

**REGULAR COUNCIL MEETING  
CITY OF SKY VALLEY, GEORGIA  
JUNE 17, 2013  
MONDAY, 2:00 PM  
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

**MINUTES**

Mayor Martindale called the meeting to order.

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

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

**APPROVAL OF MINUTES**

Councilor Whatley made a motion to approve the minutes of the May 20, 2013 Regular Council Meeting, 2<sup>nd</sup> Councilor Carr, unanimously approved.

**ADOPTION OF AGENDA**

Citizen Ray Becker asked to add discussion of garbage collection to the agenda. Councilor Platt made a motion to adopt the agenda with this addition, 2<sup>nd</sup> Council President Howard. Citizen Ray Becker asked to add the discussion of the golf course cart path. Councilor Larsen made a motion to adopt the agenda with this addition, 2<sup>nd</sup> Councilor Whatley. Both motions passed unanimously.

**MAYOR'S REMARKS**

Mayor Martindale said the City received a Thank You letter from the Garden Club thanking the City for the contribution for the fall decorations.

Mayor Martindale reported that he spoke with Harrison Merrill regarding the demolition of the lodge and that Mr. Merrill said he has authorized Brook Cole to move forward with the demolition permit process.

**COUNCIL REMARKS**

Councilor Larsen reported that the Club's Grand Opening was June 1. He said 288 people were in attendance and they were very happy to be able to take care of that many people. The Club is now open for Sunday brunch and will be serving dinner Thursday – Saturday evenings.

Councilor Platt asked if Mr. Merrill will have to post a demolition bond. Mayor Martindale said that the permitting process requires a 135-percent demolition bond.

Councilor Whatley congratulated City Manager Lapeyrouse and City Clerk Cantrell for receiving their Advanced Human Resource Certification through UGA.

Councilor Carr thanked the City for an immediate response and resolution to a drainage issue on Rebel Circle.

## **SPECIAL BUSINESS**

Jack P. Green – Presentation of 2012 Audit

Mr. Green presented the 2012 audit stating that he is pleased to present a clean audit. He gave a brief overview of the audited financial statements.

Councilor Whatley asked if the City stays within budget for the water fund, are we looking at a \$20,000 per year loss based on the debt service. Mr. Green said that he has not done future year projections for this, but only looking at 2012, yes.

Citizen Steve Brett asked what was the general fund's fund balance at the end of the year. Mr. Green replied that cash on hand was \$1,129,359. Of that, \$834,170 was deferred revenue for the 2013 year.

- Approval of 2012 Audit

Council President Howard made a motion to approve the 2012 audit, 2<sup>nd</sup> Councilor Larsen, unanimously approved.

## **DEPARTMENT REPORTS**

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

Citizen Hughel Goodgame asked about the State's legislation regarding trees and ordinances impending on homeowner's rights. Attorney Dickerson said that the legislation did not pass and the City's tree ordinance is in compliance with the law.

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

## **OLD BUSINESS**

- Election – Attorney opinion

Mayor Martindale said that he asked Attorney Dickerson to respond to a claim that the City did not have the election properly staffed. Attorney Dickerson said that the way the City has been conducting elections is in complete compliance with the law adding that we are under no obligation to contract with the County to conduct elections. Councilor Whatley asked if this means that using existing city staff in a dual capacity meets the requirement to have three people present at all times. Attorney Dickerson said that it did. Citizen David Carr said that the County's Election Superintendent Tammy Whitmire said that what we are doing at City Hall is totally illegal. Council President Howard said that when she visited us, she did not say anything like that. Mayor Martindale asked for someone to contact County Election Superintendent, Tammy Whitmire, and see what she said. City Clerk Cantrell said she would call her and ask for a letter.

## **NEW BUSINESS**

- Ratify approval of:
  - Purchase of 2009 Ford F-150

Councilor Whatley made a motion to ratify approval of the purchase, 2<sup>nd</sup> Council President Howard, unanimously approved.

- Approval of bid for 2013 paving

Mayor Martindale said that the bids were opened last Friday. He said that he spoke with one of the County Commissioners, Butch Darnell, who said that the County might be able to help with funding for paving. He said he would like to delay approval of the bid until we receive an amount that Rabun County can contribute to know exactly how much additional resurfacing it will help us with. The funds the County can contribute come from previous years SPLOST funds.

- Appointment to the Rabun County Water & Sewer Authority

Mayor Martindale opened the floor for nominations of a representative from Sky Valley. Council President Howard made a motion to nominate Ray Becker, 2<sup>nd</sup> Whatley, unanimously approved.

- Approval of Resolution – Joint Community Assessment Program

Councilor Whatley made a motion to approve the Resolution, 2<sup>nd</sup> Councilor Platt. Councilor Whatley asked if the Planning and Economic Development Committee should look at this and make a recommendation to the City. City Manager Lapeyrouse said that the plan can be amended at any time. The motion passed unanimously.

- List of Stakeholders for the Community Participation Program

Councilor Whatley made a motion to appoint the Planning and Economic Development Committee as the City's stakeholders, 2<sup>nd</sup> Councilor Carr, unanimously approved.

