

**ORGANIZATIONAL & REGULAR MEETING OF THE ELBERTON CITY COUNCIL
Monday, January 7, 2008 – 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 7, 2008 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 Hunt led the assembly in the Pledge of Allegiance and City Attorney Phelps led the assembly in prayer.

Attorney Nefertara Clark administered the Oath of Office to Council Member Hunt as follows:

I, Bobby G. Hunt, do solemnly swear 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.

Bobby G. Hunt

Mayor Guest administered the Oath of Office to Council Member Colquitt as follows:

I, Troy Colquitt, do solemnly swear 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.

Troy Colquitt

Council Member Hunt nominated Council Member Colquitt as Mayor Pro tempore for the calendar year 2008. Council Member Paul 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, Troy Colquitt, do solemnly swear that I will, to the utmost of my ability discharge the duties of Mayor Pro tempore 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.

Troy Colquitt

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. Council

Member Hunt seconded the nomination and motioned to close the nominations and the motion passed unanimously. City Clerk Churney administered the Oath of Office as follows:

I, R. Chris Phelps, do solemnly swear 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.

R. Chris Phelps

Council Member Paul 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. City Clerk Churney administered the Oath of Office as follows:

I, Robert A. Johnson, do solemnly swear 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.

Robert A. Johnson

Council Member Colquitt motioned to appoint Niles Poole, Walton Howell and Evelyn Thornton to the Tax Assessor Board, seconded by Council Member Paul and it passed unanimously.

Council Member Butler motioned to approve the minutes of the December 3, 2007 meeting as amended, seconded by Council Member Paul and the motion passed unanimously. *(page 3, should read "Council Member Seymour motioned to approve (item 2) dues, travel and training as submitted, seconded by Council Member Butler and the motion passed unanimously.")*

City Manager Dunn recognized Sid Adams, L M Browner, Leslie Edwards, and Keith Willis for completing 25 years of service to the City. Each were presented a certificate and keychain.

Reports. Controller Kim Greenway presented the Financial Report through November 2007 with the following net assets:

General Fund	\$ 3.48 million
Utility Fund	\$ 21.3 million
Elberton Technology Services Fund	\$ 1.7 million net loss
Solid Waste Fund	\$ 228,229
Unrestricted Investments-General Fund and Utility Fund	\$ 2.98 million
Restricted Investments (SPLOST & Utility Funds)	\$ 1.32 million

Mr. Jackson McConnell, Chairman of the Development Authority of Elbert County, Elberton and Bowman, reported on the activities of the Authority for 2007. Mr. McConnell thanked Mayor Guest and Council Member Colquitt for regularly attending the meetings. He also thanked City Manager Dunn for attending often and providing support. Mr. McConnell stated that the Authority needed the City's ongoing and active support.

Council Member Paul introduced the following Resolution:

R E S O L U T I O N

A RESOLUTION AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF THE THIRD AMENDMENT TO TELECOMMUNICATIONS PROJECT CONTRACT WITH THE MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA (MEAG); AND FOR OTHER PURPOSES.

WHEREAS: The City of Elberton (the "Participant") has entered into a Telecommunications Project Contract, dated as of May 1, 1996, with the Municipal Electric Authority of Georgia ("MEAG Power"), as amended by a First Amendment to Telecommunications Contract, dated as of February 1, 1997, and a Second Amendment to Telecommunications Contract, dated as of June 1, 1997 (as amended, the "Telecommunications Contract"); and

WHEREAS: In order to effect certain changes to the Telecommunications Contract, the Participant has determined to enter into a Third Amendment to the Telecommunications Contract with MEAG Power (the "Third Amendment");

NOW, THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized and directed to execute and perform, and the Clerk, is hereby authorized to attest and deliver the Third Amendment, in substantially the form thereof that has been attached hereto and filed in the Minute Book of the Participant; and

FUTHER RESOLVED, that the Participant hereby authorizes the City of Elberton and the Clerk, to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution and the Third Amendment, as amended from time to time.

Adopted and made effective this 7th day of January, 2008.

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

Council Member Butler motioned to adopt the consent agenda as submitted, seconded by Council Member Paul and the motion passed unanimously.

