

HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Mountain Judicial Circuit Wide Billing FY2027 Intergovernmental Agreement (IGA)

DATE: June 2, 2026

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: June 15, 2025

PURPOSE: Requesting commission approval of the attached Intergovernmental Agreement (IGA) between Habersham County and the other counties in the Mountain Judicial Circuit (Stephens County, Rabun County, and Banks County) for the FY2027 budget year.

BACKGROUND / HISTORY: Habersham County is the Administrative County in the Mountain Judicial Circuit meaning that Habersham is responsible for processing payment for all circuit related expenses and bill those expenses back to the circuit monthly. Population figures are the current method of sharing costs incurred for circuit wide expenses. Population numbers are updated every 5 years based upon census numbers. This affects the following departments; Superior Court, District Attorney, Public Defender, and the Juvenile Court.

FACTS AND ISSUES:

1. This IGA represents FY2026 budget year at the following break-down:

Habersham	42.8%
Stephens	24.1%
Banks	17.5%
Rabun	15.6%

2. The base-salary payroll and benefits for the Superior Court's court reporters and County paid law clerk and the payroll supplements for the Superior Courts' state paid law clerks and judicial assistants. The covered court reporters will continue to charge the individual counties for their respective transcripts and copies as needed.
3. The payroll, payroll supplements, benefits, fuel costs, travel costs, and other miscellaneous costs for the District Attorney and office as budgeted by the circuit, including the travel and fuel expenses for the District Attorney.
4. All Public Defender expenses, including payroll and benefits for two full-time administrative positions. A reimbursement for the Chief Public Defender's salary
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supplement may be paid by the state to each county.

5. All Juvenile Court expenses, including payroll and benefits for the part-time Juvenile Court Judge and the Juvenile Court Clerk excluding Contracted Court Reporters, Court Appointed Attorneys and Interpreters.

OPTIONS:

- 1) Approve Intergovernmental Agreement (IGA) between Habersham County and the other counties in the Mountain Judicial Circuit (Stephens County, Rabun County, and Banks County) for the FY2027 budget year.
2) Deny Intergovernmental Agreement (IGA) between Habersham County and the other counties in the Mountain Judicial Circuit (Stephens County, Rabun County, and Banks County) for the FY2027 budget year
3) Commission defined alternative.

RECOMMENDED SAMPLE MOTION: Move to approve Intergovernmental Agreement (IGA) between Habersham County and the other counties in the Mountain Judicial Circuit (Stephens County, Rabun County, and Banks County) for the FY2027 budget year

DEPARTMENT:

Prepared by:

Director _____

**ADMINISTRATIVE
COMMENTS:**_____

_____ **DATE:**_____

County Manager

**AMENDED INTERGOVERNMENTAL AGREEMENT FOR PAYMENT OF EXPENSES
ASSOCIATED WITH THE MOUNTAIN JUDICIAL CIRCUIT AMONG BANKS
COUNTY, HABERSHAM COUNTY, RABUN COUNTY AND STEPHENS COUNTY**

This Intergovernmental Agreement made and entered into this ____ day of _____, 2026 by and among the Board of Commissioners of Banks County (hereinafter referred to as "Banks"), the Board of Commissioners of Habersham County (hereinafter referred to as "Habersham"), the Board of Commissioners of Rabun County (hereinafter referred to as "Rabun") and the Board of Commissioners of Stephens County (hereinafter referred to as "Stephens").

WHEREAS, Banks, Habersham, Rabun and Stephens are the four counties comprising the Mountain Judicial Circuit (hereinafter referred to as "MJC") effective July 1, 2026; and

WHEREAS, the MJC is served by a Public Defender, Juvenile Court, Superior Courts, and District Attorney in Banks, Habersham, Rabun and Stephens; and

WHEREAS, the Public Defender, Juvenile Court, Superior Courts, and District Attorney provide identical services for Banks, Habersham, Rabun and Stephens; and

WHEREAS, Banks, Habersham, Rabun and Stephens have significantly different populations; and

WHEREAS, the resources of the Public Defender, Juvenile Court, Superior Courts, and District Attorney are used disproportionately among Banks, Habersham, Rabun and Stephens because of the differing populations; and

WHEREAS, Banks, Habersham, Rabun and Stephens recognize that fairness dictates that the disproportionate use of the resources of the Public Defender, Juvenile Court, Superior Courts, and District Attorney by the counties should not be funded on an equal basis among the four counties; and

WHEREAS, Banks, Habersham, Rabun and Stephens wish to recognize the differing populations among the four counties and apportion the required funding for the Public Defender, Juvenile Court, Superior Courts, and District Attorney accordingly.

THEREFORE, it is hereby agreed as follows:

1.

