

City of Blue Ridge

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

City of Blue Ridge
Special Called Council Meeting Minutes
City Hall
480 West First Street
October 18, 2016 at 10:00 a.m.

Present: Mayor Donna Whitener
Council Members Angie Arp, Harold Herndon,
And Rodney Kendall
City Clerk Kelsey Ledford
City Clerk Trainee Sally Smith

Absent: Council Members Bruce Pack, and
Rhonda Thomas

- 1) Call Meeting to Order:
Council Member Rodney Kendall made a motion to call the meeting to order. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried.
- 2) Prayer and Pledge of Allegiance:
Police Chief Johnny Scarce offered a word of prayer followed by the Pledge of Allegiance.
- 3) Council Meeting Rules of Procedures:
Mayor Whitener announced that the Council Meeting Rules of Procedures were available at the Council desk.
- 4) Approval of Minutes:
Minutes were not available for approval.
- 5) Third Millage Rate Hearing (Open for Comments):
There being no comments, Council Member Rodney Kendall made a motion to pass the third Millage Rate hearing. The motion was seconded by Council Member Harold Herndon. The Council voted 3-0. Motion carried.
- 6) Millage Rate Ordinance (Second Reading and Adoption):
Council Member Rodney Kendall made a motion to approve the second reading and adopt the Millage Rate Ordinance (attached). The motion was seconded by Council Member Angie Arp. Mayor Whitener read the first paragraph of the Millage Rate Ordinance. The Council voted 3-0. Motion carried.

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7) Second Budget Hearing (Open for Comments):

There being no comments, Council Member Rodney Kendall made a motion to pass the second Budget Hearing. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried.

8) Budget Resolution (First Reading and Adoption):

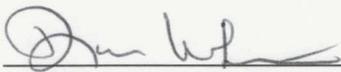
Council Member Rodney Kendall made a motion to approve the first reading and adopt the Budget Resolution (attached). The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried.

9) Executive Session—Personnel:

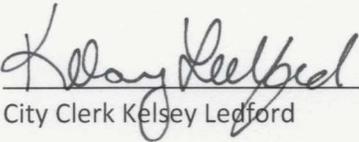
Council Member Rodney Kendall made a motion to close the meeting for an executive session for the purpose of discussing personnel matters. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried. Council Member Rodney Kendall made a motion to open the meeting from an executive session. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried. Council Member Rodney Kendall made a motion to hire Michael Buchanan part-time at \$10.00 per hour. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried. Council Member Rodney Kendall made a motion to hire Bobby Bearden part-time at \$10.00 per hour. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Motion carried.

10) Adjournment:

Council Member Rodney Kendall made a motion to adjourn the meeting. The motion was seconded by Council Member Angie Arp. The Council voted 3-0. Meeting adjourned.



Mayor Donna Whitener



City Clerk Kelsey Ledford

November 8, 2016

Approved



FIRST READING October 11, 2016

PUBLISHED September 28, 2016

PASSED October 18, 2016

AN ORDINANCE NO. 2016-10-18

AN ORDINANCE TO THE AD VALOREM TAX RATE FOR THE CITY OF BLUE RIDGE, GEORGIA FOR THE CALENDAR YEAR OF 2016 AND THE FISCAL YEAR FOR SAID CITY OF 2017; TO LEVY SAID TAX UPON ALL PROPERTY SUBJECT TO TAXATION BY THE CITY OF BLUE RIDGE, GEORGIA; TO PROVIDE FOR THE TIME OF PAYMENT OF SAID TAXES; TO PROVIDE FOR INTEREST AND PENALTIES FOR THE FAILURE TO PAY TAXES; TO PROVIDE FOR AN ADMINISTRATIVE PROCEDURE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES; TO PROVIDE AN ADMINISTRATIVE PROCEDURE FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES FOR YEARS PRIOR TO 2016; TO REPEAL CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of Blue Ridge, Georgia, pursuant to Section 6.11 of the Charter for the City of Blue Ridge, Georgia, and it is hereby ordained by authority of same:

SECTION 1. NET MILLAGE RATE.

