

**COUNCIL WORK SESSION  
CITY OF SKY VALLEY, GEORGIA  
MARCH 20, 2018 AT 10:00 AM  
696 SKY VALLEY WAY (OLD LODGE)**

**AGENDA**

**1. CALL TO ORDER**

**2. ADOPTION OF AGENDA**

**NEW BUSINESS**

**3. DARRIN GILES, COUNTY ADMINISTRATOR - SERVICE DELIVERY STRATEGY**

**4. SEWER FEASIBILITY STUDY PRESENTATION EMI**

**5. PAVILION- RESERVATIONS, RULES & STAGING**

**6. CODE OF ETHICS**

**7. AMEND/REPEAL RULES OF PROCEDURES ORDINANCE 13-03**

**OTHER BUSINESS**

**8. ADJOURNMENT**

## Linda Lapeyrouse

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**From:** Corinne Valentine <corval@eminc.biz>  
**Sent:** Wednesday, November 29, 2017 11:16 AM  
**To:** Linda Lapeyrouse; hughel@bellsouth.net  
**Subject:** Sewer Project Phase 1 - Funding sources

Hughel and Linda,

I called the office and found out that Linda has already taken off for the wedding! I hope you have a great time!

While its on my mind, I wanted to discuss possible sources of funding for the remaining costs of the Phase 1. As we discussed in the meeting yesterday, the funding sources would be:

ARC	\$400,000
SPLOST/County	\$600,000
GEFA CWSRF	\$700,000
TOTAL	\$1,700,000

The annual payment for GEFA CWSRF (30-yr @ 2.7%) is \$34,070. The question yesterday was: what is the source of repayment? The \$600,000 from the County was a bit arbitrary, but as Brendan and Darrin suggested, the City needs to request a specific amount from the County. It also sounded like the County expected the City to invest money into the project also if the City expects to get County support. The City would be the greatest beneficiary in the project, with the County also benefitting.

That being said, the \$34,070 annual debt service would likely need to come from the City. Yesterday, we mentioned that the City's General fund could support the costs, but the water fund could instead support the costs.

I looked at the past several audits (2016, 2015, 2014) at the Water, Sewer, Sanitation Enterprise fund. The 2016 audit separated water and sanitation, but these could also be considered combined supporting the sewer debt service. It appears that Revenue minus O&M (excluding depreciation) minus existing debt service, that the City has funds remaining. We exclude depreciation from O&M when doing this evaluation because depreciation is not part of operating cost. Funding agencies exclude depreciation in their calculations also.

	2016 Water	2016 Water & Sanitation	2015 Water & Sanitation	2014 Water & Sanitation
Revenue	426,279	618,558	579,070	469,265
O&M (excl deprec)	217,431	334,826	307,562	300,792
Ex. DS	120,527	120,527	120,527	120,527
Net Income	88,321	163,205	150,981	47,946

Based on the 2016 operating revenue of \$416,279, the City could increase its water rates by 8% to cover the \$34,070, but it also looks like the current rate structure would cover the proposed debt service without a rate increase.

Please let me know your thoughts on how we should approach the One-page letter to the County/Authority.

I apologize, I have a habit of being long-winded.

Corinne Valentine, P.E.  
Project Engineer



**Sanitary Sewer Feasibility Study  
For the  
City of Sky Valley, Georgia**

**November 21, 2017**

Prepared by:



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## **Exhibits**

- Exhibit 1: Preliminary Layout Maps of Sky Valley Collection System and Pumping System to Rabun County WSA WWTF
- Exhibit 2: Estimated Project Costs;  
    Option 1.A: Sewer System Collection and Pump to RCWSA, One Lift Station  
    Option 1.B: Sewer System Collection and Pump to RCWSA, Two Lift Stations  
    Option 2: Sewer System Collection and Pump to On-site Membrane Bioreactor and Reuse Land Application
- Exhibit 3: Phase Approach Cost Estimates

## **I. Executive Summary**

This study has been authorized by the Mayor and Council Members of the City of Sky Valley. This effort is supported by the Rabun County Board of Commissioners and Rabun County Water and Sewer Authority (RCWSA).

## **II. Introduction**

The purpose of this report is to investigate the feasibility of constructing a sanitary sewer collection system for the higher density residential and potential commercial areas within the City of Sky Valley, Georgia. The report will also discuss various options for wastewater disposal either through on-site treatment or through the transmission of the collected wastewater to a wastewater treatment facility (WWTF) owned and operated by a neighboring governmental entity.

The City of Sky Valley owns and operates a municipal water supply system for its residents and tourist trade. Wastewater treatment and disposal is currently not provided by the City but is accomplished by the use of individual and multi-unit onsite septic systems. These systems tend to function well during dry weather and low use conditions. During wet weather conditions and during the tourist season the septic systems fail or function marginally.

Numerous drain fields have saturated over the years, and needed to be relocated and replaced. In some cases, drain fields have been relocated multiple times, and are being pumped to remote locations. The options for new locations for these fields are limited and, in some cases, non-existent.

Commercial and tourism development in Sky Valley has been severely hampered and essentially impossible with the absence of an adequate sanitary sewerage collection and treatment system. Various developers and commercial interests have contacted the City with interests of developing hotels, convention centers, condos, and senior living facilities; however, the lack of a central sanitary sewer system has dissuaded development. The similar consensus among interested developers has been "let us know when you get sewer."

Although many properties throughout Sky Valley will not initially receive sanitary sewer service with this project, the implementation of the proposed sanitary sewer system would benefit all residents and property owners by providing economic development stimulus. The economic benefit would include increased tax revenue through increased commercial businesses and tax revenues through hotel/motel taxes. Residents and visitors would also enjoy the benefit of shopping and dining locally rather than driving 30 minutes to another town for dining, groceries, or other conveniences.

This report investigates the economic feasibility and technical aspects of constructing a sanitary sewer collection system for the higher-density residential and potential commercial areas within the City of Sky Valley, and various options of treatment or disposal of the wastewater. Included as part of this report are discussions regarding the need of the project, planning and engineering information, proposed solutions and estimated costs of construction, as well as financial and institutional considerations.

### III. Background

#### A. Existing Conditions

The City of Sky Valley is a recreation/resort community located in Rabun County in the northeast corner of Georgia (see Figure 1). The City covers approximately 3.0 square miles of land situated in a stream valley; at an elevation of 3,410 feet it is Georgia's highest city. Sky Valley's origins began with the development of the Sky Valley Ski Resort on a former cattle ranch in the valley in 1969. In March of 1978, the Georgia legislature approved a charter for the City of Sky Valley.

The City has an estimated population of 325 full time residents.<sup>1</sup> With the large number of rental and seasonal homes in the area, the City receives an average of 300 visitors per month and over 450 visitors per month in the busiest months of the year.

Sky Valley adjoins thousands of acres of National Forest and, while no longer offering skiing opportunities, other recreational activities available to Sky Valley residents and visitors include golfing, tennis, swimming, hiking, fishing, and biking.

As previously discussed, there is no central wastewater service in Sky Valley, and all properties including condos, timeshares, multi-family units and commercial properties are presently being served by individual and multi-unit onsite septic systems. Due to poor soils, high usage periods and wet weather conditions many of the systems have failed. When the systems fail, raw sewage surfaces above ground, and thus poses a public health threat. Septic systems also discourage residential and commercial growth in the community. Various developers have contacted the City with interests of developing hotels, convention centers, condos, and senior living facilities; however, the lack of a central sanitary sewer system has dissuaded development. Public sanitary sewer service is an essential element needed for a community to progress.

Replacement of existing septic tanks with a public sewer system will also eliminate the potential health and safety risks associated with failing septic tanks, such as polluting the groundwater supply and increasing potential for disease-causing pathogens from entering the waterways. The residents have expressed concern about the health risks in having raw sewage discharging on the ground surface. A new collection system will greatly improve the quality of life for the residents and tourists that visit this community.

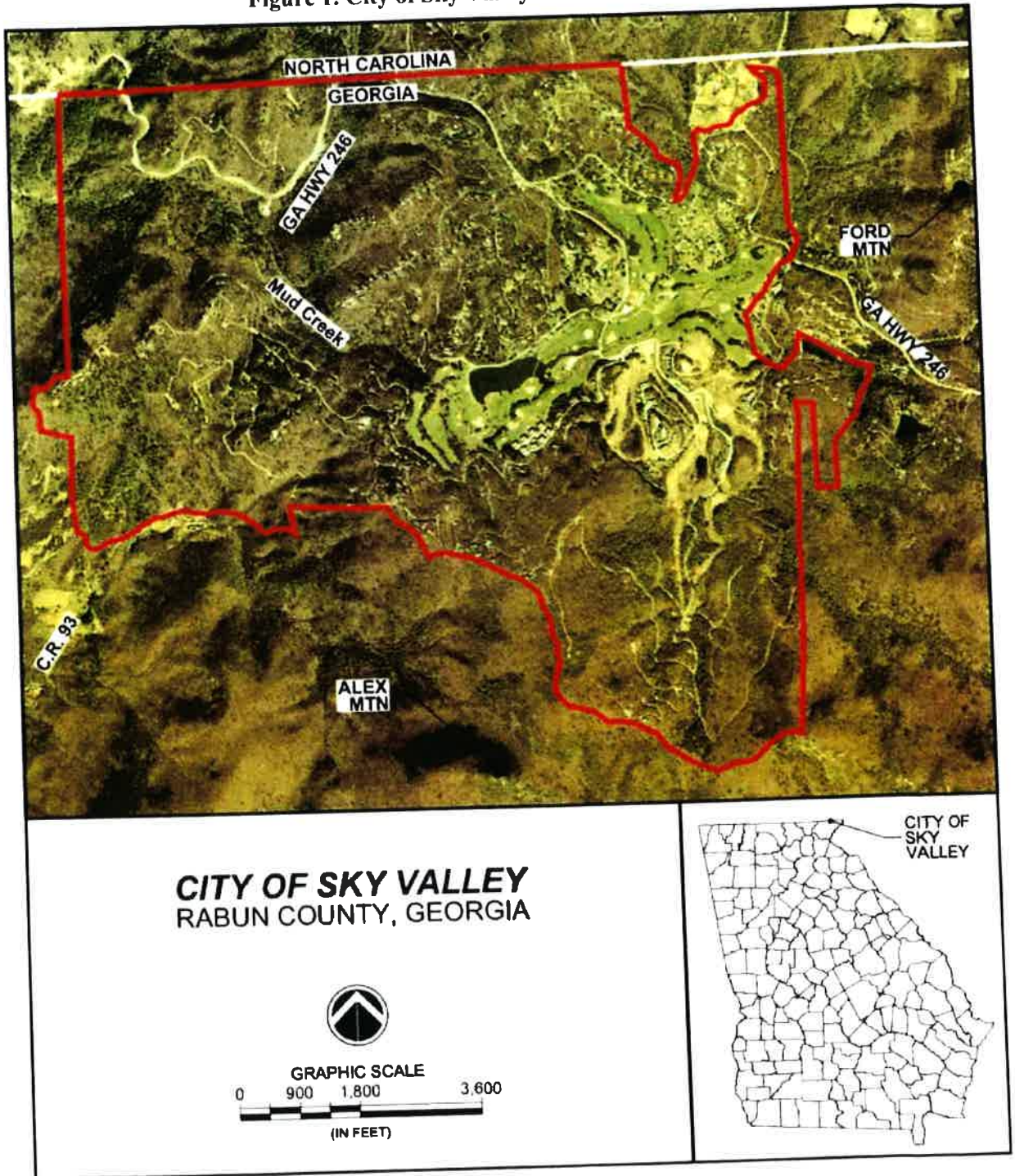
In addition to the reduced risk to health and the environment from the project, the City, including residents and businesses, will benefit from this project through the increased tourism and commercial conveniences attracted through the addition of the proposed sanitary sewer system.

