

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JANUARY 15, 2013
TUESDAY, 9:30 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

SPECIAL BUSINESS/ORGANIZATIONAL MEETING

- Swear in Newly Elected Officials
- Nomination and Selection of 2013 Council President
- Set 2013 Regular Meeting Dates
- Discussion of Regular Meeting format – Department Reports

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

December 6, 2012 Special Council Meeting
December 7, 2012 Special Council Meeting
January 8, 2013 Special Council Meeting

ADOPTION OF AGENDA

MAYOR'S REMARKS

COUNCIL REMARKS

DEPARTMENT REPORTS

Police Chief's Report
City Financial Report
Tax Commissioner's Report
Building Inspector's Report
City Manager's Report

COMMITTEE REPORTS

Planning & Zoning Commission

NEW BUSINESS

- Approval of 2013 Agreement with SV/Scaly Fire Department
- Set Qualifying Fees for the 2013 General Election
- Appointment & Selection of one P & Z member

- Appointment & Selection of 2013 Committees
- Discussion of Building Code Requirements
- Discussion of building permit fees for 2013

PUBLIC FORUM AND GENERAL COMMENTS

EXECUTIVE SESSION

ADJOURNMENT

**SPECIAL CALLED COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
DECEMBER 6, 2012
TUESDAY, 10:00 AM
TIMESHARE MEETING ROOM, 501 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Boyle, Larsen, Platt and Whatley, City Manager Smith, City Clerk Cantrell, Police Chief Dills, and Attorney Dickerson.

Pam Martindale gave the invocation. Mayor Martindale led the Pledge of Allegiance.

Council President Howard made a motion to approve the minutes of the November 20, 2012, Regular Council Meeting. The motion was 2nd by Councilor Larsen and unanimously approved.

Councilor Platt made a motion to adopt the agenda. The motion was 2nd by Councilor Whatley and unanimously approved.

OLD BUSINESS

- Approval of 2013 Budget (Resolution 12-07)

City Manager Smith presented two versions of the proposed 2013 budget as was previously requested by the Council. One draft included 3% employee raises and less for road paving. The second draft included 1.5% employee raises. Councilor Boyle made a motion to approve the version with the 3% raises, 2nd Councilor Platt. Councilor Howard expressed concern over decreasing revenues. Councilor Boyle said that if the City can justify \$10,000 for joint marketing efforts with the Sky Valley Club, he thinks we should be able to do more for the employees. The motion failed 2:3 with Councilors Howard, Larsen and Whatley voting nay.

A motion was then made by Councilor Larsen to approve the Resolution for the 2013 budget based on the 1.5% employee raises. Councilor Whatley said that given the fact that the City is incurring such an increase for health insurance and is dipping into reserves for expenses, he believes the fiscally responsible choice is the lower pay increase. The motion was 2nd by Councilor Howard and passed 3:2 with Councilors Boyle and Platt voting nay.

NEW BUSINESS

- Approval of changes to the Rabun County Convention & Visitors Bureau

Councilor Whatley said that the RCCVB Board has 22 members, and the Board has recommended reducing the Board size to 13. He said the RCCVB has to present this change to the State to be approved and signed into legislation. He explained two other changes, to change their fiscal year to a June 30 year end, and to standardize language.

Councilor Whatley made a motion to authorize the Mayor and City Clerk to sign documentation necessary for the City to support reducing the Board from 22 members to 13 members, to change the annual budget year, and to standardize language. The motion was 2nd by Councilor Larsen. Councilor Whatley gave information on what the Convention and Visitors Bureau does. The motion passed unanimously.

- Approval of SPLOST Intergovernmental Agreement

City Manager Smith presented the agreement. A vote for the SPLOST Referendum would be held on March 19, 2013. Exhibit A shows how the funds will be distributed if the referendum is approved. The County said they looked at populations of the cities when they set the distribution amount. Clayton's City Manager, Cissy Henry, said that the City of Clayton, the County's seat is not included to receive any SPLOST funds. Attorney Dickerson said that if the City approves this agreement, he recommends making it subject to confirmation from the County that all legal requirements have been met. Attorney Dickerson said that if the City does not approve this agreement and the referendum is passed, the SPLOST funds would be distributed based on population. Councilor Whatley asked why the cities should rush into this agreement just to get the referendum on the March ballot. He said that the City of Sky Valley should not be forced into an agreement by the County to approve this now. Attorney Dickerson said that if the referendum gets on the June ballot, there will still be no gap in the one-percent sales tax being collected. Councilor Whatley made a motion to table consideration of the agreement and to have city staff and the Mayor work with the County to create a true intergovernmental agreement, 2nd Councilor Platt, unanimously approved.

- Approval of Resolution Declaring Snow Plow as Surplus Property (Resolution 12-08)

City Manager Smith presented the Resolution. She said it will cost less than \$1,000 more for a new plow than to retrofit the old plow to the new truck. Councilor Boyle made a motion to declare the plow surplus, 2nd Council President Howard, unanimously approved.

- Authorization of purchase – dump bed and snow plow

City Manager Smith said that the quote to fit the dump bed from the red Chevy to the new Ford is \$4,500. A new dump bed is \$4,985. She recommended purchasing the new dump bed and snow plow. Councilor Whatley made a motion to declare the dump bed on the red Chevy as surplus property and for it and the snow plow to be sold together with the red Chevy and to authorize the purchase of the new dump bed and snow plow as presented, 2nd Councilor Larsen, unanimously approved.

