

**CITY COUNCIL MINUTES
CALLED MEETING WORK SESSION
FEBRUARY 16, 2015
4:00 P.M.**

CALL TO ORDER: Mayor W. James Grogan called the meeting to order at 4:00 p.m.

ROLL CALL: Present were Mayor James Grogan, Councilmember Jason Power, Councilmember Angie Smith, Councilmember Caleb Phillips, City Attorney Dana Miles and Permits Clerk Nalita Copeland. Absent: Councilmember Mike Sosebee and City Clerk Bonnie Warne.

INVOCATION AND PLEDGE: Invocation and pledge was led by Caleb Phillips.

AGENDA: Motion to approve the agenda as presented by: J. Power/A. Smith. Motion carried unanimously in favor.

BUSINESS:

GMA Mobile Workshop: Housing Solutions for Cities - March 27 – Hawkinsville: Motion to approve the Mayor to attend by: J. Power/A. Smith. Motion carried unanimously in favor.

GMA Mobile Workshop: Heart & Soul Bus Tour - May 13 & 14 (Rome/Woodstock/Dahlonega): Motion to approve the Angie Smith to attend by: C. Phillips/J. Power 2-0 with A. Smith abstained. Motion carried unanimously in favor.

Edmunds Software Training Conference – March 11 – Macon: Motion to approve Bonnie to attend by: J. Power/A. Smith. Motion carried unanimously in favor.

GABTO (Georgia Association of Business Tax Officials) Training – April 13 & 14 – Pine Mountain: Motion to approve Bonnie and Nalita to attend by: A. Smith /J. Power/. Motion carried unanimously in favor.

2012 Clean Water SRF (GEFA \$445,500 Loan): Motion to approve submitting the loan application for constructing the proposed sewerage system improvements to water pollution control plant - the expansion and new pond by: J. Power/C. Phillips. Motion carried unanimously in favor.

PUBLIC HEARING:

An Ordinance to provide for participation by the City of Dawsonville in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer's Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes. 2nd Reading

Motion to open the public hearing by: A. Smith/C. Phillips. Attorney Dana Miles presented the ordinance which passed as a resolution but law requires an ordinance. Nobody spoke in favor or opposition. Motion to close the public hearing by: J. Power/A. Smith. Motion to approve the ordinance by: A. Smith/ J. Power. Vote carried in favor. (Exhibit "A")

REPORTS: Angie Smith spoke on GRMC helping on updating a survey of the historic properties in the city limits done in 1991. The historic cemetery plotting by Joe Rothwell, GMRC, is almost done. The Mayor spoke to A. Hazell with GMRC about looking into available grant funds for parks. Attorney Miles mentioned that the City owned parcel in Stonewall Subdivision could be a children's

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park and paid from any extra funds from SPLOST. Mayor Grogan stated that he was given the survey on the revitalization plan from Emily Mason and plans to forward it to Todd Long with GDOT on the Gateway Grant. Permits and building activity are going on in Red Hawk, Crown Point and Howser Mill. Mayor Grogan asked Attorney Miles to do a title search on who owns the roads in Crown Point Subdivision. The Mayor also asked Attorney Miles to draft a Resolution concerning the Transportation Bill: HB 170 that the City is against it.

ADJOURNMENT: With there being no further business to attend to the meeting closed and adjourned at 4:23 p.m. The motion carried unanimously in favor: J. Power/ A. Smith.

ABSENT

Mayor W. James Grogan

Caleb Phillips

Appointed Councilmember Caleb Phillips

Jason Power

Councilmember Jason Power

Angie Smith

Councilmember Angie Smith

Mike Sosebee

Councilmember Mike Sosebee

Attested by: Bonnie Warne
Bonnie Warne, City Clerk

AN ORDINANCE

An Ordinance to provide for participation by the City of Dawsonville ("Participating Employer" or "Employer") in the Georgia Municipal Employees Benefit System (GMEBS) Life and Health Program, in accordance with and subject to the terms of the GMEBS Life and Health Program Trust Agreement, the GMEBS Life and Health Program Participation Agreement, the Participating Employer's Declaration Page(s), and the Rules governing the Program, all as authorized and provided by Chapter 5 of Title 47 of the O.C.G.A.; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

