

CITY OF HIAWASSEE  
MOTION TO ADOPT AND APPROVE THE

Minutes of the City Council Regular Meeting of January 5, 2016

I move that the City Council ADOPT AND APPROVE the MINUTES OF THE HIAWASSEE COUNCIL REGULAR MEETING of January 5, 2016 as previously distributed for review.

Motion By: Jay Chastain Jr. and  
Seconded By: Kris Berrong

Voting Yes, this 2<sup>nd</sup>. Day of February 2016.

Barbara Mathis  
BARBARA MATHIS, MAYOR

Anne Mitchell  
ANNE MITCHELL, COUNCILMAN

Stephen H. Smith  
STEPHEN H. SMITH, COUNCILMAN

Kris Berrong  
KRIS BERRONG, COUNCILMAN

Jay Chastain Jr.  
JAY CHASTAIN, JR., COUNCILMAN

Liz Ordoales  
LIZ ORDOALES, COUNCILMAN

Adoption Certified by:  
Cenlya Galloway  
Cenlya Galloway, City Clerk

[CITY SEAL]

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MINUTES  
HIAWASSEE CITY COUNCIL  
JANUARY 5, 2016 MEETING

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The Hiawassee City Council met in regular session on Tuesday, January 5, 2016, at 4:30 p.m. at City Hall. Elected officials present included Barbara Mathis, Mayor, Stephen Smith, Jay Chastain, Jr., Kris Berrong, Anne Mitchell and Liz Ordiales. Staff present included Cenlya Galloway, Clerk, Arvel Walls, Acting Chief, Police Department and Rick Stancil, City Manager. A quorum of the Council was present.

Call to Order by Mayor Mathis.

I. Swearing In of New Council Members.

Oath of Office.

The following council members were sworn in an Oath of Office executed: Kris Berrong, Anne Mitchell and Liz Ordiales.

II. Introduction of Guests, Mayor's Announcements & Agenda Adoption.

1. Mayor's introduction of guests.

A Sign in Sheet was passed around and the Mayor welcomed all attending.

2. Mayor's Announcements

The Mayor asked for a moment of silence in memory of Jimmy Wright.

Update on Hiawassee Policy Department.

The Mayor read a letter into the Council minutes regarding the appointment of Arvel Walls as Acting Police Chief and Paul Smith to the position of Lieutenant.

3. Adoption of Final Agenda as Distributed.

Motion to Adopt Final Agenda.

Upon Motion made by Jay Chastain, Jr., seconded by Stephen Smith, the Council adopted the Agenda by unanimous vote.

III. Public Presentations.

a. Callie Moore, HRWC.

Callie experienced Car Trouble and her presentation will be held until the February meeting.

b. Connie Fisher – Hiawassee Ambassador’s Report.

Connie is out of town and her presentation will be held until the February meeting.

c. Eric Hasley, Hasley Recreation, Inc. - Mayors Park & Hiawassee Poligon Pavilion Presentation.

Mr. Hasley made a brief presentation on his company, his family ties to Hiawassee and his desire to work with the City on the Mayor’s Park project.

d. Liz Ordiales - City Merchant Committee & Findings from the Election.

Ms. Ordiales made a recommendation for forming a City Merchant Committee and her findings from her election.

e. Liz Ordiales – Lighting of the Square.

Ms. Ordiales discussed the Lighting of the Square and thanked several of those responsible.

f. Ed Burton – Presentation of City Audit ending June 2015.

The City Auditor, Ed Burton, presented the Council with the audit of the fiscal year 2014-15 Update.

g. Stephen Smith – Hiawassee Clean Up.

Mr. Stephen Smith discussed the Hiawassee Clean Up effort and his ideas for cleaning of the City Street perhaps through use of prisoners or detainees. He also offered to donate a trash receptacle at one of the City Benches. There was a brief discussion on picking up trash and use of prisoners/detainees. The last time the Mayor checked they were not available to the city. She will check again to see if the City can get this labor for several times a month.