- Approval of 2012 Budget Amendment (Resolution 12-09)

City Manager Smith presented the 2012 budget amendment. Discussion followed about the reasons for the budget amendments including the police department's personnel services for part time employees and the purchase of the new truck for the roads department. Councilor Larsen made a motion to approve the 2012 budget amendment resolution, 2nd Councilor President Howard, unanimously approved.

- Approval of Workers' Compensation Resolution (Resolution 12010 & Repeals Resolution 11-03)

A motion to approve the Resolution was made by Councilor Larsen, 2nd by Councilor Boyle, and unanimously approved.

PUBLIC FORUM AND GENERAL COMMENTS

Highlands Methodist Church is having an event this weekend

Mayor Martindale led a round of applause for Councilor Boyle whose term will be expiring.

EXECUTIVE SESSION

A motion was made by Council President Howard to go into Executive Session to discuss the employment, compensation, or periodic evaluation of a public officer. The motion was 2nd by Councilor Whatley and unanimously approved.

A motion to reconvene the regular meeting was made by Councilor Whatley, 2nd by Councilor Platt and unanimously approved.

Councilor Whatley made a motion to approve the employment contract with the City Manager subject to any changes by Attorney Dickerson to make the agreement as enforceable as possible by the employee and to authorize the Mayor to finalize and sign the agreement. The motion was 2nd by Councilor Boyle and unanimously approved.

A motion was made to adjourn by Councilor Whatley, 2nd Council Present Howard and unanimously approved.

Respectfully submitted:

James Martindale, Mayor

Attested:

Mandi Cantrell, City Clerk

**SPECIAL CALLED COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
DECEMBER 7, 2012
WEDNESDAY, 3:30 PM
TIMESHARE MEETING ROOM, 501 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Boyle, Larsen, Platt and Whatley, City Manager Smith, Police Chief Dills, Officer Shope and Attorney Dickerson.

Other interested parties represented included Rabun County representatives and City of Clayton representatives.

Councilor Platt made a motion to adopt the agenda. The motion was 2nd by Councilor Whatley and unanimously approved.

OLD BUSINESS

- Approval of SPLOST Intergovernmental Agreement

Attorney Dickerson explained the possibility of a vote in June at yesterday's meeting, but since discovered that the vote could only be done in March or November. From a statutory standpoint, the deadline is not now for the March election, but from a practical standpoint, they may want that much time. If the Council elects to approve the Agreement, it should be done with the pre-requisite that all notices have been done according to law.

County Administrator, Jim Bleckley thanked the Council for agreeing to meet again so quickly and introduced County Attorney Allyn Stockton. Attorney Stockton explained the urgency of the approval of the Agreement. The existing SPLOST will expire on September 30, 2013. If the election is not held until November, there would be a five month lapse and would create an administrative nightmare. Attorney Stockton then explained the process for getting the referendum ready for a March election. He also explained the advantages of having the Intergovernmental Agreement versus a split based on population. County representatives expressed their intent to negotiate with the City of Clayton with part of the SPLOST proceeds, however the City of Clayton was not named in the Agreement.

County Commissioner Butch Darnell explained that there will be continued negotiations over water/sewer and the County would have the option to use \$9,100,000 on those projects. Sky Valley would probably like to have sewer and they want to be able to help with that. Right now there are four engineering firms working on water/sewer projects in the County. By having one consolidated water/sewer authority in the County, there would have to be some savings.

The County and all other named Cities in the Intergovernmental Agreement have already approved the Agreement.

Mitch Baker, City Attorney for the City of Clayton agreed with Attorney Dickerson regarding the statutory requirements. Clayton is not asking for anyone to wait until the 29th day, but Clayton did not know and did not have the opportunity to negotiate with the County. The County and all cities within the county were included in the last Intergovernmental Agreement. Water/Sewer negotiations with the County have not really taken place yet. The only way Clayton would get any SPLOST revenue without the Intergovernmental Agreement is if the County takes its share and Clayton agrees to take what the County is willing to offer. The City of Clayton requested that Sky Valley postpone a vote on the Intergovernmental Agreement.

The County claimed that after the Carl Vinson Institute study came out recently, there was not enough time to work out an agreement with the City of Clayton but there is enough money to negotiate if the SPLOST Referendum is approved.

A motion was made by Councilor Whatley to approve the execution of the Intergovernmental Agreement. The motion was 2nd by Councilor Boyle.

Mayor Martindale and several Council members expressed their disappointment in the County in not conducting true negotiations with each of the cities and for excluding Clayton from the Agreement. Sky Valley would stand to lose a significant portion of the tax revenue if there is no Intergovernmental Agreement. Ultimately, the voters of Rabun County will decide.

The motion to approve the Intergovernmental Agreement was passed unanimously.

A motion was made to adjourn by Councilor Boyle, 2nd by Councilor Whatley unanimously approved.

