

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
MARCH 27, 2018
TUESDAY AT 10:00 AM
CBC (OLD LODGE), 696 SKY VALLEY WAY**

AGENDA

- 1. Call to Order**
- 2. Invocation/Pledge of Allegiance**
- 3. Approval of Minutes**
February 27, 2018 – Regular Council Meeting
March 1, 2018- Work Session
March 20, 2018- Work Session
- 4. Adoption of Agenda**
- 5. Mayor's Remarks**
- 6. Council Remarks**
- 7. City Manager & Department Reports – Exceptions and Questions**

PROGRESS REPORT

- 8. Radar Sign – Received and awaiting installation**
- 9. Fire Department Lease- Projected for May Work Session**
- 10. SDS- Meeting held 03/21/18- in negotiation**
- 11. SPLOST- In negotiation**
- 12. Pavilion – Reservations, Rules & Staging in progress**
- 13. Charter & Rules of Procedure- Being reviewed by attorney**
- 14. 2018 Audit- Projected for June Work Session**
- 15. Surplus Lots-Under review by Attorney**

NEW BUSINESS

- 16. Appointment to Rabun County Water & Sewer Authority- Mike Commons**
- 17. Ethics Ordinance**
- 18. Agreement with Rabun County TDA – Hotel/Motel Tax Funds**
- 19. Consider Contract for Probation Services –CSRA Probation Services, Inc.**
- 20. Mayor's Arbor Day Proclamation**
- 21. Ratify Approval of TruVista Audit**

OTHER BUSINESS

- 22. Public Forum and General Comments**
- 23. Adjournment**

MINUTES OF THE REGULAR COUNCIL MEETING HELD AT CITY OF SKY VALLEY, GEORGIA ON FEBRUARY 27, 2018 AT TUESDAY AT 10:00 AM CBC (OLD LODGE), 696 SKY VALLEY WAY

MEMBERS PRESENT: Mayor MacNair, Councilors Durpo, Howard, Larsen, Piontkowski & Wheeler

STAFF PRESENT: City Manager Lapeyrouse, City Clerk Fast and Officer Ronald Baumes

1. Call to Order

Mayor McNair called the meeting to order.

2. Invocation/Pledge of Allegiance

Cathy Turner gave the Invocation and Mayor MacNair led the Pledge of Allegiance.

3. Approval of Minutes

January 2, 2018- Regular/Organizational

February 20, 2018- Work Session

Councilor Howard made a motion to approve the minutes. Councilor Larsen seconded the motion and passed unanimously

4. Adoption of Agenda

Councilor Durpo made motion to adopt agenda. Councilor Larsen seconded the motion and passed unanimously.

5. Mayor's Remarks

Mayor MacNair no remarks, rushing meeting

6. Council Remarks

Councilor Larsen thanked City Manager Lapeyrouse for getting the Auditor to come answer questions. City Manager Lapeyrouse stated there will be a public meeting on Thursday, March 1st at 10:00 A.M. where the auditor will answer questions.

Councilor Howard told everyone good morning.

7. City Manager & Department Reports – Exceptions and Questions

City Manager Lapeyrouse stated reports have been emailed.

PROGRESS REPORT

8. Radar Sign

Mayor MacNair stated we are waiting on the Police Chief to get well and back to work for the sign to be properly installed.

9. Fire Department Lease

Councilor Wheeler stated the Board will meeting in April and we will follow up with David Spears after their meeting.

10. SDS

Councilor Wheeler provided an update on the meetings he as attended and double taxation is an issue.

11. SPLOST

City Manager there is a possible Referendum March 2019. The City of Sky Valley has made their request.

PUBLIC HEARING

12. Public Hearing for Tree Ordinance

Mayor MacNair presented the following rules:

Intro:

The purpose of this public hearing is to receive public comments on the proposed Tree Ordinances.

Ground rules for the public hearing:

Public comments and questions will be taken one person at a time. Please refrain from all "cross talk" and the rules of decorum shall apply. When recognized by the Mayor, please stand, if possible, and state your name and address. Please make your comments concise and to the point. You will have 5 minutes to speak and be allowed to speak on only once, giving consideration for follow-up questions. I will open the public hearing by first taking questions or comments in "opposition to" either the proposed Tree Ordinance. Once all comments "in opposition to" the Tree Ordinance I will close that side of the public hearing and call on those individuals who wish to speak "in favor of" the proposed Tree Ordinance. When those "in favor of" have completed their comments, I will close the public hearing. No additional comments will be taken at that time.

Opposition

Maureen Platt- The ordinance needs to be scaled down.

Favor

Helen Kleiber- Stated she was one of the five on Planning & Zoning Committee and feels very strong about the tree ordinance. She volunteered to continue and scale down the ordinance.

Debbie Dalhouse-Curtis- Stated she agreed with Helen and document can be modified.

Jim Curtis- Stated the existing tree ordinance is problematic and not specific enough. New ordinance is easier to understand and an improvement over the current ordinance. He encouraged Council to approve.

Robert Smalley stated he was originally against but then turned the corner with drop crouch pruning. The new ordinance is better than the one we currently have.

Mayor MacNair closed the Public Hearing.

Councilor Wheeler made a motion to reject the proposed ordinance and no future investigation on the tree ordinance. Councilor Piontkowski seconded the motion. Those that voted for the motion were Durpo, Howard, Piontkowski & Wheeler and Larsen voted no.

Councilor Larsen asked Bob Powers, Building Inspector if he asked for new ordinance. Mr. Powers responded, yes.

Councilor Howard asked Bob Powers, Building Inspector if had read and understand. Mr. Powers responded, yes.

NEW BUSINESS

13. Consider Tree Ordinance – Planning and Zoning Recommendation to Council

Councilor Wheeler made a motion to reject the proposed ordinance and no future investigation on the tree ordinance. Councilor Piontkowski seconded the motion. The vote for the motion was Durpo, Howard, Piontkowski & Wheeler yes and Larsen voted no.

14. Contract for Services for the Fire Department

Councilor Wheeler stepped out and did not return until after the vote.

Councilor Howard made a motion to approve the Contract for Services for the Fire Department. Councilor Durpo seconded the motion and the motion was approved with Councilors Durpo, Howard, Larsen and Piontkowski voting yes.

15. Audit Engagement Letter

Councilor Howard made a motion to approve Audit Engagement Letter from Mixon, Mixon, Brown & Tench. Councilor Durpo seconded the motion and passed unanimously.

16. Water Storage Tank Inspection

Councilor Howard made a motion to approve the Water Storage Tank Inspection in the amount of \$4995.00. Councilor Wheeler seconded the motion and passed unanimously.

