

FIRST READING 7-11-05

SECOND READING 8-1-05

PUBLICATION DATES: June 22 & 29, 2005

July 6, 20 & 27, 2005

AN ORDINANCE TO CREATE THE GEORGIA RACING HALL OF FAME COMMISSION; TO DEFINE PURPOSES AND POWERS; TO DEFINE TERMS OF MEMBERS, PROCEDURES FOR APPOINTMENTS AND FILLING VACANCIES; TO DEFINE EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Racing Hall of Fame was created for the purpose, among other things, of operating a museum containing Georgia racing artifacts, including facts and artifacts related to the local history of racing in the City of Dawsonville, Dawson County and surrounding areas; and

WHEREAS, the City of Dawsonville has determined that the Georgia Racing Hall of Fame and Dawsonville's unique and rich place in Georgia's racing history are an important part of the local history and the culture of the City of Dawsonville. The City has further determined that the continuation of the Georgia Racing Hall of Fame museum containing racing artifacts and other local historical treasures will ensure that the City's history is preserved and provide an important opportunity to educate the public and create an attraction for visitors to the Dawsonville community; and

WHEREAS, pursuant to the City of Dawsonville's Charter, Section 1.12 (41), the City is authorized to create commissions and agencies of the City and to confer upon the same the such powers as may be delegated by the City; and

WHEREAS, the Mayor and Council have determined that the creation of a commission is necessary for the purpose of managing and operating a museum for the preservation and education of historical and cultural matters related to the Georgia Racing Hall of Fame and the City of Dawsonville.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE, GEORGIA HEREBY ORDAINS, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME THE FOLLOWING:

Section 1. Creation and Appointment.

1. The Georgia Racing Hall of Fame Commission for the City of Dawsonville is hereby created (“Commission”). The Commission shall be composed of five (5) members. The Mayor and Council shall appoint the original members according to the following schedule: two (2) members shall be appointed to serve a one year term, and three (3) members shall be appointed to serve a two (2) year term. Thereafter, members of the Commission shall serve for two year staggered terms and shall be appointed as follows: members of the Commission shall nominate a person to serve on the Commission to the Mayor and Council, which shall approve or reject such nomination. The initial appointments shall be:

Faye Abercrombie	1 year term
Fred Goswick, Jr.	1 year term
Gordon Pirkle	2 year term
Annie Dean Samples	2 year term
David Sosebee	2 year term

If a nominee is rejected by the City Council, a new nominee will be selected by the members of the Commission and submitted to the Mayor and Council for approval.

2. Vacancies. Any vacancy created by the resignation or removal of a member, as set out below, shall be filled for the unexpired term of such vacancy in the same manner as appointments.

3. Removal. The Mayor and Council may remove any member of the Commission for due cause after written notice to such member. Due cause shall include, but not be limited to, failure of a member to attend at least 60% of the Commission meetings during a calendar year, conviction of a felony or crime of moral turpitude, or other actions by a member which violate the terms of this ordinance or are inconsistent with the goals of the Commission.

4. Qualifications. Members of the Commission shall be residents of the state of Georgia willing to commit their time and efforts to ensuring the success of the Georgia Racing Hall of Fame museum. Members must be familiar with and comply with the terms of this Ordinance.

5. Quorum, Voting and Officers. Members of the Commission shall appoint a Chairman, Vice Chairman/Chairman Elect, and Secretary. The presence of three members shall constitute a quorum which shall be required to hold a meeting of the Commission. Every member shall vote on matters concerning the Commission, however, in the absence of one member, a tie vote shall constitute a defeat of the matter before the Commission.

6. The City Clerk or her designee shall be an ex-officio, non-voting member of the Commission. The City Clerk will coordinate matters between the Commission and the Mayor and Council. The City Clerk will act as Treasurer for the Commission and shall provide financial reports to the Commission at each of its meetings. Commission funds shall be maintained by the City Clerk in a separate account and not commingled with any other City funds.

Section 2. Meetings and Records.

The Commission shall meet at least 4 times a year on a quarterly basis, or more frequently, as determined necessary by the Commission. The Commission shall conduct its business and meetings according to Robert's Rules of Order, latest edition. The Commission shall maintain and keep record of agendas and minutes of all

meetings, resolutions, recommendations, accounting, transactions, findings, and determinations, and all such records shall be public record. The Commission shall designate a regular time and day to hold all meetings, unless otherwise agreed by the Commission. Notice of all meetings shall be provided in accordance with applicable law or as otherwise deemed appropriate by the Commission.