Respectfully submitted:

James Martindale, Mayor

Attested:

Mandi Cantrell, City Clerk

**SPECIAL CALLED COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JANUARY 8, 2013
TUESDAY, 1:00 PM
CITY HALL, 3444 HIGHWAY 246, SKY VALLEY, GA**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Boyle, Platt and Whatley, City Manager Smith, and City Clerk Cantrell.

Councilor Platt made a motion to adopt the agenda. The motion was 2nd by Councilor Whatley and unanimously approved.

NEW BUSINESS

- Approval Quit Claim Deed – 129 Saddleback Circle right-of-way encroachment

A motion to approve the Quit Claim Deed as presented was made by Councilor Platt and 2nd by Council President Howard. A variance had been approved in 1999 to allow building within the setback area. The city did not require a survey from the applicant at that time, and a portion of the structure was built on the City's right-of-way. The motion to approve the deed to clear up the title was unanimous.

A motion to adjourn was made by Councilor Boyle, 2nd by Councilor Whatley and unanimously approve.

Respectfully submitted:

James Martindale, Mayor

Attested:

Mandi Cantrell, City Clerk



Sky Valley Police Monthly Statistics

INCIDENT	Month	YTD
Fire	00	08
Medical	02	36
Vehicle Accident	02	13
<u>DOMESTIC</u>		
Family Violence	00	00
Fight/Assault	00	00
Suicide/Death	00	01
<u>BURGLARY/THEFT</u>		
Burglary	00	03
Theft	00	05
Suspicious Activity	01	35
Suspicious Person	00	01
Suspicious Vehicle	02	21
Alarm	01	14
Investigation	00	05
Surveillance	00	00
<u>MISC INCIDENTS</u>		
DUI/Public Drunk	00	01
Drug Related	00	00
Juvenile	00	03
Stationary Patrol	00	00
Traffic Stop	00	42
Mutual Aid	01	21
Animal	00	20
Lost & Found	00	05
Noise Complaint	00	05
City Ordinance Viol.	00	06
<u>COMMUNITY AID</u>		
Water/Tree/Infra.	06	77
Vehicle Jump/Unlock	01	62

DECEMBER 2012

LAST YEAR	Month	YTD
Fire	00	02
Medical	04	32
Vehicle Accident	01	11
Family Violence	00	00
Burglary	00	00
Theft	01	01
Susp Activity	02	71
Susp Person	00	00
Susp Vehicle	01	01
Alarm	02	18
DUI/Public Drunk	00	00
Drug Related	00	00
Traffic Stop	00	38
Mutual Aid	00	00
Animal	00	00
Mileage	3089	42,901
<u>ASSISTANCE</u>		
Assisting Residents	01	40
Assisting Visitors	00	00
Escorting Visitors	02	19
Residential Check	00	206
Residential Contact	02	02
Welfare Check	00	11
Arrested	00	01
Incarcerated	00	00
Warnings Written	00	04
Citations Written	00	04
Total Calls	25	435

Mileage

3769

47,579

**Totals Report For 2009 Taxes
December 2012
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2009 Ad Valorem Tax	1,027,030.12	1,023,450.63	2196.72-	1382.77
Interest	9,329.13	8,831.33		497.80
Penalty	11,368.38	11,230.10		138.28
Costs	9978.00	9491.00		487.00
Totals	1,057,705.63	1,053,003.06	2196.72-	2,505.85

Collected: 99.87%

**Totals Report For 2010 Taxes
December 2012
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2010 Ad Valorem Tax	948,598.92	946,471.07	680.08-	1,447.77
Interest	5,744.17	5406.45		337.72
Penalty	2,196.24	2051.46		144.78
Costs	3,559.82	3320.82		239.00
Totals	960,099.15	957,249.80	680.08-	2,169.27

Collected: 99.85%

**Totals Report For 2011 Taxes
December 2012
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2011 Ad Valorem Tax	938,737.03	938,191.96	(285.84)-	259.23
Interest	1,623.20	1,622.55		.65
Penalty	1,279.53	1,279.53		0.00
Costs	6,188.00	6,188.00		0.00
Totals	947,827.76	947,282.04	(285.84)-	259.88

Collected: 99.97%

Totals Report For 2012 Taxes December 2012 Tax Commissioner

	Billed	Collected	Adjustments	Outstanding
2012 Ad Valorem Tax	834,170.00	463,850.24	637.08+	370,956.84
Interest				
Penalty				
Costs				
Totals	834,170.00	463,850.24	637.08+	370,956.84

Collected: 55.56%

Housing & Development Departmental Data Report	For month ending December 31, 2012		
	Dec-12	YTD	2011 YTD
New Residential & Commercial permits issued	0	1	0
All other addition, remodel and repair permits	3	117	114
Certificates of Occupancy issued	0	0	0
Total New Construction not yet finalized	3		2
Total Other Construction not yet finalized	11		81
Notices to Comply issued	0	4	18
Stop Work Orders issued	0	0	4
Tree Cutting permits issued	2	49	63
Code & Ordinance Violations cited	0	2	3

Fees Collected			
	Dec-12	YTD	2011 YTD
New Residential or Commercial Permits	\$0	\$0	\$0
Other Addition, Remodel, Repair Permits	\$0	\$8,590	\$14,487
Tree Cutting Permits	\$75	\$1,775	\$3,525
Land Disturbing Permits	\$0	\$100	\$0
Fines Collected for Ordinance Violations	\$0	\$10,000	\$200

Departmental Report by the City Manager

January, 2013



Announcements -

Don't forget that garbage service will be once per week from January – May 28th (Memorial Day). Pick-up will be on Mondays unless it is a holiday or inclement weather.

