

**REGULAR COUNCIL MEETING  
CITY OF SKY VALLEY, GEORGIA  
FEBRUARY 19, 2013  
TUESDAY, 2:00 PM  
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

**MINUTES**

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Carr, Larsen, Platt, and Whatley, City Manager Smith, Chief Dills, City Clerk Cantrell, Tax Commissioner Mullins, and Public Works Supervisor Rick Cavalli.

Pam Martindale gave the invocation. Mayor Martindale led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Councilor Whatley made a motion to approve the minutes of the January 15, 2013 Regular Council Meeting, 2<sup>nd</sup> Councilor Larsen, unanimously approved.

**ADOPTION OF AGENDA**

Councilor Larsen made a motion to adopt the agenda with the addition of an item under New Business: Discussion of the Inspection Process, 2<sup>nd</sup> Councilor Carr, unanimously approved.

**MAYOR'S REMARKS**

Mayor Martindale thanked everyone for attending the meeting.

**COUNCIL REMARKS**

Council President Howard thanked everyone for coming to the meeting. He said that the attendance showed support of his suggestion to move the regular meeting time to 2:00 PM. Howard read a statement and requested that it be incorporated into the minutes. His statements are incorporated by reference and attached hereto.

Councilor Carr gave a report on the Mayors' Day Conference she attended in January.

Councilor Platt said that Monika Howard called to commend Officer Shope for assisting her and Betty King. Officer Shope gave them a ride home when they couldn't get up the mountain in the snow.

**DEPARTMENT REPORTS**

- (a) Police Chief's Report – given by Chief Dills
- (b) City Financial Report – given by City Clerk Cantrell
- (c) Tax Commissioner's Report – given by Tax Commissioner Mullins
- (d) Building Inspector's Report – given by City Manager Smith
- (e) City Manager's Report – given by City Manager Smith

City Manager Smith introduced new Public Works Supervisor, Rick Cavalli. Mr. Cavalli thanked the City for the honor of being chosen as the Public Works Supervisor.

These reports are hereby incorporated by reference and attached hereto.

## **COMMITTEE REPORTS**

### **Planning & Zoning Commission**

Commission Secretary, Dick Parrot gave a report of the meeting. He said that the Commission met on Tuesday, February 12. The variance request for 186 Driver Lane, the barn roof, had been withdrawn so there was no public hearing. The Commission did discuss roofing requirements and voted to recommend approval of changing the metal roofing requirements to allow 26 and 29 gauge metal, to remove the standing seam requirement, and to keep the requirement that fasteners be hidden.

## **NEW BUSINESS**

- **Building Inspection Process**

Attorney Dickerson said that his recommendation is to always avoid even the appearance of impropriety and referenced Section 2.15 (b)(1) of the City Charter. Councilor Larsen thanked everyone who came to the meeting. Councilor Whatley announced that he is a social member of the Club and has no conflict of interest. Councilor Platt stated that she is also a social member of the Club and has no conflict of interest. Council President Howard stated that he is a founding member of the Club and has no conflict of interest. Councilor Carr stated that she is also a founding member of the Club and has no conflict of interest. Councilor Larsen announced that he is the President of Sky Valley Club and that he does not feel he has a conflict of interest.

Larsen made a motion that the City delegate the inspection authority of the Club to the architect and the engineer, 2<sup>nd</sup> Councilor Carr. Larsen said that when the construction began, Frank Andrews was the building inspector. At that time, Mr. Andrews said that he did not feel comfortable inspecting commercial construction and the City authorized the architect and engineer to show and provide inspection reports proving that the construction met building codes. Mr. Martin Green, project construction manager for the Club stated that they have inspection reports from the previous engineer. Larsen said that the Club is on a very tight budget and cannot afford any additional costs due to the additional inspections. Mr. Green handed out copies of requests made by the City Inspector. He said that he is a retired structural engineer and he has dealt with inspectors throughout his career. He said that most of the requests are reasonable. However he and their architect, engineer, and contractor feel that some of the requests are unreasonable such as additional documentation to prove that what has been done already meets building codes. City Manager Smith said that the City does not have copies of the previous inspection reports done by the previous architect and engineer. Mr. Green said that they agreed to hire another third party engineer to inspect the site. He said that if the inspector sees something obviously wrong, they do not have an issue correcting it. Mayor Martindale said the inspector has done site visits to try help, but no actual inspections have been made at this point. He said what the inspector has tried to do is warn the Club of any potential issues.

Mayor Martindale said the crowd at the meeting is here because they are under the impression that the City is being uncooperative. Mr. Green went through the list stating that #s 5, 15, 16, 20 are unreasonable. City Manager Smith said that the building inspector gave the contractor a copy of the building code highlighting areas to help the contractor. This is something that he does even on very small jobs to help the contractors to show them what he is inspecting. Councilor Whatley asked if the building inspector has ever said anything about stopping work. Mr. Green said that he has not asked them to stop work. Mayor Martindale asked if anything the inspector has done has stopped or slowed

down work to this point. Mr. Green said that it slowed them down by about a week. Mayor Martindale asked if him, the building inspector, and Mr. Green meet at the site every Wednesday morning to work through issues would help and if Councilor Larsen and Mr. Green felt this would be a reasonable solution. Councilor Whatley said that what is happening now is not doing the City any good whatsoever. He said that a problem came up Saturday morning and the concerns were addressed and a suitable resolution made. Mayor Martindale said that Mr. Green's attitude about the building inspector being "nit-picky" and making unreasonable requests has spread to the residents. He gave an example where the building inspector requested that a bathroom wall be moved by two inches to comply with the American with Disabilities Act, and Mr. Green said this was an unreasonable request. Citizens Clifford and Jackie Bell suggested completely doing away with the City's building inspections. Council President Howard said that he can understand the difficult situation of the Club with the building being started by previous owners. Councilor Whatley said that the building codes are created and imposed by the State of Georgia and that at any point the State has the authority to come in and say whether a building does or does not meet building codes. He said that the Sky Valley is the only City in Rabun County that has the inspection process to insure that the codes are met.

