

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JULY 15, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

AGENDA

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

June 17, 2013 Regular 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

POA REPORT – President Sam LaMonte

NEW BUSINESS

- Ratify approval of:
 - Paving contract award to Allied Paving
 - MOU whereby Allied will do repairs to Sugarbush
 - Structural change to sign on Hwy 106 to remove the roof
 - Lease agreement for sign
- Approval of Ordinance to allow the sale of alcoholic beverages under limited circumstances
- Lighting Grant – Christine LaMonte

PUBLIC FORUM AND GENERAL COMMENTS

ADJOURNMENT

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JUNE 17, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Carr, Larsen, Platt, and Whatley, Attorney Dickerson, City Manager Lapeyrouse, Chief Dills, City Clerk Cantrell, Roads Supervisor Cavalli, and Tax Commissioner Mullins.

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

APPROVAL OF MINUTES

Councilor Whatley made a motion to approve the minutes of the May 20, 2013 Regular Council Meeting, 2nd Councilor Carr, unanimously approved.

ADOPTION OF AGENDA

Citizen Ray Becker asked to add discussion of garbage collection to the agenda. Councilor Platt made a motion to adopt the agenda with this addition, 2nd Council President Howard. Citizen Ray Becker asked to add the discussion of the golf course cart path. Councilor Larsen made a motion to adopt the agenda with this addition, 2nd Councilor Whatley. Both motions passed unanimously.

MAYOR'S REMARKS

Mayor Martindale said the City received a Thank You letter from the Garden Club thanking the City for the contribution for the fall decorations.

Mayor Martindale reported that he spoke with Harrison Merrill regarding the demolition of the lodge and that Mr. Merrill said he has authorized Brook Cole to move forward with the demolition permit process.

COUNCIL REMARKS

Councilor Larsen reported that the Club's Grand Opening was June 1. He said 288 people were in attendance and they were very happy to be able to take care of that many people. The Club is now open for Sunday brunch and will be serving dinner Thursday – Saturday evenings.

Councilor Platt asked if Mr. Merrill will have to post a demolition bond. Mayor Martindale said that the permitting process requires a 135-percent demolition bond.

Councilor Whatley congratulated City Manager Lapeyrouse and City Clerk Cantrell for receiving their Advanced Human Resource Certification through UGA.

Councilor Carr thanked the City for an immediate response and resolution to a drainage issue on Rebel Circle.

Councilor Whatley made a motion to ratify approval of the purchase, 2nd Council President Howard, unanimously approved.

- Approval of bid for 2013 paving

Mayor Martindale said that the bids were opened last Friday. He said that he spoke with one of the County Commissioners, Butch Darnell, who said that the County might be able to help with funding for paving. He said he would like to delay approval of the bid until we receive an amount that Rabun County can contribute to know exactly how much additional resurfacing it will help us with. The funds the County can contribute come from previous years SPLOST funds.

- Appointment to the Rabun County Water & Sewer Authority

Mayor Martindale opened the floor for nominations of a representative from Sky Valley. Council President Howard made a motion to nominate Ray Becker, 2nd Whatley, unanimously approved.

- Approval of Resolution – Joint Community Assessment Program

Councilor Whatley made a motion to approve the Resolution, 2nd Councilor Platt. Councilor Whatley asked if the Planning and Economic Development Committee should look at this and make a recommendation to the City. City Manager Lapeyrouse said that the plan can be amended at any time.

- List of Stakeholders for the Community Participation Program

Councilor Whatley made a motion to appoint the Planning and Economic Development Committee as the City's stakeholders, 2nd Councilor Carr, unanimously approved.

- Mutual Aid Agreement – Status Update by Chief Dills

Chief Dills gave a report on his efforts over the last four years requesting a mutual aid agreement with the State of North Carolina regarding the City being able to respond to a call in North Carolina. Chief Dills said that if we respond in North Carolina, we open a liability to Sky Valley and can potentially be sued for responding out of our jurisdiction. He said that the residents of Scaly Mountain are frustrated with Macon County because they will not approve the agreement. Discussion followed regarding the City's liability. Sam LaMonte requested that Chief Dills write a letter to David Morgan explaining the situation. Councilor Whatley said that since the Governor's approval was pending approval of the Sheriff, we need to work with the Sheriff. Mayor Martindale said he will set up a meeting with the Sheriff and report back at the next meeting.

