

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
OCTOBER 21, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

September 16, 2013 – Regular Council Meeting

ADOPTION OF AGENDA

MAYOR'S REMARKS

Proclamation Declaring September 27, 2013 as Eva Berd Day

Proclamation Declaring the week of October 21 – October 27, 2013 as Garden Club Appreciation Week

COUNCIL REMARKS

DEPARTMENT REPORTS

Police Chief's Report

City Financial Report

Tax Commissioner's Report

Building Inspector's Report

City Manager's Report

COMMITTEE REPORTS

Planning & Zoning Commission

NEW BUSINESS

- Approval of variance request at 738 Sky High Drive
- Approval of variance request at 222 Red Wolf Trail
- Mims Wilkinson letter
- Approval of contract for delinquent tax collection services with Appalachian Mountain Services
- Approval of Rules of Procedure Ordinance
- Garbage collection schedule
- Discussion of sign at entrance & possible lease agreement
- Approval of Tree Ordinance
- Discussion of open house signs

POA REPORT

PUBLIC FORUM AND GENERAL COMMENTS

EXECUTIVE SESSION

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.)

Meetings when any agency is discussing real estate. O.C.G.A. § 50-14-3(4).

ADJOURNMENT

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
SEPTEMBER 16, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Carr, Larsen, Platt, and Whatley, Attorney Dickerson, City Manager Lapeyrouse, City Clerk Cantrell, Chief Dills, and Tax Commissioner Mullins.

Pam Martindale gave the invocation. Mayor Martindale led the Pledge of Allegiance.

APPROVAL OF MINUTES

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

ADOPTION OF AGENDA

Councilor Platt asked to amend the agenda to include discussion of police EMT training and to allow Mr. Gortney to speak. Councilor Larsen asked to add an update on the situation with the old lodge. City Manager Lapeyrouse asked to add approval of purchase of the vacuum truck. Councilor Larsen made a motion to adopt the agenda with these additions, 2nd Councilor Platt, unanimously approved.

MAYOR'S REMARKS

Mayor Martindale thanked the candidates who have stepped up to run for office. Incumbents Bob Larsen and David Whatley and newcomer Martin Greene are running for Council and are unopposed, so they will all serve. Hughel Goodgame and current Councilmember Maureen Platt are running for Mayor. He said that he is not running again as he believes six years is long enough for one person.

COUNCIL REMARKS

Council President Howard said he received a nice email from Joyce Horton regarding the hay bales addressing lighting and grass cutting around the bales. He said that he believed the City will take care of this. Ms. Horton thanked the City for the \$500 contribution and the city staff for their time in assisting with putting them out and picking them up.

Councilor Carr asked City Manager Lapeyrouse to look at a spot on Overlook. City Manager Lapeyrouse said she will look at Overlook and see if it is something we can patch.

Councilor Larsen said that he wanted to address some financial trouble rumors floating around about the Club stating that they were in no financial trouble adding that they will open for the season in April. Councilor Whatley asked Councilor Larsen if he wanted to address the rumor regarding the Club and Timeshare office relationship. Councilor Larsen said that he believes everything will be worked out over the winter.

DEPARTMENT REPORTS

Police Chief's Report – given by Chief Dills

City Financial Report – given by City Clerk Cantrell

Tax Commissioner's Report – given by Tax Commissioner Mullins

Councilor Whatley made a motion to eliminate delinquent personal property taxes for the years 2009, 2010, 2nd Council President Howard, unanimously approved.

Building Inspector's Report – given by City Manager Lapeyrouse

City Manager's Report – given by City Manager Lapeyrouse

City Manager Lapeyrouse discussed concerns with the chipping service and the small yard debris, vines, thorn bushes, shrubbery that people have been placing next to the street for the City's chipping service. Councilor Whatley recommended making a flyer that shows what can and cannot be chipped.

NEW BUSINESS

- Front Entrance Landscaping

City Manager Lapeyrouse said that the POA has approved funding to redo some of the landscaping at the entrance. Christine Lamonte, POA, presented the landscaping plan to replace the mulch with grass and to add some small, native plants where there is limited landscaping. She said any plants removed from the entrance will be moved and used elsewhere. The main area to be redesigned is the front of the sign. The Maple tree will remain, and they will try to save the dogwood trees to use elsewhere (one of the dogwood trees is diseased). She said the POA has approved \$2,500 for funding. Councilor Carr said that she has been very pleased with the current landscaper, Jim Wells. Councilor Larsen made a motion to approve, 2nd Councilor Whatley, unanimously approved.

- Information Kiosk

Councilor Carr made a motion to postpone, 2nd Councilor Platt, unanimously approved.

- Post Office Park

City Manager Lapeyrouse presented information on adding a pavilion park beside the post office facility. She said the City does have \$49,000 in reserves for building purposes. Councilor Whatley made a motion to move forward with the preliminary steps to find a design and receive pricing, 2nd Council President Howard. Councilor Carr asked what parks the city is currently in control of. Mayor Martindale said the City does not currently have possession of any parks. The motion to move forward passed unanimously.

Councilor Whatley suggested an annual lease to the club for the sign at the front entrance. This will be placed on next month's agenda.

- Discussion of EMT Training for Police Department

Councilor Platt made a motion to establish a training program for the police department to receive EMT training, 2nd Councilor Carr. Chief Dills said that when he first came to Sky Valley, one of the ideas was to place an ambulance in service in the city; however this is not very practical. He said that instead, each officer can receive training to be certified as EMTs. There are two options for this: one option is \$1,500 per person at North Georgia Tech, the other option is for the training to be done locally in the County by Trampes Stancil, a state certified trainer. Mayor Martindale said we need to know how much it's going to cost before it can be approved. Councilor Platt said that if you have a major medical emergency, you need trained EMT's to respond. Council President Howard said the

Council is for the training, he is concerned with who is doing training and how training is done. Councilor Platt withdrew her motion. More information will be obtained.

- Bill Gortney

Mr. Bill Gortney said that a couple of months ago, the Forest Service came up to his home and recommended cutting a dead tree and trimming some limbs. He said that he filled out a permit application and signed an affidavit stating that he was responsible for the work. The building inspector was not in the office so he could not get the permit. He got a call that he has a fine of \$50 for trimming limbs without a permit. Council President Howard made a motion to abate the \$50 fine, 2nd Councilor Carr, unanimously approved. Discussion followed, and tree trimming will be on the next agenda.

- Update on old lodge

Councilor Larsen asked for an update on the status of the old lodge. Mayor Martindale said that Mr. Merrill did not want to spend more than \$60,000 for the demolition and said that he would rather bring the outside of the building up to code. Mayor Martindale said that he has been getting prices on the demolition, and he is trying to resolve this with cooperation from Merrill. Councilor Larsen said we do have to work with him as best we can because he does own a large amount of property in the city.

- Vacuum truck

City Manager Lapeyrouse said that she is looking into the option of a vacuum truck to suck the leaves out of the road instead of blowing them back into people's yards. She said that we have funds available from the sales of surplus property this year. Councilor Whatley asked if this would get the leaves out of the streets faster than the blower. City Manager Lapeyrouse said that it might not be faster, but she does believe it will be more efficient. Councilor Carr asked if the truck will be able to climb all of the streets. City Manager Lapeyrouse said that we can go inspect the truck and have a mechanical inspection done. Councilor Larsen made a motion to investigate the truck, and if it is working well to go ahead and purchase, 2nd Council President Howard, unanimously approved.

POA REPORT

Marketing Committee

Laura Gurly said she was asked to chair the POA's marketing committee. She said the main goal in her eyes is to turn over the vacant properties. So many people especially in the Atlanta area remember coming up to ski, but don't realize there is anything else here. She said she is working to have every entity in the city represented. Their first meeting is tomorrow at the Club at 3:00 PM.

POA President, Sam Lamonte said that he has been in conversation with Mims Wilkinson from the Timeshares, and is working to get someone from the Timeshares involved. He thanked the City for the roadwork and helping work with Valley View to clear the line of sight. He is also working with Gladys, owner of the Junction Store, on some landscaping. He asked if the city would not put the meeting sign up front at the entrance. The POA is hosting a political forum Wednesday, October 2 at 10:00 AM at the Fellowship Hall. Citizen David Carr said that the forums have typically had over 100 people in attendance, and the Fellowship Hall will not hold that many people. Mr. Lamonte said that the previous forums have been held in the Fellowship Hall and that he believes it is large enough. Mr. Lamonte said he wanted to let everyone know that the POA is working to represent everyone in the city.

PUBLIC FORUM AND GENERAL COMMENTS

Councilor Larsen said that Frank Norton is working with Verizon for locations of a cell tower.

AL Lee said that many months ago the City approved funding for work in the cul-de-sac on McClure Lane. He thanked the City for their support and passed around pictures.

Citizen Buck Betancourt encouraged the City to keep the relationship with Mr. Merrill as cordial as possible mentioning that the Sky Valley/Scaly Mountain Volunteer Fire & Rescue Department is working with him for a helicopter landing pad.

Sally Shearon said the Garden Club is having a program at the Club in the Lakeside Room on Sacajawea September 24.

EXECUTIVE SESSION

Council President Howard made a motion to move into executive session to discuss employment and real estate, 2nd Councilor Larsen, unanimously approved.

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

Councilor Platt made a motion to approve changing Rick Cavalli from an hourly employee to salary with an annual salary of \$34,000 and allow him to take a city truck home as long as he lives in Sky Valley and is used for city business only, 2nd Council President Howard, unanimously approved.

