

MINUTES
CITY COUNCIL MEETING
July 11, 2011
5:00 P.M.

CALL THE MEETING TO ORDER: Mayor Joe Lane Cox called the meeting to order at 5:02 p.m.

ROLL CALL: Those present included Mayor Joe Lane Cox, Council Members Calvin Byrd, Mike Wilson, W. James Grogan and Mike Sosebee. Staff present was: Attorney Dana Miles, Bonnie Warne and Nalita Copeland.

INVOCATION AND PLEDGE: Invocation was led by James Grogan, followed by the pledge.

APPROVAL OF MINUTES: Council unanimously approved the minutes of the regular meeting held June 20, 2011. Motion by Mike Wilson; seconded by James Grogan.

Amend Agenda: Mayor Cox requested to amend the agenda for the tax digest to set the millage rate. Motion by M. Sosebee; seconded by M. Wilson. Motion was carried unanimously to amend agenda.

NEW BUSINESS:

Mayor Cox informed the Council that Kenny Loggins of Stonewall Subdivision requested to speak on adding speed breakers to the streets in the subdivision, but he did not show up. These streets are not deeded to the City so they are the responsibility of the subdivision.

Alcohol Ordinance Amendment: An ordinance to amend the City of Dawsonville alcohol ordinance; to provide for a referendum on package sales by retailers of malt beverages, wine, and distilled spirits within the City of Dawsonville on Sundays between the hours of 12:30 p.m. and 11:30 p.m.; to provide for the manufacture of alcoholic beverages on the premises of the Dawsonville city hall and municipal complex; to repeal conflicting ordinances; and for other purposes.

Dana Miles presented the first reading to amend the alcohol ordinance in accordance with state law for a referendum on Sunday sales for voters, if voters passed it, would become effective Nov. 15, and of the manufacture of alcohol and the wholesale sale of alcohol at Dawsonville city hall.

Dana opened the public hearing; there were approximately 6 people in attendance. There being no public comment, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee motioned to approve the first hearing. James Grogan seconded the motion. Motion carried unanimously.

Millage Rate for 2011 per Tax Digest: Bonnie Warne reported that, after receiving the tax digest from the tax commissioner's office, the calculated City millage rate is 10.08 mils., which was proposed to roll back to zero in May.

Calvin Byrd motioned to set the millage rate to 10.80 and roll it back to zero. Mike Sosebee seconded the motion. The motion carried unanimously. Exhibit "A"

PUBLIC HEARINGS:

Gross Fees Tax on Insurers Ordinance Amendment: To hear an ordinance to amend the gross fees tax on insurers ordinance of the City of Dawsonville, Georgia, by revising the existing ordinance; to adjust the annual license fee to insurance companies as determined by the population of the city; to repeal any conflicting ordinances. CC hearing dates: June 20, 2011 and July 11, 2011

Dana Miles presented the second reading to amend the ordinance. Dana opened the public hearing; there were approximately 6 people in attendance. There being no public comment, the hearing was closed and the meeting turned back over to the Mayor. James Grogan motioned to approve the second reading. Mike Wilson seconded the motion. Motion carried unanimously. Exhibit "B"

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Resolution on Polling Place: A resolution of the City of Dawsonville Georgia for the purpose of establishing the location of the polling place for the City of Dawsonville, Georgia municipal elections, to move the polling place from Dawsonville City Hall to the office of the Dawson County Board of Elections located at 96 Academy Avenue, Dawsonville, Georgia 30534, to establish an effective date, and for other purposes.

Dana Miles presented the resolution that the purpose is to comply with the Department of Justice guidelines to change polling location. Dana opened the public hearing; there were approximately 6 people in attendance. There being no public comment, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee motioned to approve. Mike Wilson seconded the motion. Motion carried unanimously. Exhibit "C"

ANX-11-001: Bronson H Grogan has requested annexation into the city limits of Dawsonville for the portion of 14 (+/-) acre parcel not in the city at 523 Hwy 9 North, TMP 092B-012. Current zoning is RA; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-001; Mike Wilson seconded. The motion carried unanimously.

ANX-11-003: Sonya Davis and Allison Carnahan have requested annexation into the city limits of Dawsonville for the 0.235 (+/-) acre parcel at 61 Elliott Village, TMP D06-008. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-003; Mike Wilson seconded. The motion carried unanimously.

ANX-11-004: Grady H Fields has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 633 Hwy 53 West, TMP 083-014. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-004; James Grogan seconded. The motion carried unanimously.

ANX-11-005: Jewell P Adams has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 134 Harben Street, TMP 083-045. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and stated that about 90% of the petitions are unincorporated islands surrounded by existing city limits. Dana opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-005; James Grogan seconded. The motion carried unanimously.

ANX-11-006: Jimmy Jenkins has requested annexation into the city limits of Dawsonville for the 17.49(+/-)

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acre parcel at 592 Hwy 9 South, TMP 093-010. Current zoning is RSR & RA; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-006; Mike Wilson seconded. The motion carried unanimously.

ANX-11-007: Sharon R Fausett has requested annexation into the city limits of Dawsonville for the 1.99 (+/-) acre parcel at 593 Hwy 9 North, TMP D05-001. Current zoning is VCR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-007; Mike Wilson seconded. The motion carried unanimously.

ANX-11-008: B & L Enterprises and J B Wright have requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 184 Harben Street, TMP 083-049. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-008; Mike Wilson seconded. The motion carried unanimously.

ANX-11-009: Carolyn Irene Higgins has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 83 Robinson Road, TMP D05-028. Current zoning is VCR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-009; Mike Wilson seconded. The motion carried unanimously.

ANX-11-010: David L Clark and Shelia T Clark has requested annexation into the city limits of Dawsonville for the .50 (+/-) acre parcel at 731 Hwy 9 North, TMP D05-002. Current zoning is C-HB; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-010; Mike Wilson seconded. The motion carried unanimously.

ANX-11-011: Dwight D Gilleland has requested annexation into the city limits of Dawsonville for the portion of 5.870 acre parcel not in the city on TMP D02-004. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the

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first reading of ANX-11-011; Mike Wilson seconded. The motion carried unanimously.

ANX-11-012: Geneva B Bearden has requested annexation into the city limits of Dawsonville for the 2 (+/-) acre parcel at 815 Hwy 53 East, TMP 093-021. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-012; Mike Wilson seconded. The motion carried unanimously.

ANX-11-013: John T Goswick has requested annexation into the city limits of Dawsonville for the .326(+/-) acre parcel at 62 Elliott Village, TMP D06-003. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-013; Mike Wilson seconded. The motion carried unanimously.

ANX-11-014: Judy Grant Bearden has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 653 Hwy 53 West, TMP 083-015. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-014; Mike Wilson seconded. The motion carried unanimously.

ANX-11-015: Lynn Talmadge has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 104 Robinson Road, TMP D06-004. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-015; Mike Wilson seconded. The motion carried unanimously.

ANX-11-016: Timothy Smith and Darlene Seidel have requested annexation into the city limits of Dawsonville for the 3 (+/-) acre parcel at 271 J C Burt Road, TMP 084-002. Current zoning is RA; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-016; Mike Wilson seconded. The motion carried unanimously.

ANX-11-017: Judy and Gary Truelove has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 47 Elliott Village, TMP D06-007. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were

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approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-017; Mike Wilson seconded. The motion carried unanimously.

ANX-11-018: Lona Mae Chester has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 70 Robinson Rd, TMP D06-001. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-018; Mike Wilson seconded. The motion carried unanimously.

ANX-11-019: George and Jane Freisem have requested annexation into the city limits of Dawsonville for the 15.139 (+/-) acre parcel off Hwy 53 E, TMP 093-067. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-019; Mike Wilson seconded. The motion carried unanimously.

ANX-11-020: Angela Creel Reece has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 559 Hwy 53 W, TMP 083-013. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-020; Mike Wilson seconded. The motion carried unanimously.

ANX-11-021: Nalita Y Copeland and William W Whittington have requested annexation into the city limits of Dawsonville for the five (+/-) acre parcel at 106 Hwy 136 East, TMP 091-059. Current zoning is RA; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. Dana stated that the County has objected to this petition. He informed the Council that the basis for the objection is the 2007 Resolution on criteria to be applied for potential annexations (Exhibit "D") and adopted map in June 2007 of a proposed non-binding growth boundary (EXHIBIT "E"). This parcel is located across the street from that growth boundary and across the street from property already within the city limits but is outside the gray area of the map.

The 2007 resolution sets forth criteria to consider before voting: (a) Is it contiguous – YES (b) Does it create an island – NO (c) Is there an economic growth pattern – yes, it is located near the corner of HWY 136 and 9 where 3 of the corners are already in the city (d) Can the city provide 7 services or through an IGA on it: law enforcement – YES, fire protection and safety – YES, road and street construction and maintenance – YES, solid waste – YES, water – IGA with Etowah Water, waste water treatment – NO, but the city has future growth to supply, storm-water collection – YES, planning and zoning and code enforcement – YES, recreational facilities – YES (e) Land use planning factor – YES the other corners are already in city limit.

There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. James Grogan made a motion to approve the first reading of ANX-11-021; Mike Sosebee seconded. The motion carried unanimously.

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ANX-11-022: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 103 Elliott Village, TMP D06-011. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-022; Mike Wilson seconded. The motion carried unanimously.

ANX-11-023: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for a portion of the parcel not in the city at 534 Hwy 9 N, TMP D03-017. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-023; Mike Wilson seconded. The motion carried unanimously.

ANX-11-024: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 117 Elliott Village, TMP D06-012. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-024; Mike Wilson seconded. The motion carried unanimously.

ANX-11-025: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 159 Elliott Village, TMP D06-014. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-025; Mike Wilson seconded. The motion carried unanimously.

ANX-11-026: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 126 Elliott Village, TMP D06-015. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-026; Mike Wilson seconded. The motion carried unanimously.

ANX-11-027: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the 0.31 (+/-) acre parcel at 81 Georges Place, TMP D06-017. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

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Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-027; Mike Wilson seconded. The motion carried unanimously.

ANX-11-028: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 144 Elliott Village, TMP D06-018. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-028; Mike Wilson seconded. The motion carried unanimously.

ANX-11-029: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the one (+/-) acre parcel at 101 Georges Place, TMP D06-020. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-029; Mike Wilson seconded. The motion carried unanimously.

ANX-11-030: The Dawson County Board of Education has requested annexation into the city limits of Dawsonville for the 3 (+/-) acre parcel at 257 Allen Street, TMP D06-022. Current zoning is RSR; the applicant will be rezoned as AP (ANNEXED PROPERTY) upon annexation. CC hearing dates: July 11 / Aug 1, 2011.

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were approximately 6 people in attendance. There being no public comment in favor or opposition, the hearing was closed and the meeting turned back over to the Mayor. Mike Sosebee made a motion to approve the first reading of ANX-11-030; Mike Wilson seconded. The motion carried unanimously.

STAFF REPORT:

Bonnie Warne stated that due to issues with the CSI software a financial report was not provided. The bank statement came in and 7 of the 8 are balanced. The water fund is not balanced due to year-end transfer of balances issues in CSI. The bank funds in all of the accounts are in the positive. The auditors start next week for pre-audit reports.

MAYOR'S REPORT:

Mayor Cox reported for Gary Barr that Allen Street is paved and they will be marking the speed bumps and cross walks and placing speed bumps signs up. Flat Creek will be re-paved soon. The maintenance shop building expansion is complete. The sewer pond is lined with plastic and needs to be relined because it is coming loose and sucking up into the aerator pumps. City staff is doing this repair.

The moonshine distillery is progressing.

COUNCIL REPORTS:

Mike Wilson reported that the Board of Health has a new director Dr. Fitzgerald who reports directly to N. Deal and that the County will be cutting their budget.

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Mike Sosebee reported that he attended the DDA training class in Savannah.

EXECUTIVE SESSION:

At 6:00 p.m. the council motioned to go out of regular session; the motion carried unanimously; Sosebee/Wilson. At 6:00 p.m. the council then motioned to go into executive session for the purpose of pending litigation and property acquisition. The motion carried unanimously; Sosebee/Wilson.

At 6:26 p.m. the council motioned to close executive session and reconvene the regular meeting. The motion carried unanimously; Grogan/Wilson.

ADJOURNMENT:

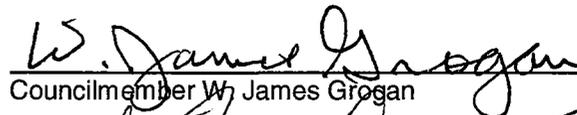
There being no further business to attend to the meeting adjourned at 6:26 p.m. The motion carried unanimously; Grogan/Byrd.