17. Franchise Fee Compliance- Sky Valley – Truvista- GMA

Councilor Durpo made to approve the Resolution for the Franchise Fee Compliance – Sky Valley-Truvista-GMA and get clarification on the fee they charge. Councilor Howard seconded the motion and passed unanimously.

18. Fireworks Resolution

Councilor Wheeler made a motion to reject Fireworks Resolution as proposed. Councilor Durpo seconded the motion and passed unanimously.

19. Legal Services

Councilor Howard made a motion to appoint Douglas T. Kidd as the City Attorney. Councilor Piontkowski seconded the motion and passed unanimously.

20. Water Bill – Joe Bradshaw- 156 Ridgeview Lane

Councilor Howard made a motion to not any additional credit on the water bill. Councilor Durpo seconded the motion and passed unanimously.

OTHER BUSINESS

21. Public Forum and General Comments

No comments

22. Adjournment

Councilor Piontkowski made a motion to adjourn. Councilor Larsen seconded the motion and passed unanimously.

There being no further business to come before Mayor and Council, the meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Robert MacNair, Mayor

Ella Fast, City Clerk

MINUTES OF THE WORK SESSION HELD AT CITY OF SKY VALLEY, GEORGIA ON MARCH 1, 2018 AT TUESDAY AT 10:00 AM CBC (OLD LODGE), 696 SKY VALLEY WAY

MEMBERS PRESENT: Mayor MacNair, Councilors Durpo, Howard, Larsen, Piontkowski & Wheeler

STAFF PRESENT: City Manager Lapeyrouse

1. CALL TO ORDER

Mayor MacNair called the meeting to order.

2. ADOPTION OF AGENDA

Councilor Howard made a motion to adopt the agenda. Councilor Durpo seconded the motion and passed unanimously.

3. SPECIAL GUEST: JOELY MIXON, CPA- CITY FINANCIALS - Q & A

Ms. Mixon answered questions about the City Financials.

4. ADJOURNMENT

Councilor Wheeler made a motion to adjourn. Councilor Piontkowski seconded the motion and passed unanimously.

There being no further business to come before Mayor and Council, the meeting was adjourned at 11:09 a.m.

Respectfully submitted,

Robert MacNair, Mayor

Ella Fast, City Clerk

MINUTES OF THE WORK SESSION HELD AT CITY OF SKY VALLEY, GEORGIA ON MARCH 20, 2018 AT TUESDAY AT 10:00 AM CBC (OLD LODGE), 696 SKY VALLEY WAY

MEMBERS PRESENT: Mayor MacNair, Councilors Durpo, Howard, Piontkowski & Wheeler

MEMBERS ABSENT: Councilor Larsen

STAFF PRESENT: City Manager Lapeyrouse, City Clerk Fast and City Attorney Kidd

1. CALL TO ORDER

Mayor MacNair called the meeting to order.

2. ADOPTION OF AGENDA

Councilor Howard made a motion for the adoption of the agenda. Councilor Durpo seconded the motion and passed unanimously.

NEW BUSINESS

3. DARRIN GILES, COUNTY ADMINISTRATOR – SERVICE DELIVERY STRATEGY

Mr. Giles provided a clarification on the Service Delivery Strategy.

4. SEWER FEASIBILITY STUDY PRESENTATION EMI

Corrine Valentine gave a presentation of the Feasibility Study performed for sewer service.

5. PAVILION- RESERVATIONS, RULES & STAGING

Item was discussed.

6. CODE OF ETHICS

Item was discussed and will be placed on the March 27th Agenda.

7. AMEND/REPEAL RULES OF PROCEDURES ORDINANCE 13-03

Item was discussed and will be presented again at the next work session.

OTHER BUSINESS

8. ADJOURNMENT

Councilor Piontkowski made a motion to adjourn. Councilor Howard seconded the motion and passed unanimously.

There being no further business to come before Mayor and Council, the meeting was adjourned at 12:17 p.m.

Respectfully submitted,

Robert MacNair, Mayor

Ella Fast, City Clerk



City News **March, 2018**

Announcements -

March Council Work Session

The next scheduled meeting of the City Council will be Tuesday, March 20th at 10 AM in the Lodge.

March Council Meeting

The next scheduled meeting of the City Council will be Tuesday, March 27th at 10 AM in the Lodge.

Grant Applications/Awards

Firewise Grant – application made – Sky Valley was awarded a grant for \$3,000 for mitigation and fuel reduction work. We will be trimming trees that encroach over the roadway. The city roads are one of the best defenses in creating fire breaks. When tree canopies connect from one side of the road to the other, forest fires can spread quickly.

Wildfire Community Preparedness Day Grant – application made, maximum grant award of \$500. Sky Valley was awarded \$500. Wildfire Preparedness Day will be Saturday, May 5th. The goal will be to have homeowners clear debris, leaf litter and other flammables 60 feet away from the front and sides of the home. Prune trees up to 6' or 8' above ground level within this zone and mulch shrubs with non-flammable material such as river stone. The City will collect limbs and bagged leaves on Monday, May 7th.

Communication/Marketing -

Website – www.skyvalleyga.com

Our website is full of a variety of information for visitors and citizens. We have a visitor's guide with information on the area, and we also have the business side including meeting minutes, ordinances, forms, permitting requirements, event information, contact information, etc. Last year we had over 34,000 unique visitors to the website. This year, we have had 4,661 unique visitors to the website including 2,261 during the month of February.

E-Mail and Crisis Communication

The City's e-mail distribution list is used frequently to keep everyone informed during inclement weather and for current events. This is our best way of staying connected with the residents. We currently have 476 e-mails for City News and another 1,079 for Event and Tourism Information. We also utilize a phone system for relaying urgent information. If you are not on these lists, please contact City Hall or sign up through the City's website home page.

Facebook – www.facebook.com/skyvalleyga

The City's Facebook page has a total of 2,057 followers with 10 new followers added during the month of February. If you have not "liked" us on Facebook yet, please do and suggest our page to all of your Facebook friends. We share information, links and many pictures on Facebook. We would love to have you share your favorite Sky Valley experiences and pictures on our page.

Visitor Center

Last year we had the opportunity to welcome 1,798 visitors to the City of Sky Valley through our operations at the visitor center. This year, we have greeted 141 people including 85 during the month of February. Our longest distance travelers last month came from Puerto Rico and Germany.