ADJOURNMENT

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

Respectfully submitted:

James Martindale, Mayor

Attested:

Mandi Cantrell, City Clerk

PROCLAMATION

WHEREAS, Eva Berd was born on September 27, 1913; and

WHEREAS, Eva grew up living in North Carolina, South Carolina and Michigan; and

WHEREAS, Eva met her husband and was married in Michigan. Together they moved to San Diego, CA and ran a candy business. Out of this union one daughter was born; and

WHEREAS, Eva and her daughter Lavonne came to live in Sky Valley in 1992; and

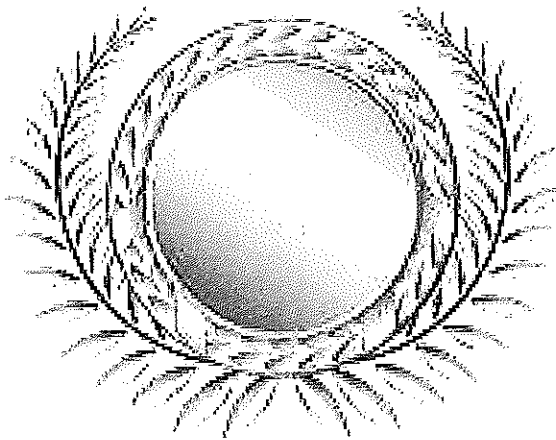
WHEREAS, Eva still lives in her house in Sky Valley, Georgia; and

WHEREAS, Eva Berd is celebrating her 100th birthday; and

NOW, THEREFORE, I, James S. Martindale, Mayor of the City of Sky Valley, in the State of Georgia, do hereby proclaim September 27, 2013, as

Eva Berd Day

in the City of Sky Valley, Georgia.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the City of Sky Valley, in the State of Georgia, to be affixed this 25th day of September in the year Two Thousand Thirteen.

James S. Martindale
Mayor

PROCLAMATION

WHEREAS, the Sky Valley Garden Club helps to beautify our community with beautiful seasonal displays throughout the year; and

WHEREAS, members of the Sky Valley Garden Club pool their creative talents to paint and decorate hay bales during the fall each year; and

WHEREAS, the Sky Valley Garden Club's fall decorations have continued to surpass all expectations year after year and are unmatched in originality creating a true icon for the community; and

WHEREAS, the Sky Valley Garden Club should be commended for their commitment and efforts in helping to enhance the beauty of Sky Valley for its residents and by encouraging visitors to come to our City to share in the unique photo opportunities created by these colorful and festive displays of fall, ultimately introducing visitors to the natural magnificence of our valley and mountain vistas;

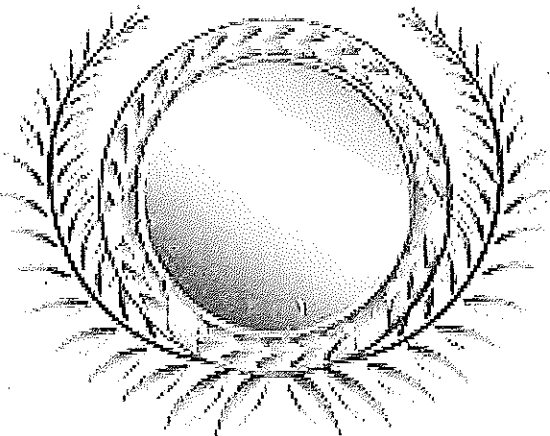
NOW, THEREFORE, I, James S. Martindale, Mayor of the City of Sky Valley, in the State of Georgia, do hereby proclaim the week of October 21 – October 27, 2013, as

Sky Valley Garden Club Appreciation Week

in the City of Sky Valley, Georgia.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the City of Sky Valley, in the State of Georgia, to be affixed this 25th day of September in the year Two Thousand Thirteen.

James S. Martindale
Mayor





SKY VALLEY POLICE DEPARTMENT MONTHLY STATISTICS

INCIDENT	MONTH	YTD 2013	MONTH	YTD 2012	STAT
Fire	1	3	0	7	
Medical Emergency	5	25	6	29	
Vehicle Accident	1	7	2	8	
Family Violence	0	1	0	0	^
Fight/Assault	0	2	0	0	^
Suicide/Death	0	3	0	0	^
Missing Person	1	2	0	0	^
Burglary	0	0	0	2	
Theft	0	3	0	5	
Suspicious Activity	5	22	2	29	
Suspicious Person	1	9	0	0	^
Suspicious Vehicle	0	16	2	14	^
Alarm	0	5	0	12	
Investigation	0	4	0	5	
DUI/ Public Drunk	0	0	0	1	
Drug Related	0	0	0	0	
Juvenile	0	0	0	3	
Stationary Patrol	0	0	0	0	
Traffic Control	1	1	0	13	
Traffic Stop	1	9	2	36	
Mutual Aid	2	7	2	16	
Animal	2	21	1	19	^
Lost & Found	0	1	1	3	
Complaint	0	3	1	5	
City Ord. Violation	0	6	1	6	^
All Others	0	17	0	0	
Assisting Residents	4	27	4	33	
Escorting Visitors	2	15	3	15	^
Residential Check	27	314	23	176	^
Discovered Unsecure	0	3	0	0	
Welfare Check	4	15	1	8	^
Water/Tree/Infrastructure	0	33	04	64	
Vehicle Assistance	5	27	02	54	
Arrested	0	0	1	1	
Incarcerated	0	0	0	0	
Warning	0	5	1	1	
Citations	0	1	1	3	
Total Calls	38	329	34	384	
911 Calls	10	55	0	0	
Mileage	3060	36,331	3901	36,113	^
September 2013					

First Responder / EMS Calls in Sky Valley

2011

30 Calls

01/29	763 Sky High Drive
03/06	407 Pleasant Mountain Drive
03/13	1106 Saddleback Circle
04/04	23 Nesting Eagle Lane
04/10	78 Peak & Peek Drive
05/28	415 Big Bear
06/04	192 Knob Drive
06/10	66 Demorest Lane
06/29	3444 Hwy 246
07/16	49 Spicewood Drive
07/22	1326 Saddleback Circle
07/28	335 Dam Lake Road (Emergency Mutual Aid)
08/13	1286 Sky Valley Way
09/08	343 West Sugarbush Drive
09/19	Overlook & Knob Drive Cardiac Arrest
09/21	1240 Saddleback Circle
10/02	3 Cedar Lane
10/06	195 Saddleback Circle
10/14	32 Little Bear
10/26	78 Peak & Peek Drive
10/27	Ridgeview Drive (Water Tank)
10/30	78 Peak & Peek Drive
11/13	89 McClure Lane
11/07	95 Breckinridge Lane
11/19	767 Driver Lane
11/25	78 Peak & Peek Drive
12/7	78 Peak & Peek Drive
12/9	478 Sky Valley Way
12/16	78 Peak & Peek Drive
12/25	78 Peak & Peek Drive

First Responder / EMS Calls in Sky Valley

2012

33 Calls

01/28	78 Peak & Peek Drive
03/14	89 McClure Lane
03/15	78 Peak & Peek Drive
03/15	3444 Hwy 246
03/16	248 Ridgeview Lane
04/05	79 Alex Mountain
04/06	27 Saddleback Dive
04/27	247 Rebel Circle
04/29	643 W. Sugarbush
05/02	1174 Saddleback Circle
05/06	Timeshare Unit A-2
06/06	89 McClure Lane
06/07	643 W. Sugarbush
06/18	176 Saddleback Circle
06/20	428 Bald Mountain Rd
07/15	131 Tahoe Lane
07/25	246 @ Overlook
07/29	143 Sun Valley Way
08/09	46 Spy Glass
08/20	124 Tahoe Lane
08/25	42 Cedar Lane
08/26	142 Spy Glass
09/08	57 Aerie Lane
09/13	48 Little Bear
09/17	31 Lovers Lane
09/22	31 Lovers Lane
09/23	51 Forest Court
10/05	165 Saddleback Circle
10/17	516 W. Sugarbush
10/18	51 Forest Court
11/16	95 Jiminy Peek
11/24	51 Forest Court
12/17	149 Rebel Circle

First Responder / EMS Calls in Sky Valley

2013

23 Calls

01/05	89 McClure Lane
01/09	1690 Ridgepole Drive
01/18	89 McClure Lane
01/20	21 Berkshire Lane
02/15	15 Downing Drive
06/01	279 Rebel Circle
06/19	1137 Alex Mountain
06/22	1174 Saddleback Circle
06/25	New Clubhouse
07/03	730 Sky High Drive
07/16	66 Jiminy Peak
07/22	100 View Lane
07/23	259 Cobblewood
08/01	195 Cedar Lane
08/07	118 Jiminy Peak
08/20	259 Cobblewood
08/21	131 Tahoe Lane
08/24	1597 Sky Valley Way
08/01	195 Cedar Lane
09/05	653 Overlook Way
09/16	653 Overlook Way
09/17	126 Moonridge
09/22	89 McClure Lane

Fire Calls in Sky Valley

14 Calls

02/26/11	3608 Hwy 246	Vehicle Fire
06/21/11	33 Putter Lane	Burning Brush
09/18/11	1047 LaBelle Circle	Heating Unit Fire
01/02/12	Ed West Realty	Escaped Fire From Burn
01/16/12	409 E. Sugarbush	Woods Fire
02/03/12	851 Bald Mtn	Woods Fire
04/09/12	Evening Shade Lane	Woods Fire
04/17/12	2276 Ridgepole Drive	Lightning Struck Home
05/02/12	View Lane	Smoke Investigation
04/27/12	767 Driver Lane	Smoke Investigation
11/25/12	Bald Mtn Road	Smoke Investigation
07/30/13	Spring Lake	Smoke Investigation
09/01/13	586 Sky Valley Way	Smoke Alarm
09/24/13	1824 Ridgepole Drive	Rekindled Control Burn

