

CITY OF ELBERTON
ORGANIZATIONAL & REGULAR MEETING OF THE ELBERTON MAYOR & COUNCIL
Monday, January 4, 2010 – 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, January 4, 2010 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 tem Paul led the assembly in the Pledge of Allegiance and Pastor Kenny Martin of Dewy Rose Baptist Church led the assembly in prayer.

Judge John Bailey administered the Oath of Office to Mayor Guest as follows: I, Larry Guest, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of Council Member of the City of Elberton, Georgia, during my term of office and until my successor is elected and qualified, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Judge John Bailey administered the Oath of Office to Council Member Butler as follows: I, Carey Butler, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of Council Member of the City of Elberton, Georgia, during my term of office and until my successor is elected and qualified, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Judge John Bailey administered the Oath of Office to Council Member Paul as follows: I, Bob Paul, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of Council Member of the City of Elberton, Georgia, during my term of office and until my successor is elected and qualified, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Judge John Bailey administered the Oath of Office to Council Member Seymour as follows: I, Joel Seymour, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of Council Member of the City of Elberton, Georgia, during my term of office and until my successor is elected and qualified, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Council Member Paul nominated Council Member Seymour as Mayor Pro tem for the calendar year 2010. Council Member Colquitt seconded the nomination and motioned to close the nominations and the motion passed unanimously. Mayor Guest then administered the Oath of Office as follows: I, Joel Seymour, do solemnly affirm that I will, to the utmost of my ability discharge the duties of Mayor Pro tem of the City of Elberton, Georgia, during my term of office and until my successor is elected and qualified and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Council Member Paul nominated the firm of Phelps and Campbell, LLC, Attorneys at Law, to act as the City Attorney with Mr. R. Chris Phelps being lead attorney. Mayor Pro tem Seymour seconded the nomination and motioned to close the nominations and the motion passed unanimously. Mayor Guest administered the Oath of Office as follows: I, R. Chris Phelps, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of City Attorney of the City of Elberton, Georgia, during my term of

office and until my successor is appointed, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Council Member Colquitt nominated Robert A. Johnson as Municipal Court Judge. Council Member Hunt seconded the nomination and motioned to close the nominations and the motion passed unanimously. Mayor Guest administered the Oath of Office as follows: I, Robert A. Johnson, do solemnly affirm that I will, to the utmost of my ability, discharge the duties of Municipal Judge of the City of Elberton, Georgia, during my term of office and until my successor is appointed, and that I will support the Constitution of the United States and the State of Georgia, SO HELP ME GOD.

Mayor Guest stated that the Tax Assessor Board for 2010 will remain the same.

Council Member Butler motioned to approve the minutes of the November 30, 2009 Work Session, December 7, 2009 Regular Meeting and the December 22, 2009 Called Meeting as submitted, seconded by Council Member Hunt and the motion passed unanimously.

Reports. City Manager Dunn recognized Henry McCalla and Carl Walton for attaining 25 years of service to the City. Each was presented a certificate and keychain.

City Manager Dunn also recognized Byron Stovall and Wayne Smith for receiving an "outstanding performance" rating from the Georgia Department of Natural Resources for the Elberton Filter Plant.

Electric Supervisor Brad Alexander updated Council on the right-of-way activities.

Controller Kevin Eavenson presented the Financial Report through November 2009 with the following net assets:

General Fund	\$ 4.5 million
Combined Utilities Fund	\$ 19.5 million
Elberton Technology Services Fund	\$ 1.8 million net loss
Solid Waste Fund	\$ 226,166
Unrestricted Investments-General Fund and Utility Fund	\$ 3.3 million
Restricted Investments (SPLOST & Utility Funds)	\$ 706,506

Speakers from the floor. Mrs. Sandra Brown, Chairman of the Chamber of Commerce updated Council on the activities of the Chamber. She also thanked the City for their longstanding commitment to the Chamber through the allocation of Hotel/Motel tax money for tourism purposes. Mayor Guest thanked the Chamber for their efforts.

