

HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Mountain Judicial Circuit Wide Billing FY2026 Intergovernmental Agreement (IGA)

DATE: June 9, 2025

(X) RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: June 16, 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 FY2026 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 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, capital purchase of vehicle 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 FY2026 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 FY2026 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 FY2026 budget year

DEPARTMENT:

Prepared by:

Director _____

**ADMINISTRATIVE
COMMENTS:**_____

County Manager **DATE:**_____

**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 _____, 2025 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, 2025; 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 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.
- (b) The payroll, payroll supplements, benefits, fuel costs, travel costs, capital purchase of vehicle 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, 2025 and ending on the 31st day of June, 2026, 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

265 Superior Court

Superior Court Circuitwide Reimbursement	Proposed 2026 Budget	
Salary (Moore/Short/Smith)	\$	165,526
Health/Life		44,470
Retirement		7,094
FICA		19,576
W/C		736
Vision		195
Dental		806
Salary Supplements (St.Martin/Rickman/Crosland)		27,000
Salary Supplements (Dorsey/Ivester/Mark)		18,000
Total Expenses Charged to Circuitwide	\$	283,403
Habersham 42.80%	\$	121,296
Stephens 24.10%		68,300
Banks 17.5%		49,596
Rabun 15.60%		44,211
Circuitwide Distribution	\$	283,403
Stephens Admin	\$	3,415
Banks Admin	\$	2,480
Rabun Admin		2,211
Total Administrative Fee	\$	8,105
Stephens Total Projected Reimb. Budget	\$	71,715
Banks Total Projected Reimb. Budget	\$	52,075
Rabun Total Projected Reimb. Budget	\$	46,421

266 District Attorney

District Attorney Circuitwide Reimbursement		Proposed 2026 Budget
Salary (Patterson)		54,642
Supplement (Pearson)		12,000
Health/Life		14,521
FICA		4,347
W/C		153
Vision		-
Dental		269
Gas/Oil District Attorney (George Christian)		2,500
Veh Parts/Repair/Maintenance		500
Vehicle Purchase		45,000
Total Expenses Charged to Circuitwide	\$	133,932
Habersham 42.80%	\$	57,323
Stephens 24.10%		32,278
Banks 17.5%		23,438
Rabun 15.60%		20,893
Circuitwide Distribution	\$	133,932
PAC Reimbursement - Rabun County ONLY	\$	164,071
Stephens Admin	\$	1,614
Banks Admin	\$	1,172
Rabun Admin		9,248
Total Administrative Fee	\$	12,034
Stephens Total Projected Reimb. Budget	\$	33,891
Banks Total Projected Reimb. Budget	\$	24,610
Rabun Total Projected Reimb. Budget	\$	30,142

267 Public Defender

Public Defender Circuitwide Reimbursement		Proposed 2026 Budget
Salary (Davenport and Newsome)		84,906
Health/Life		29,593
Retirement		3,400
FICA		6,496
W/C		229
Vision		130
Dental		537
Advertising		-
Travel Expense		600
Witnesses		-
Postage		200
Training/Conferences		1,000
Dues		100
Non Vehicle Parts/Repairs/Maintenance		5,500
Contracted Services		916,169
Rent (<i>billed to Circuit NOT an expense to Hab - based on population breakdown</i>)		75,000
Interpreter		4,000
Utilities		6,000
Supplies		26,000
Small Equipment under 5,000		1,000
Total Expenses Charged to Circuitwide	\$	1,160,860
Habersham 42.80%	\$	496,848
Stephens 24.10%		279,767
Banks 17.5%		203,151
Rabun 15.60%		181,094
Circuitwide Distribution	\$	1,160,860
Stephens Admin	\$	13,988
Banks Admin	\$	10,158
Rabun Admin		9,055
Total Administrative Fee	\$	33,201
Stephens Total Projected Reimb. Budget	\$	293,756

268 Juvenile Court

Juvenile Court Circuitwide Reimbursement	Proposed 2026 Budget
Salary (Dailey and Baggett)	\$ 102,603
Juvenile Court Judge Pearson supplement	35,000
Part Time Assistant Judge	40,000
Health/Life	59,423
Retirement	3,288
FICA	21,705
W/C	766
Vision	260
Dental	1,075
Telephone	1,080
Advertising	-
Travel	8,000
Postage	50
Training/Conferences	6,000
Dues	3,000
Non Vehicle Parts/Repairs/Maintenance	-
Contracted Services (Legal Research & Emergency Ju	2,500
Supplies	1,000
Small Equip under \$5,000	1,000
Total Expenses Charged to Circuitwide	\$ 286,750
Habersham 42.80%	\$ 122,729
Stephens 24.10%	69,107
Banks 17.5%	50,181
Rabun 15.60%	44,733
Circuitwide Distribution	\$ 286,750
Stephens Admin	\$ 3,455
Banks Admin	\$ 2,509
Rabun Admin	2,237
Total Administrative Fee	\$ 8,201
Stephens Total Projected Reimb. Budget	\$ 72,562
Banks Total Projected Reimb. Budget	\$ 52,690
Rabun Total Projected Reimb. Budget	\$ 46,970

		FY 2026 Budget W/ Banks County Added	Difference
Superior Court		291,508	
Habersham County	42.80%	\$ 124,766	\$ (22,381)
Stephens County	24.10%	\$ 70,254	\$ (15,510)
Rabun County	15.60%	\$ 45,475	\$ (8,450)
Banks County	17.50%	\$ 51,014	
		\$ 291,508	
District Attorney		105,848	
Habersham County	42.80%	\$ 45,303	\$ (5,533)
Stephens County	24.10%	\$ 25,509	\$ (4,120)
Rabun County	15.60%	\$ 16,512	\$ (2,118)
Banks County	17.50%	\$ 18,523	
		\$ 105,848	
Public Defender		892,849	
Habersham County	42.80%	\$ 382,139	\$ (65,004)
Stephens County	24.10%	\$ 215,177	\$ (45,439)
Rabun County	15.60%	\$ 139,284	\$ (24,581)
Banks County	17.50%	\$ 156,249	
		\$ 892,849	
Juvenile Court		277,297	
Habersham County	42.80%	\$ 118,683	\$ (4,799)
Stephens County	24.10%	\$ 66,829	\$ (5,142)
Rabun County	15.60%	\$ 43,258	\$ (1,994)
Banks County	17.50%	\$ 48,527	
		\$ 277,297	
		\$ 1,567,502	
Savings to Stephens			
Savings to Rabun			
Savings to Habersham			