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<sup>1</sup> U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates



Figure 1. City of Sky Valley Location Map



## 1. Existing Water System and Customers

The City of Sky Valley operates a public water system serving primarily residential customers.

The existing water system consists of four operating groundwater supply wells, four out-of-service wells, five elevated storage tanks, a booster pump station to serve customers in an area of higher elevations, and a distribution network of PVC pipelines ranging from 2" to 6" diameter in size. There are three pressure zones and 14 pressure reducing valves in the system. Timers control the operation of the well pumps and one tank is filled manually.

Production rates of the existing wells that provide the supply for the Sky Valley water system are summarized in Table 1.

**Table 1. Sky Valley Water Supply**

Well	Status	Production Rate (gpm)
1	abandoned	N/A
2	abandoned	N/A
3	abandoned	N/A
4	active	32
5	abandoned	N/A
6	active	24
7	active	25
8	active	125
<b>Total Water Supply:</b>		<b>206 gpm (178,000 gpd at 60% yield)</b>

The City's present Water Withdrawal Permit from Georgia Environmental Protection Division (EPD) currently permits a monthly average withdrawal of 0.3 million gallons per day (mgd).

Elevated water tanks provide all the available storage for the Sky Valley water system. Information regarding the elevated tanks is summarized in Table 2.

**Table 2. Water Storage – Elevated Tanks**

Tank	Description	Storage Volume (gallons)
1	Bayberry	68,000
2	Alex Mountain	108,000
3	Sky High	108,000
4	Schonberg	65,000
5	Wildbird	60,000
<b>Total Available Water Storage:</b>		<b>409,000 gallons</b>



## **2. Proposed Sanitary Sewer Collection Area**

The proposed sewer service area will serve the existing high-density areas including existing condos, rental units, multi-family units, golf course/ski lodge, as well as a proposed hotel/convention center, and potential future developments that may include condos, residential, commercial, or senior living facilities. It would be difficult and costly to provide sewer service to the majority of the residents due to the topography and existing layout of Sky Valley; therefore, the greatest benefit and affordable option would be to serve the highest-density areas that can easily be served sewer, which also have the greatest needs. The preliminary sewer service area is shown on the map provided in Exhibit 1.

### **B. Previous Studies and Findings**

A Preliminary Engineering Report was prepared in 1999 by Precision Planning, Inc for a Proposed Sanitary Sewer Collection and Treatment System, which discussed the need for a public sanitary sewer system, and discussed numerous options and costs estimates for wastewater collection and treatment alternatives. Sewage collection options included conventional gravity sewer, low pressure gravity sewer, and variable grade effluent sewer. Wastewater treatment alternatives included pumping wastewater to City of Dillard Wastewater Treatment Facility (WWTF) for contract treatment services, slow-rate land application, urban water reuse, mechanical treatment facility, and water reuse system with wet weather discharge. The report does not recommend a particular wastewater collection option or a specific wastewater treatment option, but does discuss the design guidelines, benefits, potential problems, and probable estimate of costs for each alternative.

A Design Development Report (DDR) was prepared in September 2007 for the Merrill Trust development for the design of a water reclamation and reuse facility. The DDR proposed a coarse and fine screening, membrane bioreactor (MBR) for treatment of the wastewater followed by UV disinfection prior to land application onto the golf course or spray fields. Phase one would treat 175,000 gallons per day (gpd), with a phase 2 expansion to 350,000 gpd. The estimated construction cost in 2007 was \$2.0 million.

Along side the DDR, an unofficial study was developed for the Merrill Trust development to determine the feasibility of collecting the wastewater and convey 0.35 MGD of wastewater to the Rabun County WWTF. This effort terminated with a proposal for engineering services which included the design of a sewage pumping station, approximately 1,900 LF of 10" gravity sewer, approximately 7,500 LF of 8" gravity sewer, approximately 25,000 LF of 8" force main, and tankage for gravity force main.

### **C. Benefits**

The benefits of a sanitary sewer system are multi-faceted. The proposed sanitary sewer collection system will 1) eliminate existing wastewater issues in the highest-density areas, 2) improve health and sanitation, 3) improve tourism and amenities for residents, and 4) increase tax revenue through the hotel/motel tax, sales tax, and income tax.

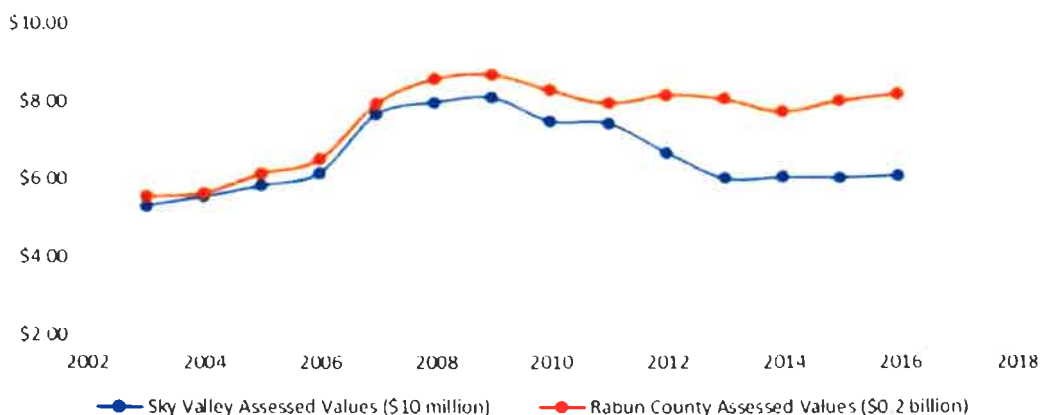
As discussed, there have been numerous septic tank, line, and field failures, and there are limited options for replacing the septic drain fields. The repairs are costly and due to soil conditions and high density, these repairs and replacement are often insufficient. Sewage spills can negatively impact health and sanitation; raw sewage exposed to ground surfaces in the dwelling areas pose a great risk of disease contraction.

Various developers have contacted the City with interests of developing hotels, convention centers, condos, and senior living facilities; however, the lack of a central sanitary sewer system has dissuaded development. A Public Benefit Analysis prepared for a Senior Living Center in Hiawassee, Georgia with an estimated 134 residents in 34 cottages and 83 assisted/independent living rooms, estimated an annual sales tax income of \$12,030 and annual income tax of \$58,030. Furthermore, an 80-room hotel could bring some \$50,000 annually in hotel/motel taxes.<sup>2</sup>

The City would benefit financially with the proposed hotel and additional condos through its Hotel/Motel tax. The Sky Valley Golf Club has expressed a need for additional hotel accommodations so that it could host larger events. In addition, increased visitors and residents will increase revenue to the Sky Valley Golf Club, and commercial properties could increase the City's and County sales tax revenues and SPLOST fund revenues.

Since the recent recession, the City of Sky Valley has experienced decreased property values and decreased revenue from taxes. According to Tax Digest numbers, property values within Sky Valley peaked at total of approximately \$81 million in 2009, and dropped by 33% over the next four years and has stayed steadily at around \$60-61 million from 2013-2017. The 2017 real and personal values are lower than they were in 2006. Figure 2 provides a graph of the Historical Assessed Real and Personal Tax Digest for the City of Sky Valley and Rabun County. In order to compare the long-term trending, the assessed values for Sky Valley are shown in \$10 million, and the assessed values for Rabun County are shown in \$0.2 billion.

**Figure 2. City of Sky Valley's Historical Assessed Real and Personal Tax Digest**



<sup>2</sup> Based on a 3% hotel/motel tax, at a \$120/night room rate with 50% occupancy

The City of Sky Valley has not experienced any sign of economic recovery that many other communities within Georgia have relished, such as Rabun County as a whole. Like Sky Valley, Rabun County’s assessed values peak in 2009 at \$1.742 billion. In 2016, the assessed values were \$1.641, which is 6% below the assessed value at its peak prior to the recession; Rabun County as a whole has nearly recovered from the recession, while in 2016 Sky Valley still lagged by 34% from the assessed value at its peak.

The proposed sewer system will provide the City with an economic boost with new hotels, senior-living facilities, restaurants, and shops. The economic benefits of the sewer system will extend to property owners by increasing property values to at least the levels prior to the recession.

Based on the 2016 Incorporated Rabun County Millage Rate of 9.14 mills, the County could receive an increase in tax revenue of approximately \$184,000 annually with a 33% increase in property values. Based on the City’s 2016 millage rate of 16.083, the City could receive an increase in tax revenue of approximately \$324,000 annually. As discussed, the economic benefits from the proposed sewer system could possibly increase tax revenue for the City and County through many possible avenues, as shown in Table 3.

**Table 3. Potential Tax Revenues from Proposed Sewer System**

Potential Tax Revenue Source	Estimated Additional Annual Tax Revenue
Sales Tax- Senior Living Facility, 134-residents	\$12,000
Income Tax- Senior Living Facility, 134-residents	\$58,000
3% Hotel/motel Tax – 80-room Hotel	\$50,000
County Real and Personal Tax Levy -33% increase	\$184,000
City Real and Personal Tax Levy -33% increase	\$324,000

**IV. Existing and Future Sanitary Sewer Flows**

**A. Existing Flows in Proposed Sanitary Sewer Service Area**

The existing developments within the proposed sewer service area are located within the City of Sky Valley are presently being served by individual and multi-family septic systems. Because there is no way to measure actual wastewater flows, the City’s wastewater treatment demands can best be determined by evaluating the current water usages. The City maintains accurate records of water usage.

A summary of the 2015 water usage for the existing water customers that are located within the proposed sewer service area is provided in Table 4.

**Table 4. 2015 Water Usage for Existing Water Customers in the Proposed Sky Valley Sewer Service Area**

Type	No of units	Total Annual Water Usage (gal)	Total Average Monthly Usage (gal)	Total Peak Monthly Usage (gal)
Clubhouse	1	260,500	21,708	78,700
Commercial	1	819,990	68,333	104,730
Condo/Timeshare	196	3,229,887	266,977	647,281
Laundry	1	290,190	24,183	31,310
Lodge	1	52,800	4,800	10,900
Residential (estimated)	13	189,920	15,826	23,710
<b>Total</b>	<b>213</b>	<b>4,843,287</b>	<b>401,827</b>	<b>896,631</b>
<b>Total gpd</b>			<b>13,394</b>	<b>29,888</b>

According to the 2015 water usage records the peak monthly water use was approximately 0.9 million gallons for the existing water customers located within the proposed sewer service area. Interestingly, this same data was collected in 1997 for a similar sewer study, and the average water usage was 0.598 million gallons per month with a peak of 1.482 million gallons per month. Due to the increase in flow control devices and increased water conservation practices, water usage has decreased by 33% from 1997 to 2015.

**B. Projected Flows in Proposed Sanitary Sewer Service Area**

The design flowrate should include future capacity for commercial and residential growth as shown in the proposed sewer service area. As mentioned previously, various developers have contacted the City with interests of developing hotels, convention centers, condos, and senior living facilities. The wastewater design flow rate based on the above considerations is summarized in Table 5.

**Table 5. Project Wastewater Design Flows for the Proposed Sky Valley Sewer Service Area**

Name	No of units	Design average daily flow (gpd)
Existing Water Customers	213	29,900
Hotel (80-rooms)	1	8,000
Hotel Convention Center	1	400
Hotel Restaurant (200 seats)	1	10,000
Senior Living Facility (60-rooms)	1	3,600
Commercial Retail units	6	4,800
Restaurant (40 seats)	1	2,000
Restaurant (60 seats)	1	3,000
Condo/timeshare	50	5,000
Residential	30	3,000
<b>Design Wastewater Flowrate</b>	<b>305</b>	<b>69,700</b>

## V. Proposed Sanitary Sewer System

### A. Proposed Sanitary Sewer Collection System

The proposed sanitary sewer collection system will include approximately 15,400 linear feet (LF) of 8-inch and 12-inch gravity sewer with approximately 65 manholes. 12-inch lines are recommended in areas with relatively flat topography.

The gravity sewer will collect and transmit sewer on all or a portion of the following roads: Sky Valley Way, Tahoe Road, Driver Lane, Ridgepole Road, Berkshire Lane, Spy Glass Circle, Nesting Eagle Lane, Knob Drive, and Overlook Drive. The proposed collection system will serve the majority of the condos/ timeshares/ multi-family housing including: Lacosta, Winged Foot, Sawgrass, Glenn Abbey, A Condos, B Condos, C Condos, D Condos, E Condos, F Condos, August I, Augusta II, Turnberry, Oakmont, Doral, Woodlands, Scioto, Muirfield, Broodmoor, Forest Hills, Tanglewood, Cypress Point, Valley View, and Nesting Eagle. In addition to the multi-family developments, the sewer system will also serve the Sky Valley Lodge, clubhouse, laundry, timeshare office, and approximately thirteen existing single-home residences.

The proposed sewer collection system was located to avoid the golf course greens and fairways. The only unavoidable golf course crossing is on the eastern side of the course, in which an underground gravity sewer pipe will be installed across approximately 120 LF of fairway through either open cut method or jack and bore. This crossing is necessary to serve the Forest Hills and Broadmoor condos. Open cut would involve cutting a trench through the grass, installing the sewerline, and replacing the grass. An alternative to open cut, is installing the gravity sewer line via jack and bore instead of an open trench in order to minimize disturbance to the fairway. The jack and bore method would involve the excavation of a bore pit and the use of a boring machine to bore a casing through the ground, then inserting the gravity sewer pipe into the underground casing.

In addition to the fairway crossing, the proposed gravity sewer installation will also involve the demolition and reconstruction of approximately 1400 LF of golf cart path, which is necessary to serve Valley View Condos.

Possible constructability problems may include working around existing utilities, and golf course irrigation lines. In addition, manholes will need to be flush with the pavement and bolted down that are located within the roadways or golf cart paths, in order to prevent issues for the snow plow. The locations of existing septic systems are unknown and could impact the gravity sewer layout and design.

The wastewater will be collected through the gravity sewer system shown as orange on the map provided in **Exhibit 1**. The wastewater will flow by gravity to the proposed lift station. The proposed preliminary design location of the lift station is behind the lodge. The lodge and property is owned by the Merrill Trust Company, and the City would need to acquire an easement from the development company.



## B. Wastewater Transfer

The proposed preliminary design location of the lift station is behind the lodge. The proposed lift station would be located adjacent to several existing utilities and near an existing utility shed. The view of the proposed lift station will be blocked by the Lodge and surrounding trees under underbrush from most angles. The size of the lift station will be approximately 50'x50' with fencing. The proposed location will also eliminate the need for an access drive.

Although, much of the lift station will be concealed, it will still be visible to many residents and visitors, and therefore, it is recommended that the lift station site include beautification features, such as upgraded fencing and/or shrubs. The photos below provide examples of lift stations which utilize privacy fencing.



## C. Wastewater Treatment Options

From the proposed lift station, the wastewater can either be pumped to 1) an on-site treatment facility, or 2) pumped out of Sky Valley to a wastewater treatment facility owned by another entity.

### 1. Off-site Wastewater Treatment Facility

This alternative includes pumping the wastewater from the proposed lift station off-site out of Sky Valley to an existing wastewater treatment facility (WWTF) owned by another entity. There are two nearby WWTFs; the Rabun County WSA WWTF and the City of Dillard WWTF.

Either facility is accessible; however, the Rabun County WSA has plenty of capacity to accept and treat the wastewater. The Rabun County plant has a permitted treatment capacity of 0.50 MGD and is permitted to increase to 2.0 MGD, and has a current peak flow of 0.155 MGD. An alternative treatment of the wastewater is sending the wastewater to the Dillard WWTF.

The sewer will be pumped through a proposed force main from the pump station along existing roadways within Sky Valley. The proposed force main route includes Ridgepole Drive, Labelle Circle, Evergreen Lane, and Crusher Run to Kelly's Creek Road. For service delivery, it is important to note that potential customers along the force main route cannot be served sewer service and cannot be connected to the force main since the force main is under pressure.

From Kelly's Creek Road, the wastewater can be transported through either of three options: 1) continuation of the force main along Kelly's Creek Road from the Sky Valley lodge lift station with discharge at the Rabun County WSA WWTF, 2) a second pump station to the Rabun County WSA WWTF, or 3) a second pump station at Kelly's Creek Road to the City of Dillard WWTF. A fourth alternative to transfer the wastewater by a gravity sewer line to the Rabun County WSA WWTF was eliminated due to the inability to discharge the wastewater into the shallow manhole at the WWTF. The proposed gravity sewer would be well below the bottom of the existing manhole.

Alternative #3 to pump to the City of Dillard WWTF has not been considered further within this report due to the wastewater treatment availability and interest from the Rabun County WSA. The first two alternatives are discussed further as follows:

**a) Single Lift Station and Force Main**

Option 1.A is to install a single lift station and force main from the Sky Valley lodge lift station to Rabun County WSA WWTF. The wastewater can potentially be transported from the Sky Valley lodge lift station through a single force main to the Rabun County WSA WWTF. From Kelly's Creek Road, the force main would continue along Kelly's Creek Road and Yorkhouse Road to the WWTF. The proposed single pumping option will include approximately one lift station, and 28,900 linear feet (LF) of 6-inch force main.

There may be operation and maintenance issues with this alternative due to the large drop in elevation of the force main along Evergreen Lane and Crusher Run followed by a slight elevation rise along Kelly's Creek Road.

Once the pumps turn off and the wastewater is pumped past the highpoint at Labelle Circle (shown as the change from the green line to the red line), the wastewater will flow by gravity down to the low point at Kelly's Creek Road, which is allowed by the implementation of a combination air relief vacuum breaker valve, installed at the high point, that will eliminate air and prevent vacuum formations in the pipeline.

The majority of the wastewater would be pumped over this elevation rise along Kelly's Creek Road by the pressure created by the gravitational fall as the wastewater flows down Crusher Run; however, not all of the wastewater will be eliminated from the force main. The next pump run will push this wastewater to the WWTF, but then a new volume of wastewater would be left sitting in the force main pipe.

The wastewater left sitting in the force main between pump runs can become septic which can deteriorate the pipe, pipe fittings and valves, or cause downstream issues at the WWTF. Sitting wastewater can also settle out debris which can clog the force main. Access points, also known as “pig ports,” are suggested for the maintenance of the force main pipe. The Access point will allow operators to insert a “pig,” or cleaning device, into the line so that debris in the line can be removed.

A preliminary cost estimate for Option 1.A and is provided in **Exhibit 2**.

#### **b) Two Lift Stations and Two Force Mains**

Option 1.B is to install two lift stations and two force mains from the Sky Valley lodge lift station to Rabun County WSA WWTF. An alternative method to transporting the wastewater to the Rabun County WSA WWTF is to install a second lift station at Kelly’s Creek Road and pump the wastewater through a force main along Kelly’s Creek Road and Yorkhouse Road to the WWTF. This option will include two lift stations, and approximately 28,900 linear feet (LF) of 6-inch force main.

This alternative has the advantage of less operational and maintenance issues listed in the previous section and also has the ability to serve additional customers located near the proposed pump station; however, this alternative also has the additional cost of constructing, operating, and maintaining an additional lift station.

The location of the second lift station and force main route are preliminary and can be altered in order to accommodate the Rabun County WSA and any potential customers, or in order to avoid any land acquisition or environmental issues encountered during design.

A preliminary cost estimate for Option 1.B and is provided in **Exhibit 2**.

## **2. On-site Reuse Land Application System Treatment Option**

A previous study prepared in 2007 for the Merrill Trust Development investigated constructing an on-site land application system. Wastewater would be pumped from the proposed lift station to a proposed land application system (LAS) located within Sky Valley.

The 2007 study proposed a coarse and fine screening, membrane bioreactor (MBR) for treatment of the wastewater followed by UV disinfection prior to land application onto the golf course or spray fields. Phase one would treat 175,000 gallons per day (gpd), with a phase 2 expansion to 350,000 gpd. The phase one capacity would be sufficient for the proposed sewer service area with design flowrate of 70,000 gpd, and 2.5 peak factor of 175,000 gpd.

An on-site treatment system for the City of Sky Valley will have more restrictions than an average facility because of the local trout streams and the restrictions designated to

this class of stream. Previously EPD rejected a request to discharge treated wastewater into a local stream due to the stream's characteristics of low flow and trout designation.

Therefore, the treated wastewater will need to be land applied through a Land Application System (LAS). Since land is limited and the golf course is available, the obvious solution would be to treat the wastewater to high-quality reuse standards. However, a small-scale reuse land application system will have high costs per volume wastewater treated. In addition, the LAS option would also require additional operation and maintenance costs to operate the facility. Additional storage may also be required during the winter months due to the limited ability to land apply the wastewater during freezing weather.

A preliminary cost estimate was developed for Option 2 and is provided in **Exhibit 2**.

## **VI. Evaluation of Alternatives**

When deciding on potential options for a proposed project, the preliminary costs, as well as long-term operation and maintenance cost need to be considered.

### **A. Construction challenges relating to options**

All three options have the same challenges for construction of the gravity sewer collection system. Tight spaces, existing utilities, golf course, and golf cart paths will create construction challenges. It is likely that several permanent and temporary construction easements will be required for the gravity sewer lines. A permanent easement for lift station sites will also be required.

Options 1.A and 1.B will require an easement along Old Kelsey Mountain Road for the forcemain.

Option 2 will require the additional construction of the treatment facility as well as construction of the reuse lines and spray heads onto the golf course. There will be additional construction challenges due to existing irrigation lines and the golf course.

### **B. Projected Operating and Maintenance Expenses**

For all three options (1.A, 1.B, and 2), the cost to operate and maintain the sewer collection system and lift station(s) is estimated at \$30,000 per year. For options 1.A and 1.B, with a current annual water usage for sewer service area of 4,843,000 gal/year, and a treatment fee of \$6.50 per thousand gallons, the total annual treatment cost is \$31,480. For option 2, it is estimated that the annual cost to operate the wastewater treatment facility would be approximately \$120,000 per year.