Departments –

Tax Department

Homestead Exemption - If you are not currently claiming the homestead exemption in the city and the county separately, you must file in person between January 2 and April 1. Qualification requires that you must own and occupy the property as of January 1 as your primary domicile and legal residence for all purposes, which includes the registration of your vehicles and filing of your state income taxes. Exemptions are not automatically granted. Special exemptions are available if you are 100% military service connected disabled or their un-remarried spouse, or the un-remarried spouse of a peace officer or firefighter killed in the line of duty. Once approved, the exemption remains in effect as long as you own and reside in your home subject to periodic audits to verify continuing eligibility.

Short Term Rentals - It is mandatory that every person engaging in short-term home rentals of 10 days or less must register with the city clerk. If you have not done this yet, I urge you to contact City Hall immediately. Each rental within the City limits of Sky Valley is required to submit a monthly tax return by the 20th of the month for rentals during the previous month. An operator who fails to make any return or to pay the amount of tax will be assessed penalties and interest.

Permitting & Inspections

Building Permits

The building inspector wants to remind everyone that work done on your home may likely require a permit. The inspector has come across a number of jobs that did not have the appropriate permits. When in doubt, please contact the Building Inspector's Office or City Hall. If you are found to be doing work without a permit, your first offense will subject you to a penalty fee equal to double the cost of the permit, a \$50 minimum. The homeowner is ultimately responsible for making sure his/her contractors obtain the necessary permits. Permits are required for, but not limited to, all structural, mechanical, electrical, plumbing, soil & erosion, roofing, decking, stairs, concrete, tree cutting, additions and remodeling. Many repair permits

have no cost associated with them but are still required and will still be subject to the penalty fee if they are not properly obtained.

Tree Cutting Permits

Please don't forget that any tree with a trunk that is 8" or more in diameter or 25" or more in circumference at 18" above the ground requires a permit for cutting, trimming & topping.

Please note that native shrubbery, trees and undergrowth such as mountain laurel, rhododendron, rare wildflowers, ferns, etc. are protected within the City of Sky Valley. Clear cutting or the removal of all trees or native vegetation is prohibited in excess of a 10' x 10' area without a permit.

You are allowed to remove limbs from a tree up to twelve feet above the ground without a permit. If you had to obtain a permit to cut, it would not qualify for city chipping service. Contractors are responsible for the removal of all tree cuttings and debris within fourteen days.

Roads

The City has implemented a new Snow and Ice Control Plan that can be viewed on our website under the Government, Departments, Roads tab on our website.

The Roads Department has been cleaning ditches and has started on right-of-way trimming. This will include shrubs and trees encroaching into and over the roadway and drainage ditches as well as those shrubs and trees that create a line-of-sight hazard. Tree trimming will also be done in coordination with the terms of our Firewise Grant.

City Park

The City Council will be discussing staging, reservation procedures and rules for the park pavilion at the March work session.

Police

The radar speed detection warning sign has been received and Chief Estes will be arranging for installation once he returns from medical leave.

The Police Chief would like to remind everyone that the non-emergency number for the police department should not be used in the case of an emergency. Please call 911 so that all responding agencies can get the necessary information through the dispatch center without delay.

The police responded to 4 emergency 911 calls, responded to 1 suspicious activity call, assisted 5 residents, escorted 2 visitors, conducted 501 residence checks, 193 business checks, 9 welfare checks and conducted 15 traffic stops among the total calls and requests for service. They also logged 2,450 miles patrolling the city.

Water

The City contracted with Liquid Engineering to have all of the water storage tanks inspected and cleaned. All tanks were found to be in good shape with very little sediment. Reports and videos were made of all six tanks. A few recommendations were made that our water department will be following up on to ensure the longevity of our tanks.

Don't forget that we now offer automated bank draft for water/garbage billings. Please contact Alyssa Mullins at City Hall to sign up for this service. Remember, your account will automatically be drafted for the total amount due each month. You will still receive a paper bill so that you can continue to audit the water usage and billing amount each month.

City Ordinance requires that all residences vacated during winter months shall be winterized to protect the plumbing from freezing. Under no circumstances may a water tap be left open to prevent freezing while you are away. This practice is prohibited and a violation of water use conservation by GA EPD. Any vacated residence detected using water by the City will be assumed to have faulty plumbing internally. Upon this assumption the City will turn off the water to prevent additional damage to the property and attempt to contact the property owner. With the cold weather, several homeowners have experienced broken water lines in their yards and damages to their homes. We cannot emphasize enough that you should have your homeowner valve adjacent to the meter shut off when you are going to be away. If you are unable to turn off/on the valve by yourself, the City offers this service for \$10.00.

Sewer

The feasibility study for the sewer project has been completed and will be presented to Council and the public at the March 20th work session. This is a study prepared by Engineering Management Inc. and funded jointly by the City and Rabun County.

Solid Waste

Household garbage is collected on Monday and recycling on Thursday. Garbage and recycling must be put out by 8 AM on collection day. On days of inclement weather, the City may be unable to run the garbage route. Automated phone calls and the e-mail system will be utilized to keep you informed of these circumstances.

Please note, if your underground cans are in disrepair, you will need to discontinue their use or replace them. We have a constant problem with untied bags and loose trash in the underground cans. If you are using an underground can, you should have a removable liner such as the one pictured here. If you do not have the liner that our garbage collectors can lift out of your underground can, you will need to discontinue use until replaced. This is for the safety of our garbage collectors.

Don't forget that garbage should not be placed out for pick-up any earlier than the morning of the service. Animals scatter garbage even when put in the underground cans. Our garbage collectors are not responsible for picking up any garbage that is not properly bagged once they arrive. The compactor at the tractor barn on Knob Drive can be utilized when you need to take your garbage somewhere prior to a garbage collection day. This is especially important when your garbage contains food items. NO garbage other than regular bagged household garbage should be put out by the road or in any dumpster or compactor.

Any contractors or residents found dumping lumber, carpeting, paint, furniture, appliances, or any other non-bagged household garbage in the dumpsters or compactor will be cited and fined up to \$1,000. Construction debris and other such items should be hauled to the transfer station on Boggs Mountain Road in Tiger.



Reduce... Reuse... Recycle...