- Discussion of Billboard Lease Renewal (billboard on Hwy 441 in Clayton)

Mayor Martindale said this is the billboard on the right hand side of the road just north of Ingles. He asked Councilor Larsen what the Club wants to do. Councilor Larsen said that they do not want to continue the lease because it has not helped the Club. He recommended not renewing the lease. Councilor Larsen made a motion to discontinue the billboard lease, 2nd Councilor Whatley, A citizen asked how much it cost. Councilor Larsen said it is \$5,000 per year and was split between the Club and the City adding that it ended up being a waste of money because it was a very ineffective advertisement. A citizen asked about the LED sign closer to Wal-Mart. Councilor Larsen said that it was looked into, but that it was out of their budget. The motion passed unanimously.

- Discussion of Signage – Councilor Carr

Councilor Carr said that at the last meeting she mentioned how nice the Club's signs look and that the City should match their efforts. Council President Howard said the Planning and Economic Development Committee discussed signage at their last meeting. He said that they applaud the Club for their new signage. He said David Spears is working on a sign design for the intersection of North Carolina Highway 106 and Old Mud Creek. Howard said that the signs for the club and the city should be different. Citizen David Carr said that the signs should all be the same. Citizen Jon Shebel said he likes the billboard on Hwy 441 in Clayton. Citizen Steve Brett said that several years ago, when Mr. Merrill was involved with the signage in Sky Valley, everyone came together so there was continuity in the signs. He said that he agrees that the signs should look the same. Citizen Allen Jackson asked about the City working with the Georgia Mountain Region Commission for a plan for signage. Councilor Whatley asked Councilor Carr what signs she is referring to, the street signs, lot signs, for sale signs. Carr said she believes we need to look at all signs. Citizen Helen Kleiber said that the city has spent years branding its logo and she believes that the City needs to remain consistent. She said the Club's signs with the brown and bronze look nice.

- Discussion of Intersection of NC Hwy 106 & Old Mud Creek Road – POA President Sam LaMonte

Citizen Sam LaMonte said that the POA is working to be "glue" and bring the community together. He said the POA purchased flowers to be placed at the entrance and the City installed them. He said one of the things people are asking about is the corner at Hwy 106 and Old Mud Creek. He said that he would like to see the grass cutting on Hwy 246 taken up with the State of Georgia. City Manager Lapeyrouse said that we have approached the State, and the State sent a letter stating that they are understaffed and they will cut it when they can which has been about twice a year. Mr. LaMonte said that he is bringing these items to the City at the request of the POA. He said that the playground equipment at the small park across from the postal facility is broken and asked that the City approach Mr. Merrill regarding this.

Mr. LaMonte said that he has been encouraging the POA members to attend the City meetings.

- Discussion of Grass Cutting – POA President Sam LaMonte

Citizen Steve Brett asked if we still have the side-arm mowers. Public Works Supervisor Cavalli said that we do. The grass cutting method has been changed so that we are able to complete an entire road instead of using the flail mower and then going back later with the smaller mower and weed-eaters.

- Garbage Collection & Golf Cart Path – Citizen Ray Becker

Citizen Ray Becker said that he recommends collecting garbage once a week all year instead of twice a week in the summer. City Manager Lapeyrouse said that both days of garbage collection during the summer months are heavy loads of garbage. She expressed concern with litter being spread throughout the City if the collection is reduced.

Citizen Ray Becker said that because the City uses the cart path to access a couple of the well houses, it causes damage to the paths and asked if the City could use a golf cart instead. City Manager Lapeyrouse said that we do have resurfacing a portion of the cart path that was damaged included with the current paving project bid.

PUBLIC FORUM AND GENERAL COMMENTS

Citizen Helen Kleiber gave an update on the Annual 4th of July Celebration events. She said that only 350 tickets will be sold for the Sid Weber Memorial Cancer Fund BBQ Dinner.

Sally Shearon said that she received an email from City Clerk Cantrell regarding the Garden Club needing to submit a sign permit application to put out the "Yard of the Month" signs. City Clerk Cantrell said there was a miscommunication and that her email was a response to an email from Councilor Carr about putting a sign at the entrance.

Citizen David Carr said that he spoke with City Clerk Cantrell regarding the possibility of obtaining a three-day beer and wine license from Sky Valley for the Sid Weber Memorial Cancer Fund's golf tournament and was told the City did not have a temporary alcohol license for events. Attorney Dickerson said he would work on this for the next meeting.

Councilor Whatley made a motion to adjourn, 2nd Councilor Larsen, unanimously approved.