Joe Lane Cox, Mayor



Councilmember Calvin Byrd



Councilmember W. James Grogan



Councilmember Mike Sosebee



Councilmember Mike Wilson

Attested: 

Bonnie Warne, City Clerk

STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Joe Lane Cox, Mayor, Calvin Byrd, Council Member; James Grogan, Council Member; Mike Sosebee; Council Member and Mike A. Wilson, Council Member; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1.
The City of Dawsonville Council met in a duly advertised meeting on the 11 day of July, 2011.

2.
During such meeting, the Board voted to go into closed session.

3.
The executive session was called to order at 6:00 a.m. (p.m.)

4.
The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(6);

Other _____ as provided in: _____.

This 1 day of August, 2011.

City of Dawsonville, Mayor and council

Joe Lane Cox
Joe Lane Cox, Mayor

Calvin Byrd
Calvin Byrd, Council Member

W. James Grogan
W. James Grogan, Council Member

Mike Sosebee
Mike Sosebee, Council Member

Mike A. Wilson
Mike A. Wilson, Council Member

Bonnie Warner
Bonnie Warner, City Clerk
Notary Public

Sworn to and subscribed before me this 2 day of August, 2011.

My Commission expires: June 14, 2013

CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION FOR TAX YEAR 2011

<http://www.etax.dor.ga.gov/ptd/download/index.aspx>



Complete this form once the levy is determined, and if zero, report this information in Column 1. Mail a copy to the address below or fax to (404) 968-0778 and distribute a copy to your County Tax Commissioner and Clerk of Court. This form also provides the Local Government Service Division with the millage rates for the distribution of Railroad Equipment Tax and the Homeowner Tax Relief Grant.

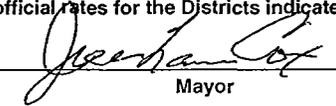
Georgia Department of Revenue
Local Government Services Division
4245 International Parkway, Suite A
Hapeville, Georgia 30354-3918
Phone: (404) 968-0707 Fax: (404) 968-0778

CITY NAME City of Dawsonville		ADDRESS P.O. Box 6			CITY, STATE, ZIP Dawsonville, GA 30534	
FEI # 58-1083885	CITY CLERK Bonnie Wame	PHONE NO. 706-265-3256	FAX 706-265-4214	EMAIL clerk@dawsonville-ga.gov		
OFFICE DAYS / HOURS Mon-Fri 8:00-4:30	ARE TAXES BILLED AND COLLECTED BY THE () CITY OR () COUNTY TAX COMMISSIONER? LIST VENDOR, CONTACT PERSON AND PHONE NO. Not Applicable					
List below the amount & qualifications for each <u>LOCAL</u> homestead exemption granted by the City and Independent School System.						
CITY			INDEPENDENT SCHOOL			
Exemption Amount	Qualifications		Exemption Amount	Qualifications		
If City and School assessment is other than 40%, enter percentage millage is based on _____%. Please list below the millage rate in terms of mills. EXAMPLE: 7 mills (or .007) is shown as 7.000. PLEASE SHOW MILLAGE FOR EACH TAXING JURISDICTION EVEN IF THERE IS NO LEVY.						
CITY DISTRICTS	DISTRICT NO.	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
List Special Districts if different from City District below such as CID's, BID's, or DA's	List District Numbers	Gross Millage for Maintenance & Operations	**Less Rollback for Local Option Sales Tax	Net Millage for Maintenance & Operation Purposes (Column 1 less Column 2)	Bond Millage (If Applicable)	Total Millage Column 3 + Column 4
City Millage Rate		10.080	10.080	0		
Independent School System						
Special Districts						
**Local Option Sales Tax Proceeds must be shown as a mill rate rollback if applicable to Independent School.						

Name of County(s) in which your city is located: Dawson

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2011

7-11-2011
Date


Mayor

FIRST READING	6/20/2011
PUBLISHED	6/1 & 6/8/2011 6/22 & 6/29/2011
SECOND READING & PASSED	7/11/2011

ORDINANCE

An ordinance to impose license fees on insurers conducting business within the City of Dawsonville, Georgia; to impose a gross premiums tax on insurers operating within the State of Georgia; to provide an effective date; to repeal conflicting ordinances; and other purposes.

Be it ordained by the Mayor and Council of the City of Dawsonville, Georgia; and it is hereby ordained by authority thereof:

SECTION 1. INSURERS LICENSE FEES

There is hereby levied for the year 2012 as determined by the population of the city and for each year thereafter an annual license fee upon each insurer doing business within the City of Dawsonville, Georgia in the amount of forty dollars (\$40.00). For each separate business location in excess of one not covered by Section 2, which is operating on behalf of such insurers within the City of Dawsonville, Georgia, there is hereby levied a license fee in the amount of forty dollars (\$40.00). For the purpose of this ordinance, the term "insurer" means a company which is authorized to transact business in any of the classes of insurance designated in O.C.G.A. Sec. 33-3-5.

SECTION 2. LICENSE FEES FOR INSURERS INSURING CERTAIN RISKS AT ADDITIONAL BUSINESS LOCATIONS

For each separate business location, not otherwise subject to a license fee hereunder, operated and maintained by a business organization which is engaged in the business of lending money or transacting sales involving term financing and in connection with such loans or sales offers, solicits or takes application for insurance through a licensed agent of an insurer for insurance said insurer shall pay an additional license fee of fourteen dollars (\$14.00) per location for the year 2012 and for each year thereafter.

SECTION 3. GROSS PREMIUMS TAX IMPOSED ON LIFE INSURERS

There is hereby levied for the year 2012 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer writing life, accident and sickness insurance within the State of Georgia in an amount equal to one percent (1%) of the gross direct premiums received during the preceding calendar year in accordance with O.C.G.A. Sec. 33-8-8.1. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. Sec. 33-8-4. The premium tax levied by this section is in addition to the license fees imposed by Section 1 of this ordinance.

SECTION 4. GROSS PREMIUMS TAX, ALL OTHER INSURERS

There is hereby levied for the year 2012 and for each year thereafter an annual tax based solely upon gross direct premiums upon each insurer, other than an insurer transacting business in the class of insurance designated in subsection 1 of O.C.G.A. Sec. 33-3-5, doing business within the State of Georgia in an amount equal to two and one-half percent (2.5%) of the gross direct premiums received during the preceding calendar year in accordance with O.C.G.A. Section 33-8-8-2. Gross direct premiums as used in this section shall mean gross direct premiums as used in O.C.G.A. 33-8-4. The premium tax levied by this section is in addition to the license fees imposed by Section 1 of this ordinance.

SECTION 5. DUE DATE FOR LICENSE FEES

License fees imposed in Section 1 and 2 of this ordinance shall be due and payable on the first day of 2012 and on the first date of each subsequent year.

SECTION 6. ADMINISTRATIVE PROVISIONS

The City Clerk is hereby directed to forward a duly certified copy of this ordinance to the Insurance Commissioner of the State of Georgia within 45 days of its enactment.

SECTION 7. EFFECTIVE DATE

This ordinance shall become effective January 1, 2012.

SECTION 8. SEVERABILITY

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of Dawsonville, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

SECTION 9. REPEALER

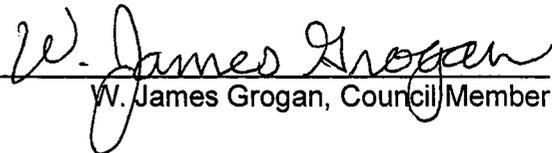
All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

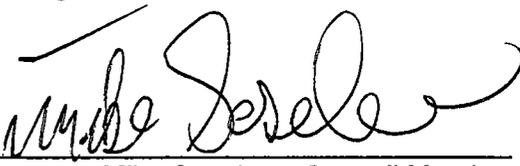
Ordained this 11th day of July, 2011 by the Mayor and Council of the City of Dawsonville, Georgia.

CITY OF DAWSONVILLE

By: 
Joe Lane Cox, Mayor

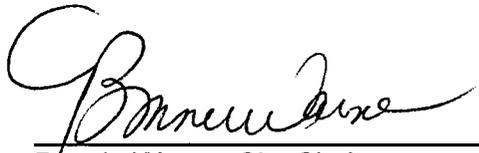

Calvin Byrd, Council Member


W. James Grogan, Council Member


Mike Sosebee, Council Member


Mike Wilson, Council Member

ATTESTED TO BY:


Bonnie Warne, City Clerk

I hereby certify that the foregoing is a true and accurate copy of an ordinance of the City of Dawsonville, Georgia adopted on the 11th day of July, 2011

A RESOLUTION OF THE CITY OF DAWSONVILLE GEORGIA FOR THE PURPOSE OF ESTABLISHING THE LOCATION OF THE POLLING PLACE FOR THE CITY OF DAWSONVILLE, GEORGIA MUNICIPAL ELECTIONS, TO MOVE THE POLLING PLACE FROM DAWSONVILLE CITY HALL TO THE OFFICE OF THE DAWSON COUNTY BOARD OF ELECTIONS LOCATED AT 96 ACADEMY AVENUE, DAWSONVILLE, GEORGIA 30534, TO ESTABLISH AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

WHEREAS, a Municipal Election is scheduled for Tuesday, November 8, 2011, at which time certain municipal offices will be filled by the registered voters of the City of Dawsonville, Georgia and other matters as are properly before the registered voters;

WHEREAS, the City of Dawsonville is situated entirely within the boundaries of Dawson County, Georgia.

