

**TOWN OF TALLULAH FALLS
STATE OF GEORGIA
REGULAR COUNCIL MEETING
255 MAIN STREET, TALLULAH FALLS, GA 30573
WITH VIDEO CONFERENCE STREAMING AVAILABLE FOR THE PUBLIC
MAY 7, 2020, 6:00 PM**

AGENDA

Call to Order

Moment of Silence

I. Approval of the Agenda

II. Consent Agenda

Minutes

- Council Meeting April 9

Reports

- Water
- Police Report
- Fire Report
- Financial Report

III. Attorney Report

IV. Old Business

A. Public Property Use Ordinance

V. New Business

B. Application and Agreement for Permission to Camp on Public Property

C. Blue Line Solutions School Zone Automated Enforcement Program

D. Habersham SPLOST 2021

E. Budget Amendment to move \$4000 in salaries to \$4000 in Travel Reimbursement for the Fire Department Volunteers

F. Extension of Moratorium on licensing, permitting, regulation and fees associated with new short-term rentals in R-1, R-2, A and PUD zoning districts for an additional 90 days

G. Moratorium on new sign permits for 90 days

VI. Mayor's Comments

VII. Public Comments

VIII. Executive Session to Discuss Pending/Potential Litigation with Legal Counsel which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1)

IX. Adjournment

The link to watch is: https://www.youtube.com/channel/UCRFUIRrJfmxYTnt-_ye4QA

The link to participate is: <https://mkearlydesigngroup.my.webex.com>

And the meeting number is: 794 499 414

**TOWN OF TALLULAH FALLS
STATE OF GEORGIA
REGULAR COUNCIL MEETING
via Webex Video Conference
April 9, 6:00 PM
MINUTES**

The virtual meeting for April 9, 2020 of the Town Council of Tallulah Falls, Georgia was called to order at 6:15 PM by Mayor Mike Early. A simultaneous live-stream view of the meeting was available through YouTube and the link https://www.youtube.com/channel/UCRFUIRrJfmXYTnt_je4QA/featured had been previously circulated to the media and citizens through e-mail notification.

PARTICIPANTS WERE:

Mayor Mike Early
Councilperson Joey Fountain
Councilperson Deb Goatcher
Mayor Pro tem Larry Hamilton
Councilperson Craig Weatherly
Town Clerk Linda Lapeyrouse
Town Attorney Warren Tillery

Mayor Early started the meeting by requesting a moment of silence.

Mayor Pro tem Hamilton made a motion to table the meeting until further notice. Councilperson Fountain seconded the motion. Mayor Early stated that we can't let this stop us from having meetings and slow us down from doing our work. Mayor Pro tem Hamilton indicated he is not saying we can't take it up at a later date, but he wanted more public participation. Councilperson Weatherly suggested that they move forward with the meeting and work out any kinks. Councilperson Goatcher suggested that they have a trial run tonight. Mayor Pro tem Hamilton stated that he did not see anything that has that much urgency to it and he didn't think they needed to take any action. Citizens are concerned that they can't participate in person. The motion failed with a tie vote. Mayor Pro tem Hamilton and Councilperson Fountain voted to table the meeting. Councilpersons Weatherly and Goatcher voted against tabling the meeting. Mayor Early broke the tie and voted to continue the meeting.

A motion was made by Councilperson Goatcher to adopt the agenda as presented. The motion was seconded by Councilperson Weatherly. Mayor Pro tem Hamilton asked to strike the water proposal from the agenda. The motion to adopt the agenda as presented passed with Councilpersons Weatherly and Goatcher voting aye, Hamilton and Fountain voting nay and Mayor Early breaking the tie.

A Resolution recognizing and memorializing emergency conditions that necessitate holding meetings by video conferencing was introduced and explained by Attorney Tillery. This Resolution will also authorize any subordinate Authorities, Boards, or Commissions of the Town to use teleconferencing to hold their meetings as well. **A motion was made by Councilperson Goatcher to approve the Resolution as presented. The motion was seconded by Councilperson Weatherly and unanimously approved.**

The Consent Agenda included minutes of the Council Meeting March 12, 2020 and reports from Water, Police, Fire, Finance and DDA. 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 Goatcher and unanimously approved.

REPORTS:

Attorney Report – Attorney Tillery stated that he would offer any work that they have already done for other clients, to the extent helpful, for anyone to use. He further reported that the SDS Mediation ended at an impasse with no agreement. Either they will have more mediation or ask the court to resolve it.

