

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

CALL THE MEETING TO ORDER: Mayor Joe Lane Cox called the regular meeting to order at 5:01 p.m.

ROLL CALL: Those present included Mayor Cox, Councilmembers Calvin Byrd, Mike Wilson, W. James Grogan and Mike Sosebee, Attorney Dana Miles, Bonnie Warne, Nalita Copeland and Gary Barr.

INVOCATION AND PLEDGE: Invocation was led by Mike Sosebee, followed by the pledge.

APPROVAL OF THE AGENDA: Motion to approve the agenda by Grogan/Sosebee. Vote unanimous.

APPROVAL OF MINUTES OF REGULAR MEETING: Motion to approve the November 14, 2011 minutes of the regular meeting by Mike Sosebee; seconded by Mike Wilson. Vote unanimous in favor.

UNFINISHED BUSINESS:

Old City Hall QCD / Sid Manning: Dana Miles updated the Council on the Quit-Claim Deed and Plat for an easement of the City right of way for the old city hall building at 66 Hwy. 53 W. Motion to authorize the Mayor to sign QCD by Mike Sosebee; seconded by Calvin Byrd. Vote unanimous in favor. Exhibit "A"

NEW BUSINESS:

Zoning Map Updates: Mayor Cox informed the Council that GMRC has updated the City Zoning Map to include the listed annexations and corrections. Motion by James Grogan to accept the changes in the zoning map as written; seconded by Calvin Byrd. Motion passed unanimously. Exhibit "B"

GMA / GMEBS Life, Health & Retirement Benefits Agreements: Dana Miles spoke of the documents received by GMA/GMEBS to retain tax exempt status. There are no changes to the plan benefits. Motion to pass the Ordinance and to authorize the Mayor to sign all necessary documents in the plan by Calvin Byrd; seconded by James Grogan. Motion passed unanimously.

Recognition of Service: Dana Miles presented a plaque to Mike Sosebee and Mike Wilson for their outstanding service as City Council Members from 2004-2011. Mayor Cox thanked Mike Sosebee and Mike Wilson for their dedication to the community.

Appointments for 2012: Mayor Cox asked the Council to approve the following annual appointments:

Mayor Pro-Tem – James Grogan
City Clerk: Bonnie Warne
City Attorney: Dana Miles, Miles, Patterson, Hansford, Tallant, LLC
Auditor: Alexander, Almand & Bangs, LLP
Municipal Court Judge: David Wallace
Engineer: G. Ben Turnipseed Engineers Inc.
Emergency Repair/Installation Water/Sewer Infrastructure: Jackie Townley Construction
Testing of Wastewater: Environmental Management Services
Geologist: Robert Atkins

Calvin Byrd made a motion to approve all appointments as presented by the Mayor. James Grogan seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS:

To hear Alcoholic Beverage License Application: Peach Brandy Cottage, by and through Caroline Christie, President, has made application to for a Catering Alcoholic Beverage License for business located at 3 Shepherds Lane, Dawsonville, Georgia.

Mayor Cox presented the Alcoholic Beverage License Application. Dana Miles opened the public hearing on the application. There were 11 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. Calvin Byrd made a motion to approve the alcoholic beverage license application of Peach Brandy Cottage; Mike Sosebee seconded. The motion carried unanimously.

ANX-11-035: Harold and Jeanne Tompkins have requested annexation into the city limits of Dawsonville for the 1 (+/-) acre parcel at 79 Gold Creek Ct, TMP 090-044. Current zoning is RPC (Residential

**MINUTES
CITY COUNCIL MEETING
December 5, 2011
5:00 P.M.**

Planned Community); the applicant will be rezoned as PUD (Planned Unit Development) upon annexation. City Council hearing dates: November 14, 2011 and December 5, 2011

Dana Miles presented the Annexation Petition and subsequently opened the public hearing. There were 9 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 second reading of ANX-11-035; Mike Wilson seconded. The motion carried unanimously.

STAFF REPORT:

Bonnie Warne, City Clerk, informed the Council of account balances on the financial report as of Oct. 31 and the revenue received from the L.O.S.T. was \$71K and the renewal of the alcoholic beverage licenses brought in \$24K. We have received the Letter of Destruction of the documents Council approved to be purged and destroyed. "Exhibit C"

Gary Barr, Public Works Director informed the Council that the water demand is down due to the winter season. He stated that due to not receiving any inmates to assist them, they need other help during reading meter time.