Reduce the amount and toxicity of trash you throw away

Reuse containers and products

Recycle as much as possible and buy products with recycled content

For the Accounting Periods: 2/18 - 2/18

Fund=100,275,300,505,545,745 , AND ACCT=111110,111120,111130,111140,111150

Account Object Fund	Opening Balance	Change	Closing Balance
110000			
111110 GENERAL FUND CHECKING			
100 GENERAL FUND	1,543,124.86	37,019.67 CR	1,506,105.19
Account Total:	1,543,124.86	37,019.67 CR	1,506,105.19
111120 COURT CHECKING			
745 COURT	17,361.91	216.67 CR	17,145.24
Account Total:	17,361.91	216.67 CR	17,145.24
111130 ENTERPRISE CHECKING			
505 WATER FUND	898,565.76	2,403.61 CR	896,162.15
545 SOLID WASTE & RECYCLING	82,554.68	3,579.51	86,134.19
Account Total:	981,120.44	1,175.90	982,296.34
111140 HOTEL MOTEL CHECKING			
275 HOTEL/MOTEL TAX	1,649.91	1,098.73	2,748.64
Account Total:	1,649.91	1,098.73	2,748.64
111150 CAPITAL PROJECT CASH			
300 CAPITAL PROJECTS	3,448.84	0.26	3,449.10
Account Total:	3,448.84	0.26	3,449.10
Account Group Total:	2,546,705.96	34,961.45	2,511,744.51
Grand Total:	2,546,705.96	34,961.45 CR	2,511,744.51

100 GENERAL FUND

Account	Description	Current Year			Variance	%
		Current Month	Current YTD	Budget		
Revenue						
310000	TAXES	48,888.45	999,150.53	1,088,160.00	-89,009.47	92
320000	LICENSES & PERMITS	1,839.00	2,724.00	14,700.00	-11,976.00	19
330000	INTERGOVERNMENTAL REVENUE			33,500.00	-33,500.00	
340000	CHARGES FOR SERVICES		26.12	5,640.00	-5,613.88	
350000	FINES & FORFEITS	141.28	141.28	8,000.00	-7,858.72	2
360000	INVESTMENT INCOME	117.03	258.96	1,500.00	-1,241.04	17
370000	CONTRIBUTIONS/DONATIONS	1,000.00	8,551.25	25,000.00	-16,448.75	34
380000	MISCELLANEOUS REVENUE	1,120.00	2,240.00	13,000.00	-10,760.00	17
Total Revenue		53,105.76	1,013,092.14	1,189,500.00	-176,407.86	85
Expenses						
411000	LEGISLATIVE	2,537.95	2,550.75	10,800.00	8,249.25	24
413000	EXECUTIVE			3,100.00	3,100.00	
414000	ELECTIONS		224.00	4,790.00	4,566.00	5
415000	GENERAL ADMINISTRATION	18,016.04	38,052.35	227,730.00	189,677.65	17
415650	GENERAL GOVERNMENT BUILDINGS AND GROUNDS	3,404.95	4,815.09	52,300.00	47,484.91	9
420000	JUDICIAL	134.85	566.18	4,935.00	4,368.82	11
432000	POLICE	38,807.07	65,635.25	288,635.00	222,999.75	23
435000	FIRE	14,682.75	14,682.75	58,731.00	44,048.25	25
442000	ROADS	20,352.13	39,343.34	414,450.00	375,106.66	9
461000	SPECIAL ACTIVITIES/EVENTS	5,500.00	7,440.00	30,000.00	22,560.00	25
462000	PARKS			5,750.00	5,750.00	
470000	HOUSING & DEVELOPMENT	1,500.44	3,088.70	23,795.00	20,706.30	13
475000	ECONOMIC DEVELOPMENT	4,163.91	8,168.49	53,135.00	44,966.51	15
490000	OTHER FINANCING USES			17,849.00	17,849.00	
Total Expenses		109,100.09	184,566.90	1,196,000.00	1,011,433.10	15
Net Income from Operations		-55,994.33	828,525.24			
Other Revenue						
390000	OTHER FINANCING SOURCES		10,372.49	6,500.00	3,872.49	160
Total Other Revenue		0.00	10,372.49	6,500.00	3,872.49	160
Net Income		-55,994.33	838,897.73			

275 HOTEL/MOTEL TAX

Account	Description	Current Month	Current YTD	Budget	Variance	%
Revenue						
310000 TAXES		1,098.39	2,683.38	10,000.00	-7,316.62	27
360000 INVESTMENT INCOME		0.34	1.97		1.97	
Total Revenue		1,098.73	2,685.35	10,000.00	-7,314.65	27
Expenses						
490000 OTHER FINANCING USES				10,000.00	10,000.00	
Total Expenses		0.00	0.00	10,000.00	10,000.00	
Net Income from Operations		1,098.73	2,685.35			
Net Income		1,098.73	2,685.35			

505 WATER FUND

Account	Description	Current Year			Variance	%
		Current Month	Current YTD	Budget		
Revenue						
340000	CHARGES FOR SERVICES	41,294.48	74,940.14	391,000.00	-316,059.86	19
360000	INVESTMENT INCOME	76.99	166.12	1,000.00	-833.88	17
	Total Revenue	41,371.47	75,106.26	392,000.00	-316,893.74	19
Expenses						
444000	WATER	25,309.66	38,161.66	392,000.00	353,838.34	10
	Total Expenses	25,309.66	38,161.66	392,000.00	353,838.34	10
	Net Income from Operations	16,061.81	36,944.60			
	Net Income	16,061.81	36,944.60			

545 SOLID WASTE & RECYCLING

Account	Description	Current Year				Variance	%
		Current Month	Current YTD	Budget			
Revenue							
340000	CHARGES FOR SERVICES	16,110.96	32,210.12	193,350.00	-161,139.88	17	
	Total Revenue	16,110.96	32,210.12	193,350.00	-161,139.88	17	
Expenses							
445000	SOLID WASTE & RECYCLING	12,061.89	24,136.80	193,350.00	169,213.20	12	
	Total Expenses	12,061.89	24,136.80	193,350.00	169,213.20	12	
	Net Income from Operations	4,049.07	8,073.32				
	Net Income	4,049.07	8,073.32				