NEW BUSINESS:

Mayor Early introduced a proposed Ordinance to establish rules and regulations governing certain uses for public properties owned or maintained by the Town of Tallulah Falls and to provide for “in kind” utilities and wear and tear on such properties. **A motion was made by Councilperson Weatherly to approve the Ordinance changing the approval process to go through Council for all applications. The motion was seconded by Councilperson Goatcher.** Mayor Pro tem Hamilton objected to the ordinance not going through the Planning and Zoning Commission for their recommendation. Mayor Early stated it was not a zoning ordinance, and Attorney Tillery helped explain which ordinances go before Planning and Zoning and which ones are outside of their limited authority. Zoning ordinances apply to private property. Public property was excluded from the camping ordinance that was passed last year. In the instance of public property, the property owner is the Town. The Council is able to give that authority for use of public property, or it can delegate it to the Mayor. In this case, the Ordinance was drafted to delegate that authority to the Mayor with notice to the Council. The Council would then approve or deny the request at the next Council meeting. It can be amended to have the Council make all necessary decisions, but the Council would have to be willing to meet each time there was a decision to be made. Mayor Pro tem Hamilton stated that it should be in the hands of the Council. We have a Weak Mayor System and the Council governs the Town. Attorney Tillery stated it was certainly in the purview of the Council, but that the Council has the ability, but not the requirement, to delegate certain duties to the Mayor. Mayor Pro tem Hamilton said there are 400+ camp sites within three miles of Tallulah Falls and we are discussing if we want to allow someone to camp behind City Hall. Councilperson Goatcher asked if it could be by invitation only. Attorney Tillery responded no. Attorney Tillery was instructed to modify the ordinance to require Council approval and a 30-day advance application period. Councilperson Weatherly said that he would like to read it once amended and would like to see it tabled until next month. Mayor Early stated that the Verdinos may want to come back in June and the ordinance could be finalized next month. Councilperson Fountain asked what the time limit was and what goes along with it... free rein of City Hall? Attorney Tillery stated that the Ordinance allows 90 days at a time with a maximum of 180 per year with a mandatory two-week rest period between any stays. Mayor Early responded that the Verdinos did not have a key to City Hall this time, but Gary is a firefighter and would have access through the fire department just like all other firefighters but no access to locked offices. They were not given a key to the back door this time, but before they were doing more work inside City Hall. Councilperson Goatcher asked if we needed and wanted volunteers. She is not sure why they would come back with some of the comments that have been made. **A motion to table the ordinance and make the changes discussed was made by Councilperson Weatherly. The motion was seconded by Councilperson Goatcher and unanimously approved.**

Mayor Early reported reaching out to American Water Services, Inc. for a proposal after our water tanks had been allowed to run dry three different times in the last year. Mayor Early reported recently trying to check a tank level and found that the locks had been changed. The proposal is month to month and is

less money for comparable service. Councilperson Weatherly stated that there is cost and service to consider. Cheaper is not always better and he wanted to check with some of their other clients. Councilperson Weatherly said he would like to table the proposal and take more time to study the service side of it. Councilperson Goatcher said that things are stable right now, but they are just doing their due diligence to see if we are getting the most service for our money. Mayor Pro tem Hamilton said he would like to compare each proposal side by side and wants to look at it in detail before making any decision. Mayor Early said he wanted to bring it up but was not trying to force a decision. **A motion to table the proposal for water services was made by Councilperson Fountain. The motion was seconded by Mayor Pro tem Hamilton and unanimously approved.**

MAYOR'S COMMENTS:

Mayor Early said that he did not have any comments. He hoped that as online meeting services continue to open up and address security issues, there will be more public participation that can be incorporated into the meeting. The YouTube video link will be left up indefinitely or until otherwise directed by Council.

There being no other business before the Council, a motion was made by Mayor Pro tem Hamilton to adjourn the meeting. The motion was seconded by Councilperson Fountain and unanimously approved.

The meeting adjourned at 7:22 PM.

Linda Lapeyrouse, Town Clerk

ENVIRONMENTAL MANAGEMENT SERVICES, INC.

