

HABERSHAM COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Request for Resolution from District Attorney

DATE: May 3, 2021

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: May 17, 2021

PURPOSE:

To seek Commission approval on a Resolution for State Paid County Reimbursed Employees in the District Attorney's Office.

BACKGROUND / HISTORY:

Please see attached request from the District Attorney.

FACTS AND ISSUES:

The County Attorney has reviewed the attached and has stated that it is essentially a resolution authorizing the District Attorney to contract with the State for benefits for State Paid County Reimbursed Employees in the District Attorney's Office. This verifies the continuation of the current practices.

OPTIONS:

- 1) Approve requested resolution for State Paid County Reimbursed Employees in the District Attorney's Office.
- 2) Deny approval.
- 3) Commission defined alternative.

RECOMMENDED SAMPLE MOTION:

I move to approve the Prosecuting Attorneys' Council requested Proclamation for State Paid County Reimbursed Employees in the District Attorney's Office.

DEPARTMENT:

Prepared by:

Director: _____

ADMINISTRATIVE

COMMENTS: _____

_____ **DATE:** _____

County Manager



GEORGE R. CHRISTIAN

DISTRICT ATTORNEY
MOUNTAIN JUDICIAL CIRCUIT

225 Llewellyn St.
Suite 250
Clarkesville, Ga. 30523

Telephone (706) 839-0370
Fax (706) 754-6183

April 30, 2021

Hand Delivered

Honorable Dustin Mealor
Chairman, Habersham County Board of Commissioners
c/o
Mr. Phil Sutton
Habersham County Manager
130 Jacob's Way
Clarkesville, Georgia 30523

RE: State Paid County Reimbursed Employees in the Office of the District Attorney, Request for New Proclamation

Dear Mr. Sutton:

The Prosecuting Attorneys' Council (PAC) administers the statewide SPCR program. PAC has requested all District Attorneys to obtain a new Proclamation for those counties with SPCR employees.

I have enclosed a proposed Proclamation for Habersham County. Please let me know if you or any of the Commissioners have any questions. I have also enclosed a copy of OCGA 15-18-20.1.

PAC will be sending new SPCR contracts for FY 2022 in the near future and are requiring new Proclamations from participating counties.

I appreciate your assistance in obtaining a new Proclamation.

Highest regards,


George R. Christian

**RESOLUTION OF THE HABERSHAM COUNTY BOARD OF
COMMISSIONERS REFERENCE STATE PAID COUNTY
REIMBURSED EMPLOYEES**

WHEREAS, The District Attorney's Office for the Mountain Judicial Circuit serves Habersham, Stephens, and Rabun Counties, and is jointly funded by appropriations from the State Legislature and Habersham, Stephens, and Rabun Counties, and,

WHEREAS, some, but not all, of the attorney, clerical, and investigative staff employees of the District Attorney's Office are funded by the State of Georgia with all of the fringe benefits of State employees, including, medical, dental, and life insurance options, and retirement benefits; and,

WHEREAS, it is equitable and desirable by the District Attorney and the Habersham County Commissioner to offer the same benefits package to all similarly situated employees of the District Attorney's Office; and,

WHEREAS, as a result of the enactment of OCGA § 15-18-20.1 during the 1997 Session of the Georgia General Assembly, counties were thereby enabled to contract with the State through Department of Administrative Services (amended to be through the Prosecuting Attorney's Council) in order to allow non-state paid District Attorney employees to be processed through the State payroll system, thereby entitling those employees to the same fringe benefits as other State employees;

THEREFORE, BE IT RESOLVED that unless and until such appointment shall be revoked or suspended, the Habersham County Commissioner hereby authorizes and designates the Honorable George R. Christian, District Attorney of the Mountain Judicial Circuit, and his successors, as its designee for the purpose of contracting with the State of Georgia, Prosecuting Attorneys Council, in order to comply with the provisions of OCGA § 15-18-20.1, and the District Attorney shall be

responsible for transferring to the State the required funds as necessary for all compensation, benefits, travel, and other expenses for all such personnel.

SO RESOLVED, this _____ day of _____, 2021.

Dustin Meador, Chairman, Habersham County Commissioners

Resolution prepared by:
George R Christian,
District Attorney
Mountain Judicial Circuit

O.C.G.A. § 15-18-20.1

Current through the 2020 Regular Session of the General Assembly

GA - Official Code of Georgia Annotated > TITLE 15. COURTS > CHAPTER 18. PROSECUTING ATTORNEYS > ARTICLE 1. GENERAL PROVISIONS

§ 15-18-20.1. Additional personnel for district attorney's office

Notwithstanding any other provision of law, the governing authority of any county or municipality within the judicial circuit which provides additional personnel for the office of district attorney may contract with the Prosecuting Attorneys' Council of the State of Georgia to provide such additional personnel in the same manner as is provided for state paid personnel in this article. Any such personnel shall be considered state employees and shall be entitled to the same fringe benefits as other state paid personnel employed by the district attorney pursuant to this article. The governing authority of such county or municipality shall transfer to the council such funds as may be necessary to cover the compensation, benefits, travel, and other expenses for such personnel.

History

Code 1981, § 15-18-20.1, enacted by Ga. L. 1997, p. 1319, § 13; Ga. L. 2006, p. 414, § 4/HB 268.

Annotations

Research References & Practice Aids

Hierarchy Notes:

Title Note

Hierarchy Notes:

Chapter Note

Hierarchy Notes:

Article Note

OFFICIAL CODE OF GEORGIA ANNOTATED

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