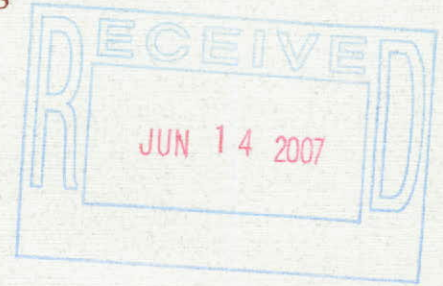


Approved ✓

Civil AND ENVIRONMENTAL ENGINEERS

June 7, 2007



Ms. Annaka Woodruff, Director of Planning
Georgia Department of Community Affairs
Office of Coordinated Planning
60 Executive Park South NE
Atlanta, GA 30329

Re: Updated Service Delivery Strategy – Sanitary Sewer Service
Rabun County, Georgia

Dear Ms. Woodruff:

As requested by the Rabun County Board of Commissioners, we are transmitting herewith updated service delivery strategy for waste water collection services for the County and incorporated communities of Rabun County, Georgia. All documents and maps have been duly executed by the appropriate parties and there is a narrative description of the service to be provided by the respective providers. We are hopeful this meets all requirements of the Department; however, if clarification or additional information is needed, please feel free to contact us or Mr. Jimmy Bleckley, County Manager, at any time

Very truly yours,

ENGINEERING MANAGEMENT INC.

Jerry E. Hood, Vice President
jhood@eminc.biz

cc: Mr. Jim Bleckley, County Manager
Rabun County Board of Commissioners (letter only)
Ms. Angela Steedley, Steedley-Hosey Enterprise
Mr. Allan Taylor, Chairman, Clayton-Rabun County Water and Sewer Authority
(letter only)

Enclosure

JEH:ddm

Z:\PROJECTS\06\06045-CRWSA\Correspondence\AWoodruff\060707 fs4.doc

AMENDMENT TO SERVICE DELIVERY STRATEGY CHECKLIST

- | <u>Yes</u> | <u>No</u> | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is there a new page 2 for each amended/new service? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is <u>one</u> box checked off on page 2? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the information on page 2 consistent with checked off box? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a service area map required? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a service area map included? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is there a new page 4? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is page 4 signed by the correct number of governments? (Original not required) |
| <input type="checkbox"/> | <input type="checkbox"/> | Is page 4 dated? <i>NO; asked for signed copy</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | If a new service is being added, is there a new page 1? |
| <input type="checkbox"/> | <input type="checkbox"/> | Has a copy of an intergovernmental agreement been submitted? (optional) |
| <input type="checkbox"/> | <input type="checkbox"/> | Has a copy of a resolution been submitted? (optional) |

NA



GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

SERVICE DELIVERY STRATEGY

FOR Rabun

COUNTY

PAGE 1

I. GENERAL INSTRUCTIONS:

- 1. Only one set of these forms should be submitted per county. The completed forms should clearly present the collective agreement reached by all cities and counties that were party to the service delivery strategy.
2. List each local government and/or authority that provides services included in the service delivery strategy in Section II below.
3. List all services provided or primarily funded by each general purpose local government and authority within the county in Section III below. It is acceptable to break a service into separate components if this will facilitate description of the service delivery strategy.
4. For each service or service component listed in Section III, complete a separate Summary of Service Delivery Arrangements form (page 2).
5. Complete one copy of the Summary of Land Use Agreements form (page 3).
6. Have the Certifications form (page 4) signed by the authorized representatives of participating local governments. Please note that DCA cannot validate the strategy unless it is signed by the local governments required by law (see Instructions, page 4).
7. Mail the completed forms along with any attachments to:

Georgia Department of Community Affairs
Office of Coordinated Planning
60 Executive Park South, N.E.
Atlanta, Georgia 30329

For answers to most frequently asked questions on Georgia's Service Delivery Act, links and helpful publications, visit DCA's website at www.dca.servicedelivery.org, or call the Office of Coordinated Planning at (404) 679-3114.

Note: Any future changes to the service delivery arrangements described on these forms will require an official update of the service delivery strategy and submittal of revised forms and attachments to the Georgia Department of Community Affairs.