City of Sky Valley, GA

Balance: All Accounts
as of September 30, 2013

Account		Balance
General Fund		
Restricted Funds		
Admin & General Government	\$	49,963
Roads	\$	70,971
Police	\$	4,468
Housing & Development	\$	15,000
Funds Remaining in FY 2013 Budget	\$	122,005
Unrestricted Funds	\$	668,383
General Fund Balance	\$	405,976
Enterprise Funds		
Restricted Funds		
Water	\$	13,428
Solid Waste	\$	23,829
GEFA Debt Service	\$	160,431
Funds Remaining in FY 2013 Budget	\$	101,648
Unrestricted Funds	\$	578,755
Enterprise Funds Balance	\$	279,419
Hotel/Motel Tax Fund		
Accommodations Tax Received	\$	3,982

CITY OF SKY VALLEY

General Fund

Budget Performance

September 2013

	Sep 13	Jan - Sep 13	YTD Budget	% of Budget
Income				
33.4000 · GA government grants/contracts	0.00	22,552.01	16,000.00	140.95%
33.7100 · Rev. shared by Co.	65,000.00	65,000.00		
33.9000 · Other Grants (GMA, GIRMA, etc)	1,500.00	1,500.00	3,000.00	50.0%
60110 · Ad valorem - property	0.00	827,163.96	843,885.00	98.02%
60120 · Ad valorem - vehicles	800.28	6,490.25	7,625.00	85.12%
60140 · Penalties, Fife's, interest	0.00	3,890.41	15,000.00	25.94%
60210 · Insurance premium tax	0.00	0.00	12,000.00	0.0%
60220 · Beverage Excise tax	185.96	664.74	400.00	166.19%
60230 · Franchise tax	0.00	45,702.50	50,000.00	91.41%
60235 · Fines & forfeitures	0.00	250.00	4,000.00	6.25%
60240 · Business license	100.00	1,632.50	3,000.00	54.42%
60250 · Permits	720.00	7,626.34	10,000.00	76.26%
60270 · Zoning applications	0.00	200.00	100.00	200.0%
60271 · Sales of Reports, Copies, Etc.	52.58	381.50	450.00	84.78%
60280 · Real estate transfer tax	183.69	1,312.89	1,000.00	131.29%
60281 · Intangible tax	161.82	5,309.95	4,500.00	118.0%
69110 · Interest income	219.19	2,988.36	4,000.00	74.71%
69115 · Transfer from hotel/motel tax	0.00	0.00	3,000.00	0.0%
69150 · Refunds & Reimbursements	0.00	14,632.80	1,000.00	1,463.28%
69990 · Miscellaneous	0.00	655.91	500.00	131.18%
70000 · Sale of surplus property	0.00	55,542.07	2,000.00	2,777.1%
Total Income	68,923.52	1,063,496.19	981,460.00	108.36%
Fire & Rescue				
510000 · Personal Services	0.00	(184.08)		
570000 · Other Costs	0.00	45,000.00	60,000.00	75.0%
Total Expense	0.00	44,815.92	60,000.00	74.69%
Roads				
510000 · Personal Services	10,428.20	108,440.68	141,804.00	76.47%
520000 · Purchased / Contracted Services	2,401.33	25,699.09	33,395.00	76.96%
530000 · Supplies	2,611.13	32,422.88	37,500.00	86.46%
540000 · Capital Outlays	179,855.75	215,037.75	102,333.00	210.14%
Total Expense	195,296.41	381,600.40	315,032.00	121.13%
Administration & General Government				
510000 · Personal Services	12,108.27	120,223.63	160,418.00	74.94%
520000 · Purchased / Contracted Services	2,026.57	30,396.70	50,700.00	59.95%
530000 · Supplies	253.69	12,800.01	22,891.00	55.92%
540000 · Capital Outlays	0.00	1,000.00		
Total Expense	14,388.53	164,420.34	234,009.00	70.26%

CITY OF SKY VALLEY

General Fund

Budget Performance

September 2013

	Sep 13	Jan - Sep 13	YTD Budget	% of Budget
Judicial				
510000 · Personal Services	178.23	1,769.30	2,395.00	73.88%
520000 · Purchased / Contracted Services	0.00	269.66	1,960.00	13.76%
530000 · Supplies	0.00	0.00	50.00	0.0%
Total Expense	178.23	2,038.96	4,405.00	46.29%
Legislative				
520000 · Purchased / Contracted Services	0.00	8,675.07	8,950.00	96.93%
530000 · Supplies	0.00	78.35	250.00	31.34%
Total Expense	0.00	8,753.42	9,200.00	95.15%
Executive				
520000 · Purchased / Contracted Services	0.00	1,034.62	2,000.00	51.73%
530000 · Supplies	0.00	0.00	50.00	0.0%
Total Expense	0.00	1,034.62	2,050.00	50.47%
Housing & Development				
510000 · Personal Services	1,703.61	10,449.73	10,805.00	96.71%
520000 · Purchased / Contracted Services	51.53	4,006.10	4,775.00	83.9%
530000 · Supplies	162.76	1,595.81	2,600.00	61.38%
Total Expense	1,917.90	16,051.64	18,180.00	88.29%
Elections				
520000 · Purchased / Contracted Services	297.50	430.25	1,400.00	30.73%
530000 · Supplies	0.00	0.00	100.00	0.0%
Total Expense	297.50	430.25	1,500.00	28.68%
Police				
510000 · Personal Services	20,505.12	208,525.12	286,664.00	72.74%
520000 · Purchased / Contracted Services	689.02	14,251.05	23,920.00	59.58%
530000 · Supplies	1,738.24	17,033.86	26,000.00	65.52%
Total Expense	22,932.38	239,810.03	336,584.00	71.25%

City of Sky Valley
Enterprise Funds
Budget Performance
September 2013

	Sep 13	Jan - Sep 13	YTD Budget	% of Budget
Water				
Income				
33.0000 · USDA - ARC Grant	0.00	19,135.00		
34.4210 · Water charges	28,316.23	254,592.07	336,000.00	75.77%
34.9000 · Other charges for services	0.00	130.00	830.00	15.66%
36.1000 · Interest revenue	133.38	1,141.60	2,400.00	47.57%
Total Income	28,449.61	274,998.67	339,230.00	81.07%

Expense				
51.1000 · Personal Services - Wages	9,971.44	98,315.82	142,567.00	68.96%
52.1000 · Purchased profess & tech svcs	3,440.98	22,525.96	44,680.00	50.42%
53.1000 · Supplies	4,022.69	32,912.87	62,000.00	53.09%
54.0000 · Capital Outlay	0.00	12,153.29	13,428.00	90.51%
58.0000 · Debt Service	10,043.95	87,864.47	126,555.00	69.43%
Total Expense	27,479.06	253,772.41	389,230.00	65.2%

Solid Waste				
Income				
34.4100 · Sanitation	9,228.00	83,040.00	112,000.00	74.14%
Total Income	9,228.00	83,040.00	112,000.00	74.14%

Expense				
51.1000 · Personal Services - Wages	4,521.43	44,940.76	67,765.00	66.32%
52.1000 · Purchased profess & tech svcs	2,485.34	23,946.93	33,535.00	71.41%
53.1000 · Supplies	353.00	5,695.54	10,700.00	53.23%
Total Expense	7,359.77	74,583.23	112,000.00	66.59%

Totals Report For 2012 Taxes September 2013 Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2012 Ad Valorem Tax	834,170.00	827,163.96	300.59+	7,306.63
Interest	1,973.26	1,334.37		638.89
Penalty	3,096.15	2,375.48		720.67
Costs	486.00	156.00		330.00
Totals	839,725.41	831,029.81	300.59+	8,996.19

Collected: 99.12%

Alyssa Mullins
Oct 10, 2013

Housing & Development Departmental Data Report	For month ending September 30, 2013		
	Sep-13	YTD	2012 YTD
New Residential & Commercial permits issued	0	0	1
All other addition, remodel and repair permits	5	86	92
Certificates of Occupancy issued	0	0	0
Total New Construction not yet finalized	1		3
Total Other Construction not yet finalized	12		40
Notices to Comply issued	0	5	4
Stop Work Orders issued	0	2	0
Tree Cutting permits issued	0	36	40
Code & Ordinance Violations cited	0	2	2
Fees Collected			
	Sep-13	YTD	2012 YTD
New Residential or Commercial Permits	\$0	\$0	\$0
Other Addition, Remodel, Repair Permits	\$270	\$4,886	\$6,244
Tree Cutting Permits	\$450	\$2,520	\$1,065
Land Disturbing Permits	\$0	\$200	\$0
Fines Collected for for Ordinance Violations	\$0	\$0	\$10,000

Departmental Report by the City Manager

October, 2013



Announcements -

2013 General Election

Three candidates qualified for the office of Councilmember. There being three Councilmembers whose terms expire in 2013, all three candidates will have deemed to have voted for themselves and will be certified as elected in the same manner as other candidates who are elected. These names will not appear on the November ballot. The qualified candidates for Councilmember are:

Bob Larsen (incumbent)
David Whatley (incumbent)
Martine Greene

There were two candidates who qualified for the office of Mayor. The one candidate receiving the most votes city-wide will be elected as Mayor for a two year term. The qualified candidates for Mayor are:
Hughel Goodgame, Jr.
Maureen Platt

Election Calendar:

Early voting began Monday, October 14th
November 1st - Last day to vote in person early
November 1st - Last day to request an Absentee by Mail
November 6th - General Election

Public Hearing on 2014 City Budget

A millage rate of 14.31 was adopted on October 11, 2013, following a public hearing and special called meeting of the city council. A public hearing will be held to receive comments on the proposed 2014 City Budget on Wednesday, November 6, 2013 at 10 AM in Fellowship Hall. The 2014 budget will be considered for adoption at the Regular Council Meeting on Monday, November 18, 2013.

