

# Town of North High Shoals

Jeff D. Thomas  
Mayor

Office of the Mayor

108 Jefferson Road  
P.O. Box 129  
High Shoals, Georgia 30645  
706-769-4289  
Fax 706-769-5944

## Minutes March 12, 2001

### ORIGINAL

#### Members Present:

Mayor Jeff Thomas  
Councilman Wade Thomas  
Councilman David MacIntosh  
Councilwoman Violet Dawe

Town Clerk: Sherry Bales

Town Attorney: Donald Hansford

#### Others Present:

J. Ritzler	Press
Ken Berry	Watkinsville
Paul Stracener	Watkinsville

#### Monthly Business:

1. Approval of the *February* Financial Statement. Motion to approve by Councilman MacIntosh. A second to the motion by Councilwoman Dawe. All other Council Members present approved the motion.
2. Approval of Draft Copy of the *February* minutes. Motion to approve with corrections by Councilman Thomas. A second to the motion was made by Councilman MacIntosh. All other council members present approved the motion.

#### Old Business:

1. Mayor Thomas began the meeting with the discussion of a proposed business license for Mr. Ken Berry. Mr. Berry owns a paint contracting business and plans to purchase Tom Roberts store if the license is approved.

Councilwoman Dawe expressed her concerns with the business. Councilwoman Dawe wanted to make sure that there would be a containment system around the dumpsters if there would be any paint cans thrown into the dumpster. If there were any paint cans dumped into the dumpster Councilwoman Dawe would like for the paint already be dry in the cans. Councilwoman Dawe was also concerned as to whether Mr. Berry would be washing out any trucks or changing any oil on the premises due to possible runoff into the river.

After consulting with the city attorney it was determined that only limited restrictions were enforceable at this time.

2. Mayor Thomas reported that he had talked with a Cub Scout Master about getting some volunteer work done at the park. The Mayor also reported that he was trying to get some prices on fencing for the park and also asphalt for the walking trail.

Councilwoman Dawe reported that she would also be talking with the Eagle Scouts about doing some volunteer work at the park. Councilwoman Dawe also noted the other tree purchased for the park needed to be planted soon.

3. Mayor Thomas reviewed the situation with the Gunter property. The Mayor noted that the first letter that was sent out by city attorney Donald Hansford had ask that Mr. Gunter clean up around his property. Mr. Hansford received a response from Mr. Gunter by way of his attorney Mark Wiggins stating that he would see to the clean up. The Mayor continued stating that the second letter to Mr. Gunter noted that the Mayor and Council was concerned that Mr. Gunter was running his business out of the building that was only supposed to be used as storage. The response from Mr. Gunter by way of Mr. Wiggins stated that he was running his business out of the building and that had been his intention all along. The third letter that was sent to Mr. Gunter reminded him that the building was supposed to be used for storage and stated that he was in violation of zoning regulations and that he was operating a business without a business license. At the time of this meeting there had been no response to the third letter.

Mayor Thomas ask that Mr. Hansford send another letter to Mr. Gunter giving him thirty days to comply with city business and zoning regulations to avoid any formal action to enforce its regulations.

### **New Business:**

1. Mayor Thomas reported that at next months meeting he would begin discussions concerning the upcoming budget.

2. Mayor Thomas reported that American Tower Management Inc. in conjunction with Verizon Wireless had put in an application to the Planning Commission for a cell phone tower that would be located off Highway 186 in North High Shoals. At this time it is planned that the application will go before the Planning Commission at their April meeting and then the recommendation would come before the council at the May meeting. The Mayor also noted that because of the proposed height of the tower it would require a flashing light. The Mayor also noted that at this time the zoning would not be correct for a cell tower.

3. Mayor Thomas noted that he had copies of the pictures that were taken at the park opening for everyone to see and asked that they remain in the building.

### **Mayor's Update:**

1. Councilman MacIntosh reported that the flow records from the river were at the very low end of the historical range and that he felt that could be in part from the control of the dam.
2. Councilwoman Dawe reported that there was large amount of smoke in the town this past weekend.

Mayor Thomas noted that the Georgia Forestry burned 150 acres in Morgan County.

Councilman MacIntosh felt that maybe the U.S. Forestry service should be contacted or maybe the Oconee National Forest to report the problems with the burn.

Councilwoman Dawe noted that she would expect this type of problem with the rock quarry in these low lying areas.

3. Councilwoman Dawe reported the tremendous erosion that the developers are not taking care of within a timely manner. Councilwoman Dawe also noted that the erosion problem in the Steeple Chase subdivision is a disaster area.

Councilwoman Dawe also noted that at the intersection of Gober Road and Shadyfield Lane the erosion was terrible where there had never been any seeding. Councilwoman Dawe ask that something be done right away.

4. Mayor Thomas ask for the approval of changing the meeting time from 7:00pm to 7:30pm. A motion was made by Councilman MacIntosh and was seconded by Councilman Thomas. All council members present approved the motion.

