

**MINUTES  
CITY COUNCIL REGULAR MEETING  
DECEMBER 1, 2014  
5:00 P.M.**

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CALL TO ORDER: James Grogan called the meeting to order at 5:00 p.m.

ROLL CALL: Present were Mayor James Grogan, Councilmember Mike Sosebee, Councilmember Jason Power, Councilmember Angie Smith, City Attorney Dana Miles, City Clerk Bonnie Warne, and Public Works Director Gary Barr.

INVOCATION AND PLEDGE: Invocation and pledge was led by Mike Sosebee.

OATH OF OFFICE: Caleb Phillips was sworn in to office as Appointed Councilmember by City Attorney Dana Miles; he subsequently executed the oath of office. Exhibit "A". Ron Reemsnyder was sworn in to office as Municipal Judge by City Attorney Dana Miles; he subsequently executed the oath of office. Exhibit "B".

AGENDA: Motion to approve the agenda by: J. Power/M. Sosebee. Vote unanimous in favor.

MINUTES: Motion to approve the minutes of the regular meeting November 3, 2014 and the called meeting November 17, 2014 as presented by: Angie Smith/Caleb Phillips. Motion carried unanimously in favor.

Special Event with Alcohol: GRHOF/ Dawsonville History Museum Inductee Banquet: Motion to approve the application by: M. Sosebee/J. Power. Vote carried unanimously in favor.

FY 2013-14 Audit and CAFR Presentation: Bryan St. Pierre, CPA with Alexander, Almand & Bangs, LLP presented the draft audit report of the City's financial statements of the governmental activities of fiscal year July 1, 2013 through June 30, 2014.

Mr. St. Pierre reported that the audit has a clean opinion with no material misstatements in the financials. Subsequently he went through the details of fund reports throughout the audit pointing out the financial highlights of the year:

- The assets of the City of Dawsonville exceeded its liabilities at the close of the year ending June 30, 2014 by \$ 12,246,034 (net position).
- The City's net position increased by \$ 194,105 for the year ending June 30, 2014 from the prior year. Of this amount, an increase of \$ 346,863 was associated with governmental activities and a decrease of \$ 152,758 with business-type activities. In the governmental activities, the City continued progress on installation of sidewalks funded through SPLOST IV contributions.
- The City's investment in capital assets, decreased \$ 258,535 or 3.1% for the year ending June 30, 2014.

Angie Smith made a motion to accept and approve the audit as presented (Exhibit "C"); seconded by Jason Power. The motion carried unanimously in favor.

Award Bid: Garbage/Solid Waste Collection RFP 15-01: Tabulation of RFP done of the 5 bids received. (Exhibit "D") Motion made for Advanced Disposal at \$9.70 for waste collection service starting 01/01/2015, with periodic audits, by M. Sosebee/ C. Phillips. Motion carried unanimously in favor.

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Resolutions and IGA with Dawson County: Attorney Miles spoke of a letter to the Dawson County Board of Commissioners on the resolution of outstanding road, annexation and election issues, and are awaiting a response from them. (Exhibit "E")

Attorney Miles presented a resolution for the purpose of calling a special election on March 17, 2015 to fill the unexpired term of Councilmember Chris Gaines who resigned. (Exhibit "F") Motion to approve the resolution calling for a special election as presented by: M. Sosebee/J. Power. Motion carried unanimously in favor.

Attorney Miles presented a draft IGA between Dawson County and the City of Dawsonville relating to the 2015 municipal elections. (Exhibit "G") Motion at consider and give authority to the Mayor to approve pending Dawson County and Registrar approval by: M. Sosebee/A. Smith. Motion carried unanimously in favor.

2015 Meeting Dates: Motion to change the work session into a work session / called meeting on the third Monday of every month at 4:00 p.m. by: J. Power/A. Smith. Motion carried unanimously in favor. Motion to approve the 2015 meeting dates listed below by: J. Power/A. Smith. Motion carried unanimously in favor.

Mayor & City County Meetings:	First Monday of every Month at 5:00 p.m.
Council Work Session / Called Meetings:	Third Monday of every Month at 4:00 p.m.
Planning Commission Meetings:	Third Monday of every Month at 5:00 p.m.
Historic Preservation Commission Meetings:	Third Monday of every other Month at 6:00 p.m. starting in Feb.

2015 Appointments: Mayor Grogan read the list of appointments. Motion to approve the appointments as listed below by: J. Power/A. Smith. Motion carried unanimously in favor.

- City Clerk – Bonnie Warne
- City Attorney – Dana Miles of Miles Hansford & Tallant, LLC
- Auditor- Alexander, Almand and Bangs, LLP
- Engineer – G. Ben Turnipseed Engineers, Inc.
- Municipal Court Judge – Ron Reemsnyder
- Testing of Wastewater – Environmental Management Services
- Geologist – Bob Atkins
- Repair-Installation Water-Sewer Infrastructure – Townley Construction

Motion to appoint Angie Smith as Mayor Pro-Tem, by: C. Phillips/J. Power. Motion carried unanimously in favor.

Appoint Planning Commission Member: Motion to table for further discussion until the January 5, 2015 Council Meeting by: C. Phillips/A. Smith. Motion carried unanimously in favor.

Appoint Historic Preservation Commission: 1-year term: Caroline Christie, 2-year term: Gil Massey and Heather Allen, 3-year term: Pete Bearden and Sam Bailey. Motion to approve the Historic

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Preservation Commission Members as presented by: M. Sosebee/C. Phillips. Motion carried unanimously in favor.

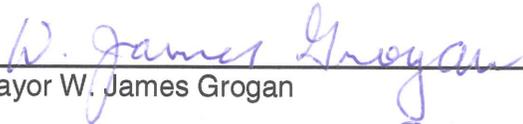
2015 Mayor and Council Board Designations: Motion to table for further discussion until the December 15, 2014 Council Meeting by: M. Sosebee/A. Smith. Motion carried unanimously in favor to table.

Staff Reports: City Clerk Bonnie Warne provided the financial reports for October 2014 and mentioned that everything is in balance, the revenue and expenditures are within budget on all funds. New software update: training dates for staff in Dec. and Jan. with a go-live Feb 1<sup>st</sup>. Motion to approve financials by: A. Smith/M. Sosebee. Motion carried unanimously in favor. City Clerk Warne presented the nine Alcoholic Beverage License renewals for 2015 pending State approval. Motion to approve renewals by: M. Sosebee/ C. Phillips. Motion carried unanimously in favor.

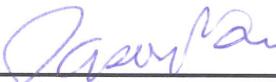
Public Works Director Gary Barr stated that all is good with a few minor leaks, and that they public works associates are now wearing work clothes to prevent destroying their personal clothes.

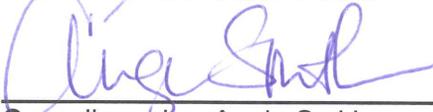
Mayor/Council Reports: Angie Smith mentioned that the Family Connection will be presenting a poverty simulation at Rock Creek on Thursday. Mayor Grogan stated that the Annual Christmas Parade and Tree Lighting will be this Saturday Dec 6<sup>th</sup>.

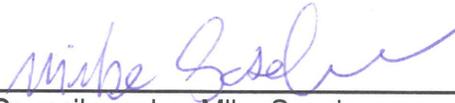
ADJOURNMENT: With there being no further business or executive session to attend to the regular meeting closed and adjourned at 5:56 p.m. The motion carried unanimously; J. Power/A. Smith.

