**Approved by the City Council August 1, 2023**

**Regular City Council Meeting**

**July 11, 2023**

**6:30 P.M.**

The Young Harris City Council met Tuesday, July 11, 2023, at 6:30 PM for their Regular Monthly Meeting. Present at the meeting were the Mayor: Andrea Gibby; City Attorney: Marvin Harkins; City Clerk: Nicolette Wade; Finance Officer: Ana Hess; City Council Members: Matt Miller, Steve Clark, Terry Ingram and John Kelley; Economic Development Director: Denise McKay; Vice President of Finance and Operations at Young Harris College: Bo Wright; Towns County Herald Staff Writer: Brittany Holbrooks; Towns County Civic Association members: Jim Olson, Gordy Jones; and Young Harris resident David Sellers. Chad Houser and Jenny Stowers of Boy Scout Troup 125 were attending along with several members of the Troup. Council Member Donald Keys was absent from the meeting.

Before the Call to order the Boys Scouts asked everyone to stand and recite the Pledge of Allegiance to the Flag of the United States of America.

**Call to Order:** Mayor Gibby called the meeting to order at 6:30 PM. She introduced herself, the Council, Ana, and Nicolette to the audience. She stated that a quorum was present but Donald Keys was absent.

**Agenda:** Mayor Gibby asked the Council to look over the Agenda. John Kelley requested a Closed Session be held to discuss real estate. John Kelley made a motion to approve the Agenda as presented, seconded by Matt Miller and approved unanimously.

Troup Master Chad Houser and the Boy Scouts were called to the front of the room by Mayor Gibby. Chad Houser explained he is the Scout Master of Troup 125 in Hiawassee. He introduced the individual scouts to the audience. Chad would like the Troups to be more involved with community and service and also let them see how local government works. She presented an award to Jack Stowers, Cub Scout, who helped out with the Seafood Festival.

**Approval of Minutes of Public Hearing – Zoning Ordinance - June 6, 2023 at 6:15 PM:** Matt Miller made a motion to approve the Public Hearing – Zoning Ordinance Minutes - June 6 as presented, seconded by Steve Clark, and approved unanimously. A copy of the Minutes is attached and incorporated herein by reference.

**Approval of Minutes of Regular Monthly Meeting – June 6, 2023 – 6:30 PM:** Steve Clark made a motion to approve the Minutes of the June 6 Regular Monthly Meeting as presented, seconded by Matt Miller and approved unanimously. A copy of the Minutes of the June 6 Regular Monthly Meeting is attached and incorporated herein by reference.

**Approval of the Minutes of the Water/Sewer Committee Meeting – June 27, 2023 – 6:00 PM:** John Kelley made a motion to approve the June 27 Water/Sewer Committee Meeting Minutes as presented, seconded by Steve Clark and approved unanimously.

**Financial Report – Ana Hess:** We have no communication from the auditors for 2022 from the February field work, but today we received and email from the auditor that he will be visiting Wednesday and Thursday. He has had some staff problems. Hopefully we can get a report on the current status of the audit.

Ana explained there was an amended budget in their online packet. She did not change anything from last year. The approved budget numbers from last year are in blue. Some accounts were updated.

Mayor Gibby said budget updates have to be done periodically. A copy of the Amended Budget is attached and incorporated herein by reference.

Also included in the packet was the Financial Report Package May, 2023, a copy of which is attached and incorporated herein by reference. Steve said that the sewer figures were about $8,000 short. Ana said there were some issues with meters but she did not know why the sewer is low but it may get corrected with the June figures. Mayor Gibby said it may be a seasonal thing because of the college not being in session.

Matt Miller made a motion to approve the Amended Budget as presented, seconded by Steve Clark and approved unanimously.

John Kelley made a motion to approve the Financial Report Package for May, 2023 as presented, seconded by Steve Clark and approved unanimously.

**Attorney Harkins Invoice:**  Mayor Gibby stated the Attorney invoice for June is higher than her ability to approve at $3,472.00. She further explained that Attorney Harkins is working on updating the Personnel Manual which is pretty cumbersome. John Kelley made a motion to approve the invoice for Harkins Law, LLC in the amount of $3,472.00, seconded by Terry Ingram and approved unanimously. A copy of the invoice is attached and incorporated herein by reference.

**Bureau Veritas Master Fee Schedule and Cover Ordinance:** John Kelley said he had reviewed the Fee Schedule and he thinks it is fine. The good thing about the schedule is that as we need to evolve projects we can do so and it is far superior to anything we have had in the past. Mount Zion Church is a test case of how well it will work. He did get a calculation regarding what the church’s ultimate bill will be which is about 70% of the original number. The contractor said he would like to pay all of it at one time and Hal Chitwood said they were flexible and can work with that. John Kelley made a motion to approve the revised Master Fee Schedule, seconded by Steve Clark and approved unanimously. Copies of the Cover Ordinance and Master Fee Schedule are attached and incorporated herein by reference.

**Timberline Booster Pump:** Steve Clark said the report came back from Keck and Wood and included everything we have talked about the last month. There is a Hussey Gay Bell proposal in the package with a smaller booster pump on the lower end and a booster pump with a bladder at the existing pump station and a tank up top. The time frame is 8 weeks from the time the contract is signed. John Kelley expressed a debt of gratitude to Steve for all the work he has put into this project. John Kelley made a motion to accept the Hussey Gay Bell proposal in the amount of $40,300.00, seconded by Terry Ingram and approved unanimously. Copies of the Keck and Wood report and the Hulsey Gay Bell proposal are attached and incorporated herein by reference.