II. LOCAL GOVERNMENTS INCLUDED IN THE SERVICE DELIVERY STRATEGY:

In this section, list all local governments (including cities located partially within the county) and authorities that provide services included in the service delivery strategy.

City of Clayton City of Sky Valley Rabun County
City of Dillard City of Tallulah Falls
City of Mountain City City of Tiger

III. SERVICES INCLUDED IN THE SERVICE DELIVERY STRATEGY:

For each service listed here, a separate Summary of Service Delivery Arrangements form (page 2) must be completed.

Wastewater Collection and Treatment Services



SERVICE DELIVERY STRATEGY UPDATE CERTIFICATIONS

Instructions:

This two page form must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having a 2000 population of over 9,000 residing within the county; and 4) no less than 50% of all other cities with a 2000 population of between 500 and 9,000 residing within the county. Cities with a 2000 population below 500 and local authorities providing services under the strategy are not required to sign this form, but are encouraged to do so.

UPDATED SERVICE DELIVERY STRATEGY FOR Rabun COUNTY

We, the undersigned authorized representatives of the jurisdictions listed below, certify that:

1. We have reviewed our existing Service Delivery Strategy and have determined that:
(Check only one box for question #1)

- A. Our Strategy continues to accurately reflect our preferred arrangements for providing local services throughout our county and no changes in our Strategy are needed at this time; or
- B. Our Strategy has been revised to reflect our preferred arrangements for providing local services.

If Option A is selected, only this form, signed by the appropriate local government representatives must be provided to DCA.

If Option B is selected, this form, signed by the appropriate local government representatives, must be submitted to DCA along with:

- an updated "Summary of Service Arrangements" form (page 2) for each local service that has been revised/updated;
 - any supporting local agreements pertaining to each of these services that has been revised/updated; and
 - an updated service area map depicting the agreed upon service area for each provider if there is more than one service provider for each service that has been revised/updated within the county, and if the agreed upon service areas do not coincide with local political boundaries.
2. Each of our governing bodies (County Commission and City Councils) that are a party to this strategy have adopted resolutions agreeing to the Service Delivery arrangements identified in our strategy and have executed agreements for implementation of our service delivery strategy (O.C.G.A. 36-70-21);
3. Our service delivery strategy continues to promote the delivery of local government services in the most efficient, effective, and responsive manner for all residents, individuals and property owners throughout the county (O.C.G.A. 36-70-24(1));
4. Our service delivery strategy continues to provide that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24 (2));
5. Our service delivery strategy continues to ensure that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24 (3));

6. Our Service Delivery Strategy continues to ensure that the officially adopted County and City land use plans of all local governments located in the County are compatible and nonconflicting (O.C.G.A. 36-70-24 (4)(A));
7. Our Service Delivery Strategy continues to ensure that the provision of extraterritorial water and sewer services by any jurisdiction is consistent with all County and City land use plans and ordinances (O.C.G.A. 36-70-24 (4)(B)); and
8. Our Service Delivery Strategy continues to contain an agreed upon process between the county government and each city located in the county to resolve land use classification disputes when the county objects to the proposed land use of an area to be annexed into a city within the county (O.C.G.A. 36-70-24 (4)(C))¹ and;
9. DCA has been provided a copy of this certification and copies of all forms, maps and supporting agreements needed to accurately depict our agreed upon strategy (O.C.G.A. 36-70-27).

¹If the County does not have an Annexation/Land Use dispute resolution process with each of its cities, list the cities where no agreed upon process exists:

SIGNATURE:	NAME: (Please print or type)	TITLE:	JURISDICTION:	DATE:
<i>Thomas H Ramey</i>	Thomas H. Ramey	Mayor	City of Clayton	
<i>William G Robinson</i>	William G. Robinson	Mayor	City of Dillard	
<i>Grace R Watts</i>	Grace R. Watts	Mayor	City of Mountain City	
<i>Stephen Brett</i>	Stephen Brett	Mayor	City of Sky Valley	
<i>Carl Seaman</i>	Carl Seaman	Mayor	City of Tallulah Falls	
<i>Thomas H. Ramey Jr.</i>	Thomas H. Ramey, Jr.	Mayor	City of Tiger	
	Virgil L. Kilby	Commissioner	Rabun County	
			<i>Virgil L. Kilby</i>	

3. List each government or authority that will help to pay for this service and indicate how the service will be funded (e.g., enterprise funds, user fees, general funds, special service district revenues, hotel/motel taxes, franchise taxes, impact fees, bonded indebtedness, etc.).