May 04, 2020

Town of Tallulah Falls
Attn: Honorable Mayor Early
P.O. Box 56
255 Main Street
Tallulah Falls, Georgia 30573

Sent via email to: clerk@tallulahfallsga.gov

Honorable Mayor Early

Please find the March report below, the month of April seems to have been quiet with very little issues.

Updates on the city's water system.

1. Hickory Nut System upgrades: Warren McKay has installed the job box at the site that will hold the paperwork that is required to be on site. Linda and I are working with Warren to get final paperwork in hand ASAP, we are waiting on his E Verify forms to come in.
2. One Repair was made at a residence on 4-9-2020 on Hickory Nut Way on the city pipe at meter due to small leak and failed ball valve.
3. SCADA System updates, as of Friday and multiple phone calls from Scott to Ash Electric this is the worst response we have ever gotten.
 1. Ash Electric with presentation to the city – No Response
 2. High Tide Technologies – unable to help due to the system needing to have controls updated significantly, they can help at Hickory Nut once tank is installed.
 3. Mission Controls – Unable to assist due to aged system
 4. Currahee Controls – Informed Scott last week that they would schedule a visit soon and look at the system but did indicate that they have already done about as much as they can for the city in the past.
 5. Ems has now contacted OMNI Site to see what options they can provide for affordable SCADA solutions, they will give contact date soon.
4. The City's 55k storage tank needs to be fully cleaned, I have contacted both American Tank and Pittsburg Tank and both are still working remotely and are back dated on already scheduled work. Both indicated that they will make arrangements soon to look at the tanks again for another estimate. Brian Rindt will be providing the drawing for the hydrant addition for the tank soon so that we can have final quotes on all cleaning and additions to the main tank.
5. Scott Porter replaced the Suction and discharge hoses on the PH adjustment pump due to them being brittle from age and use.
6. WE would like to add a 1" Flow meter to the backwash line on the sand filters at the main city well, this would allow for better tracking of water loss from the filter cleanings.

Meter 1" \$494.50 plus any materials and time.

7. (Water usage and loss)

1. For the month of April 2020 the city well pumped 431,200 gallons
2. Hickory Nut well meter pumped 32,500 gallons combined two wells = 463,700 gallons
3. Metered usage for the cities system including Hickory Nut was 270,575 gallons
4. Total Stored water between the City's 55k tank and Hickory Nut is 65,000 gallons
5. Estimated backwash from filters at city's main well (per estimated history) 100,000 gallons.
6. Flushing of Hydrants in the system for month None Completed not needed.
7. There have been overflow concerns at the city's main tank and to include ongoing history of the Hickory Nut Tank overflowing. Overflow pipe looks much dryer since adjustments have been made at Hickory Nut.
8. Fire Department Flushing - Unknown
9. Total Water loss for the month of April- 28,125

UPDATE: After Speaking with Mr. Hamilton and per the last email from the mayor regarding the float switch for the city tank, Scott has tried the idea of switching the breaker and cleaning the contacts and now the float is mysteriously working! After having several professionals identified that there was no way in the building for the float to communicate, the float is now working. It does appear that some wires have been moved from what we have seen in the past, based on the original education of the system and the way that the timers were set in place to dose the tank this has our crew stumped! We have told Mr. Hamilton that we will test this situation to confirm that it will work for the next couple of weeks to make sure before we give clearance that the system is ok.

PAST INFORMATION WITH FOLLOW UP:

Updates on the water system.

1. Same Continual -The new chemicals are in place and seem to be working great. The pH and the Chlorine levels are stabilized now requiring very little attention. Also the flushing of water throughout the city has greatly improved with the new chemicals in place. Chemical usage is around 2.8 gallons per week of disinfectant and 7 gallons a week of PH stabilizer.

The City's Laboratory results for April 2020 were all noted as Absent for Total Coliform! This means that water quality is good with no concerns.

Please feel free to call with any questions.

Regards,

Linda Lapeyrouse

From: Tonya Elrod
Sent: Monday, May 4, 2020 8:06 AM
To: Linda Lapeyrouse
Subject: April Police Report

Due to the scare of Covid 19 all police departments have united and respond with county ems/fire units to med calls due to the fact the med units are being broken into during calls and taking supplies.

Had a report of vehicle broken into on scenic loop road.

Had an arrest of possession of Methamphetamin.

Been busy with parks and out of town visitors.

Not much else to report , just big increase out of town visitors still camping and hiking and increased traffic coming into the city and downtown.

Sent from my Verizon, Samsung Galaxy smartphone

Tallulah Falls Municipal Court

Citations By Offense Summary

04/01/2020 To 04/30/2020

Charge	Description	Written	Open	Prob	Disposed	Fines	Payments	Balance
UNK	UNKNOWN	1	1	0	0		0.00	
12310	Criminal Trespass	46	45	0	1	5,336.00	464.00	4,872.00
16132	Possession of Marijuana less than ounce	2	2	0	0	3,000.00	0.00	3,000.00
40523	Wrong Class of Driver's License	1	1	0	0	344.00	0.00	344.00
40529a	No License on Person	1	1	0	0	28.50	0.00	28.50
406180	Too Fast for Conditions	1	1	0	0	140.00	140.00	0.00
406181	Speeding	1	1	0	0	150.00	0.00	150.00
406253	Open Container Passenger	2	2	0	0	720.00	0.00	720.00
408761	Seatbelt Violation Adult	1	1	0	0	15.00	0.00	15.00
Grand Totals		56	55	0	1	\$9,733.50	\$604.00	\$9,129.50

Tallulah Falls Fire Rescue: Monthly Report

April 2020 Training

Date	Description	Notes	HRS
Monday, April 6, 2020	Training Canceled	COVID-19 Directive - GFSTC Mandate	0
Monday, April 13, 2020	Training Canceled	COVID-19 Directive - GFSTC Mandate	0
Monday, April 20, 2020	Training Canceled	COVID-19 Directive - GFSTC Mandate	0
Monday, April 27, 2020	Training Canceled	COVID-19 Directive - GFSTC Mandate	0
Total			0

April 2020 Incidents

Date	Nature of Call	Location	Jurisdiction
Wednesday, April 8, 2020	Fire Alarm	Tallulah Falls Middle School	Town
Saturday, April 11, 2020	Medical	Jane Hurt Yarn Interpretive Center	State Park
Tuesday, April 21, 2020	Medical	Local Residence	Town
Tuesday, April 28, 2020	Fire Alarm	Tallulah Falls - Girls Dorm	Town
Tuesday, April 28, 2020	Medical	Local Residence	Town
Wednesday, April 29, 2020	Medical	River Street	Town

TOTAL TOWN	5
TOTAL HABERSHAM	0
TOTAL RABUN	0
STATE PARK	1

Net Response 6

Budget Request:

-- The \$4,000 set aside for reimbursement of fire fighters for fuel, wear, and tear of their personal vehicles has been classified as salary when it needs to be classified as "Travel Reimbursement".

Town Of Tallulah Falls
Balance Sheet
 As of April 30, 2020

	Apr 30, 20
ASSETS	
Current Assets	
Checking/Savings	
11.0000 · Petty Cash	100.00
11.1110 · Checking - General Fund UCB	287,175.04
11.1112 · Checking - Water Fund	54,264.75
11.1113 · Checking - Hotel Motel Tax Fund	552.55
11.1114 · Checking - Volunteer Fire Dept	13,591.79
11.1115 · Checking - Technology Fund	8,193.37
11.1116 · Checking - Habersham SPLOST 6	69,565.81
11.1117 · Checking - Habersham SPLOST 4	6,236.74
11.1118 · Checking - Rabun SPLOST 13	76,736.62
11.1119 · Trust Acct - Municipal Court	10,744.04
11.1120 · Checking - Rabun SPLOST 19	214,321.40
11.1360 · CD-2050 Oconee 06-23-20 WF	25,946.17
11.1380 · CD-0131 Oconee 03-19-20	27,257.55
11.1384 · CD-0128 Oconee 03-19-20	8,090.37
11.1385 · CD-0129 Oconee 03-19-20	100,094.18
11.1390 · CD-0130 Oconee 03-19-20	30,755.64
Total Checking/Savings	933,626.02
Accounts Receivable	
11.1500 · Property Tax Receivable 2018	-274.68
11.1501 · Property Tax Receivable 2019	909.75
11.1900 · Accounts Receivable - Water	-286.36
Total Accounts Receivable	348.71
Other Current Assets	
11.3100 · Due from other funds	48,510.77
11.3200 · Interfund Receivable Loan to WF	11,880.40
12000 · Undeposited Funds	56.94
Total Other Current Assets	60,448.11
Total Current Assets	994,422.84
TOTAL ASSETS	994,422.84
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
12.1300 · Payroll Liabilities	
12.1350 · Insurance Payable - GMA	25.50
Total 12.1300 · Payroll Liabilities	25.50
12.1900 · Due to other funds	48,723.34
12.2100 · Interfund Payable Loan from GF	11,880.40
12.2600 · Deposits Payable	300.00
Total Other Current Liabilities	60,929.24
Total Current Liabilities	60,929.24
Total Liabilities	60,929.24
Equity	
13.4200 · Uncleared Transactions at O Bal	-61,903.04
13.4201 · Opening Balance Equity	704,910.49
Net Income	290,486.15
Total Equity	933,493.60
TOTAL LIABILITIES & EQUITY	994,422.84

