

Verified

Revisions received

10/27/99

P.O. Box 1720
Gainesville, Georgia 30503
Phone (770) 538-2626
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October 14, 1999

Mr. Rick Brooks, Director
Planning & Environmental Management Division
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, GA 30329-2231

Re: Rabun County H.B. 489
Service Delivery Strategy

Dear Rick:

Please find herein submitted the Rabun County H.B. 489 Service Delivery Strategy document for purposes of review and approval by the Georgia Department of Community Affairs. Should you have any questions or wish revisions of this document, please advise at your earliest convenience.

Rabun County is currently involved with Georgia Department of Natural Resources in the pursuit of Hazardous Waste Trust funds for its community. The county has recently received a notice from DNR regarding the possible jeopardy of these funds without its compliance with H.B. 489. Rabun County Administrator Jimmy Bleckley has responded to DNR that activities meeting compliance are ongoing. Currently at risk for Rabun County are \$331,885.65 in Hazardous Waste Trust Fund reimbursement. Because of this matter, I would appreciate your exercising every possible haste in reviewing and approving this submittal. I am attaching for your review a copy of Harold Reheis' correspondence of September 27, 1999 directed to Mike Dixon, Chairman of the Rabun County Commission.

Thank you very much for your assistance in this matter. I look forward to hearing from you within the near future. Please know that our staff is available for immediate response to your need in regard to this effort. Many thanks to you and the Georgia DCA staff for your diligent work on these programs.

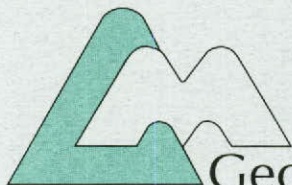
Sincerely,

Larry Glasco
Executive Director

LG/ls

Enclosures

cc: Mike Dixon, Rabun County Commission Chairman



Georgia Mountains Regional Development Center

Georgia Department of Natural Resources

205 Butler St. S.E., Floyd Towers, East, Suite 1462, Atlanta, Georgia 30334

Lonice C. Barrett, Commissioner

Environmental Protection Division

Harold F. Reheis, Director

Hazardous Waste Management Branch

404/657-8600

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT NO. Z 225 522 256

September 27, 1999

Mr. Mike Dixon, Chairman
Rabun County Board of Commissioners
25 Courthouse Square, Box 8
Clayton, Georgia 30525

**RE: Hazardous Waste Trust Fund Application for Reimbursement
Rabun County MSWL, HSI #10484**

Dear Chairman Dixon:

EPD has completed its review of Rabun County's application for reimbursement from the Hazardous Waste Trust Fund. Once Rabun County demonstrates its compliance with the Georgia Local Government Service Delivery statutes, passes an appropriate Resolution and executes the enclosed contracts, you will receive \$331,885.65 for reimbursement of eligible expenses incurred for the above-referenced site.

Pursuant to O.C.G.A. 36-70-21& 26, each county and municipality in Georgia was required to execute and file with the Department of Community Affairs (DCA) for verification an agreement for the implementation of a local government service delivery strategy by July 1, 1999. Under O.C.G.A. 36-70-27, EPD cannot disburse trust funds to any local government which is not included in a DCA verified strategy, unless one of the exceptions in O.C.G.A. 36-70-27(b) or (c) apply, or a written agreement in accordance with O.C.G.A. 36-70-25(e) has been executed.

Thus, EPD will need either: (1) a copy of the letter from DCA certifying Rabun County's service delivery strategy, (2) a copy of the agreement entered into in accordance with O.C.G.A. 36-70-25(e), or (3) a duly executed statement certifying which exemption under O.C.G.A. 36-70-27 applies to your county.

Once you have satisfied the Local Government Service Delivery Strategy requirements, we can complete the execution of the contracts. Enclosed you will find the following:

One (1) copy of a model resolution, authorizing you as the Chairman to execute the contract. You may use this resolution or draft one of your own.

Two (2) originals of the contract, ("Agreement Governing Expenditures for State & Local Government Costs"), with attachments, which, once properly executed, will enable us to disburse the funds to Rabun County from the Hazardous Waste Trust Fund pursuant to the terms of the contract.

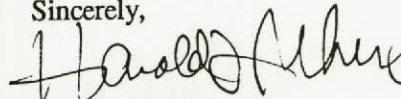
Once the resolution is passed, please insert the date in the appropriate blanks at the end of the first paragraph of each contract. **Do not insert a date in the blanks on the first line of the contracts; this will be done when I**

sign on behalf of EPD. We will need **both** original contracts, signed and attested, as well as the certified copy of the resolution returned to us, along with the Local Government Service Strategy documentation, in order to complete the execution of the contracts.

