures:

General Government

1110 Board of Commissioners	\$323,000
1410 Voter Registration	289,000
1420 Elections	261,000
1510 Financial Management	1,154,000
1535 GIS/IT	307,500
1545 Tax Commissioner	934,500
1550 Board of Assessors	796,500
1565 General Government Buildings and Plant	759,000
1599 Other General Administration	185,000
	5,009,500

Judicial/Courts

2151 Superior Court	318,000
2181 Clerk of Superior Court	617,500
2210 District Attorney	634,000
2350 State Court Judge	95,500

	FY22
2360 Solicitor-General	556,000
2410 Magistrate Court	290,000
2451 Probate Court	427,000
2610 Juvenile Court	236,000
2810 Public Defender	200,000

Baldwin County Board of Commissioners
FY22 General Fund

	Approved Budget
	3,374,000
<u>Public Safety</u>	
3310 Law Enforcement Administration	4,893,000
3326 Jail Operations	3,817,500
3630 EMS Operations	195,000
3710 Coroner / Medical Examiner	73,000
3910 Animal Control	275,500
3920 Emergency Management	107,000
	9,361,000
<u>Public Works</u>	
4210 Highways and Streets	2,746,000
4910 Maintenance and Shop	70,500
	2,816,500
<u>Health and Welfare</u>	
5110 Health	105,000
5440 Intergovernmental Welfare	25,000
5450 Vendor Welfare Payments (Burial Services)	3,000
5520 Senior Citizens Center	38,000
5540 Transportation Services	75,000
	246,000

FY22

Culture & Recreation

6110 Culture/Recreation Administration	829,000
6135 Golf Course Operations	648,500
6510 Library Administration	343,000
	1,820,500

Development

7131 Agricultural Resources - County Extension	129,500
7140 Forest Resources	12,000
7520 Economic Development	268,000
7563 Airport	254,000
	663,500

Other Uses

Baldwin County Board of Commissioners

FY22 General Fund

Approved
Budget

9120 Other Finances Uses	474,000
9910 Contingency	270,000
	744,000
Total Appropriations - General Fund	\$24,035,000

Baldwin County Board of Commissioners

FY2
2
Approved
Budget

FY22 Special Revenue
Funds

E-911 Fund

Revenues:

Charges for Services	\$776,000
Transfer In - GF	\$324,000
Total Revenues	\$1,100,000

Expenditures:

	<u>Public Safety</u>	
3810 E911 Operations		\$1,100,000
Total Expenditures		\$1,100,000

Law Library Fund

Revenues:

Fines and forfeitures	\$15,000
Total Revenues	\$15,000

Expenditures:

	<u>General Government</u>	
1599 Other General Administration		\$15,000

FY2
2
Approved
Budget
\$15,000

Total Expenditures
UNINCORPORATED SPECIAL SERVICE
DISTRICT

Revenues:

Taxes	2,343,000
Licenses and Permits	226,000
Charges for Services	623,000
Miscellaneous Revenue	16,000
Other Financing Sources	
Total Revenues - Unincorporated SSD	3,208,000

Expenditures:

	<u>Public Safety</u>	
3510 Fire Department Administration		1,897,600
3571 Fire Stations-CSH		626,300
	<u>Development</u>	
7220 Planning & Development		336,600
	<u>Other Uses</u>	
9910 Contingency		347,500
Total Expenditures - Unincorporated SSD		3,208,000

SOLID WASTE REVENUE DISTRICT

Revenues:

Refuse Collections	\$2,300,000
Total Revenues - Solid Waste Rav Dist	\$2,300,000
	\$2,300,000

Expenditures:

	<u>Public Works</u>
4510 Waste Disposal Services	
Total Expenditures - Solid Waste Rav Dist	