	Apr 2020	FY to date	Original Budget	Revised Budget	Remaining Budget	% of Budget
General Fund Budget						
General Fund Revenues						
Revenues	2,458	290,731	313,000		22,269	93%
Grants	0	5,854	14,881		9,027	39%
Interfund Transfer In - Hotel/Motel	0	1,007	1,200		193	84%
Sale of Assets	0	16,244	10,000		-6,244	162%
Use of Surplus	0	0	0		0	
Total Revenues & Other Sources	2,458	313,836	339,081	0	25,245	93%
General Fund Expenditures						
1100 Legislative	542	4,894	9,490		4,596	52%
1300 Executive	258	2,371	8,330		5,959	28%
1500 General Administration	8,853	113,123	138,809		25,686	81%
2650 Municipal Court	1,222	14,936	19,450		4,514	77%
3200 Police	6,200	85,791	105,006		19,215	82%
3500 Fire	28	11,608	30,463		18,855	38%
4200 Highways and Streets	1,079	12,972	27,533		14,561	47%
Total Operating Expenditures	18,182	245,695	339,081		93,386	72%
Interfund Transfer Out - Water						
Total Expenditures & Transfers	18,182	245,695	339,081	0	93,386	72%
Total Current Profit/Loss General Fund	-15,724	68,141				
Capital Projects Budget						
Revenue Sources						
SPLOST	0	3,476	61,165	67,303	63,827	6%
LMIG 2020	0	14,966	13,619	14,966	-1,347	110%
LMIG 2019 (carry forward)	0	0	0	13,619	-13,619	0%
Total Available Sources	0	18,442	74,784	95,888	48,861	25%
Expenditures						
Capital Outlay - Fire	0	0	13,800	13,800	13,800	0%
Capital Outlay - Police	0	0	5,000	5,000	5,000	0%
Capital Outlay - Parks/Rec	0	0	3,500	3,500	3,500	0%
Capital Outlay - Roads	0	1,648	48,484	69,588	67,940	3%
** LMIG Projects	0	0	17,719	37,175		
** Other Road Projects	0		30,765	30,765		
** Snow Plow	0	1,648	0	1,648		
Capital Outlay - Building	0	1,828	4,000	4,000	2,172	46%
**Bunk Room Remodel (police)	0	1,111				
**Meeting Room Audio System	0	717				
Total Capital Improvements	0	3,476	74,784	95,888	92,412	5%

Water Fund Budget	Apr 2020	FY to date	Original Budget	Revised Budget	Remaining Budget	% of Budget
Water Fund Revenues						
Water Revenues	4,541	45,375	64,780	64,780	19,405	70%
ITAD Grant	0	0	0	0	0	
GIRMA Lightening Insurance Claim	0	28,845	0	0	0	
Interfund Transfer In - SPLOST	0	0	93,659	93,659	93,659	0%
Interfund Transfer In - GF	0	11,880	0	98,407	86,527	0%
Use of Reserves/Cash in Water CD	0	18,593	0	18,593	0	
Total Revenues & Other Sources	4,541	104,693	158,439	275,439	199,591	66%
Water Fund Expenses						
Water Operations	3,315	68,138	64,780	64,780	-3,358	105%
Water Capital Outlay						
** 3" hydrant valve	0	2,000				
** Water Withdrawal Permit	0	1,726				
** In-Line Pump (spare)	0	5,669				
Total Other Water Capital	0	9,395	93,659	93,659	84,264	10%
Emergency Water Repair						
** HNM Improvements (other)	0	34,820				
** Sand Filter Rebuild	0	9,271				
** 20,000-gallon tank	0	5,000				
Total Emergency Water Project	0	49,091	0	117,000	67,909	42%
Total Capital Expenses	0	58,486	93,659	210,659	152,173	62%
Total Expenses	3,315	126,624	158,439	275,439	148,815	80%
Total Current Profit/Loss Water Fund	1,226	-21,931	0	0	50,776	

