

City of Blue Ridge

480 West First Street • Blue Ridge, Georgia • (706) 632-2091

City of Blue Ridge
Council Meeting Minutes
City Hall
480 West First Street
February 13, 2018 at 6:00 p.m.

Present: Mayor Donna Whitener
Council Members Robbie Cornelius,
Kenneth Gaddis, Rhonda Haight,
And Harold Herndon
City Clerk Kelsey Ledford

Absent: Council Member Nathan Fitts
City Attorney James Balli

1) Call Meeting to Order:

Council Member Rhonda Haight made a motion to call the meeting to order. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

2) Prayer and Pledge of Allegiance:

Council Member Robbie Cornelius offered a word of prayer followed by the Pledge of Allegiance.

3) Council Meeting Rules of Procedures:

Mayor Donna Whitener announced that the Rules of Procedures were available upon request.

4) Approval of Minutes from Previous Meeting:

- a) Council Member Rhonda Haight made a motion to approve the January 9, 2018 Council Meeting Minutes (including Executive Session Minutes). The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.
- b) Council Member Rhonda Haight made a motion to approve the January 25, 2018 Special Called Council Meeting Minutes (including Executive Session Minutes). The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

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5) Cool Kids Grow Gardens—Donation to the City:

The City received bird house donations from Cool Kids Grow Gardens. The group wishes that the bird houses will attract blue birds to our area.

6) Purchasing Policy Amendment and Resolution (First Reading and Adoption):

Mayor Whitener asked the Finance Director Alicia Stewart to join the Council in discussion. Mrs. Stewart briefly described the proposed changes, such as dollar amount thresholds, meal expense amount, and steel toe boots expense, etc. The audience asked questions and interacted with the Mayor, Council and Mrs. Stewart. Other topics discussed were budget line amounts and the bid process. Council Member Robbie Cornelius asked if the meal expense amount could remain at \$30.00 per day versus the proposed amount of \$40.00 per day. The Council agreed. Mayor Donna Whitener read the Purchasing Policy Amendment Resolution, and changed the dollar amount in the resolution from \$40.00 a day for meals to \$30.00 a day as suggested. Council Member Rhonda Haight made a motion to approve the first reading and adoption of the Purchasing Policy Amendment Resolution. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

7) Cable and Video Franchise Fee Resolution (First Reading and Adoption):

Mayor Donna Whitener read the Cable and Video Franchise Fee Resolution. Finance Director Alicia Stewart explained that the City recently underwent an audit, provided by the Georgia Municipal Association, which focuses on the collection of franchise fees. The auditor had recommended that the City adopt a cable and video franchise fee resolution in order to confirm the legal receipt of the franchise fees. She explained that the City has been collecting the fees but without the resolution the companies that pay franchise fees would not be legally obligated to pay the fees to the City. Council Member Rhonda Haight made a motion to approve the first reading and adoption of the Cable and Video Franchise Fee Resolution. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

8) FY2016 CDBG Conflict of Interest Disclosure:

Mayor Donna Whitener read the first page of the FY2016 CDBG Conflict of Interest Disclosure (attached). City Clerk Kelsey Ledford announced that the City would be formally requesting an exception to the conflicts of interest at the March Council Meeting.

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9) CDBG Bank Account:

Council Member Rhonda Haight made a motion to remove the previous City Clerk, Bill Sowers from the CDBG bank account and replace the name with the current City Clerk, Kelsey Ledford. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

10) The Renee Group Contract Approval:

The Mayor and Council were presented with The Renee Group agreement that will be part of the contract document between the Renee Group and City of Blue Ridge for the FY2016 CDBG project. Council Member Rhonda Haight made a motion to approve the agreement pending the City Attorney's review and approval. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.

11) FY2016 CDBG Notice to Proceed:

Council Member Rhonda Haight made a motion to approve the notice to proceed pending completion, review and approval of the City Attorney. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.