Respectfully submitted:

James Martindale, Mayor

Attested:

Mandi Cantrell, City Clerk



SKY VALLEY POLICE DEPARTMENT MONTHLY STATISTICS

INCIDENT	MONTH	YTD 2013	MONTH	YTD 2012	STAT
Fire	0	0	0	7	
Medical Emergency	4	10	4	16	
Vehicle Accident	1	3	1	6	
Family Violence	0	1	0	0	^
Fight/Assault	0	1	0	0	^
Suicide/Death	0	1	0	0	^
Missing Person	0	1	0	0	^
Burglary	0	0	0	2	
Theft	0	2	0	4	
Suspicious Activity	4	14	6	21	
Suspicious Person	2	4	0	0	^
Suspicious Vehicle	4	13	1	7	^
Alarm	1	3	0	11	
Investigation	1	2	2	3	
DUI/ Public Drunk	0	0	0	0	
Drug Related	0	0	0	0	
Juvenile	0	0	0	3	
Stationary Patrol	0	0	0	0	
Traffic Control	0	0	0	13	
Traffic Stop	1	4	3	22	
Mutual Aid	1	3	0	9	
Animal	4	12	3	12	
Lost & Found	0	0	1	2	
Complaint	0	3	0	3	
City Ord. Violation	2	5	0	3	^
All Others	5	15	0	0	
Assisting Residents	2	17	2	19	
Escorting Visitors	3	9	1	4	^
Residential Check	21	284	12	127	^
Discovered Unsecure	1	3	0	0	
Welfare Check	4	11	1	5	
Water/Tree/Infrastructure	1	16	08	33	
Vehicle Assistance	6	12	6	32	
Arrested	0	0	0	0	
Incarcerated	0	0	0	0	
Warning	1	2	0	0	
Citations	0	0	0	0	
Total Calls	53	201	52	238	
911 Calls	11	25	0	0	
Mileage	3989	24,611	4091	24,287	
June 2013					

City of Sky Valley, GA

Balance: All Accounts

as of June 30, 2013

Account		Balance
General Fund		
Restricted Funds		
Admin & General Government	\$	49,963
Roads	\$	48,419
Police	\$	4,468
Housing & Development	\$	15,000
Funds Remaining in FY 2013 Budget	\$	515,547
Unrestricted Funds	\$	399,062
General Fund Balance	\$	1,032,459
Enterprise Funds		
Restricted Funds		
Water	\$	13,428
Solid Waste	\$	23,829
GEFA Debt Service	\$	160,431
Unrestricted Funds	\$	571,332
Enterprise Funds Balance	\$	769,020
Hotel/Motel Tax Fund		
Accommodations Tax Received	\$	1,743

CITY OF SKY VALLEY
General Fund
Budget Performance - June 2013

	Jun 13	Jan - Jun 13	YTD Budget	% of Budget
Income				
33.4000 · GA government grants/contracts	0.00	0.00	16,000.00	0.0%
33.9000 · Other Grants (GMA, GIRMA, etc)	0.00	0.00	3,000.00	0.0%
60110 · Ad valorem - property	0.00	824,021.16	843,885.00	97.65%
60120 · Ad valorem - vehicles	358.54	3,677.31	7,625.00	48.23%
60140 · Penalties, Fifa's, interest	680.63	3,221.71	15,000.00	21.48%
60210 · Insurance premium tax	0.00	0.00	12,000.00	0.0%
60220 · Beverage Excise tax	19.64	115.86	400.00	28.97%
60230 · Franchise tax	0.00	43,295.71	50,000.00	86.59%
60235 · Fines & forfeitures	0.00	250.00	4,000.00	6.25%
60240 · Business license	45.00	1,492.50	3,000.00	49.75%
60250 · Permits	975.00	5,106.60	10,000.00	51.07%
60270 · Zoning applications	0.00	0.00	100.00	0.0%
60271 · Sales of Reports, Copies, Etc.	41.07	262.11	450.00	58.25%
60280 · Real estate transfer tax	0.00	845.58	1,000.00	84.56%
60281 · Intangible tax	0.00	3,012.35	4,500.00	66.94%
69110 · Interest income	0.00	745.09	4,000.00	18.63%
69115 · Transfer from hotel/motel tax	0.00	0.00	3,000.00	0.0%
69150 · Refunds & Reimbursements	249.00	13,107.49	1,000.00	1,310.75%
69990 · Miscellaneous	60.00	445.32	500.00	89.06%
70000 · Sale of surplus property	0.00	55,542.07	2,000.00	2,777.1%
Total Income	2,428.88	955,140.86	981,460.00	97.32%
Fire & Rescue				
510000 · Personal Services	0.00	183.93		
570000 · Other Costs	0.00	30,000.00	60,000.00	50.0%
Total Expense	0.00	30,183.93	60,000.00	50.31%
Admin & General Government				
510000 · Personal Services	13,164.58	78,640.73	160,418.00	49.02%
520000 · Purchased / Contracted Services	3,444.94	19,072.30	50,700.00	37.62%
530000 · Supplies	1,100.01	8,768.13	22,891.00	38.3%
Total Expense	17,709.53	106,481.16	234,009.00	45.5%
Judicial				
510000 · Personal Services	178.22	1,249.72	2,395.00	52.18%
520000 · Purchased / Contracted Services	0.00	250.00	1,960.00	12.76%
530000 · Supplies	0.00	0.00	50.00	0.0%
Total Expense	178.22	1,499.72	4,405.00	34.05%
Legislative				
520000 · Purchased / Contracted Services	6,017.10	8,645.07	8,950.00	96.59%
530000 · Supplies	0.00	14.20	250.00	5.68%
Total Expense	6,017.10	8,659.27	9,200.00	94.12%