City Hall will be closed in observance of Martin Luther King, Jr. Day on Monday, January 21st. Garbage pick-up will be Tuesday, January 22nd.

Tax bills have been mailed and are due by Friday, January 11th. If you have not received your bill, please contact Alyssa Mullins at City Hall for a duplicate billing.

Public Works -

Leaf collection service has ended for the season. Any leaves to be collected will now need to be bagged. Bags of yard debris is not picked up with regular garbage collection, please call City Hall to arrange for pick-up.

So far, so good on snowfall and travel conditions this season, however city employees are prepared to work long hours as necessary throughout the winter season to keep the 26 miles of City streets as safe as possible following a storm event. Plows are called out when there is 1 – 2" of snow accumulation. We have two snow plow trucks that also serve to spread chat or liquid salt brine depending on the conditions. Main thoroughfares are cleared first and remaining secondary roads are plowed thereafter. Remember... snow removal crews are able to clear the roads much quicker and safer when they don't have obstructions in the roadway. When crews have to move about the city in response to individual motorist situations, the entire snow removal process is severely slowed.

Here are a few reminders of winter road hazards to consider for everyone's safety:

Please avoid parking on roadways or abandoning your vehicle on City roadways when road conditions make roads impassable. In order to ensure that the Sky Valley Police and city road crews are able to keep the roads open during inclement weather, any vehicle that is impeding snow removal efforts or is leading to the endangering of public safety will be removed by an approved wrecker service at the owner's expense. If you are forced to abandon your vehicle, you must leave it where it does not obstruct the roadway. Do not leave valuables inside and have the vehicle moved as quickly as it is safe to do so.

Motorists should make a reasonable effort to remove all ice and snow from their vehicles before traveling. Snow and ice left on a vehicle, in particular on the hood, windows and roof, can become a deadly projectile, creating a hazard for everyone on the road.

Snow left out in the road by homeowners or private snow plowers can be a road hazard. We have all come upon this situation where we are driving along and come across a wall of snow trailing out of a driveway across the road. Snow should never be plowed onto or across the roadway. The proper way to plow a driveway is to start at the mouth of the drive and plow in.

Make sure your children/grandchildren do not play in any large piles of snow located near the roadway. These mountains of snow look appealing to children, but can be very dangerous when the plows are pushing snow.

The City strongly urges residents and motorists to exercise extreme caution and avoid making unnecessary road trips during a storm event. Be extremely cautious when driving or walking on slippery roadways.

Use common sense. If it looks and feels unsafe, it is. Plan ahead... run your errands before a storm arrives, don't get out if you don't have to, be patient, and know your vehicle's abilities. If you don't have 4WD or AWD, your chances of negotiating slippery streets and hills without problems are severely diminished. The City crews have 4WD, use snow chains, and still often find themselves in precarious situations. Driving on slippery roads is dangerous and should be avoided when possible.

By working together we can make this a safe winter season.

Water –

The Water System Improvement project has officially been closed out. All final inspections have been completed and final grant money has been received. A total of \$3,665,640 has been spent on improving the City water system with \$1,060,000 of that amount received in the form of grants or loan forgiveness.

Automated bank draft is now available for water/garbage billings. Please contact Alyssa Mullins at City Hall to sign up for this service. If you have already signed up for this service, January 25th will be the first automated draft. Remember, your account will automatically be drafted for the total amount due each month. You will still receive a paper bill so that you can continue to audit the water usage and billing amount each month.

City Ordinance requires that all residences vacated during winter months shall be winterized to protect the plumbing from freezing. Under no circumstances may a water tap be left open to prevent freezing. This practice is prohibited and a violation of water use conservation by GA EPD. Any vacated residence detected using water by the City will be assumed to have faulty plumbing internally. Upon this assumption the City will turn off the water to prevent additional damage to the property and attempt to contact the property owner.

Solid Waste -

On days of inclement weather, the City may be unable to run the garbage route. Automated phone calls will be utilized to keep you informed of these circumstances. Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Animals scatter garbage even when put in the underground cans. Our garbage collectors are not responsible for picking up any garbage that is not properly bagged once they arrive. The dumpster at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items. Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road.

With the nation becoming more environmentally conscious, we need to recognize the importance of recycling. By the end of December 2011, we had hauled a total of 157.97 tons of garbage to the landfill. Last year, we hauled a total of 153.60 tons. That is approximately 2% improvement over the last year and a 25% improvement since 2008 when we started tracking. That is definitely a step in the right direction, however I know there is so much more that can be done. It is essential that we encourage ourselves and our neighbors to recycle.



Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content



Fax Transmittal Form

To: Linda Smith

Fax # 706-746-5893

From: S. David Carr

706-746-7154(Fax)

Number of Pages:

Ms. Smith-As you can see the P and Z would not approve the Agenda and hold a public hearing on the Clubs variance request. I would suggest we have a Special Called Council Meeting and hold a public hearing on the variance request. These minutes have not been approved by the committee.