### **C. Project Alternative Cost Evaluation**

An alternative evaluation is provided in Table 6, which assumes that all project costs are funded through a 20-year loan with an annual interest rate of 3.0%, plus operation and maintenance costs. Option 1.A is the least costly of all of the alternatives.

**Table 6. Project Alternative Evaluation**

	Option 1.A	Option 1.B	Option 2
	Pump to RCWSA, 1 Lift Station	Pump to RCWSA, 2 Lift Stations	On-Site MBR LAS
<b>Proposed Project Cost</b>			
Construction Costs	\$3,450,000	\$3,849,300	\$7,290,000
Support Costs	\$855,000	\$921,700	\$1,610,000
Total Costs	\$4,305,000	\$4,771,000	\$8,900,000
<b>Annual Payment</b>			
Annual Payment (Based on 30-year loan at 3.0% interest rate)	\$217,801	\$241,377	\$450,273
<b>Annual Operation and Maintenance Cost</b>			
Annual Treatment Costs, RCWSA at \$6.50 per 1000 gal*	\$31,480	\$31,480	\$0.00
Cost to Operate Collection System, per year	\$30,000	\$30,000	\$30,000
Cost to Operate WWTF, per yr	\$0	\$0	\$120,000
Total Annual O&M Cost	\$61,480	\$61,480	\$150,000
<b>Summary of Annual Costs</b>			
Annual Payment	\$217,801	\$241,377	\$450,273
Annual O&M Cost	\$61,480	\$61,480	\$150,000
Total Annual Costs	\$279,280	\$302,856	\$600,273

\* Current annual water usage for Sewer Service Area is 4,843,000 gal/year

**D. Alternative Summary and Recommendations**

The proposed project recommendation is Option 1.A, the construction of the sanitary sewer collection system and installation a single pump station to pump the wastewater to the Rabun County WSA WWTF. Option 1.A has the lowest estimated project costs as well as operation costs. Option 1.B should be considered if additional customers are to be served in or near the Kelly’s Creek Road area. These potential customers are located within the Rabun County Water and Sewer Authority service delivery area. Therefore, the Authority could have the opportunity to contribute to the project and serve additional customers.

The proposed map is provided in **Exhibit 1**. The preliminary cost estimate for the proposed preferred Option 1.A is provided in **Exhibit 2**.

**VII. Financial and Institutional Considerations**

**A. MOU and Inter-Municipal Agreements**

MOU and/or Inter-Municipal Agreements would be required between the City of Sky Valley and the Rabun County Water and Sewer Authority for the treatment of the wastewater and



possibility of the consolidation of the proposed Sky Valley sewer system into the Rabun County Water and Sewer Authority.

### **B. Funding Alternatives**

Rabun County as a whole is an “At-Risk” County according to the 2017 Appalachian Regional Commission (ARC). The Appalachian Regional Commission uses an index-based county economic classification system to identify and monitor the economic status of Appalachian counties. The system compares each county's averages for three economic indicators—three-year average unemployment rate, per capita market income, and poverty rate—with national averages. The resulting values are summed and averaged to create a composite index value for each county. Each county in the nation is then ranked, based on its composite index value. Counties are designated as distressed, at-risk, competitive, or attainment, based on their ranking in the index. Designations are revised annually using the most current data available.

While Sky Valley does have a relatively high per capita income, both ARC and the OneGeorgia Authority review grant applications based on County designations. Rabun County has distinct disadvantages, including lack of rail, lack of a nearby Interstate Highway and others.

The maximum grant amount both of these programs is \$600,000 for ARC and \$500,000 for OneGeorgia. The City has a good potential to achieve the maximum amount for both of these grants with a commitment letter that includes a substantial amount of job creation from an interested developer. In many cases, in “At-Risk” Counties, potential job creation and economic development is sufficient to receive funding.

In addition, we recommend using SPLOST and/or County dollars to fund the pavement repairs associated with the project, if the City and County will support this use of funds.

The remaining funds can be obtained through a low interest loan through either the Georgia Environmental Finance Authority (GEFA) through its Georgia Fund loan program or the Clean Water State Revolving (CWSRF) loan program, or through the USDA Rural Development water, wastewater, solid waste disposal program. While the GEFA CWSRF program does offer principal forgiveness for some projects, based on the 2017 Affordability Criteria, this project would not qualify for principal forgiveness. Similarly, USDA-RD offers grants to communities whose median household income (MHI) fall below specific thresholds; however, the MHI in Sky Valley is too high to qualify for any grant money. Table 7 provides alternatives for funding options. Funding sources includes: ARC \$600,000; OneGeorgia \$500,000; SPLOST \$760,000; and three potential loan sources for the remaining \$2,445,000.

**Table 7. Funding Options and Potential Loan Sources**

Total Project Cost	\$4,305,000		
Potential ARC Grant	\$600,000		
Potential OneGeorgia Grant	\$500,000		
SPLOST / County input for pavement repair	\$760,000		
Remaining Loan Amount	\$2,445,000		
<b>Loan Source Alternatives</b>	<b>GEFA Georgia Fund</b>	<b>GEFA CWSRF</b>	<b>USDA-RD</b>
Interest Rate	2.39%	2.70%	3.375%
Length	20	30	40
Annual Payment	\$153,906	\$119,002	\$111,471
Total Cost over Amortization Period	\$3,078,121	\$3,570,070	\$4,458,858

Although the GEFA Georgia Fund offers the lowest interest rate, the maximum payment length is 20-years, which makes the annual payments the highest, and least affordable for the City. USDA-RD offers the longest payment period of 40-years, but also has the highest interest rate. The GEFA CWSRF has a maximum payment period of 30-years and an interest between that of the Georgia Fund and USDA-RD. The payment for the GEFA CWSRF is only \$8,640 more annually (\$720 monthly) than the USDA-RD, but has a payment period of 30-years rather than 40-years, and the City would save over \$1 million over the length of the loan with the GEFA CWSRF. In addition, the application process is quicker and simpler through GEFA than through USDA-RD. Therefore, we would recommend that the City pursue a GEFA CWSRF loan for the financing of the remaining portion of the project.

**C. Other Funding Options**

The City of Sky Valley may also want to consider a referendum to obligate funds from the general fund to repay a portion of the GEFA loan in order to help fund the project as an economic development project. According to the 2016 Published Tax Digest, 1 mil produces approximately \$59,000 annually. The City could create a referendum for General Obligation Debt to assist in the annual costs of the sewer system project. Assuming a AA 25-year bond, the City could levy 1.0 mils for an income of approximately \$59,000 annually to be obligate to repay a portion of the proposed GEFA debt service. The consideration behind creating a General Obligation Debt is that all citizens within Sky Valley would benefit from the sewer system regardless of whether they receive sewer service. The sewer system will attract hotels, restaurants, convenience store, and other shops that will benefit the City with increase of tax revenues and the citizens with the increased conveniences. Citizens would need to vote on the General Obligation Debt. The City-wide tax base would help to cover the costs of the sewer system in its early stages throughout the 20-year duration of the debt service. The proposed sewer system would be an economic development project, and the City would need to ask its citizens if they support such an economic development project and ask the citizens to vote for the referendum for a General Obligation Debt.

#### **D. User Cost Analysis and Affordability**

Even with the proposed \$1.86 million in grant and SPLOST funds, the remaining costs for the project is \$2,445,000, which equates to an annual payment of \$119,002 for a GEFA CWSRF 30-year loan at 2.70%. With the additional operation and maintenance cost, the effective rate for current customers would be \$37.27 per 1000 gallons (see Scenario 1 in Table 8 below). A typical residential customer in Georgia uses an average of 3,500 gallons per month, which would result in a monthly sewer bill of \$130.43. Due to being a recreation/resort community, the average Sky Valley residential/timeshare/condo customer's monthly water usage is 1,353 gallons per month, which results in a monthly sewer bill of \$50.42. If considering a typical usage of 3,500 gal/month, a monthly sewer bill of \$130.43 is extravagant. Due to the high sewer rates required to fund the proposed project, EMI has developed several scenarios as possibilities for the City to reduce these sewer rates. Table 8 provide the following five potential scenarios:

- Scenario 1: Proposed project with funding as proposed. Construct Option 1.A with current sewer flow demands. Funding includes: ARC \$600,000; OneGeorgia \$500,000; SPLOST \$760,000; GEFA CWSRF 30-yr loan at 2.70%
- Scenario 2: Scenario 1, but with a reduced treatment cost of \$4.00 per thousand (reduced from \$6.50 per thousand gallons)
- Scenario 3: Scenario 1, but with a levy of 1.0 mil in General Obligation Debt
- Scenario 4: Scenario 1, but with the addition of a proposed hotel in addition to current sewer flow demands.
- Scenario 5: Scenario 1, but with future estimated sewer flow demands instead of current sewer flow demands.

**Table 8. Required User Rates to Fund Sewer System based on Five Scenarios**

	<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3</b>	<b>Scenario 4</b>	<b>Scenario 5</b>
	As Proposed	Reduced Treatment Cost	General Obligation Debt	Addition of Hotel	Future Estimated Flows
<b>Annual Payment Cost</b>					
GEFA CWSRF, 30-year loan at 2.70%	\$119,002	\$119,002	\$119,002	\$119,002	\$119,002
Levy of 1.0 mil in General Obligation	\$0	\$0	(\$59,000)	\$0	\$0
<b>Total Annual Payment Cost</b>	<b>\$119,002</b>	<b>\$119,002</b>	<b>\$60,002</b>	<b>\$119,002</b>	<b>\$119,002</b>
<b>Annual Operation and Maintenance Cost</b>					
Annual Treatment Costs, RCWSA at \$6.50 per 1000 gal	\$31,480	\$0	\$31,480	\$43,554	\$72,293
Annual Treatment Costs, RCWSA at \$4.00 per 1000 gal	\$0	\$19,372	\$0	\$0	\$0
Cost to Operate Collection System, per year	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
<b>Total Annual Operation and Maintenance Cost</b>	<b>\$61,480</b>	<b>\$49,372</b>	<b>\$61,480</b>	<b>\$73,554</b>	<b>\$102,293</b>
<b>Summary of Annual Costs</b>					
Annual Payment	\$119,002	\$119,002	\$60,002	\$119,002	\$119,002
Annual Operation and Maintenance Cost	\$61,480	\$49,372	\$61,480	\$73,554	\$102,293
<b>Total Annual Costs</b>	<b>\$180,482</b>	<b>\$168,374</b>	<b>\$121,482</b>	<b>\$192,556</b>	<b>\$221,295</b>
<b>Rate and Monthly Bill</b>					
Annual water usage for sewer service area, gal/yr	4,843,000	4,843,000	4,843,000	6,700,600	11,122,000
Estimated Number of Units (Customers)	213	213	213	214	305
Effective Rate per 1000 gallons	\$37.27	\$34.77	\$25.08	\$28.74	\$19.90
Monthly Base Rate (Loan payment / no. units)	\$46.56	\$46.56	\$23.48	\$46.34	\$32.51
Usage Rate per 1000 gallons (O&M Costs/ 1000 gallons)	\$12.69	\$10.19	\$12.69	\$10.98	\$9.20
Average Monthly Bill at 1,353 gal/mo	\$63.73	\$60.35	\$40.65	\$61.19	\$44.96
Average Monthly Bill at 3,500 gal/mo	\$90.99	\$82.24	\$67.91	\$84.76	\$64.71

Scenario 1, which is the project and funding methods as proposed, would require a rate structure that would create an average monthly bill of \$60-\$90 per month per unit. For a timeshare/condo with 10 units, the monthly bill could be \$600-\$900 per month. Scenarios 2-3 provide alternatives to alleviate the burden on the limited sewer customers. Scenarios 4-5 provides scenarios with the proposed estimated flows with a hotel and future estimated flows, which shows how additional customers will also alleviate the burden on the current proposed sewer customers. It is likely that there will be a new commercial customer at the time of construction because the City will need the leverage of proposed jobs to receive both the ARC grant and the OneGeorgia grant.