CITY OF SKY VALLEY
General Fund
 Budget Performance - June 2013

	Jun 13	Jan - Jun 13	YTD Budget	% of Budget
Executive				
520000 · Purchased / Contracted Services	1,034.62	1,034.62	2,000.00	51.73%
530000 · Supplies	0.00	0.00	50.00	0.0%
Total Expense	1,034.62	1,034.62	2,050.00	50.47%
Housing & Development				
510000 · Personal Services	1,361.56	6,017.01	10,805.00	55.69%
520000 · Purchased / Contracted Services	495.60	782.41	4,775.00	16.39%
530000 · Supplies	319.86	725.01	2,600.00	27.89%
Total Expense	2,177.02	7,524.43	18,180.00	41.39%
Elections				
520000 · Purchased / Contracted Services	0.00	132.75	1,400.00	9.48%
530000 · Supplies	0.00	0.00	100.00	0.0%
Total Expense	0.00	132.75	1,500.00	8.85%
Police				
510000 · Personal Services	23,018.52	145,684.36	286,664.00	50.82%
520000 · Purchased / Contracted Services	3,442.47	7,521.29	23,920.00	31.44%
530000 · Supplies	1,862.94	10,209.37	26,000.00	39.27%
Total Expense	28,323.93	163,415.02	336,584.00	48.55%
Roads				
510000 · Personal Services	12,615.65	76,554.25	141,804.00	53.99%
520000 · Purchased / Contracted Services	3,930.54	15,449.91	33,395.00	46.26%
530000 · Supplies	2,100.14	19,796.30	37,500.00	52.79%
540000 · Capital Outlays	0.00	35,182.00	102,333.00	34.38%
Total Expense	18,646.33	146,982.46	315,032.00	46.66%
Total Income	2,428.88	955,140.86	981,460.00	97.32%
Expenses				
Fire & Rescue	0.00	30,183.93		
Admin & General Government	17,709.53	106,481.16		
Judicial	178.22	1,499.72		
Legislative	6,017.10	8,659.27		
Executive	1,034.62	1,034.62		
Housing & Development	2,177.02	7,524.43		
Elections	0.00	132.75		
Police	28,323.93	163,415.02		
Roads	18,646.33	146,982.46		
Total Expenses	74,086.75	465,913.36		
Remaining for 2013			515,546.64	

City of Sky Valley
Enterprise Funds
Budget Performance

June 2013

	Jun 13	Jan - Jun 13	YTD Budget	% of Budget
Income				
33.0000 · USDA - ARC Grant	0.00	19,135.00		
34.4210 · Water charges	31,819.22	160,841.32	336,000.00	47.87%
34.9000 · Other charges for services	0.00	130.00	830.00	15.66%
36.1000 · Interest revenue	0.00	359.51	2,400.00	14.98%
Total Income	31,819.22	180,465.83	339,230.00	53.2%

Expense				
51.1000 · Personal Services - Wages	8,908.80	67,557.11	142,567.00	47.39%
52.1000 · Purchased profess & tech svcs	620.53	14,225.13	44,680.00	31.84%
53.1000 · Supplies	2,864.40	21,238.66	62,000.00	34.26%
54.0000 · Capital Outlay	11,150.00	11,778.29	13,428.00	87.71%
58.0000 · Debt Service	10,043.95	60,263.70	126,555.00	47.62%
Total Expense	33,587.68	175,062.89	389,230.00	44.98%

Income				
34.4100 · Sanitation	9,248.00	55,328.00	112,000.00	49.4%
Total Income	9,248.00	55,328.00	112,000.00	49.4%