1. There were no expenditures that exceed the City Managers purchasing authority to be considered.
2. Approval of the dues, travel and training for all city departments as follows:

City Clerk Department

Cindy Churney
Clerks Certification Program
February 17-18, 2008
Athens, GA
Registration: \$175.00

Police Department

Jimmy Jones
Animal Control Association Training Level 1
January 7 – 11, 2008
Atlanta, GA
Registration: \$525.00
Lodging: \$465.00

Mike Seymour & Darin Rucker
GBI Crime Lab for Officers - Module 1
January 10, 2008
Forsyth, GA
Registration: No cost
Lodging: \$78.00

Luke Mize and Chris Dyal
Officers Response to Domestic Violence
January 14 – 18, 2008
Forsyth, GA
Registration: No cost
Lodging: \$390.00

Joseph Evans, Jason Bagwell, & Chris Bryant
Advanced Report Writing
January 21 – 22, 2008
Augusta, GA
No cost

Brian Jones & Joseph Evans
Patrol Officers Response to Street Drugs
January 28 – February 1, 2008
RCTA Meridian, Miss.
No Cost: Provided through the Department of Defense.

Chief Mark Welsh
GA Law Enforcement Command
Human Resource Management
January 27 - February 1, 2008
Columbus
Registration: Provided through a scholarship through the Georgia Chief's Association.
Lodging: \$315.00

Public Works Department

James Adams and Wayne Pridgen
Annual Public Works Conference
January 16-18, 2008
Athens, GA
Registration: \$350.00 each
Meals: \$33.00 each

Main Street

Ed Shive and Laura Calloway
Downtown Development Training
January 26, 2008
Atlanta, GA
Registration: \$215.00 each
Lodging/Travel: \$158.00 each

- 2. Approved the amended Official Holidays for Calendar Year 2008.

Martin Luther King Day	Monday, January 21
Good Friday	Friday, March 21
Memorial Day	Monday, May 26
Independence Day	Friday, July 4
Labor Day	Monday, September 1
Thanksgiving	Thursday, November 27
	Friday, November 28
Christmas Eve	Wednesday, December 24
Christmas Day	Thursday, December 25
New Year's Day	Thursday, Jan. 1 (2009)

- 3. Accepted appointments of various boards as follows:

- a. Elberton Planning Commission – Mr. Walton Howell

- b. Historic Preservation Commission – Mrs. Kay Legg
- c. Elberton Zoning Board of Adjustments – Mrs. Sara Kantala and Mr. Rod McCarty
- d. Elberton Tree Board – Mrs. Mary Hunt and Mrs. Batina Ardister Allen.

City Manager Dunn presented the following reports to Council:

- City Manager Dunn stated that the sewer replacement line was 50% complete.
- City Manager Dunn stated that the tower renovations for HDTV were completed in December.
- City Manager Dunn stated that Elberton reduced its water withdrawal by 7% in November, less than the required 10%.
- City Manager Dunn stated that AT&T has applied for a state issued franchise for television. We are required to notify the Secretary of State the amount of the franchise fee that the City will require. Currently, both ElbertonNET and Comcast pay the maximum amount of 5%.
- City Manager Dunn stated that the James Street project has started with the pass-through in the alley being demolished in December. Underground utility work should begin in February.
- Monthly reports and activities of the various departments.
- State of the City Report.

In December, Council tabled the consideration of assisting E911 in the purchase of new equipment. Council Member Paul motioned to remove from the table, seconded by Council Member Hunt and the motion passed unanimously. EMS Director Chuck Almond requested \$20,000 in financial assistance to help with the purchase of the equipment. After discussion, Council unanimously voted to assist in the purchase of the equipment in the amount of \$20,000 as requested.

City Attorney Phelps asked to move into executive session. Council Member Butler made the motion to close the regular meeting and move into executive session, as allowed by O.C.G.A. Section 50-14-2 to discuss potential litigation. Council Member Hunt seconded the motion to close and enter into executive session. Council Member Hunt motioned to move out of executive session, with Council Member Butler seconding the motion. Mayor Guest reported that no action was taken at this time.

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

Mayor

ATTEST:

City Clerk