POLICE DEPARTMENT ACTIVITY LOG

INCIDENT	2018	2017												2016		2015		2014	
	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Incomplete	Total	Incomplete	Total	
Fire	0	0	0	0	0	0	0	0	0	0	0	0	0	12	6	4	10		
Medical Emergency	1	1	0	0	0	0	0	0	0	0	0	0	0	49	52	21	35		
Vehicle Accident	0	0	0	0	0	0	0	0	0	0	0	0	0	14	19	13	7		
Family Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	2	1		
Fight/Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1		
Death/Suicide	0	0	0	0	0	0	0	0	0	0	0	0	0	4	2	0	3		
Missing Person	0	0	0	0	0	0	0	0	0	0	0	0	0	10	6	2	6		
Burglary/Break-In	0	0	0	0	0	0	0	0	0	0	0	0	0	1	7	1	1		
Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	1	6	3	4		
Suspicious Activity	3	1	0	0	0	0	0	0	0	0	0	0	0	10	8	14	26		
Suspicious Person	3	0	0	0	0	0	0	0	0	0	0	0	0	18	7	3	4		
Suspicious Vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	24	10	5	24		
Alarm	1	0	0	0	0	0	0	0	0	0	0	0	0	20	23	0	12		
Investigation	0	0	0	0	0	0	0	0	0	0	0	0	0	69	162	0	3		
DUI/Public Drunk	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0		
Drug Related	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Juvenile	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0		
Traffic Control	0	1	0	0	0	0	0	0	0	0	0	0	0	45	41	20	14		
Traffic Stop	8	15	0	0	0	0	0	0	0	0	0	0	0	131	189	31	19		
Mutual Aid	0	1	0	0	0	0	0	0	0	0	0	0	0	44	45	9	38		
Animal	0	3	0	0	0	0	0	0	0	0	0	0	0	136	117	30	29		
Lost & Found	0	0	0	0	0	0	0	0	0	0	0	0	0	3	18	0	6		
Complaint	0	0	0	0	0	0	0	0	0	0	0	0	0	6	3	13	16		
City Ord. Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	10	8	1	2		
Resident Assist	9	5	0	0	0	0	0	0	0	0	0	0	0	254	312	16	18		
Residence Check	735	501	0	0	0	0	0	0	0	0	0	0	0	5279	1299	36	0		
Business Check	303	193	0	0	0	0	0	0	0	0	0	0	0	820	90	0	0		
Welfare Check	3	9	0	0	0	0	0	0	0	0	0	0	0	178	90	9	11		
Visitor Escort	1	2	0	0	0	0	0	0	0	0	0	0	0	66	190	22	34		
Vehicle Assist	1	0	0	0	0	0	0	0	0	0	0	0	0	39	80	36	70		
Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	4	8	1	5		
Warnings	8	19	0	0	0	0	0	0	0	0	0	0	0	109	121	4	3		
Citations	0	0	0	0	0	0	0	0	0	0	0	0	0	14	93	3	9		
Total Calls	1076	751	0	0	0	0	0	0	0	0	0	0	0	9132	3748	140	561		
911 Calls	2	4	0	0	0	0	0	0	0	0	0	0	0	93	69	0	90		
Mileage	3392	2450	0	0	0	0	0	0	0	0	0	0	0	42261	34929	18152	37039		

Housing & Development Departmental Data Report	For month ending February 28, 2018		
	February 2018	YTD	2017 YTD
New Residential & Commercial permits issued	0	0	1
All other addition, remodel and repair permits	6	9	9
Certificates of Occupancy issued	0	0	0
Total New Construction not yet finalized	0		0
Total Other Construction not yet finalized	8		0
Notices to Comply issued	0	0	0
Stop Work Orders issued	0	0	0
Tree Cutting permits issued	6	10	8
Code & Ordinance Violations cited	0	0	0
Fees Collected			
	February 2018	YTD	2017 YTD
New Residential or Commercial Permits	\$0.00	\$0.00	\$0.00
Other Addition, Remodel, Repair Permits	\$839.00	\$1,139.00	\$525.00
Tree Cutting Permits	\$330.00	\$330.00	\$390.00
Land Disturbing Permits	\$0.00	\$0.00	\$0.00
Fines Collected for Ordinance Violations	\$0.00	\$0.00	\$0.00

Totals Report For 2014 Taxes February 2018 Tax Commissioner				
	Billed	Collected	Adjustments	Outstanding
2014 Ad Valorem Tax	953,344.25	948,356.10	4,890.29-	97.86
Interest	1795.50	1767.17	0	28.33
Penalty	1387.45	1377.66	0	9.79
Costs	940.00	918.00	0	22.00
Totals	957,467.20	952,418.93	4890.29-	157.98

Collected: 99.98 %

Totals Report For 2015 Taxes February 2018 Tax Commissioner				
	Billed	Collected	Adjustments	Outstanding
2015 Ad Valorem Tax	945099.76	944,848.33	467.14+	718.57
Interest	2246.47	2105.02	0	141.45
Penalty	1627.68	1555.83	0	71.85
Costs	4036.00	3640.00	0	396.00
Totals	953,009.91	952,149.18	467.14+	1327.87

Collected: 99.92%

Totals Report For 2016 Taxes February 2018 Tax Commissioner				
	Billed	Collected	Adjustments	Outstanding
2016 Ad Valorem Tax	943,040.34	939,934.63	(-2,626.45)	479.26
Interest	1081.90	1022.92		58.98
Penalty	414.93	397.07		17.86
Costs	7150.31	6071.38		1078.93
Totals	951,687.48	947,426.00	(-2,626.45)	1635.03

Collected: 99.94%

Totals Report For 2017 Taxes February 2018 Tax Commissioner				
	Billed	Collected	Adjustments	Outstanding
2017 Ad Valorem Tax	942,962.54	915,009.10	+845.30	28,798.74
Interest	917.05	393.05	0.00	524.00
Penalty				
Costs	96.00	49.00		47.00
Totals	943,975.59	915,451.15	+845.30	29,369.74

Collected 97%

ORDINANCE No. 18-_____

City of Sky Valley

State of Georgia

ETHICS ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SKY VALLEY, GEORGIA TO PROVIDE A NEW ETHICS CODE SECTION; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE ANEFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Sky Valley, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the duly elected governing authority of the City of Sky Valley, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority deems it essential to the proper operation of democratic government that the public officials be, and give the appearance of being, independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; and that public office not be used for personal gain; and

WHEREAS such measures are necessary to provide the public with confidence in the integrity of its government.

NOW THEREFORE it is the policy of the city that its officials, employees, appointees, and volunteers conducting official city business:

- Serve others and not themselves;
- Be independent, impartial and responsible;
- Use resources with efficiency and economy;
- Treat all people fairly;
- Use the power of their position for the well-being of their constituents; and
- Create an environment of honesty, openness and integrity.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED:

- I. That the Code of Ordinances of the City of Sky Valley, Georgia is hereby amended by repealing and replacing Ordinance 04-02 Code of Ethics with a new Code of Ethics, which said sections read as follows:

Sec. 1 PURPOSE

The purpose of this code of ethics is to:

- (a) Encourage high ethical standards in official conduct by city officials;
- (b) Establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the interest of the city;
- (c) Require disclosure by such officials of private financial or other interest in matters affecting the city; and
- (d) Serve as a basis for disciplining those who refuse to abide by its terms.