IV. Regular Business Items.

1. Motion to adopt Minutes of the December 1, 2015 regular Council Meeting as distributed.

Upon Motion made Stephen Smith, seconded by Liz Ordiales, and as amended by Anne Mitchell, the Motion was unanimously adopted as amended.

The consensus of the Council was to adopt the Minutes as distributed and allowed Ms. Jan Waite to attach a summary of her remarks to the Council on December 1, 2015 to the Minutes. A copy of the information she provided is attached.

2. Motion to adopt and approve the October 2015 Financial Statements as distributed.

Upon Motion made by Jay Chastain, Jr., seconded by Kris Berrong, the October Financial Statements were unanimously adopted.

3. Motion to adopt the City Manager's January 2016 Written Report as distributed.

Upon Motion made by Jay Chastain, Jr., seconded by Stephen Smith, the City Manager's January 2016 Written Report was unanimously adopted as distributed.

4. City Engineer's Report – EMI.

Sewer Operations.

Don Baker briefly reported on EMI actively at the Sewer Plant. He also reported on DOT comments and his revisions to the Plans for the Cross walk at the Post Office. The plans have been proved to the Council by email.

5. City Manager's Report.

- a. Hiawassee Hotel-Motel Tax Report.

City staff is recommending providing the Towns County Chamber with approximately \$32,000.00 in funding from the City Hotel Motel Fund. These funds are intended to go to a non-profit to promote City Tourism and those facilities which generate the tax. Additionally, the state required

contract between the City and the Chamber needs to be renewed for an additional year.

b. City Phone System.

Windstream has made upgrades to the City telephone system. The City is still considering a comprehensive upgrade later this year dependent on the budget and revenues.

c. Water Treatment Plant – Wholesale Contract Formula Update.

I will be meeting with the Authority this month to discuss how to proceed. The current contract runs out in July and we do not want to wait until the last minute. The Authority has worked with the City in an excellent manner during the past several years and we expect our good working relationship to continue.

d. Report on Bids Received for Sewer Plant Nutrient Reduction & Storage Building.

Two proposals were received: The preliminary proposals are: 1) Winkler & Winkler, Inc. - \$47,908.30; and Israel Construction Services - \$58,700.00. We are now evaluating for consistency with design plans and will award shortly

e. Mayor's Park - Public Update Report.

A copy of the Report on the Public Update has been provided to the Council and Public.

f. Sewer Plant Reserve Fund Report.

The City has approximately \$200,000.00 in reserves for the UV Lighting, Nutrient Reduction, and plant rehabilitation.

g. Water Meter Replacement Program – GEFA Grant & Loan Notice.

GEFA has advised the City that we are moving to the Second Phase of our Grant/Loan Proposal. The City will be awarded \$300,000.00 in forgiveness (grant) toward this project.

h. Status of Vincent Institute Report.

Staff at UGA is working on issues related to the project. Pursuant to contract, the project will begin in earnest later this month.

IV. Motions, Resolutions and Ordinances.

- a. Motion to Adopt 2016 Holiday and Schedule of Committees and Council Meetings.

Upon Motion made by Anne Mitchel, seconded by Jay Chastain, Jr., then amended by Anne Mitchel, the Motion was unanimously adopted as amended.

The consensus of the Council was to adopt the City Holiday Schedule and the Council Meeting dates but not to make a decision on the Committees at this time. The 2016 meeting time for the Council will be changed from 4:00 to 5:30 pm. Meetings will continue to be held on the First Tuesday of each month.

- b. Motion to approve the Expenditure of \$32,364.52 from the Hiawassee Hotel Motel Tax Fund for the Towns County Chamber of Commerce.

Upon Motion made by Stephen Smith, seconded by Jay Chastain, Jr., the Council voted infamously to approve \$32,364.52 from the Hiawassee Hotel Motel Tax Fund for the Towns County Chamber of Commerce.

