

RESOLUTION NO. ____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BEN HILL COUNTY,
GEORGIA RELATING TO STATE CABLE AND VIDEO FRANCHISE FEES; AND
FOR OTHER LEGAL AND LAWFUL PURPOSES**

WHEREAS, Ben Hill County is a duly created and validly existing political subdivision of the State of Georgia under the Constitution and laws of the state of Georgia; and

WHEREAS, O.C.G.A. § 36-76-6(a) authorizes Ben Hill County to collect a franchise fee at a rate up to and including 5% of each cable or video service provider's gross revenues generated within the unincorporated areas of the county or the maximum amount established by federal and state law; and

WHEREAS, the Ben Hill County Board of Commissioners has already adopted a franchise fee rate of 5%, as recorded in the December 14, 1999 Regular Meeting minutes; and

WHEREAS, this Resolution is reaffirming that rate adopted at the December 14, 1999 Regular Meeting; and

WHEREAS, in the event any cable service provider or video service provider operating within Ben Hill County, Georgia elects to obtain a state franchise to serve all or parts of the unincorporated areas of Ben Hill County, it is the intention of the Board of Commissioners of Ben Hill County that such cable service providers or video service providers be subject to any franchise fees authorized by law; and

WHEREAS, Ben Hill County intends to collect a franchise fee of 5% of annual gross revenues generated within the unincorporated area of the County pursuant to existing franchise agreements and intends to collect that same amount on gross revenues generated pursuant to any state franchise.

NOW, THEREFORE, BE IT RESOLVED by the Ben Hill County Board of Commissioners that franchise fees be collected at the rate of 5% of annual gross revenues generated by any cable or video service provider providing cable or video services within the unincorporated areas of Ben Hill County pursuant to a state franchise;

BE IT FURTHER RESOLVED that the County Clerk is herewith directed to forward a certified copy of this Resolution to the Georgia Secretary of State and to each applicant for or holder of a state franchise with a service area located within the unincorporated area of Ben Hill County, and;

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon its adoption by the Ben Hill County Board of Commissioners and that any and all resolutions or parts of resolutions in conflict with this Resolution shall be, and they, to the extent of such conflict, hereby repealed.

SO RESOLVED AND ADOPTED at a meeting of the Ben Hill County Board of Commissioners this ___ day of July 2023.

BEN HILL COUNTY BOARD OF COMMISSIONERS:

By: _____
STEVE TAYLOR, CHAIRMAN

By: _____
HOPE HARMON, VICE CHAIRMAN

By: _____
DANIEL COWAN, COMMISSIONER

By: _____
BENNIE CALLOWAY, COMMISSIONER

By: _____
JOHN WILLIAM MOONEY, COMMISSIONER

ATTEST: _____
DONNA PRATHER, COUNTY CLERK