Baldwin County Board of Commissioners

	FY22	Special	Revenue	FY2 2 Approved Budget
Funds				
Jail Inmate Fund				
<u>Revenues:</u>				
Miscellaneous				\$280,000
Total Revenues				\$280,000
<u>Expenditures:</u>				
		<u>Public Safety</u>		
3326 Jail Operations				\$280,000
Total Expenditures				\$280,000
Drug Task Force				
<u>Revenues:</u>				
Intergovernmental Matching Funds				\$70,000
Fines and forfeitures				\$115,000
Investment earnings				\$500
Miscellaneous				\$1,000
Transfer In - GF				\$150,000
Total Revenues				\$336,500
<u>Expenditures:</u>				
		<u>Public Safety</u>		
3351 Drug Task Force				\$336,500
Total Expenditures				\$336,500
Drug Seizure Fund				
<u>Revenues:</u>				
Fines and forfeitures				\$5,000
Miscellaneous				\$2,000
Total Revenues				\$7,000
<u>Expenditures:</u>				
		<u>Public Safety</u>		
3310 Law Enforcement Administration				\$7,000
Total Expenditures				\$7,000
Drug Education Fund				
<u>Revenues:</u>				
Miscellaneous				\$10,000
Total Revenues				\$10,000
<u>Expenditures:</u>				
		<u>Public Safety</u>		
3310 Law Enforcement Administration				\$10,000

Baldwin County Board of Commissioners

FY22
Approved Budget

Total Expenditures \$10,000

Drug Treatment Education Fund

Revenues:

Fines and forfeitures \$59,000
Total Revenues \$59,000

FY22 Special Revenue Funds

Expenditures:

Judicial/Courts

2120 Ocmulgee Drug Treatment Courts \$59,000
Total Expenditures \$59,000

Power Point Training Facility Fund

Revenues:

Miscellaneous \$3,100
Total Revenues \$3,100

Expenditures:

Public Safety

3310 Law Enforcement Administration \$3,100
Total Expenditures \$3,100

Hospital Special Service District

Revenues:

Hospital Fee \$500,000
Total Revenues \$500,000

Expenditures:

Health and Welfare

5170 Indigent Medical Care \$500,000
Total Expenditures \$500,000

Hotel Motel Tax Fund

Revenues:

Taxes \$48,000
Total Revenues \$48,000

Expenditures:

Economic Development and Resources

7530 Economic Development and Tourism \$48,000
Total Expenditures \$48,000



FY22 Water/Sewer
Fund

FY22
Approved
Budget

WATER/SEWER ADMINISTRATION

Revenues:

Charges for Services	\$5,365,000
Total Revenues -Water/Sewer Fund	\$5,365,000

Expenditures:

<u>Public Works</u>	
4410 Water/Sewer Administration	\$5,365,000
Total Expenditures -Water/Sewer Fund	\$5,365,000