The City of Sky Valley’s median household income (MHI) is \$71,250. USDA Rural Development considers a water or sewer bill above 1.0% of MHI as a burden on families. This MHI consideration is usually applied to low to moderate income families with MHI much lower than that of Sky Valley. However, we will use the 1.0% MHI as an example of appropriate sewer rates for the citizens of Sky Valley. An average monthly sewer bill of \$60 per month would be equivalent to 1.0% of the MHI ( $\$71,250 \times 1\% / 12 \text{ months}$ ).

Although these rates may appear high, replacement of a septic system or drain fields will be very costly and some units do not have any more options for relocation of septic systems. Therefore, many of these units will benefit greatly from the proposed sanitary sewer system.

**VIII. Implementation**

**A. Projected Implementation Schedule**

A project of this scope with the high number of grant and funding expectations with require a lengthy process of approximately three years. A general implementation schedule is provided as follows:

	Yearly Quarters											
	1	2	3	4	1	2	3	4	1	2	3	4
Funding	█				█							
Design			█	█	█	█						
Permitting					█	█						
Bid Phase							█	█				
Construction								█	█	█	█	█
Closeout												█

**B. Permitting and Review Agency requirements**

As with any municipal project of this magnitude, construction plans and specifications will have to be submitted to and approved by the EPD. In conjunction with this, erosion control and NPDES plans and permits will be required. Should it be necessary to cross or disturb any state waters, Army Corps of Engineers Preconstruction Notification may be required. Also, state and local roadway permits will be required for right-of-way encroachment and roadway crossings.



## **IX. Project Phasing Option**

The project costs involved in the establishment of a sanitary sewer system are oftentimes very expensive, and municipalities implementing these systems often lack a large customer base to fund a sanitary sewer project without overburdening its customer base. This report suggests several funding possibilities and funding sources, including grants, loans, and scenarios to reduce sewer rates. The only possibility of bringing the sewer rates to a feasible level without supplementing operating costs with General Revenue Funds or through the Water Fund is to receive all of the proposed grants and funds in the best-case circumstance. Therefore, the City may want to consider a phased approach to developing the sanitary sewer system.

The first phase would include a 'skeleton' lift station at the lodge and installing the forcemain from the lodge pump station to the Rabun County WWTF. The forcemain would be plugged to prevent any flow into line. The 'skeleton' lift station would be inoperable and would include the fencing, piping, and wetwell, but would exclude pumps, generator, and electrical panel. The preliminary total cost estimate for Phase 1 is \$1,700,000.

The proposed phase 1 would not provide sewer service to any customers, but would enable the City to proclaim that sewer service is available within the City. The phase 1 could potentially receive ARC and/or OneGeorgia grants based on economic development associated with tourism. These grants are much more tangible with associated job creation, however, Rabun County's listing as "At-risk" could potentially enable the City to receive these grants with potential for enhancing tourism even without job creation.

There would be limited operation or maintenance costs associated with Phase 1, but since phase 1 will not serve any sewer customers and the City would not have an income to pay any debt service. Phase 1 would need to be funded through grants and contributions, or from the obligation of general funds. Potential contributors could be the City of Sky Valley General Fund or Water Fund, Rabun County, and its supporting agencies (Rabun Tourism Development Authority, Development Authority of Rabun County), SPLOST, or major land-owners within the City, such as Merrill Trust.

The sewer service availability within the City would allow the City to attract potential commercial businesses such as a hotel or a senior-living facility. The City could then leverage potential jobs associated with an interested business in order to receive an ARC grant and OneGeorgia grant towards phase 2.

Phase 2 would include completion of the pump station with pumps, remaining piping and valving, generator, and electrical panel, as well as installation of the gravity sewer collection system. Phase 2 could include the installation of all of the gravity sewer system which would create the largest customer base, or Phase 2 may only need to include the gravity sewer that is required to serve the proposed business; the City could install the remaining gravity sewer as needed through the interest and request of customers. The preliminary total cost estimate for Phase 2 is \$2,632,000.

Unlike Phase 1, Phase 2 would have additional operating maintenance costs as well as create sewer customers which would create a sewer system income to pay debt service and operation and maintenance costs.

Potential funding sources for Phase 2 include ARC (\$600,000), OneGeorgia (\$500,000), SPLOST (\$760,000), and GEFA CWSRF (\$772,000). The annual debt service payment for a 30-year GEFA CWSRF loan with a 2.7% interest rate is \$37,575. Including an estimated \$61,480 annual O&M costs, and using the same rate and monthly bill calculation that was used in Table 8 for scenario 1, the effective rate would be \$20.45 per 1000 gallons, for an estimated average monthly bill of \$31.88 for 1,353 gallons per month, or \$59.13 for 3,500 gallons per month. These rates would likely be lower due to the addition of new commercial customer(s).

**Exhibit 3** provides detailed Phase Approach Cost Estimates.

## **X. Conclusions and Recommendations**

The City of Sky Valley, its citizens, and its existing businesses will benefit greatly by the construction of a sanitary sewer system in its highest-density commercial area. With the implementation of a sewer system, the City will be able to attract interested hotels, convention centers, condos, senior living facilities, restaurants, shops, grocery and convenience stores. In addition, the proposed sewer service delivery area is limited from relocating failing septic systems, and alternatives for septic system and drain field replacement is costly.

Although many properties throughout Sky Valley will not receive sanitary sewer service with this project, the implementation of the proposed sanitary sewer system would benefit all residents and property owners by providing economic development improvements. The economic benefit would include increased tax revenue through increased commercial businesses and tax revenues through hotel/motel taxes. Residents and visitors would also benefit of shopping and dining locally rather than driving to another town for dining, groceries, or other conveniences.

We also recommend the City hold public meetings and receive public input for the implementation of this project. Support and need from the proposed sewer customers is pertinent to the realization of the project, since these customers will be funding the majority of the costs. Support for the project from the majority of the citizens, even those not receiving sewer service, could indicate that the City hold a referendum to obligate general funds to help pay debt service. If the Council receives positive support for the project, then we recommend proceeding with the proposed project.

The proposed project recommendation is Option 1.A, the construction of the sanitary sewer collection system and installation a single pump station to pump the wastewater to the Rabun County Water Sewer Authority WWTF. As mentioned previously, Option 1.A has the lowest estimated project costs as well as operation costs. The proposed gravity sewer collection system was carefully laid out as to avoid the majority of the golf course and is generally out-of-view. Much of the installation of the sewer lines will occur within the roadway; however, the City and

County could utilize SPLOST funds to repave these roads. The proposed lift station location will be concealed behind the Lodge with privacy fencing, and should not be too unsightly.

We recommend committing SPLOST funds towards the pavement repair and repaving. We also recommend that the City seek grant funding through ARC and OneGeorgia by obtaining commitment letter(s) from interested developer(s) with plans to develop projects that involve a substantial amount of job creation. The commitment letter can be utilized to apply for \$600,000 from ARC and \$500,000 from OneGeorgia.

Once the grants and SPLOST funds are available, we recommend proceeding with the project by means of proceeding with project design and permitting and securing GEFA CWSRF loan funds.

The City may also consider requesting the Rabun County Water and Sewer Authority to provide a reduced sewer treatment rate in the initial years of development of the sewer system to enhance the feasibility of the program.

In order to move forward with the project, we recommend that the City consider the option of phasing the project. The City would need to acquire commitments from contributors and also apply to ARC and/or OneGeorgia for possible grants. Design and construction would follow once funds are acquired. With the capability of providing sewer service to potential businesses, the City would be enabled to attract potential businesses.

**Exhibit 1:**  
**Preliminary Layout Maps of Sky Valley Collection System and  
Pumping System to Rabun County WSA WWTF**

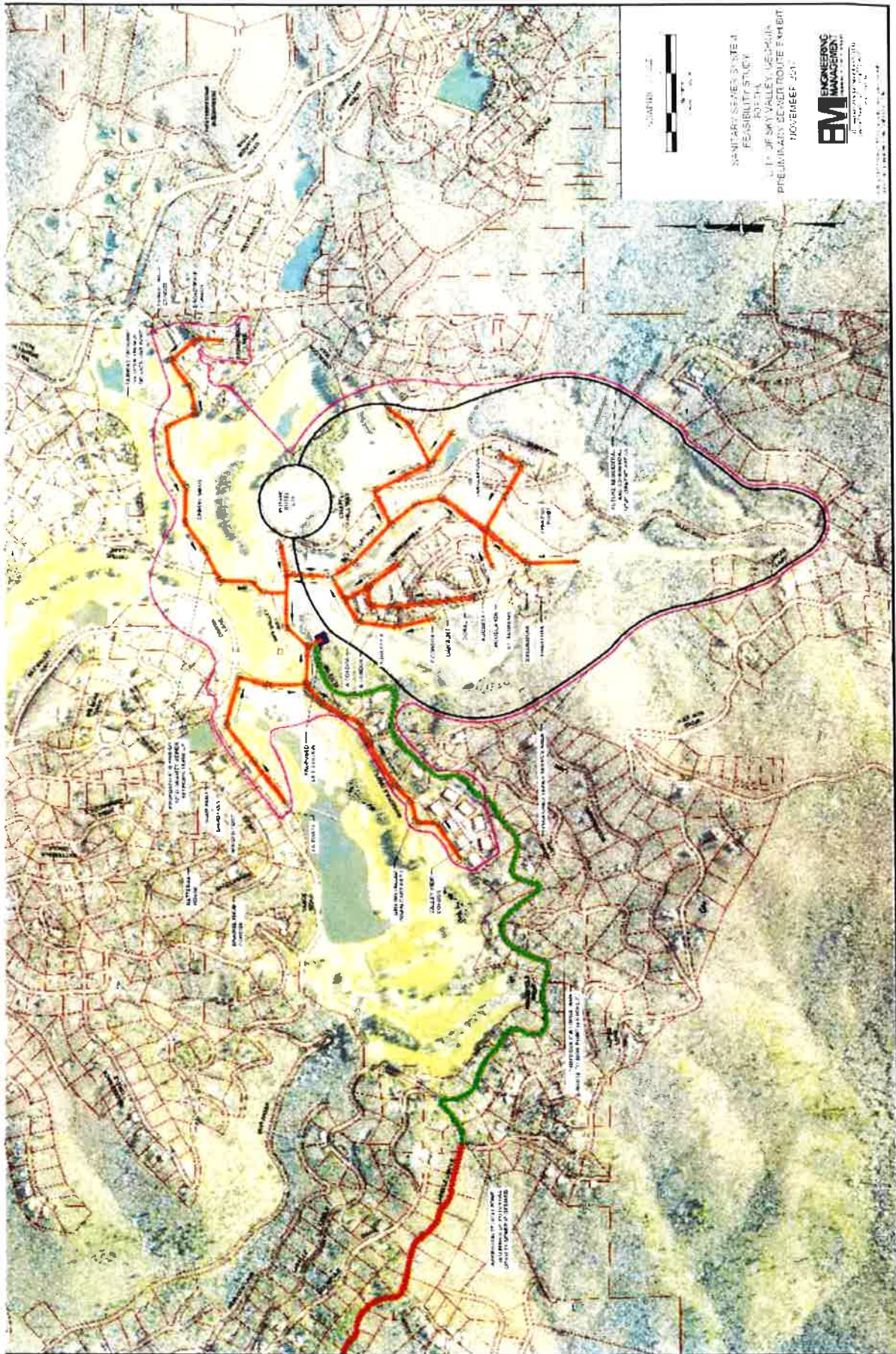




SEWERAGE SYSTEM  
 SANITARY SEWER SYSTEM  
 PEAS BURY STATION  
 CITY OF OAK VALLEY GEORGETOWN  
 PRELIMINARY SEWER FACILITY EMBODIMENT  
 NOVEMBER 2017