- c. Motion to Approve the Renewal of 2016 Hiawassee Pouring License for Big Al's Pizza and Bear Meadows Grill, Inc.; and Retail Beer & Wine License for Clipper Petroleum, Inc., Bella Cantina Inc. (Bacchus) and Market K Group, LLC (Valero).

Upon Motion made by Jay Chastain, Jr., seconded by Anne Mitchel, the Council approved Renewal of 2016 Hiawassee Pouring License for Big Al's Pizza and Bear Meadows Grill, Inc.; and Retail Beer & Wine License for Clipper Petroleum, Inc., Bella Cantina Inc. (Bacchus) and Market K Group, LLC (Valero).

- d. Motion to Approve the 2016 Hotel Motel Tax Agreement with the Towns County Chamber of Commerce.

Upon Motion made by Stephen Smith, seconded by Liz Ordiales, the Council unanimously approved the 2016 Hotel Motel Tax Agreement with the Towns County Chamber of Commerce.

- e. Motion to Accept the 2014-15 Audit from the City Auditors.

Upon Motion made by Anne Mitchel, seconded by Kris Berrong, the Council unanimously accepted the 2014-15 Audit from the City Auditors.

- f. Motion to Award the Sewer Plant Bid for Construction of the Nutrient Reduction & Storage Building as designed by EMI not to exceed \$50,000.00 from Sewer

Plant Reserve Fund.

Upon Motion made by Jay Chastain, Jr., seconded by Stephen Smith, the Council unanimously approved the award of the Sewer Plant Bid for Construction of the Nutrient Reduction & Storage Building as designed by EMI not to exceed \$50,000.00 from Sewer Plant Reserve Fund.

- g. Motion to Purchase and Install the Mayor's Park Pavilion & Building for an amount not to exceed \$75,000.00 from Splost Fund.

Upon Motion made by Jay Chastain, Jr., seconded by Liz Ordiales, the Council unanimously approved the Purchase and Installation of the Mayor's Park Pavilion & Building for an amount not to exceed \$75,000.00 from Splost Fund.

- h. Motion to adopt Resolution establishing Hiawassee Vehicle Take Home Policy.

Upon Motion made by Stephen Smith, seconded by Jay Chastain, Jr., the Council unanimously approved the Hiawassee Vehicle Take Home Policy.

- i. Motion to adopt Resolution establishing \$2,500.00 Financial Policy Capitalization Threshold and a \$25,000 Infrastructure Capitalization Threshold [per Auditor's recommendation].

Upon Motion made by Jay Chastain, Jr., seconded by Liz Ordiales, the Council unanimously approved establishing a \$2,500.00 Financial Policy Capitalization Threshold and a \$25,000 Infrastructure Capitalization Threshold per the Auditor's recommendation.

- j. Motion to adopt Resolution Approving 2016 Fines and Fees in Hiawassee Municipal Court.

Held until next month.

- k. Motion to adopt a Resolution naming a Mayor pro tem.

Upon Motion made by Liz Ordiales, seconded by Anne Mitchell, the council voted to name Stephen Smith as Mayor Pro Tem. There was discussion regarding the appointment of Mr. Smith or Mr. Chastain.

The Mayor declared a Recess. After a short Recess, the Council meeting reconvened and the Question was called.

Stephen Smith was named the Hiawassee Mayor Pro Tem for a Two Year Term based on the following votes; Lis Ordiales – Yes; Anne Mitchel – Yes; Kris Berrong – Yes; Jay Chastain, Jr.- Abstain; and Stephen Smith – Abstain.

V. Executive Session.

a. Motion to go into Executive Session for Attorney Briefing:

1. Status of Litigation; and
2. Personnel Evaluation.

Upon Motion made by Stephen Smith, seconded by Jay Chastain, Jr., the Council voted unanimously to go into Executive Session for Attorney Briefings on Litigation and Personnel Evaluation.

b. Motion to return to Public Session from Executive Session.