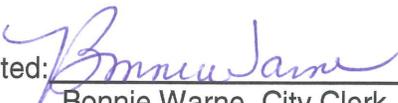
  
\_\_\_\_\_  
Mayor W. James Grogan

  
\_\_\_\_\_  
Appointed Councilmember Caleb Phillips

  
\_\_\_\_\_  
Councilmember Jason Power

  
\_\_\_\_\_  
Councilmember Angie Smith

  
\_\_\_\_\_  
Councilmember Mike Sosebee

Attested:   
\_\_\_\_\_  
Bonnie Warne, City Clerk

Section 3.16. Oath of officers.

Before a person takes any office in the city government, he or she shall take before an officer of the state authorized to administer oaths the following such oath or affirmation:

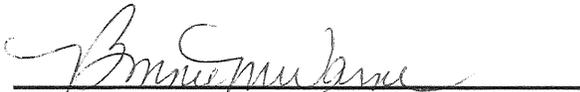
"I solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and I will faithfully discharge the duties of Councilmember. So help me God."

So affirmed in the presence of the Mayor and Council of the City of Dawsonville, this 1<sup>st</sup> day of December 2014, at the regular meeting of the City Council held at 5:00 p.m., in the G.L. "Pete" Gilleland Council Chambers, 415 Hwy. 53 East, Suite 100, Dawsonville, GA 30534.



\_\_\_\_\_  
Caleb Phillips, Appointed Council Member

Witness:



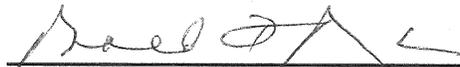
\_\_\_\_\_  
Bonnie Warne, City Clerk

Section 3.16. Oath of officers.

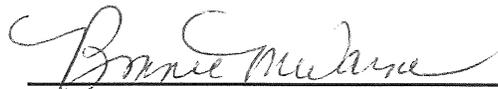
Before a person takes any office in the city government, he or she shall take before an officer of the state authorized to administer oaths the following such oath or affirmation:

"I solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Georgia; that I will in all respects observe the provisions of the Charter and ordinances of the City of Dawsonville; and I will faithfully discharge the duties of Municipal Court Judge. So help me God."

So affirmed in the presence of the Mayor and Council of the City of Dawsonville, this 1<sup>st</sup> day of December 2014, at the regular meeting of the City Council held at 5:00 p.m., in the G.L. "Pete" Gilleland Council Chambers, 415 Hwy. 53 East, Suite 100, Dawsonville, GA 30534

  
\_\_\_\_\_  
Ron Reemsnyder, Municipal Court Judge

Witness:

  
\_\_\_\_\_  
Bonnie Warne, City Clerk

P.O. Box 6  
415 Highway 53 E. Suite 100  
Dawsonville, Georgia 30534



W. James Grogan  
Mayor

(706) 265-3256  
Fax (706) 265-4214  
[www.dawsonville-ga.gov](http://www.dawsonville-ga.gov)

## Garbage / Solid Waste Collection RFP 15-01

**Bid Tabulation: Wed. 11/12/2014**

<u>Bidder:</u>	<u>Cost of Service:</u>	<u>Pick-up Day:</u>
Republic Services of GA	\$15.55	None Noted
Advanced Disposal	\$ 9.70	Monday
Red Oak Sanitation	\$ 9.95	None Noted
Waste Management	\$11.98	Thursday
Rakestraw Sanitation	\$ 9.90	Monday

P.O. Box 6  
415 Highway 53 E. Suite 100  
Dawsonville, Georgia 30534



(706) 265-3256  
Fax (706) 265-4214  
www.dawsonville-ga.gov

W. James Grogan  
Mayor

November 26, 2014

Dawson County Board of Commissioners  
25 Justice Way  
Dawsonville, GA 30534

Re: Resolution of outstanding road, annexation and election issues

Dear Board of Commissioners:

On behalf of the City of Dawsonville, please allow this letter to serve as our offer of settlement to resolve the outstanding road, annexation and election issues that are before our two governments. This offer is based upon discussions between Chairman Berg and myself as well as between our respective attorneys, Mr. Homans and Mr. Miles.