Sec. 2 SCOPE

The provisions of this code of ethics shall be applicable to all elected or appointed city officials. Notwithstanding anything herein to the contrary, state law and the charter of the city shall be controlling in the event of an actual conflict with the provisions of this code of ethics. This ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the charter.

Sec. 3 DEFINITIONS

Solely for the purpose of this code of ethics:

(a) City official or official, unless otherwise expressly defined does not include city employees but does mean the mayor, members of the city council, municipal court judges, city manager, city clerk, city attorney, and all other persons holding positions designated by the city charter, as amended.

The term "city official" also includes all individuals, including city employees, appointed by the mayor and/or city council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or city council.

(b) Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other city board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.

(c) Employee means any person who is a full-time or part-time employee of the city.

(d) Immediate family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

(e) Incidental interest means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.

(f) Remote interest means an interest of a person or entity, including a city official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general city fees, city utility charges or a comprehensive

zoning ordinance or similar matters is deemed remote to the extent that the official would be affected in common with the general public.

(g) Substantial interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:

(1) the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or

(2) the funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;

(3) the person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the city council; or

(4) the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

Sec. 4 PROHIBITIONS

(a) No city official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the city.

(b) No city official, in any matter before the council or other city body, relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

(c) No city official shall act as an agent or attorney for another in any matter before the city council or other city body.

(d) No city official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.

(e) No city official shall enter into any contract with, or have any interest in, either directly or indirectly, the city except as authorized by state law.

(i) This prohibition shall not be applicable to the professional activities of the city attorney in his or her work as an independent contractor and legal advisor on behalf of the city.

(ii) This prohibition shall not be applicable to an otherwise valid employment contract between the city and a city official who is not elected (such as, by way of example, a city manager, city administrator or chief of police).

(iii) Any official who has a proprietary interest in an agency doing business with the city shall make that interest known in writing to the city council and the city clerk.

(f) All public funds shall be used for the general welfare of the people and not for personal economic gain.

(g) Public property shall be disposed of in accordance with state law.

(h) No city official shall solicit or accept other employment to be performed, or compensation to be received, while still a city official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.

(i) If a city official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the city council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.

(j) No city official shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k) No city official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

(l) A city official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

(m) A city official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amounting to a substantial interest.

(n) A city official shall not order any goods and services for the city without prior official authorization for such an expenditure. No city official shall attempt to obligate the city nor give the impression of obligating the city without proper prior authorization.

(o) No city official shall draw travel funds or per diem from the city for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the city therefore.

(p) No city official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Sky Valley nor shall any city official engage in ex parte communication with a municipal court judge of the City of Sky Valley on any matter pending before the Municipal Court of the City of Sky Valley.

Sec. 5 CONFLICT OF INTEREST

(a) A city official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.

(b) A city official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the city.

(c) Where the interest of a city official in the subject matter of a vote or decision is remote or incidental, the city official may participate in the vote or decision and need not disclose the interest.

Sec. 6 BOARD OF ETHICS

The Municipal Court of the City of Sky Valley shall hear and render decisions on all proper verified complaints filed under this ordinance.

Sec. 7 RECEIPT OF COMPLAINTS

All complaints against city officials shall be filed with the Clerk of the Municipal Court of the City of Sky Valley at City Hall. Upon receipt of a complaint in proper form, the Municipal Court Clerk shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days.

(b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this ordinance.

(c) Upon receipt of a complaint in proper form, the Municipal Court shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Municipal Court is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Municipal Court shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official. For complaints that are not dismissed, the Municipal Court is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.

(d) Upon completion of its investigation of a complaint, the Municipal Court is empowered to dismiss in writing those complaints which it determines are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Municipal Court shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official.

(e) The Municipal Court is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.

(f) The Municipal Court is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.

(g) Findings of the Municipal Court shall be submitted to the City Council for action.

(h) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

Sec. 8 SERVICE OF COMPLAINT

All complaints against city officials shall be filed with the Clerk of the Municipal Court of the City of Sky Valley at City Hall. Upon receipt of a complaint in proper form, the Municipal Court Clerk shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. A hearing shall be held within sixty (60) calendar days after filing of the complaint. The Municipal Court shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the Municipal Court shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Municipal Court, the city official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The city official subject to the inquiry shall have also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Municipal Court or the city council to act upon any complaint.

Sec. 9 RIGHT TO APPEAL

(a) Any city official or complainant adversely affected by the findings or recommendations of the Municipal Court may obtain judicial review of such decision as provided in this Section.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Rabun County within thirty (30) days after the decision of the Municipal Court. The filing of such application shall act as supersedeas.

Sec. 10 PENALTY

Any person violating any provision of this article is subject to:

(a) Public reprimand or censure by the city council; or

(b) Request for resignation by the city council.”

II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

III. THIS ORDINANCE WILL BECOME EFFECTIVE UPON ADOPTION BY THE CITY COUNCIL AND APPROVED BY THE MAYOR AS PROVIDED BY THE CHARTER OF THE CITY OF SKY VALLEY.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this _____ day of _____, 2018.

Approved:

Robert MacNair, Mayor

Chip Durpo, Council President

Neil Howard, Councilor

Attest:

Connie Larsen, Councilor

Ella Fast, City Clerk

Al Piontkowski, Councilor

Paul Wheeler, Councilor

Read and introduced on the _____ day of _____, 2018.

Adopted on the _____ day of _____, 2018.

GEORGIA, RABUN COUNTY.

Whereas, the City of Sky Valley (hereinafter "Sky Valley") levies an excise tax (hotel/motel tax) pursuant to O.C.G.A. §48-13-51(a)(3) at a rate of five percent (5%); and,

Whereas, the Rabun County Tourism Development Authority (hereinafter "RCTDA") is an authority authorized by law to contract with Sky Valley for the expenditure of all or portions of excise taxes collected in excess of three percent (3%).

Therefore, it is hereby agreed as follows:

1. Sky Valley will pay to RCTDA two percent (2%) of the five percent (5%) of the hotel/motel tax collected in 2017 pursuant to O.C.G.A. §48-13-51(a)(3).
2. RCTDA will expend the sums received from Sky Valley for the purpose of promoting and developing tourism as authorized by O.C.G.A. §48-13-51.
3. It is understood by the parties hereto that this contract is effective only for the sums authorized herein.
4. The parties agree that the funding provided by Sky Valley for the purpose of this contract is provided solely as authorized by O.C.G.A. §48-13-51 and Sky Valley is under no obligation to provide funding or future funding except as authorized by this contract.
5. This contract reflects the entire and complete understanding of the parties.
6. The parties have full and complete authority to execute this contract.