Upon Motion made by Jay Chastain, Jr., seconded by Anne Mitchell, the Council voted to return to the Public Session.

Public Session.

The Council discussed touring the Hiawassee Water Plant and the Hiawassee Sewer Plant.

Motion to Adjourn.

There being no further business, upon Motion made by Anne Mitchell, seconded by Jay Chastain, Jr., the Council voted unanimously to adjourn.

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MINUTES  
HIAWASSEE CITY COUNCIL  
DECEMBER 1, 2015 MEETING

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The Hiawassee City Council met in regular session on Tuesday, December 1, 2015, at 4:30 p.m. at City Hall. The following council members were present: Barbara Mathis, Joan Crothers, Janet Allen, Stephen Smith, Jay Chastain, Jr. and Pat Smith. Staff present included Cenlya Galloway, Clerk, Jimmy Wright, Chief, Police Department and Rick Stancil, City Manager. A quorum of the Council was present.

The Hiawassee Committees December Meeting was cancelled.

Call to Order by Mayor Mathis.

I. Introduction of Guests, Mayor's Announcements & Agenda Adoption.

1. Mayor's introduction of guests.
2. Mayor's Announcements.

Mayor Mathis invited everyone to attend the City Christmas Tree lighting this upcoming Saturday. Ceremonies will be held on the City Square immediately following the Christmas Parade.

3. Adoption of Final Agenda as Distributed.
  - a. Motion to Adopt Final Agenda.

Upon Motion made by Jay Chastain, Jr. and seconded by Joan Crothers the Final Agenda was unanimously adopted.

II. Public Presentations.

- a. Hiawassee Clean Up Appreciation Certificates Presentation.

Stephen Smith presented Certificates to volunteers for participating in the Hiawassee Clean Up and thanked them for their support. He also thanked TVA and Kemyy Garrett for providing Trash Bags and Gloves for the event. He thanked Chief Wright for providing a grill for hotdogs for the volunteers. The Mayor thanked Janet Allen and Pat Smith for their assistance.

- b. Candace Lee, President, Towns County Chamber, Hotel Motel Tax Update.

Candace Lee made a brief presentation to the Council regarding usage of the Hiawassee Hotel Motel Tax for the calendar year.

c. Jan Waite, Wise Budget Decision Making.

Ms. Waite claimed that the City was in the process of hiring a Building Inspector for the City. She also claims that in the recent court decision on a Temporary Injunction on the Stein Property (she is suing the City) ruled that the Towns County Subdivision Ordinance controls planning in the City not the Hiwassee Planning Ordinance.

The Mayor asked the City Manager to respond. Mr. Stancil pointed out that Ms. Waite was wrong on both points. In 2009, the City Council considered hiring a Building Inspection to enforce the City Construction Ordinance in the City. To avoid unnecessary expense, the Mayor and Manager negotiated an Intergovernmental Agreement with Towns County. The Agreement authorizes the Towns County Building Inspector to inspect City Construction under the City Ordinance. Under the agreement, the County collects the Inspection Fee to offset the County's expenses.

The Mayor and the Manager supports the Intergovernmental Agreement they proposed to the Council and have no plans to change the Agreement. The Mayor and the Manager have opposed hiring new personnel to enforce the City Ordinance.

As to the Injunctive Ruling, the City prevailed on all temporary issues. The Judge specifically ruled that Ms. Waite has no standing to sue. The Judge has not yet addressed the issue as to who has authority for planning in the City, the City Planning Ordinance or the County Subdivision Ordinance. This issue will be addressed by the Court and the City expects to prevail based on the Temporary Ruling. At this time, the City continues to enforce its Planning Ordinance as approved by the Council.

In conclusion, Ms. Waites expressed here sentiment, "That in 2 years those up for election should remember who got you there" and that "we would prevail again". Concerns were expressed that her agenda request was to address wise budgeting; instead, she simply wanted to use the Council Business Meeting to bash the City and its Officials. Several council members felt her comments were unwarranted and out of order.