Expense				
51.1000 · Personal Services - Wages	4,894.81	31,327.94	67,765.00	46.23%
52.1000 · Purchased profess & tech svcs	2,852.67	14,227.97	33,535.00	42.43%
53.1000 · Supplies	192.03	3,981.49	10,700.00	37.21%
Total Expense	7,939.51	49,537.40	112,000.00	44.23%

**Totals Report For 2009 Taxes
June 2013
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2009 Ad Valorem Tax	1,027,030.12	1,023,450.63	2196.72-	1382.77
Interest	9412.11	8,831.33		580.78
Penalty	11,368.38	11,230.10		138.28
Costs	9978.00	9491.00		487.00
Totals	1,057,788.61	1,053,003.06	2196.72-	2588.83

Collected: 99.87%

**Totals Report For 2010 Taxes
June 2013
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2010 Ad Valorem Tax	948,598.92	946,471.07	680.08-	1,447.77
Interest	5831.05	5406.45		424.60
Penalty	2196.24	2051.46		144.78
Costs	3,559.82	3320.82		239.00
Totals	960,186.03	957,249.80	680.08-	2,256.15

Collected: 99.85%

**Totals Report For 2011 Taxes
June 2013
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2011 Ad Valorem Tax	938,737.03	938,386.19	(285.84)-	65.00
Interest	1627.10	1,622.55		4.55
Penalty	1,279.53	1,279.53		0.00
Costs	6,188.00	6,188.00		0.00
Totals	947,831.66	947,476.27	(285.84)-	69.55

Collected: 99.99%

**Totals Report For 2012 Taxes
June 2013
Tax Commissioner**

	Billed	Collected	Adjustments	Outstanding
2012 Ad Valorem Tax	834,170.00	824,021.16	312.29+	10,461.13
Interest	1706.22	1090.90		615.32
Penalty	3096.15	2070.81		1025.34
Costs	432.00	60.00		372.00
Totals	839,404.37	827,242.87	312.29+	12,473.79

Collected: 98.75%

Housing & Development Departmental Data Report	For month ending June 30, 2013		
	Jun-13	YTD	2012 YTD
New Residential & Commercial permits issued	0	0	1
All other addition, remodel and repair permits	10	55	50
Certificates of Occupancy issued	1	0	0
Total New Construction not yet finalized	1		3
Total Other Construction not yet finalized	6		74
Notices to Comply issued	2	3	4
Stop Work Orders issued	1	2	0
Tree Cutting permits issued	6	19	19
Code & Ordinance Violations cited	0	0	2
Fees Collected			
	Jun-13	YTD	2012 YTD
New Residential or Commercial Permits	\$0	\$0	\$0
Other Addition, Remodel, Repair Permits	\$580	\$3,792	\$4,394
Tree Cutting Permits	\$375	\$1,095	\$675
Land Disturbing Permits	\$0	\$200	\$0
Fines Collected for for Ordinance Violations	\$0	\$0	\$6,500



CITY MANAGER'S REPORT

July, 2013

Announcements -

On July 20st, the Sky Valley/Scaly Mountain Volunteer Fire & Rescue Department has invited everyone to the Scaly station for a Community Appreciation Day. They will have food, games, wagon rides and the station will be open for you to look around, look at the trucks, etc. They welcome all members of their communities and look forward to seeing you.

Housing & Development & Code Enforcement

Grass, Weeds, Trees & Other Vegetation

Weeds or grass allowed to grow to a height greater than 12 inches on average, or any accumulation of dead weeds, grass, or brush, that may provide safe harborage for rats, mice, snakes and other vermin constitutes a public nuisance.

Trees, shrubs, bushes and other vegetation that obstructs the safe passage or line-of-sight of motorists or pedestrians at an intersection or driveway connection with a public street or along any street also constitutes a public nuisance.

The City receives complaints from time to time of these types of nuisances on private property. If we find that there is a public nuisance that exists in violation of our ordinances, our Code Enforcement Officer will write the property owner a letter advising them of the nuisance and giving them notice to abate the nuisance. If necessary, the City will file an action in the municipal court to abate the nuisance. Please understand that this process takes time.

Permits

The building inspector wants to remind everyone that work done on your home may likely require a permit. The inspector has come across a number of jobs that did not have the appropriate permits. When in doubt, please contact the Building Inspector's Office or City Hall. If you are found to be doing work without a permit, your first offense will subject you to a penalty fee equal to double the cost of the permit, a \$50 minimum. The homeowner is ultimately responsible for making sure his/her contractors obtain the necessary permits. Permits are required for, but not limited to, all structural, mechanical, electrical, plumbing, soil & erosion, roofing, decking, stairs, concrete, tree cutting, additions and remodeling. Many repair permits have no cost associated with them but are still required and will still be subject to the penalty fee if they are not properly obtained.

