

**MINUTES**  
**SPECIAL CALLED MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:04 P.M., MONDAY, SEPTEMBER 27, 2021**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor Scott James Matheson called the Special Called Meeting of the Valdosta City Council to order at 5:04 p.m. Council members present were: Joseph “Sonny” Vickers, Sandra Tooley, Tim Carroll, Vivian Miller-Cody, Eric Howard, and Andy Gibbs. Councilman Ben Norton was absent.

Mayor Matheson entertained a motion to adjourn the Regular Meeting and enter into Executive Session for the purpose of discussing litigation.

**A MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to adjourn the September 27, 2021 Special Called Meeting of the Valdosta City Council at 5:05 p.m. to enter into Executive Session for the purpose of discussing litigation.

Mayor Matheson reconvened the September 27, 2021 Special Called Meeting of the Valdosta City Council at 5:30 p.m. and stated that action would need to be taken on the discussion of litigation.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2021-13, A JOINT RESOLUTION OF LOWNDES COUNTY AND THE CITIES OF DASHER, HAHIRA, LAKE PARK, REMERTON, AND**

Consideration of a Joint Resolution of Lowndes County and the Cities of Dasher, Hahira, Lake Park, Remerton, and Valdosta to approve the Service Delivery Strategy (SDS) Settlement Agreement.

Tim Tanner, City Attorney, stated that the Service Delivery Strategy lawsuit has been ongoing since 2016 and the remaining two sticking points between the Cities and the County have been in the areas of water and sewer services and in funding County roads. It appears that we have reached a consensus on those two issues. He has prepared some language on water and sewer. The City and the County reached a consensus on this and we are asking for a Resolution in support of this. The water and sewer reads as follows: (A) The Parties’ current water and sewer service areas would be delineated on updated maps that would be incorporated into a new Service Delivery Strategy. (B) Any Party may make a new extraterritorial extension outside of its Service Area of water and sewer services upon approval of the affected Party. An extension may be proposed to serve multiple properties and users. (C) Such approval shall not be unreasonably withheld, considering the interest of the property owner or proposed user, sound engineering practices, applicable regulatory requirements, efficient and effective use of public resources, and the charter or enabling act of the Parties. (D) The requesting Party’s request shall include a written request of the property owner or owners, or proposed property owner or owners, desiring service by the requesting party, a map of the subject property to which the requesting Party desires to provide service, and a statement why the affected Party should approve the request considering the foregoing criteria. (E) The requested extension shall be deemed approved by the affected Party unless the affected Party adopts a Resolution withholding approval at the affected Party’s next regularly scheduled meeting occurring more than (7) days after receipt of the requesting Party’s request. Notwithstanding the foregoing in the case of request for extraterritorial extensions intended to serve commercial or industrial users or uses, the requested extension shall be deemed approved by the affected Party unless the affected Party adopts a Resolution withholding approval within five (5) business days after receipt of the requesting Party’s request. (F) In the event of extenuating circumstances, the requesting Party may ask the affected Party to respond sooner, in which event the affected Party will respond as soon as practicable. (G) If the affected Party withholds approval, its Resolution shall state the specific reason or reasons for withholding approval considering the foregoing criteria. (H) The requesting Party shall not require the owner or any proposed future owner of the subject property to agree to annexation or de-annexation of the subject property as a condition to the provision of water and/or sewer to the subject property. (I) Unless the affected Party gives approval, the subject property shall remain in the affected Party’s service area. (J) If the request is approved, the County shall prepare and submit to the Georgia Department of Community Affairs (DCA) updated service area maps delineating the water and sewer services areas of the Parties to include the subject property in the service area of the requesting Party.

Tim Tanner, City Attorney stated that with respect to County roads, it appears that the City of Valdosta and the County have agreed on the following: (A) The County agrees to pay for the cost of maintenance and operation of unpaved roads and associated storm water collection and control in the County Road System from revenues other than General Fund revenues or property tax revenues from incorporated taxpayers. The County agrees to provide an annual accounting to the Cities of the cost of maintenance per mile of unpaved roads in the County Road System. (B) The County agrees to resurface those County roads located within the Cities as of September 9, 2021, as deemed necessary based on current engineering standards. These are the last two sticking points in the Service Delivery Strategy and this meeting was called as a step forward. There will be DCA forms to fill out and a Service Delivery Strategy packet to be created that Council will vote on at a later Council Meeting.

Councilman Carroll stated that they are going to vote to agree and adopt this amended language as the final step towards adopting a Resolution. Tim Tanner, City Attorney, stated that these are the final two issues in a bunch of issues that comprise how cities and counties provide services. Hopefully, this will be the last difficult leg. We will get together with the County’s Counsel and they will submit a packet to each other. The Mayor and Council will review it to make sure that it meets with all the requirements that have been agreed upon, vote on it, and then submit it to DCA. At that point, after they verify, the case will be dismissed and the lawsuit will be concluded. The Service Delivery Strategy will be good for another ten years and expire after that.

**A MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the Service Delivery Strategy presentation by City Attorney Tim Tanner and enact Resolution No. 2021-13, the complete text of which will be found in Resolution Book VI.

**ADJOURNMENT**

Mayor Matheson entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the September 27, 2021 Special Called Meeting of the Valdosta City Council at 5:37 p.m. to meet again in Regular Session on Thursday, October 7, 2021.

---

City Clerk, City of Valdosta

---

Mayor, City of Valdosta