MAYOR REPORT: Mayor Cox mentioned that Nalita Copeland will be working full-time started in Jan. The sidewalk project is still pending with GDOT for a permit to cross the highway. GDOT has approved the repaving of Academy Ave. with the City paying for the balance to have the repaving go to Maple St.

COUNCIL REPORTS:

Calvin Byrd stated the GMRC Christmas Dinner Meeting had about 360 people at the Dillard House.

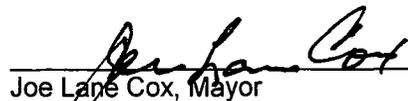
James Grogan stated that at the Chamber of Commerce luncheon Dwight Bearden spoke of the Moonshine Distillery.

EXECUTIVE SESSION:

At 5:38 p.m. the council motioned to go out of regular session and to go into executive session for the purpose of pending litigation; the motion carried unanimously; Byrd/Sosebee.

At 6:00 p.m. the council motioned to close executive session and reconvene the regular meeting. The motion carried unanimously; Sosebee/Wilson.

ADJOURNMENT: There being no further business to attend to the meeting adjourned at 6:00 p.m. The motion carried unanimously; Sosebee/Wilson.



Joe Lane Cox, Mayor



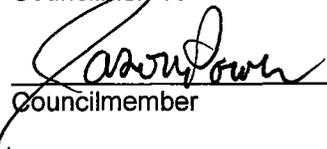
Councilmember Calvin Byrd



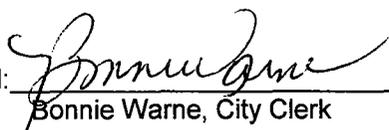
Councilmember W. James Grogan



Councilmember



Councilmember

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 5 day of December, 2011.

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

3.
The executive session was called to order at 5:38 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 9 day of January, 2012.

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

Council Member

Council Member

Bonnie Warne
Bonnie Warne, City Clerk
Notary Public

Sworn to and subscribed before me this 9 day of January, 2012.
My Commission expires: June 14, 2013

QUIT-CLAIM DEED

**STATE OF GEORGIA
COUNTY OF HALL**

THIS INDENTURE, made the 5 day of December in the year Two Thousand and Eleven, between **CITY OF DAWSONVILLE**, a Georgia municipal corporation, as party or parties of the first part, hereinafter called Grantor, and **SIDNEY A. MANNING and L. DAVID MANNING**, as Co-Trustees of the **Sidney A. Manning Trust**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quit-claim to Grantee all the right, title, interest, claim or demand which the Grantor has in and to the following described real property, to wit:

All that tract or parcel of land being more particularly described on Exhibit "A" and shown on the plat attached hereto as Exhibit "B" both of which are made a part hereof by reference.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

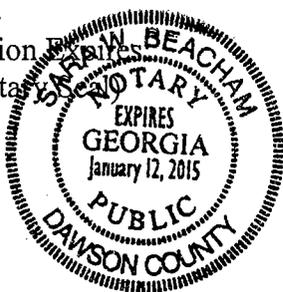
TO HAVE AND TO HOLD the said described premises unto the Grantee, so that the Grantor shall not at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances. Grantor makes no representation or warranty whatsoever as to title to said real property, including but not limited to any rights in said real property which may be owned or asserted by the Georgia Department of Transportation related to the right of way for State Highway 53.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed the day and year above written.

Signed, sealed and delivered this
6 day of December, 2011,
in presence of:

Betty J McLeod
Unofficial Witness

Snaw Berk
Notary Public
My Commission Expires
(Affix Notary Seal)



CITY OF DAWSONVILLE,
a Georgia municipal corporation

By: Joe Lane Cox
Printed Name: Joe Lane Cox
Title: Mayor

Attest: Bonnie Warner
Printed Name: Bonnie Warner
Title: City Clerk

(SEAL)

Exhibit "A"

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 440, 4th District, First Section of Dawson County, Georgia, being shown as 0.02 acre (902 sq. ft.) on a plat of survey for Sidney Manning dated September 21, 2011, prepared by Thomas Durkin, Georgia Registered Land Surveyor No. 2818, which plat is incorporated herein by reference, the property shown thereon being more particularly described as follows:

Begin at a survey disk on the easterly right-of-way of West Third Street (49.5-foot right-of-way), which point is located North 26 degrees 36 minutes 54 seconds East 54.35 feet from a nail found at the centerline intersection of Georgia State Highway 53 (99-foot right-of-way) and West Third Street, said point being the TRUE POINT OF BEGINNING; running thence from said point of beginning South 88 degrees 20 minutes 41 seconds East 54.63 feet to a survey disk; running thence South 00 degrees 18 minutes 24 seconds West 16.50 feet to a nail set; running thence North 88 degrees 20 minutes 41 seconds West 54.76 feet to a nail set; running thence North 00 degrees 46 minutes 35 seconds East 16.50 feet to the POINT OF BEGINNING.

EXHIBIT B

LEGEND:

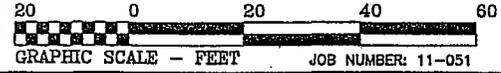
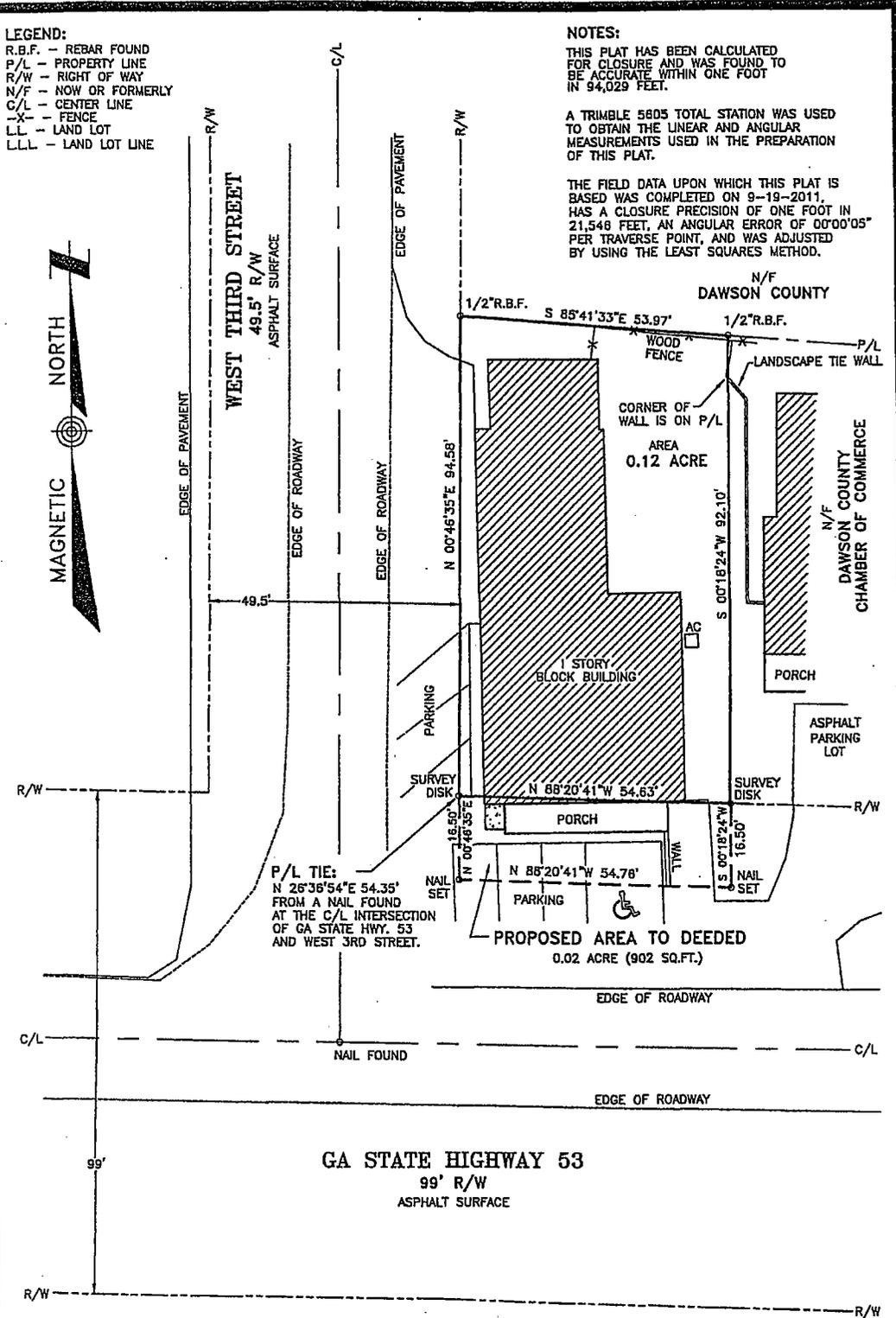
- R.B.F. - REBAR FOUND
- P/L - PROPERTY LINE
- R/W - RIGHT OF WAY
- N/F - NOW OR FORMERLY
- C/L - CENTER LINE
- X- - FENCE
- LL - LAND LOT
- LLL - LAND LOT LINE

