

MINUTES
CITY COUNCIL MEETING
May 2, 2011
5:00 P.M.

CALL THE MEETING TO ORDER: Mayor Joe Lane Cox called the meeting to order at 5:00 p.m.

ROLL CALL: Those present included Mayor Joe Lane Cox, Council Members Calvin Byrd, Mike Wilson, W. James Grogan and Mike Sosebee. Staff included Dana Miles, Bonnie Warne and Russ Chambers.

INVOCATION AND PLEDGE: Invocation was led by James Grogan, followed by the pledge.

APPROVAL OF MINUTES: Council unanimously approved the minutes of the regular meeting held April 4, 2011. Motion by James Grogan; seconded by Mike Wilson.

AMEND AGENDA: Dana Miles requested to amend the agenda to correct an error on the Aug. 2, 2010 minutes on the millage rate. Mike Sosebee motioned to amend the agenda; seconded by Mike Wilson. Vote carried unanimously in favor. Calvin Byrd motioned to correct the minutes that reflected 2009 to say 2010 on the millage rate; seconded by Mike Sosebee. Vote carried unanimously in favor.

NEW BUSINESS:

Proposed Multifamily Development on Perimeter Rd: Kevin Buckner, TGB Residential, spoke of the proposal for City support of development which will rent to those who earn no more than 60% of area median income with possible government assistance on construction. Mike Wilson motioned to authorize the Mayor to sign a letter of support (Exhibit "A") and resolution (Exhibit "B"); Mike Sosebee seconded the motion. Vote carried unanimously in favor.

Downtown Development Authority (DDA) Report: Chris Gaines, Chair of DDA, spoke on their meeting April 18th. They approved moving forward with supporting GMA's financing of Cheryl Woods distillery. They also met with Faith Luke, LBR Creative, to create a website for the DDA promoting downtown.

Intergovernmental Agreement between Dawson County and the City of Dawsonville relating to the 2011 Municipal Elections in the City of Dawsonville: Dana Miles spoke on the IGA. Mike Sosebee motioned to approve the IGA; Mike Wilson seconded the motion. Vote carried unanimously in favor. (Exhibit "C")

Potential Referendum on Sunday Alcohol Sales: The Governor signed the bill for each City/County to decide if they want to add Sunday alcohol sales on the election ballot for the voters to vote on. Council was unanimously against taking action toward adding to the ballot.

PUBLIC HEARINGS: NONE

STAFF REPORT:

Bonnie Warne reported on the Financial Report for March 2011 stating that the City is in the positive. The L.O.S.T. funds received in March: \$63K.

Mayor Cox spoke on a letter received from Brook Anderson, Etowah Water, which after speaking with Gary Barr, the plan is to turn over the letter to the City Engineer, Ben Turnipseed to investigate the water line ownership as mentioned in the letter.

MAYOR'S REPORT:

Mayor Cox reported that he notified the County that we appreciated their help but that we have hired Ronald Gilleland to do the City building permit inspections and soil erosion.

Mayor Cox asked the Council to set a called meeting for the first hearing of proposed 2011-12 budget and set the tax millage rate. Calvin Byrd motioned to call a special meeting for the purpose of the 2011-2012 budget on May 23, 2011 at 5:00 p.m. at City Hall. James Grogan seconded the motion. Vote unanimously in favor.

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The Mayor stated that this is Clerk's Week: Appreciation was given to Bonnie Warne, City Clerk.

There are a few events happening: County Promotion Ceremony on May 12, Spring Fling on May 7 & 8, Kiwanis 5K/10K Run on May 7.

COUNCIL REPORTS:

Calvin Byrd attended the GMRC meeting where they spoke of budget cuts and rate increases. The READ Fundraiser Banquet held at the GRHOF Gordon Pirkle Room had a good turnout.

Mike Wilson attended the Health Department Board Meeting which discussed the 74 area restaurants and that we share an environmental specialist with Habersham.

James Grogan mentioned that the GRHOF/Dawsonville History Board brick project to fund a sidewalk project to the museum. They are working on a sponsorship program. There are many improvements and additions happening before the Grand Re-Opening on May 28th.

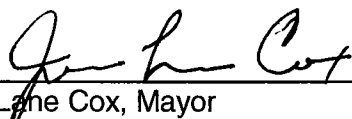
EXECUTIVE SESSION:

At 5:35 p.m. council voted to go out of regular session and into executive session for the purpose of pending litigation. The motion carried unanimously; Grogan/Byrd.

At 5:44 p.m. council voted to close executive session and reconvene the regular meeting. The motion carried unanimously; Sosebee/Wilson.

ADJOURNMENT:

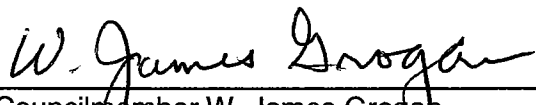
There being no further business to attend to the meeting adjourned at 5:44 p.m. The motion carried unanimously; Sosebee/Wilson.



