

**TOWN OF TALLULAH FALLS
STATE OF GEORGIA
REGULAR COUNCIL MEETING
December 5, 2019, 7:00 p.m.
MINUTES**

The meeting for December 5, 2019 of the Town Council of Tallulah Falls, Georgia was called to order at 7:05 p.m. by Mayor Teri Dobbs.

PRESENT WERE: Mayor Teri Dobbs
Councilperson Larry Hamilton
Councilperson Mary Beth Hughes
Councilperson Carol Nelms
Town Clerk Linda Lapeyrouse
Fire Chief Mike Early

PRESENT VIA TELECONFERENCE: Town Attorney Warren Tillery

ABSENT WERE: Councilperson Deb Goatcher
Police Chief Tonya Elrod

OTHERS PRESENT: See attached sign-in list

Mayor Dobbs welcomed everyone to the meeting and gave the invocation.

Mayor Dobbs requested that the water report be moved to the top to allow Scott Porter from EMS to speak and be able to leave. **A motion was made by Councilperson Nelms to approve the agenda as amended. The motion was seconded by Councilperson Hughes and unanimously approved.**

A motion was made by Councilperson Hughes to approve the minutes of the November 7 Work Session and Regular Meeting. The motion was seconded by Councilperson Nelms. The motion was approved with Councilperson Hamilton abstaining.

REPORTS:

Water Report – Scott Porter with EMS reported on the water system. It is hard to regulate when he is only here one time per week. The SCADA system, once installed, will help regulate the system, be more efficient, and avoid overflows of the tanks. Timers are a guessing game. Chemicals are being modified to higher strength to use less and save money. They are on a regular hydrant flushing schedule, and the water color is clearing up. Resident Barbara Rice asked if there is water at the hydrants on Hickory Nut Mountain. Scott responded that there are three hydrants that have water, but the flow rate is not sufficient for fighting a fire. Resident Keith Nelms asked about the cost of re-installing the sand filter. The cost was approximately \$10,000 and Mayor Dobbs stated it was unfortunate to have to pay twice due to the initial installation being done incorrectly and not according to engineering plans. Mayor Dobbs stated that there have not been adequate records of the system and we are having to pay EMS more than we should have just to get the system properly documented where they can operate it. EMS documents everything and provides pictures. Mayor Dobbs stated that the emergency funding for Hickory Nut Mountain was approved by the Council and will continue moving forward with the new Council. Resident Barbara Rice asked if the bladder tank that was leaking was a part of the system.

Scott responded that it is. The leak has been fixed, and they are trying to figure out what needs to take place there.

Attorney Report – SDS Mediation follow-up session has been postponed. The County could not get a quorum together for the proposed date. Sanctions remain in abeyance.

The Town also received another telecommunications right-of-way permit request. This one is from Southern Light. This should be the same as what we did with the last one. Both permits were associated with Unity and do not propose any new infrastructure at this time. **A motion was made by Councilperson Hamilton to authorize the attorney to do a conditional approval of the application subject to review by legal counsel. The motion was seconded by Councilperson Hughes and unanimously approved.**

For some of the council members to be sworn-in in January that are serving on other Town commissions or authorities, they will need to resign their appointments prior to be sworn in. You can't serve on a board, commission or authority and be an elected official. Likewise, Fire Chief Early will need to resign as the Fire Chief before being sworn in as Mayor. You can't hold a position with the Town, be employed or hold office of the Town, and be an elected official. It has been the practice for one elected official to serve on the DDA, however the Charter for the Town says that no member of any board, commission, or authority shall hold any elected office of the Town. Resident Keith Nelms asked if State law trumps the Town Charter? Tillery stated that both are approved by the State legislature. Attorney Tillery said he would need to look at the enabling legislation for the DDA. Mayor Dobbs asked if everyone was in agreement to allow the attorney to review the DDA enabling legislation on the Town's bill and provide an opinion. There were no objections.