Georgia Sky to Summit 50km & 8m Race – Saturday November 9, 2013

As of October 14th, there were just 13 slots left for the Sky to Summit races. They have a 150 person combined limit for the 8.5m and 50k. They are also looking for VOLUNTEERS for Saturday, Nov. 9th or Friday, Nov. 8th for packet pickup. Contact Sean@RunBum.com. The 50k will start at 7 AM followed by the 8.5m at 8 AM. Runners will trickle back in between 11:30 AM and 4 PM with most returning sometime between 1 PM and 3 PM.

Public Works -

We will be starting our leaf collection service beginning November 15th. This is the time of year that we allow you to rake your leaves into the ditch and we will come by to collect them. This collection service will end on December 15th. After that time, you will need to bag your leaves for collection. Please call City Hall for all leaf collection.

Please don't forget that any tree with a trunk that is 25" or more in circumference at 18" above the ground requires a permit for cutting, trimming & topping. If you had to obtain a permit to cut, it would not qualify for city chipping service. Contractors are responsible for the removal of all tree cuttings within 14 days.

Homeowner chipping service is done on the 2nd and 4th Tuesday of the month, weather permitting. Please take this schedule into consideration when planning your trimming. The City provides 15 minutes of chipping service to every homeowner each month at no cost. Chipping service is then provided at a rate of \$100/hour for any time exceeding the first 15 minutes. Cuttings must be less than 8" in diameter and must be stacked in one direction on the right-of-way, out of the road and not in an area that will block culverts or otherwise impede storm water drainage. We cannot chip small yard debris, vines, thorn bushes, small shrubbery clippings, railroad ties, landscape timbers, or similar type items. The chipping service is designed for limbs and small trees only. All other yard waste must be bagged.

Mulch from our chipping service is available for purchase from the City for \$25 per load delivered.

Water -

The City of Sky Valley currently utilizes a groundwater withdrawal permit which permits us to withdraw a limit of 300,000 gallons of water per day from our wells. Currently, we have the capability to pump approximately 264,000 gallons of water per day with our existing wells and our average daily withdrawal ranges from approximately 60,000 – 80,000 gallons per day. The City also maintains a surface water withdrawal permit from Mud Creek Impoundment which has never been used. This permit would allow a maximum withdrawal of 400,000 gallons per day with a maximum monthly average of 250,000 gallons per day and would require the construction of a water treatment plant. There are no current plans for any such facility.

Solid Waste -

Garbage service will continue with our Monday and Thursday pick-up service until further notice. Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Animals scatter garbage even when put in the underground cans. Our garbage collectors are not responsible for picking up any garbage that is not properly bagged once they arrive. The dumpster at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items. NO garbage other than regular household garbage should be put out by the road or in the dumpster. **Anyone found dumping lumber, carpeting, paint, etc. in the dumpsters will be cited.** These materials must be hauled to the transfer station on Boggs Mountain Road in Tiger. Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road. The recycle center is open 7 AM – 7 PM Monday – Saturday and 12 PM – 5 PM on Sunday.

With the nation becoming more environmentally conscious, we need to recognize the importance of recycling. By the end of the 3rd quarter last year we had hauled a total of 115.04 tons of garbage to the landfill. This year, we hauled 126.71 tons during the first 3 quarters. This is a 11% increase. It is essential that we encourage ourselves and our neighbors to recycle.



Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content

APPLICATION FOR VARIANCE

City of Sky Valley, Georgia
Planning & Zoning Commission
3444 Highway 246
Sky Valley, GA 30537

A notice shall be placed in a newspaper with general circulation within the territorial boundaries of the local government at least 15 but not more than 45 days prior to the date of the Planning & Zoning Hearing. The notice shall state the time, place, and purpose of the hearing.

A sign containing information required by local ordinance shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the Planning & Zoning public hearing.

Letters by certified mail shall be sent to all adjoining property owners stating all pertinent facts of the variance request using the same time frame as the public notice in the local newspaper.

This variance request application shall be submitted with all required information to the City Clerk by 12:00 PM on Friday to be published in the following week's edition of the Clayton Tribune. The Planning & Zoning Commission will hold a public hearing on the request no earlier than 15 days following the notice in the newspaper. The Planning & Zoning Commission will then make a recommendation to the City Council to approve or deny the request at the next regularly scheduled council meeting. Regular monthly council meetings are held the second Monday of the month at 1:00 PM unless otherwise noticed.

Date: 8-27-13

Property address: 738 Sky High Drive

Subdivision Name & Part: North Woods Area-Part 4 Lot Number: 128

Owner of Property: Douglas G. Palmer

Address: 1130 So. Pennsylvania Ave., Winter Park, FL 32789

Telephone: 407-644-1882

Name of Applicant: Douglas G. Palmer

Address: Same

Telephone: _____

If the Owner and Applicant are not the same, signatures of both Owner and Applicant must appear on the application and be dated.

I hereby request that the property described in this application be given a variance as follows:

Allow construction of a carport addition on side of house. This would infringe on 15' variance by 6.54'

SUMMARY OF VARIANCE REQUEST

Give a summary description of your proposed project in the space provided below. This summary should include purpose, type of construction (per Building Code Regulations), square footage, height, and any other pertinent information deemed necessary.

Construct a 16' x 27' carport on a poured concrete foundation. Carport would be framed, 12' roof height which would tie into existing roof (not any higher) with a consistent 40 year shingle roof. Maximum height above foundation of 12' and 432 sq. ft. total.

SITE PLAN

A current Registered Surveyor's site plan that shows the location of all corner pins (flagged), all easement and set-back lines, road right of way width, location of road (paved or gravel) with the right of way, all existing and or proposed buildings of the plan on which the variance is requested. *(attached)*

FEES

The fee for advertising and administrative costs is \$100.00 due at time of application. *(attached)*

AUTHORIZATION TO INSPECT PREMESIS

I hereby authorize the City of Sky Valley City Council and the Planning & Zoning Commission to inspect the premises which are the subject of this variance request.

Douglas DeBor
Signature of Property Owner

8-27-13
Date

Signature of Applicant (if other than Property Owner)

Date

Douglas & Deborah Palmer

738 Sky High Drive

Sky Valley, GA 30537

October 15, 2013

Mayor and City Council Members

Sky Valley, GA 30537

Re: Request for Variance approved by Planning and Zoning Commission, 10-15-2013

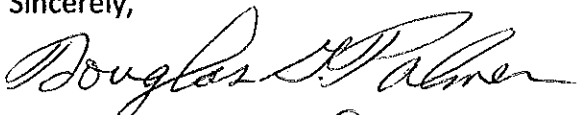

Gentlemen:

We apologize for not being able to be in attendance at the City of Sky Valley Council meeting Monday, October 21, 2013, when you consider our request for a zoning variance at our Sky Valley house. We need to return to Florida by this weekend for other commitments.

We are planning on adding a carport along the side of our house which will give us coverage for our car and also cover for the entrance to the house, which is uncovered at this time. The builders have told us that we need the additional width to allow for car doors to open unobstructed and have sufficient entrance area into the house.

Thank you for your time and consideration of this application.

Sincerely,

Douglas & Deborah Palmer

APPLICATION FOR VARIANCE

City of Sky Valley, Georgia
Planning & Zoning Commission
3444 Highway 246
Sky Valley, GA 30537

A notice shall be placed in a newspaper with general circulation within the territorial boundaries of the local government at least 15 but not more than 45 days prior to the date of the Planning & Zoning Hearing. The notice shall state the time, place, and purpose of the hearing.

A sign containing information required by local ordinance shall be placed in a conspicuous location on the property not less than 15 days prior to the date of the Planning & Zoning public hearing.

Letters by certified mail shall be sent to all adjoining property owners stating all pertinent facts of the variance request using the same time frame as the public notice in the local newspaper.

This variance request application shall be submitted with all required information to the City Clerk by 12:00 PM on Friday to be published in the following week's edition of the Clayton Tribune. The Planning & Zoning Commission will hold a public hearing on the request no earlier than 15 days following the notice in the newspaper. The Planning & Zoning Commission will then make a recommendation to the City Council to approve or deny the request at the next regularly scheduled council meeting. Regular monthly council meetings are held the second Monday of the month at 1:00 PM unless otherwise noticed.

Date: 8/16/13

Property address: 222 Red Wolf Trail, Sky Valley, GA 30567

Subdivision Name & Part: Bee Gum Gap Sec. 1 Lot Number: 24

Owner of Property: Howard & Cheryl Beckert

Address: 222 Red Wolf Trail, Sky Valley, Ga. 30567

Telephone: 863 207 1033

Name of Applicant: John Sabin

Address: 3919 Thornridge Way, Atlanta, GA 30340

Telephone: 404 694 8767

If the Owner and Applicant are not the same, signatures of both Owner and Applicant must appear on the application and be dated.

I hereby request that the property described in this application be given a variance as follows:

1. Extend deck left rear of house 5' over setback
2. Extend Front porch 5' from setback
3. Build garage in Right Front corner 11' over set back at garage corner

SUMMARY OF VARIANCE REQUEST

Give a summary description of your proposed project in the space provided below. This summary should include purpose, type of construction (per Building Code Regulations), square footage, height, and any other pertinent information deemed necessary.

Deck and porch extensions to be pressure treated pine with details to match existing

Garage to be framed with wood studs 9 ft sidewalls, gable roof to match house on concrete slab with poured foundation walls.

SITE PLAN

A current Registered Surveyor's site plan that shows the location of all corner pins (flagged), all easement and set-back lines, road right of way width, location of road (paved or gravel) with the right of way, all existing and or proposed buildings of the plan on which the variance is requested.

FEES

The fee for advertising and administrative costs is \$100.00 due at time of application.

AUTHORIZATION TO INSPECT PREMISES

I hereby authorize the City of Sky Valley City Council and the Planning & Zoning Commission to inspect the premises which are the subject of this variance request.