**Burt Creek Road.** The City and County will jointly submit an LMIG application to the state of Georgia for the resurfacing and related work on the entire length of Burt Creek Road from Shoal Creek Road to Highway 136. The County will be in charge of the project and the contractors involved on both the portions of the road in the City limits and the portions outside of the City limits. Other than staff time associated with the application and subsequent administration of the grant (assuming it is approved and funded), neither government will have financial obligation for this state funded project. Also, because it is state funded, the portion located within the City limits will not count against the IGA between us for 1 mile of paving in 2015.

**Duck Thurmond Road.** The County has recently made improvements to Duck Thurmond Road, including over portions that would come into the City limits pursuant to pending annexations if finalized. The City will agree that the .35 mile portion per County measurement that would be located in the City upon annexation will be counted against the IGA between us for 1 mile of paving in 2015, but no payment would be made by the City to the County.

**Annexations.** As a result of the considerations granted above, the County will withdraw its objections to the following annexations: City of Dawsonville Annexation No. 14-001: Byron and Barbara Hutson; City of Dawsonville Annexation No. 14-002: David L. James and Beverly M. James; City of Dawsonville Annexation No. 14-003: Kenneth D.

EXHIBIT "E"

Vermillion and Barbara E. Vermillion; and City of Dawsonville Annexation No. 14-004:  
Jon O. Steiner and Sarah S. Steiner.

**2015 Election IGA.** We propose to renew the prior IGA upon the same terms and conditions as prior IGA's between the City, County and Board of Elections with the City bearing the expense or proportional expense (as applicable) of the City elections for 2015. We know that a special election will be necessary in March 2015 (along with the ELOST election for the School Board) in addition to the general election in November 2015. Mr. Miles will be sending Mr. Homans an updated IGA based upon the prior Election IGA's for your review and consideration.

It is my hope that the outline of resolution suggested above will be acceptable to the County to the benefit of the citizens that we all serve. I look forward to your response. With kind regards, I remain,

Sincerely,

  
W. James Grogan

cc City Council  
Dana Miles  
Joey Homans

**A RESOLUTION OF THE CITY OF DAWSONVILLE GEORGIA FOR THE PURPOSE OF CALLING A SPECIAL ELECTION ON MARCH 17, 2015 TO FILL THE UNEXPIRED TERM OF COUNCIL MEMBER CHRIS GAINES, WHO RESIGNED; TO SET DATES FOR QUALIFICATION; TO REQUEST THE CONTINUED ASSISTANCE OF THE DAWSON COUNTY BOARD OF ELECTIONS IN CONDUCTING THE SPECIAL ELECTION ON MARCH 17, 2015; AND FOR OTHER PURPOSES.**

**WHEREAS**, on Tuesday, November 8, 2011, the registered voters of the City of Dawsonville, Georgia elected Chris Gaines to a four year term as a member of the City Council beginning January 1, 2012 through December 31, 2015;

**WHEREAS**, Chris Gaines submitted his resignation as a member of the City Council to the City effective November 4, 2014;

**WHEREAS**, Chris Gaines served the City of Dawsonville with honor, loyalty and distinction as a Council Member from January 1, 2012 until his resignation;

**WHEREAS**, due to the aforesaid resignation, a vacancy is created in a Council Member position for the City of Dawsonville which in accordance with the City Charter and state law must be filled by a Special Election for the remaining terms of office;

**WHEREAS**, the City of Dawsonville has an agreement in place with the Dawson County Board of Elections to conduct City of Dawsonville Municipal Elections pursuant to Article 9, § 3, Paragraph 1, of the Georgia Constitution;

**WHEREAS**, the date of March 17, 2015 is authorized by the Georgia Secretary of State as an official voting date for special elections in Georgia;

**WHEREAS**, in accord with the City Charter and Ordinances, state law and as authorized by the Georgia Secretary of State, qualification dates for the Special Election to fill the unexpired Council Member term of Chris Gaines should be set for February 10-12, 2015 and the qualification fee will be \$180.00;

**AND WHEREAS**, notice of this Resolution for Calling for a Special Election to fill the unexpired terms of Council Member Chris Gaines will be advertised in the legal organ of the City of Dawsonville as required by Georgia law.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Dawsonville, Georgia, as follows:

**Section 1.** A Special Election is hereby called for March 17, 2015 to fill the unexpired term of Council Member Chris Gaines. The individual elected at the Special Election will be sworn in as a Member of the City Council of Dawsonville on April 6, 2015 at the regularly scheduled monthly Council meeting and will serve until December 31, 2015 or until his/her successor is duly elected and sworn into office.

**Section 2.** Qualification dates for the Special Election for Council Members are set for February 10, 2015 beginning at 9:00 a.m. through 4:30 p.m. each day, concluding on February 12, 2015 at 4:30 p.m. at the Office of the Dawson County Board of Elections, located at 96 Academy Avenue, Dawsonville, Georgia 30534. The Qualification fee for the office of Council Member is \$180.00 made payable by check or money order to the City of Dawsonville.

**Section 3.** In accord with the existing Intergovernmental Agreement, the assistance of the Dawson County Board of Elections is requested to conduct this Special Election and all costs or charges related solely to the expense of the Special Election shall be paid by the City of Dawsonville.

**Section 4.** All prior resolutions or actions of the City in conflict with this Resolution are hereby repealed.

**Section 5.** This Resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 1<sup>st</sup> day of December, 2014.

**CITY OF DAWSONVILLE, GEORGIA**

**MAYOR AND DAWSONVILLE CITY COUNCIL**

By: W. James Grogan  
W. James Grogan, Mayor

Jason Power  
Jason Power, Council Member

Angie Smith  
Angie Smith, Council Member

Mike Sosebee  
Mike Sosebee, Council Member

Caleb Phillips  
Caleb Phillips, Appointed Council Member

ATTESTED TO BY:

Bonnie Warne  
Bonnie Warne, City Clerk

STATE OF GEORGIA  
COUNTY OF DAWSON

INTERGOVERNMENTAL AGREEMENT BETWEEN DAWSON COUNTY AND THE  
CITY OF DAWSONVILLE RELATING TO THE 2015 MUNICIPAL ELECTIONS IN THE  
CITY OF DAWSONVILLE

THIS INTERGOVERNMENTAL AGREEMENT, made and entered into this 18th day of December, 2014, by and between **DAWSON COUNTY**, a county government authorized by the laws of the State of Georgia (hereinafter referred to as the "County"), and the **CITY OF DAWSONVILLE**, a municipal corporation authorized by the laws of the State of Georgia (hereinafter referred to as the "City") relating to municipal elections for the City;

**WITNESSETH:**

**WHEREAS**, the County by and through its Board of Elections and Registration conducts all county-wide and/or state-wide elections within Dawson County; and

**WHEREAS**, the County Board of Elections and Registration has previously assisted the City with the conduct of the City elections; and

**WHEREAS**, the City has requested and the County has agreed to allow its Board of Elections to conduct on behalf of the City any special city elections called for the year 2015;

**NOW, THEREFORE**, for and in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

1.

With respect to the general municipal election and any specially called municipal election to be held in 2015, the Board of Elections shall conduct all such elections for the City at the Offices of the Board of Elections or such other precinct locations as determined by the Board.

2.

The Board of Elections shall perform all duties as set forth and labeled as "County" in Exhibit A attached hereto and incorporated herein by reference. The City shall perform all duties as set forth and labeled as "City" in Exhibit A attached hereto and incorporated herein by reference.

3.

The City shall reimburse the County for the expense incurred by the Board of Elections associated with the general and any special election. Such expenses shall be submitted to the City within sixty (60) days of the conclusion of each election covered by this agreement, and such expenses shall be paid by the City within thirty (30) days of the date of such invoice.

4.

As a part of the duties of the Board of Elections, it shall perform all duties as superintendent of elections for the City during the term of this agreement; provided, however, that the Board of Elections shall have no responsibility hereunder with respect to the matters specifically reserved to the City in Exhibit A.

5.

This Contract may be terminated by either party by giving notice to the other party, in writing, of its intent to terminate this Contract no fewer than one hundred twenty (120) days prior to the effective date of such termination. In the event of termination, any funds due to the County by the City for work performed by the Board of Elections through the date of termination shall be paid by the City no later than thirty (30) days following the date of termination of the Contract.

6.

In all events, all elections conducted for the City by the Board of Elections shall be conducted in accordance with the provisions of Title 1 and Title 21 of the Official Code of Georgia Annotated and all other applicable laws.

**IN WITNESS WHEREOF**, the parties hereto have executed this instrument to be effective as of the day and year first written above.

**DAWSON COUNTY**

BY: Mike Berg  
MIKE BERG, CHAIRMAN

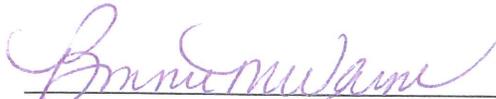
ATTEST:

Danielle Yarbrough  
COUNTY CLERK

**CITY OF DAWSONVILLE**

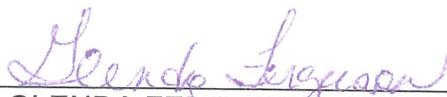
BY: W. James Grogan  
JAMES GROGAN, MAYOR

ATTEST:

  
CITY CLERK

Approved:

DAWSON COUNTY BOARD OF ELECTIONS  
AND REGISTRATION

BY:   
GLENDA FERGUSON, CHAIRPERSON

ATTEST:

  
ASSISTANT TO BOARD OF ELECTIONS

## MUNICIPAL ELECTION STRUCTURE

PERSONNEL	AFFILIATION	DUTIES
CITY/COUNTY:	City	Advertise Call for Election w/Qualifying (city prefers 2 weeks)
CITY ATTORNEY:	City	DOJ approval for Special Election ) *if applicable
COUNTY ELECTION SUPERINTENDENT:	County	Candidate Qualification (fees made payable to City) (Qualifying times: Special called 3 days – General 5 days)
COUNTY ELECTION SUPERINTENDENT:	County	Inventory Absentee/Election Supplies
	County/KSU	Design Ballot
	KSU	Create Ballot Database – TS/OS
	ES&S	Print OS Ballots; Absentee/Provisional/Challenged
COUNTY TECHNICAL CUSTODIAN:	County	Global Elections Management System (GEMS): Upload Database & Memory Cards
	County	Voting Equipment: Logic & Accuracy Procedure (L&A)
	County	Publish Sample Ballot
COUNTY ELECTION SUPERINTENDENT	County	Order Municipal Electors List
COUNTY ELECTION SUPERINTENDENT	County	Publish Notice of Election
ADVANCE VOTING PRECINCT BOARD (3) :	County	OS Absentee Mail-in NO ID / NO Reason required
		TS Advance Voting PHOTO ID / NO Reason required
ELECTION DAY PRECINCT BOARD (3):	County	Conduct Election Day Voting – 7 A.M. – 7 P.M.
ABSENTEE BALLOT TABULATION BOARD (3) :	County	Tabulate votes – OS & TS Voting equipment
COUNTY TECHNICAL CUSTODIAN	County	Global Elections Management System (GEMS): Download Election Results
PROVISIONAL BALLOT PROCESSING (if applicable)	County	Verify eligibility; process and count- include w/certification
COUNTY ELECTION SUPERINTENDENT / BOER	County	Election Consolidation / Certification

Exhibit "A"