SPLOST FUNDS	Original Budget	Revised Budget	Current FY	Previous Yrs.	Current Bal
ROADS/BRIDGES					
SPLOST IV (carry forward)	64,411	64,411		64,411	6,226
LMIG 2016	7,818			7,818	
Hickory Nut Mtn.	3,901			3,901	
Interest Revenue			11	347	11
Total Available	76,130	64,411	11	76,477	6,237
Capital Outlay - Water	19,086	15,094		15,094	0
Capital Outlay - Roads	37,863	53,500	1,648	45,648	6,204
Capital Outlay - Public Safety	7,462	7,861		7,861	0
Total Projects	64,411	76,455	1,648	68,603	6,204
Net Available					33

SPLOST VI	Original Budget	Revised Budget	Current FY	Previous Yrs.	Transfer Projects	Current Bal	To Collect
SPLOST Revenue	271,740	271,740	40,895	179,608		68,288	51,237
Interest Revenue			84	1,195		1,279	0
Total SPLOST Available	271,740	271,740	40,979	180,803		69,567	51,237
Capital Outlay - Roads	25,000	25,000	0	0		25,000	
Capital Outlay - Public Safety	131,740	131,740	0	68,583		63,157	
Capital Outlay - Water	20,000	20,000	205	18,998		797	
Capital Outlay - Public Facilities	70,000	70,000	1,828	62,601		5,571	
Capital Outlay - Parks/Rec.	25,000	25,000	0	0		25,000	
Total Projects	271,740	271,740	2,033	150,182		119,525	
Net Available						-49,958	1,279

SPLOST XIII	Original Budget	Revised Budget	Current FY	Previous Yrs.	Transfer Projects	Current Bal
SPLOST Revenue (carry forward)	200,000	200,000	0	200,000		74,906
Interest Revenue			116	1,714		1,830
Total SPLOST Available	200,000	200,000	116	201,714		76,736
Capital Outlay - Roads	75,000	75,000	0	0		75,000
Capital Outlay - Public Safety	45,000	37,394	0	37,394		-7,606
Capital Outlay - Water	80,000	87,606	0	87,700		-94
Total Projects	200,000	200,000	0	125,094		74,906
Net Available						1,830

SPLOST XIX	Original Budget	Revised Budget	Current FY	Previous Yrs.	Transfer Projects	Current Bal	To Collect
SPLOST Revenue	220,000	220,000	214,317	0		214,317	5,683
Interest Revenue			4	0		4	0
Carry Forward							
Total SPLOST Available	220,000	220,000	214,321	0		214,321	5,683
Capital Outlay - Roads	50,000	50,000	0	0		0	0
Capital Outlay - Public Buildings	50,000	50,000	0	0		0	0
Capital Outlay - Water	120,000	120,000	0	0		0	0
Total Projects	220,000	220,000	0	0		0	0
Net Available						220,000	5,683

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS GOVERNING CERTAIN USES OF PUBLIC PROPERTIES OWNED AND/OR MAINTAINED BY THE TOWN OF TALLULAH FALLS AND TO PROVIDE FOR “IN KIND” REIMBURSEMENTS TO THE TOWN FOR, AMONG OTHER THINGS, THE USE OF UTILITIES AND WEAR AND TEAR ON SUCH PROPERTIES; TO PROVIDE FOR CODIFICATION; TO REPEAL CONFLICTING PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Town of Tallulah Falls is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the Town of Tallulah Falls has historically relied heavily on volunteerism in order to thrive as a community without having to raise millage rates and further burden property owners; and

WHEREAS, the hourly value of a volunteer in the State of Georgia has been established to be \$25.78 per hour in recent studies; and

WHEREAS, the Mayor and Council of the Town of Tallulah Falls are willing to make accommodations to encourage people to freely offer their time and efforts to do work for the Town’s benefit; and

WHEREAS, properties owned and/or maintained by the Town are considered Public Properties for purposes of this Ordinance (as opposed to private property); and

WHEREAS, Section 24-15 of the Code of Ordinances for the Town of Tallulah Falls provides that “[n]o person shall camp in the town except at designated locations.”