This 27th day of March, 2018

CITY OF SKY VALLEY

By: _____
Robert MacNair, Mayor

Attested:

Ella Fast, City Clerk

RABUN COUNTY TOURISM
DEVELOPMENT AUTHORITY

By: _____

CONTRACT FOR PROBATION SERVICES

WHEREAS, the Municipal Court of Sky Valley, Georgia and the City of Sky Valley, Georgia, desire to contract with a probation company to provide probation supervision, counseling, collection services for all fines and other probation services for persons convicted in the Municipal Court and placed on probation;

WHEREAS, the parties desire to enter into a contract for probation supervision services to govern the duties and obligations of each party;

NOW THEREFORE, pursuant to O.C.G.A. 42-8-101, the City of Sky Valley, Georgia (hereinafter referred to as the "City"), the Municipal Court of Sky Valley, Georgia (hereinafter referred to as "Court"), and CSRA Probation Services, Inc. (hereinafter referred to as the "Contractor") do hereby agree and contract that:

1.

Contractor shall provide probation services and programs for the Court as follows:

- A. Contractor shall comply with Article 6 of Title 42 Chapter 8 of the Official Code of Georgia and all standards, rules and regulations promulgated by the Department of Community Supervision.
- B. Staff Qualifications for probation officers will meet or exceed uniform professional standards set forth in O.C.G.A. 42-8-107. Staff qualifications for administrative, intern, or volunteer staff will meet or exceed the requirements set forth in Department of Community Supervision Board Rule 105-2-.09.
- C. Criminal records checks will be completed on all staff as set forth in O.C.G.A. 35-3-34.
- D. All newly hired probation officers will receive a 40-hour initial orientation and all probation officers will receive 20 hours' annual in-service continuing education. (Probation/Parole officers who have previously completed a basic course of training certified by the Georgia Peace Officers Standards and Training Council or private probation officers employed by a private probation company for at least six months as of July 1, 1996, are exempt from the forty (40) hour initial orientation). All newly hired administrative employee, agents, interns, or volunteers will complete a sixteen (16) hour initial orientation program within six (6) months of appointment and eight (8) hours' annual in-service continuing education training.
- E. Maintain individual files for each offender participating in the Contractor's programs. The files will be maintained in a secured area.
- F. Provide timely and prompt reports as are, or may be, required by the Court during the period of the Contract, which include but are not limited to statistical reports, caseload data, and other records documenting the types of program services provided and the identity of the offenders receiving such services.
- G. Make fiscal and program records available within ten (10) working days for review of procedures and the maintaining of financial records reflective of good business practices.
- H. Bill the offender for program services provided on such forms and in such manner to conform to acceptable business practices. The accuracy of billing is to be

- confirmed by providing a copy of the services and attending costs to the offender. Current program services/costs are outlined in Exhibit A (Cost/Fee Schedule.)
- I. Submit monthly reports to the Court and City on the amount of Court fines, costs and restitution Court ordered and collected from the Offender. The report shall include the services being provided, the total dollar amount applied to Court ordered fines, restitution, and other conviction related costs. The monthly reports shall be provided to the Court and City by the tenth (10th) day of the following month.
 - J. Tender all Court fines, costs and restitution ordered and collected during the month from the offender to the City by the 10th day of the following month. Collect and tender all GCVEF payments to the state as mandated by law.
 - K. Comply with all laws regarding confidentiality of offender's records.
 - L. Not attempt to profit from any fines, restitution, or court costs collected from the offenders.
 - M. Collect all fines, costs and restitution as sentenced and the amount is to be paid at a date later than the date of sentencing provided the Court orders the amount to be collected by Contractor. A probation fee of forty dollars (\$40.00) per month may be assessed against the offender, to be collected by Contractor for each month or partial month of probation until that case expires or is terminated. Payment of said fees shall conform with O.C.G.A. 42-8-103 (pay-only probation) which provides that fees shall be capped at three (3) months of ordinary fees unless other named statutory circumstances exist.
 - N. Provide an ongoing offender monitoring program which accounts for activities of offenders serving their sentence on probation and delinquency reports to the Court advising of violations and proceed with revocation procedures based on direction of the Court.
 - O. Indigent offenders may apply to be exempted from paying a supervision fee if the offender claims that such fee will cause unreasonable or undue hardship. The exempting authority shall be the sentencing Judge based on ability to pay per O.C.G.A. 42-8-102.
 - P. Shall maintain bonding levels and insurance as required by law, to include a surety/fidelity bond in the amount of not less than one hundred thousand dollars (\$100,000.00) as security for the satisfactory performance of the contract and provide general liability insurance coverage in the amount of not less than one million dollars (\$1,000,000.00).
 - Q. Active supervised caseloads will not exceed 300 per probation officer. All probationers are required to report in person a minimum of once per month with exceptions being per Court order, out of state, or out of area with the Court's approval. Out of area reporting shall be completed by telephone, Smartphone App, online or written report a minimum of once per month.
 - R. Violations of Probation shall be reported to the Court by Delinquency Report, Warrant, or as designated by the Court and shall be handled in a manner as directed by the Court, and in compliance with O.C.G.A. 42-8-102(f). Contractor shall prepare probation violation warrants and orders for submission to the Court, and any required notices and affidavits required by O.C.G.A. 42-8-102(f). Contractor shall have probation officers available to testify at probation revocation hearings, sentencing hearings and such other hearings as deemed reasonable and necessary by the Court.
 - S. Per O.C.G.A. 42-8-103.1(b), each case will be reviewed after twelve (12)

consecutive months of probation as required by statute, and every four (4) months thereafter for the possibility of early termination recommendation.

- T. Pre-Trial Diversion Supervision. Contractor shall monitor and supervise pre-trial diversion participants to ensure compliance with the pre-trial supervision program order and requirements.

2.

The Court hereby designates CSRA Probation Services, Inc. as the exclusive entity to coordinate and provide direct probation and program services to misdemeanor offenders sentenced under the jurisdiction of the Court during the term of this Contract.

3.