III. Regular Business Items.

1. Motion to adopt Minutes of the October 22, 2015 Special Council Meeting as distributed.

Upon Motion made by Janet Allen and seconded by Pat Smith, the Minutes of the October 22, 2015 Special Council Meeting were unanimously adopted.

2. Motion to adopt Minutes of the November 17, 2015 Special Council Meeting as distributed.

Upon Motion made by Stephen Smith and seconded by Joan Crothers, the Minutes of the November 17, 2015 Special Council Meeting were unanimously adopted.

3. Motion to adopt and approve the September 2015 Financial Statements as distributed.

Upon Motion made by Pat Smith and seconded by Janet Allen, the September 2015 Financial Statements were unanimously adopted.

4. Motion to adopt the City Manager's November - December 2015 Written Report as distributed.

Upon Motion made by Joan Crothers and seconded by Stephen Smith, the City Manager's November - December 2015 Written Report was unanimously adopted.

5. City Engineer's Report – Don Baker.

Don Baker and Fletcher Holliday made reports on the following:

- a. WWTP (Sewer) Contract for Services.
- b. WWTP (Sewer) Nutrient Reduction & UV Project Update.
- c. WTP Clear Well & Filter.
- e. Water Meter Replacement Program.

6. City Manager's Report.

There were no questions for the Manager on the following topics:

- a. Airmedcare Network.
- b. Hiawassee Hotel-Motel Tax Report.
- c. City Phone System.
- d. Water Treatment Plant – Wholesale Contract Formula Update.
- e. Hiawassee Audit
- f. Mayor's Park Hearing.

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#### IV. Motions, Resolutions and Ordinances.

- a. Motion to adopt the Second Reading of the "2015 Ordinance Adopting the Georgia State Minimum Standard Codes for Construction."

Upon Motion made by Stephen Smith and seconded by Pat Smith, the Second Reading of the 2015 Ordinance Adopting the Georgia State Minimum Standard Codes for Construction was unanimously adopted.

- b. Motion to adopt the Second Reading of the “2015 Ordinance regarding Airmedcare Network Membership”.

Upon Motion made by Jay Chastain, Jr. and seconded by Stephen Smith the Second Reading of the 2015 Ordinance regarding Airmedcare Network Membership was unanimously adopted.

- c. Motion to adopt the “Hiawassee 2015 Resolution authorizing renewal of Approved Speed Detection Devices Permit”.

Upon Motion made by Stephen Smith and seconded by Pat Smith the Hiawassee 2015 Resolution authorizing renewal of Approved Speed Detection Devices Permit was unanimously adopted.

- d. Motion to adopt a “Resolution authorizing the filing of an application to the Georgia Recreational Trails Program” for funding for Mayor’s Park.

Upon Motion made by Joan Crothers and seconded by Stephen Smith, the Resolution authorizing the filing of an application to the Georgia Recreational Trails Program for funding for Mayor’s Park was unanimously approved.

- e. Motion to Approve the Renewal of 2016 Hiawassee Pouring License for Monte Alban Mexican Restaurant.

Upon Motion made by Stephen Smith and seconded by Joan Crothers the Renewal of 2016 Hiawassee Pouring License for Monte Alban Mexican Restaurant was unanimously approved.

#### Motion to Adjourn.

There being no further business, upon Motion made by Joan Crothers, and seconded by Janet Allen, the Council voted unanimously to adjourn.

Per the City Council's unanimous vote on Jan. 5, 2016, to include my Dec. 1, 2015, council speech in the permanent minutes, a copy is provided below or see attached.

Thank you,  
Jan S. Waite

**City Council Speech:**

Wise Budget Decision Making - Jan Solesbee Waite - Dec. 1, 2015

FOR EXAMPLE - If someone is cleaning your house for free why fire them and hire someone to clean your house for a fee?

