

## Town of North High Shoals

Jeff D. Thomas  
Mayor

Office of the Mayor

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**Draft**

### Minutes

September 11, 2006

Present: Councilman Wade Thomas  
Councilman Eddie Cape  
Councilman B.J. Ivie  
Councilman Fred Johnson  
Councilwoman Violet Dawe

Others: Jeff Deloach 2500 Daniels Bridge Road Athens, Ga  
Perry Glass 1020 Richards Ct. Statham, GA  
Jeff Tyler 1201 Wilflower Madison, Ga  
John Westman 221 Hillsboro Rd High Shoals  
Judy Cantrell 2371 Rays Church Rd. High Shoals  
Tony Capamaccho 2320 Elder Road High Shoals  
Susan Marcantonio 1441 Arborwood Ridge High Shoals  
Pansy Rivier 310 Crystal Court Athens  
Karl Berg 307 Jefferson Road High Shoals  
Dan Mathews 1081 Raticln Watkinville  
Steve Holzman 349 Jefferson Road  
Donald Dawe 300 Shadyfield Lane  
Becky Vaughn 1030 Meriweather Dr. Bogart

### **Public Hearing: Bella Rosa Subdivision**

The Mayor and Council reviewed the proposed preliminary plat for the Bella Rosa Subdivision submitted by Perry Glass – represented by Jeffery Deloach. Discussion points and recommendations by the public and members of the council included:

1. One (1) foot no access easement
2. Ownership of common areas
3. Subdivision covenants
4. Earthen dam
5. Restriction of “exotic” animals
6. Entrance
7. Turn-a-round/cul-de-sac
8. Fifty (50) foot green-space along Dawe’s property if forty (40) foot setback wavered
9. Need for street names to be approved by Emergency management

10. Streets to be subject to county specifications

11. Animal control

At the conclusion of all discussion, Mayor Thomas closed the public hearing.

**Monthly Business:**

1. Presentation of the financial statement for the month of August, 2006. Motion to approve: Councilman Cape; second: Councilman Ivie. All in favor.
2. Presentation/approval of the August 06 Draft Minutes. Motion to approve with minor corrections: Councilman Ivie; Second: Councilman Cape – all approve.
3. Presentation of work session minutes. Motion to approve by Councilman Ivie. Second by Councilman Johnson. All in favor

**Old Business:**

**City Park**

- a. The Mayor and Council had nothing to discuss on this issue.

**City Clerk:**

A motion was made by Councilman Fred Johnson to hire Sandy Brooks as the interim city clerk. A second to the motion by Councilman Eddie Cape was followed by the unanimous vote of the council

**City Attorney – Dawe's Lawsuit:**

A motion was made by Councilman Eddie Cape to hire the law firm of Mitchell and Carothers to represent the city in the lawsuit brought against the city by Donald Dawe. A second to the motion by Councilman Fred Johnson was followed by a vote in favor of the motion: 4-in favor and one abstention (Councilwoman Dawe).

**Law Enforcement Update:**

Mayor Thomas reported that Sgt. Brooks continues to patrol our city streets: performing license checks and enforcing No Thru Truck procedures in accordance with the Oconee County Sheriff's Department regulations.

**Preliminary Plat for Bella Rosa Subdivision:**

A request was made by Jeff Deloach, representing applicant Perry Glass, to approve the preliminary plat for the Bella Rosa subdivision as submitted. After some discussion and clarification, a motion was made by Councilman Ivie to accept the plat as presented with the following additional modifications:

- 1) A fifty (50) foot designated/dedicated green space along the Dawe (also identified as farm) property with a wavier of the additional forty (40) foot set back requirement of the ordinance.
- 2) A one (1) foot 'no access' easement for vehicular passage between the adjoining properties and the designated/dedicated green space areas of the subdivision
- 3) An inspection of the earthen dam by an engineer attesting to its stability.
- 4) A wavier of the individual two (2) acre minimum lot size requirement for a residential lot so long as the aggregate two (2) acre minimum lot size remains in force and so long as no more than two (residences) are placed on any one acre.
- 5) Indicate deceleration lane on the final plat
- 6) Correct well-head protection radius designation(s)

A second to the motion by Councilman Cape was followed by a vote of three council members (Cape, Ivie and Thomas) in favor of the motion, one vote (Johnson) against and one abstention (Dawe). The motion carried.

### **Proclamation:**

Mayor Thomas informed the council that the proclamation approved by the council has not yet been written in the proper form.

### **New Business:**

#### **Amendment to the Budget:**

Mayor Thomas informed the council of the need to amend the budget due to expected expenses involving the Dawes Lawsuit. Mayor Thomas recommended a transfer of \$3000.00 from the contingency account to the legal/attorney account. A motion was made by Councilman Cape, seconded by Councilman Johnson and approved by a vote of four in favor and one abstention (Dawe).

Mayor Thomas also informed the council to expect an additional amendment to the budget when the next insurance premium is due. Councilman Ivie motioned to postpone any change in the insurance budget until such time as it is required; Councilman Cape seconded the motion. Four members were in favor of the motion and one councilmember abstained (Dawe).

### **Tree:**

A city resident, John Westman, informed the council of his concern with a possible dead tree located on his property, 221 Hillsboro Road, but within the right-of-way, and asked the council to remove it. Mayor Thomas stated that he would check into the matter as it was a safety concern.

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

Mayor Thomas informed the Council of the need for an executive session for the express purpose of reviewing applications for the city planning commission appointment,

receiving bids for painting of city hall, and to review legal finding of the city attorney regarding the Dawes lawsuit.

A five minute recess was called by the council before 'retiring' to the executive session, which would be followed by a continuation of the regular meeting.

### **Planning Commission Appointment:**

The Council was called back into regular session, where Councilman Johnson made a motion to appoint Karl Berg as the new representative to the Oconee County Planning Commission for the Town of North High Shoals – said appointment to serve through June of 2007. The motion received a second to the motion was made by Councilman Cape. Four members were in favor of the motion with one abstention (Dawe).

Painting of City Hall:

After some discussion, Councilman Johnson made a motion to accept the low-bid of \$2,850.00 from Ivie's Elite to paint the exterior of city hall. Councilmen Cape and Ivie recluded themselves from the vote. The motion died due to lack of a second.

### **Council Concerns/Requests for Next Months Meeting:**

Receiving no other motions and with no further business or request for additional items to be placed on the October agenda, Mayor Thomas asked for a motion to adjourn.

**The meeting was adjourned: by a unanimous vote (Ivie; Cape. all in favor)**

Respectfully submitted,

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Jeff D. Thomas - Mayor