With no further business to discuss a motion was made by Councilman MacIntosh to conclude the March meeting. A second was made to the motion by Councilman Thomas. All council members present approved the motion.

Respectfully;



Sherry Bales  
Town Clerk

LAW OFFICE OF  
DONALD W. HANSFORD, PC

ATTORNEY AT LAW

DONALD W. HANSFORD

10 SIMONTON BRIDGE ROAD, SUITE A  
POST OFFICE BOX 1376  
WATKINSVILLE, GEORGIA 30677-1376

706/769-7409  
FACSIMILE 706/310-1026

February 20, 2001

Mr. Mark Wiggins  
Wiggins & Norris  
Attorneys at Law  
Post Office Box 49499  
Athens, Georgia 30604

RE: David Gunter

Dear Mark:

David Gunter's property and Mr. Gunter's understanding of his permitted use of his property, as was conveyed by you to me in our recent phone conversation, was discussed at the City council meeting last week. I believe I fairly represented Mr. Gunter's position as being that he intended all along to operate his business from the property, that business being a dispatcher on site and dispatching trucks and maintaining those trucks.

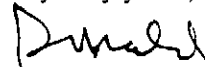
Mayor Thomas and members of the City council distinctly remember that the true intent of approving the Agreement for the location of the building on the property was for storage only and that no business would be conducted from the building. The building was to be used only for storage; in fact the Agreement referenced "construction of a storage building."

Mr. Gunter is in violation of zoning regulations and is operating a business without a business license. Both violations will be pursued by the City. The City feels taken advantage of by Mr. Gunter. Further, the question has arisen whether the City may be adversely impacted by any environmental problems associated with Mr. Gunter's use of the property and any materials that may be on the site and its proximity to the flood plain. The City has instructed me to contact FEMA and Georgia's EPD should this matter progress much further so that any environmental violations may be addressed.

I would appreciate you discussing this letter with Mr. Gunter and determining whether Mr. Gunter is willing to cease all business operations from the site and clean the site up short of further action by the City.

With best regards.

Very truly yours,



Donald W. Hansford

DWH/sm

cc: Mayor Jeff Thomas

**LAW OFFICE OF  
DONALD W. HANSFORD, PC**

**ATTORNEY AT LAW**

DONALD W. HANSFORD

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FACSIMILE 706/310-1026

February 3, 2001

Honorable Jeff D. Thomas  
Mayor  
Town of North High Shoals  
Post Office Box 129  
High Shoals, Georgia 30645-0129

RE: David Gunter

Dear Mayor Thomas:

Mark Wiggins, David Gunter's attorney, called me on Friday in response to my letter dated January 30<sup>th</sup>. He had spoken with Mr. Gunter concerning the letter and wanted to go over Mr. Gunter's position and understanding of his permitted use of the property.

According to Mark, Mr. Gunter does operate out of the building. He uses it as his base of operations with a dispatcher fielding phone calls and dispatching the trucks by radio. They also use the property to work on, repair, clean and paint his trucks and various other equipment and to keep his trucks parked there after hours. Mr. Gunter claims his intent to operate out of the building was the intent all along and this is the first he has heard of any restrictions on "operating" out of the building.

I suggested to Mark that David and you need to meet and walk the grounds and discuss this situation. Mark agreed to have David call you to schedule a time one day after 4:00 PM. If you would like for me to attend, I will be happy to do so; simply let me know the date and time.

Mr. Gunter has agreed to plant a lelland cypress barrier along the property line shortly.

With best regards.

Very truly yours,



Donald W. Hansford

DWH/sm

LAW OFFICE OF  
DONALD W. HANSFORD, PC

ATTORNEY AT LAW

DONALD W. HANSFORD

10 SIMONTON BRIDGE ROAD, SUITE A  
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WATKINSVILLE, GEORGIA 30677-1376

706/769-7409  
FACSIMILE 706/310-1026

January 30, 2001

Mr. Mark Wiggins  
Wiggins & Norris  
Attorneys at Law  
Post Office Box 49499  
Athens, Georgia 30604

RE: David Gunter

Dear Mark:

Mayor Thomas called me yesterday to discuss additional concerns related to David Gunter's property. Since I have not received knowledge to the contrary, I assume you still represent Mr. Gunter, so I am sending this letter to you instead of him.

An adjoining landowner is marketing their property for sale in tracts. They have had at least one sale fall through for the specific reason that Mr. Gunter's property is so unsightly. The landowners have approached the City and desire that the City enforce its rules and regulations concerning the property.

Further, some folks have told Mayor Thomas that Mr. Gunter has told them he is moving his business from its existing location at his home across the road to this property under discussion. In fact, we believe his home currently is for sale.

If this information is true, and Mr. Gunter intends to relocate his business to this property, he would be in violation of the rules and ordinances of the City and will face certain opposition. Not only does he lack a business license to operate from this property, but any such operation would be in violation of the Agreement Mr. Gunter has with the City that allowed only an enclosed storage facility.