**2015 OCTOBER COUNCIL MEETING -**

It was mentioned by a city official that a city building inspector was being considered.

A Council Member spoke up and asked, "Why? The city already has a building inspector and the county performs all city building inspections free of charge". A city official replied "change" and then mentioned Ingles inferring that commercial building inspection fees would be profitable.

**I VISITED THE COUNTY BUILDING INSPECTOR'S OFFICE -**

Here is the 12 page official record of income for all building inspections performed by the county, commercial, and residential for the last 3 yrs. (Show pages). The county building inspector and I went through each page. Here are the building inspections performed in the CITY for the last 3 years. (Hand-out). As you can see the income from building inspection fees does not justify hiring a city building inspector. So the alternative would be to give this job to an existing city employee.

**CITY BUILDING INSPECTIONS (performed by County Building Inspector)**

|                                      |          |                |
|--------------------------------------|----------|----------------|
| 2015                                 |          |                |
| RESIDENTIAL                          |          | FEE            |
| 776 Amethyst Lane                    | \$450.00 |                |
| COMMERCIAL                           |          |                |
| Chatuge Regional Hospital Renovation |          | \$100.00       |
| Brown Hill Heights LLC Renovation    |          | \$100.00       |
|                                      |          | TOTAL \$650.00 |

|             |  |     |
|-------------|--|-----|
| 2014        |  |     |
| RESIDENTIAL |  | FEE |

|                     |            |
|---------------------|------------|
| 749 Tater Ridge     | 0          |
| 2025 Lakeside Dr    | \$125.00   |
| 749 Thurman Dr .    | \$1,070.80 |
| 440 White St .      |            |
| \$800.00            |            |
| 420 Longview Circle |            |
| \$150.00            |            |
| 215 Bell St .       |            |
| \$150.00            |            |
| 373 S. Main St      | \$50.00    |

COMMERCIAL  
 Chatuge Regional Hospital Renovation  
 \$1,768.80  
 Taco Bell  
 \$500.00

TOTAL

\$4,614.60

|                 |         |
|-----------------|---------|
| 2013            |         |
| RESIDENTIAL     | FEE     |
| 373 S. Main St  | \$50.00 |
| 19 S. Main St . | \$50.00 |

|                               |          |
|-------------------------------|----------|
| COMMERCIAL Floyd Construction |          |
| \$300.00                      |          |
| Chester White                 | \$850.00 |

TOTAL

\$1,250.00

**SUPERIOR COURT JUDGE**

Recently ruled and the city of Hiawassee concurred that the city of Hiawassee was responsible for water and sewer only. The superior court judge ALSO RULED that if any one of us wanted to develop an RV park on 6/10th of an acre we would need to apply for a building permit from the county building inspectors office WHICH THE COUNTY HAS REFUSED TO ISSUE DUE TO THE COUNTY'S 5 ACRE REQUIREMENT FOR RV PARK DEVELOPMENT.

**NOVEMBER 3,2015 - THE VOICES OF THE CITIZENS OF HIAWASSEE WERE HEARD.**

We want our city council and our city officials to represent the CITIZEN'S INTERESTS and to make WISE BUDGET DECISIONS WITH OUR TAX DOLLARS.

Therefore, today I submit to you that THE CITY OF HIAWASSEE DOES NOT NEED A CITY BUILDING INSPECTOR due to TWO REASONS:

#1. WISE BUDGET DECISION MAKING – The County performs the City's building inspections FREE OF CHARGE

#2. The fact that the citizen of Hiawassee INTERESTS ARE BEST SERVED and OUR PROPERTY VALUES BEST PROTECTED by the COUNTY'S ZONING, ORDINANCES AND SUBDIVISION REGULATIONS.

And to the City Council and City Officials – I hope you remember how you got here and who you serve because we, the taxpaying Citizens, will have the opportunity for our voices to be heard once again come Nov. 2016.

"The only thing necessary for the triumph of evil is for good men to do nothing."

**Edmund Burke**