Public Works -

Resurfacing has been awarded and will begin during the month of July. Affected roads are Bayberry Lane, Eagle Circle, and Buttermilk Circle. There may be times when you will be re-routed so that the pavers can resurface a portion of the road. The Phone Communication System will be used to advise of these detours. Any road closures should be minimal in time. All work is expected to be completed within 30 days of when they begin.

Tree Cutting/Trimming/Topping

Please don't forget that any tree with a trunk that is 8" or more in diameter or 25" or more in circumference at 18" above the ground requires a permit for cutting, trimming & topping. You are allowed to remove limbs from a tree up to twelve feet above the ground without a permit. If you had to obtain a permit to cut, it would not qualify for city chipping service. Contractors are responsible for the removal of all tree cuttings and debris within fourteen days.

Chipping Service

Homeowner chipping service is done on the 2nd and 4th Tuesday of the month, weather permitting. Please take this schedule into consideration when planning your trimming. The City provides 15 minutes of chipping service to every homeowner each month at no cost. Chipping service is then provided at a rate of \$100/hour for any time exceeding the first 15 minutes. Cuttings must be less than 8" in diameter and must be stacked in one direction on the right-of-way, out of the road and not in an area that will block culverts or otherwise impede storm water drainage.

Leaves and Yard Waste Pick-up

Yard waste is collected separately from household garbage on the 2nd and 4th Tuesday of each month. It shall not be placed for pickup prior to 72 hours before the pickup date. Yard waste shall be placed for pickup within 5 feet of the roadway. Un-bagged leaves are collected semi-annually in the fall and spring during designated times. Leaves must be bagged for pick-up at all other times of the year. Unscheduled special collection arrangements can be made for an additional fee. Please call City Hall for all yard debris pick-up.

Mulch

Mulch from our chipping service is available for purchase from the City for \$25 per load delivered.

Water -

Following the improvements to the Sky Valley Water System, we have continued to see improvements in unaccounted water loss. We have reduced our unaccounted water loss from 50-60% to 20-30%. We would like to see it even less and will continue to monitor any places of potential water loss. We appreciate any reports of suspected leaks. With our terrain, many leaks go undetected as they never surface.

Solid Waste -

Garbage service will continue with our Monday and Thursday pick-up service until further notice. 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. NO garbage other than regular household garbage should be put out by the road or in the dumpster. **Any contractors found dumping lumber, carpeting, paint, etc. in the dumpsters will be cited.** This has become a huge problem and costs the City

unnecessary expense for disposal. Recyclables and other household garbage can be taken to the recycle center on Kelly's Creek Road. Construction debris should be hauled to the transfer station on Boggs Mountain Road in Tiger.

With the nation becoming more environmentally conscious, we need to recognize the importance of recycling. By the end of the 2nd quarter last year we had hauled a total of 60.74 tons of garbage to the landfill. This year, we hauled 63.75 tons during the first 2 quarters. This is a 5% increase. 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



POA Agenda, Sky Valley City Council July 15, 2013

Place: The Sky Valley Country Club, 2 pm

1. Report on the July 4th events and discussion about Labor Day, thank you for the donation for the July 4 event from the City
2. Report on POA Beautification Committee's progress (front entrance and lights, Post-Office Park)
3. Report on meeting with the City---grass, Hwy 246, Winding Ridge Road, Junction Corner, Garbage pickup an recycling, joint marketing effort, kiosk at the Overlook, the City budget)
4. The POA directory update
5. Valley View Condo hedge; limbs sticking out to edge of the road from Sky Valley sign up the street to REMAX.
6. Thank the City for the cooperation they have shown us.

Sam La Monte, M.D.
President, SVPOA

**AN ORDINANCE TO AMEND CITY OF SKY VALLEY ORDINANCES TO ALLOW
THE SALE OF ALCOHOLIC BEVERAGES UNDER LIMITED CIRCUMSTANCES,
AND FOR OTHER PURPOSES**

Whereas the City of Sky Valley wishes to allow the sale of alcoholic beverages under limited circumstances at special events; and

Whereas, the State of Georgia permits the sale of alcoholic beverages off premises for catered functions.