Dwain BL

Signature of Property Owner

8/16/13

Date

John Sakin

Signature of Applicant (if other than Property Owner)

8/16/13

Date

CITY OF SISKIYOU COUNTY
RIGHT OF WAY ENCROACHMENT PERMIT

No. _____

PROJECT NAME: Beckert Garage Howard and Cheryl Beckert
 PROJECT ADDRESS: 222 Red Wolf Trail OCCUPANT: BEE GUM GAP LOT 24
 PROJECT TYPE: LANDSCAPING DISTRICT: SEC. 1 OTHER
 CITY PROJECT ID: 1- PRE-CONSTRUCTION PERMITS: Sept 2013
 APPLICANT: John Sabia PHONE: 404 694 8761
 MAILING ADDRESS: 3919 Thornridge Way STATE: 30340
 PHONE: 404 694 8764 EMERGENCY PHONE NUMBER:
 BUSINESS CONTACT NAME: PROJECT CONTACT PERSON:
 BUSINESS CONTACT PHONE: BUSINESS NUMBER:
 BUSINESS CONTACT FAX: FAX NUMBER:

APPLICATION IS FOR BY WHAT USE:

- HIGHWAY AND ROAD REPAIR OR IMPROVEMENT
- LANDSCAPING
- DRIVEWAY
- OTHER garage, deck, porch

GENERAL REQUIREMENTS:

Neighbors, flowers or trees are permitted to be planted within 5 feet from the edge of the right of way.
 Neighbors, flowers or trees are permitted to be planted on the right of way if they do not block the view.
 Any encroachment into the city's right-of-way requires approval of an encroachment permit.
 Trees will not be permitted to be planted on the city's right-of-way.
 Encroachment, Retaining Walls, Columns, etc. will require additional approval.
 Any improvements requested herein will be permitted on a temporary basis and use of the right-of-way by the applicant shall terminate to the City of Siskiyou when it is determined by the City that the right-of-way is needed for a public purpose.
 The City of Siskiyou will have no responsibility or obligation to pay for any flowers, shrubs or plants if requested and the responsibility to pay for the right-of-way encroachment.

APPLICANT SIGNATURE: John Sabia DATE: 8/10/2013

PERMIT NUMBER: _____
 APPLICATION FEE: _____ RECEIVED BY: _____ APPLICATION NUMBER: _____
 APPLICATION: APPROVED APPROVED WITH CONDITIONS DENIED
 COMMENTS: _____
 CITY CLERK: _____ APPROVED BY: _____
 CITY MANAGER: _____ RECEIVED BY: _____

Linda Lapeyrouse (Smith)

Subject: FW: Sky Valley water

From: "Albert M. Wilkinson Jr." <amims@windstream.net>

Date: October 6, 2013 at 1:46:25 PM EDT

To: "Martindalewbi" <martindalewbi@aol.com>, "Neil & Hays Howard" <neil.hays4499@yahoo.com>, "Maureen Platt" <guary@windstream.net>, <davidwhatley@windstream.net>, "Liz Carr" <lizcarr454@hotmail.com>, "Robert Larsen" <rlarsen43@mac.com>, <hughel@bellsouth.net>, <pjgreene@windstream.net>, "Samuel LaMonte MD" <samlamonte@gmail.com>

Subject: Sky Valley water

Sunday, October 6, 2013.

Regarding the water necessary for the city water system and the golf course we do not have a problem now because of the unusual amount of rain during the Summer. However, it was a serious problem during the droughts of past years when the underground water table reached a low level and mud creek slowed to a trickle. If a sewer system is eventually created, the first requirement will be a reliable and adequate supply of water, probably much more than is now available.

The main supply of surface water into Sky Valley is Mud creek and some other small creeks flowing into it. In the area bordering Sky Valley Way from the culvert near the Chapel drive on passed the mail boxes to the city (and State) boundary line heavy growth of brush and trees line the creek banks, especially alders across from the mail boxes. These trees and brush withdraw a great quantity of water from Mud creek. In addition, the small pond behind the dam has been infested with grass which is fast taking over the pond and will soon make it a swamp with the water grass taking up more and more water. The County Agricultural Agent and Health Department can tell what to do to kill the grass. Unemployed men who can use chain saws can cut the unwanted heavy growth, if the present city workforce do not have time to do so.

Eliminating the brush, alders and other unwanted growth will raise the water flow of Mud creek into the lake and also improve the level of the underground water table for the present and the future. Re-growth of the cut vegetation can be eliminated by using environmentally safe herbicide spray to kill the roots when the stumps sprout. Mims Wilkinson

**CONTRACT FOR THE COLLECTION OF DELINQUENT PROPERTY TAXES
FOR
CITY OF SKY VALLEY, GA**

State of GEORGIA
County of Rabun

THIS AGREEMENT, stated by and between:

CITY OF SKY VALLEY, GEORGIA

Hereinafter referred to as "City", and

**APPALACHIAN MOUNTAIN SERVICES, INC.
1805 Herrington Road, Building 1, Suite B
Lawrenceville, Georgia 30043**

Hereinafter referred to as "Appalachian". This agreement shall be known as the "TAX COLLECTIONS AGREEMENT".

WHEREAS, the City is engaged in the billing and the collection of city real property and personal property ad valorem taxes, and is desirous of obtaining the services of Appalachian in an effort to quickly and efficiently collect its delinquent taxes without any additional cost to those citizens of the City of Sky Valley, Georgia, who have timely submitted and paid their respective City tax liabilities, and;

WHEREAS, Appalachian has submitted its proposal to assist the City with the collection of its valid and outstanding tax delinquencies with a program of payment of its fees from the additional statutory charges, which can be levied against the delinquent tax payer and his respective property without the City incurring costs for the services performed by Appalachian, and;

WHEREAS, the use of the services provided by Appalachian will result in a concentrated effort to collect the delinquent taxes without the necessity of adding additional staff to the City payroll or additional equipment cost and should improve the City's tax collection ratio.

NOW, THEREFORE, in consideration of mutual benefits flowing between the parties to this agreement, it is hereby agreed between the parties as follows:

1. Obligations of the City

The City agrees to assist Appalachian in its task of fairly, quickly and efficiently collecting and returning the outstanding tax obligations owed to the City. To accomplish this goal, the City agrees to the stipulations set out in this section. The City will supply Appalachian with a list of all those parcels that it wishes to be collected upon. It is

understood that Appalachian will act in reliance on the accuracy of the information provided by the City and Appalachian is instructed to accept said list as a true and correct representation of the status of the respective accounts as shown on the tax records of the City. Appalachian will accept the list as presented and immediately begin the Pre-Levy portion of the collection process. The City agrees to provide information relating to the following:

- A. Correct name and address (when possible) of the property owner.
- B. The correct Map and Parcel number of the land tract.
- C. A copy of the respective tax execution (fifas) for each year intended for collection.
- D. At the time that a parcel is turned over to Appalachian for collection, the City must flag that respective parcel in its computer system to insure that the applicable penalties, interest charges and collection fees are collected.
- E. With the exception of any legally privileged information submitted by taxpayers of the City, the City will provide Appalachian with complete access to its tax and real estate records, to include mapping and prior appeals records.
- F. In the event Appalachian receives a request from the taxpayer to send him copies of relevant tax records, such as executions or assessment records, the City agrees to provide such documentation to the taxpayer without charge to Appalachian.
- G. The City will promptly notify Appalachian when it receives any notice of filing of a debtor's petition in bankruptcy, which affects the collection of a particular account or accounts. Upon receipt of this information, Appalachian will immediately cease any further collection effort on this account until notified by the City's Attorney or the City Clerk's office of the dismissal of the bankruptcy or a relief from the stay. As part of the proof of claim filed by the City in the bankruptcy case, the City will include the applicable collection or title examination fee as allowed by the court and upon recovery of the same, Appalachian will be entitled to receive its normal fee from the collection. Appalachian will fully cooperate with the City in its attempt to prosecute its rights in Bankruptcy Court.
- H. When and if necessary, other City departments will cooperate with these City officials to insure accurate and up to date information is provided.

2. Legal Representation

The City Attorney will represent the City in all legal challenges of actions involving the collection of the accounts. In the event, a lawsuit is filed seeking to prevent the collection of any account or to otherwise halt or restrain the collection of said account, Appalachian will immediately turn over to the City Attorney's office, a copy of its full file, detailing its collection efforts to date and Appalachian agrees to assist the City Attorney in the defense of the suit.

3. Obligations of Appalachian

Appalachian will accept the list given to it by the City and will immediately commence to use its best effort in the Pre-Levy collection process, in accordance with approved collection procedures of the Fair Debt Collection Practices Act and all other applicable state and federal laws.

In Pre-Levy, Appalachian shall perform the following tasks as required to give notice of the tax delinquency to the taxpayer and attempt to collect on the account without the necessity of levy and sale of property. Appalachian will begin the process of verification and skip tracing as needed. A minimum of one (1) specific collection letter will be sent to the taxpayer.

In the event the tax account is not paid to the City during the Pre-Levy process, Appalachian agrees, upon receipt of instruction from the City, to commence its Levy collection process, which may result in a levy on the property and possible sale of the same to satisfy the tax liability.

In Levy, Appalachian shall when necessary:

- A. Run a computerized search of the bankruptcy records under the name of the taxpayer.
- B. Run an examination of the real estate records of the City to determine the present ownership of the property in question and all parties entitled to receive notice of tax sale on the property.
- C. Prepare a levy notice to the defendant in fifa and the current record holder and all current mortgage and other interest holders
- D. Conduct a diligent search of all general execution dockets and federal and state tax records.
- E. Prepare a description of the property to submit to the newspaper for legal advertisement.

In the event the City elects to proceed with the levy and sale of a parcel, Appalachian will supply the necessary levy information to the person authorized to conduct the tax sale to begin the levy and sale process.