Joe Lane Cox, Mayor



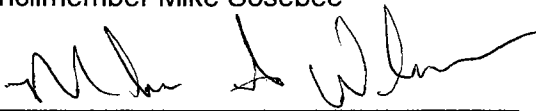
Councilmember Calvin Byrd




Councilmember W. James Grogan



Councilmember Mike Sosebee



Councilmember Mike Wilson

Attested: 

Bonnie Warne, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Joe Lane Cox, Mayor, Calvin Byrd, Council Member; James Grogan, Council Member; Mike Sosebee; Council Member and Mike A. Wilson, Council Member; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1.
The City of Dawsonville Council met in a duly advertised meeting on the 2 day of May, 2011.

2.
During such meeting, the Board voted to go into closed session.

3.
The executive session was called to order at 5:35 a.m. (p.m.)

4.
The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(6);

Other _____ as provided in: _____.

This 20 day of June, 2011.

City of Dawsonville, Mayor and council

Joe Lane Cox
Joe Lane Cox, Mayor

Calvin Byrd
Calvin Byrd, Council Member

W. James Grogan
W. James Grogan, Council Member

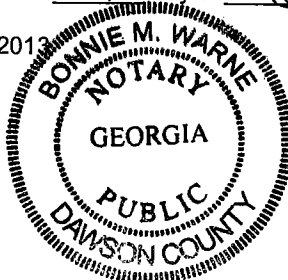
Mike Sosebee
Mike Sosebee, Council Member

Mike A. Wilson
Mike A. Wilson, Council Member

Bonnie M. Warne
Bonnie Warne, City Clerk
Notary Public

Sworn to and subscribed before me this 20 day of June, 2011.

My Commission expires: June 14, 2013



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



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

May 11, 2011

Office of Affordable Housing
Georgia Department of Community Affairs
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231

RE: Farmington Woods Apartments, located on Perimeter Road
Land Lots 511 and 56 of the 4th
City of Dawsonville, Dawson County, GA,

Dear Sir or Madam:

MHL, Incorporated, the developer of the referenced proposed development, has notified the Mayor of the City of Dawsonville of its intention to develop and to apply to the Georgia Department of Community Affairs (DCA) for Low Income Housing Tax Credit (Credit) and/or financing through the HOME Investment Partnerships Program (HOME) for the development of units affordable to low income residents.

The purpose of this letter is to convey our understanding of the details of the project, as stipulated in the State of Georgia's 2011 Qualified Allocation Plan. The details are as follows:

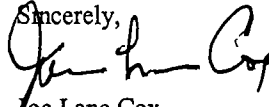
Project Name:	Farmington Woods
Project Address and/or Lot Number:	Perimeter Road/ Land Lots 511 and 56 of the 4 th District First Section City of Dawsonville, Dawson County Georgia
Owner/Developer Name:	Kevin Buckner/MHL, Inc
Owner/Developer Address:	3825 Paces Walk, SE, Suite 100 Atlanta, GA 30339

Total Number of Units:	up to 72
Total Number of Units Set Aside for Low Income Residents:	up to 72
Project Type (New Construction/Rehabilitation):	New Construction
Tenancy (Family/Elderly/Special Needs):	Family

I hereby certify that I am the chief elected official of this jurisdiction, or the person duly authorized to speak on behalf of the elected person or body constituting the government of this jurisdiction, as specified in the attached copy of the charter or bylaws of the governmental body. In this capacity, I hereby state that the City of Dawsonville (*check one*):

- Opposes the proposed development as presented.
 Is unopposed to the proposed development as presented.
 Supports the proposed development as presented, as evidenced by the attached Resolution of Support.

Finally, I understand that I will also be notified by DCA when the Owner/Developer submits its application for Credit and/or HOME funding, and be given 30 days to provide additional comments on the application.

Sincerely,

Joe Lane Cox
Mayor

Attachments: *Resolution of Support*

A RESOLUTION OF SUPPORT FOR THE REQUEST BY FARMINGTON WOODS, LP TO APPLY FOR AFFORDABLE HOUSING TAX CREDITS FOR FAMILIES UNDER THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS 2011 QUALIFIED ACTION PLAN ("FARMINGTON WOODS"); TO AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, the City of Dawsonville, Georgia ("City") acknowledges that the number of families households represent a growing segment of Dawsonville's population, and;

WHEREAS, the City believes in providing quality, affordable housing for families;

WHEREAS, multifamily residences is an approved zoning classification for the proposed development and is consistent with the City's Comprehensive Land Use Plan, and;

WHEREAS, Farmington Woods, LP will be the owner of "Farmington Woods Apartments", a proposed multifamily rental development for families with a maximum of 72 units pursuant to the regulations of Georgia's Office of Affordable Housing - Low Income Housing Tax Credit Program; and;

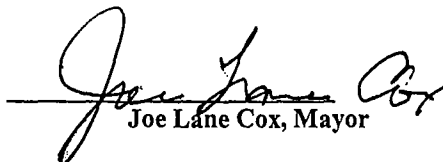
WHEREAS, the property is located within Land Lots 511 and 56 of the 4th District First Section, and;

WHEREAS, the City in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for affordable housing for families to be in the best interests of the citizens of the City, that this resolution be adopted.