Planning & Zoning Commission Chairman Van Knighton asked if Mike Early can serve on the Planning & Zoning Commission until being sworn in as Mayor. Their next meeting is January 8th. Attorney Tillery stated he could attend the January 8th meeting and participate.

Public Safety Report – Attached hereto and made a part hereof.

Street Report - None.

Town Clerk/Financial Report – Attached hereto and made a part hereof.

The 2012 Chevrolet Silverado 2500 and 1997 Dodge Ram 3500 are out to auction on GovDeals. They have been advertised as required by law. The auction will end December 12th. They will have five days to pay for each item. The current bid on the Silverado is \$11,025. The current bid on the Dodge is \$1,221. **Councilperson Nelms made a motion to approve the winning bids of both vehicles. The motion was seconded by Councilperson Hughes and unanimously approved.**

Mayor Dobbs reported that the Dodge Charger title was recently found out to have not been transferred to the Town when it was purchased in 2017. The tag from an old vehicle was put on the new vehicle and the administration was unaware. Town Clerk Lapeyrouse and Chief Elrod worked together to obtain the proper paperwork from the dealer and the vehicle now has a title in the Town's name and a legal tag.

Comprehensive Plan – The draft comprehensive plan has been submitted to DCA for review. Once their comments have been received, it will come back to us for final changes and approval. A recommendation to change page 34 from "St. Park" to "State Park" was made by Councilperson Nelms.

DDA Report- Councilperson Hughes reported at the last DDA meeting, they received an interesting and informative presentation by Patrick Fulbright from the Small Business Development Center of UGA and Bill Turk on projected uses and viable businesses for the Tallulah Center. The next meeting will be December 17th at 6:30 p.m.

Town Clerk Lapeyrouse explained the process of applying for a OneGeorgia Grant. The DDA, in their last meeting, made a recommendation for the Town to pursue the grant by the pre-application deadline of December 12th. Lapeyrouse will send a draft out to the Council and DDA for comments. We will need a very quick reply. **Councilperson Hughes made a motion to allow GMRC to move forward with the OneGeorgia Grant. The motion was seconded by Councilperson Nelms and unanimously approved. If the pre-application is chosen to submit a full application, there will be a cost from GMRC of \$2,500. There is no cost for them to submit the pre-application.**

Mayor Report- reserved her comments to the end of the meeting.

PUBLIC HEARING:

Mayor Dobbs turned over the meeting to Attorney Tillery for the public hearing on the camping ordinance. Attorney Tillery explained the procedures for the public hearing. He then asked for those to speak who were in favor of the ordinance as presented. There were none. Attorney Tillery closed that portion of the hearing. He then asked for those to speak who were in opposition to the ordinance as presented. Keith Nelms said he was okay with the original version which included the requirement of a principal structure, but he is opposed to camping without a structure on the land. Best if residential is left residential. Barbara Rice stated she got confused during the Planning and Zoning meeting, and she did not understand that it was for land without a structure. There were no other comments. Attorney Tillery closed the public hearing.

UNFINISHED BUSINESS:

Attorney Tillery said that if the Council was okay with camping on vacant land zoned Agricultural but not R-1, they could be dealt with separately. That can be done without having to advertise again. Councilperson Nelms said she is dead set against camping in R-1. There is also a fire line prohibiting fires above a certain elevation on Hickory Nut Mountain. The Council went through each section of the proposed ordinance. Section 1 was good. Section 2 Article 7 Section 702– R-1 will be allowed on private property containing at least one principal structure. New Section 3 – Articles 9, 10, 12 Section 904, 1002 and 1203 keep as written. Move Section 3 to Section 4 and Section 4 to Section 5.

A motion to approve the ordinance as amended was made by Councilperson Hamilton. The motion was seconded by Councilperson Nelms and unanimously approved.

NEW BUSINESS:

The Town applied for an Immediate Threat and Danger Grant in the maximum amount of \$50,000. The Town was approved for the immediate repair amount of \$28,845, but none of the preventative work. As a condition of the grant, the Town will need to sign the grant documents and approve a Language Access Plan. **A motion was made by Councilperson Hamilton to authorize Mayor Dobbs to sign the Immediate Threat and Danger Grant documents and to approve the Language Access Plan. The motion was seconded by Councilperson Hughes and unanimously approved.**

The off-duty police policy has not been received and will be taken up at a later council meeting.

Fire Chief Early made a recommendation to purchase a snowplow for the F-150 out of the SPLOST for Roads. Councilperson Hamilton recalled the Town owning a snowplow. Early said there is a scrape blade they pulled behind the tractor. Councilperson Hamilton thought that Jerry Jaeger gave us one. Councilperson Nelms stated that ProTurf's agreement included snow plowing if needed. Early insisted that there may be no time to wait for them in the case of an emergency. The plow would be hooked up and ready to go when a snow event is predicted, and the Fire Department would be willing to plow the roads. The Town's asset list was checked by Lapeyrouse, however no plow was included on the list. Joey Fountain suggested talking to Kubota to see if they might be willing to make a donation of a small side by side ATV.

A motion was made by Councilperson Nelms to approve the purchase of a snowplow not to exceed \$2,000 to be spent from SPLOST in the Roads. The motion was seconded by Councilperson Hughes. Councilperson Hamilton added "if we don't have one." Councilperson Nelms suggested that it be postponed to January. Mike Early suggested making it contingent on having Chief Elrod take one last look around to make sure she can't find one. Councilperson Nelms agreed contingent on doing a search. The motion was amended by Councilperson Nelms to amend the motion to make it contingent on confirming that we do not already own this piece of equipment. The amended motion was seconded by Councilperson Hughes and unanimously approved.

MAYOR'S COMMENTS –

Updates...

We have been working with GA Power, Cornelia and EPD on the water withdrawal over the last three years, and she is asking the new council to consider pursuing this as indefinite income into the Town. It will be withdrawal of raw water. Engineering by GA Power and our engineer has been done and determined to not affect the lake.

The Town is fiscally sound. Revenues are up and expenses are down. We have nearly two years in cash reserves.

The roofs have been completed on the two water buildings.

The Rabun Bicentennial Birthday Party will be December 7th at 1:00 p.m. Any items for the time capsule should be given to Mayor Dobbs.

Reverend Turpen and his wife have been married for 55 years on December 20th. Congratulations to them.

Mayor Dobbs said she wanted to personally thank the Council for making the hard decisions. Proud of their accomplishments and made some hard decisions to move the Town forward. Not only are we more fiscally sound, we are very transparent. Everyone has put this Town first and not their own agendas. Warren Tillery is now a partner with Smith, Welch, Webb and White. She thanked Attorney Tillery and CPA Mixon for their services to the Town as well as the water department, volunteers, and police department.

Mayor Dobbs also thanked Town Clerk Lapeyrouse. Mayor Dobbs stated that in her 31 years of professional career, she has never worked with anyone of the caliber of Linda and thanked her for her service to the Town.

The Town Christmas Party will be at 6:00 p.m. with the tree lighting at 7:00 p.m.

January 9th will be the swearing-in of the new Town Council.

PUBLIC COMMENTS:

Van Knighton thanked Mayor Dobbs for the job she has done, stating that he has been very impressed. There was a round of applause. Mayor Dobbs said it is a very different view from this side of the desk. The best part has been the friendships she has made and thanked him for his comments.

EXECUTIVE SESSION:

A motion was made by Councilperson Nelms to go into executive session to discuss real estate and possible litigation with the Attorney. The motion was seconded by Councilperson Hamilton and unanimously approved at 9:04 p.m.

The meeting was re-opened at 9:57 p.m. No action items came out of the Executive Session.

A motion was made by Councilperson Nelms to adjourn the meeting. The motion was seconded by Councilperson Hughes and unanimously approved.

The meeting adjourned at 10:00 p.m.



Linda Lapeyrouse, Town Clerk