SCALE BAR  
0 100 200 300 400 500  
Feet

SANITARY SEWER SYSTEM  
FEASIBILITY STUDY  
CITY OF SKY VALLEY, NEVADA  
PRELIMINARY SEWER ROUTE EXHIBIT  
NOVEMBER 2011

**EM** ENGINEERING  
MANAGEMENT  
INC.  
1000 S. MAIN ST., SUITE 100  
SPRINGFIELD, NV 89701  
TEL: 775.734.1111  
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## **Exhibit 2:**

### **Estimated Project Costs**

**Option 1.A: Sewer System Collection and Pump to RCWSA, One Lift Station**

**Option 1.B: Sewer System Collection and Pump to RCWSA, Two Lift Stations**

**Option 2: Sewer System Collection and Pump to On-site Membrane Bioreactor  
and Reuse Land Application**



**City of Sky Valley, Georgia**  
**Sanitary Sewer System Feasibility Study**  
**Preliminary Cost Estimate**  
**Option 1.A: Pump to RCWSA WWTF, One Lift Station**

7/11/17

<b>ESTIMATED CONSTRUCTION COSTS</b>				
<b>Item</b>	<b>Units</b>	<b>Unit Cost</b>	<b>Qty</b>	<b>Cost</b>
<b>SEWER COLLECTION SYSTEM</b>				
8" Dia. Gravity Sewer	LF	\$50	10,600	\$530,000
12" Dia. Gravity Sewer	LF	\$70	4,750	\$332,500
Manhole	EA	\$2,700	65	\$175,500
Minor Creek Crossing	LF	\$80	140	\$11,200
J&B, 12" Sewer with 24" casing	LF	\$300	250	\$75,000
Pavement Cut and Repair	LF	\$40	9,000	\$360,000
Trench Rock	CY	\$70	1,000	\$70,000
Sewer Service Lateral	EA	\$2,000	45	\$90,000
Septic Tank Abandonment	EA	\$1,000	45	\$45,000
Erosion Control	LF	\$1.30	15,000	\$19,500
Grassing	LF	\$1.40	5,900	\$8,260
NPDES	LS	\$2,040	1.0	\$2,040
<b>CONSTRUCTION SUB-TOTAL</b>				<b>\$1,719,000</b>
<b>SINGLE LIFT STATION - PUMP TO RCWSA WWTF</b>				
Pump Station	EA	\$400,000	1	\$400,000
6" Dia. Forcemain	LF	\$20	28,900	\$578,000
6" Plug Valve	EA	\$1,500	12	\$18,000
Forcemain Pig Access Port	EA	\$700	1	\$700
Air Release/Vacuum Valve	EA	\$4,000	15	\$60,000
Minor Creek Crossing	LF	\$80	60	\$4,800
J&B, 6" FM with 12" casing	LF	\$180	200	\$36,000
Pavement Cut and Repair	LF	\$40	10,000	\$400,000
Gravel Road Repair	LF	\$10	3,100	\$31,000
Trench Rock	CY	\$70	2,000	\$140,000
Erosion Control	LF	\$1.30	28,600	\$37,180
Grassing	LF	\$1.40	15,500	\$21,700
NPDES	EA	\$3,620	1.0	\$3,620
<b>CONSTRUCTION SUB-TOTAL</b>				<b>\$1,731,000</b>
<b>TOTAL CONSTRUCTION SUB-TOTAL</b>				<b>\$3,450,000</b>

**City of Sky Valley, Georgia**  
**Sanitary Sewer System Feasibility Study**  
**Preliminary Cost Estimate**  
**Option 1.A: Pump to RCWSA WWTF, One Lift Station**

7/11/17

PROJECT SUPPORT COSTS	
Feasibility Study	\$15,000
GEFA Application Development	12,000
Design Engineering	224,000
Topographic Survey	20,000
Pumping Hydraulic Study	4,500
COE permits	7,000
Buffer Variance	7,000
Erosion Control Plans and Permits	7,000
Boundary Survey for Pump Station	5,000
Bid Phase Management	4,000
Engineering During Construction	30,000
Construction Observation	80,000
Easement Drawings	30,000
Acquisition	50,000
Funding Administration	15,000
Contingency	344,500
<b>PROJECT SUPPORT SUB-TOTAL</b>	<b>\$855,000</b>
<b>TOTAL ESTIMATE OF PROBABLE COSTS</b>	<b>\$4,305,000</b>

**City of Sky Valley, Georgia**  
**Sanitary Sewer System Feasibility Study**  
**Preliminary Cost Estimate**  
**Option 1.B: Pump to RCWSA WWTF, Two Lift Stations**

7/11/17

<b>ESTIMATED CONSTRUCTION COSTS</b>				
<b>Item</b>	<b>Units</b>	<b>Unit Cost</b>	<b>Qty</b>	<b>Cost</b>
<b>SEWER COLLECTION SYSTEM</b>				
8" Dia. Gravity Sewer	LF	\$50	10,600	\$530,000
12" Dia. Gravity Sewer	LF	\$70	4,750	\$332,500
Manhole	EA	\$2,700	65	\$175,500
Minor Creek Crossing	LF	\$80	140	\$11,200
J&B, 12" Sewer with 24" casing	LF	\$300	250	\$75,000
Pavement Cut and Repair	LF	\$40	9,000	\$360,000
Trench Rock	CY	\$70	1,000	\$70,000
Sewer Service Lateral	EA	\$2,000	45	\$90,000
Septic Tank Abandonment	EA	\$1,000	45	\$45,000
Erosion Control	LF	\$1.30	15,000	\$19,500
Grassing	LF	\$1.40	5,900	\$8,260
NPDES	LS	\$2,040	1.0	\$2,040
<b>CONSTRUCTION SUB-TOTAL</b>				<b>\$1,719,000</b>
<b>SINGLE LIFT STATION - PUMP TO RCWSA WWTF</b>				
Pump Station	EA	\$400,000	2	\$800,000
6" Dia. Forcemain	LF	\$20	28,900	\$578,000
6" Plug Valve	EA	\$1,500	12	\$18,000
Air Release/Vacuum Valve	EA	\$4,000	15	\$60,000
Minor Creek Crossing	LF	\$80	60	\$4,800
J&B, 6" FM with 12" casing	LF	\$180	200	\$36,000
Pavement Cut and Repair	LF	\$40	10,000	\$400,000
Gravel Road Repair	LF	\$10	3,100	\$31,000
Trench Rock	CY	\$70	2,000	\$140,000
Erosion Control	LF	\$1.30	28,600	\$37,180
Grassing	LF	\$1.40	15,500	\$21,700
NPDES	EA	\$3,620	1.0	\$3,620
<b>CONSTRUCTION SUB-TOTAL</b>				<b>\$2,130,300</b>
<b>TOTAL CONSTRUCTION SUB-TOTAL</b>				<b>\$3,849,300</b>

# SWIFT-CANTRELL PARK • PICNIC PAVILION RENTAL AGREEMENT

Admin Office: 2753 Watts Drive, Kennesaw, Georgia 30144 | 770-422-9714 | 678-460-3373 fax | www.kennesawparksandrec.com

Swift-Cantrell Park is located at 3140 Old 41 Highway, Kennesaw, Georgia 30144



Reserve a picnic area for your next social gathering. Swift-Cantrell Park has three 1,320-square-foot open-air pavilions, each with enough picnic tables to accommodate 60 people. Each pavilion has two charcoal grills. There is no lighting under the pavilions and no electrical outlets.

## Rules & Policies

- Pavilions may be reserved Monday through Sunday 9:00am to 8:00pm. Rentals require a two (2) hour minimum.
- No one under 18 years of age is permitted to reserve facilities. Rental applicant must provide adequate supervision.
- Rental applicant is responsible for leaving pavilion site in a clean and orderly condition by the rental end time. This includes the disposing of all waste in trash cans, wiping down all picnic tables (including seating), cleaning up all spills, and extinguishing charcoal fires (if grills were used). If picnic tables are moved, they must be returned to their original location. Failure to comply will result in loss of security deposit.
- Rental time must include setup and clean up. Please allow appropriate time for setup before the event and clean up after the event.
- **Due to circumstances beyond our control, we do not guarantee the condition of the pavilion upon arrival, or parking availability.**
- All vehicles must park in parking lots.
- No tents or canopies are permitted.
- No signage may be erected.
- If grilling is desired, rental applicant must use in-park supplied grills.
- Alcoholic beverages and glass containers are prohibited.
- The use of tobacco/ e-cigarettes products is prohibited.
- Amplified sound is prohibited. Please keep music at an acceptable (low) volume so that it will not infringe upon other park users or adjacent neighbors.
- Commercial use of the pavilions is prohibited. No sales of any kind may take place without prior approval from the Parks & Recreation Director.
- No special entertainment and equipment (e.g., moonwalks, dunk tanks or inflatables) are permitted.
- Animals are not permitted under the pavilions.
- No decorations or temporary fixtures may be affixed to pavilions, picnic tables or grills with tape, nails, tacks, staples, or any application that will cause irreversible damage.
- **Cancellation Policy:** Rentals cancelled in writing 15 days prior to the event date will be subject to a cancellation fee of \$15.00. No refunds will be given for cancellations made with less than 15 days notice.
- **Inclement Weather Policy:** Refunds will not be issued due to weather conditions (e.g. rain, sleet, snow, ice, etc.) existing on your event date, however a credit will be issued towards a future rental and/or program registration.

## Fees

Security Deposit	Kennesaw City Resident	Non-Resident
\$50.00	\$15.00/hr (2 hour minimum)	\$35.00/hr (2 hour minimum)

## Application

Reservations must be made in-person during regular office hours, Monday through Friday, and are scheduled on a first-come, first-serve basis. Reservations for weekend rentals must be made by Thursday at 5:00pm. Full payment and refundable (damage/cleaning) deposit is due at the time of reservation.