**Sewer Line Rehabilitation:** Steve decided to go straight to Jonathan for a proposal which he should have by the August meeting. The first one is a stretch of sewer from the SPA driveway to the fishing pond on Highway 76 (BV-39). There are 3 basins there and this is the worst sewer infiltration and is the first one that will be done. The second is the line from the fishing pond to about the property line of the church turning and going toward the creek (BV-45). About half of this was replaced 10 or 12 years ago so it is not included in the proposal. Steve handed the Council Scope of Work and Bid Requirements for both sections BV-39 and BV-45, a copy of which is attached and incorporated herein by reference. Also there are manholes that are broken and brittle and there are a couple of ways to do this. One is to gut it out and re-grout it which is the traditional way or an aluminum concrete injection process. He is talking to Jonathan to find out which one is most effective and what the cost will be. He wants to find out if Jonathan is a single source contractor or not.

Matt Miller asked if that line has the ability to handle the church. Steve said the original designer of the lift station which we believe would be G Ben Turnipseed should have planned for future development. Nicolette will ask Dean to find the lift station plans and also the size of the water lines in that area to see if they are large enough to handle more customers.

**Water Meters:** Steve said it was his understanding that we were not going to pay for meters until we received all of them, however, Ana explained that we are ordering meters and paying as we go. We are doing incremental shipments and payments. So far we have only received one shipment.

Attorney Harkins arrived at this time. He was late because he is also attorney for the City of Blairsville which meets on the second Tuesday of each month and is only a conflict when Young Harris changes their normal date of the first Tuesday of each month due to a holiday.

**Appearances: David Sellers:** David asked if they have information on Sunset and High Street that he asked about in the June meeting. He said his attorney sent a letter to Attorney Harkins. Attorney Harkins said he received an email from Mr. Sorgen and has also talked to him. The issue is not does the City have an obligation to maintain the street. The City does and just paved a portion of that last year. There is a gap from the original plans in the fifties or sixties site plans for Sunset Estates which shows the boundaries of individual properties. There is one road that is not actually a road but it is on the plat. There is a water line that runs parallel to the road. Separate from maintaining the road is an easement for maintaining the water line. Mr. Sorgen knew more about that area than Attorney Harkins said he did. David’s plat says that Sunset has a 45 foot wide easement which does not mean that was actually the easement. Attorney Harkins needs to know what the Council wants him to do.

David said the City has maintained the culverts in the past and arbitrarily stopped doing it. Attorney Harkins said he did not recall that being part of the conversation with Mr. Sorgen.

Steve said most of the roads are old. There are no deeds with right of ways. We need to clear up old titles. Steve suggested the Council authorize Attorney Harkins to engage a title attorney to get a description of the easement. The second issue is how we divvy up maintenance. He had given the Council a policy from Shady Shores, Texas, a copy of which is attached and incorporated herein by reference, and said perhaps we want to do something like this as a policy or ordinance.

Terry Ingram made a motion to hire a title attorney, seconded by Steve Clark and approved unanimously.

Mayor Gibby said we want to find out the facts and exactly who is responsible for right of ways. She said in 2012 the Council had the same discussion and it was not resolved so we want to resolve the issue now.

**Main Street Georgia:** Rosemary Royston reported that she had chosen a Main Street Board. The members are Michelle Barnard, Dana Cable, Jess Harris, John Luc, David Sanford, and Dana Dockery. They are discussing how to create income for Main Street. They have 8 venders for Porchfest. Attorney Harkins explained the Council has to appoint members to the Board and the Board has to adopt the bylaws. Matt Miller made a motion to approve the Board Members as presented by Rosemary Royston, seconded by Terry Ingram, and approved by Matt Miller, John Kelley, and Terry Ingram. Steve Clark had stepped out of the room temporarily at the time of the vote. A copy of the Board Member List, proposed by laws, and Main Street Director report are attached and incorporated herein by reference.

**Economic Development:** Denise McKay said the JDA met last month and had a guest speaker from the Department of Community Affairs. Eighteen people attended. An application was submitted for new apartments that are covered under Section 42. There is a sign-up sheet for people who want to get into the apartments. She handed an information sheet regarding Section 8 and Section 42 to the Council as well as two flyers regarding Potential Housing Opportunity. A copy of the handouts is attached and incorporated herein by reference.

Mayor Gibby said there was negative information on the radio about the apartments. People have told the Mayor they want and need the affordable housing that the apartments will offer. She said the newspaper editor, Shawn Jarrard, is willing to write an article about the apartments.

**Attorney’s Report:** Attorney Harkins said we are getting a survey done on the property donated by Shirley Miller before the closing can be completed which has a deadline of September.

**Mayor’s Report:** Mayor Gibby showed the Council the official plaque of being a City of Civility. She said she finished a leadership class last year. It was seven months of intense coursework.

**Closed Session:** John Kelley made a motion to go into Closed Session to discuss real estate, seconded by Matt Miller and approved unanimously. While in Closed session the Council authorized the Mayor to sign an affidavit stating that the only issue discussed was real estate. A copy of the affidavit is attached and incorporated herein by reference. John Kelley made a motion to come out of Closed Session, seconded by Matt Miller and approved unanimously.

There was no further action taken in Open Session and John Kelley made a motion to adjourn the meeting.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Andrea C. Gibby, Mayor

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nicolette Wade, City Clerk