Baldwin County Board Commissioners Fee Schedule
of

Baldwin County Building Department	
General Administrative	
Residential Plan Review	\$50
Commercial Plan Review	\$ 150
New Development Fee	\$35
Building Permit Fees	
TOTAL VALUATION	FEE
\$1 TO \$1,000	50
\$1001 to \$5,000	\$50 for the first \$1,000; plus \$3 for each additional \$1,000 or fraction thereof, including \$5,000
\$5,001 to \$40,000	\$89 for the first \$5,000; plus \$8 for each additional \$1,000 or fraction thereof, including \$40,000
\$40,001 to \$100,000	\$369 for the first \$40,000; plus \$8 for each additional \$1,000 or fraction thereof, including \$100,000
\$100,001 to \$500,000	\$729 for the first \$100,000; plus \$8 for each additional \$1,000 or fraction thereof, including \$500,000
\$500,001 to	\$2,333 for the first \$500,000; plus \$2 for each additional \$1,000 or fraction thereof, including \$500,000
\$ end over	\$3,331 for the first \$500,000; plus \$1 for each additional \$1,000 or fraction thereof
Electrical, Mechanical, Plumbing Permit Fees	
TOTAL VALUATION	FEE
\$1 TO \$1,500	\$50
over \$1,500	\$50 for the first \$1,500; plus \$2 for each additional \$1,000 or fraction thereof
Additional Fees - Permits	
	FEE
Permits	\$25
Minor Buffer Fee	
Re inspection Fee	\$25 per reinspection needed
Land Disturbance	\$40 per acre
Mobile Home Moving Permit	\$50
Driveway Permit	\$50
Baldwin County Ordinances, Section 22-34(b)	
Application Fee	\$25
Occupation Tax	
Number of Employees	FEE
1—3	\$100.00
	\$200.00
10—19	\$350.00
20—29	\$500.00
30—39	\$800.00
40—49	\$1,000.00
50 or more	\$1,500.00
Baldwin County Ordinances, Section 6-32 (c)	
Alcohol License	
License Class, Type	FEE
Class A, retail liquor package store;	\$3,000.00
Class B, retail package beer and/or wine;	\$300.00
Class C, retail beer and/or wine by the drink;	\$1,500.00
Class D, retail liquor by the drink;	\$2,000.00
Class E, wholesale liquor;	\$4,000.00
Class F, wholesale beer and/or wine;	\$500.00
Class G, licensed alcoholic beverage caterer;	\$150.00
Class H, license for manufacture of beer.	\$1,000.00
Class I, license for manufacture of wine.	\$1,000.00
Class J, license for manufacture of alcoholic beverages and liquors.	\$4,000.00
Special event on-site Alcohol Consumption *State License required from Dept of Revenue	\$100/day
Baldwin County Animal Services	
Fee Description	FEE
Owner Surrender	\$20.00
Impound - 1st offense	\$25.00
Impound - 2nd offense	\$50.00
Impound - 3rd Offense	\$100.00
Quarantine	\$50.00

Baldwin County Board Commissioners Fee Schedule

Baldwin County Recreation		
Facilities/Fee Type	FEE	
Banquet Room with Kitchen		
Price Per Hour (Minimum 4 hrs)	\$100 Per hour	
Price Contract 6 Meetings	\$25 per hour	
Security or Application Fee	\$20 per hour for non-peak events; \$30 per hour for Fri & Sat nights	
Classrooms		
Price Per Hour (Minimum 4 hrs)	\$25 per hour	
Price Contract 6 Meetings	\$20 per hour	
Security or Application Fee	\$20 per hour	
Gymnasium (Athletic Events Only)	\$500 per court per day	
security or Application Fee	\$20 per hour for non-peak events; \$30 per hour for Fri & Sat nights	
Collins P Lee Center	\$25 per hour	
Security or Application Fee	\$20 per hour for non-peak events; \$30 per hour for Fri & Sat nights	
Fields	\$150 per field per day for multi-day events; \$170 per field per day for single day events	
Security or Application Fee	\$20 per hour	
Little Fishing Creek Golf Course		
Green Fees	All Day	Twilight
Weekdays	\$12.50	\$10.50
Weekends	\$15.55	\$13.50
Holidays	\$15.50	\$13.50
Cart Fees	9 holes	18 holes
	\$8.00	\$12.00
Trail Fee	\$7.50	\$7.50
Annual Green Fees		
High School & under		\$150.00 Summer
		\$150.00 Schoolyear
Junior Member (< 20 yrs)		\$400.00
Single Member		\$500.00
Family Membership		
1st member		\$500.00
Each additional member		\$225.00
Senior Member (> 50 yrs)		\$400.00
Baldwin County IT/GIS		
Parcel Layer		
Parcel Data (Unique Identifiers only)		\$200.00
Parcel Data (additional data)		\$500.00
Specific parcel Extract		\$5.00/parcel
General Layers		
Address Layer		\$500.00
Road Centerline		\$50.00
County Boundary		\$25.00
Voter Districts		\$25.00
Countour Lines (2ft)		\$10.00/acre
Printed Maps		
8.5 x 11 (color)		\$5.00
8.5 x 11 (vector)		FREE
11 x 17 (color)		\$8.00
11 x 17 (vector)		FREE
13 x 19 (color)		\$10.00
13 x 19 (vector)		FREE
24 x 36 (color)		\$20.00
24 x 36 (B/W)		\$15.00
36 x 48 (color)		\$50.00
6 x 48 (B/W)		\$35.00
Cartographic Analysis (1 hr min)		\$115/hr
Baldwin County Sanitation		
Collection and disposal	FEE PER MONTH	
1st cart	\$18.00	
Addition cart (each)	\$10.00	

