

Council:
Post 1 – Eddie Cape
Post 2 – Steve Holzman
Post 3 – Vacant
Post 4 – Violet Dawe
Post 5 – Fred Johnson

Town of North High Shoals

Mayor Jeff Thomas

108 Jefferson Road
P.O. Box 129
High Shoals, Georgia 30645
706-769-4289
Cell 706-202-8995

Minutes

May 11, 2009 at 7:30 pm

Regular Monthly Meeting

Council and Staff Present: Council Members Steve Holzman, Fred Johnson, Violet Dawe, Eddie Cape, Mayor Jeff Thomas, Clerk Carolyn Pritchett, and Treasurer Kate George.

Others Present:

| | |
|----------------|-------------------------|
| Sarah Donegan | 202 Plantation Road |
| David Lawrence | 175 Hillsboro Road |
| Horst Klein | 1150 Falcon Ridge Drive |
| Heike Mueller | 1150 Falcon Ridge Drive |

Agenda Setting

- Council Members Cape asked to add journal keeping as number 10 under new business.
- Council Member Dawe asked for FEMA to be added under new business.
- Council Member Holzman made the motion to accept agenda with 2 additions and 2nd by Cape. Approved 4-0.

Monthly Business:

1. Presentation of Financial Statement for month of April 2009
 - Treasurer George presented the April financial statement, answered questions from council about the financial statements, and answered questions about the past two years of financial statements.
 - Council Member Cape suggested that the council view the past year's financial statements and discuss them the next month. Council Member Dawe asked for deposits to be differentiated and therefore reports being redone for the past year. Treasurer George said she could do this and email them to council members for the next meeting's consideration.
 - **Motion by Council Member Holzman to approve March and April 2009 financial statements. 2nd by Council Member Johnson. Approved 4-0**
2. Presentation of Draft Minutes for month of April 2009.
 - **Motion to accept minutes with revisions by Council Member Holzman and 2nd by Council Member Cape. Approved 4-0.**

Public Comments: No public comments were made.

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Old Business:

1. Town Treasurer Report

- Treasurer George reported the new park loan has been completed for 36 months at 6.5% interest rate for a monthly payment of \$1,196.34. The treasurer was added to the park loan.
- First payrolls have been completed with proper accounts set-up for payment of employment taxes for the IRS and DOL.
- Income expenses have been completed for the past two fiscal years. NHS bank accounts have been reconciled for the past two fiscal years. All town bills have been paid through the month of April, 2009 and recorded in QuickBooks.
- Letters were sent to Georgia Power, City of Monroe, and AT&T concerning their erroneously charging the town sales tax. They are required to return those payments for the past three years. The town has received credits of \$147.38 from Georgia Power and \$41.83 from City of Monroe; AT&T has requested an additional form to be completed.
- Treasurer George also completed budget proposals for the council. To complete this she still needs copies of cash receipts for building permits, copies of checks deposited, check registers for 2007, 2008, and through March of 2009, and invoices received from utilities and other vendors.
- She also canceled the missing checks.
- She received a bill from the IRS for payroll taxes not paid in 2003. The payroll bill is \$667.27 with accrued interest of \$ 128.36 for a total payment owed to the IRS of \$795.56. This bill has been repeatedly sent to the city.
- Mayor Thomas asked the council to vote on making adjustments to the budget to cover overages
- **Motion by Council Member Johnson to amend the budget to move money from the contingency account to dues, attorney fees, accounting, and AT&T, and for Treasurer George to check to see if we need to do this by Resolution. Second by Council Member Holzman. Approved 4-0**

2. Resolution to Place Treasurer on Park Loan (update)

- Covered in treasurer's reports.

3. Town Budget

- Budget 2009-2010 hearing will be advertised for 2 weeks before the next meeting when the budget will be finalized. Treasurer George explained the detailed budget parameters to the Council, and council discussed possible adjustments to categories. Council was instructed to email the treasurer with any further questions.

