

CULTURE & RECREATION
PUBLIC CEMETERY MAINTENANCE
SERVICE DELIVERY AGREEMENT

THIS SERVICE DELIVERY AGREEMENT, is made and entered into this ____ day of October, 2022, by and among Whitfield County, Georgia, a body politic and political subdivision of the State of Georgia formed and existing pursuant to the Constitution of the State of Georgia (hereinafter referred to as the “County”), and the City of Dalton, the City of Tunnel Hill, the City of Varnell, and the Town of Cohutta, all being municipal corporations chartered and existing pursuant to the laws of the State of Georgia (hereinafter referred to as “the Cities” and individually as “City” or “Town”;

WHEREAS, OCGA §§ 36-70-20 through 36-70-28, mandate that Whitfield County and all municipalities located therein shall participate in the development of a Service Delivery Strategy through which Whitfield County and said municipalities shall create and maintain a service delivery system which is efficient, effective, and responsive to all citizens of Whitfield County;

WHEREAS, OCGA § 36-70-24(1), mandates that said Service Delivery Strategy shall identify steps which will be taken to remediate or avoid overlapping and unnecessary competition and duplication of service delivery, and that said Service Delivery Strategy shall identify the time frame in which such steps shall be taken; and

WHEREAS, OCGA § 36-70-25, mandates that said Service Delivery Strategy receive the approval of Whitfield County and the governing authorities of municipalities located within Whitfield County, as is more particularly described in the Code Section;

NOW, THEREFORE, we, the undersigned, being duly authorized to act on behalf of the above-named parties, in consideration of the mutual covenants and promises contained herein, agree as follows concerning Public Cemetery Maintenance within Whitfield County:

WITNESSETH

1. Description of Current Service Delivery Arrangements

The City of Dalton and the City of Varnell provide public cemetery maintenance within Whitfield County. The City of Dalton provides this service on a county-wide basis, as it maintains three cemeteries (namely West Hill Cemetery and two cemeteries now closed for further burials but still maintained, Oak Hill Cemetery and Old Presbyterian Cemetery) within the corporate limits of the City of Dalton which preserves the culture and heritage of all Whitfield County residents, and which provides a final resting place for all Whitfield County residents, former residents, and their families.

The City of Varnell provides public cemetery maintenance through one cemetery located within its corporate limits. The City of Varnell's maintenance of a public cemetery within its corporate limits provides an enhancement in this service to the residents of the City of Varnell, as it enables the preservation of the particular culture and heritage of the City of Varnell's residents, while providing a final resting place for residents and former residents of the City of Varnell, as well as their families, which is closer to their homes than the City of Dalton's public cemetery.

Thus, no duplication exists in the delivery of public cemetery service within Whitfield County.

2. Future Service Delivery Strategy

The parties hereto agree that the current service delivery arrangements described above are efficient, effective and responsive to all citizens of Whitfield County. Therefore, the parties hereto agree that no need exists to change said service delivery arrangements.

Further, the parties hereto agree that no duplication exists in the provision of Public Cemetery Maintenance to Whitfield County, as the City of Dalton and the City of Varnell are providers of said service as described above.

The parties hereto agree that should any party undertake any action which may result in overlapping, competition, or duplication in the current service delivery arrangements or in the future service delivery strategy described in this Service Delivery Agreement, that party shall notify the other parties to this Agreement, so as to facilitate continued compliance with the requirements of Georgia law as referenced above.

IN WITNESS WHEREOF, each of the undersigned has executed this Service Delivery Agreement on behalf of the respective party set forth below, pursuant to the authority granted to each of the undersigned in the resolution by which each party approved and adopted this Service Delivery Agreement.

-ALL SIGNATURES APPEAR ON THE FOLLOWING PAGE-

Witness our signatures, this _____ day of October, 2022.

Whitfield County, Georgia

By: _____

Jevin S. Jensen, Chairman

City of Dalton, Georgia

By: _____

David Pennington, Mayor

City of Tunnel Hill, Georgia

By: _____

Ken Gowin, Mayor

City of Varnell, Georgia

By: _____

Tom Dickson, Mayor

Town of Cohutta

By: _____

Ron Shinnick, Mayor