Baldwin County Board Commissioners Fee Schedule

Of

Baldwin County Water/Sewer		
Water/Sewer Rates		
Residential Water Base Charge		\$16.00
Industrial Water Base Charge		\$36.20
Residential Sewer Base Charge		\$19.00
Industrial Sewer Base Charge		\$36.20
1-5,000 gallons	rate per gallon	0.0045
5,001 - 10,000	rate per gallon	0.00505
10,001 - 20,000	rate per gallon	0.0056
20,001 - 50,000	rate per gallon	0.00615

Baldwin County Board Commissioners Fee Schedule

over 50,000	rate per gallon	0.0067
Water Service Connections		
3/4 " Meter		\$900.00
1 " Meter		\$1,800.00
2 " Meter		\$3,000.00
3 " Meter and Larger		TBD after application
Sewer connections		TBD after application
Residential Service Deposit		\$70.00
Non-refundable application fee		\$5.00
Account transfer fee		\$30.00
Returned Check Fee		\$35.00
Late Fee (after due date)		\$3.00
Non-payment fee		\$50.00
Service call		\$15.00
Baldwin County Fire and Rescue		
Building Plan Review	sq. ft.	\$150.00
Building Plan Review	sq. ft.	\$0.015 per sq. ft.
Sprinkler Plan Review		\$100.00 + .50 per head
Fire Alarm Plan Review		\$100.00 + .50 per device
Commercial Hood System Plan Review		\$100.00
Hood System Plan Review		\$100.00
Hazmat Plan Review		\$150.00
Explosives Plan Review (more than 500 pounds)		\$100.00
Explosives License (purchase, store, sale, use, transport)		
500 pounds or less		\$75.00
More than 500 pounds		\$150.00
Manufacture of Explosives		\$150.00
Fireworks Manufacture, Storage or Transport		\$1,500.00
Liquid Petroleum Gas		
2000 gallons or less		\$150.00
More than 2000 gallons		\$600.00
Self Service Station Permit		\$150.00
Compressed Natural Gas		\$150.00
Anhydrous Ammonia Permit		\$150.00
Certificate of Occupancy		\$100.00
Temporary Certificate of Occupancy		\$50.00
Personal Care Home Permit:		
Small		\$100.00
Large (+7)		\$200.00
Inspections:		
Yearly Inspection, New Business License Inspection or		
Final Construction Inspection		No Charge
1 st Follow-up Inspection		No Charge
2 nd Follow-up Inspection		\$50.00
3 and subsequent Inspections		\$100.00

Commissioner Hall made a motion to adopt the Resolution as presented. Vice Chairman Westmoreland seconded the motion and it passed unanimously.

A copy of the Resolution is herewith attached and made an official part of the minutes at pages 114 and

EMS Contract

County Manager Tobar presented a contract for emergency medical services with Grady EMS for the Board's consideration. He reported the building previously used by the Health Department has been repurposed, and a portion of the building will house the Grady ambulance personnel. He stated Grady will contribute \$705 toward utilities and maintenance each month. The County will pay \$16,250 per month to Grady EMS to provide ambulance service. Chairman Craig stated, based on costs from other counties, if the County had to provide its own ambulance service the cost would be a lot higher to the County.

Commissioner Hall stated the County has a good relationship with Grady EMS, and they have done a good job for us.

Commissioner Hall made a motion to approve EMS Contract with Grady as presented. Vice Chairman Westmoreland seconded the motion and it passed unanimously.

A copy of the contract is on file in the Commissioners' office.