Therefore be it hereby resolved that the City of Sky Valley alcoholic beverage ordinances are hereby amended as follows:

- I. Sec. _____ Notwithstanding anything to the contrary the City of Sky Valley does hereby adopt by reference the state statute pertaining to the sale of alcoholic beverages off premises for catered functions. In this regard, the City of Sky Valley adopts current O.C.G.A. §§ 3-11-1 through 3-11-5 as amended or as may be amended. The fee for an off premises catering license shall be \$50 or such other fee as authorized by the City Council as a license fee for one catered event.

- II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

- III. This ordinance will become effective upon adoption by the city council as provided by the Charter of the City of Sky Valley

It is so ordained and approved by vote of the city council of the City of Sky Valley this _____ day of _____, 2013.

Mayor

Council Member

Council Member

AN ORDINANCE TO AMEND CITY OF SKY VALLEY ORDINANCES TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES UNDER LIMITED CIRCUMSTANCES, AND FOR OTHER PURPOSES

Whereas the City of Sky Valley wishes to allow the sale of alcoholic beverages under limited circumstances at special events; and

Whereas, the State of Georgia permits the sale of alcoholic beverages by a bona fide nonprofit civic organization for consumption on the premises, to sell wine at retail for off-premises consumption; and to auction wine in sealed containers.

Therefore be it hereby resolved that the City of Sky Valley alcoholic beverage ordinances are hereby amended as follows:

- I. Sec. _____ Notwithstanding anything to the contrary the City of Sky Valley does hereby adopt by reference the state statute pertaining to the sale of alcoholic beverages by nonprofit civic organizations. In this regard, the City of Sky Valley adopts current O.C.G.A. §§ 3-9-3 through 3-9-5 as amended or as may be amended. The fee for a nonprofit permit to sell alcoholic beverages shall be \$25 or such other fee as authorized by the City Council as a license fee for a period not to exceed three (3) days and no more than six (6) times in any calendar year.
- II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.
- III. This ordinance will become effective upon adoption by the city council as provided by the Charter of the City of Sky Valley

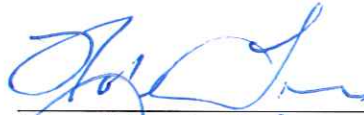
It is so ordained and approved by vote of the city council of the City of Sky Valley this 15th day of July, 2013.

Mayor

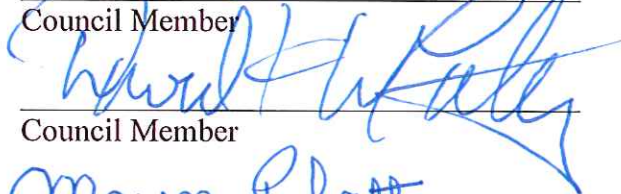
Neil Howard

Council Member


Council Member



Council Member



Council Member



Council Member

Council Member

Attest:

City Clerk

CONTRACT

This CONTRACT made and entered into this _____ day _____ of, 20_____ by and between the City of Sky Valley, Georgia (Party of the First Part, hereinafter called the City), and Allied Paving Contractors, Inc., (Party of the Second Part, hereinafter called the Contractor).

WITNESSETH: That the said Contractor has agreed, and by these presents does agree with the said City, for the consideration herein mentioned and under the provision of the Performance Bond and Payment Bond required by the Specifications to furnish all equipment, tools, materials, skill and labor of every description necessary to carry out and complete in a good, firm and substantial and workmanlike manner, the work specified, in strict conformity with the drawings and specifications, together with the foregoing proposal made by the Contractor, the Advertisement, the Instructions to Bidders, General Conditions, and this Contract, shall all form essential parts to this Contract. The work covered by this Contract includes all work shown on plans and specifications and listed in the conditions and specifications on the Invitation to Bid Project #SB-060713-1. The parties have agreed to eliminate the full depth reclamation from the project and replace said work with 3" patching and resurfacing according to the specifications provided in the bid documents.

The Contractor awarded work under this contract shall commence work within thirty (30) days after the issuance of the Notice to Proceed and shall fully complete all work hereunder within sixty (60) consecutive calendar days from and after said date.

If said work is not completed within the time stated, the Contractor shall be liable and hereby agrees to pay the City as liquidated damages and not as a penalty, the amount of Fifty Dollars and no/100 dollars (\$50.00) per day as liquidation of the extra expense incurred by the City and liquidated damages to the City.