If you have any questions whatsoever in connection with the enclosed documents, please do not hesitate to contact Mr. Peter Fleury at (404)657-8600.

Once we receive everything back from you in proper form, we will complete the execution of the contract, return your original copy to you, and process any payments which may then be due.

Sincerely,



Harold F. Reheis
Director

File: Rabun County MSWL funding
HSI #10484

Rabun County Service Delivery Strategy Verification Review

Page 1 Concerns:

See Below

Page 2 Concerns:

Service:

1. DFACS

The state of GA is listed as a local government funding source, but the funding method is not listed.

2. Elections

In Question 1 box 3 is checked. Election services are provided for the entire county as well as the cities. Box 5 seems to be the more appropriate answer. We suggest you list the cities and the county and reference the Service Delivery Strategy agreement as the description of the service. Maps are not necessary for this service.

3. Fire Protection.

Box 4 is checked Box 5 probably describes best this service delivery arrangement based on a review of the attached agreement. The SDS agreement does not list or describe Fire Protection Services for the cities of Mountain City, Clayton, Dillard and Tiger. If the volunteer service covers these cities a map or very detailed description outlining the service areas for each service provider is required.

4. Road Maintenance.

Box 4 is checked but box 5 is the best description of the service delivery arrangement based on a review of the attached agreement. The county "...Assists the cities with road projects from time to time as time and money allows." The county is a service provider to cities. If the cities of Dillard, Mountain City, Tallulah Falls and Tiger provide any Road Maintenance in their cities, they should be listed in both question 1 and question 3. We suggest that this service arrangement be reviewed for consistency and appropriate changes made to the summary.

5. Sewer Service.

In Question 1 the cities of Clayton and Dillard are listed as the only sewer service providers in the county, but the attached utility map identifies Sky Valley as a service provider. The strategy and map should also identify the Tallulah Falls sewer service area within Rabun County. The law requires: "... the identification of...services presently provided or primarily funded by each...local government...within the county, or providing services within the county, and a description of the geographic area in which the identified services are provided by each jurisdiction...." (Article 2 section 36-70-23 of HB 489). We suggest that

*Resolved
Tallulah Falls
does not provide
sewer, just
water*

this service arrangement. It be reviewed for consistency and appropriate changes made to the summary.

6. Soil Erosion and Sedimentation.

Two boxes are checked in question 1 but the instruction states "Check the box that best describes". We feel that box 3 best describes this service delivery arrangement based on the review of the SDS agreement.

7. Solid Waste

Box 1 is checked but we feel that box 5 describes best this service delivery arrangement based on the review of the SDS agreement. It states that "... the cities of Clayton, Sky Valley, and Dillard collect ...waste.....with their own equipment." If Tallulah Falls provides solid waste services to its city residents who live in Rabun County, it should be listed in this summary.

8. Tax Collection.

Two boxes are checked in question 1 but the instruction states "Check the box that best describes". Also some text in box 4 is marked through. Box 5 probably best describes this service delivery arrangement. We recommend you list all the cities and the county under box 5 and reference the service agreement as the description of the service area. A map is not required for this service.

9. Water Service.

Two boxes are checked in question 1 but the instruction states "Check the box that best describes". Box 5 probably best describes this service delivery arrangement. You should list all cities and authorities which provide water service within the county in box 5. The water service delivery strategy agreement is unclear about whether the Clayton-Rabun County Water and Sewer Authority is a service provider or simply a funding service. If it is a service provider then its service area must be identified on the water service area map.

10. General concerns.

The service delivery strategy agreements or statements attached to the following services state: "...It is in the interest of the elected officials of Rabun County...to continue the existing {blank} service until such time as the participants shall agree upon an enhanced service delivery." This statement may conflict with the intent of the law, which can be interpreted to mean that the county and its cities have agreed to this service delivery strategy as presented and any change to the service delivery strategy would require amending the strategy. The statement could be interpreted as allowing the county and its cities to agree to enhance the service delivery without subsequent amendments to the Strategy. (This is an opinion. I have not discussed this with DCA yet.) I need your interpretation of this statement before I bring it to their attention. Services: Building Inspection, City Court, Coroner, Downtown Development, E911, Elections, Equalization Board, Extension, Hospital, Law Enforcement, Mental and Public Health, Planning and Zoning, Probate Court and Shop Maintenance.

There is a Gas Service area map listing Toccoa Gas Service Area. However this service is not listed on page 1 and there is no summary included in the strategy. We need to discuss the need of this map in the Strategy.

Map should not be included

Page 3 Concerns:
None at this time

Page 4 Concerns:
None

I look forward to your call in the morning.

Will