<i>Local Government or Authority:</i>	<i>Funding Method:</i>
City of Clayton, City of Dillard	User Fees
City of Mountain City	User Fees
City of Sky Valley	User Fees
City of Tallulah Falls, City of Tiger	User Fees
Rabun County	User Fees

4. How will the strategy change the previous arrangements for providing and/or funding this service within the county?

Previous funding arrangements will not change. A logical service territory has been established for all jurisdictions for collections and/or treatment services based upon most cost effective methodology. Previously there was no territory established for Sky Valley, Tallulah Falls and Rabun County. Some areas served were not correctly depicted on the map. There remains one disputed area.

5. List any formal service delivery agreements or intergovernmental contracts that will be used to implement the strategy for this service:

<i>Agreement Name:</i>	<i>Contracting Parties:</i>	<i>Effective and Ending Dates:</i>
Wastewater Treatment Services	City of Clayton/Mountain City	1994-2044
Wastewater Treatment Services	City of Clayton/Tiger	1996-2046
Wastewater Treatment Services	City of Dillard/Rabun County	2006-2036

6. What other mechanisms (if any) will be used to implement the strategy for this service (e.g., ordinances, resolutions, local acts of the General Assembly, rate or fee changes, etc.), and when will they take effect?

None.

7. Person completing form: Jerry E. Hood
 Phone number: 770.962.1387 Date completed: May 3, 2007

8. Is this the person who should be contacted by state agencies when evaluating whether proposed local government projects are consistent with the service delivery strategy? Yes No

If not, provide designated contact person(s) and phone number(s) below:

Mr. Jim Bleckley, County Manager 706.782.5271 x 6



**SERVICE DELIVERY STRATEGY
SUMMARY OF LAND USE AGREEMENTS**

Instructions:

Answer each question below, attaching additional pages as necessary. Please note that any changes to the answers provided will require updating of the service delivery strategy. If the contact person for this service (listed at the bottom of this page) changes, this should be reported to the Department of Community Affairs.

County: Rabun

1. What incompatibilities or conflicts between the land use plans of local governments were identified in the process of developing the service delivery strategy?

No incompatibilities or conflicts between the land use plans of local governments were identified in the process of developing the service delivery strategy.

2. Check the boxes indicating how these incompatibilities or conflicts were addressed:

- amendments to existing comprehensive plans
- adoption of a joint comprehensive plan
- other measures (amend zoning ordinances, add environmental regulations, etc.)

Note: If the necessary plan amendments, regulations, ordinances, etc. have not yet been formally adopted, indicate when each of the affected local governments will adopt them.

If "other measures" was checked, describe these measures:

3. Summarize the process that will be used to resolve disputes when a county disagrees with the proposed land use classification(s) for areas to be annexed into a city. If the conflict resolution process will vary for different cities in the county, summarize each process.

See attached Agreement to Resolve Land Use Classification Disputes.

4. What policies, procedures and/or processes have been established by local governments (and water and sewer authorities) to ensure that new extraterritorial water and sewer service will be consistent with all applicable land use plans and ordinances?

Rabun County and the municipalities therein have established a joint comprehensive plan adopted June 8, 2006.

5. Person completing form: Jim Bleckley

Phone number: 706.782.5271 x 6 Date completed: May 3, 2007

6. Is this the person who should be contacted by state agencies when evaluating whether proposed local government projects are consistent with land use plans of applicable jurisdictions? Yes No

If not, provide designated contact person(s) and phone number(s) below:



SERVICE DELIVERY STRATEGY
CERTIFICATIONS

Instructions:

This page must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having 1990 populations of over 9,000 residing within the county; and 4) no less than 50% of all other cities with a 1990 population of between 500 and 9,000 residing within the county. Cities with 1990 populations below 500 and authorities providing services under the strategy are not required to sign this form, but are encouraged to do so. Attach additional copies of this page as necessary.