All county expenses associated with the operation of the MJC shall, except as otherwise provided for herein below, be apportioned among Banks, Habersham, Rabun and Stephens in amounts proportionate to their respective populations as determined by the decennial census or the available population estimates every fifth year. The initial apportionment of the MJC county expenses shall be paid at the following percentages until they can be recalculated based upon the 2030 Census information:

Habersham	42.8%
Stephens	24.1%
Banks	17.5%
Rabun	15.6%

2.

The parties hereto agree that Habersham will administer the joint funding for the Public Defender, Juvenile Court, Superior Court, and District Attorney. Banks, Rabun and Stephens shall pay their proportionate share of the required expenses no later than ten days after being invoiced by Habersham. A late fee of ten percent shall be assessed for any payments received after the deadline set forth above.

3.

Specifically, Habersham will administer the following as set forth in Exhibit A attached hereto and incorporated herein by reference thereto:

- (a) The base-salary payroll and benefits for the Superior Court's court reporters and one county paid law clerk and the payroll supplements for the Superior Courts' state paid law clerks and judicial assistants. The covered court reporters and law clerk will continue to charge the individual counties for their respective transcripts and copies as needed.
- (b) The payroll, payroll supplements, benefits, fuel costs, travel costs, and other miscellaneous costs for the District Attorney and office as budgeted by the circuit, including the travel and fuel expenses for the District Attorney.
- (c) All Public Defender expenses, including payroll and benefits for two full-time administrative positions. A reimbursement for the Chief Public Defender's salary supplement may be paid by the state to each county.
- (d) All Juvenile Court expenses, including payroll and benefits for the part-time Juvenile Court Judge and the Juvenile Court Clerk excluding Contracted Court Reporters, Court Appointed Attorneys and Interpreters.

4.

Habersham shall be paid a five percent administrative fee which shall be reflected on each invoice sent to Banks, Rabun and Stephens. Additionally, the cost of any required audits for the various departments covered by this agreement shall be shared according to the percentages set forth herein above.

5.

The initial term of this agreement shall be for a period of 12 months commencing on the 1st day of July, 2026 and ending on the 30th day of June, 2027, with said agreement automatically renewing for a subsequent 12-month term at the end of the initial term and for a 12-month term at the end of each term thereafter unless any party shall give notice to the other parties no less than 30 days prior the end of any term of this agreement whether it be the original term or any subsequent renewal term thereafter.

6.

This agreement reflects the entire understanding of the Parties.

HABERSHAM COUNTY
BOARD OF COMMISSIONERS

By: _____
Chairman

Attest:

Clerk

BANKS COUNTY
BOARD OF COMMISSIONERS

By: _____
Chairman

Attest:

Clerk

RABUN COUNTY
BOARD OF COMMISSIONERS

By: _____
Chairman

Attest:

Clerk

STEPHENS COUNTY
BOARD OF COMMISSIONERS

By: _____
Chairman

Attest:

Clerk

		FY2026 Budget		FY 2027 Budget	Difference
Superior Court					
Habersham County	42.80%	\$ 121,296	42.80%	\$ 165,208	\$ 43,912
Stephens County	24.10%	\$ 68,300	24.10%	\$ 93,026	\$ 24,726
Rabun County	15.60%	\$ 44,211	15.60%	\$ 60,216	\$ 16,005
Banks County	17.50%	\$ 49,596	17.50%	\$ 67,550	\$ 17,954
		\$ 283,403		\$ 386,000	\$ 102,597
District Attorney					
Habersham County	42.80%	\$ 57,323	42.80%	\$ 53,072	\$ (4,251)
Stephens County	24.10%	\$ 32,278	24.10%	\$ 29,884	\$ (2,394)
Rabun County	15.60%	\$ 20,893	15.60%	\$ 19,344	\$ (1,549)
Banks County	17.50%	\$ 23,438	17.50%	\$ 21,700	\$ (1,738)
		\$ 133,932		\$ 124,000	\$ (9,932)
Public Defender					
Habersham County	42.80%	\$ 496,848	42.80%	\$ 505,750	\$ 8,902
Stephens County	24.10%	\$ 279,767	24.10%	\$ 284,780	\$ 5,013
Rabun County	15.60%	\$ 181,094	15.60%	\$ 184,339	\$ 3,245
Banks County	17.50%	\$ 203,151	17.50%	\$ 206,790	\$ 3,640
		\$ 1,160,860		\$ 1,181,659	\$ 20,799
Juvenile Court					
Habersham County	42.80%	\$ 122,729	42.80%	\$ 140,748	\$ 18,019
Stephens County	24.10%	\$ 69,107	24.10%	\$ 79,253	\$ 10,146
Rabun County	15.60%	\$ 44,733	15.60%	\$ 51,301	\$ 6,568
Banks County	17.50%	\$ 50,181	17.50%	\$ 57,549	\$ 7,367
		\$ 286,750		\$ 328,850	\$ 42,100
		\$ 1,864,945		\$ 2,020,509	\$ 155,564

Increase due to creation of Staff Attorney position (\$81k) and promotion of Senior Staff Attorney (\$20k supplement). Should be offset by terminating of judicial supplements.