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_ Company Name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Tel (H): \_\_\_\_\_ (W): \_\_\_\_\_ (C): \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Purpose of Event (be specific): \_\_\_\_\_

Pavilion Requested: The General The Mustang The Warrior Applicant Type: Kennesaw City Resident Non-Resident

Date of Event: \_\_\_\_\_ Rental Start Time: \_\_\_\_\_ Rental End Time: \_\_\_\_\_ Est. Attendance: \_\_\_\_\_

## Required Signature

I have read all of the Rules & Policies above and agree to comply with my signature below. I understand that my security deposit may be forfeited or I may be billed for any additional expense should any of the aforementioned requirements be ignored or abused, or if any damages are a result of the actions of my rental. I understand that I must be present for the duration of the rental and assume all liability for clean up and damages.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The City of Kennesaw reserves the right to refuse application for cause or to revoke the rental applicant's permit privileges. If this occurs, we will attempt to notify you as soon as possible.

## Payment Information (checks payable to "City of Kennesaw")

Security Deposit: \$ \_\_\_\_\_ Cash or Check # \_\_\_\_\_ Visa/MasterCard/Amex # \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Rental Fees: \$ \_\_\_\_\_ Cash or Check # \_\_\_\_\_ Visa/MasterCard/Amex # \_\_\_\_\_ Exp. Date: \_\_\_\_\_

FOR OFFICE USE ONLY: Approved by \_\_\_\_\_ Date: \_\_\_\_\_ (Revised 10/16/2015)





PARKS RESERVATION FORM  
PAVILION RENTAL POLICY AND USE AGREEMENT – COCHRAN MILL PARK ONLY

Pavilions are rented in four-hour blocks only. This block of time is for a three-hour event, a ½ hour load-in and a ½ hour load-out time period. To check availability for pavilion rental, please call (770) 463-8881. If your date is available, fill out and submit the following reservation form.

Reservation Fees (four-hour block)

Chattahoochee Hills City residents (identification required)	\$35.00
Non residents of Chattahoochee Hills:	\$75.00

A key for the restrooms will be available at City Hall 2-3 business days prior to the rental. There is a \$20 refundable deposit for use of the restroom keys. This is not a required fee to rent a pavilion.

Sanitation Bond

A refundable sanitation bond of \$50.00 paid by check only will be charged to reserve a pavilion, payable two weeks prior to the date of the reservation. The bond shall be forfeited to the city if the reserving party fails to clean the pavilion and deposit trash in the trash receptacles provided by the city prior to leaving the site.

All reservation applicants must present proof of residence at the time reservation is made in the form of a driver's license, voter registration card or utility bill in the applicant's name. Applications made by non-residents of the City of Chattahoochee Hills are charged non-resident fees. It is unlawful for a non-resident individual or organization to fraudulently apply for use of CCH facilities in the name of a CCH resident or through the use of a CCH address.

Payments for fees must be made at City Hall fourteen days prior to the rental date in the form of cash, Visa, MasterCard, check, or money order made payable to the City of Chattahoochee Hills. If reservation is made less than fourteen days from the rental date then payment for the rental and sanitation bond is required at the time of reservation. The city's return check policy will apply to checks returned for non-payment.

Refunds will be granted up until two business days prior to the function minus a \$10 service charge. Refunds for weekend events must be requested no later than 4:30 pm the Wednesday before the rental. Refunds will be sent to the address of record on the rental application.

Pavilion Rental Regulations:

All rentals are based on availability. The City of Chattahoochee Hills reserves the right to refuse requests for rentals of any facility.

Once issued, your pavilion permit is not transferrable. The pavilions are rented as is. No refunds will be issued due to the condition of a shelter. The reservation entitles the reserving party to the use of the shelter area; however, the agreement does not entitle the reserving party to exclusive or private use of other park areas.

The City of Chattahoochee Hills may refuse rental of facilities due to weather and to person(s) who wish to conduct activities deemed detrimental to the program of the City or safety of its residents or others. Groups wishing to rent the pavilions must read and sign this Use Agreement prior to being granted authority to CCH facilities.

The following rules and regulations are in effect for CCH pavilions. These rules and regulations must be followed at all times and are subject to change as the city deems necessary. If the rules and regulations are not adhered to by the renter, then this rental agreement becomes null and void immediately. No refunds will be given if a contract is voided.

- The facilities and surrounding park areas must be vacated no later than dusk – unless the area is deemed and permitted as a primitive camping site.
- No moonwalks, dunk tanks or any equipment that calls for independent power are allowed in the park. All games and activities that could damage any lawn are restricted.
- All pets must be on a leash in a city park. Persons with pets must clean up after the pet. Horses are permitted on trails designated as horse trails. Horse manure must be cleaned up in parking lot area.
- No glass containers are allowed in the park.
- Amplified music is not allowed in the park.
- For events scheduled for more than 4 hours in parks without operable restrooms, the pavilion user shall provide one portable toilet per 100 people expected. The user is responsible for contacting a company for the delivery and pick up of the toilets. Toilets are required to be removed 24 hours following the event. Portable toilets must be on a non-grass level surface. If portable toilets are left overnight, it is recommended they be zip-tied to prevent unauthorized use.
- No tents or canopies over 144 square feet are allowed.
- The renter is responsible for all clean up, including removal of all trash, decorations and other items brought into the park. The City is not responsible for setting up or taking down rental equipment nor is the city responsible for any rental equipment delivered to the site.
- Failure to adhere to these rules may result in renting party being required to leave park and/or denied a permit in the future.
- It shall be unlawful on any city property for any person to have in their possession or under direct control any controlled substance as defined by O.C. G. A. 16-13-1.
- The pavilion rental permit holder or his/her designee must be present on site with the pavilion rental permit in their possession during the entire rental period, including set up and breakdown.
- Vehicles allowed only in designated areas.
- No alcoholic beverages are permitted on City of Chattahoochee Hills' property unless a permit is issued by the City.
- No one under the age of 21 may enter into a use agreement for the purpose of securing a facility rental.

Applicant's signature indicates agreement that all provisions in the City Code of Ordinances, Chapter 15 (available at [www.chattahillsga.us](http://www.chattahillsga.us)) will be adhered to during the permitted time.

**LIABILITY WAIVER AND RELEASE**

*I, hereby assume all responsibility for, and risks and hazards of, participation in the rental activity planned by my group. In consideration the City of Chattahoochee Hills providing permission to use the facility requested, I and all members of my rental group, do hereby release the City of Chattahoochee Hills including all officials, officers, sponsors, organizers supervisors, volunteers, participants and all other agents, of any and all claims, demands, rights, and causes of action of whatever kind and nature, arising from and by reason of, and all known and unknown, foreseen and unforeseen, bodily and personal injuries, damage to property, and the consequences thereof, resulting from participation in the rental activity planned on City of Chattahoochee Hills facilities.*

I have read and agree to the terms set forth in this agreement

Renters Name (Please print) \_\_\_\_\_

Renter's signature \_\_\_\_\_ Date \_\_\_\_\_

Today's Date: \_\_\_\_\_

2014 Pavilion Reservation Application – Cochran Mill Park Only

This section to be completed by the Rental Customer:

Name of Rental Customer \_\_\_\_\_ Name of Organization \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Work/Cell Phone \_\_\_\_\_ Email Address \_\_\_\_\_

Alternate Contact name \_\_\_\_\_ Alternate Contact Phone \_\_\_\_\_

Date of event: \_\_\_\_\_ Start time \_\_\_\_\_ End time \_\_\_\_\_ # of people expected \_\_\_\_\_

City Resident (see policy and use agreement)    \_\_\_ Yes    \_\_\_ No

Is electrical power needed?    \_\_\_ Yes    \_\_\_ No

Will there be any cooking at this event?    \_\_\_ Yes    \_\_\_ No

Will portable toilets be used?    \_\_\_ Yes    \_\_\_ No  
(If yes, this application must be 21 days prior to your event)

Portable toilet company name \_\_\_\_\_ How many units \_\_\_\_\_ Phone # \_\_\_\_\_

Your application request for a pavilion is not final until your request is processed by City Hall.

**Staff Use Only**

Permit # \_\_\_\_\_ Date(s) permitted \_\_\_\_\_ Time(s) permitted \_\_\_\_\_

Resident fees \$ \_\_\_\_\_ Non-resident fees \$ \_\_\_\_\_

Sanitation Bond Check # \_\_\_\_\_ Sanitation Bond refund date \_\_\_\_\_

Key Deposit Taken    \_\_\_ Yes    \_\_\_ No    Key Deposit Check # \_\_\_\_\_ Key Deposit refund date \_\_\_\_\_

Method of Payment \_\_\_\_\_ Staff initials \_\_\_\_\_



Feb

RISK MANAGEMENT AND  
EMPLOYEE BENEFIT SERVICES  
BOARD OF TRUSTEES

**Chairman**  
Kenneth E. Udry  
Mayor, Thomson

November 20, 2017

**Vice Chairman**  
W. D. Palmer III  
Councilmember, Cummins

Mayor Hughel Goodgame  
City of Sky Valley  
3444 Highway 246  
Dillard, GA 30537-2502

**Secretary-Treasurer**  
B. Thorntor  
GMA Regional Executive Director

**RE: GMA Certified City of Ethics Program**

**Trustees:**

Dear Mayor:

Boyd Austin  
Mayor, Dufur

The City of Sky Valley is scheduled to recertify as a Georgia Certified City of Ethics. To remain certified, the city must submit to GMA for review and approval a copy of any changes to the city's ethics ordinance since initial certification and a current resolution signed by a majority of the governing body re-adopting the five ethics principles. You have two opportunities to recertify. To recertify and be recognized at Mayors' Day in January 2018, these materials must be received by GMA no later than December 15, 2017. To recertify and be recognized at the GMA Annual Convention in June 2018, these materials must be received by April 1, 2018. Please forward the materials to GMA Legal Assistant, Gina Shirley.

Linda Blackinger  
Mayor, Auburn

Kent Brady  
Mayor, Newnan

Elizabeth M. English  
Mayor Pro Tem, Wrens

Ronald Gardner  
City Manager, Dacula City

Maria Hampton  
City Manager, Douglasville

Please visit GMA's website, [www.gmanet.com](http://www.gmanet.com), to see the program requirements and sample ordinance and view the GMA publication "Ethics in Government: Charting the Right Course." If you have any additional questions about the program, please feel free to give Gina a call at (770) 686-6258 or email [rshirley@gmanet.com](mailto:rshirley@gmanet.com).

Meg Kealey  
City Manager, Lawrenceville

Eve McNiece  
Commissioner, Rome

David Nunn  
City Manager, Marietta

We appreciate your participation in this important program.

Jamie F. Palmer  
Mayor, Calhoun

Sincerely,

Kenneth E. Smith  
Mayor, Kingwood

Rebecca L. Tydings  
City Attorney, Centerville

Susan J. Moore  
General Counsel

Vince Williams  
Mayor, Union City

C: Ms. Ella Fast, City Clerk

**ORDINANCE No. 18-\_\_\_\_\_**

**City of Sky Valley**

**State of Georgia**

**ETHICS ORDINANCE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SKY VALLEY, GEORGIA TO PROVIDE A NEW ETHICS CODE SECTION; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE ANEFFECTIVE DATE; AND FOR OTHER PURPOSES.**

WHEREAS, the duly elected governing authority of the City of Sky Valley, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the duly elected governing authority of the City of Sky Valley, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority deems it essential to the proper operation of democratic government that the public officials be, and give the appearance of being, independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; and that public office not be used for personal gain; and

WHEREAS such measures are necessary to provide the public with confidence in the integrity of its government.