Thanks,

David Carr, Secretary

P and Z Committee

Sky Valley P and Z Meeting
12-15-2012

Bob MacNair-Called meeting to order and stated that 3 members of the P and Z Committee were Sky Valley Club Founders and they had a conflict of interest with the request for a variance by the Club. He stated there would not be a voting on the variance request by the Club but we can discuss the issue.

Members present: Bob MacNair, David Carr, Joel Dawkins, Ray Brooker, Dick Parrott.

David Carr-Stated that there was not a conflict of interest with the P and Z members who were Club Founders voting on the variance request. Carr stated that Neil Howard had checked with the City Attorney and he had stated there was not a conflict of interest because each Founder had such a small interest in the Club. Howard stated that City Attorney had changed his opinion and now his suggestion was to recuse yourself if you personally feel obligated.

David Whatley-Dickerson reaffirmed that the Attorney now feels it would be a conflict of interest.

David Carr-This is a commercial roof variance request and the city does not have ordinances for commercial building roofs.

Bob MacNair-We can stay and discuss, however, there will be no ruling.

David Carr-I am on record that there is no Club Founders conflict of interest on this variance request.

David Spears-Confirmation-Asking for a 26 gauge not a 29

David Carr-We need to vote to approve the minutes of the last meeting.
Approved

Ray Brooker-Variance code is 24 gauge

David Carr-Made a motion to adopt the Agenda-No second-Agenda not

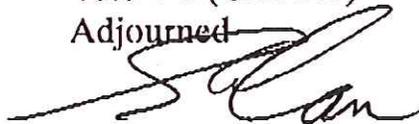
adopted.

Dick Parrott-Motion to adjourn

Ray Brooker-Seconded

Vote 4-1 (Carr-No)

Adjourned

A handwritten signature in black ink, appearing to read 'D. Carr', written over the word 'Adjourned'.

David Carr, Secretary
Sky Valley P and Z Committee

SUMMARY OF ALL PROJECTS

		Engineering/ Inspection	Legal/Admin	Construction	
Well #8		38,860		146,450	
Well #8 Survey				438	
Well #8 Site Prep				1,232	
Well #8 Geologist Pre and Post Drilling				10,773	
Well #8 Drilling				8,865	
Well #8 3 Phase Power				13,157	
Well #8 Water Testing				360	
Environmental Documents - NONSI		16,250			
Engineering Alternate Tank Evaluation		638			
Engineering - Additional Well #8		2,000			
SUBTOTAL PAID	239,021	57,748	0	181,274	
2009 Well Rehab, New Well, Water Main Upgrades & Replacements & Fire Hydrants					
Summit Underground		209,599	196	1,710,868	
2010 New Well, Additions/Remodeling, New Storage Tank, Tank Replacement, Booster Station					
Water Meter Replacement					
Consolidated Pipe & Supply				222,865	
Division I					
Southeastern Tank				331,275	
Division II					
WF Floyd				257,707	
Division III					
Lanier Contracting				52,922	
Division IV					
Summit Underground				390,900	
Engineering - Original Contract		163,775			
Engineering - Additional Admin		36,662			
		Engineering/ Inspection	Legal/Admin	Construction	Closing Fees
TOTAL CITY PAID	3,665,640	467,783	196	3,147,811	49,850
2010 GEFA Loan 3%	840,000	(1,200,000 - \$360,000 loan forgiveness)			
ARC	300,000				
City Funds	473,160				
2009 GEFA Loan 0%	1,292,480	(1,692,480 - \$400,000 loan forgiveness)			
Total Loans	2,132,480				

AGREEMENT

State of Georgia

Rabun County

Whereas, the CITY OF SKY VALLEY, hereinafter referred to as First Party, is a municipal corporation in said State and County, chartered by the General Assembly of Georgia, and

Whereas, the undersigned, hereinafter referred to as Second Party, is a corporation with an office and place of business located in said County, and

Whereas, the parties desire to enter into this Agreement for certain services to be performed for the benefit of First Party by Second Party,

Now, therefore, and in consideration of the mutual promises herein set forth and the payment by First Party to Second Party of the sum herein specified, it is mutually agreement as follows:

I.

TERM OF AGREEMENT

This Agreement shall be effective when signed by both parties and shall continue in full force and effect until December 31, 2013. It may be renewed by the parties thereafter from year to year by a letter of intent to renew signed by both parties and attached hereto which shall specify any modifications hereof.

II.

DESCRIPTION OF SERVICES

Second Party shall provide fire fighting and rescue services in the same manner and to the same extent as it has in previous years for dwelling houses and other buildings and surrounding and adjacent areas located within the City of Sky Valley.

III.

AFFILIATION

Second Party is an Independent Contractor as to First Party and is not any agent or employee. The time and manner of performance shall be within the sole and exclusive discretion of Second Party taking into consideration the nature of the duties and obligations of Second Party as a fire and rescue service. First Party shall have no control over the same but Second Party shall cooperate with the Sky Valley Police Department and City Government and its employees in carrying out its duties and obligations.

IV.

COMPENSATION FOR SERVICES

First Party will financially contribute to Second Party for its services in the first, second, third and fourth quarters of the year 2013 in the amount of \$15,000.00 per quarter for a total of \$60,000.00 for the year.