The Mayor requests that representative of the City be allowed to inspect the property to ensure compliance with the Agreement regarding planting of buffers and removal of junk from outside of building. The City otherwise has this right under its building inspection and enforcement regulations, but would prefer an agreeable meeting, preferably after 4:00 PM one afternoon. Please advise.

I would appreciate you discussing this letter with Mr. Gunter and finding out what his intentions are regarding these concerns of the City.

With best regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald". The signature is written in a cursive style with a large initial "D".

Donald W. Hansford

DWH/sm

cc: Mayor Jeff Thomas

# Town of North High Shoals

Jeff D. Thomas  
Mayor

Office of the Mayor

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March 12, 2001

The Mayor and Council of the Town of North High Shoals welcome you to the regularly scheduled meeting of the City Council. Please sign your name in the space provided. If you wish to address the Mayor and Council concerning a specific issue on the agenda, please indicate this in the space provided. In accordance with the standard practices of this governing body, we desire to give every individual an opportunity to speak; however, in the interest of effective government, we ask that individual speakers avoid repetition of comments. The Mayor reserves the right to establish time limits as needed.

Name and Address	Agenda Item to Address (if any)
1. KEW BERRY WATKINSVILLE GA	BUSINESS LISC.
2. J. RITZER WATKINSVILLE	PRESS
3. Paul Stracener WATKINSVILLE	Bus. Lisc.
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TOWN OF NORTH HIGH SHOALS  
P.O. BOX 129  
HIGH SHOALS, GEORGIA  
30645

FINANCIAL STATEMENT  
Feb-01

	MONEY MARKET ACCOUNT	GENERAL ACCOUNT
BALANCE BROUGHT FORWARD	\$30,321.87	\$11,184.48
<b>INCOME</b>		
INTEREST - GENERAL		\$8.20
INTEREST - MONEY MARKET	\$79.42	
Business License-Regular		\$100.00
Business License-Insurance		\$75.00
2000 Taxes		\$54.17
Ad Valorem Taxes		\$194.04
<b>TOTAL INCOME</b>	<b>\$79.42</b>	<b>\$431.41</b>
<b>EXPENSES</b>		
Mellon Leasing	Copier Lease	\$108.49
Cingular	Cell Phone	\$53.07
Ferrellgas	City Hall (Heat)	\$224.26
Internal Revenue Serv.	4th Quarter Taxes	\$342.27
Walton EMC	Street Lights	\$51.00
Sherry Bales	Salary	\$269.24
Georgia Power	City Hall	\$39.80
Jeff Thomas	Building Inspection	\$88.50
H. Donald Thomas	Overpayment of Taxes	\$4.00
Bell South	Phone	\$60.80
Ga. Dept of Revenue	4th Quarter Taxes	\$44.20
Chamber of Commerce	Annual Dinner	\$65.00
Georgia Power	Street Lights	\$585.01
Mellon Leasing	Copier Lease	\$80.25
Donald Hansford	Retainer for February	\$150.00
Sherry Bales	Salary	\$223.29
L.H. Davis & Son	Timber Bond	\$1,000.00
Oconee State Bank	Loan Payment	\$1,201.99
Oconee State Bank	Safety Deposit Box	\$40.00
<b>Total Expenses</b>	<b>\$2,201.99</b>	<b>\$2,429.18</b>
<b>GRAND TOTAL</b>	<b>\$28,199.30</b>	<b>\$9,186.71</b>

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Mayor

OFFICE OF THE MAYOR

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P.O. Box 129  
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# Agenda

March 12, 2001

### **Monthly Business:**

1. Presentation of *Financial Statement* for month of *February*.
2. Presentation of *Draft Minutes* for the month of *February*.

### **Old Business:**

1. City Park
2. Gunter Property
3. Business License

### **New Business:**

1. Budget

### **Mayor's Update:**

The Mayor and Council encourage all persons interested to attend this meeting.

**Town of North High Shoals**

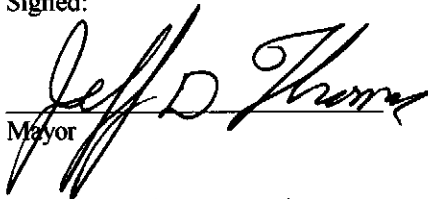
**Jeff D. Thomas**  
**Mayor**

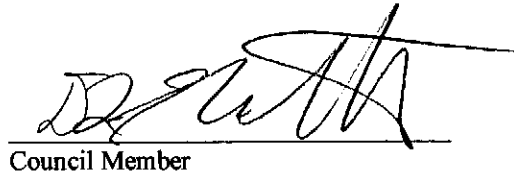
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The draft copy minutes of February 12, 2001 regularly scheduled meeting of the Mayor and Council of the Town of North High Shoals are hereby officially approved as of March 12, 2001.

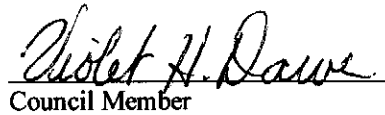
Signed:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Council Member

  
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Council Member

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Council Member

  
\_\_\_\_\_  
Council Member

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Council Member

\_\_\_\_\_  
Council Secretary