

CONYERS, GEORGIA

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF ROCKDALE COUNTY, GEORGIA PROVIDING FOR A POLICY FOR ALLOWING WATER SERVICE INTO ROCKDALE COUNTY FROM AN ADJOINING COUNTY BY INTERGOVERNMENTAL AGREEMENT UNDER LIMITED CIRCUMSTANCES, ESTABLISHING CRITERIA FOR SUCH POLICY, AND FOR OTHER PURPOSES.

WHEREAS, the Rockdale County Board of Commissioners does not favor intergovernmental agreements that would authorize adjoining counties to provide water service or wastewater service within Rockdale County for a variety of sound reasons, including the inability to provide long-term security for Rockdale County taxpayers, pricing inequities, inconsistency with implementation of Rockdale County's Comprehensive Land Use Plan, and lack of control over the enforcement of the terms of such agreements; and

WHEREAS, nevertheless, the Rockdale County Board of Commissioners recognizes that there are unusual and unique circumstances under which intergovernmental agreements for the provision of water services from an adjoining county into small bordering areas of Rockdale County may be warranted provided certain criteria are met, and desires to establish policy governing such intergovernmental agreements;

NOW THEREFORE, be it resolved by the Rockdale County Board of Commissioners that the following is hereby adopted as Rockdale County's Policy Governing Certain Intergovernmental Agreements for Water Services:

Section One

The Board of Commissioners may consider, on a case by case basis, intergovernmental agreements that would allow a county adjoining Rockdale County to provide water service to property located within Rockdale County pursuant to Art. IX, Sec. II, Para. III of the Georgia Constitution of 1983, as amended, only when each of the following circumstances exist and such an agreement is in the best interests of Rockdale County and its water system:

1. That water lines capable of servicing the property under consideration currently exist within both the adjoining jurisdiction and Rockdale County in close proximity to the property, but in any event not greater than 100 feet;
2. That water availability currently exists to serve the property under consideration in both jurisdictions;
3. That the property under consideration adjoins the jurisdiction providing the water service and does not exceed 10 acres;
4. That placing water lines and metering each property to be serviced by those lines presents serious and expensive operational difficulties for Rockdale County such as unusual topography or terrain, a lack of suitable Rockdale County public road

right-of-way within which the water lines may run, future difficulties reading water meters due to the inability of service personnel to access the meters along public road right-of-way within Rockdale County, and future difficulties providing maintenance to the water lines because of their location; and

5. That allowing the adjoining jurisdiction to provide water service under these limited and unusual circumstances will not injure the public health, safety and welfare, and will not be inconsistent with either the Rockdale County Comprehensive Land Use Plan or Water Resources Master Plan.

Section Two

This policy specifically does not apply to intergovernmental agreements concerning the provision of wastewater services from adjoining jurisdictions into Rockdale County. The Board of Commissioners hereby affirms that wastewater services entail very different operational characteristics and long-term planning considerations, and reiterates current county policy that intergovernmental agreements for the provision of wastewater services from an adjoining jurisdiction into Rockdale County are in general contrary to the Rockdale County Comprehensive Land Use Plan, the Water Resources Master Plan, and the public interest and accordingly are disfavored.

Section Three

This policy specifically does not apply to other forms of intergovernmental agreements, such as agreements in which Rockdale County water or wastewater services are provided to other jurisdictions and mutual aid agreements, which agreements should be addressed on a case by case basis and are not intended to be impacted by the policy addressed in this Resolution.

Adopted by the Rockdale County Board of Commissioners this 26th day of February, 2008.

ROCKDALE COUNTY, GEORGIA BOARD OF COMMISSIONERS

By: Roy A. Middlebrooks
Roy Middlebrooks, Chairman

ATTEST:

Jennifer Rutledge
Jennifer Rutledge, County Clerk

APPROVED AS TO FORM:

County Attorney