Appalachian shall indemnify and hold forever harmless the City, its elected officials, officers, employees, agents, affiliates, successors and assigns, from and against any and all claims, demands, suits, actions, proceedings or damages (including, but not limited to, attorney fees, costs and expenses) arising from the negligent, reckless or wanton acts or omissions of Appalachian, its employees, agents and/or representatives.

4. Payment of Services Rendered

It is the intent of Appalachian that its collection services not be an expense chargeable to the City's taxpayers who pay their taxes in a timely manner and that services as rendered by Appalachian are paid by its collection efforts. All of Appalachian's fees will be paid from the added administrative and collection fee portion of the tax bill, in accordance with and as permitted by State law. At no time will any fees be assessed above the maximum allowed by law.

At the end of each month the City will notify Appalachian of the total amount of Appalachian's fees collected during the month. Appalachian will send an invoice for that amount to the City for payment. Terms of payment are net thirty (30) days from the invoice date.

The following is an outline of the payment schedule allowed to Appalachian:

A. Database Preparation: If a suitable Microsoft Excel database cannot be provided in a timely manner by the City's software provider Appalachian will be paid \$300.00 to create the needed database.

B. Collection Cost. For all accounts turned over to Appalachian during the Pre-Sale process, AMS will be paid \$65.00 for any parcel that has delinquent taxes greater than \$10.00.

C. Limited Title Search: For all accounts turned over to Appalachian during the Sale process, Appalachian will be paid \$175.00 for title research and Certified Mail in addition to the Collection Cost in 4(A) for all parcels. Additional cost also added are copy charges at \$0.50 per page, a posting fee of \$25.00, and tax deed preparation of \$50.00.

D. Additional Title Search Cost: In the event that a parcel requires an additional sale title search and Certified Mail cost will be added for each sale.

5. Payments Made By Taxpayers

It is intended that all payments made by the taxpayers or other interested parties on these accounts shall be made directly to the City and not to Appalachian. **Under no circumstance will Appalachian accept or receive any tax payment from a taxpayer.**

6. Cost incurred by the City

The City is responsible for recovering costs incurred for Legal Advertisement, Sheriff Services, Recording Fees, Copying Charges and Deed Preparation. The City may recover these fees from the Tax Payer under Georgia law.

7. Entire Agreement

This contract constitutes the sole and only agreement between the parties hereto; this contract correctly sets forth the obligations of all parties involved as of the date of this contract. Any supplementation or modification of this agreement must be in writing and signed by both parties.

Either party may terminate this contract without cause with thirty (30) days written notice. All levies assigned at the time of notice of termination without cause, shall be allowed to proceed through only the step they are in at the time of notice.

8. Term

This Tax Collections Agreement shall begin on the 1st day of November, 2013, and continue for one year. This agreement will renew unless otherwise terminated, as hereinafter provided. This agreement will renew with the written agreement of the City and Appalachian.

9. Miscellaneous

Time is of the essence of this agreement. The section headings of this agreement are for convenience sake only and shall not limit or otherwise affect any of the terms hereof. The laws of the State of Georgia shall govern this agreement. As used herein, the singular number shall include the plural, the plural the singular, and the use of the masculine, feminine, or neuter gender shall include all genders, as the context may require, and the term "person" shall include an individual, a corporation, an association, a partnership, a trust, an organization and a governing body. Invalidation of any one or more of the provision hereof shall not affect the validity of the remainder of this agreement, which shall remain in full force and effect.

So agreed and Executed in Duplicate Original on October __, 2013.

City of Sky Valley, Georgia

By: _____
Mayor

Attest: _____
City Clerk

(City Seal)

Appalachian Mountain Services, Inc.

By: 
Richard W. J. Baxter, CEO

(Corporate Seal)

Ordinance No. 13-_____

AN ORDINANCE TO REPEAL ORDINANCE 11-01 AND TO REPLACE IT WITH AN ORDINANCE TO ESTABLISH RULES OF PROCEDURE, PUBLIC ACCESS, AND ORDER OF BUSINESS FOR ALL MEETINGS

WHEREAS, Section 2.22 of the Charter of the City of Sky Valley provides for the adoption of rules of procedure and order of business; and,

WHEREAS, well-organized meetings allow a City Council to reach decisions in a fair and consistent manner; and,

WHEREAS, efficiency is served when the process of planning for and conducting public meetings is clearly stated and understood by public officials and citizens; and,

WHEREAS, public participation and access to the governmental decision-making process is a key element of our democratic system; and,

NOW, THEREFORE, The City of Sky Valley hereby ordains that all meetings of the City Council of the City of Sky Valley shall be conducted in accordance with the provisions of these rules of procedure and organization ordinance.

Section 1. Open Meetings. Notwithstanding any provisions to the contrary, the requirements set forth in this ordinance are in addition to the provisions of § 50-14-1 et seq. of the Official Code of Georgia Annotated and all meetings of the City Council shall be held in accordance with the requirements of the Open Meetings Act as it existed or as amended.

Section 2. Executive Sessions. Executive sessions of the Mayor and City Council may be held as provided by law.

(a) Non-Exempt Topics. If a Councilor attempts to discuss a non-exempt topic during an executive session, the presiding officer shall immediately rule that Councilor out of order and such discussion shall cease. If the Councilor persists in discussing the non-exempt topic, the chairperson shall adjourn the meeting immediately.

(b) Procedure For Entering Into Executive Sessions. No executive session shall be held except pursuant to a majority affirmative vote of the City Council taken in a public meeting. The minutes of the public meeting shall reflect the names of the Councilors present, those voting for the executive session, and the specific

reasons for the executive session. All votes taken on items discussed in executive session shall be taken in an open meeting.

(c) Executive Session Minutes. The Mayor or designee of the Mayor will provide an outline of the subject matter of the executive session. This outline shall be maintained in a confidential file and shall not be subject to disclosure except as otherwise provided by law.

(d) Executive Session Affidavit. The Mayor or other presiding officer and all Councilors present shall execute an affidavit stating, under oath, that the executive session was devoted to topics exempt from the public access requirements. The affidavit shall include the specific exemption to the open meetings law. The affidavit shall be filed with the minutes of the open meeting.

Section 3. Visual and Sound Recordings. Visual, sound, and visual and sound recordings shall be permitted for all public hearings.

Section 4. Quorum. A quorum must be present for conducting meetings of the Council. A quorum is any four members of the City Council. It is the duty of the Mayor to enforce this rule. Any Councilor may raise a point of order directed to the Mayor if he or she believes that a quorum is not present. If, during the course of a meeting, a Councilor or Councilors leave and a quorum no longer exists, the meeting may not continue. If a quorum is not attained within thirty minutes, the meeting may be rescheduled by the Mayor with the approval of the Councilors present.

Section 5. Mayor. The Mayor of the City Council, as presiding officer, is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the Mayor shall enforce the rules of procedure that are adopted by the City Council. The Mayor shall be impartial and conduct the meetings in a fair manner. The Mayor is a part of the legislative body and is authorized to vote on all issues before the council.

Section 6. Council President. The Council shall select a Council President from the Council members at the beginning of each calendar year. The Council President shall fulfill the duties of the Mayor if the Mayor is not in attendance.

Section 7. Presiding Officer. If the Mayor and the Council President are absent or otherwise unable to serve as presiding officer at a meeting and a quorum of Councilors is present, the remaining Councilors shall select a Councilor to serve as presiding officer of the meeting until either the Mayor or Council President is present at the meeting.

Section 8. Parliamentarian. The city attorney shall serve as the parliamentarian for City Council meetings.

Section 9. Order of Motions; Rules of Order.

(a) When a question, motion or resolution is before the Council, the following chart of precedence of motions and summary of rules governing them:

(b) Except as herein provided, the proceedings of the Council shall be governed by

Robert's Rules of Order Revised.

Section 10. Suspending the Rules of Order. Rules of order may be suspended in the case of an emergency. A motion to suspend the rules requires a second, is debatable, and requires a two-thirds vote of the Council. Rules governing quorums (Section 4), voting methods and requirements (Section 17 and Section 18), the notification to Councilors of meetings (Section 12(a) and (b)) and rules necessary for compliance with state law may not be suspended; provided, however, that, in the event that a state of emergency is declared by the Governor or other authorized state official, the Council may waive time-consuming procedures and formalities imposed by state law.

Section 11. Regular Meetings. Regular meetings of the City Council shall be set at the first meeting of each year. All regular meetings shall be held at City Hall or a location otherwise designated by the City Council. A notice containing the foregoing information shall be posted and maintained in a conspicuous place available to the general public at City Hall.

Section 12. Meetings Other Than Regular Meetings. The Council may meet at times and locations other than those regularly scheduled meetings.

(a) Special Meetings and Rescheduled Regular Meetings. A regular meeting may be canceled, rescheduled or moved to a new location within the city by the Mayor for any reason. Other special meetings may be scheduled by the Mayor or at the request of at least three Councilors. Whenever a rescheduled regular meeting or any other special meeting is to be held at a time or place other than the regularly scheduled time or place, written notice of the change shall be posted for at least 48 hours, when possible, at City Hall. In addition, written or oral notice shall be given by the Clerk at least 48 hours, when possible, in advance of the meeting to either the legal organ of the city or a newspaper having general circulation at least equal to that of the legal organ, as well as to each member of the city governing authority.

(b) Meetings With Less Than 24 Hours Notice. When emergency circumstances occur, the Council may hold a meeting with less than 24 hours notice to the public. When such meetings are to be held, the Clerk shall provide notice to the legal organ of the city or a newspaper with a general circulation at least equal to that of the legal organ and to each member of the city governing authority as soon as possible. The notice shall include the subjects expected to be considered at the meeting. In addition, the minutes shall reflect the reason for the emergency meeting and the nature of the notice given to the media.

