

House Bill 680

By: Representatives Bulloch of the 180th and Sholar of the 179th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Thomas County Emergency Services Board, approved April
2 19, 1999 (Ga. L. 1999, p. 4807), so as to provide for a change of name; to provide for terms
3 of office; to change the provisions relating to removal and membership; to provide for
4 withdrawal from and disbanding of such entity and for the provision of services in that event;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating the Thomas County Emergency Services Board, approved April 19, 1999
9 (Ga. L. 1999, p. 4807), is amended by striking Sections 1 through 6 thereof and inserting in
10 their respective places the following:

11 "SECTION 1.

12 There shall be a board known as the Thomas County Emergency Services Agency ('ESA')
13 to consist of five members who shall be known as the board of directors.

14 **SECTION 2.**

15 Two members of the board of directors shall be selected by the Board of Commissioners
16 of Thomas County from their membership. Two members shall be selected by the City
17 Council of the City of Thomasville from their membership. The fifth member shall be
18 selected by a unanimous vote of the four elective members representing the City of
19 Thomasville and Thomas County, respectively. The term for all members selected, except
20 for the initial terms required to stagger the terms of the elective members, will be two
21 years except that the fifth member may be removed at any time by a vote of three of the
22 four members selected from the membership of the City Council of the City of Thomasville
23 and the Board of Commissioners of Thomas County and no elective member shall serve
24 beyond such member's term in elected office. Members shall receive no salary or other

1 compensation except for reimbursement of out-of-pocket expenses. Terms for one member
2 from the city council and one member from the board of commissioners, as designated by
3 such governing authorities, shall expire in even-numbered years and the terms of the other
4 member from the city council and the other member from the board of commissioners shall
5 expire in odd-numbered years.

6 SECTION 3.

7 The Thomas County Emergency Services Agency shall have as its principal responsibility
8 the management and operation of the emergency services currently provided by Thomas
9 County and the City of Thomasville. These services include but are not limited to fire
10 protection, emergency medical service, and the emergency telephone number '911' system.

11 SECTION 4.

12 The Thomas County Emergency Services Agency shall have the following powers:

- 13 (1) To bring and defend actions;
- 14 (2) To adopt and amend a corporate seal;
- 15 (3) To make and execute contracts and other instruments necessary to carry out its
16 responsibilities, provided that, if the contracts involve leases, such leases shall be limited
17 by the provisions of Code Section 36-60-13 of the O.C.G.A.;
- 18 (4) To own property, both real and personal, in its own name and to sell property;
- 19 (5) To appoint officers and retain agents, engineers, attorneys, fiscal agents, accountants,
20 and employees and to provide for their compensation and duties;
- 21 (6) To expend such funds as are provided by the city, county, and any other legal sources
22 to carry out its functions; and
- 23 (7) To develop bylaws to carry out the functions and powers granted herein.

24 SECTION 5.

25 The board shall meet at least monthly and all meetings shall be noticed and conducted as
26 provided in Chapter 14 of Title 50 of the O.C.G.A.

27 SECTION 6.

28 In the event that either the City Council of the City of Thomasville or the Board of
29 Commissioners of Thomas County should decide that the Thomas County Emergency
30 Services Agency is no longer able to provide for the public safety of its citizens and elects
31 to withdraw from the Thomas County Emergency Services Agency, notice of such intent
32 shall be delivered to the Thomas County Emergency Services Agency and the other
33 governing body as soon as possible. The Thomas County Emergency Services Agency

1 shall, within ten months of receipt of this notice, conclude all of its activities. Assets used
2 by the agency in carrying out its functions shall be divided according to the responsibilities
3 assumed by the county and city, respectively, and any debt associated with any given asset
4 shall be assumed by the entity assuming the function. In the event a dispute should arise
5 as to whether the city or county is to receive a given asset, the matter shall be resolved by
6 binding arbitration, and any arbitrator shall be appointed by the chief judge of the Southern
7 Judicial Circuit. Following the disbanding of the Thomas County Emergency Services
8 Agency, the City of Thomasville shall, for a period of 12 months, provide fire protection
9 services in Fire Zones 1 and 2 and assistance in Fire Zone 3, if the parties can agree upon
10 a fee."

11 **SECTION 2.**

12 All laws and parts of laws in conflict with this Act are repealed.