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4. Town Charter (update)
 - Council Member Holzman reported that the Governor has not yet signed the charter, but it will go into effect on Wednesday even if does not sign it.
5. Town Office and Duties (update)
 - David Lawrence asked how many copies of town keys the town wanted him to make, and was told to make keys for the clerk.
 - Council Member Holzman asked if the key to the town council office had been given to the mayor pro tempore. This has not been done yet. Discussion then
 - **Motion by Council Member Cape to reinstate all duties to the clerk and treasurer as per the clerk job description. Council Member Cape withdrew motion.**
 - **Motion by Council Member Holzman to place the setting of the agenda in the hands of the clerk. 2nd by Johnson. Approved 4-0**
 - **Motion by Council Member Holzman that Council Member Johnson work with the clerk for the next two months and then the clerk take over the minutes. 2nd by Council Member Dawe. Approved 4-0.**
6. Town Records (update)
 - Mayor Thomas provided the council with minutes for 2003, 2004, & 2005. He also provided past resolutions and letters which he has located.
7. Town Keys / Town Hall (update)
 - Covered in previous item.
8. Building Permits
 - Mayor Thomas reported that no new permits were issued by the town.
9. Building Inspector
 - Council Member Holzman asked if Council Member Dawe had passed on information about a local building inspector used by other municipalities to the clerk. This had been done. Clerk was instructed by the Town Council to move forward on this individual.
10. Code Enforcement
 - No action taken on this item.
11. Business Licenses
 - Council discussed revisions of the business license (occupation tax) form which need to be made.

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12. Zoning Issues

- Council Member Cape reported that he talked to the town attorney who advised him not to pursue a possible solution to the PMW issue.

13. PMW Business License and Zoning Issues (update)

- Mayor Thomas sent a memo/agreement to the town council stating how the issue has been resolved. He has received a reply from both parties involved in this dispute accepting the agreement which has the approval of the town attorney.

14. City Park (report from Heike Mueller/David Lawrence)

- David Lawrence and Heike Mueller presented information from the Georgia Department of Community Affairs concerning help for developing the town park. On April 20 Heike Mueller and Council Member Holzman met with Mr. Fischetti in the park to give him a tour and ask for his input on the future of the park. David and Heike asked the council to approve funding from the town to have a professional landscape architect help the city plan for long range use of the park to include the future town hall and recreational uses for all ages. They are planning a community meeting to gather more ideas for Mr. Fischetti as well as seeking information through the web site.
- **Motion by Council Member Johnson to approve the spending of \$300 for creating a plan for the future of the park using Mr. Fischetti of the Georgia Department of Community Affairs. 2nd by Council Member Dawe. Approved 4-0.**
- Council discussed safety issues for the park, playground equipment, and paving the basketball court.
- Council Member Cape has delivered the No Parking signs to Town Hall and will get them placed after baseball season is over.

15. Law Enforcement

- Town Council discussed future budget issues for hiring deputies and sheriff's report for the town. The town reiterated our support for working with Bishop to purchase an electronic speed sign for the Sheriff's office.

16. Street Improvements (streetlights)

- Council Member Dawe reported that she worked on her survey of the town lights with a representative from Georgia Power and they discovered that our town has been charged for years for four lights not in the town. Georgia Power issued a check to the town for \$3,300.84 for overpayment for the past eight years; she is still following up on two additional lights she cannot find in the town. Additionally, the town is paying for two lights on private property; council instructed her to work with the clerk to get

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this resolved. She is still looking into citizen requests for additional light on Rays Church Road.

- Council Member Cape reported that he will start getting reflectors on the speed bumps.
- Council Member Dawe asked for the town to look at the cost of repairing parts of the edge on the upper areas of Plantation Road. Council granted permission for her to have the clerk contact the paving company to get a price.

17. Sidewalk Grants – Safe Routes to School Program GA-DOT (update)

- The town is working on a grant for sidewalks around schools which could be up to \$500,000 which could be used to build the sidewalks the town has planned to complete in the SPLOST list.

18. Dumpster Day (update)

- Clerk continues to work on setting up mailing list to notify citizens.

19. Web Site

- Mayor Thomas asked to place a list of business licenses on the NHS web site with partial listing of license numbers. Council Member Holzman asked the mayor to send him the list to post.

20. Fire Department

- Council Member Dawe contacted the fire department for their budget requests and about planting shrubs; she has not heard back from them. Mayor Thomas asked her to contact the fire chief one more time.