(c) Meetings During a State of Emergency. When it is imprudent, inexpedient or impossible to hold Council meetings at the regular meeting place due to emergency or disaster resulting from manmade or natural causes, as declared by the Governor or other authorized state official, the Council may meet anywhere within or outside of the city. Such a meeting may be called by the Mayor or by any three Councilors. At the meeting, the Councilors shall establish and designate emergency temporary meeting locations where public business may be transacted during the emergency. Any action taken in such meetings shall have the same effect as if performed at the regular meeting site.

Section 13. Order of Business. All regular Council meetings shall substantially follow an established order of business. The order shall be as follows:

- Call to Order
- Invocation/Pledge of Allegiance
- Approval of Minutes
- Approval of Agenda
- Mayor's Remarks
- Council Remarks
- Invited guests
- Department Reports
- Committee Reports
- Old Business
- New Business
- Tabled Items
- Public Form and General Comments
- Adjournment

Section 14. Agenda. The City Clerk, with the advice of the City Manager, Mayor, and Councilors, shall prepare an agenda of subjects to be acted on for each meeting. Agenda items shall be submitted to the City Clerk two weeks prior to the regular Council meeting. The agenda for regular council meetings shall be made available one week prior to the regular Council meeting, and at least one business day before any other scheduled Council meeting

(a) Requests For Agenda Items. Members of the public may request that a particular subject be placed on the agenda for a meeting. To be considered, this request shall be submitted in writing to the City Clerk and received at least two weeks prior to a regular Council meeting.

(b) Changing The Agenda. The order or addition of any new items to the agenda may be done prior to the adoption of the agenda by a majority vote of the Council. A change in order or additions of any new items may be added to the agenda *during a meeting* by a two-thirds vote of the Council.

(c) Agenda Must Be Made Public. The agenda of all matters to come before the Council shall be made available to the public upon request and shall be posted at City Hall as far in advance as reasonably possible, but not more than two weeks prior to the meeting.

Section 15. Decorum. All Councilors shall conduct themselves in a professional and respectful manner. All remarks shall be directed to the Mayor and not to individual Councilors, staff, or citizens in attendance. Personal remarks are inappropriate and may be ruled out of order. A Councilor may not speak at a meeting until he or she has been recognized by the Mayor. All

comments made by a Councilor shall address the motion that is being discussed. The Mayor shall enforce these rules of decorum. If a Councilor believes that a rule has been broken, he or she may raise a point of order. A second is not required. The Mayor may rule on the question or may allow the Council to debate the issue and decide by majority vote.

Section 16. Voting. Passage of a motion shall require the affirmative vote of a majority of Councilors present and voting at a meeting at which a quorum is present. Unless otherwise specified in these procedures, a majority shall exclude abstentions. When a two-thirds majority is specified, a majority vote shall mean at least two-thirds of the Councilors present excluding abstentions.

Section 17. Silence is Consent. Those Council members who do not vote agree to go along with the decision of the majority by their silence.

Section 18. Abstentions. A Councilor shall vote on all motions unless he or she has a conflict of interest preventing him or her from making a decision in a fair and legal manner. If a conflict of interest does exist, the Councilor shall explain for the record his or her decision to abstain on any vote.

Section 19. Public Participation. Public participation in meetings of the City Council shall be permitted in accordance with the provisions of this section.

(a) Public Comments. All members of the public wishing to address the Council during the period of the meeting designated as "Public Forum and General Comments," or at such other time as a majority of the Council shall allow, or at public hearings on local laws, zoning law and the city budget, or any other time required by state law or City Charter. Speaker must stand, if possible. Speakers are requested to give their name, address and organization, if any. Speakers must be recognized by the presiding officer. Speakers are requested to limit their remarks to five minutes and will be advised by the City Clerk when five minutes have expired. Speakers are requested to conclude their remarks at that time. The "Public Forum/General Comments" period is intended to afford citizens an opportunity to express opinions and to bring important matters to the attention of the Common Council. Although they may, nothing herein shall require the Mayor or the Council to answer questions or engage in debate at any Council meeting. All remarks shall be addressed to the Council as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may address the Council by written communications. Written communications shall be delivered to the City Clerk to be distributed to the Mayor and Council.

(b) Public Participation on Agenda Items. The presiding officer shall allow public comment on an agenda item at the time the item is being considered by the Council. These comments shall be limited to the subject that is being debated. Members of the public may speak for five minutes and may speak only once. These limits may be waived by a majority vote of the Council. Anyone wishing to speak at any Council meeting must be recognized by the Mayor before addressing the Council.

(c) Decorum. Members of the public shall not make inappropriate or offensive comments at a Council meeting and are expected to comply with the rules of decorum that are established for Councilors. Individuals violating any rules of the Council may be ruled out of order by the Mayor or on a point of order made by a Councilor. A majority vote of the Council shall rule on the point out of order. An individual violating the rules of decorum may be removed from the meeting at the direction of the Mayor.

(d) Sergeant at Arms. The Chief of Police, or such member of the Department of Police as the Mayor may designate, shall be Sergeant at Arms at the Council meetings. The Sergeant at Arms shall carry out all orders given by the Mayor for the purpose of maintaining order and decorum at the meetings. On the instruction of the Mayor, the Sergeant at Arms shall remove from the meeting any person who disturbs the proceedings of the Council.

(e) Public Hearings. The Council may schedule public hearings for the purpose of soliciting public comment on any subject of interest to the Council. Hearings may be held immediately prior to, during or following a meeting of the Council or at such other places and times as the Council may determine. Hearings require at least 10 minutes per side. No official action shall be taken at any such public hearing. Hearings on zoning decisions shall be governed in accordance with the zoning policies and procedures.

Section 20. Meeting Summary. A summary list of the subjects acted upon in a meeting and the names of the Councilors present at a meeting shall be written and made available to the public for inspection within two business days of the adjournment of the meeting.

Section 21. Minutes. The City Clerk shall promptly record the minutes for each Council meeting. The minutes shall specify the names of Councilors present at the meeting, a description of each motion or other proposal made at the meeting, the name of the Councilor who proposed each motion, the name of the Councilor who seconded each motion, and a record of all votes. In the case of a roll call vote, the name of each Councilor voting for or against a proposal shall be recorded. It shall be presumed that a Councilor has voted in the affirmative unless the minutes show otherwise. More detailed information may be included in the minutes at the request of the Council.

The official record of the Sky Valley City Council meetings consists of the written meeting minutes approved by a majority vote of the Council. At such time, all other copies of the minutes, including electronic media, will be destroyed. The minutes shall be open for public inspection once approved as official by the Council. A copy of the minutes from the previous meeting shall be distributed to the Councilors at least one business day before the following meeting. The minutes of the previous meeting shall be corrected, if necessary, and approved by the Council at the beginning of each meeting. Conflicts regarding the content of the minutes shall be decided by a majority vote. Upon being approved, the minutes shall be signed by the Mayor and attested to by the City Clerk.

Section 22. Committees. The Mayor, with the concurrence of the Council, may create committees of members of the Council to study any issue before the Council. Any such committees may make recommendations to the City Council but no committee shall be empowered to make any final decision on any matter before it for consideration. In addition to Council members, committees may include other city officials, staff or citizens at large. Whenever a committee is created, its duties, any limitation on the scope of its duties, and the times, places, and periods of time for which the committee may operate shall be determined by the Mayor with the concurrence of the Council. The Mayor shall serve as an ex officio member of all committees. Committee meetings shall be open to the public and shall comply with the requirements of this meeting organization ordinance and state law.

Section 23. All ordinances or portion of ordinances in conflict with the provisions hereof are hereby repealed.

Section 24. This ordinance will become effective upon adoption by City Council and approval by the Mayor as provided by the Charter of the City of Sky Valley.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this _____ day of _____, 2013.

Approved:

James S. Martindale, Mayor

Neil Howard, Council President

Liz Carr, Councilor

Attest:

Bob Larsen, Councilor

Mandi Cantrell, City Clerk

Maureen Platt, Councilor

David Whatley, Councilor

Read and introduced on the _____ day of _____, 2013.

Adopted on the _____ day of _____, 2013.

ORDINANCE NO. _____

**AN ORDINANCE TO REPEAL SKY VALLEY ORDINANCE 12-01
AND TO ESTABLISH AN ORDINANCE FOR
PROTECTION OF TREES WITHIN THE CITY LIMITS OF SKY VALLEY**

Whereas, the City of Sky Valley recognizes that from time to time property owners want or need to remove trees; and,

Whereas, the City of Sky Valley finds that because of environmental and aesthetic concern it is in the public interest of the citizens of Sky Valley to protect trees by imposing certain restrictions on cutting, removing, trimming, and topping trees.

The Council of the City of Sky Valley hereby ordains:

I. Sky Valley Ordinance No. 12-01 and any other ordinance regulating the cutting, topping, trimming, or removal of trees is hereby repealed and a new ordinance is enacted to read as follows:

Section 1. Definitions.

a. The following definitions are applicable to this ordinance:

- (1) Tree – Any tree exceeding eight (8) inches in diameter (25 inches or less in circumference) at a point eighteen (18) inches above the ground.
- (2) Top/Topping – Reducing the height of any tree.
- (3) Trim/Trimming – Removing limbs without reducing the height of any tree.
- (4) Footprint – Includes the area covered by any approved building or structure plus 15 feet from the edges of the approved building or structure. (The additional 15 feet applies only to approved buildings or structures.) The footprint for the purposes of this ordinance also includes the specific area approved for the installation of a driveway, parking area, septic tank and drain field.
- (5) Drain Field and Septic Tank – Septic system and drain field to be used must be identified and approved by the Building Inspector prior to permitting.
- (6) Specimen Tree – A tree defined as historical or endangered.
- (7) Tree Cutting Permit – A permit issued pursuant to the terms of this ordinance.

Section 2. Tree Trimming.

Any landowner desiring to trim a tree on his own property that does not reduce the height of the tree does not require a permit.