NOTES:

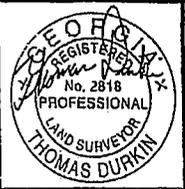
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 94,029 FEET.

A TRIMBLE 5805 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS COMPLETED ON 9-19-2011. HAS A CLOSURE PRECISION OF ONE FOOT IN 21,548 FEET, AN ANGULAR ERROR OF 00'00"05" PER TRAVERSE POINT, AND WAS ADJUSTED BY USING THE LEAST SQUARES METHOD.



AREA = 0.12 ACRE



PREPARED BY:
BENCHMARK
LAND SURVEYING, P.C.
4012 DARRYL LANE
GAINESVILLE GEORGIA 30508
PHONE: 770 532 7203
EMAIL: benchmark.inc@mindspring.com

PLAT OF SURVEY FOR:
SIDNEY MANNING
LOCATED IN:
LAND LOT - 440
4TH DISTRICT - FIRST SECTION
DAWSON COUNTY, GEORGIA
SCALE: 1" = 20' DATE: 9-21-2011

Exhibit "A"

Official Zoning Map of the City of Dawsonville

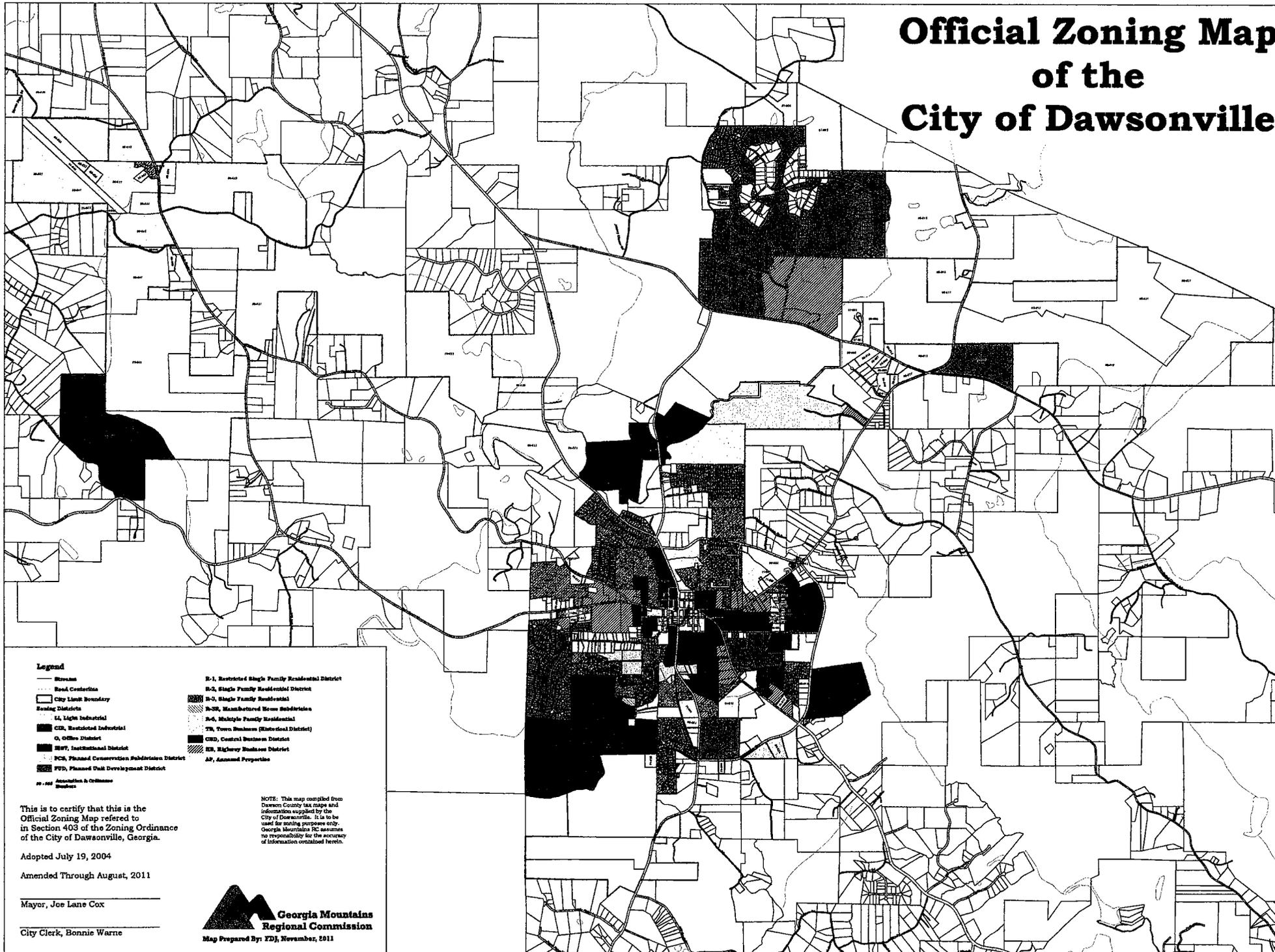


Exhibit "B"

Legend

- Street
- Road Centerline
- City Limit Boundary
- Zoning Districts**
- LI, Light Industrial
- CI, Restricted Industrial
- O, Office District
- IM, Institutional District
- PC, Planned Conservation Subdivision District
- PUD, Planned Unit Development District
- AS, Assessed Properties
- R-1, Restricted Single Family Residential District
- R-2, Single Family Residential District
- R-3, Single Family Residential
- R-3M, Manufactured Home Subdivision
- R-4, Multiple Family Residential
- TB, Town Business (Historical District)
- CB, Central Business District
- RB, Highway Business District

This is to certify that this is the Official Zoning Map referred to in Section 403 of the Zoning Ordinance of the City of Dawsonville, Georgia.

Adopted July 19, 2004
Amended Through August, 2011

Mayor, Joe Lane Cox
City Clerk, Bonnie Warne



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 RC assumes no responsibility for the accuracy of information contained herein.