Resolution Regarding Mitigation Rates for Fire Rescue

County Manager Tobar thanked Chief Victor Young for bringing this information to the County for consideration. He presented a Resolution establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Fire Department for services rendered by Baldwin County Fire Rescue. He stated money will be collected from insurance companies for services provided by Fire Rescue.

Commissioner Emily Davis made a motion to approve the Resolution as presented regarding mitigation rates for services provided by Fire Rescue. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

A copy of the Resolution is herewith attached and made an official part of the minutes at pages 114 and 115.

Redistricting Map Submission to State

County Manager Tobar reported the redistricting map is complete and ready for submission to the State Reapportionment Office. He stated the map meets all requirements for redistricting.

County Attorney reported this is the process that is set out by the State for redistricting every ten (10) years. He stated there are three (3) methods to put forth a map based on the most recent census information — (1) State Reapportionment Office will redraw the map (2) County can work with inhouse department to develop a map and (3) County can hire an outside consultant to develop the map. He stated the Commissioners have been working together with the GIS department to put together the proposed map that will meet all requirements to redistrict county.

He stated the second step, since the County prepared the redistricting map, is to submit it to the State Reapportionment Office to be sure it is in compliance and for review by State. If the State find it meets all requirements for compliance with law the Reapportionment Office will notify the County their review is complete. If not, they will send back comments for changes.

Once the State approval process is complete, a public hearing must be conducted and the Board of Commissioners must vote on final approval on that particular map. Once approved by Commissioners, it will go to Representative Rick Williams to introduce local legislation for the redistricting map.

Commissioner Kendrick Butts made a motion to approve Map #7 for submission to the State to Reapportionment Office. Commissioner Sammy Hall seconded the motion and it passed unanimously.

RESOLUTION

Supporting Reform to Georgia's Annexation Dispute Resolution Law

WHEREAS, annexation of unincorporated areas by municipalities may be appropriate to provide public services not otherwise available from the county, but may be abused when its primary objectives are to expand a city's tax base or circumvent a county's land use plan or zoning ordinance;

WHEREAS, the pressure from growth and development is expected to increase in the future and annexation for land use changes may adversely impact neighboring residents, disrupt a county's land use plan, cause significant service delivery challenges, and/or strain existing county infrastructure;

WHEREAS, city governments are neither elected by nor accountable to unincorporated residents and may not duly consider their concerns in making land use decisions impacting them;

WHEREAS, in 2007 the Georgia General Assembly established an annexation dispute resolution procedure to try to help balance these interests while respecting everyone's property rights;

WHEREAS, this dispute resolution procedure has not been changed since its enactment and is long overdue for revisions to further avoid the negative impact on Georgia citizens;

WHEREAS, in 2021, the Georgia House of Representatives adopted House Resolution 222, establishing a Study Committee on Annexation to review the dispute resolution procedure; and

WHEREAS, the House Study Committee held hearings around the state, solicited recommendations from impacted annexation stakeholders, and has issued its final report and recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Baldwin County Board of Commissioners that this body urges the Georgia General Assembly to follow the recommendations of the 2021 House Study Committee on Annexation and adopt meaningful reforms to Georgia's annexation dispute resolution law during the 2022 legislative session. These changes should:

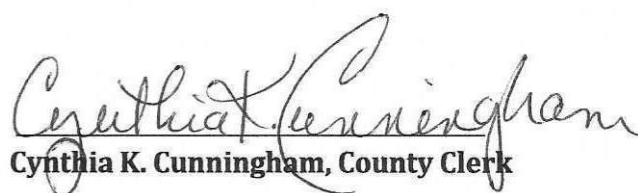
- revise the procedures of the annexation dispute resolution process;
- empower the Department of Community Affairs to administer this process more effectively; and
- better balance the oftentimes conflicting interests among counties, cities, incorporated and unincorporated citizens, and developers seeking different land uses through annexation. As only State law can help reach this balance, State law must be changed to respect all parties and persons impacted by Georgia's continued population growth.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to each member of the Georgia House of Representatives and Senate representing Baldwin County and made available to ACCG, the public and press.