SERVICE DELIVERY STRATEGY FOR Rabun COUNTY

We, the undersigned authorized representatives of the jurisdictions listed below, certify that:

1. We have executed agreements for implementation of our service delivery strategy and the attached forms provide an accurate depiction of our agreed upon strategy (O.C.G.A. 36-70-21);
2. Our service delivery strategy promotes the delivery of local government services in the most efficient, effective, and responsive manner (O.C.G.A. 36-70-24 (1));
3. Our service delivery strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24 (2)); and
4. Our service delivery strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24 (3)).

SIGNATURE:	NAME: (Please print or type)	TITLE:	JURISDICTION:	DATE:
<i>Thomas H Ramey</i>	Thomas H. Ramey	Mayor	City of Clayton	
<i>William G Robinson</i>	William G. Robinson	Mayor	City of Dillard	
<i>Grace R Watts</i>	Grace R. Watts	Mayor	City of Mountain City	
<i>Stephen Brett</i>	Stephen Brett	Mayor	City of Sky Valley	
<i>Carl Seaman</i>	Carl Seaman	Mayor	City of Tallulah Falls	
<i>Thomas H. Ramey Jr.</i>	Thomas H. Ramey, Jr.	Mayor	City of Tiger	
	Virgil L. Kilby	Commissioner	Rabun County	<i>Virgil L Kilby</i>

**RABUN COUNTY
WASTE WATER COLLECTION AND TREATMENT
SERVICE DELIVERY STRATEGY**

Sewer service area boundaries are established for all of Rabun County in the Service Delivery Strategy. Sewer service is the responsibility of the designated service provider(s) in their respective designated areas. In certain areas of the incorporated and unincorporated area as depicted on the service delivery map, the City of Clayton provides waste water treatment services as a regional facility.

Specific service areas are described below by jurisdiction (reference enclosed map):

1. Clayton Sewer Service District
The City of Clayton provides waste water collection and treatment services in the designated area. This includes existing customers and future areas as depicted.
2. Dillard Sewer Service District
The City of Dillard either provides or is proposing to provide in the future, both waste water collection and treatment services in the depicted area.
3. Mountain City Sewer Service District
The City of Mountain City provides waste water collection services to its residents. The City of Clayton is the provider of waste water treatment by contract.
4. Sky Valley Sewer Service District
The City of Sky Valley will be responsible for both waste water collection and treatment services in the indicated areas, when and if the City decides to provide these services.
5. Tallulah Falls Sewer Service District
The City of Tallulah Falls will be responsible for both waste water collection and treatment services in the areas indicated when and if the City decides to provide these services.
6. Tiger Sewer Service District
The City of Tiger currently provides waste water collection services to customers in the incorporated area. Other areas as agreed to include the urbanizing fringe of Tiger, which may receive service in future years. The City of Clayton provides waste water treatment services by contract.
7. Clayton-Tiger Disputed Area
Currently, there is a dispute between the City of Tiger and the City of Clayton regarding waste water collection services. At the time of preparation of this document, the Cities were in mediation to resolve the dispute.
8. Rabun County Sewer Service District
Rabun County will be responsible for the provision of sanitary sewer collection and treatment services in the indicated unincorporated areas as the demand dictates. Rabun County and/or its Water and Sewer Authority may provide sewer collection services by providing its own treatment or by contracting with other Cities.

**SERVICE DELIVERY STRATEGY
DISPUTE RESOLUTION PROCESS**
for
Rabun County and Municipalities

The Cities of Clayton, Dillard, Mountain City, Sky Valley, Tallulah Falls, and Tiger, and Rabun County hereby agree to implement the following process for resolving land use disputes over annexation effective July 1, 1998.

1. Prior to initiating any formal annexation activities,¹ the City will notify the county government of a proposed annexation and provide information on location of property, size of area, and proposed land use or zoning classification(s) (if applicable) of the property upon annexation. Such information shall be provided to Rabun County within 10 working days of receipt of annexation petition.

Within 15 working days following receipt of the above information, the county will forward to the city a statement either: (a) indicating that the county has no objection to the proposed land use for the property; or (b) describing its bona fide objection(s) to the city's proposed land use classification, providing supporting information, and listing any possible stipulations or conditions that would alleviate the county's objection(s);

2. If the county has no objection to the city's proposed land use or zoning classification, the city is free to proceed with the annexation. If the county fails to respond to the city's notice in writing within the deadline, the city is free to proceed with the annexation and the county loses its right to invoke the dispute resolution process, stop the annexation or object to land use changes after the annexation.
3. If the county notifies the city that it has a *bona fide* land use classification objection(s)², the city will respond to the county in writing within 15 working days of receiving the county's objection(s) by either: (a) agreeing to implement the county's stipulations and conditions and thereby resolving the county's objection(s); (b) agreeing with the county and stopping action on the proposed annexation; (c) disagreeing that the county's objection(s) are *bona fide* and notifying the county that the city will seek a declaratory judgement in court; or (d) initiating a 30-day (maximum) mediation process to discuss possible compromises.³
4. If any of the cities initiate mediation, that city and the county will engage in a mediation process. This mediation process is outlined in an addendum which is considered a part of this document. Any costs associated with the mediation will be shared equally by the parties (local governments) participating.

¹Cities should not validate a petition for annexation or adopt a resolution of intent to annex prior to completion of this annexation dispute resolution process.

²As defined in O.C.G.A. 36-36-11(b)

³At this point, it is important to notify the property owner(s) of the status of his annexation request.

- 5. If no resolution of the county's *bona fide* land use classification objection(s) results from the mediation, the city will not proceed with the proposed annexation.
- 6. If the city and county reach agreement as described in step 3(a) or as a result of the mediation, they will draft an annexation agreement for execution by the city and county governments and the property owner(s) within 15 working days from the date of the agreement.

Regardless of future changes in land use or zoning classification, any site-specific mitigation or enhancement measures or site-design stipulations included in the agreement will be binding on the property. The property owner(s) shall sign, notarize and return the agreement to the city. The agreement shall become final when signed by the city and the county and shall be filed at the courthouse.

This annexation dispute resolution agreement shall remain in force and effect until amended by agreement of each party or unless otherwise terminated by operation of law.

Jim Blackley
Attest

Max Watts
Max Watts
Chairman, Rabun County Commission

Jim Blackley
Attest

Henry Burrell
Henry Burrell
Mayor, City of Clayton

Jim Blackley
Attest

Tremaine E. Wilson
Tremaine Wilson
Mayor, City of Dillard

Jim Blackley
Attest

Grace R. Watts
Grace R. Watts
Mayor, Town of Mountain City

Jim Blackley
Attest

James C. Johnston
James Johnston
Mayor, City of Sky Valley

Jim Blackley
Attest

Bradley J. Brown
Bradley Brown
Mayor, Town of Tallulah Falls

Jim Blackley
Attest

Tom Ramey Jr.
Tom Ramey, Jr.
Mayor, City of Tiger

RABUN COUNTY AND MUNICIPALITIES DISPUTE RESOLUTION PROCESS

MEDIATION PROCESS

Mediation Committee

The city and county will each select two individuals to serve on a Mediation Committee. An additional or 5th member will be selected by the four appointees. The GMRDC will then provide the names of three mediators from which the five committee members will select one. The mediator will serve to guide the committee through the process.

Parties to the Mediation

The jurisdiction requesting the mediation and the jurisdiction required to act on the proposed change in land use will be parties to the mediation. The mediation sessions will be open to the public but general public comment will not be taken during the mediation sessions. Public input will be allowed in the regular public hearing after the mediation and before the continued hearing is ended. This procedure will allow public comment on the results of the mediation before final action.

Choice of Mediator

The GMRDC will be asked to propose three mediators. If the jurisdictions in conflict cannot agree on a mediator from among this pool, the GMRDC will select a fourth mediator to conduct the mediation. The party requesting the mediation will coordinate the selection process and make arrangements with the mediator.

Payment for the Mediation

The parties (local governments) participating in the mediation will equally share the cost of the mediation. Parties will be prepared to pay at each session or in the manner negotiated with the mediator.