- Mutual Aid Agreement – Status Update by Chief Dills

Chief Dills gave a report on his efforts over the last four years requesting a mutual aid agreement with the State of North Carolina regarding the City being able to respond to a call in North Carolina. Chief Dills said that if we respond in North Carolina, we open a liability to Sky Valley and can potentially be sued for responding out of our jurisdiction. He said that the residents of Scaly Mountain are frustrated with Macon County because they will not approve the agreement. Discussion followed regarding the City's liability. Sam LaMonte requested that Chief Dills write a letter to David Morgan explaining the situation. Councilor Whatley said that since the Governor's approval was pending approval of the Sheriff, we need to work with the Sheriff. Mayor Martindale said he will set up a meeting with the Sheriff and report back at the next meeting.

- Discussion of Billboard Lease Renewal (billboard on Hwy 441 in Clayton)

Mayor Martindale said this is the billboard on the right hand side of the road just north of Ingles. He asked Councilor Larsen what the Club wants to do. Councilor Larsen said that they do not want to continue the lease because it has not helped the Club. He recommended not renewing the lease. Councilor Larsen made a motion to discontinue the billboard lease, 2<sup>nd</sup> Councilor Whatley, A citizen asked how much it cost. Councilor Larsen said it is \$5,000 per year and was split between the Club and the City adding that it ended up being a waste of money because it was a very ineffective advertisement. A citizen asked about the LED sign closer to Wal-Mart. Councilor Larsen said that it was looked into, but that it was out of their budget. The motion passed unanimously.

- Discussion of Signage – Councilor Carr

Councilor Carr said that at the last meeting she mentioned how nice the Club's signs look and that the City should match their efforts. Council President Howard said the Planning and Economic Development Committee discussed signage at their last meeting. He said that they applaud the Club for their new signage. He said David Spears is working on a sign design for the intersection of North Carolina Highway 106 and Old Mud Creek. Howard said that the signs for the club and the city should be different. Citizen David Carr said that the signs should all be the same. Citizen Jon Shebel said he likes the billboard on Hwy 441 in Clayton. Citizen Steve Brett said that several years ago, when Mr. Merrill was involved with the signage in Sky Valley, everyone came together so there was continuity in the signs. He said that he agrees that the signs should look the same. Citizen Allen Jackson asked about the City working with the Georgia Mountain Region Commission for a plan for signage. Councilor Whatley asked Councilor Carr what signs she is referring to, the street signs, lot signs, for sale signs. Carr said she believes we need to look at all signs. Citizen Helen Kleiber said that the city has spent years branding its logo and she believes that the City needs to remain consistent. She said the Club's signs with the brown and bronze look nice.

- Discussion of Intersection of NC Hwy 106 & Old Mud Creek Road – POA President Sam LaMonte

Citizen Sam LaMonte said that the POA is working to be "glue" and bring the community together. He said the POA purchased flowers to be placed at the entrance and the City installed them. He said one of the things people are asking about is the corner at Hwy 106 and Old Mud Creek. He said that he would like to see the grass cutting on Hwy 246 taken up with the State of Georgia. City Manager Lapeyrouse said that we have approached the State, and the State sent a letter stating that they are understaffed and they will cut it when they can which has been about twice a year. Mr. LaMonte said that he is bringing these items to the City at the request of the POA. He said that the playground equipment at the small park across from the postal facility is broken and asked that the City approach Mr. Merrill regarding this.

Mr. LaMonte said that he has been encouraging the POA members to attend the City meetings.

- Discussion of Grass Cutting – POA President Sam LaMonte

Citizen Steve Brett asked if we still have the side-arm mowers. Public Works Supervisor Cavalli said that we do. The grass cutting method has been changed so that we are able to complete an entire road instead of using the flail mower and then going back later with the smaller mower and weed-eaters.

- Garbage Collection & Golf Cart Path – Citizen Ray Becker

Citizen Ray Becker said that he recommends collecting garbage once a week all year instead of twice a week in the summer. City Manager Lapeyrouse said that both days of garbage collection during the summer months are heavy loads of garbage. She expressed concern with litter being spread throughout the City if the collection is reduced.

Citizen Ray Becker said that because the City uses the cart path to access a couple of the well houses, it causes damage to the paths and asked if the City could use a golf cart instead. City Manager Lapeyrouse said that we do have resurfacing a portion of the cart path that was damaged included with the current paving project bid.

**PUBLIC FORUM AND GENERAL COMMENTS**

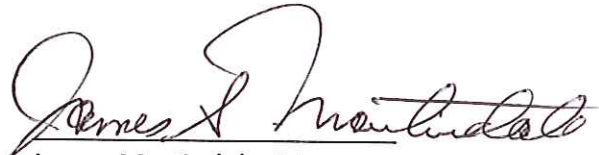
Citizen Helen Kleiber gave an update on the Annual 4<sup>th</sup> of July Celebration events. She said that only 350 tickets will be sold for the Sid Weber Memorial Cancer Fund BBQ Dinner.

Sally Shearon said that she received an email from City Clerk Cantrell regarding the Garden Club needing to submit a sign permit application to put out the "Yard of the Month" signs. City Clerk Cantrell said there was a miscommunication and that her email was a response to an email from Councilor Carr about putting a sign at the entrance.

Citizen David Carr said that he spoke with City Clerk Cantrell regarding the possibility of obtaining a three-day beer and wine license from Sky Valley for the Sid Weber Memorial Cancer Fund's golf tournament and was told the City did not have a temporary alcohol license for events. Attorney Dickerson said he would work on this for the next meeting.

Councilor Whatley made a motion to adjourn, 2<sup>nd</sup> Councilor Larsen, unanimously approved.

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk