

**TOWN OF TALLULAH FALLS  
STATE OF GEORGIA  
REGULAR COUNCIL MEETING  
March 12, 2020, 6:00 PM  
MINUTES**

The meeting for March 12, 2020 of the Town Council of Tallulah Falls, Georgia was called to order at 6:11 PM by Mayor Mike Early.

PRESENT WERE: Mayor Mike Early  
Councilperson Joey Fountain  
Councilperson Deb Goatcher  
Mayor Pro tem Larry Hamilton  
Councilperson Craig Weatherly  
Town Clerk Linda Lapeyrouse  
Police Chief Tonya Elrod  
Acting Fire Chief Paul Marsteller

PRESENT VIA VIDEO CONFERENCE: Town Attorney Warren Tillery

OTHERS PRESENT: Public at large - see attached sign-in sheet

Mayor Early welcomed everyone to the meeting. The invocation was given by Ray Morris.

**REGULAR MEETING:**

**A motion was made by Councilperson Goatcher to approve the agenda. The motion was seconded by Councilperson Weatherly and unanimously approved.**

Consent Agenda included Minutes of Council Meeting February 13, 2020, Police Report, Fire Report and Financial Report. Copies are attached hereto and made a part hereof.

**A motion was made by Councilperson Weatherly to approve the items on the consent agenda. The motion was seconded by Councilperson Fountain and unanimously approved.**

**REPORTS:**

**Attorney Report** – Justice Fletcher approved our request to relieve the Town of Tallulah Falls from attending the SDS mediation scheduled for next week.

**Water Report** – Attached hereto and made a part hereof.

**Phase 1 work** – EMS received a second estimate and Councilperson Hamilton stated that another local contractor was supposed to be submitting an estimate. A motion was made by Councilperson Fountain to approve the low bid up to \$7,200 including construction oversight by EMS for Phase 1 work. If the last estimate to come in is received by the end of next week and is less than the low bidder received thus far, the current low bidder will have an opportunity to match. The motion was seconded by Councilperson Hamilton and unanimously approved.

Scott Porter, EMS, Inc., reported a water loss of approximately 110,000 gallons for the month. The system uses manual timers. Demand changes and timers need to be changed depending on the usage. This is the reason for tank drainage and overflows. A SCADA system would automatically control the

pumps in response to these demands and would enable system monitoring without being on-site. Scott requested that if anyone notices something going on to please call him directly. He is the licensed operator and is responsible for the system. He does not want entry into the well and pump buildings without his knowledge.

Councilperson Weatherly asked if the system would work on a float switch. Scott responded that there was no power there to do a float switch. There is a residential type breaker box in the well house. There are no relays.

Ash Electric, Bradley Ash and Byron Crumbley, presented a SCADA system that is used for Madison County. They could control pumps and backflush using a cell model at 3 sites. There would be access to see what the system is doing, e-mail alarms, monitors and controls. \$25-80/month for each modem. The Town would have monitoring access and Scott would have control access. Scott would be responsible for working with the SCADA system to adjust the settings. Scott explained that two other SCADA companies that they contacted were not willing to work with the POC. Ash Electric will get us an updated proposal.

Councilperson Hamilton talked to Sam Davis Well Drilling about the October 2019 invoice in the amount of \$1,954.55. He wanted to make sure that it included a credit for a pump that gave out near the warranty expiration date. Bub said that he would check and call Councilperson Hamilton back. We have worked with Sam Davis Well Drilling for approximately 40 years and Councilperson Hamilton stated he is comfortable that Bub is being fair, but he would want to hear back from Bub regarding the warranty before paying. Keith Nelms asked if this invoice is related to the substandard pipe and improperly sized pump that was installed. Councilperson Hamilton and Mayor Early stated that some old pipe was reused but that we had not been charged for new pipe at the time. Mayor Early confirmed that everything else was installed as stated. **A motion was made by Councilperson Fountain to approve payment of the invoice pending hearing back from Sam Davis Well Drilling regarding the warranty. The motion was seconded by Councilperson Weatherly and unanimously approved.**