WHEREAS, the Mayor and Council find it to be in the best interest of the Town to adopt an Ordinance that provides for rules and regulations regarding the use of Public Properties owned and/or maintained by the Town;

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TALLULAH FALLS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Title: Rules and Regulations to Use Public Properties for Overnight Camping.

SECTION 2. Findings of Fact: The Town Council hereby makes the following findings of fact by incorporating the “WHEREAS” clauses above as if same were set forth verbatim here.

SECTION 3. Designated Areas for Camping. Pursuant to Section 24-15 of the Code of Ordinances for the Town of Tallulah Falls, the Council hereby designates all Public Properties as a location in which camping shall be allowed, provided that any person so doing must comply with the rules and regulations set forth hereunder as a condition precedent. As used herein, the phrase “Public Properties” means those properties that are owned and/or maintained by the Town; it does not include private property.

SECTION 4. Rules and Regulations:

- (a) With prior approval from the Council, the Mayor is hereby authorized to permit camping on Public Properties in accordance with this Ordinance.
- (b) Those wishing to camp on Public Properties must first apply in writing to the Town Clerk and receive approval from the Mayor and Council.
 - i. All applications shall be made at least thirty (30) days prior to the desired commencement date of the applied for camping on Public Properties.
 - ii. Any such application must include, at a minimum, the names of any person(s) who will be camping on Public Properties, contact information, including phone number, e-mail address (if any), a copy of an unexpired driver's license or other form of valid government issued identification, and a copy of a valid registration for any vehicles to be parked on such Public Properties.
 - iii. No minor children shall be permitted to camp on Public Properties unless they are accompanied by a parent or legal guardian. In the event that a minor child is accompanied by a parent or legal guardian while camping on Public Properties, then no separate application or form of identification shall be required for the minor child and the application and identification for the accompanying parent(s) or legal guardian(s) shall be sufficient as to the minor child.
 - iv. Submission of an application shall be a consent to the Town performing a routine background check, which shall be performed by the Police Chief and reviewed with the Mayor and Council before approval of such application to permit camping on Public Properties.
- (c) Any permission to camp on Public Properties is conditioned upon the donation of services and time to the Town as "In Kind" remuneration. The length of stay, number of "campers," and the scope of services provided shall be determined on a case-by-case basis by the Council, subject to review for compliance on a weekly basis by the Mayor, who may cancel a stay at any time for a failure to comply with this requirement in a manner satisfactory to the Mayor. As used herein, "In Kind" remuneration means a minimum of 24 hours per week spent volunteering time, effort, and services for the advancement and benefit of the Town of Tallulah Falls in a manner deemed reasonable by the Mayor and Council. This "In Kind" remuneration shall be in exchange for the use of Public Properties, including, but not limited to utilities and/or the wear and tear on the Public Properties while camping is being permitted.

- (d) A single length of stay shall not exceed 90 consecutive days at one time, with a maximum total number of days not to exceed 180 days per calendar year. Any particular Public Property used in such a manner shall be given a recovery period of at least 14 days between each use.
- (e) Any such use of Public Properties for camping shall be additionally subject to the following rules and regulations set forth hereinbelow:
 - i. Only one camp site at a time is permitted per Public Property.
 - ii. The area where camping has been permitted under this Ordinance shall be maintained in a clean and sanitary manner.
 - iii. No alcohol consumption shall be permitted on said Public Properties.
 - iv. No open fires shall be permitted. The foregoing does not apply to the reasonable use of barbeque grills or stoves for cooking purposes, but is intended to prohibit “campfires.”
 - v. The area where camping has been permitted under this Ordinance shall be left in a condition that is as good as or better than when the activity commenced.
 - vi. All other Ordinances of the Town of Tallulah Falls, and state law where applicable, must be followed at all times during the activities provided for through this Ordinance.
- (f) Violation(s) of any of these provisions may be grounds for immediate cancelation of the permitted use and the Public Property shall be vacated immediately upon written notice by the Mayor. There shall be no other acceptable allowance for camping on Public Properties under this Ordinance.
- (g) The Police Chief is authorized to enforce all laws and ordinances with regard to the use of Public Properties.

SECTION 5. Miscellaneous Provisions.