Zoning Map Updates

ANX 09-001	05/19/09	Richardson	Matt	558 Hwy 9 N	D05-029
ANX 09-002	07/13/09	Ken Newell	Ric Rack	829 HWY 9 N	D05-005
ANX 09-003	09/01/09	Sosebee	Mark	638 HWY 9 N	D05-026
ANX 09-004	09/01/09	Sosebee	Mark	HWY 9 N	D05-034
ANX 09-005	10/19/09	Ken Newell	Ric Rack	Part of TMP D05-004	Part of D05-004
ANX 11-001	12/03/10	Grogan	Bronson H	523 hwy 9 North	092B-012
ANX 11-003	12/08/10	Allison Cornahan	Sonya Davis &	61 Elliott Village	D06-008
ANX 11-004	06/01/11	Fields	Grady & Gracie	633 Hwy 53 W	083-014
ANX 11-005	06/01/11	Adams	Jewell	134 Harben St	083-045
ANX 11-006	06/02/11	Jenkins	Jimmy & Judy	592 Hwy 9 S	093-010
ANX 11-007	06/01/11	Faucett	Sharron	593 Hwy 9 N	D05-001
ANX 11-008	06/01/11	Wright	BL Enterprises / JD	184 Harben Street	083-049
ANX 11-009	06/01/11	Higgins	Carolyn Higgins	83 Robinson Rd	D05-028
ANX 11-010	06/02/11	Clark	Daviid & Shields Clark	731 Hwy 9 N	D05-002
ANX 11-011	06/07/11	Gilleland	Dwight & Roger Gilleland		D02-004
ANX 11-012	06/01/11	Bearden	Geneva	815 Hwy 53 E	093-021
ANX 11-013	06/02/11	Goswick	John T	487 Hwy 9 N	D06-003
ANX 11-014	06/02/11	Bearden	Judy	653 Hwy 53 W	083-015
ANX 11-015	06/02/11	Talmadge	Lynn	104 Robinson Rd	D06-004
ANX 11-016	06/02/11	Tim Smith & Darlene Seidel	Tim Smith & Darlene Seidel	271 JC Burt Rd	084-002
ANX 11-017	06/02/11	Truelove	Judy & Gary	47 Elliott Village	D06-007
ANX 11-018	06/08/11	Chester	Lona Mae	70 Robinson Rd	D06-001
ANX 11-019	06/08/11	Freisem	Jane	Vacant lot Hwy 53 W	093-067
ANX 11-020	06/08/11	Reece	Angela Creel	559 Hwy 53 W	083-013
ANX 11-021	06/17/11	N.Copeland/W.Whittington	N. Copeland / W. Whittington	106 Hwy 136 E	091-059
ANX 11-022	06/21/11	Dawson County	Board of Education	103 Elliott Village	D06-011
ANX 11-023	06/21/11	Dawson County	Board of Education	534 Hwy 9 N	D03-017
ANX 11-024	06/21/11	Dawson County	Board of Education	117 Elliott Village	D-06-012
ANX 11-025	06/21/11	Dawson County	Board of Education	159 Elliott Village	D06-014
ANX 11-026	06/21/11	Dawson County	Board of Education	126 Elliott Village	D06-015
ANX 11-027	06/21/11	Dawson County	Board of Education	81 George's Place	D06-017
ANX 11-028	06/21/11	Dawson County	Board of Education	144 Elliott Village	D06-018
ANX 11-029	06/21/11	Dawson County	Board of Education	101 George's Place	D06-020
ANX 11-030	06/21/11	Dawson County	Board of Education	257 Allen Street	D06-022
ANX 11-032	07/25/11	Reed	Larry, Kenneth, Ronald, Ricky	160 Elliott Village	D06-019
ANX 11-033	07/26/11	Looper	William Edwin	717 & 757 Perimeter Rd	D05-006
ANX 11-034	08/09/11	Armstrong	Mary Alise	137 Duck Thurmond Rd	070-023.001
ANX 11-035	10/18/11	Tompkins	Harold & Jeanne	79 Gold Creek Ct	090-044

TMP 070-049-001 Correct Parcel Boundary

TMP 091-003 Correct Parcel Boundary

TMP 091-038 Correct Parcel Boundary



DOCUMENT DESTRUCTION SERVICES INC.

"YOUR SECURITY IS OUR BUSINESS"

P. O. BOX 247
GAINESVILLE, GEORGIA 30503
(770) 287-9605 FAX (770) 287-0828
www.DDSGA.com

invoice

DATE	INVOICE #
11/9/2011	44475
ACCOUNT #	REP
3367	DDS

BILL TO:

PAID

CITY OF DAWSONVILLE
PO BOX 6
DAWSONVILLE GA 30534

TERMS
Due on receipt

Please include the invoice number on your check.

DATE	DESCRIPTION	AMOUNT
6/30/2011	CLEANOUT AND DESTROY SENSITIVE DOCUMENTS AND FILES. 10 boxes for Dawsonville City Hall	0.00
		\$0.00
Thank You		Pay Last Amount In This Column

CERTIFICATE OF DESTRUCTION

I hereby certify that the following material

Sensitive documents and files.

was destroyed on

June 30 2011

DDS
Document Destruction Services, Inc.
P. O. Box 247 • Gainesville, Georgia 30503
"Your Security Is Our Business"

Sallie D. Hoshorn
Notary Public
My commission expires Nov 16 2014

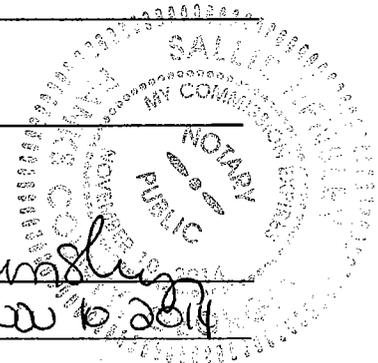


EXHIBIT "C"