EMS, Inc. presented a quote for a 7.5 hp, 45 gpm booster pump used to pump water from the 60,000 gallon tank to the 10,000 gallon tank in the amount of \$4,500 from Sam Davis Well Drilling. **A motion was made by Councilperson Fountain to amend the budget to approve the quote as presented. The motion was seconded by Councilperson Hamilton. The motion was amended by Councilperson Fountain to add that SPLOST funds would be used to pay for the pump. The amended motion was seconded by Councilperson Weatherly and unanimously approved.**

#### **Public Safety –**

Mayor Early announced that Blue Line Solutions, Inc. and Radarsign are here to make presentations, but explained that the Radarsign presentation is not in conjunction with, associated with or in competition with Blue Line Solutions who Chief Elrod has been talking to. No decisions on that will be made tonight. Mayor Early said that he had seen some of their signs in Athens, and it had come up last minute after he reached out to Radarsign for a quote and they offered to come to the meeting.

Mark Hutchinson from Blue Line Solutions presented their line of automated speed zone photo enforcement for school zones. There are no out of pocket costs for the Town. In a five-day study, there were 3200 violations of 11+ mph over the speed limit during the school zone hours. This is a significant problem in an area with children. The company provides all equipment and maintenance. Chief Elrod would approve or decline citations and violators would receive a ticket in the mail. The company

collects the payments and remits 65% to the Town each month. There is a public information education period and 30-day warning period before it starts. Two radar signs are included in the school zone as a part of the program. Mr. Hutchinson confirmed to Attorney Tillery that the company has insurance provided in the case of a civil action. No points are assessed for the violation. It is a civil fine. The City of Baldwin is currently in the warning phase using Blue Line Solutions. Emerson has been using the system for about a month. Councilperson Weatherly asked if it reads both lanes. Mr. Hutchinson confirmed that it uses lidar and does read both lanes. All calibration is contracted through a 3<sup>rd</sup> party. Chief Elrod has spoken with the Headmaster of the Tallulah Falls School and they are in favor.

Mr. William Warwick of Radarsign presented his company's speed signs. These are visual deterrents and can have an 80% calming effect. They have a simulated camera flash but do not generate a ticket. The price for each sign is \$2,695 - \$3,600. They can also be pre-programmed with messages. The signs hold data for 365 days and provide valuable speed data. They are also very vandal resistant.

**Mayor's Report-** Mayor Early reported that the Charter Amendments have been submitted. Attorney Tillery hopes to hear something next week. Mayor Early stated that if any changes are made, we have requested to get the document back before he makes it to the floor.

Mayor Early further reported on reaching out to the Rabun County Elections Office. We had an audit done of our polling location which is inconclusive to date. He also asked about the cost of having the election here if we need one this year. We may want to consider going back to paper ballots in the future. No figures have yet been received.

The Acting Fire Chief is working on a plan and a process to obtain more equipment to prepare their med bags for potential response to the coronavirus.

Mayor Early submitted a report to be included as a part of the minutes and stated that he respectfully disagrees with the water superintendent. He believes that the float switch did work at one time. He was part of the team involved in replacing the switch a few years ago and would like to see if it can be used again. He will also be working on a policy over the next few days to monitor usage more closely to avoid emptying tanks and tank overflows.

**The following reports were inadvertently skipped and addressed later in the meeting.**

**Street Report** – Councilperson Weatherly reported that a temporary fix would be done for the sink hole on Hickory Nut Mountain. He is also checking centerline mileage for the LMIG certification.

**DDA Report** – Keith Nelms, Chairman of the DDA reported on having three meetings. They had their regular meeting, met with ARC and GMRC regarding grants, and had a called meeting to discuss the issues involved with the grants.

**Planning & Zoning Report** – Van Knighton, Chairman of the Planning and Zoning Commission reported on having a meeting to discuss an ordinance to deal with Short Term Vacation Rentals. They hoped to have a draft for public comment on April 8<sup>th</sup>. Mayor Early stated that we also have a zoning map update that is ready to be reviewed.