Section 3. Criteria for Evaluating Applications for Tree Cutting Permit.

In evaluating applications for a tree cutting permit the city marshal, city manager, and city council may consider, but not be limited to, the following criteria:

1. The number of trees to be cut or topped.
2. The value of the trees to be cut or topped.
3. The condition of the trees to be cut or topped, with consideration given to dead, diseased, hazardous or damaged trees.
4. The environmental impact of cutting or topping on the applicant's land and on adjacent lands. The impact on streams, soil, erosion, and surrounding vegetation is a part of the environmental impact.
5. Aesthetics for the surrounding property.
6. The applicant's desires.
7. Any landscape plan if submitted.
8. Public safety considerations.
9. Other federal, state, or local ordinances or regulations.
10. Determination if a tree is a specimen tree.

Section 4. Procedure for Issuance of a Tree Cutting Permit.

- a. Any landowner in the City of Sky Valley wanting to cut, top, or remove a tree, or trees, must first complete an application for a tree cutting permit on forms designated by the City of Sky Valley and file said application with the office of the City Clerk.

1. The application should:

- (a) Identify by location on a plat or sketch each tree to be cut, topped, or removed. In order to identify tree by location the applicant must, prior to submitting the application, either mark each tree by placing a colored ribbon around the circumference of the tree at approximately 3 to 4 feet off the ground or arrange to meet with the City Marshal and the Contractor (unless waived by the City Marshal) to go over the proposed application. The applicant must designate on the plat or sketch whether each tree is to be cut or topped and show where each tree is in correlation to the property line.
- (b) Describe the purpose for cutting, topping, or removing the tree, or trees.
- (c) Be accompanied where required with the application fee.
- (d) Identify the person/business entity who will cut, top, and remove the tree including their Insurance information. Tree Cutters hired to perform work within the city must be insured with liability and workers' compensation insurance unless the homeowner signs an affidavit of responsibility for any damages.
- (e) Define the time for cutting, topping, and removal of trees or debris.
- (f) Be signed by the Applicant, Property Owner and the Contractor.

2. Cutting, topping or removing trees on another person's land will require a signed written permission from that landowner to be sent to City Hall before a permit will be issued.

3. The applicant must certify familiarity with the terms of this ordinance and the applicant must certify the person or business entity actually cutting, trimming, topping, and removing tree is familiar with the ordinance.

- (a) The City Marshal shall within ten (10) working days of the filing of the application (unless a longer time is agreed by the applicant) visit the property, confirm that the application is complete and consider Section 2 of the ordinance and make a written recommendation to the city manager that a permit be issued or denied.
- (b) The city manager shall within five (5) business days of receipt of the recommendation of the City Marshal approve, disapprove, or approve in part the recommendation of the City Marshal. If the city manager approves in part or disapproves the recommendation of the City Marshal, written explanation outlining the reasons for approval in part or disapproval must be given.

Section 5. Appeal.

(a) Any applicant dissatisfied with the recommendation of the city marshal/building inspector or the decision of the city manager may appeal such recommendation or decision to the city council if the City of Sky Valley provided such appeal shall be in writing and filed with the city clerk within 10 business days of receipt of the decision of the city manager.

(b) If an appeal as provided in the section filed with the city clerk 7 days prior to the next regularly scheduled meeting of the city of Sky Valley, such appeal shall be placed on the agenda for consideration of the appeal at that meeting. If the appeal is filed 6 days or less prior to the next regularly scheduled meeting of the City of Sky Valley the appeal will be placed on the next following agenda or it may be placed on an agenda for a called meeting.

(c) The city council in considering an appeal will hear from the applicant, the city marshal, the city manager, and other persons who may wish to provide information to the city council. In making a decision the city council will be governed at all time by the criteria outlined in this ordinance.

Section 6. Prohibition.

In no instance will more than twenty-five percent (25%) of the trees remaining outside of the footprint be cut and removed unless approved by the city council and conditioned upon an approved landscape plan prepared by a landscape architect or landscape designer.

Section 7. New Construction

If the building location is changed from the original footprint submitted to the building inspector after trees have been cut or topped, it will be considered a violation of this ordinance. Violations of this section will require the property owner to replace the number of trees cut per the same criteria required in Section 10(b). In addition, the property owner must also obtain a new permit to cut or top any additional trees.

Section 8. Permit Fees.

All trees that are cut or topped as defined herein shall require a permit issued by the City of Sky Valley. Fees charged by the City for cutting, topping and removing dead, diseased or hazardous trees shall be established from time to time by duly enacted ordinances of the City of Sky Valley or by an appropriate resolution of the City of Sky Valley.

Section 9. Final Inspection.

The Applicant/Licensed Contractor is responsible for making sure that all tree cuttings are removed within 14 days of cutting and for calling the City Marshal for a final

inspection within said 14 day period to avoid penalties. Tree cuttings authorized under this permit are not eligible to be left out for the City's chipping service. Tree cuttings that a homeowner desires to keep as firewood may be approved at the reasonable discretion of the City Marshal if such cuttings are of a typical fire log size and stacked near the home in such as manner as to be practically used for such a purpose.

Section 10. Penalties for Violation.

- a. Except as otherwise provided herein, any violation of this ordinance shall subject the applicant and contractor to a fine not to exceed \$1,000 per violation and \$1,000 for each additional violation. A violation will occur for each tree cut, topped, or trimmed in violation of this ordinance.
- b. Replanting: In addition to the above monetary fine any person, firm, corporation or other entity or agents thereof violating this ordinance will be required to replace each tree cut, topped, or removed in violation of this ordinance with 2 hardwood trees. Each hardwood tree must be:
 - (1) No shorter than 10 feet high measured from the top of the ball to the tip;
 - (2) No less than 2 inches in diameter at a point one foot above the top of the ball;
 - (3) Nursery grown in no less than a 15 gallon container or ball; and
 - (4) The trees to be replanted must be approved by the city marshal or city manager prior to planting.
- c. A failure to remove any trees cut or debris from trees topped or trimmed within 14 days of completion will be considered a violation of this ordinance with a fine up to \$100 per day. The fine shall continue for each day the cut trees or debris remains on the property.
- d. All citations issued and fines imposed herein can be imposed individually or jointly upon the Applicant, Property Owner and the Contractor depending on the situation.
- e. If the City Marshal determines that a proper permit was not obtained or more trees were cut than what was included on the approved permit, the City Manager and Property Owner shall be notified. If both the City Marshal and City Manager agree that if proper procedures would have been followed, the application would have been approved, the Property Owner shall pay a penalty to the City equal to double the normal permit fee (as provided in the current fee schedule) for the total number of trees that were improperly topped, trimmed or cut. The Property Owner shall have ten (10) days from the date of the notice to pay the penalty and avoid a citation.
- f. No consideration will be given to a property owner's claim of dead, diseased or hazardous trees if those trees are cut and removed without a proper permit and without verification by the City. In the case of an after-hours emergency which

would involve the cutting of a tree, the City Police Department should be contacted to verify the hazard and make a report for the City Marshal. In an emergency situation that has been verified by the Police, no penalty shall be assessed.

- II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.
- III. THIS ORDINANCE WILL BECOME EFFECTIVE UPON ADOPTION BY THE CITY COUNCIL AND APPROVED BY THE MAYOR AS PROVIDED BY THE CHARTER OF THE CITY OF SKY VALLEY.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this ____ day of _____, 2013.

Approved:

James S. Martindale, Mayor

Neil Howard, Council President

Liz Carr, Councilor

Attest:

Mandi Cantrell, City Clerk

Bob Larsen, Councilor

Maureen Platt, Councilor

David Whatley, Councilor

Read and introduced on the ____ day of _____, 2013.

Adopted on the ____ day of _____, 2013.

Section 13. Temporary Signs.

- (a) Temporary signs announcing a location or relocation of a business or a sign advertising announcing a special event such as for charitable or public purposes shall not exceed six (6) square feet.
- (b) Real estate signs
 - i. One real estate sign is permitted as follows:
 - a. Window real estate “for sale” or “for rent” signs are permitted to be placed by the owner, real estate agent or broker inside the building. Sign size is limited to 24” x 36” or a total of six (6) square feet.
 - b. Outdoor real estate “for sale” or “for rent” signs are permitted to be placed by the owner, real estate agent or broker in the property owner’s yard. Sign size is limited to 6” x 8”, dark green in color with white lettering (consistent with the approved lot identification signs) and can contain the words “for sale” or “for rent”, the real estate name or owner and a telephone number. For aesthetic and public safety purposes, the only outdoor real estate signs allowed are signs purchased from the City of Sky Valley.
 - c. No more than one (1) real estate sign is permitted on each property for sale or for rent. This can either be a indoor window sign or the outdoor yard sign described in paragraphs (a) and (b) above.
 - d. An “open house” sign is a temporary sign advising the public that a house will be opened for public inspection on a given date which may be posted for eight (8) hours prior to the “open house” and shall be removed immediately following the hours of “open house”. Signs advising of “open house” may be posted no more than six (6) times per calendar year.
- (c) Building/Contractor construction signs shall be limited to two (2) square feet total area or smaller and shall only contain the Builder/Contractor/Company name, phone number, lot number or 911 number, and street name. Signs shall be placed in a conspicuous place so that supplier/subcontractors can locate the job site. Construction signs shall be removed within five (5) days after the final inspection.
- (d) Commercial construction signs shall be limited to forty (40) square feet total area or smaller and shall only contain the name of the General Contractor, Architect, Engineer, Identification of Structure (i.e. city hall, police department, lodge, etc.), 911 number and street name. Signs shall be placed in a conspicuous place so that suppliers/subcontractors can locate the job site. Signs shall not obstruct motorist view or create a hazardous condition. Location of sign will need to be approved by the City Building Inspector. Construction sign shall be removed within five (5) days after the City’s issuance of a Certificate of Occupancy.