Section 3. Purpose.

The purpose of the Georgia Racing Hall of Fame Commission shall be to operate and manage all functions of a museum, which shall be located within City Hall and occupy such space as provided for in a lease agreement between the Commission and the City. The museum shall consist of such artifacts and historically relevant information related to matters set forth in the Georgia Racing Hall of Fame, as approved by state legislation, local historical racing artifacts and information; and other artifacts and factual information as may be of local historical and cultural significance that meets the criteria of the Commission in its roll as curator. The Commission shall also manage and operate the museum so as to present such artifacts and information for the purpose of educating visitors of the museum on the historical and cultural contents of the museum.

Section 4. Powers and Duties.

The Georgia Racing Hall of Fame Commission shall have the following powers and duties:

1. Manage all aspects of the day to day operations of the Georgia Racing Hall of Fame museum, including without limitation, providing for opening and closing the museum; and staffing the museum with such volunteers and employees as are necessary for the functions of the museum.
2. Make expenditures for the purchase of required equipment and supplies necessary for the operation of the museum. All expenditures, excluding gifts or donations, shall be made within amounts appropriated by the Mayor and Council.

3. Supervise and recommend employees necessary for the operation of the museum, provided that all hiring and firing of employees shall be approved by the Mayor. All museum employees shall be employees of the City of Dawsonville, subject to all employment policies, procedures and requirements of the City of Dawsonville, unless otherwise specifically provided by the Mayor and Council.
4. Conduct all activities necessary and associated with the advertisements, promotions and publicizing of the museum, including such promotional events as may be appropriate to attract visitors to the museum.
5. Conduct fundraising events and activities to raise monies for the purposes of the operation of the museum.
6. Solicit and accept funds from private persons or entities for the purpose of obtaining funding for the operation of the museum and acquisition or purchase of artifacts, supplies or equipment necessary for the museum. Contributions shall be made payable to the City of Dawsonville and restricted only for the use of the Georgia Racing Hall of Fame Commission.
7. Apply for, solicit, and accept funding from local, state, federal or other public or semi-public agencies for the purpose of obtaining funding for the operation of the museum and acquisition or purchase of artifacts, supplies or equipment necessary for the museum.
8. Display, present and preserve such artifacts and information related to matters of the Georgia Racing Hall of Fame, as established by state legislation, local racing history and other matters of local historical and cultural significance in a manner that is most appropriate and attractive for the education of visitors to the museum.
9. Any contract necessary to effectuate the purposes and powers defined in this ordinance shall be approved by the Mayor and Council, which shall include any

lease or purchase agreements as may be necessary for the acquisition of equipment, supplies and artifacts for the museum.

Section 5. Funding and Donations

1. The Commission shall be funded by such amounts as are appropriated to it on an annual basis by the City as part of the City's budget. In addition, the Commission may receive funding or artifacts/exhibits/memorabilia from the following sources:

- a. Fundraising events that it conducts or that are conducted for its benefit;
- b. Admission or entrance fees charged for museum tours;
- c. Donations from public or private persons or entities; and
- d. Grants or loans that are coordinated through and approved by the City.

2. All funds and artifacts/exhibits/memorabilia received by the Commission shall be held by the Commission in a fiduciary capacity for use only in the museum or for the benefit of the museum. The Commission shall have the authority to buy or sell artifacts/exhibits/memorabilia only upon approval of the Mayor and Council.

3. The funds and artifacts/exhibits/memorabilia received by the Commission shall not be considered general assets of the City, but separate trust assets administered by the Commission subject to approval by the Mayor and Council. These assets shall not be pledged or encumbered by the Commission or by the Mayor and Council for any debt.

Section 6. Effective Date.

This ordinance shall become effective on this upon adoption, the public welfare demanding the same.

SO ADOPTED by the City Council of Dawsonville, Georgia, this 1 day of August, 2005.

CITY OF DAWSONVILLE

By:

Joe Lane Cox, Mayor

Jonathan Cox, Council Member

Mike Sosebee, Council Member

Mike Wilson, Council Member

Tim Wimpey, Council Member

ATTESTED:

Kim Cornelison, City Clerk