ADOPTED, THIS DAY OF DECEMBER, 2021

BALDWIN COUNTY BOARD OF COMMISSIONERS


Henry R. Craig, Chairman


Cynthia K. Cunningham, County Clerk

A RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED BY/FOR THE RENDERED FOR BALDWIN COUNTY FIRE RESCUE.

WHEREAS, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and

Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS, the Board of the Baldwin County Fire Rescue desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, Therefore

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE RENDERED FOR BALDWIN COUNTY FIRE RESCUE:

SECTION 1: The Baldwin County Fire Rescue shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document,

SECTION 2: A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

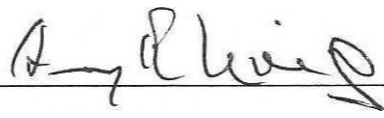
SECTION 3: The fire department's Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Resolutions of the Board.

SECTION 5: This resolution shall take effect at the date of adoption.

SECTION 6: The Mitigation Rates lists in Exhibit A will increase by 2.6 annually or based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor, whichever is more. Rate adjustments will occur on the anniversary date of this ordinance/resolution to keep the fire department's cost recovery program in conformity with increasing operating expenses.

THE ABOVE WAS PASSED

Signature:  _____

Name (printed): Henry R. Craig

 Chai man Title:

Date: _____ 12/7/21 _____

EXHIBIT A
MITIGATION RATES
BASED ON PER HOUR

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance). Labor rates include an

average department's actual burdened labor costs and not just a firefighter's wage. These include wages, retirement, benefits, workers comp, etc.

MOTOR VEHICLE INCIDENTS

Level 1 - \$516.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$588.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 - CAR FIRE - \$718.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,550.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$474.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

HAZMAT

Level 1 - \$832.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,971.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations,

set-up and command, Level A or B suit donning, breathing air and detection equipment.
Set-up and removal of decon center.

Level 3 - \$7,012.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - each additional hour @ \$336.00 per HAZMAT team.

FIRE INVESTIGATION

Fire Investigation Team - \$327.00 per hour.

Includes:

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

FIRES

Assignment - \$475.00 per hour, per engine / \$594.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

ILLEGAL FIRES

Assignment - \$475.00 per hour, per engine I \$594.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rulesy provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$475 plus \$59 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$950 plus \$59 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,350 plus \$59 per hour per rescue person, plus \$119 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (LJCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$475 for the first response vehicle plus \$59 per rescue person, Additional rates of \$475 per hour per response vehicle and \$59 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$297 per hour.

MISCELLANEOUS 1 ADDITIONAL TIME ON-SCENE

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$475 per hour.

Truck billed at \$594 per hour.

Miscellaneous equipment billed at \$357.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels" for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

OLD BUSINESS

There was no old business to come before the Board.

NEW BUSINESS

There was no new business to come before the Board.

COUNTY MANAGER'S REPORT

County Manager Tobar reported the following: drive at Government Building is complete and stripping is being done; roundabout at Stembridge / Kings Roads started Monday; the intersections will be closed and detours have been posted; roundabout should be complete in about a month; 214 N. Main Street a structure was taken down which brings the total to 218 structures down; only emergency work orders will be done; other work orders will be put on hold until roundabout is done.

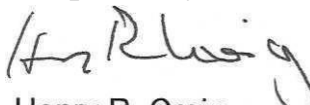
PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS

Cindy Humphrey addressed the Board stating she has been trying to get a ditch dug out. She has talked to the County Manager, Engineer, Road Superintendent and Commissioner Hall to get the issue resolved. County Manager Tobar stated he will talk to her after the meeting about this issue.

ADJOURNMENT

Vice Chairman Westmoreland made a motion to adjourn the meeting at 7:23 p.m. Commissioner Kendrick Butts seconded the motion and it passed unanimously.

Respectfully submitted,



Henry R. Craig
Chairman



Cynthia K. Cunningham
County Clerk