

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
APRIL 15, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

CALL TO ORDER

Council President Howard called the meeting to order.

Those Present: Council President Howard, Councilors Carr, Larsen, Platt, and Whatley, Attorney Dickerson, City Manager Lapeyrouse, City Clerk Cantrell, Chief Dills, Public Works Supervisor Cavalli, and Tax Commissioner Mullins.

INVOCATION/PLEDGE OF ALLEGIANCE

Hays Howard gave the invocation. Council President Howard led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilor Larsen made a motion to approve the minutes of the March 19, 2013 Regular Council Meeting, 2nd Councilor Carr, unanimously approved.

ADOPTION OF AGENDA

Council President Howard asked to add the item discussion of revised SPLOST Agreement under new business. Councilor Whatley made a motion to approve the agenda with this addition, 2nd Councilor Larsen, unanimously approved.

MAYOR'S REMARKS

Council President Howard stated that in absence of Mayor Martindale, he will be conducting the meeting today.

COUNCIL REMARKS

Councilor Whatley gave a report on the Rabun County Convention and Visitors Bureau.

Councilor Platt said that there will be an attempt to start up the Neighborhood Watch program again.

Councilor Carr announced that she is the Garden Club's Chairman for their Yard of the Month award, and asked everyone to contact her with suggestions for the monthly award.

Councilor Carr asked for an update on the driveway at 3 Putter Lane. City Manager Lapeyrouse reported that the contractor (Summit) and homeowner are working to resolve the issue. She received an update from Summit last week that they are still working with the homeowner. As per Summit's update, the driveway was already deteriorating and not all of damage was done from their work. Summit had offered a cash settlement, but the homeowners declined to accept.

Councilor Larsen said that he has been in contact with Mr. Merrill regarding the old lodge building and ski slope property. Larsen reported that there is a group looking into reopening the skiing. The group has other ski slopes and Sky Valley would be the southernmost slope they would have. He said the Sky

Valley Club is not encouraging the redevelopment of the skiing area. He said they are coming along on the construction with the Club and are scheduled to have it completed mid-May.

SPECIAL GUESTS

Tammy Whitmire – Rabun County Elections

Councilor Carr thanked Tammy Whitmire for coming to speak at the meeting. She said that also in attendance with Tammy is Glenda Enloe, Dillard City Clerk.

Ms. Whitmire said that Councilor Carr had spoken to her regarding Rabun County holding the City's elections. She said that the County could carry on the City elections for cost – the actual expense incurred to hold the election adding that the County does ask for a contribution to cover the additional use on the equipment. She also shared that the Secretary of State's office is working to implement the requirement of a state-wide mandated use of touch-screen voting equipment so that all municipalities and counties are using uniform equipment.

Dillard City Clerk, Glenda Enloe said that looking at this from the city's point of view, it is a cost savings because the City does not have to send her to school and that she does not have to stop her regular work to manage the election.

Councilor Whatley asked about the implementation of the touch screen voting equipment. Ms. Whitmire said that the Secretary of State is hoping to implement them within the next two years.

Ms. Whitmire handed out the cost of the City of Dillard's 2011 election. The estimated cost was \$4,445.00 and the actual cost was \$2,344.65.

DEPARTMENT REPORTS

- (a) Police Chief's Report – given by Chief Dills
- (b) City Financial Report – given by City Clerk Cantrell
- (c) Tax Commissioner's Report – given by Tax Commissioner Mullins
- (d) Building Inspector's Report – given by City Manager Lapeyrouse
- (e) City Manager's Report – given by City Manager Lapeyrouse

These reports are hereby incorporated by reference and attached hereto as Exhibits A - E.

NEW BUSINESS

- Contribution to SVPOA for Annual 4th of July Celebration

Council President Howard said that we have received a request from the SVPOA to make a contribution for the annual 4th of July Celebration. Councilor Whatley made a motion to contribute \$2,200 as budgeted and requested, 2nd Councilor Larsen. Discussion followed regarding the amount the City should contribute. Councilor Larsen said Sky Valley Club is contributing \$1,500 a year to the POA adding that he was the POA's Treasurer the previous two years, he was confident they had sufficient funds available to cover the expenses for the annual celebration. Councilor Carr asked if the Council would consider contributing the entire amount budgeted for promotion and tourism, \$2,700.00, to the SVPOA. City Manager Lapeyrouse and City Clerk Cantrell explained the history of the City's contributions to the events which had increased from \$1,500 to \$2,200 over the last couple of years due to the previous golf club closing. The additional \$500 budgeted is used for the police to give out balloons, candy, and toys to children at the events. The motion to contribute \$2,200 passed unanimously.

- Resolution Declaring 2004 Ford F-650 as Surplus Property

Councilor Whatley made a motion to approve the Resolution and declare the 2004 Ford F-550 as surplus property, 2nd Councilor Larsen, unanimously approved.

- Legal Services Agreement

Councilor Whatley made a motion to ratify the legal services agreement regarding the City of Clayton's suit against the County and other municipalities in the County regarding the SPLOST Agreement, 2nd Councilor Platt, unanimously approved. Attorney Dickerson said that the City approved the SPLOST Intergovernmental Agreement with the condition that Rabun County had followed all requirements under law for the 2013 SPLOST. He said the he does not anticipate any great expense for the Cities and that he does not see any potential liability for Sky Valley. From other SPLOST litigation he has seen, the litigation can delay the municipalities' receipt of SPLOST funds. Councilor Larsen asked if in the water and sewer SPLOST allotment, there is any potential of connecting the sewer to Sky Valley. Attorney Dickerson said that it was not included in the current SPLOST. Councilor Whatley said that he believes it is best for Sky Valley to not be involved at this point in the work the County and other cities are doing to create a consolidated water and sewer authority.

- Discussion of the Amended SPLOST Intergovernmental Agreement

Attorney Dickerson presented the Amended agreement. He said again that Sky Valley's approved the first agreement based on the condition that Rabun County had followed all requirements under law for the 2013 SPLOST, and that based on that he recommended approval of the amended agreement. Councilor Whatley made a motion to approve the agreement as presented, 2nd Councilor Larsen, unanimously approved.

PUBLIC FORUM AND GENERAL COMMENTS

EXECUTIVE SESSION

Meetings with legal counsel covered by the attorney-client privilege when consulting about pending or potential litigation, settlement, and claims. O.C.G.A. § 50-14-2(1).

Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer. O.C.G.A. § 50-14-3(6). (Except when receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee.)

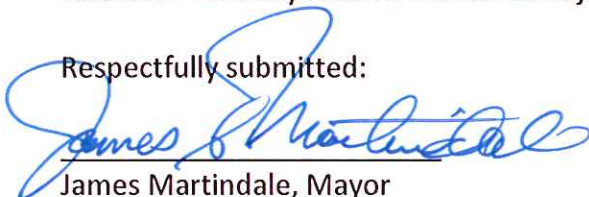
Councilor Whatley made a motion to move into executive session, 2nd Carr, unanimously approved.

Councilor Whatley made a motion to reconvene regular session, 2nd Councilor Platt, unanimously approved.

Councilor Larsen made a motion to appoint Rick Cavalli as Public Works Supervisor based on successful completion of the probationary period, to increase his pay by two-percent, and for him to serve as the City's Building Inspector and Code Enforcement Officer while pursuing educational requirements to receive the Certified Building Inspector designation, 2nd Councilor Platt, unanimously approved.

Councilor Whatley made a motion to adjourn, 2nd Councilor Larsen, unanimously approved.

Respectfully submitted:


James Martindale, Mayor

Attested:


Mandi Cantrell, City Clerk