WHEREAS, the Participating Employer has determined that it wishes to provide certain employee benefits to its employees by participating in the Georgia Municipal Employees Benefit System Life and Health Program ("GMEBS Life and Health Program" or "Program") and by making contributions to the GMEBS Life and Health Program Trust Fund ("Trust Fund"); and

WHEREAS, the Participating Employer has reviewed the terms of the GMEBS Life and Health Program Trust Agreement ("Trust Agreement" or "Trust"), which Trust is intended to be a tax-exempt trust established under Internal Revenue Code Section 115 and under the applicable laws of the State of Georgia; and

WHEREAS, the Participating Employer has reviewed the terms and conditions of the GMEBS Life and Health Program Participation Agreement ("Participation Agreement") and the various forms of coverage and/or benefit plans offered under the GMEBS Life & Health Program; and

WHEREAS, the Participating Employer has reviewed the Declaration Page(s) ("Declaration") accompanying the GMEBS Life and Health Program Participation Agreement and has completed and will amend, as necessary or required, said Declaration to reflect its elections with respect to employee eligibility requirements and Program benefits that the Participating Employer intends to make available to eligible employees; and

WHEREAS, the Mayor and Council/Commission of the Participating Employer ("Governing Authority") is authorized by law to adopt this Ordinance, the Trust Agreement, the Participation Agreement, and the Declaration on behalf of the Participating Employer;

NOW, THEREFORE, BE IT ORDAINED by the Governing Authority of the Participating Employer and it is ordained by the authority thereof:

Section 1. The Participating Employer hereby adopts and agrees to be bound by the terms of the following GMEBS Life and Health Program Trust Agreement, the Participation Agreement, and Declaration which are attached hereto and made a part of this Ordinance. The Participating Employer also agrees to be bound by any Program Rules adopted by the GMEBS Board of Trustees ("Trustees"). The Participating Employer further agrees to abide by the terms of any amendments made by the Trustees to the Trust Agreement or the Program Rules.

Section 2. Severability. In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have adopted the remaining parts of this Ordinance or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 3. Approval by Trustees or the Program Administrator. The Participating Employer's Ordinance and Declaration are subject to approval by the Trustees or the Program Administrator. The Trustees or Program Administrator may refuse to approve or may delay the effective date of an Ordinance and Participation Agreement or Declaration that is not in order as determined by the Trustees or the Program Administrator. The Governing Authority of the Participating Employer hereby acknowledges that it is responsible to assure that this Ordinance is adopted and executed by the Participating Employer in accordance with the requirements of applicable law.

Section 4. Effective Date. This Ordinance shall be effective on the date of approval by the Governing Authority or, if later, such other effective date designated by the Trustees below upon approval and acceptance of the signed Ordinance and Declaration.

Section 5. Repeal. All ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Governing Authority of Dawsonville, GA, this 16th
day of February, 2015.

Attest:

Bonnie M. Warne
Signature

W. James Grogan
Signature

Bonnie M. Warne
City Clerk

W. James Grogan
Mayor

(SEAL)

Approved:

[Signature]
Signature

Dana B. Miles City Attorney
Attorney

TRUSTEES' APPROVAL

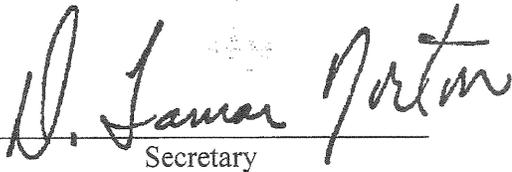
The terms of the foregoing Ordinance and Participation Agreement are approved on behalf of the Board of Trustees of the Georgia Municipal Employees Benefit System.

The effective date of the Employer's participation in the GMEBS Life and Health Program will be _____ [insert date *only if* Trustees' approved effective date for Employer's participation is later than effective date designated in Section 4 above].