This Contract shall be binding on the parties hereto for a period of one (1) year commencing on January 1, 2018 and shall expire on December 31, 2018. This Contract shall automatically renew for successive one (1) year periods thereafter under the same terms and conditions as provided for herein unless written notice is provided to the other party no less than thirty (30) days prior to commencement of the renewal term. Said renewal periods shall not exceed five (5) years. Either party may terminate this Contract for any reason and at any time by giving the other party sixty (60) days written notice. Non-renewal notices shall be sent via U.S. certified mail, return receipt requested, as follows:

To the City:

City of Sky Valley
3444 Hwy 246
Sky Valley, GA 30537

To CSRA Probation Services, Inc.:

CSRA Probation Services, Inc.
802D Oakhurst Dr.
Evans, GA 30809

4.

The Court may terminate this contract if Contractor becomes insolvent or files for protection under any chapter of the U.S. Bankruptcy Code. Either party may terminate this Contract for default by giving the other party written notice by certified mail (return receipt requested) thereof, specifying each particular default. If the defaulting party fails to cure or take reasonable steps to cure the default within thirty (30) days after receipt of notice, the other party may declare the Contract terminated.

5.

Neither the Court nor the Governing Authority shall be liable to Contractor nor to anyone who may claim a right resulting from any relationship with Contractor, for any acts of Contractor, its employees, agents or participants in the performance of services. Contractor shall indemnify and hold harmless the Court and City, from any claims, demands, actions, proceedings, expenses, damages, liabilities or losses (including but not limited to attorney's fees and court costs) and any causes of action arising from any acts or omissions arising out of or in connection with the services performed by Contractor or its employees and agents under the terms of this contract.

6.

No amendment or modification to this Contract or any waiver of any provision hereof shall be effective unless made in writing and signed by all parties hereto.

7.

The provisions enumerated in this Contract shall be deemed valid in so far as they do not violate any local, state, or federal laws.

~~IN WITNESS THEREOF~~, the parties hereto have executed this Contract on this the _____ day of _____, 2018.

CITY OF SKY VALLEY

BY: _____

~~Hugh Goodgame, Mayor~~

Robert MacNair, Mayor

ATTEST:

Clerk

APPROVED BY: _____

Honorable Robert Sneed, Chief Judge
Municipal Court of Sky Valley, Georgia

CSRA PROBATION SERVICES, INC.

BY: *Michael Popplewell*

Michael Popplewell
President

**EXHIBIT A
COST AND FEE SCHEDULE**

STANDARD SUPERVISION & MONITORING SERVICES

SERVICE	RATE
Probation Supervision Fee	\$40.00 per month
Pre-Trial Diversion Supervision Fee	\$40.00 per month
Drug Testing	\$20.00 per test
Lab Confirmation	\$25.00 per confirmation
Electronic Monitoring RF	\$8.00 per day \$25.00 installation fee
Electronic Monitoring - GPS Active	\$10.00 per day & \$25.00 installation fee
Alcohol Monitoring – Random	\$8.00 per day & \$25.00 installation fee
Alcohol Monitoring – Continuous (SCRAM)	\$12.00 per day & \$25.00 installation fee

PROGRAM / EDUCATIONAL SERVICES

SERVICE	RATE
American Community Corrections Institute: Life skills Self-Directed Learning Course	\$60.00 per course



Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Robert MacNair, Mayor of the City of Sky Valley, do hereby proclaim April 27, 2018 as

Arbor Day

In the City of Sky Valley, Georgia, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this _____ day of _____
 Mayor _____



Linda Lapeyrouse <citymanager@skyvalleyga.com>

RE: Franchise Fee Compliance Review - Sky Valley GA - Truvista - GMA

1 message

tmcgraw@localgovservices.com <tmcgraw@localgovservices.com>

Tue, Feb 27, 2018 at 1:31 PM

To: Linda Lapeyrouse <citymanager@skyvalleyga.com>

Hello Linda,

Good question. The terms are the City has already paid for the service by being a member of GMA's TRWM program. That's the totality of it. There are no contingency fees, and no portion of any franchise fees are kept for the service. (The way Local Government Services gets compensated is we are retained by the GMA, so we are already paid for the work we are to do for Sky Valley.) We just completed the very same work for Blue Ridge, which had both the Resolution to pass and the audit (different cable company though) so telephone over there to learn of their experience: Alicia Stewart, CFO, City of Blue Ridge (706) 632-2091.

Congratulations on getting the Resolution passed. The City will soon be protected from a cable provider unilaterally changing the franchise fee rate. (Last year I saw a cable company change a City's franchise fee rate to zero, so it does happen.) Next steps:

1-Please see attached letter. Place on City letterhead and mail (certified US mail recommended) to the address indicated.

2-Make a copy of the letter and Resolution and send to:

eric.ramey@truvista.biz

Mr. Eric Ramey

VP - Administration & Regulatory Affairs

TruVista Communications

112 York Street

Chester, SC 29706

3-We wait the few weeks to see that the Resolution is filed correctly, and then I'll signal to you to fire off the audit initiation letter.

As always, please call or email if you have any questions or concerns.

Best regards,
Tim McGraw
817-980-4516

----- Original Message -----

Subject: Re: Franchise Fee Compliance Review - Sky Valley GA - Truvista
- GMA

From: Linda Lapeyrouse <citymanager@skyvalleyga.com>

Date: Tue, February 27, 2018 11:28 am

To: tmcgraw@localgovservices.com

What are the terms for having you do the audit? We passed the resolution today (see attached), but they wanted more information about what portion of any fees would be kept for performing the service, if any.

Linda Lapeyrouse
City Manager
City of Sky Valley
3444 Highway 246
Sky Valley, GA 30537



March 27, 2018

**VIA E-MAIL (eric.ramey@truvista.biz)
And U.S. Mail**

Mr. Eric Ramey
VP - Administration & Regulatory Affairs
TruVista Communications
112 York Street
Chester, SC 29706

Dear Mr. Ramey:

The purpose of this letter is to inform you the City of Sky Valley, Georgia has requested Mr. Tim McGraw with Local Government Services ("LGS") to assist the City with conducting a Franchise Fee Payment Compliance Review for the period January 1, 2015 through December 31, 2017 (the "Review Period"). This is a program administered by the Georgia Municipal Association. The City has requested LGS to conduct a review of TruVista's financial records in order to determine the accuracy of the franchise fees incurred, collected, and remitted under your State-Issued or Local Franchise for the review period.

Should you have any questions or desire additional information, please do not hesitate to contact Tim McGraw at 817-980-4516 or me. Correspondence from Mr. McGraw regarding the review process will be copied to my attention or designee and should be treated by TruVista with all due authority from the City. We appreciate your cooperation and assistance with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda Lapeyrouse".

Linda Lapeyrouse
City Manager
City of Sky Valley

CC: Mr. Tim McGraw, Local Government Services, LLC