Mr. Chip Rousey, spoke on behalf of the Citizens for Public Awareness (CPA) with regard to the proposed incinerator and the City's possible involvement. The organization asked Council to consider the questions and information as follows by providing a written response. 1) What date was the City made aware of the proposed Plant Granite/Incinerator facility? 2) Will the City charge the county for installing the water line taking into consideration the City's outside city limits policy? 3) How does the City plan to address the additional traffic and spillage possibly occurring from the loads of garbage? 4) Has the City been contacted to haul their garbage? Mr. Rousey was provided additional time allocation by a motion made by Council Member Colquitt, seconded by Council Member Paul and the motion passed unanimously. Mayor Guest informed the organization that the project is being presented to the County by

the Company and the City has no involvement in the project and has not been contacted or asked to participate to-date.

Mayor Guest asked if there were any other speakers from the floor other than to discuss the incinerator. Rev. Dallas Martin of Lena Drive asked to speak with regard to the proposed landfill. Council Member Colquitt motioned to hear Rev. Martin, seconded by Council Member Hunt and the motion passed unanimously. Rev. Martin expressed concerns with regard to both the incinerator and landfill proposal locations. He stated that the citizens do not want either in their community/neighborhood.

Mr. Gregory Milton Yarborough asked to speak with regard to job incentives for youth in the community. The Mayor and Council permitted Mr. Yarborough to speak. Mr. Yarborough expressed concerns as to what is the City doing to offer incentives to small businesses to locate in this area and where are the opportunities and growth.

Mrs. Tracy Rousey asked to speak with regard to scheduling a public meeting. Council Member Paul motioned to hear Mrs. Rousey, seconded by Council Member Colquitt and the motion passed unanimously. Mrs. Rousey asked if the City would schedule a public hearing to allow citizens to voice their opinion on the proposed project. Mayor Guest stated that there would be no need since the project was being presented to the County.

Mr. Chip Rousey asked to speak to the Council again. Council Member Paul motioned to hear Mr. Rousey again, seconded by Council Member Butler and the motion passed unanimously. Mr. Rousey stated that speakers should be treated professionally and be allowed to speak. He added that the City should be "transparent".

Mayor Pro tem Seymour introduced the following Resolution for Second Reading:

RESOLUTION

WHEREAS: The City of Elberton municipal complex at 203 Elbert Street consists of City Hall, the Fire Department, the Police Department, and a Warehouse; and

WHEREAS: A parcel of land adjacent to the municipal complex has become available for purchase; and

WHEREAS: This parcel of land will enable the City to expand its facilities if so needed during the short- or long-term; and

WHEREAS: The Mayor and Council does hereby find that it is in the public interest of the citizens of Elberton to acquire this parcel of property for its potential future uses.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elberton, Georgia hereby resolves to purchase the following parcel of land on Elbert Street for the selling price of \$23,000 :

Description

A parcel of land consisting of 0.35 acres, more or less; a portion of that property identified as Elbert County tax map number E18-056, owned by CTJ Properties LLC, located directly north of the Elberton Police Department at 209 Elbert Street, and being bounded by the property of the City of Elberton on the west and south, and by the Railroad on the north; dimensions of the land being approximately 130' (west) x 110' (north) x 135' (east) x 115' (south).

BE IT FURTHER RESOLVED that the Mayor, City Manager, and City Clerk are authorized to execute the necessary documents to effect this purchase of land.

Mayor Pro tem Seymour motioned to waive the reading, seconded by Council Member Hunt and the motion passed unanimously. Council Member Colquitt motioned to adopt the Resolution as presented, seconded by Mayor Pro tem Seymour and the motion passed unanimously.

City Manager Dunn presented the following reports to Council:

- City Manager Dunn stated that the gas division will be conducting a public awareness phone survey targeted toward natural gas customers and non-customers January 11-12, 2010. This survey will be done by the American Public Gas Association. The notice will be published in the newspaper and on the radio.
- ElbertonNET has seen a growth in 2009 of 7.8% vs. 2.5% in 2008 for television and 13.28% vs. 9.0% for internet.
- There will be a joint meeting of the City/County on January 19 at the Elberton City Hall at 5:30 p.m.
- Monthly reports and activities of the various departments.

Mayor Guest asked if there were any matters to be considered by Council. Council Member Colquitt inquired as to what studies the city needs to do with regard to the proposed incinerator/landfill. The Mayor and Council expressed condolences to the family of George Ward during his passing.

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

Mayor

ATTEST:

City Clerk