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officer to be affixed this 27th day of MARCH, 2015.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)


Secretary

**GMEBS LIFE & HEALTH PROGRAM
EMPLOYER DECLARATION & APPLICATION
EMPLOYEE HEALTH AND DENTAL BENEFITS
DAWSONVILLE**

NOTE TO EMPLOYER: THIS FORM DESIGNATES GMEBS HEALTH AND DENTAL BENEFITS THAT YOU REQUEST BE MADE AVAILABLE, THE POSITIONS THAT ARE ELIGIBLE FOR SUCH BENEFITS, AND THE EXTENT THE BENEFITS ARE AVAILABLE TO DEPENDENTS. TO BECOME EFFECTIVE, THIS DECLARATION MUST BE APPROVED BY YOUR GOVERNING AUTHORITY, AND BY THE GMEBS LIFE & HEALTH PROGRAM ADMINISTRATOR. UPON SUCH APPROVAL, THIS DECLARATION WILL REPLACE AND SUPERSEDE ANY PRIOR EMPLOYER DECLARATION ON FILE WITH THE GMEBS LIFE & HEALTH PROGRAM ADMINISTRATOR. IF YOU WISH TO OFFER HEALTH / DENTAL COVERAGE FOR RETIREES, YOU MUST APPROVE A SEPARATE RETIREE DECLARATION.

ELECTIONS MADE IN THIS DOCUMENT MAY OR MAY NOT RESULT IN PENALTIES IF YOU ARE AN APPLICABLE LARGE EMPLOYER ("ALE") UNDER THE AFFORDABLE CARE ACT ("ACA"). IT IS YOUR RESPONSIBILITY TO CONSULT WITH YOUR ATTORNEY ABOUT WHETHER YOU ARE AN APPLICABLE LARGE EMPLOYER AND THE CONSEQUENCES OF YOUR ELECTIONS. REGARDLESS OF YOUR SIZE, BY EXECUTING THIS DECLARATION, YOU CERTIFY THAT YOU WILL NOT IMPOSE ELIGIBILITY CONDITIONS THAT ARE NOT SET FORTH IN THIS DOCUMENT, OR IMPOSE A LONGER WAITING PERIOD THAN IS SET FORTH IN THIS DOCUMENT. EFFECTIVE JANUARY 1, 2015, IF YOU ARE AN APPLICABLE LARGE EMPLOYER, YOU MAY INCUR ACA PENALTIES IF: 1) YOU DO NOT IDENTIFY ALL "FULL TIME EMPLOYEES" AS DEFINED BY THE ACA AND OFFER THEM HEALTH COVERAGE; 2) YOU DO NOT OFFER HEALTH COVERAGE TO DEPENDENT CHILDREN; OR 3) YOU DO NOT SUBSIDIZE HEALTH COVERAGE ENOUGH TO MAKE THE COST OF EMPLOYEE-ONLY HEALTH COVERAGE AFFORDABLE (AS DEFINED BY THE ACA).

SECTION 1. ELIGIBLE POSITIONS: TYPE OF BENEFITS REQUESTED

1A. Regular Employees– The Employer requests the following benefits for all Regular Employees (as defined below).

Regular Employees: A Regular Employee who resides in the United States, and is employed in a salaried or hourly rated position that requires 30 Hours of Service per week or more and is expected to last at least 48 weeks. An Hour of Service is an hour for which an employee is paid, or is entitled to payment, for the performance of duties for the employer, and each hour for which an employee is paid, or entitled to payment, due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence.

Health Dental Neither

1B. Elected or Appointed Members of the Governing Authority – The Employer requests the following benefits for all active elected or appointed members of the Employer's Governing Authority.

Health Dental Neither

1C. [For ALE's only - Participating Employers that are ALE's may determine that certain workers who do not meet the definition of a Regular Employee above are "ACA Full-Time Employees." For example, an Employer might determine that a newly hired employee in a nine-month position that requires 30 Hours of Service per week is an ACA Full-Time Employee. For coverage in calendar years 2015 and later, Participating Employers that are ALE's may offer the coverage elected in 1A to anyone it determines to be an ACA Full-Time Employee.]