**Be a Tourist in Your Own Backyard** – Mary Beth Hughes volunteered to represent the Town again this year for this event with the Habersham Chamber of Commerce. It is scheduled for May 3 – 9<sup>th</sup> and basically the same as last year. It was a real success last year.

## UNFINISHED BUSINESS:

Attorney Tillery stated that we have reached out to the Town's insurance company regarding implementing an extra duty policy for police officers. The insurance will cover the Town and associated liability, but there would not be coverage for the officer. There could be a dispute over which insurance would be primary. If an officer wants to work outside of the jurisdiction, they will have to be sworn as an auxiliary deputy by the Sheriff of the County where working and provide proof to the Town to be included in their personnel file. The policy is not recommended by the GA Association of Chiefs of Police, but they know it is commonplace and have suggested a model policy for handling same. The proposed policy by Chief Elrod is essentially the same. Attorney Tillery would suggest that Page 5 C(7) be modified to say all requests for secondary employment must have approval of the Town Council. A standing approval for extra duty work in XYZ jurisdiction can be done. Council would be responsible for giving approval for the Chief, and the Chief would be responsible for authorizing other officers to do extra duty work with notice to the Council. Approval would be contingent on proof of being sworn-in by the Sheriff in the County in which the officer would be working. **A motion to approve a General Order for Secondary Employment with the changes as recommended by the attorney was made by Councilperson Fountain. The motion was seconded by Councilperson Weatherly and unanimously approved.**

**A motion was made by Councilperson Fountain to approve a standing order for any extra duty employment for Chief Elrod provided she first files proof with the Town Clerk of required law enforcement credentials for the location where she will be working and provides proof of insurance from the employing company. The motion as seconded by Councilperson Weatherly and unanimously approved.**

The Mayor and Council are still reviewing the entire Police SOP. A work session was recommended by Mayor Early. A motion to set the work session for March 26<sup>th</sup> at 6 PM in City Hall to discuss the Police SOP and proposal by Blue Line Solutions was made by Councilperson Weatherly. The motion was seconded by Councilperson Fountain and unanimously approved.

## NEW BUSINESS:

Mayor Early reported attending a meeting regarding the upcoming Habersham 2021 SPLOST. The County is targeting public safety in the SPLOST. Mayor Early needs approval to negotiate on behalf of Tallulah Falls for its portion of the SPLOST and to submit a list of capital needs. Mayor Early suggested the list to include Public Safety, Government Buildings and Roads. **A motion was made by Councilperson Fountain to allow the Mayor to proceed with negotiations as stated. The motion was seconded by Councilperson Goatcher. Town Clerk Lapeyrouse asked if they wanted to attach any certain percentages to each of those categories. Mayor Early said they could do that in April after we know more about how much we would be anticipating. Councilperson Weatherly suggested adding Water to the list. A motion to amend the motion to add Water was made by Councilperson Weatherly. The motion was seconded by Councilperson Fountain. The amended motion was approved unanimously.**

Mayor Early presented an Ordinance setting the Mayor and Council's Salary to the pre-2017 level. The previous raise in 2017 approved with the budget adoption was not done properly and should not have taken affect. The statute requires three weeks of advertising and doesn't go into effect until after the next general election. If Council wants to enact a raise later this year or next year, it would not be effective until January 2022. **A motion to approve the Ordinance to set the Mayor's salary at \$900**

**per year and Council at \$600 per year was made by Councilperson Weatherly. The motion was seconded by Councilperson Fountain and unanimously approved.**

Attorney Tillery explained that the Town does not currently have a franchise fee for cable. This discussion was prompted by a request from Trailwaves. A franchise fee can be set up to 5%. He tried to contact the attorney to get some numbers, but the attorney has not called him back. The amount can be changed, but not more often than every two years. No residents would be affected right now that we know of since there is no cable service. If there are no gross revenues in the Town, it may be based on mileage of infrastructure located within the right-of-way. **A motion to approve the Resolution to Establish a 5% Franchise Fee for Cable was made by Councilperson Goatcher. The motion was seconded by Councilperson Hamilton and unanimously approved.**

The annual contract for Hotel Motel Tax expenditures memorializes what the Town has been doing with the Tallulah Falls Business Association in the past. This contract will renew automatically unless cancelled. The Town collects a 5% Hotel Motel Tax. Of that amount, 3% can be spent in the General Fund. The other 2% must be expended as required by state statute for the promotion of tourism. The contract with the TFBA satisfies that requirement. **A motion was made by Councilperson Goatcher to approve the contract for the expenditure of Hotel Motel Tax with the Tallulah Falls Business Association for the promotion of tourism. The motion was seconded by Councilperson Fountain and unanimously approved.**

Mayor Early stated that Clerk Lapeyrouse has been researching the ability to take credit card payments for utilities, taxes and possibly other payments. We have spoken with PayGov who charges the user a low fee of \$1 for any transaction under \$33 or 3% for anything over. There would be no cost to the Town. The service would be optional to customers but would be available to use if desired. The cost would also be less for those paying citations than what they are currently paying through the Court system. The customer could pay online, by phone or at the counter. We have looked at several companies and this one appears to be the best fit with the lowest rates. **A motion was made by Councilperson Fountain to approve PayGov for credit card payments. The motion was seconded by Councilperson Goatcher and unanimously approved.**

Town Clerk Lapeyrouse reported that the Town has four Certificates of Deposit with Oconee Federal Bank that will be maturing on 03-19-2020. Renewal rates were obtained from United Community Bank (0.25%), Rabun County Bank (0.20%) and Oconee Federal (0.85%). Lapeyrouse recommended that the CD's be rolled over and renewed with Oconee Federal for a 13 Month Term at 0.85%. Oconee Federal pledges collateral since we have more than \$100,000 invested with them pursuant to our financial policy. **A motion was made by Councilperson Weatherly to renew the CD's with Oconee Federal. The motion was seconded by Councilperson Fountain and unanimously approved.**

Mayor Early presented an Ordinance regarding Office Hours. This Ordinance would give flexibility in setting hours based on the need and can be changed by vote of the Council without changing the Ordinance. **A motion to approve the Ordinance on Office Hours was made by Councilperson Weatherly. The motion was seconded by Councilperson Fountain and unanimously approved.**

Mayor Early presented an Ordinance regarding Meeting Dates and Times. This Ordinance would give flexibility in setting Council Meetings. Meeting dates would be set at the first meeting of the year and can be changed by vote of the Council with notice to be posted at City Hall and on the website without changing the Ordinance. **A motion to approve the Ordinance on Meeting Dates and Times was**

**made by Councilperson Goatcher. The motion was seconded by Councilperson Fountain and unanimously approved.**

**No Executive Session was needed.**

**PUBLIC COMMENTS:**

Mary Beth Hughes suggested that it was a good time to work on the sign ordinance and volunteered to head up a committee unless the Planning & Zoning Commission is going to work on it. Mayor Early will be getting with the Town Attorney regarding the possibility of removing the sign ordinance from the zoning ordinance. Once we know what the procedure will be, Mayor Early will get back with Mary Beth and the Planning & Zoning.

Chief Elrod announced that Habersham County just closed schools for the next two weeks starting Monday due to the Coronavirus.

Teri Dobbs complemented the newly elected officials for taking time out of their schedules to go to training. She also suggested that the Water Commissioner be involved in getting a second look at the float mechanism. Mayor Early stated that he has contacted American Water Services to give us a bid on taking over the contract, and they are also looking at possible alternatives for an inexpensive SCADA system.

**There being no other business before the Council, a motion was made by Councilperson Goatcher to adjourn the meeting. The motion was seconded by Councilperson Weatherly and unanimously approved.**

The meeting adjourned at 8:47 PM.



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*Linda Lapeyrouse, Town Clerk*