



260 HILLSBORO ROAD
PO BOX 129
HIGH SHOALS, GA 30645

WWW.NORTHHIGHSHOALS.ORG

MAYOR: VIOLET DAWE
POST1: ERIC CARLSON
POST 2: JASON PRESLEY
POST 3: ERIC WRIGHT
POST 4: HILDA KURTZ
POST 5: MEAGAN CUNDIFF

April 18, 2022

Regular Council Meeting 7:30pm

APPROVED Minutes

Call to Order: Mayor Dawe called the meeting to order at 7:31PM

Members Present: Mayor Violet Dawe, Council members Eric Carlson, Jason Presley, Eric Wright, Hilda Kurtz, in person, and Meagan Cundiff via Zoom

Members Absent: None

Guests Present: Town Attorney Joe Reitman, Adam Bracewell, Fred Johnson, Sergeant Josh Dudley, Oconee County Sheriff's Deputy.

Greetings and Declaration of Quorum: Visitors were welcomed. With all members of the Council present, a quorum was declared.

Agenda Setting: The Minutes for February 21 and 28 were raised by Council member Presley who complained that audios were not received in a timely manner. See further information below.

Presentation of Draft Minutes from Previous Meetings

February 21, 2022, Regular Meeting:

February 28, 2022, Called Meeting:

There was significant discussion about when the audio files for the February 21 and 28 meetings were received by Council members, when the files were sent out, how/did they work, etc.

Discussion continued regarding how Council should proceed with these minutes as Council member Presley stated in March and again this evening that his position was that there were errors in the minutes. Mr. Reitman addressed some of the issues regarding the idea of reworking the minutes and recommended the use of the terms discussion and approval.

Council member Wright made a motion to table the minutes for both meetings, both February 21, 2022, regular Council Meeting and the February 28, 2022, Called Council meeting and address these minutes at the May 16, 2022, regular Council meeting. Motion was seconded by Council member Kurtz. Unanimously approved

Council member Carlson asked Council member Presley to identify on the tapes the areas where he felt needed attention and notify other Council members. Council member Presley said he would do that but would prefer that Council members listen for themselves to determine what was in error. Council member Carlson said the Council wouldn't take it as gospel, just wanted some idea of council member Presley's concerns. Council member Carlson then stated that he was absent for the February 21st meeting and asked whether he can or cannot respond. Mayor Dawe replied that he should listen and

make his notations. Mr. Reitman concurred with her assessment. He recommended that each person create a synopsis of what they hear.

Before moving on to other business, Mayor Dawe recognized Adam Bracewell, who wished to address the Council about the matters regarding the Shadyfield properties. He made accusations that the Mayor was wrong that there was fraud.

Mr. Reitman stopped him and cautioned him about making accusations and using such terms as those. He reminded Adam that the use of words like I feel that.... or my opinion is....

Mr. Reitman noted that Mr. Bracewell was making an attack on Mr. Wheeler's credibility. Mr. Wheeler was not present so had no way to defend himself.

Council member Wright stated that the things Adam was presenting should be on the agenda for the next meeting.

Mr. Reitman stated that making accusations against the Mayor or others was serious.

Council member Wright stated that this information needs to be presented to the Council in advance of the meeting.

Prior motion made by Council member Wright and seconded by Council member Kurtz to have minutes dealt with at the next regular meeting was rescinded.

Council member Kurtz made a motion to schedule a work session on May 9, 2022, at 7:30 PM. Council members will listen to the video/audio of both meeting and have notes prepared **before** the meeting for discussion. Council will have their summaries of minutes prepared for a formal vote at the Regular Council meeting of May 16, 2022. Motion was seconded by Council member Carlson. Unanimously approved.

Council member Wright asked Mr. Reitman if a separate meeting needed to be held to deal with the issues and accusations being made by Mr. Bracewell.

Mr. Reitman addressed the idea of accusations against the Mayor or others. He discussed a situation familiar to him which was a formal process requiring all members involved to have the opportunity to air their grievances.

Council member Wright then asked whether these accusations should be submitted by Mr. Bracewell in writing to be addressed by Council.

Mr. Reitman responded that it was the procedure used in another situation with which he was familiar. The process was orderly and decorous. He discussed the due process aspects of making accusations.

Clerk Sue Bishop asked if Mr. Bracewell should submit Mr. Wheeler's statements together with his disagreements.

Mr. Reitman stated it would be the easiest way for things to be handled. More discussion and questions followed.

Mr. Reitman gave the Council a description of how, if formal, written accusations were made, an Ethics Committee would need to be put together, what would be involved, how an Ethics hearing would transpire, etc. He further stated that an Ethics investigation would require probable cause for the compilation of an Ethics committee, their training prior to serving as Ethics committee members, the establishing of a hearing, the calling and swearing of witnesses, sequestering of witnesses to avoid change of testimony after hearing others' testimony, etc.

The process would include:

Filing under oath in writing

Acceptance by the Clerk

Dissemination of the information to the Council

The creation of an Ethics Committee (finding unbiased willing members of the community to serve as committee members in an unbiased and impartial manner without fear or favor)

Training of that committee

Mr. Reitman went on to state that Mr. Bracewell could state a general area of grievance and present it to the Council. What does Mr. Bracewell expect, etc.