Scheduling the Mediation

The jurisdiction requesting the mediation in consultation with the other parties and the mediator will select the time for the mediation. The jurisdiction acting on the proposed land use change will arrange a facility for the mediation. The initial mediation session will be scheduled for two hours. Additional sessions will be determined by participants during the first session.

Results of the Mediation

The mediator will provide to all parties a written report, including any agreements between the parties in conflict. The mediator will also specify any remaining conflicts and will provide an assessment of the potential value of any further mediation.

The legislative body of the jurisdiction acting on the proposed land use change will consider the results (the mediator's report and any agreements) of the mediation as part of the hearing process and part of the official record of the hearing.

Agreements made during the mediation will become part of the final action on the proposed land use change.

If no agreement regarding any specific conflict results from the mediation, the parties retain their rights to legal remedies.

P.O. Box 1720
Gainesville, Georgia 30503
Phone (770) 538-2626
FAX (770) 538-2625

June 27, 2006

Rabun

Mr. Jim Frederick, Office Director
Planning and Quality Growth
Department of Community Affairs
60 Executive Park South, NE
Atlanta, GA 30329-2231

Dear Mr. Frederick:

Enclosed are the original adopting resolutions for the following:

- Rabun County 6/15/06
- The Town of Tallulah Falls 6/15/06
- City of Mountain City 6/15/06
- Rabun County and cities of Clayton, Dillard, Mountain City, Sky Valley, and Tiger 6/15/06

Used these
dates
Jenp.
Until Resolu-
tions
avail.
DM
7/5/06

revisions
never reviewed

never
transmitted
never
reviewed

Should you have any questions, please do not hesitate to contact me at
770-538-2617.

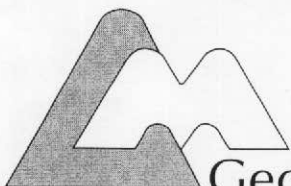
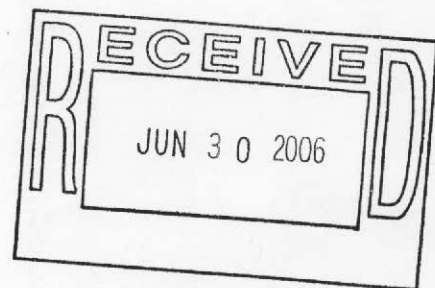
Sincerely,

Adam Hazell

Adam Hazell, AICP
Planning Director

AH/bfm

cc: Danny Lewis, Executive Director



Georgia Mountains Regional Development Center

Rabun Co ✓

6. Our Service Delivery Strategy continues to ensure that the officially adopted County and City land use plans of all local governments located in the County are compatible and nonconflicting (O.C.G.A. 36-70-24 (4)(A));
7. Our Service Delivery Strategy continues to ensure that the provision of extraterritorial water and sewer services by any jurisdiction is consistent with all County and City land use plans and ordinances (O.C.G.A. 36-70-24 (4)(B)); and
8. Our Service Delivery Strategy continues to contain an agreed upon process between the county government and each city located in the county to resolve land use classification disputes when the county objects to the proposed land use of an area to be annexed into a city within the county (O.C.G.A. 36-70-24 (4)(C))' and;
9. DCA has been provided a copy of this certification and copies of all forms, maps and supporting agreements needed to accurately depict our agreed upon strategy (O.C.G.A. 36-70-27).

If the County does not have an Annexation/Land Use dispute resolution process with each of its cities, list the cities where no agreed upon process exists:

SIGNATURE:	NAME: (Please print or type)	TITLE:	JURISDICTION:	DATE:
<i>Thomas H Ramey</i>	Thomas H. Ramey	Mayor	City of Clayton	
<i>William G Robinson</i>	William G. Robinson	Mayor	City of Dillard	
<i>Grace R Watts</i>	Grace R. Watts	Mayor	City of Mountain City	
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<i>Thomas H. Ramey Jr.</i>	Thomas H. Ramey, Jr.	Mayor	City of Tiger	
	Virgil L. Kilby	Commlssloner	Rabun County	
			<i>Virgil L. Kilby</i>	<i>June 1, 2007</i>