WHEREAS, the City of Dawsonville has an agreement in place with the Dawson County Board of Elections to conduct City of Dawsonville Municipal Elections pursuant to Article 9, § 3, Paragraph 1, of the Georgia Constitution;

WHEREAS, the governing authority of the City of Dawsonville has been empowered by the General Assembly of the State of Georgia to select the polling places within the City of Dawsonville, the same being codified at O.C.G.A. § 21-2-265;

WHEREAS, there is only one precinct, and as such only one polling place within the City of Dawsonville, which has in the past been the Dawsonville City Hall;

WHEREAS, there is also scheduled to be an election conducted by Dawson County on Tuesday November 8, 2011, and the voting precinct of Dawson County encompassing the City of Dawsonville is scheduled to be the office of the Dawson County Board of Elections;

WHEREAS, the governing authority of the City of Dawsonville has made a determination that to facilitate a smooth election, to prevent voter confusion, to promote the full participation of all persons desiring to cast votes in the elections, and to facilitate an efficient and economical polling of the voters of the City of Dawsonville, it is in the best interests of the City of Dawsonville and its electorate to change the polling place for the City of Dawsonville Municipal Election scheduled for November 8, 2011 and all elections thereafter;

WHEREAS, the office of the Dawson County Board of Elections is centrally located in the City of Dawsonville, is a public building, and has access for disabled electors as required by Georgia Law;

WHEREAS, all those issues being considered, the governing authority of the City of Dawsonville has determined that the polling place for the precinct of the City of Dawsonville should be moved to the office of the Dawson County Board of Elections, which will conduct the City of Dawsonville Municipal Elections pursuant to the existing Intergovernmental Agreement;

AND WHEREAS, notice of this proposed change in polling place has been advertised in the legal organ of the City of Dawsonville as required by Georgia law and will be sent to the Department of Justice as required by Federal law.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Dawsonville, Georgia, as follows:

Section 1. The polling place for the November 8, 2011, City of Dawsonville Municipal Election, and all other City of Dawsonville, Georgia Municipal Elections hereinafter, is hereby moved from Dawsonville City Hall to the Office of the Dawson County Board of Elections, located at 96 Academy Avenue, Dawsonville, Georgia 30534, until such time as a different polling place may be established by future action of the governing authority of the City of Dawsonville.

Section 2. To facilitate knowledge of the change in polling place, beginning on the day that early/absentee voting begins and continuing through the close of the polls for the November 8, 2011 election, the City Clerk shall cause to be posted a notice of this change of polling place at the previous polling place, complete with the address of the new polling place, along with similar notice at three other places in the immediate vicinity thereof.

Section 3. All prior resolutions or actions of the City in conflict with this Resolution are hereby repealed.

Section 4. This Resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 11 day of June, 2011.

CITY OF DAWSONVILLE

By: Joe Lane Cox
Joe Lane Cox, Mayor

Calvin Byrd
Calvin Byrd, Council Member

W. James Grogan
W. James Grogan, Council Member

Mike Sosebee
Mike Sosebee, Council Member

Mike Wilson
Mike Wilson, Council Member

Attested to:

Bonnie Warne
Bonnie Warne
City Clerk, City of Dawsonville

RESOLUTION

A RESOLUTION OF THE CITY OF DAWSONVILLE REGARDING CRITERIA TO APPLY TO POTENTIAL ANNEXATIONS OF PROPERTY INTO THE CORPORATE LIMITS

WHEREAS, the City of Dawsonville (the City) is a municipal corporation authorized to annex property into the corporate limits of the City pursuant to O.C.G.A. § 36-36-1 et. seq.;

WHEREAS, the City provides services to its residents which many residents of the unincorporated areas around and near the City find desirable;

WHEREAS, in an effort to secure City services, residents of said unincorporated areas often seek to annex their land into the corporate limits of the City;

WHEREAS, the City recognizes that a planned growth strategy regarding annexation will aid in planning for proper future growth of the City and for the future provision of City services; and

WHEREAS, the City recognizes that certain factors such as the ability of the City to provide services, the undesirability of unincorporated islands, the presence of contiguous incorporated property, and the desirable goal of filling in the City's current logical geographic boundaries given its present shape, should all play into the decisions on annexation petitions submitted to the City.

NOW, THEREFORE, be it hereby resolved by the Mayor and City Council of the City of Dawsonville that the City shall henceforth until amended or repealed, apply the criteria described herein to any and all petitions for annexation filed with the City.

Section 1) Purpose: the purpose of this Resolution is to establish criteria to be used in assessing annexation petitions received by the City for the annexation of property into the corporate limits of the City of Dawsonville. It is the intent of the Mayor and Council that the provisions outlined in this Resolution be incorporated into the next Comprehensive Plan for the City when it is adopted.

Section 2) Criteria: In considering whether to incorporate property into the corporate limits of the City, the Mayor and Council shall consider the following factors:

- a) Whether the property proposed to be annexed lies contiguous to other incorporated property, and the amount of incorporated property adjacent to the proposed addition to the City. In the event that property proposed for annexation lies next to land which is not currently incorporated, but which is also the subject of a pending annexation petition, such shall be considered when the Mayor and Council evaluate this factor.
- b) Whether the annexation will create or will tend to create an island of unincorporated property in and among the corporate limits of the City. In considering this factor, the Mayor and Council shall consider whether the proposed annexation will practically, if not actually, isolate unincorporated lands from the rest of the unincorporated lands by virtue of the shape, size, location, common boundaries, and public road access for the tracts

of land at issue. It is the goal of the City not to create unincorporated islands surrounded by incorporated property.

- c) Whether the annexation will tend to incorporate those unincorporated areas which lie within the logical geographic boundaries of the City, given the current location of the corporate limits of the City of Dawsonville. In considering this criteria, the Mayor and Council may consider economic growth patterns that have developed or are anticipated because of the provision of streets, utilities, parks, schools, industry and other public or private influences upon economic growth patterns.
- d) Whether, given the location of the property to be annexed, the City will be able to provide at least seven (7) of the services listed in subsections (d)(i) through (d)(xi) below either directly or through an existing intergovernmental agreement.
 - i) Law enforcement;
 - ii) Fire protection and fire safety;
 - iii) Road and street construction or maintenance;
 - iv) Solid waste collection and management;
 - v) Water supply or distribution or both;
 - vi) Waste-water treatment;
 - vii) Storm-water collection and disposal
 - viii) Planning, Zoning and Enforcement of building, housing, plumbing, and electrical codes and other similar codes; and
 - ix) Recreational facilities;

e) Any other public policy factor or legitimate land use planning factor brought to the attention of the Mayor and Council which bears upon the propriety of annexing property into the City.

Section 3) **Evaluation of Criteria:** In considering the above identified factors, no one factor is controlling. The Mayor and Council shall weigh each of these factors when considering an annexation petition, and shall come to a decision on the entirety of the petition based upon the consideration of all of the factors, the weight of each to be determined by the Mayor and Council.

SO RESOLVED, ADOPTED AND APPROVED, this 3rd day of December, 2007.

CITY OF DAWSONVILLE

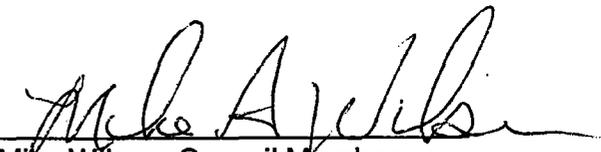
By: 

Joe Lane Cox
Mayor, City of Dawsonville

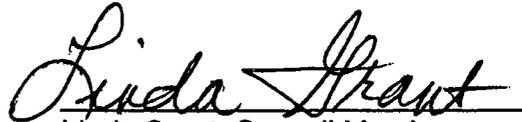


Mike Sosebee: Council Member

Jonathan Cox: Council Member



Mike Wilson: Council Member


Linda Grant: Council Member

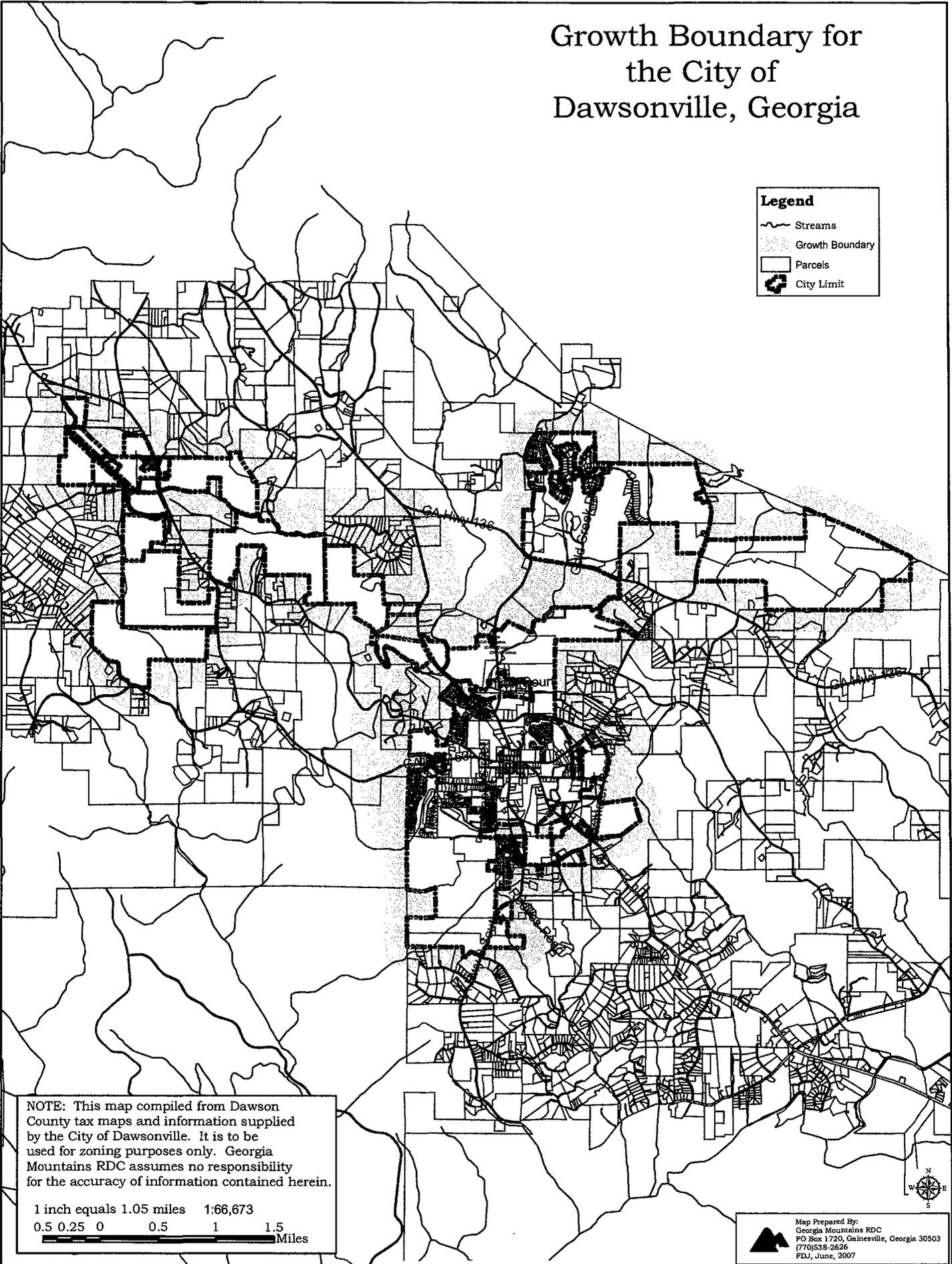
Attested to:


Kim Cornelison
City Clerk, City of Dawsonville

Growth Boundary for the City of Dawsonville, Georgia

Legend

- Streams
- Growth Boundary
- Parcels
- City Limit



NOTE: This map compiled from Dawson County tax maps and information supplied by the City of Dawsonville. It is to be used for zoning purposes only. Georgia Mountains RDC assumes no responsibility for the accuracy of information contained herein.

1 inch equals 1.05 miles 1:66,673
0.5 0.25 0 0.5 1 1.5
Miles

Map Prepared By:
Georgia Mountains RDC
PO Box 1720, Gainesville, Georgia 30503
(770)538-2626
FDJ, June, 2007

EXHIBIT "E"