

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
DECEMBER 20, 2011
TUESDAY, 9:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Moore, Councilors Boyle, Howard, Kleiber, and Platt, Attorney Dickerson, City Manager Smith, Chief Dills, City Clerk Cantrell, and Tax Commissioner Mullins.

Councilor Platt gave the invocation. Mayor Martindale led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilor Kleiber made a motion to approve the minutes of the November 15, 2011 Regular Council Meeting, 2nd Councilor Boyle. Councilor Kleiber asked about painting the letters on the entrance sign. City Manager Smith said she would go ahead and get the paint to do it. Councilor Kleiber asked about the additional insurance for prisoners as required in the jail contract. City Manager Smith said that the City's current insurance policy does cover this. The minutes passed unanimously.

ADOPTION OF AGENDA

Councilor Platt made a motion to adopt the agenda, 2nd Councilor Kleiber, unanimously approved.

MAYOR'S REMARKS

Mayor Martindale said there are two outgoing Councilmembers, Dee Moore who has served on and off for eight years, and Helen Kleiber who has served for the last four years. He led a round of applause thanking them for their service.

Mayor Martindale applauded the City employees for their longevity and the lack of employee turnover. He said he greatly appreciated the employees and that our employees do a wonderful job during the winter and our snow removal is much more efficient than the other cities in the State.

Mayor Martindale thanked City Manager Smith for the beautiful Christmas decorations.

COUNCIL REMARKS

Councilor Howard wished the City employees and residents a Merry Christmas and a Happy New Year. He said that next year, there will many difficult decisions to be made that affect everyone in our beautiful city. He said he would make his decisions on verifiable information presented and what he believes is in the best interest of the majority of taxpayers. He added that phone calls, emails, and direct contact is welcomed and appreciated.

Councilor Boyle thanked the outgoing Councilors for their service.

Councilor Platt commended Councilor Kleiber and Tammy Whitmire for their efforts in the Charity Lane event.

Councilor Kleiber read a statement stating that she was pleased to end her four years on service on the council as the water system improvement projects come to conclusion. Support for water system improvements was one of the reasons she ran for office. She thanked the voters, city employees, the city attorney, her fellow councilors and the mayor and his wife for working together and always being willing to help. She also thanked her husband, Don, for his support and tolerance for the many hours of time required to fulfill her duties as a councilor. She said she learned a great deal about how cities work, and wished the best of luck to the new council in 2012. Her time will now be dedicated to the leadership of the Sid Weber Memorial Cancer Fund, SWMCF, working to help cancer patients in Rabun County.

Citizen Jim Kobacker thanked each of the Councilors for their dedication and service. He said Councilor Kleiber served with dedication and has done a remarkable job as a Councilmember and for the SWMCF. He said Council President Moore has served as Mayor or as a Councilmember for most of the ten years he has lived in Sky Valley adding that he has been one of the most outspoken advocates for the City. The City owes him a great deal of gratitude for his service to the City for his true and genuine dedication to the City.

DEPARTMENT REPORTS

Police Chief's Report – given by Chief Dills

Councilor Howard asked if the report could also include year to date comparisons.

Councilor Platt asked if the family violence was in the City. Chief Dills said that it was off Driver Lane, and did not reach the point of physical contact, it was harsh words.

Council President Moore asked if the police still planned to leave a car at the entrance sometimes. Chief Dills said they will park a car at the entrance.

City Financial Report – given by City Clerk Cantrell

Tax Commissioner's Report – given by Tax Commissioner Mullins

Building Inspector's Report – given by City Manager Smith

City Manager's Report – given by City Manager Smith

Once a week garbage pick-up will begin January and is effective through Memorial Day.

OLD BUSINESS

- RMA proposal – engineering fee adjustment

Robert Simmons presented information documenting a breakdown of the fees in the proposal based on doing alternate and additional work. Councilor Boyle made a motion to authorize the City Manager to pay the \$34,625 for additional work required, 2nd Council President Moore. Councilor Howard asked why hourly rates for an individual are not always the same. Mr. Simmons replied that the hourly rates are based on the description of the task. The motion passed unanimously.

- Review and Approval of Building Authority Draft to be presented for Local Legislation

Councilor Boyle made a motion to approve the Building Authority as currently written, 2nd Councilor Kleiber. Council President Moore made a motion to postpone until corrections can be made, 2nd Councilor Howard. Citizen Jim Kobacker said he has not had the opportunity to review the document, and no citizen has had the opportunity to contribute to this. Mr. Kobacker suggested the Authority be made up of five members, and the Mayor should serve on the Building Authority as he believes the

Mayor should be the spokesperson. The members of the Authority should be paid a percentage of the Authority's profit as it is a for-profit organization. He said he does not support revenue bonds and believes the Authority should be able to issue general obligation bonds and tax-free bonds. There will be no exclusivity to the golf course or clubhouse the way report is presented. It will have to be a public course. He said the City should ask City Attorney his opinion of tax-free versus taxable debt. Mr. Kobacker asked Attorney Dickerson if he would give his opinion on tax-free versus taxable debt. Attorney Dickerson said he is not a tax attorney, and he would defer any questions regarding taxes to a tax attorney. Mayor Martindale explained that the Building Authority has been on the agenda for a few months and that there was also a workshop dedicated to discussion of the Building Authority. City Manager Smith said that she sent the draft and changes to be made to the attorney's office, but some of the changes to the proposed draft had not been incorporated. The motion to postpone until changes are incorporated was approved unanimously.