The motion failed 3:2 with Councilors Howard, Platt and Whatley voting nay and Carr and Larsen voting aye.

Martin Green, project construction manager for the Club stated that they do have inspection reports from the previous engineer and that he would provide those to the City's building inspector.

- Building Code Requirements – Roofing

City Manager Smith presented two draft versions of the Ordinance to Amend the Building Code, Ordinance 05-01 Section 300.20 regarding roofing requirements. Councilor Whatley made a motion to approve Draft #2, 2<sup>nd</sup> Council President Howard, unanimously approved. Draft #2 included metal roof shingles that can be dark grey, dark brown, or dark green and must be a matte finish. It also updates the metal roof panels keeping the same coloring requirements but referring back to the State's code on other requirements.

- Approval of 2012 Audit Proposal

City Clerk Cantrell presented the proposal for the 2012 audit in the amount of \$6,400 from Jack Green, CPA. Councilor Whatley made a motion to approve, 2<sup>nd</sup> Councilor Platt, unanimously approved.

- Elected Officials Training

City Clerk Cantrell presented information on training available to the Mayor and Council and the costs of training and travel requirements to attend. The Legislative budget (for the Council) does not have sufficient funds available for a Councilmember to attend the GMA Annual Convention in Savannah. She said that one Councilmember has expressed interest in going and stated that it would require a budget amendment for someone to attend. There are other training options available that are less expensive. Discussion followed as to whether or not the budget should be amended. The consensus of the council was to stay within the current budget.

- Sky Valley Events

City Manager Smith said that she was asked if the City will have the arts and crafts fair over July 4<sup>th</sup> weekend like in the past couple of years. She said that the City hasn't budgeted for the summer celebration events this year and asked the Council if they wanted to plan any events. Discussion

followed about the events. Council President Howard will hold a meeting of the Planning & Economic Development Committee and make a recommendation to Council at the next meeting.

- Awarding of bids for Surplus Property

City Manager Smith said the surplus property, the 2000 Chevy and the 34,000-gallon water storage tank were listed on govdeals.com for sale. Council President Howard made a motion to accept the high bid on the truck of \$6,150, 2<sup>nd</sup> Councilor Larsen, unanimously approved. The bids on the water tank did not meet the reserve price. Councilor Whatley made a motion to authorize the City Manager to negotiate with the goal of getting \$2,000 for the tank, 2<sup>nd</sup> Council President Howard unanimously approved.

#### **PUBLIC FORUM AND GENERAL COMMENTS**

Citizen Helen Kleiber thanked people for working together.

Citizen Ray Becker asked if anything has been done regarding the marketing of the City's website. Councilor Larsen said he had a discussion with the site designer today who said he will review the City's site and get back with him soon to present a proposal.

#### **EXECUTIVE SESSION**

None

Councilor Larsen made a motion to adjourn, 2<sup>nd</sup> Council President Howard, unanimously approved.

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk

Neil Howard  
Council Remarks  
February 19, 2013

Thank you Mr. Mayor and fellow Counselors.

I would appreciate that my full comments be recorded and entered into the official record of this meeting.

I want to thank everyone for your attendance at our meeting today.

I welcome your interest and involvement in the process of keeping Sky Valley a city of which you can be proud to be a resident.

I wish to address the timing and the effort that took place over this past weekend to try to understand and pinpoint problems and to seek a plan of action which would support the Contractor, Tom Adams, to complete construction of the clubhouse on his best schedule, without delay.

Last Wednesday, February 13, the club president and I were both attending the Chapel luncheon that took place here in the Fellowship Hall. At that time, I inquired as to how construction was progressing at the clubhouse. The reply was that, "They are starting to put wood on the ceiling today." I admit, I noted some frustration in his reply.

I was first made aware of the Sky Valley Club's concerns early last Saturday morning when alerted to the content of an email sent late on Friday, February 15<sup>th</sup>, expressing several concerns by the Contractor that may impact the completion schedule. I immediately contacted and had discussions with the Sky Valley Club President and the Club's chief engineering representative, Martin Green, who spends a great deal of time at the construction site. Due to my past experience, in managing a manufacturing facility, I suspected that the lack of an established communication channel between the parties may be part of the current problem.

Hoping to address these concerns, I met with Martin Green, and Mayor Martindale yesterday afternoon in hopes of developing a mutually acceptable way to positively move forward. It was proposed at that meeting, that the building inspector and the Club appointed on-site engineer should be the primary point of contact identifying and resolving any difficulties. To ensure that all potential differences would be addressed as timely as possible, these two would together, perform a walk-through of the construction project on a weekly basis, or as frequently as necessary, to

insure all concerns can be made known early to prevent any construction delays. I believe that establishing a single point contact between the inspector and the Club representative will lead to better understanding and cooperation necessary to move this project along smoothly.

I am deeply disappointed that the previously proposed approach was not given even a single opportunity to work before a letter was sent that may cause more disruption and misunderstanding than offering a solution.

I know that our Mayor, your City Councilors, and nearly all residents of our beautiful city, support the Sky Valley Club's efforts and wish them continued success.

**Our working together is the only acceptable solution!**