COUNTY DEPARTMENT AGENDA REQUEST

Department:	Water System	Presenter(s):	Tony Parrott / Jack Krakeel
Meeting Date:	Thursday, August 12, 2010	Type of Request:	Consent

Wording for the Agenda:

Ratification of approval of the "Agreement for Billing Services" between Fayette County and the Town of Brooks which enables the County Water System to bill Brooks' sewer customers.

Background/History/Details:

On May 13, 2010, the Board of Commissioners approved an agreement between Fayette County and the Town of Brooks allowing the County to assume operational responsibility of the Brooks Water System. On June 2, 2010, the County Administrator informed the Board that questions had been asked about sewer billings, such as are provided to other Fayette Water System customers. He told the Board that the billing service would affect about ten customers in the Town of Brooks, and that the Town's officials were informed the County could provide the billing service for $1.00 per month per customer. The County Administrator informed the Board that the billing service would entail a second agreement, and that the agreement would come to the Board for ratification as soon as it was approved by the County Attorney, if the County concurred. The new billing schedule would need to begin on July 1.

Thus, the Town of Brooks passed the Billing Services Agreement on July 1, 2010, and provided two copies of the agreement to Fayette County for signature. The Agreement required signature before the next regularly scheduled Board of Commissioners meeting held on August 12, 2010. The Board is requested to ratify the Chairman's signature on the agreement.

What action are you seeking from the Board of Commissioners?

Ratification of the Chairman's signature on the Agreement for Billings Services between Fayette County and the Town of Brooks.

If this item requires funding, please describe:

Not Applicable.

Has this issue come before the Commissioners in the past?	Yes	If so, when?	Wednesday, June 2, 2010
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

STATE OF GEORGIA

COUNTY OF FAYETTE

AGREEMENT FOR BILLING SERVICES

THIS AGREEMENT is made and entered in this 1st day of July, 2010 by and between **FAYETTE COUNTY,** a political subdivision of tate of Georgia acting by and througll its Board of Commissioners, hereinafter referred to as the "County", and **TOWN OF BROOKS,** a Georgia Municipal Corporation, acting by and through its Mayor and Council, hereinafter referred to as the "Town".

WHEREAS, the Town operates and maintains a sewerage system within the Town of Brooks, and in providing such services provides services to Fayette County residents; and

WHEREAS, the County provides water services to certain Brooks residents; and

WHEREAS, the Town desires to engage the services of the County to provide billing services to Brooks residents who are provided water by the County and sewer services by the Town (hereinafter, "Town Sewer Customers"), and to supply monthly reports.

NOW, THEREFORE, in accordance of the mutual promises and conditions hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1.

Town will initially provide a complete list of all active Town Sewer Customers (Town Sewer Customers whose water service is provided by the County) to the County, and will thereafter supplement that list monthly with any additions and deletions. Town shall be responsible for the accuracy of the billing list. The Town shall provide County with the Town's current sewer billing rates to be applied to the monthly water llsage by

the Town's Sewer Customers.

2.

TheCounty will supply Town with monthly reports cor,cerning Town Sewer Customers billed by the County to include: Town sewerage accounts receivable, Town monthly sewerage adjustments, Town monthly list of sewerage bad debts, Town activity summary, Town billing register, and Town monthly remittance summary. The County will provide when possible, additional reports requested by Town at the cost agreed upon between the County and the Town.

3.

The County shall monthly bill Town customers based upon Town's list of customers, and Town sewer rates based upon water usage by Town's Sewer Customers. The County will collect funds due Town, and will remit those funds to the Town, less the County's charge for the billing services as provided at paragraph 5 of this Agreement, and any additional service charge due, by the 20th of the following month.

4.

The Town will notify the County of any adjustments made to an account in writing. When an account becomes 180 days past due, it will be dropped from the County's billing list, and referred to the Town for billing and collection of the account by the Town.

S.

The county will provide the monthly billing services and reports at paragraph 2, above at the rate of $1.00 per month per customer billed. Ar.y equipment or computer program changes required to service Town customers shall be paid for by Town, after being approved by the Town. Both parties agree that these rates are subject to change from time to time as determined by the Fayette County Board of Conunissioners and approved by the Town.

6.

This Agreement shall continue in effect until either party terminates this Agreement by giving no less than 180 days prior written notice.

7.

This Agreement supersedes any and all other documents, either oral or in writing, between the contracting parties with respect to its subject matter; no other agreement, statement, or promise relating to the subject matter of this Agreement that is not contained in it shall be valid or binding unless in writing and signed by both parties.

8.

The validity of this Agreement and any of its terms and provisions, as well as the rights and duties of the parties tinder this Agreement, shall be governed by the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY

By: _____
Jack R. Smith, Chairman

ATTEST:

_____
Clerk

(SEAL)

TOWN OF BROOKS

By: _____
Daniel Langford, Jr., Mayor

ATTEST:

_____
Town Clerk