NEW BUSINESS

- Update on Meter Replacement Project and ARC Grant – Robert Simmons, RMA

Mr. Simmons presented an update on the 2010 DWSRF Water System Improvements and the ARC Grant. This update dated December 19, 2011 is incorporated by reference and attached hereto. Mr. Simmons reviewed the options to stabilize Bayberry Drive until the paving can be done in the spring. City Manager Smith asked the Council to authorize the Mayor, herself, and the contractor to decide the solution so it can be resolved within the next few weeks. Councilor Howard made a motion to authorize City Manager Smith and the Mayor to work with the contractor on the best solution, 2nd Councilor Platt, unanimously approved.

Citizen David Whatley asked if there is a way to mechanically calibrate and check the radio read meters for accuracy. Mr. Simmons said that a few of the meters can be pulled and checked. Mayor Martindale recommended pulling a few meters to check their accuracy.

- Approval of Resolution to maintain a Certified City of Ethics

Council President Moore made a motion to approve, 2nd Councilor Platt. Councilor Howard said he would like to see the Resolution reference the original Ordinance 04 – 02. Council President Moore amended his motion to add that the Resolution be amended to reference Ordinance 04 – 02, 2nd Councilor Platt, unanimously approved. City Clerk Cantrell will update the Resolution to reference the City's Certified City of Ethics Ordinance.

- Approval of 2011 Budget Amendment

City Manager Smith presented the 2011 Budget Amendment. Council President Moore made a motion to approve, 2nd Councilor Kleiber. Councilor Howard asked about the Summer Celebration events. The property owners association will reimburse the city for half of the cost. The budget amendment was unanimously approved.

- Approval of 2011 Agreement with RCCVB for Hotel-Motel Tax

Council President Moore made a motion to approve, 2nd Councilor Howard. Councilor Kleiber said that she has been on the board for the RCCVB for the last four years. She said she has asked David Whatley to take her place on the Board next year. She recommended trying to promote Sky Valley through them as they do a great deal of advertising outside the county. The motion passed unanimously.

- Approval of an Ordinance Restating the Retirement Plan for the Employees of the City by updating the GMEBS Master Plan Document and the GMEBS Trust Agreement

Attorney Dickerson said that this is an IRS required update. Council President Moore made a motion to approve the update, 2nd Councilor Boyle, unanimously approved.

- Consideration of waving building permit fees and property taxes for new construction

Mayor Martindale asked Attorney Dickerson if legislation approved the waiver of property taxes for new construction. Attorney Dickerson said that it was not approved. Council President Moore made a motion to authorize City Manager Smith to tell anyone wanting a permit for new construction to request the Council waive the permit fees, 2nd Platt. Discussion followed about how the council would make the decision to waive the fee or not waive the fee. Attorney Dickerson said that the Council would have to show that the decisions were based on certain criteria. In lieu of requesting Council to waive the fees, it was suggested that all building permit fees for new construction only in 2012 be waived. Councilor President Moore withdrew his motion. Councilor Kleiber made a motion to waive permit fees on new construction for 2012, 2nd Councilor Platt. Citizen Ray Becker asked if this would include the unfinished clubhouse. Mayor Martindale said that the clubhouse is still new construction because it was not completed and has no certificate of occupancy. The motion passed unanimously.

EXECUTIVE SESSION

None

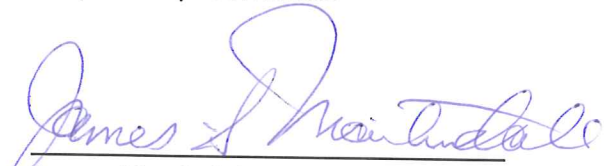
PUBLIC FORUM AND GENERAL COMMENTS

Citizen Dottie Haney asked for information on the rumors about the old lodge. Mayor Martindale said he spoke with Mr. Merrill about the possible agreement with Mark Mann who is working on a lease-purchase agreement for the old lodge and ski slope. Mayor Martindale said that to the best of his knowledge, an agreement has not yet been made.

ADJOURNMENT


Council President Moore made a motion to adjourn, 2nd Councilor Howard, unanimously approved.

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk