

CITY OF ELBERTON
REGULAR MEETING OF THE ELBERTON MAYOR AND COUNCIL
Monday, February 2, 2009 – 5:30 p.m.

Pursuant to due call and notice thereof the Organizational and Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, February 2, 2009 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

Present were: Council Members Butler, Colquitt, Hunt, Seymour, and Paul; City Attorney Phelps, City Manager Dunn and City Clerk Churney.

Mayor Guest called the meeting to order. Mayor Pro tempore Paul led the assembly in the Pledge of Allegiance and City Attorney Phelps led the assembly in prayer.

Council Member Hunt motioned to approve the minutes of the January 5, 2009 Organizational and Regular Meeting as submitted, seconded by Council Member Butler and the motion passed unanimously.

Reports. Controller Kevin Eavenson presented the Financial Report through December 2008 with the following net assets:

General Fund	\$ 4.2 million
Combined Utilities Fund	\$ 18.9 million
Elberton Technology Services Fund	\$ 1.9 million net loss
Solid Waste Fund	\$ 287,631
Unrestricted Investments-General Fund and Utility Fund	\$ 2.1 million
Restricted Investments (SPLOST & Utility Funds)	\$ 1 million

Mr. Jackson McConnell, Chairman of the Development Authority of Elbert County, Elberton and Bowman, reported on the activities of the Authority for 2008. Mr. McConnell stated that "we need to believe in the vision and the action and keep the process moving." Chairman McConnell informed Council that his term has expired and the term of Larry Smith expired in October. He asked to continue to serve and asked Council to consider reappointing him. In addition to his term expiration, Mr. Smith is moving out of the City limits this year and will vacate his seat. He summarized his report by thanking Council for the support and continued support in the year ahead. Council Member Butler asked if the Council could receive a more detailed report that includes reasons why a business chose not to locate in Elberton. Mr. McConnell stated that sometimes they were not told why, but in other cases they were given a reason. He stated that the authority could document the information and provide to Council.

Mayor Pro tempore Paul introduced the following Resolution:

**A RESOLUTION
OF THE CITY OF ELBERTON**

APPROVING THE PARTICIPANT SERVICES AGREEMENT WITH ELECTRIC CITIES OF GEORGIA, INC. ("PROVIDER"); AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF SUCH AGREEMENT; AND FOR OTHER PURPOSES

WHEREAS, the Municipal Electric Authority of Georgia (the "Authority") has heretofore delivered certain marketing, distribution and related services to political subdivisions desiring such services through business units of the Authority pursuant to certain Distribution Business Unit Contracts and Marketing Services Contract, respectively, in order to provide for separate accounting and payment of the costs of such services; and

WHEREAS, the Authority and the Participants (as defined in the Agreement) have determined that it is in their respective best interests to have such services provided by Electric Cities of Georgia, Inc., a Georgia nonprofit corporation organized to perform services on behalf of the respective Participants pursuant to the Georgia Nonprofit Code and Section 115 of the Internal Revenue Code (the "Provider"), pursuant to a certain Participant Services Agreement, between the Provider and the Participants (the "Agreement");

NOW, THEREFORE, be it resolved by the governing body of the City of Elberton (the "Participant") in meeting duly assembled, and it is hereby resolved by authority thereof, as follows:

Section 1. The Participant hereby finds and determines that it is in its best interest to contract with the Provider under the terms of the Agreement.

Section 2. The Participant hereby approves and authorizes the execution, delivery and performance of the Agreement in substantially the form of the draft thereof presented at this meeting and filed in the Participant's meeting minutes, and hereby incorporated herein by reference, subject to such changes, additions and deletions made in the discretion of the City Manager of the Participant, with advice of counsel. The Agreement shall be executed by the City Manager, attested by the City Clerk, and shall have the Participant's seal affixed thereto, and shall be delivered to the Provider, and when so executed and delivered, shall be binding upon the Participant in accordance with its terms. Execution of the Agreement as authorized herein shall be conclusive evidence of the Participant's approval thereof.

Section 3. The Participant hereby authorizes the City Manager and the City Clerk to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution, as amended from time to time, including, but not limited to, communicating the decisions of the Participant to the Provider with respect to any matter respecting the Agreement.

Section 4. In the adoption of this Resolution, the Participant hereby recognizes that this action will be relied upon by other municipalities and systems that own and operate electric distribution systems and that adopt similar resolutions in furtherance of joint action through the Provider, and that the Participant is also relying upon the adoption of such resolutions by such other municipalities and systems.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLVED this 2nd day of February, 2009.

The Resolution was read in its entirety. Council Member Seymour motioned to adopt the Resolution as read, seconded by Mayor Pro tempore Paul and the motion passed unanimously.

Mayor Pro tempore Paul introduced the following Resolution:

The Resolution was read in its entirety. Council Member Seymour motioned to adopt the Resolution as read, seconded by Mayor Pro tempore Paul and the motion passed unanimously.

RESOLUTION

BE IT RESOLVED, that the City of Elberton hereby resolves to forward the Comprehensive Plan Partial Update for Elbert County, Georgia to the Northeast Georgia Regional Development Center (RDC) and the Georgia Department of Community Affairs for review, comment, and recommendation.

BE IT FURTHER RESOLVED, that the City of Elberton does hereby certify that the Comprehensive Plan Partial Update met with the holding of a public hearing on January 29, 2009.

In order to coordinate the review process, the City of Elberton further resolves that this Partial Plan Update will be submitted to the Northeast Georgia RDC for review and comment on or about January 29, 2009.

Adopted the 2nd day of February, 2009.

The Resolution was read in its entirety. Council Member Seymour motioned to adopt the Resolution as read, seconded by Council Member Hunt and the motion passed unanimously.

Mayor Guest asked if there were any items to be removed from the consent agenda to be discussed further. Council Member Seymour asked to remove item 1 from the consent agenda. Mayor Pro tempore Paul motioned to approve the consent agenda as amended, seconded by Council Member Butler and the motion passed unanimously.

2. Approved the dues, travel and training for all city departments as follows:

Fire

Haley Fortson
GA Assoc. of Fire Chiefs
St. Simons Island, GA
March 8-11, 2009
Registration: \$200.00
Travel/Lodging: \$695.00

Allen Lee
Professional Ethics
GPSTC Forsyth, GA
March 18-19, 2009
Registration: None
Lodging/Meals: \$92.00

Police

Darin Rucker
Alcohol & Drug Facilitated Sexual
Assault Investigations
Lawrenceville, GA
February 13, 2009
Registration Fee: None
Meals: \$40.00

Luke Mize
COLT M-16/AR- 15 Armorers School
Effingham County S.O.
Springfield, GA
May 4-6, 2009
Registration Fee: \$400.00
Lodging/Meals: \$360.00

Utilities

Mark Welsh
Command College @ Georgia State
University
Dealing with Organizational/Mgmt
Realities
Columbus, GA
March 22 – 27, 2009
Registration Fee: None
Lodging/Meals: \$615.00

Wastewater

Jason Hackett/Ray McGill
Activated Sludge Process
Helen, GA
April 30, 2009
Registration: \$230.00
Travel/Lodging: \$109.40

3. Accepted the minutes, decisions and recommendations of the Planning Commission Meeting of January 20, 2009.

Council Member Seymour removed consent item 1, expenditures that exceed the City Manager's purchasing authority to purchase two 4-door sedans fully equipped with police package including light bars, siren, remounting of computer, camera and radar system for further discussion. Council Member Seymour and Colquitt inquired as to the fuel efficiency of the two sedans. City Manager Dunn stated that he did not have that information with him at this time. Council Member Butler motioned to approve the expenditures that exceed the City Managers purchasing Authority. The motion fell due to lack of second.

City Manager Dunn presented the following reports to Council:

- City Manager Dunn stated that the police department has moved back in its entirety. A ribbon cutting ceremony will be scheduled next month.
- City Manager Dunn stated that the sewer line replacement is 95% complete.

- City Manager Dunn stated that the water system SCADA project is waiting on a FCC license for the radio frequencies between the tanks.
- City Manager Dunn stated that the natural gas PVC replacement project has moved to Fairway Drive which is the last section of the project.
- City Manager Dunn stated that the DDA's project on the W. O. Jones Building should be complete any day now. The floors are being finished and the new storefronts are being installed.
- City Manager Dunn stated that phone system is progressing well.
- Monthly reports and activities of the various departments.
- State of the City Report.

Matters to be considered by Council. Council Member Colquitt commended the Fire Department on their response to the house fire on Highland Drive. Council Member Seymour and Council Member Seymour discussed the purchase of police cars again. They inquired as to utilizing the reverse raffle offered by GMA.

There being no further business to come before Council, upon proper motion and second the meeting was adjourned.

Mayor

ATTEST:

City Clerk