- (a) The Town Clerk shall provide written notice to the Mayor, Council, Police Chief, and Fire Chief, upon receipt of an application to use Public Properties for the purposes of camping. This notice shall include the application materials specified hereinabove.
- (b) Records shall be maintained to include the application and supporting materials as well as any and all time sheets showing the services performed and time rendered weekly on behalf of the Town. These reports shall be provided to the Council at each regularly scheduled meeting.

- (c) The use of Public Properties pursuant to this Ordinance is not intended, and in no way shall be construed, to convey a property right or interest in the use or continued use of the Public Properties so used, but instead shall constitute a license revocable at any time for any reason by the Town without payment of any form of compensation.
- (d) The services contemplated hereunder in exchange for the license to camp on Public Properties do not constitute an employment relationship or qualify said volunteer(s) as independent contractor(s). To that end, the Town shall have no obligation to pay for any services rendered by any individual hereunder.
- (e) Each person over the age of majority must sign a waiver and acknowledgment declaring that he or she has read this Ordinance, including the Rules and Regulations contained in Section 4 and the Miscellaneous Provisions contained in Section 5. Moreover, each individual signing the waiver and acknowledgment must agree to be bound by the provisions hereof and forever waive any claim or liability arising from the use of Public Properties hereunder. The particular form of the waiver and acknowledgment shall be satisfactory to the Town’s legal counsel.
- (f) For each person under the age of majority, an accompanying parent or legal guardian must sign the aforementioned waiver and acknowledgment on behalf of each person under the age of majority who will be camping on the Public Properties. While the Town does not want to discourage children from learning the valuable life lessons gained through performing public service and volunteer work, no hours performed by a person under the age of majority shall count toward the provisions related to “In Kind” remuneration.

SECTION 6. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Mayor and Council of the Town of Tallulah Falls.

SECTION 8. Authorization. By adopting this Ordinance through motion validly seconded and approved in accordance with the Charter, the Council hereby authorizes the Mayor to sign this Ordinance and further authorizes the Mayor, Town Clerk, Town Attorney, or such other staff or designees as may be otherwise prudent and ordinary to take all measures necessary and convenient to effectuate the purposes of this Ordinance.

SO ORDAINED this _____ day of _____, 2020.

Mike Early, Mayor

Attest: _____
Linda Lapeyrouse, Town Clerk

[seal]

Approved as to Form:

Warren Tillery, Town Attorney



HABERSHAM COUNTY
 GEORGIA | Est. 1818

Office of County Commissioners
 130 Jacob's Way, Suite 301, Clarkesville, GA 30523
 706-839-0200 Fax: 706-839-0209
 www.habershamga.com

MEMO TO: Mayors and City Managers

CC: Habersham County Board of Commissioners
 Donnie Hunt, County Attorney
 Heidi Hook, Finance Director

FROM: Phil Sutton, County Manager

DATE: May 5, 2020

SUBJECT: SPLOST Distribution Calculation Method

After several months of discussions with the cities of Habersham County concerning the SPLOST 2021 distribution calculation, the Board of Commissioners has voted to use of a population-based method of distribution. We ask that each city acknowledge acceptance of the population distribution method of SPLOST 2021 funds.

SPLOST 2021 Distribution: This chart illustrates the population-based percentage of distribution and the estimated amount of revenue based on 3% annual growth anticipated, after removing \$5 million for the Tier 2 Hospital Bond Payments.

Distribution Calculation in Percentages (%)	Residential Population 2010	Distribution w/ Jail Project
Habersham County	71.43%	\$30,080,640
Alto	1.52%	\$641,720
Baldwin	5.90%	\$2,482,753
Clarkesville	4.03%	\$1,696,255
Cornelia	9.67%	\$4,073,359
Demorest	4.24%	\$1,784,296
Mt. Airy	2.99%	\$1,257,028
Tallulah Falls	0.23%	\$94,889
Total	100.00%	\$42,110,939

Project List and Intergovernmental Agreement: The County requests each of the cities provide a project list which equals the budget allocation for each city noted above. Please send your city's project list to my attention, at the County Manager's office, no later than May 26th. If anyone believes they will have difficulty meeting that date, please let me know as soon as possible. When we receive the specific project lists, the County Attorney will prepare intergovernmental agreements that can be approved by each city council and the County Commission. For your reference, the IGA for SPLOST VI is attached as an example of the document we will ultimately need to ratify, prior to the call of the referendum.

If you have any questions, please call me and we can discuss. Thank you.