Mr. Reitman further stated that if Mr. Bracewell wanted to move forward, he could do so.

Following Mr. Reitman's explanation, Mayor Dawe conclude discussion on the matter.

Mr. Reitman took his leave and Council moved on to the remainder of the agenda.

Presentation of Draft Minutes from meeting of March 21, 2022

Motion was made by Council member Kurtz to accept the minutes as presented.

Seconded by Council member Cundiff. Unanimously approved as presented.

Presentation of Financial Statement through March 31, 2022

Some discussion occurred regarding the payment for the playground equipment.

Check had not been received by the company. Copy of the check was sent to Mr. Dowd, Playground Creations representative. Follow up will occur later in the week.

There was some discussion about the ZipKrooz and questions regarding the payment for the TreeTop Playscape.

Motion was made by Council member Cundiff to approve the financial statement as presented. Seconded by Council member Carlson. Unanimously approved.

Citizen Comments on Non-Agenda Item:

None

Unfinished Business

1. Lighting for the parking lot and side walkway area to go to the back of the building – Quote from Stephen Goad- more info needed. Solar lighting may be an option, **moved to next month.**
2. Consider pay for Council members and Mayor – more work needed, **moved to next month.**
3. Sidewalks- research the opposite side of the street for a sidewalk since water lines are the only thing underground, **moved to next month.**
4. New playground equipment- The order was placed for the Tree Top Playscape from Playground Creations.
(Editor's note: Playground Creations had moved their offices and so had to go to the Post Office to pick up the check. Delivery is expected June 2, 2022. Mr. Dowd, Playground Creations representative, apologized for failing to inform us of the address change.)

New Business

1. Fence permit for 198 Shadyfield Lane - Moody

Council member Presley asked if an ordinance existed for a fence. Is it a permit for the fence or land disturbance? It is for the fence. Motion made by Council member Wright, seconded by Council member Cundiff. Unanimously approved.

Council member Kurtz noted that a picture or description of where the fence would be, should be added to the application. Agreed by all. It will be added to the permit application.

2. 214 Shadyfield Lane – remodel porch – Enns. Contractor failed to secure permit, so this was after the fact. Mr. Wheeler required the contractor to secure engineering reviews by a qualified company for all permits that were required. Contractor provided those documents.

Council member Carlson made a motion to accept. Seconded by Council member Kurtz. Unanimously approved.

3. Addresses were created for Shadyfield Lane and needed to be approved by Oconee County 911 Authorities. (Editor's note: Addresses approved by Oconee County 911 authorities on April 20, 2022.)

4. Add Historian to town. Resolution presented to Council. Letter received from Tommy Eades expressing interest in the position.

Council member Wright made a motion to create the position of Town Historian. Seconded by Council member Kurtz. Unanimously approved.

Some discussion about the scope of responsibilities, ownership of materials, etc.

Council member Carlson made a motion to approve the resolution to appoint Tommy Eades to the position of Historian. Seconded by Council member Kurtz. Unanimously approved. Signed by Council members.

5. Placement of building for baseball field equipment. Two locations noted. Size may need to be 10 x 12. Motion made by Council member Presley. Seconded by Council member Carlson to locate the building at the furthest distance from the playing area. (Note: users had expressed no preference.) Unanimously approved

6. Preliminary Budget for FY 22 - 23. Form presented to Council showed YTD figures through 3/31/22, with proposed figures suggested. Original extended hours for Clerk were for FY22. It will require a motion to extend them into the next Fiscal Year. Motion made by Council member Kurtz to approve for publication the proposed budget as presented. Seconded by Council member Wright. Discussion followed. Motion was amended to add \$6,000 to proposed revenue, by Council member Carlson. This would require a \$6,000 addition to the expected expenditures. The motion was seconded by Council member Kurtz. Clerk Sue Bishop made immediate changes to reflect the increase on both revenue and expenses. Unanimously approved. Proposed budget will be submitted to the newspaper for publication. (Editor's note: The preliminary proposed FY 23 budget was submitted to the Oconee Enterprise for publication. Publication will begin with the April 28th issue and run for 3 weeks prior to the May Council meeting where a public hearing will be held. At the public hearing citizens may make comments and ask questions regarding the proposed budget.)

Mayor's Update

1. Small Cities Conference in Dublin GA, April 28 – 29, 2022 to be attended by Mayor Dawe, Council member Kurtz and Clerk Sue Bishop
2. Purchase of a table for Council meetings – Council refused the purchase and will look into other options

Very Unfinished Business:

These items remain unaddressed as the Council has spent much time dealing with other Town issues.

1. Short Term Rental Ordinance –Council members Carlson and Wright will work on this and have an update at the next meeting.
2. Livestock Ordinance - City of Madison has good. Mayor Dawe will contact the City of Madison. Council Member Kurtz will work with Mayor Dawe.
3. Signage proposal

Respectfully submitted,

Sue Bishop
Town Clerk