THEREFORE, IT IS NOW RESOLVED BY THE CITY OF DAWSONVILLE, GEORGIA, AS FOLLOWS:

1. Finding. That the City of Dawsonville hereby supports the proposed development named "Farmington Woods".
2. Condition. That City of Dawsonville supports the proposed development.
3. Public Purpose. The City of Dawsonville finds that the foregoing action constitutes a major stem in preserving the health, safety, well being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
4. Severability. To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. Repeal of Conflicting Provisions. All Council resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. Effective Date. This Resolution shall take effect immediately.

This Resolution adopted this 2 day of May, 2011


Joe Lane Cox, Mayor


Witness

STATE OF GEORGIA
COUNTY OF DAWSON

**INTERGOVERNMENTAL AGREEMENT BETWEEN DAWSON COUNTY
AND THE CITY OF DAWSONVILLE RELATING TO
THE 2011 MUNICIPAL ELECTIONS IN THE CITY OF DAWSONVILLE**

THIS INTERGOVERNMENTAL AGREEMENT is hereby made and entered into this 5th day of May, 2011, 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 Dawson County Board of Elections and Registration ("Board of Elections") conducts all elections within Dawson County; and

WHEREAS, the City is presently responsible for conducting elections within the City of Dawsonville; and

WHEREAS, the City has requested and the County has agreed to allow the County Board of Elections to conduct on behalf of the City the general city elections for the year 2011;

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:

With respect to the municipal elections, including the general election to be held on November 8, 2011 and any runoffs necessitated as a result of said general election, the Dawson County Board of Elections shall conduct all such elections for the City at City Hall.

1.

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

2.

The City shall reimburse the County for the expense incurred by the Board of Elections associated with the general and any runoff elections, to wit: the hourly rate of the County Registrar and the hourly rate of assistants needed to assist the County Registrar in conducting the election, but in no event shall the number of assistants exceed two (2). 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.

3.

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.

4.

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 ninety (90) 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.

5.

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, GEORGIA

ATTEST:

By: Mike Berg
Mike Berg, Chairman

David Simpson
David Simpson, County Clerk

DATE: May 5, 2011

CITY OF DAWSONVILLE

ATTEST:

By: Joe Lane Cox
Joe Lane Cox, Mayor

Bonnie Warne
Bonnie Warne, City Clerk

DATE: May 23, 2011

Approved: [Signature]

DAWSON COUNTY BOARD OF ELECTIONS AND REGISTRATION

ATTEST:

By: Glenda Ferguson
Glenda Ferguson, Chairperson

Karen Marie Armstrong
Name: Karen Marie Armstrong
Title: Assistant to Board of Elections
expires: Jan 4, 2015

MUNICIPAL GENERAL ELECTION – NOVEMBER 8, 2011

Voter Registration Deadline – OCTOBER 11, 2011

PERSONNEL	AFFILIATION	DUTIES	DURATION	BEG DATE	END DATE
CITY ELECTION SUPERVISOR	City	Candidate Qualification	5	8 29 11	9 02 11
COUNTY ELECTION SUPERINTENDENT:	County/KSU	Design Ballot	1	9 06 11	9 06 11
	KSU	Create Ballot Database – TS/OS	5	9 12 11	9 16 11
	ES&S	Print OS Ballot; Absentee Provisional Challenged	5	9 19 11	09 23 11
	County	Inventory Absentee/Election Supplies	1	9 26 11	9 26 11
	SOS	Order Absentee/Election Supplies	1	9 26 11	9 26 11
COUNTY TECHNICAL CUSTODIAN:	County	Global Elections Management System (GEMS): Upload Database & Memory Cards Voting Equipment: Logic & Accuracy Procedure (L&A)	2	10 05 11	10 06 11
COUNTY ELECTION SUPERINTENDENT	County	Order Municipal Electors List	14	10 14 11	10 14 11
COUNTY ELECTION SUPERINTENDENT	County	Publish Sample Ballot	2	10 07 11	10 14 11
ABSENTEE PRECINCT BOARD (3) : County – Chief Manager City – Assistant Manager (2)	County/City	OS Absentee Mail-in NO ID / NO Reason required	22	10 17 11	11 04 11
		TS Absentee Walk-in PHOTO ID / NO Reason required	12	10 17 11	10 28 11
		TS Absentee Advance PHOTO ID / NO Reason required	5	10 31 11	11 04 11
ELECTION DAY PRECINCT BOARD (3): County – Chief Manager City – Assistant Manager (1) City – Assistant Manager (1)	County/City	Conduct Election Day Voting – 7 A.M. – 7 P.M.	1	11 08 11	11 08 11
ABSENTEE BALLOT TABULATION BOARD (3) : County – Chief Manager City – Assistant Mgr. (1) County – Assistant Mgr. (1)	County/City	Tabulate votes – OS & TS Voting equipment	1	11 08 11	11 08 11
COUNTY TECHNICAL CUSTODIAN	County	Global Elections Management System (GEMS): Download Election Results	1	11 08 11	11 08 11
COUNTY ELECTION SUPERINTENDENT / BOER Alert Board Members 10/31/11	County	Election Consolidation / Certification	1	11 11 11	11 11 11

EXHIBIT "C"