The City shall pay and the Contractor shall receive the prices stipulated in the proposal hereto attached as full compensation for everything furnished and done by the Contractor under this contract, which shall in no event exceed (\$158,775.25) based on the proposal which sum shall be paid in the manner and terms specified in the Contract Documents, but before issuance of certificate of payment, if the Contractor shall not have submitted evidence satisfactory to the City that all payrolls, materials bills, and other indebtedness connected with the work have been paid, the City may withhold, in addition to the retained percentages, such amount or amounts as may be necessary to pay just claims for labor and services rendered and materials in and about the work, and such amount or amounts withheld or retained may be applied by the City to the payment of such just claims.

When the Contractor has performed in accordance with the provisions of this Contract, City shall pay to the Contractor, within fifteen (15) days of receipt of any payment request based upon work completed or service provided pursuant to the Contract, the sum so requested, less the retainage stated in this Contract, if any. In the event that the City fails to pay the Contractor within thirty (30) days of receipt of a pay request based upon work completed or service provided pursuant to the Contract, the City shall pay the Contractor interest at the rate of 1/2% per month or pro rata fraction thereof, beginning the thirty-first (31st) day following receipt of the pay request. The Contractor's acceptance of progress payments or final payment shall release all claims for interest on said payments.

It is further mutually agreed between the Parties hereto that if, at any time after the execution of the Contract and the Performance Bond for its faithful performance and the Payment Bond, the first party shall deem the surety or sureties upon such bond to be inadequate to cover the performance of the work, the second party shall, at its expense, within five (5) days after the receipt of notice from the first party to do so, furnish an additional bond or bonds in such form and amount, and with such surety or sureties as shall be satisfactory to the first party. In such event, no further payment to the second party shall be deemed to be due under this Contract until such new or additional security for the faithful performance of the work shall be furnished in a manner and form satisfactory to the first party.

The parties agree that each of the provisions included in this Contract is separate, distinct and severable from the other and remaining provisions of this Contract, and that the invalidity of any Contract provision shall not affect the validity of any other provision or provisions of this Contract.

The parties agree that this contract is made and entered into in Georgia and the contract is controlled by the law of Georgia. The parties also agree that Rabun County is the exclusive and most convenient venue for the resolution of any disputes under the terms and conditions of this contract.

IN WITNESS WHEREOF, the parties hereto, acting through their duly authorized agents, have caused this CONTRACT to be signed, sealed and delivered.

CITY OF SKY VALLEY, GEORGIA

By: _____
James S. Martindale, Mayor
City of Sky Valley, Georgia

ATTEST:

Signature _____

Print Name _____
City Clerk/ City of Sky Valley

(Seal)

ALLIED PAVING CONTRACTORS, INC.:

BY: _____

Signature

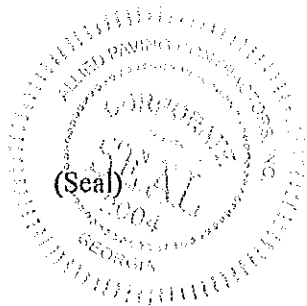
Print Name John McLean

Title Vice President

ATTEST:

Signature _____

Print Name Kristi Sun
Corporate Secretary



MEMORANDUM OF UNDERSTANDING

This memorandum of understanding made and entered into this _____ day of _____, 2013, between the City of Sky Valley, a Georgia municipal corporation, herein after referred to as "City" and Allied Paving Contractors, Inc. of Pendergrass, Georgia, hereinafter referred to as "Allied".

This is a memorandum of agreement with regard to work to be performed by Allied for the City on the city street designated as E/W Sugarbush Drive. It is agreed that paving previously done by Allied for the City on E/W Sugarbush Drive needs to be repaired and there is an issue between the City and Allied as to what caused the problem. Therefore, the parties agree as follows:

1.

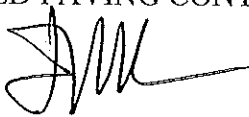
Allied will repair the previously paved portion on E/W Sugarbush Drive as agreed to by the City and Allied including overlaying approximately the first .5 mile on W. Sugarbush Drive with 1.25" of 9.5mm TP II mix and patching the remaining problem areas around E/W Sugarbush Drive as directed by the City. The patches will be cut in to create an even transition and will extend the full width of the roadway. These repairs will be performed in a workmanlike manner and done to specifications that are acceptable in the paving industry. The asphalt necessary to make said repairs will be paid for by the City. All other costs will be borne by Allied.

CITY OF SKY VALLEY

By: _____
Jim Martindale, Mayor

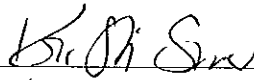
Attest:

ALLIED PAVING CONTRACTORS, INC.

By: 

JOHN MCLEAN, VICE PRESIDENT

Attest:



KRISTI SUN, ASSISTANT SECRETARY