NOW THEREFORE it is the policy of the city that its officials, employees, appointees, and volunteers conducting official city business:

- Serve others and not themselves;
- Be independent, impartial and responsible;
- Use resources with efficiency and economy;
- Treat all people fairly;
- Use the power of their position for the well-being of their constituents; and
- Create an environment of honesty, openness and integrity.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED:

- I. That the Code of Ordinances of the City of Sky Valley, Georgia is hereby amended by repealing and replacing Ordinance 04-02 Code of Ethics with a new Code of Ethics, which said sections read as follows:



## Sec. 1 PURPOSE

The purpose of this code of ethics is to:

- (a) Encourage high ethical standards in official conduct by city officials;
- (b) Establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the interest of the city;
- (c) Require disclosure by such officials of private financial or other interest in matters affecting the city; and
- (d) Serve as a basis for disciplining those who refuse to abide by its terms.

## Sec. 2 SCOPE

The provisions of this code of ethics shall be applicable to all elected or appointed city officials. Notwithstanding anything herein to the contrary, state law and the charter of the city shall be controlling in the event of an actual conflict with the provisions of this code of ethics. This ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the charter.

## Sec. 3 DEFINITIONS

Solely for the purpose of this code of ethics:

(a) City official or official, unless otherwise expressly defined does not include city employees but does mean the mayor, members of the city council, municipal court judges, city manager, city clerk, city attorney, and all other persons holding positions designated by the city charter, as amended.

The term "city official" also includes all individuals, including city employees, appointed by the mayor and/or city council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or city council.

(b) Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other city board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.

(c) Employee means any person who is a full-time or part-time employee of the city.

(d) Immediate family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

(e) Incidental interest means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.

(f) Remote interest means an interest of a person or entity, including a city official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general city fees, city utility charges or a comprehensive zoning ordinance or similar matters is deemed remote to the extent that the official would be affected in common with the general public.

(g) Substantial interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:

- (1) the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or
- (2) the funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;
- (3) the person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the city council; or
- (4) the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

#### Sec. 4 PROHIBITIONS

(a) No city official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the city.

(b) No city official, in any matter before the council or other city body, relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

(c) No city official shall act as an agent or attorney for another in any matter before the city council or other city body.

(d) No city official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.

(e) No city official shall enter into any contract with, or have any interest in, either directly or indirectly, the city except as authorized by state law.

(i) This prohibition shall not be applicable to the professional activities of the city attorney in his or her work as an independent contractor and legal advisor on behalf of the city.

(ii) This prohibition shall not be applicable to an otherwise valid employment contract between the city and a city official who is not elected (such as, by way of example, a city manager, city administrator or chief of police).

(iii) Any official who has a proprietary interest in an agency doing business with the city shall make that interest known in writing to the city council and the city clerk.

(f) All public funds shall be used for the general welfare of the people and not for personal economic gain.

- (g) Public property shall be disposed of in accordance with state law.
- (h) No city official shall solicit or accept other employment to be performed, or compensation to be received, while still a city official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.
- (i) If a city official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the city council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.
- (j) No city official shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
- (k) No city official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.
- (l) A city official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.
- (m) A city official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amounting to a substantial interest.
- (n) A city official shall not order any goods and services for the city without prior official authorization for such an expenditure. No city official shall attempt to obligate the city nor give the impression of obligating the city without proper prior authorization.
- (o) No city official shall draw travel funds or per diem from the city for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the city therefore.
- (p) No city official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Sky Valley nor shall any city official engage in ex parte communication with a municipal court judge of the City of Sky Valley on any matter pending before the Municipal Court of the City of Sky Valley.

## Sec. 5 CONFLICT OF INTEREST

(a) A city official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.

(b) A city official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the city.

(c) Where the interest of a city official in the subject matter of a vote or decision is remote or incidental, the city official may participate in the vote or decision and need not disclose the interest.

## Sec. 6 BOARD OF ETHICS

Select Alternative A, B, C or D or draft another suitable alternative. If Alternative D is chosen, subsections (b) through (f) may be omitted. Alternative D can also be used in conjunction with one of the other alternatives to hear complaints against any member of the Board of Ethics or when the Board of Ethics cannot convene because appointed members of the Board of Ethics have conflicts of interest in hearing the matter.

### Alternative A

(a) The Board of Ethics of the City shall consist of three (3) residents of the City, one appointed by the mayor, one appointed by the city council, and the third appointed by the mayor and approved by a majority of the city council.

### Alternative B

(a) The Board of Ethics shall consist of three (3) residents of the City, one appointed by the mayor, one appointed by the council, and the third appointed by the two named Board members and approved by a majority of the city council. The third member of the Board of Ethics shall be a member in good standing of the State Bar of Georgia.

### Alternative C

(a) The Board of Ethics of the City shall be composed of three (3) residents of the City to be appointed as follows: the mayor and councilmembers shall each designate one (1) qualified citizen to provide a pool of \_\_\_ number of individuals who have consented to serve as a member of such Board of Ethics and who will be available for a period of two (2) years to be called upon to serve in the event a Board of Ethics is appointed. The City Clerk shall maintain a listing of these qualified citizens. Upon receipt of a properly verified complaint and timely forwarding of that complaint to the city official charged in the complaint, the Mayor and Council, at the next regularly scheduled public meeting or at a specially called public meeting, shall draw names randomly from the listing of qualified citizens until three (3) members of the Board of Ethics have been appointed. Such Board will elect one of its members to serve as chair.

### Alternative D

(a) The Municipal Court of the City of Sky Valley shall hear and render decisions on all proper verified complaints filed under this ordinance.

(b) All members of the Board of Ethics shall be residents of the city for at least one (1) year immediately preceding the date of taking office and shall remain a resident while serving on the Board.

(c) All members of the Board of Ethics shall serve a \_\_\_\_-year term.

(d) No person shall serve as a member of the Board of Ethics if the person has, or has had within the preceding one (1) year period, any interest in any contract or contracting opportunity with the city or has been employed by the City.

(e) Members of the Board of Ethics with any permit or rezoning application pending before the city, or any pending or potential litigation against the city or any city official charged in the complaint shall be disqualified from serving on the Board of Ethics for that complaint. An alternate member of the Board of Ethics shall be selected in the same manner as the disqualified individual.

(f) The members of the Board of Ethics shall serve without compensation. The city council shall provide meeting space for the Board of Ethics and, subject to budgetary procedures and requirements of the City, such supplies and equipment as may be reasonably necessary for the Board to perform its duties and responsibilities.

(g) No person shall serve on the Board of Ethics who has been convicted of a felony involving moral turpitude in this state or any other state, unless such person's civil rights have been restored and at least ten years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude.

(h) No person shall serve on the Board of Ethics who is less than 21 years of age, who holds a public elective office, who is physically or mentally unable to discharge the duties of a member of the Board of Ethics, or who is not qualified to be a registered voter in the City of Sky Valley.

(i) Upon appointment, members of the Board of Ethics shall sign an affidavit attesting to their qualification to serve as a member of the Board of Ethics.

(j) Members of the Board of Ethics may be removed by majority vote of the city governing authority.

OR

(j) Members of the Board of Ethics may be removed by majority vote of the city governing authority for cause including, but not limited to, failure to maintain any requirement for qualification to serve on the Board of Ethics.

## Sec. 7 RECEIPT OF COMPLAINTS

Select Alternative A, B, C or D or draft another suitable alternative. If Alternative D is chosen, conform the language in the following sections by substituting "municipal court" for "board."



### Alternatives A & B

(a) All complaints against city officials shall be filed with the Board of Ethics, who may require that oral complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the city council or the Board of Ethics. Upon receipt of a complaint in proper form, the chair of the Board of Ethics shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days.

### Alternative C

(a) All complaints against city officials shall be filed with the city clerk, who will give it to the Mayor and Council. The Mayor and Council may require that oral complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the city council. Upon receipt of a complaint in proper form, the city clerk or the clerk's designee shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days.

### Alternative D

(a) All complaints against city officials shall be filed with the clerk of the Municipal Court of the City of \_\_\_\_\_. Upon receipt of a complaint in proper form, the municipal court clerk shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days.

(b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this ordinance.

(c) Upon receipt of a complaint in proper form, the Board shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Board of Ethics is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Board of Ethics shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official. For complaints that are not dismissed, the Board of Ethics is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.

(d) Upon completion of its investigation of a complaint, the Board of Ethics is empowered to dismiss in writing those complaints which it determines are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Board of Ethics shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official.

(e) The Board of Ethics is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.

(f) The Board of Ethics is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.

(g) Findings of the Board of Ethics shall be submitted to the City Council for action. Some elected officials raised concerns about potential misuse of the ethics complaint process for political purposes. The governing authority may elect to remain silent on this issue and allow local ethics complaints to be filed and processed at any time or the governing authority may consider Alternative A or B below or draft another suitable alternative.

#### Alternative A

(h) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

#### Alternative B

(h) To discourage the filing of ethics complaints solely for political purposes, ethics complaints against a person seeking election as a city official, whether currently serving as a city official or not, which are filed between the date of qualifying for municipal office and the date of certification of the election results will be held and will not be processed until the election results for that office have been certified.

### Sec. 8 SERVICE OF COMPLAINT

The city clerk or Board of Ethics as appointed herein set forth shall cause the complaint to be served on the city official charged as soon as practicable but in no event later than seven (7) calendar days after receipt of a proper, verified complaint. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. A hearing shall be held within sixty (60) calendar days after filing of the complaint. The Board of Ethics shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the Board of Ethics shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Board of Ethics, the city official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The city official subject to the inquiry shall have also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Board of Ethics or the city council to act upon any complaint.

Sec. 9 RIGHT TO APPEAL

(a) Any city official or complainant adversely affected by the findings or recommendations of the Board of Ethics may obtain judicial review of such decision as provided in this Section.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of X County within thirty (30) days after the decision of the Board of Ethics. The filing of such application shall act as supersedeas.

Sec. 10 PENALTY

Any person violating any provision of this article is subject to:

(a) Public reprimand or censure by the city council; or

(b) Request for resignation by the city council.”

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.

The adoption date of this ordinance is \_\_\_\_\_ and the effective date of this ordinance shall be \_\_\_\_\_.

ORDAINED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Ordinance No. 13-03

**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

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 24 hours at City Hall. In addition, written or oral notice shall be given by the Clerk at least 24 hours 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.



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.

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 21<sup>st</sup> day of October, 2013.

Approved:

  
James S. Martindale, Mayor

  
Neil Howard, Council President

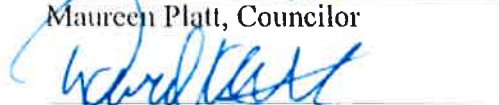
  
Liz Carr, Councilor

  
Bob Larsen, Councilor

Attest:

  
Mandi Cantrell, City Clerk

  
Maureen Platt, Councilor

  
David Whatley, Councilor

Read and introduced on the 21<sup>st</sup> day of October, 2013.

Adopted on the 21<sup>st</sup> day of October, 2013.