12) Repairs & Upgrades:

- a) City Hall Roof Repair was discussed by the Mayor and Council. Mayor Donna Whitener stated that additional quotes should be obtained. This topic was put on hold until the Council can make a decision for parking and the roof.
- b) Police Department repairs were discussed. Mayor Donna Whitener stated that the floor, plumbing, ceiling, etc. need upgrades and repairs. She requested a budget of up to \$10,000.00 to do the necessary upgrades and repairs at the Police Department. Council Member Rhonda Haight made a motion to approve a budget up the \$10,000.00. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.

13) Appalachian Cable Installers, Inc. P.O. No. 28430 (Emergency Purchase):

The Mayor and Council were presented with P.O. No. 28430 for Appalachian Cable Installers, Inc. in the amount of \$4,200.00 for an emergency repair on Hwy 515. Council Member Robbie Cornelius made a motion to approve the P.O. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

14) Carter & Sloope Invoice No. 22540 (Additional Services):

The Mayor and Council were presented with Invoice No. 22540 from Carter & Sloope with additional services totaling \$4,012.50. Council Member Robbie Cornelius made a

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motion to approve the payment of the additional services. The motion was seconded by Council Member Rhonda Haight. The Council voted 4-0. Motion carried.

15) Sutton Tire Inc. Quote:

The Mayor and Council were presented with a quote from Sutton Tire Inc. in the amount of \$5,164.98 for tires and wheel weights. Council Member Rhonda Haight made a motion to approve the quote. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

16) Industrial Chemical P.O. 28416 (annual budgeted amount):

The Mayor and Council were presented with P.O. No. 28416 for Industrial Chemical in the budgeted amount of \$25,000.00. Council Member Rhonda Haight made a motion to approve the P.O. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

17) Hydrocal LLC P.O. 28390:

The Mayor and Council were presented with P.O. No. 28390 for Hydrocal LLC in the amount of \$4,105.00. This purchase is for yearly calibrations at the Water Treatment Plant. Council Member Kenneth Gaddis made a motion to approve the P.O. The motion was seconded by Council Member Rhonda Haight. The Council voted 4-0. Motion carried.

18) Shade Covers for the downtown park:

The Mayor, Council and Park Supervisor, Kim Keenan discussed shade covers for the downtown park. The shade covers are supposed to shade children playing on the playground equipment as well as to shade the equipment from becoming too hot. The discussion concluded with the City deciding to wait until next year when the City could apply for a grant to assist with the cost of the shade covers and to allow the Council and citizens to further evaluate if the covers are needed.

19) Gravel Purchase:

The Mayor and Council were presented with two quotes for Gravel purchases totaling the amount of \$4,942.85 from Lance Trucking Company. Council Member Rhonda Haight made a motion to approve the amount. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

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20) Farmer's Market:

Mayor Donna Whitener discussed the Farmer's Market with the Council. She explained that at one time the City was considering selling the Farmer's Market but now the new administration was hoping to utilize the property. She continued to discuss some projects and upkeep that the City would need to do in order to utilize the property the way they intended. The Council appeared to agree and comments were made in agreement that this property is a historical part of Blue Ridge and ownership should remain with the City.

21) Cesar Martinez—The Blue Ridge Business Association/Update on Fire and Ice:

Cesar Martinez, President of the Blue Ridge Business Association, gave the Mayor and Council an update on their Fire & Ice event.

22) Patrick Crain—Chief of Police and Lawsuit:

Patrick Crain stated that he did not want to speak since the City Attorney was not present.

23) Kit Miracle—Trackside Lane Incident:

Kit Miracle thanked the Mayor and Council for moving forward in the repair of Trackside Lane. She informed them that she had an incident in the area and was happy to see that the road was being repaired.

24) Nancy Zimmerman—Railroad Maintenance:

Nancy Zimmerman addressed her concerns with the railroad maintenance on East Main Street in the residential zoning district. She requested any kind of assistance that the City could provide.

25) Brian Pritchard—Workshop Meetings:

Brian Pritchard, with FetchYourNews, spoke in favor of the City having workshop meetings.

26) Executive Session (if needed)—Personnel:

Council Member Rhonda Haight made a motion to close the meeting for an executive session for the purpose of discussing personnel matters. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried. Council Member Rhonda Haight made a motion to open the meeting from an executive session. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

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Council Member Rhonda Haight made a motion to promote William Long to Water Distribution Supervisor at \$17.50 per hour, with a six month probation period. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to appoint Shannon Payne to Water Loss and Mapping Supervisor at \$22.54 per hour, with a six month probation period. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to change Samuel Rosiles' employment status from part-time to full-time Police Officer at \$15 per hour. He will be working a two week notice with his previous employer. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to hire Tony Galloway for Water Distribution at \$12.50 per hour. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to hire Jeff Stewart as Zoning, Land Development and Project Management at \$15 per hour, with a six month probation period. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give James Weaver, the Waste Water Treatment Plant Supervisor a raise up to \$23 per hour, beginning next pay period. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give Nathan Sowers with the Waste Water Treatment Plant a raise up to \$19.50 per hour, beginning next pay period. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give Chad Clemons a .25 cent per hour raise, beginning next pay period. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give Jim Robinson .50 cent per hour raise, beginning next pay period. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give Steve Mull a .25 cent per hour raise, beginning next pay period. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to give John Watkins a .25 cent per hour raise, beginning next pay period. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to change Tony Byrd's title to Chief Mechanic and Street Supervisor with a pay raise to \$17 per hour; the Street Supervisor position is pending

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a six month probation period. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Robbie Cornelius made a motion to hire Glenda Herndon part-time as a receptionist at City Hall at \$10 per hour. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 3-0. Motion carried. Council Member Rhonda Haight abstained from voting due to a conflict of interest involving relation to the hired individual. Mayor Donna Whitener stated there was no relation between the hired individual and Council Member Harold Herndon.

Council Member Rhonda Haight made a motion to remove Denny Cook from probation and give him a raise to \$17.08 per hour. The motion was seconded by Council Member Harold Herndon. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to remove Michael Buchanan from probation and a pay increase of .50 cent per hour. The motion was seconded by Council Member Robbie Cornelius. The Council voted 4-0. Motion carried.

Council Member Rhonda Haight made a motion to approve the proposed new entry-level pay scale for the Water Department. Mayor Whitener read the pay scale: Water Plant Supervisor - \$19 per hour, Water Treatment Class 1 - \$16.50 per hour, Water Treatment Class 2 - \$15.25 per hour, Water Treatment Class 3 - \$14.00 per hour, Water Loss and Mapping Supervisor - \$16.25 per hour, Water Crew Leader - \$15 per hour, Equipment Operator - \$14 per hour, Maintenance Worker - \$12.50 per hour, Meter Technician - \$12.50 per hour, Customer Service Manager - \$12.50 per hour, Utilities Director - \$19 per hour. Mayor Whitener said that most of these positions are already filled by people who have been employed for some time. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Motion carried.

27) Adjournment:

Council Member Rhonda Haight made a motion to adjourn the meeting. The motion was seconded by Council Member Kenneth Gaddis. The Council voted 4-0. Meeting adjourned.



Mayor Donna Whitener



City Clerk Kelsey Ledford



Approved

February 13, 2018

PUBLIC NOTICE

Pursuant to 24 CFR Part 85, Section 85.36(b) (3) “Code of Conduct” and 24 CFR Part 570.489(h), “Conflict of Interest”

Notice is hereby given pursuant to 24 CFR Part 85, Section 85.36(b) (3) and 24 CFR Part 570.489(h) of the city of Blue Ridge’s intent to request an exception to the general conflict of interest prohibition which requires public disclosure for a conflict defined by 570.489(h) (1-3), including but not limited to, wherein a person participating in the grant process may have an interest in said grant for familial and/or business ties.

On October 17, 2016, the Georgia Department of Community Affairs awarded the city of Blue Ridge a \$500,000 Community Development Block Grant (CDBG) to upgrade water and fire protection infrastructure along portions of East Second Street, Hill Street, Orchard Boulevard, Orchard Place, State Street, Wilson Street, Ridge Street and Card Lane.

The exception will be requested for the following persons, who have familial and/or business ties in the target area. Potential conflicts are as follows:

- 1) Mayor Whitener is related by marriage to Janice Nicholson, who owns two parcels and three residential units along Orchard Boulevard. Specifically, Whitener is third cousin to Janice Nicholson’s husband, Danny Nicholson, maternal nephew of Mayor Whitener’s father. One unit is occupied by Jodie Nicholson, son of Janice and third cousin to Mayor Whitener.
- 2) Mayor Whitener is third cousin to Brian Nicholson, who owns and resides on one parcel along Orchard Boulevard. Whitener’s father is uncle to Brian Nicholson’s father.
- 3) A potential conflict also exists for Mayor Whitener and Brian Huffman, who is employed by Whitener’s private business.
- 4) Post 1 Council Member Harold Herndon and his wife owns two undeveloped acres along State Street.
- 5) Post 2 Council Member Rhonda Thomas Haight is the great-niece of Glenda Herndon, who resides in the target area.
- 6) Post 4 Council Member Robbie Cornelius and her daughter, Carolyn D. Cornelius, reside at 89 Orchard Place. A 0.04-acre permanent utility easement is required from Carolyn D. Cornelius at this location. This easement was identified approximately two years prior to Cornelius’s election to office and is essential for project completion. In accordance with the Uniform Relocation & Real Property Acquisition Act of 1970 (URA), Carolyn D. Cornelius has been notified of her rights as a property owner and agreed to sell for fair market value based on 2017 Fannin County Tax Assessor’s records.
- 7) Post 5 Council Member Nathan Fitts is Mayor Whitener’s maternal nephew. His mother, Linda Fitts Rogers, sister to Mayor Whitener, is also related by marriage to Janice Nicholson. Nathan Fitts is fourth cousins with Jodie and Brian Nicholson.

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PUBLIC NOTICE

Pursuant to 24 CFR Part 85, Section 85.36(b) (3) “Code of Conduct” and 24 CFR Part 570.489(h), “Conflict of Interest”

In accordance with 24 CFR Part 570.489(h), each of the following factors was considered in the decision to seek the request for exception:

- i) Not applicable. The exception will not provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available.
- ii) Not applicable. All construction activities were publicly bid in accordance with Georgia House Bill 1079, House Bill 513 and Senate Bill 146. Notices were posted at City Hall, on the City’s website, in the local legal organ, *The News Observer*, and on the Georgia Local Government Access Marketplace (glga.org) prior to the November 07, 2017 election. As such, opportunity for open and competitive bidding is not applicable to the requested exception.
- iii) The majority of persons affected are members of a group or class or low or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.
- iv) Not applicable. The affected persons have not withdrawn from his or her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question.
- v) The interest or benefit to Carolyn D. Cornelius was present before Robbie Cornelius was elected.
- vi) Undue hardship will result either to the State, the city, or the persons affected when weighed against the public interest served by avoiding prohibited conflicts. Undue hardship will result to the persons affected when weighed against the public interest served by avoiding prohibited conflicts.
- vii) The potential conflicts, outlined herein above, do not provide any financial interest, directly or indirectly to Mayor Whitener or Councilmembers Cornelius, Herndon, Thomas, or Fitts. The target area was selected due to the presence of low or moderate-income persons and not due to potential conflicts. The exception will allow all persons in the target area to receive the same interests or benefits as are being made available or provided to the group or class.