V.

SPECIAL CONDITIONS

The following Special Conditions shall apply:

(A) This Agreement is made in Rabun County, Georgia, and the law of Georgia shall govern the legal construction and interpretation of its provisions and the rights and remedies of the parties.

(B) The provisions hereof constitute the entire agreement of the Parties and no oral agreement, promises or inducements made by either Party shall bind the other unless reduced to writing and incorporated herein.

(C) This Agreement may not be modified except in writing executed by both parties.

WITNESS THE HAND AND SEAL OF EACH PARTY THE DATE SET OPPOSITE EACH SIGNATURE.

The City of Sky Valley, Georgia, First Party

By: _____

James Martindale, Mayor

Date: _____

Attested: _____

Mandi Cantrell, City Clerk

(Affix City Seal)

Sky Valley-Scaly Mountain Fire & Rescue Department, Inc., Second Party

By: _____

Chairman of the Board

Date: _____

(Affix Corporate Seal)

**PLANNING & ZONING
APPOINTMENTS BY YEAR**

2007

Allen Jackson	2007	(fill vacancy created by Ewing being elected to Council)		
Tom Raye	2007	2008		
James Betancourt	2007	2008		
Richard Boyle	2007	2008		
Wayne Clark	2007	2008	2009	

2008

Allen Jackson	2008	2009	2010	
Paul Wheeler	2008	(fill vacancy created by Tom Raye's resignation)		
James Betancourt	2008			
Richard Boyle	2008			
Wayne Clark	2008	2009		

2009

Allen Jackson	2009	2010		
Paul Wheeler	2009	2010	2011	
James Betancourt	2009	2010	2011	
Bob Larsen	2009	2010	2011	
Wayne Clark	2009			

2010

Allen Jackson	2010			
Paul Wheeler	2010	2011		
James Betancourt	2010	2011		
Bob Larsen	2010	2011		
Neil Howard	2010	2011	2012	(elected to Council – creates 2 year vacancy)

2011

Paul Wheeler	2011			
James Betancourt	2011			
Bob Larsen	2011			
David Carr	2011	2012	(2 yr term to fill vacancy)	
Bob MacNair	2011	2012	2013	

2012

★ David Carr	2012			
Bob MacNair	2012	2013		
Ray Brooker	2012	2013	2014	
Dick Parrott	2012	2013	2014	
Joel Dawkins	2012	2013	2014	

★ Select one person for 3-yr term
2013, 2014, 2015



**CITY OF SKY VALLEY
BUILDING DEPARTMENT**

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To: Linda Smith
Sky Valley City Manager
From: Keith Krieger

December 5, 2012

Over the past several weeks I have received several telephone calls from roofing contractors and suppliers regarding the City of Sky Valley ordinance requirements for fiberglass or fiberglass/asphalt composite shingles and metal sheet panel roofing.

As you are aware, the City of Sky Valley Ordinance 08-11 Section 300.20 addresses these requirements very specifically (inserted for your convenience); clearly, the City Council has historically adhered to a higher quality of roofing material as the standard.

City of Sky Valley Ordinance 08-11 Section 300.20 - Specific local codes regarding acceptable roofing materials - Amendments to the International Residential Code - Roof Assemblies and Rooftop Structures.

- (1) **Wood Shingles/Shakes** - Only the following shingles/shakes can be used:
 - (a) Thick butt cedar shakes; and
 - (b) Thick butt pressure treated pine shakes;
- (2) **Fiberglass or Fiberglass/Asphalt Composite Shingles** - Only fiberglass or fiberglass/asphalt composite shingles with the following minimum specifications can be used:
 - (a) Class "A" fire rated - minimum;
 - (b) Four bundles per square - minimum; and
 - (c) 90 mile per hour wind zone - minimum.
- (3) **Steel or Aluminum Shingles** - Only the following steel or aluminum shingles can be used:
 - (a) Shingles which appear on a list of approved shingles available at City Hall;
 - (b) Shingles not appearing on the list may be considered for approval provided the manufacturer's technical specifications are provided as well as code evaluation listings.
 - (c) Shingles must be installed in strict accordance with manufacturer's instructions, a copy of which must be provided;
 - (d) Shingles must be installed to UL790 Class "A" fire rating specifications.
- (4) **Metal sheet/panel roofing** - Only the following metal sheet/panel roofing can be used:
 - (a) Panels must be 24 gauge with standing ridge;
 - (b) Fasteners must be concealed and mechanically installed. There shall be no exposed fasteners; and
 - (c) The colors to be allowed are dark grey, dark brown, or dark green only, and must be a matte finish. The color must be approved by the City Building Official.

Since this ordinance was passed in 2008, many manufacturers of fiberglass or fiberglass/asphalt composite shingles and metal sheet panel roofing have introduced new products that meet the basic requirements of the ordinance. Attached are some example product information for your review and consideration.

Below are some changes made to the existing ordinance that will maintain the quality desired, yet allow the use of the newer products. Some added suggestions are included that should allow future new products to comply with the ordinance as they become available.

City of Sky Valley Ordinance 08-11 Section 300.20 - Specific local codes regarding acceptable roofing materials - Amendments to the International Residential Code – Roof Assemblies and Rooftop Structures.