SECTION 2. EMPLOYEE ELIGIBILITY WAITING PERIOD

Individuals who are hired or take office into an Eligible position after the Employer's effective date of group health/dental coverage are eligible to enroll for such coverage on the first day of the calendar month following or coinciding with the date that they complete the following number of days of continuous, active service in an Eligible position. 0 30 60

Those rehired into an Eligible position are not subject to a waiting period unless rehired after 13 consecutive weeks without an Hour of Service.

[For ALE's only - The waiting period elected above applies for any newly hired workers the Employer identifies as being "ACA Full-Time Employees" pursuant to Section 1.C. If the Employer determines a worker to be an ACA Full-Time Employee based on Hours of Service during an initial measurement period, the waiting period: 1) starts at the end of the initial measurement period, and 2) must be shortened as needed for coverage to be effective no later than 13 months from the date of hire (or the first day of the following month if the worker did not start on the first day of the month.)]

Note: The Employer's waiting period must be the same for all GMEBS Life & Health Program coverages offered by the Employer (i.e., health, dental, life, short term disability, etc.) There will be no exceptions to waiting period unless Employer submits documentation waiving the stated waiting period.

SECTION 3. EMPLOYER HEALTH PLAN ELECTION

If the "Health" box for any Employee position in Section 1A or 1B above is checked, the boxes checked below indicate the Health Plan option(s) and deductibles requested and coverage for dependents:

Plan Name/Deductible	Employee	Employee + Spouse	Employee + Child	Family
x PPO 90/70 500	x			x

SECTION 4. EMPLOYER DENTAL PLAN ELECTION If the "Dental" box for any Employee position in Section 1A or 1B above is checked, the box checked below indicates whether coverage is requested for eligible dependents.

Employee Only Employee + Dependents (spouse and children)

SECTION 5. EMPLOYER REPRESENTATIVE – Please list by title or position the person designated by the Employer to represent the Employer in all communications with GMEBS and the Program Administrator concerning the GMEBS Life & Health Program: Ms. Bonnie Warne

The Employer may identify in writing to the Program Administrator an additional agent or authorized representative (such as an insurance broker) as being authorized to receive communications, including enrollment information for billing purposes.

SECTION 6. EMPLOYER ADOPTION - The Employer acknowledges that this Employer Declaration and Application will not become effective unless and until it is approved by the GMEBS Life & Health Program Administrator, and that upon such approval this Employer Declaration and Application will replace and supersede any prior Employer Declaration and Application concerning health and dental coverage for employees that is on file with the GMEBS Life & Health Program Administrator. The Employer further acknowledges that GMEBS' approval of this Employer Declaration and Application is contingent upon the Employer having adopted the GMEBS Life and Health Program Participation Agreement, as amended.

Approved by the Mayor and Council/Commission of the City of DAWSONVILLE, Georgia this 16th day of February, 2015.

Attest:

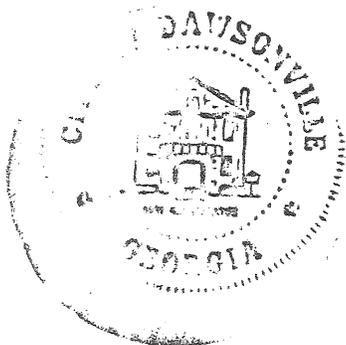
CITY OF Dawsonville, GEORGIA

Bonnie M. Warne
Signature of City Clerk

W. James Grogan
Signature of Mayor

Bonnie M. Warne
Print Name of City Clerk
(SEAL)

W. James Grogan
Print Name of Mayor



Please do not write below this line (for GMEBS USE ONLY)

The terms of the foregoing Employer Declaration and Application are approved by the GMEBS Life & Health Program Administrator this 27th day of MARCH, 2015.
Subject to the applicable terms of the GMEBS Life and Health Program Participation Agreement and the Plan(s), the effective date of the coverages (or any change in coverage) as reflected in this Employer Declaration and Application will be the date shown under "Declaration Effective Date" on the first page of this form.

GMEBS LIFE & HEALTH PROGRAM ADMINISTRATOR
By: *D. James Fortin*