Decrease due to removal of vehicle purchase (\$45k), offset by increase to Juvenile ADA (\$10k) and increase in county health insurance (\$20k).

Increase due to increases in state positions (\$18k).

Increase due to increases in county health insurance (\$33.5k) and reclass of Administrative Assistant to Judicial Assistant (\$5k).

265 Superior Court

Superior Court Circuitwide Reimbursement		Proposed 2027 Budget
Salary & Benefits - Court Reporters (Dean, Hulsey, Moore)	\$	240,000
Salary & Benefits - Staff Attorney (Open)		81,000
Salary Supplement - Senior Staff Attorney (Crosland)		29,000
Salary Supplements - Court Admin (Rickman)		9,000
Salary Supplements - Law Clerk (St.Martin)		9,000
Salary Supplements - Judicial Assistants (Dorsey,Ivester,Mark)		18,000
Total Expenses Charged to Circuitwide	\$	386,000
Habersham 42.80%	\$	165,208
Stephens 24.10%		93,026
Banks 17.5%		67,550
Rabun 15.60%		60,216
Circuitwide Distribution	\$	386,000
Stephens Admin	\$	4,651
Banks Admin	\$	3,378
Rabun Admin		3,011
Total Administrative Fee	\$	11,040
Stephens Total Projected Reimb. Budget	\$	97,677
Banks Total Projected Reimb. Budget	\$	70,928
Rabun Total Projected Reimb. Budget	\$	63,227

266 District Attorney

District Attorney Circuitwide Reimbursement	Proposed 2027 Budget
Salary & Benefits - Victim's Advocate (Patterson)	\$ 100,000
Supplement - Juvenile Prosecutor (Pickett)	22,000
Gas/Oil - District Attorney (Christian)	1,500
Vehicle PRM - District Attorney (Christian)	500
Total Expenses Charged to Circuitwide	\$ 124,000
 Habersham 42.80%	 \$ 53,072
Stephens 24.10%	29,884
Banks 17.5%	21,700
Rabun 15.60%	19,344
Circuitwide Distribution	\$ 124,000
 PAC Reimbursement - Rabun County ONLY	 \$ 157,033
 Stephens Admin	 \$ 1,494
Banks Admin	\$ 1,085
Rabun Admin	8,819
Total Administrative Fee	\$ 11,398
Stephens Total Projected Reimb. Budget	\$ 31,378
Banks Total Projected Reimb. Budget	\$ 22,785
Rabun Total Projected Reimb. Budget	\$ 28,163

267 Public Defender

Public Defender Circuitwide Reimbursement		Proposed 2027 Budget
Salary & Benefits - Admin Staff (Davenport & Newsome)	\$	128,000
Travel Expense		6,150
Postage		100
Training/Conferences		-
Dues		4,377
Contracted Services		934,492
Rent (<i>billed to Circuit NOT an expense to Hab - based on population breakdown</i>)		75,000
Interpreter		2,700
Utilities		7,600
Supplies		23,240
Small Equipment under 5,000		-
Total Expenses Charged to Circuitwide	\$	1,181,659
Habersham 42.80%	\$	505,750
Stephens 24.10%		284,780
Banks 17.5%		206,790
Rabun 15.60%		184,339
Circuitwide Distribution	\$	1,181,659
Stephens Admin	\$	14,239
Banks Admin	\$	10,340
Rabun Admin		9,217
Total Administrative Fee	\$	33,795
Stephens Total Projected Reimb. Budget	\$	299,019

268 Juvenile Court

Juvenile Court Circuitwide Reimbursement		Proposed 2027 Budget
Salary & Benefits - Admin (Dailey)	\$	82,500
Salary & Benefits - Court Reporter (Baggett)		85,500
Supplement & Benefits - Judge (Pearson)		59,200
Salary & Benefits - Asst Judge (Cassise)		79,000
Telephone		-
Advertising		-
Travel		11,000
Postage		50
Training/Conferences		4,000
Dues		1,500
Contracted Services (Legal Research & Emergency Judge)		4,100
Supplies		1,000
Small Equip under \$5,000		1,000
Total Expenses Charged to Circuitwide	\$	328,850
Habersham 42.80%	\$	140,748
Stephens 24.10%		79,253
Banks 17.5%		57,549
Rabun 15.60%		51,301
Circuitwide Distribution	\$	328,850
Stephens Admin	\$	3,963
Banks Admin	\$	2,877
Rabun Admin		2,565
Total Administrative Fee	\$	9,405
Stephens Total Projected Reimb. Budget	\$	83,215
Banks Total Projected Reimb. Budget	\$	60,426
Rabun Total Projected Reimb. Budget	\$	53,866