The City Council may also want to consider including (1), (2), and (3) below to this heading

- 1.) The fire exposure requirements for roof assemblies, RE: UL1256 category (TGKX) and UL790 (ASTM E108) categories (TFWZ) and (TFXX);
- 2.) The wind uplift resistance requirements, RE: UL580 (ASTM E1592) and UL1897;
- 3.) The impact resistance, RE: UL2218 category (TGAM).

(1) Wood Shingles/Shakes – Only the following shingles/shakes can be used:

- (c) Thick butt cedar shakes; and
- (d) Thick butt pressure treated pine shakes;

(2) Fiberglass or Fiberglass/Asphalt Composite Shingles – Only fiberglass or fiberglass/asphalt composite shingles with the following minimum specifications can be used:

- (a) Class “A” fire exposure rated – RE: UL790 (ASTM E108) category (TFWZ);
- (b) Wind uplift resistance for 90 mph wind zone - RE: UL2390 (ASTM D7158) category (TGAH) and (ASTM D3161) category (TFWZ), or four bundles per square.

The City Council may also want to consider including (c) and (d) below

- (c) Impact resistance products – RE: UL2218 category (TGAM); and
- (d) Energy Star rated products for energy management.

(3) Steel or Aluminum Shingles – Only the following steel or aluminum shingles can be used:

- (a) Shingles which appear on a list of approved shingles available at City Hall;
- (b) Shingles not appearing on the list may be considered for approval provided the manufacturer’s technical specifications are provided as well as code evaluation listings;
- (c) Shingles must be installed in strict accordance with the manufacturer’s instructions, a copy of which must be provided before the start of installation; and
- (d) Shingles must be installed to UL790 Class “A” fire exposure rating specifications.

(4) Metal panel roof systems (fastened or standing seam) – Only the following metal panel roofing can be used:

- (a) Wind uplift resistance for 90 mph wind zone – RE: UL580 (ASTM E1592), ASTM D3161 category (TFXX); and
- (b) Metal roof panels to be installed in strict accordance with the manufacturer’s instructions, a copy of which must be provided before the start of installation.
- (c) The colors to be allowed are dark grey, dark brown, or dark green only, and must be a matte finish. The color must be approved by the City Building Official.

The City Council may also want to consider including (d), (e), and (f) below

- (d) Impact resistance products – RE: UL2218 category (TGAM); and
- (e) Fire exposure rated – RE: UL790 (ASTM E108) category (TFXX)
- (f) Above-roof deck thermal insulation meeting fire exposure roof assembly requirements of UL1256 category (TGKX) to assist in energy management.

Thank you for your time and attention concerning the above information.

Best regards,



Keith Krieger
City of Sky Valley Building Official

Understanding Roofing Construction

Keeping the weather out — safely

By Rich Walke / Senior Regulatory Engineer

Building codes contain a multitude of requirements relating to roof construction. These are intended to provide protection from hazards associated with fire, weather, physical abuse and structural collapse. The codes require testing of the roof construction and its components to several different performance standards. Certifications to these standards can be found in the UL Online Certifications Directory at www.ul.com/database.

External fire exposure (UL 790)

Section 1505 of the 2012 IBC requires that roof assemblies meet a Class A, B or C fire performance based on the Type of Construction of the building on which they are utilized. Class A, B or C roof assemblies are tested in accordance with UL 790 (ASTM E 108), the Standard Test Methods for Fire Tests of Roof Coverings. These standards evaluate the ability of the roof assembly to resist a simulated fire source originating from outside the building on which the

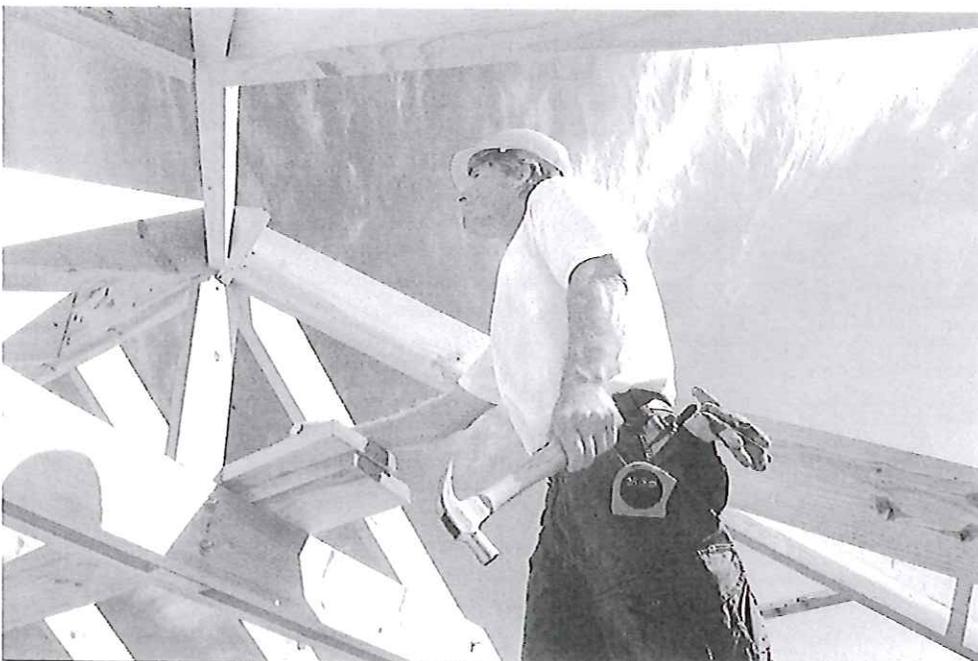
coverings are installed. Classifications for these systems are covered under the product categories Prepared Roof-covering Materials (TFWZ), Prepared Roof-covering Materials, Formed or Molded (TFXX), Prepared Roofing Accessories (TGDY), Roofing Systems (TGFU) and Wood Structural Panels (TGGN).

Wind uplift resistance (UL 580 and UL 1897)

Section 1504 of the 2012 IBC requires certain roof systems and membrane

roof coverings to be tested in accordance with UL 580, UL 1897 or FM 4474. It also requires through fastened or standing seam metal panel roof systems to be tested in accordance with UL 580 or ASTM E 1592. UL 580, the Standard for Tests for Uplift Resistance of Roof Assemblies evaluates the roof deck, or the roof deck assembly and its attachment to supports, as well as the attachment of any roof covering for its resistance to uplift resulting from external and internal pressures associated with high velocity winds. Four uplift Classifications (Class 15, 30, 60, and 90) are defined based on the nominal static uplift pressure the assembly will withstand. Roof deck constructions Classified in accordance with UL 580 are covered under the Roof Deck Constructions product category (TGKX).

Roofing systems Classified for wind uplift resistance related exclusively to the securement of the roof covering to a specified type of roof deck are investigated in accordance with UL 1897, the Standard for Uplift Tests for Roof Covering Systems. This test method provides uplift resistance data for the evaluation of the attachment of roof covering systems to roof decks by using differential air pressures. Classifications for these systems are covered under the Roofing Systems, Uplift Resistance product



continued on page 7

Roofing Construction (continued from page 3)

category (TGIK). For further information on the wind uplift resistance certifications, please see the technical topics page at www.ul.com/codeauthorities.

Internal fire exposure (UL 1256)

Section 1508 of the 2012 IBC permits the use of above-deck thermal insulation provided the insulation is covered by a roof covering and the assembly meets the requirements of UL 1256 or FM 4450. UL 1256, the Standard for Fire Test of Roof Deck Constructions, evaluates the performance of roof deck constructions to withstand an internal (under deck) fire exposure and limit the spread of fire within a building. Roof deck constructions Classified in accordance with UL 1256 are covered under the Roof Deck Constructions product category (TGKX).

Wind resistant asphalt shingles (ASTM D7158/UL 2390)

Section 1508 of the IBC requires that asphalt shingles be tested and labeled in accordance with ASTM D 7158 (UL2390) and meet the required Classifications for the appropriate maximum basic wind speed. UL evaluates prepared roof-covering materials for wind resistance in accordance with ASTM D7158, "Standard Test Method for Wind Resistance of Sealed Asphalt Shingles (Uplift Force/Uplift Resistance Method)" also known as UL 2390, the Standard for Tests for Wind Resistant Asphalt Shingles with Sealed Tabs. This test method involves three steps: 1) the determination by test of a wind uplift coefficient, 2) the calculation of the potential uplift force acting on the tab sealant, and 3) the determination of resistance force capability of the tab sealant. Classifications for these products are covered under the Prepared Roof-covering Materials, Asphalt Shingle Wind Resistance product category (TGAH).



Wind resistant shingles (ASTM D3161)

For asphalt shingles not included in the scope of ASTM D 7158, Section 1508 of the IBC requires testing and labeling for wind resistance in accordance with ASTM D 3161, "Standard Test Method for Wind-Resistance of Asphalt Shingles (Fan-Induced Method)." The Classes are A, D and F corresponding to 60, 90 mph and 110 mph, respectively. Asphalt and non-asphalt shingle products are Classified in accordance with ASTM D3161 under the categories Prepared Roof-covering Materials (TFWZ) and Prepared Roof-covering Materials, Formed or Molded Metal, Fiber-cement, Plastic or Fire (TFXX).

Impact resistance (UL 2218)

UL evaluates roof covering materials relative to their resistance to damage from impact (such as hail) in accordance with UL 2218, the Standard for Impact Resistance of Prepared Roof-covering Materials. Impact resistant roof covering materials are covered under the Impact Resistance Roof-covering Materials product category (TGAM).

Documenting roof constructions

Many jurisdictions require that the design professional or contractor identify the fire resistance design, the roof deck construction or the roof covering by its UL certification, and to include a copy of the design, construction or product specifications in the plan review package. UL permits the reproduction of designs, constructions and other certification information contained in its Online Certifications Directory, subject to the limitations shown at the bottom of each page.

The specifications for the assembly, materials and components should be carefully evaluated at the job site to verify that the roof assembly is built in accordance with the UL design, construction or product certification. Code authorities should pay special attention to ensuring that materials required to be UL Classified have the appropriate ratings and Classification Marks.

For additional information on roofing construction, please contact Rich Walke in Northbrook, Ill. at Richard.N.Walke@ul.com or at +1.847.664.3084.