

**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
SEPTEMBER 3, 2020, 6:00 PM**

MINUTES

The Council meeting for September 3, 2020 of the Town Council of Tallulah Falls, Georgia was called to order at 6:05 PM. A simultaneous live-stream view of the meeting was available through YouTube at <https://www.youtube.com/channel/UCytr3V3naaBwBwlzBlg-y8A> and had been previously circulated to the media and citizens through e-mail notification and the Town's website. The public was also able to participate in the meeting via Webex with Meeting #794 499 414. Social distancing protocols were observed in response to the COVID-19 pandemic and overflow seating was available in the engine bay with audio feed of the meeting.

PRESENT WERE: Mayor Mike Early
Mayor Pro tem Larry Hamilton
Councilperson Craig Weatherly
Councilperson Joey Fountain
Town Clerk Linda Lapeyrouse
Police Chief Tonya Elrod

ABSENT: Councilperson Deb Goatcher

PRESENT VIA VIDEO CONFERENCE: Town Attorney Warren Tillery

OTHERS PRESENT OR VIA VIDEO: Public at large – see attached list

Mayor Early welcomed everyone to the meeting and asked for a moment of silence.

AGENDA:

Mayor Early asked for a motion to approve the agenda as presented. A motion was made by Councilperson Hamilton. The motion was seconded by Councilperson Fountain and unanimously approved.

CONSENT AGENDA:

The Consent Agenda included minutes of the Regular Council Meeting August 6, Executive Session August 6, department reports from Water, Police, Fire, Financial, Volunteer and Zoning. 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 – None.

OLD BUSINESS:

Jeffrey Cope owner of Main Street BBQ and Grill made application for an alcohol license to sell beer. Town Clerk Lapeyrouse updated the Council on the results of the background check. Mr. Cope briefly addressed Council regarding an arrest approximately 42 years ago stating that he did not recall the circumstances. The charge does not prohibit him from obtaining a license according to the Town's regulations. **A motion was made by Councilperson Weatherly to approve the alcohol license. The motion was seconded by Councilperson Fountain. The motion passed unanimously with Councilperson Hamilton abstaining due to a potential conflict. Mayor Early voted in favor of the motion to prevent a deadlock. Mr. Cope will now apply to the State for a license before he can begin serving beer.**

NEW BUSINESS:

A Resolution establishing the Ad Valorem Tax Levy and setting the millage rate at \$5.848 per \$1,000 of assessed value was read by Mayor Early. This rate is the lower of the two rollback rates as calculated for Rabun and Habersham Counties. **A motion was made by Councilperson Fountain to approve the Resolution as presented. The motion was seconded by Councilperson Weatherly and unanimously approved.**

A proposal for phase 2 work on the water tank project was received from Harrison Construction, the same company that worked on phase 1. No other bids were received. The price is in line with prior estimates. **A motion was made by Councilperson Weatherly to approve the bid as presented. The motion was seconded by Councilperson Hamilton and unanimously approved.**

Mayor Early updated the Council on the 2021 Election options. We anticipate a cost increase, but if it is too high, we can consider paper ballots and having the Clerk recertified. Since we do not have cost estimates from the County yet, Mayor Early recommended tabling the matter. **A motion to table any decision on the 2021 Election was made by Councilperson Fountain. The motion was seconded by Councilperson Weatherly and unanimously approved.**

Mayor Early recommended replacing the lights on the floating Christmas tree at a cost of \$357. These are the same lights purchased previously. Councilperson Hamilton suggested that they be stored so they will be in better condition from year to year. **A motion to approve the purchase of new lights for the Christmas Tree at a cost of \$357 was made by Councilperson Weatherly. The motion was seconded by Councilperson Fountain and unanimously approved. The purchase will be covered by the current budget even though it was not a planned expense.**

MAYOR'S COMMENTS:

Mayor Early announced that the Council would need to set a date for the vested rights hearing for J & D Irvin Holdings, LLC, S & B Irvin Properties, LLLP, Johnny Irvin and Clint Irvin (collectively, "the Irvins"). September 24th and October 1st at 6:00 PM were agreed upon as possible dates. Attorney Tillery will check with the Irvins' attorney and confirm.

Mayor Early updated the community on the suspicious e-mails that people had been receiving. This appears to be an emotet bot that may have infected someone on our old e-mail list. The Town's systems

have been checked by the IT company and the e-mails are not originating from here. You should delete any e-mails that appear to be from the Town that have a Windstream e-mail address.

Mayor Early updated the community on the recent water quality issues. A tank was inadvertently drained back into the system when a valve was left open. He suggested that a policy be put into place that allows some consideration on a water bill when the customer has had to flush their water lines due to a city issue. Council agreed that any such adjustments could be considered on a case-by-case basis by the Mayor upon the homeowner's request to the Town Clerk.

PUBLIC COMMENTS:

Ann Irvin commented that the sound was not good on the audio of the meeting. Mayor Early apologized and responded that he had tried the system used by the DDA, but he would go back to the microphone system.

Teri Dobbs requested that EMS be involved in the meetings especially when there were water items to report or discuss. Mayor Early agreed.

No other public comments.

EXECUTIVE SESSION:

A motion was made by Councilperson Fountain to go into Executive Session for the purpose of discussing potential litigation with the Town Attorney. The motion was seconded by Councilperson Weatherly and unanimously approved at 6:40 PM.

At 6:53 PM, a motion was made by Councilperson Fountain to exit the Executive Session and re-open regular session. The motion was seconded by Councilperson Weatherly and unanimously approved.

A motion was made by Councilperson Hamilton to deny the claim made by the Irvins in the Ante Litem Notice and have the Town's attorney send the appropriate response. The motion was seconded by Councilperson Weatherly and unanimously approved.

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

The meeting adjourned at 6:55 PM.


Linda Lapeyrouse, Town Clerk