21. New City Code

- Council Member Johnson requested a work session on the code for May 26 at 6pm and the council agreed. Council also agreed to work independently on the code.

22. Town Clerk Report

- Postponed.

New Business

1. July, August, September 2008 Minutes

- **Motion to accept the minutes as written for July, August, and September of 2008 by Johnson. 2nd by Council Member Holzman. Approved 4-0.**

2. Town Hall Repair

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- Council Member Holzman asked about repairing the broken windows and the area where the awning has fallen over the basement of the Town Hall. Council Member Cape said he would look into taking care of that.
3. Review of Cell Tower Ordinance
 - Council members were presented with the town ordinance on cell towers.
 4. Discussion of proposed cell tower plans for town and Oconee Enterprise ad
 - A new cell tower is not before the planning commission at this point. Council discussed the possibility of requiring co-use of tower by multiple carriers, the worry that multiple towers may be placed in the town, what would happen to the tower when it was no longer used, the effect on property values, and the impact on historic properties.
 - Planning Department and the Planning Commission will advise the town, and North High Shoals will make the final decision about a proposed cell tower.
 5. Use of Town Attorney by Non-council Members
 - A town citizen went directly to the town attorney concerning a problem with the council without coming to the mayor. Council Member Johnson requested that citizens of the town go through the Town Council and mayor to raise issues rather than going directly to the town attorney. Mayor Thomas suggested that the town design a policy or procedure similar to the council's policy for use of the town attorney by the Town Council members.
 6. Fall 2009 Election
 - The Clerk and Treasurer are registered for election training this summer. Posts 3, 4, & 5 are up for election this election cycle.
 - Mayor Thomas was asked by Council Member Johnson to explain his resignation plans for the fall 2009 elections. Mayor Thomas said he would be remiss to resign before the November elections because of quorum issues and he was elected to the position. He would like the open posts to be filled. Then if he needs to step aside because the people want someone else he would be happy to step aside. He desires for the town to have a regular, normal election.
 7. Establishing a procedure for appointment to Council when required
 - **Motion by Council Member Johnson for the Town Council to follow the following procedure to fill council seats which are open with less than one year left on the term: posts advertised one time, candidate are asked to present themselves to the council, and then for the council to vote to approve with the stipulation that the council may decide not to fill the open post. Second by**

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Council Member Dawe. Denied 2-2 (Council Member Holzman & Council Member Cape) Mayor voted no to break tie.

- **Council Member Cape made a motion for the open seat to be advertised two times, invitation to candidates to address the Town Council with completed paperwork for council membership, and candidate must receive a unanimous vote. 2nd by Council Member Holzman. Approved 4-0.**

8. Establishing a code of conduct for Town Council

- Tabled

9. Town Hall Planning

- Town Council discussed placing the new town hall at the end of the parking lot in the city park.

10. Journal Keeping

- Motion by Council Member Cape council members maintain a journal of their town activities and forward this to the clerk twice a month. 2nd by Dawe. Approved 4-0

11. FEMA

- Council Member Dawe will check with the Oconee Emergency Management Director to see if we need new ordinances.

Mayor's Update:

*(All requests to be on the agenda must be submitted at least 7 days before a meeting. Direct your agenda items to Council Member Steve Holzman directly or to him through the Clerk or Mayor Thomas. Look for the agenda for the next council meeting on the town's web site one week before the next meeting. **The next council meeting will be held at 7:30 pm on Monday, June 15, 2009. There will be a public hearing on the town budget before the meeting at 7:15 pm. Please note that Town council meetings have been changed to the 3rd Monday of the month.**)*

1. Council Member Johnson asked the council to reimburse him for copies for the 3rd public hearing on the charter. Mayor Thomas said this would be done.
2. Council Member Cape said he will get in touch with the clerk to have the health department answer questions about a smell near the city park.

Mayor recused himself for the purpose of the council discussing cell towers. Mayor Pro Tempore Dawe took over running of the meeting and the Council went back to the agenda to discuss New Business item #4. (Monopole Cell Tower)

3. **Motion by Council Member Johnson to adjourn. Second by Council Member Holzman.**

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Approved 4-0.

Document Prepared by:
Council Member Fred Johnson, Post 5
Town Clerk Carolyn Pritchett