The ad valorem tax rate for the City of Blue Ridge, Georgia, for the calendar year 2016 and for the 2017 fiscal year for the City of Blue Ridge, based upon an estimated total valuation [at the forty (40%) percent digest value] by the tax assessors of Fannin County of property subject to ad valorem taxation by the City of Blue Ridge is hereby set at a net millage rate of 5.479 mills.

SECTION 2. NET MILLAGE RATE FOR THE PURPOSE OF RAISING REVENUES TO PROVIDE GOVERNMENTAL SERVICES.

Upon adding the total receipts of the local option sales tax for the 2015 calendar year, and dividing the net property value into it, the City Council determined the roll back rate for the City, and set a net millage rate of 5.479 mills for the Blue Ridge taxable property, to be levied on each \$1,000.00 of taxable

property (at its forty (40%) percent digest value) within the corporate limits for the following purposes:

- (a) For the purpose of raising revenues to defray the cost of operating the City government;
- (b) For the purpose of raising revenues to defray the cost of governmental services.
- (c) For the repayment of principal and interest on general obligations, if any; and
- (d) For any other public purpose as determined by the City Council in its discretion.

SECTION 3. 2016 AD VALOREM TAX LEVY.

There is hereby levied upon all property subject to ad valorem taxation by the City of Blue Ridge, Georgia, a net ad valorem tax for the year 2016 of 5.479 mills on each \$1,000.00 of value of taxable property (at its forty (40%) percent digest value).

SECTION 4. DUE DATE OF TAX.

The said tax imposed is due and payable upon receipt of a tax notice mailed to each owner of the property subject to taxation. In any event, all taxes due under this Ordinance shall be paid no later than the sixtieth day after the postmark on said tax bills, without penalty.

SECTION 5. INTEREST AND PENALTIES ASSESSED.

Unless not allowed by general statutory law, all delinquent and past due taxes shall bear a penalty of 5% to be added after 120 days with an additional 5% assessed after each successive 120 days to a maximum of 20% of the principle amount due. Further, all past due and delinquent taxes shall bear interest at an annual rate equal to the prime loan rate as posted by the Board of Governors of the Federal Reserve System in statistical release H. 15, or any publication that may supersede it, plus 3% to accrue monthly. Such interest rate shall be determined each calendar year based on the first weekly posting of statistical release H. 15 on or after January 1 of each year. Interest shall begin being assessed on the sixty-first day after the post mark on said tax bills and any period of less than one month shall be considered to be one month. The City Tax Clerk may waive the collection of any penalties and interest, in whole or in part,

due the City on unpaid taxes or assessments whenever or to the extent that he or she reasonably determines the delay in payments was attributable to the action or inaction of his or her department.

SECTION 6. NOTICE, ISSUANCE OF FI.FA., AND LEVY AND SALE TO COLLECT PAST DUE AND DELINQUENT AD VALOREM TAXES.

A past due and delinquent tax notice shall be mailed by the Mayor, City Manager or other duly authorized agent of the City of Blue Ridge, Georgia to all owners of property subject to taxation who have not paid the tax due on or before the sixty-first day after the postmark on said tax bills. The past due and delinquent tax notice shall be sent by certified or registered mail. Upon failure to pay the tax due within thirty days of the return receipt of the past due and delinquent tax notice sent by certified or registered mail, the Mayor, the City Manager, or other proper duly authorized agent for the City of Blue Ridge, Georgia, shall cause a writ of fieri facias to be issued and recorded on the appropriate tax digest of the City of Blue Ridge, Georgia or on the general execution docket of Fannin County. All property of a taxpayer subject to said writ shall be subject to levy and sale in accordance with the provisions for sheriff's sales to secure payment of the past due and the delinquent ad valorem taxes, or through any other foreclosure procedure allowed under Georgia law including, but not limited to the procedure set out by O.C.G.A. § 48-4-75 et seq. The City of Blue Ridge, Georgia, shall also be entitled to assess the expenses of any tax foreclosure sale, including attorney's fees, which the City of Blue Ridge, Georgia, incurred due to the failure of the owner (taxpayer) to pay the ad valorem taxes owed.

SECTION 7. PROCEDURE FOR COLLECTION OF PAST DUE AND DELINQUENT AD VALOREM TAXES FOR THE YEARS PRIOR TO CALENDAR YEAR 2016.

For all past due and delinquent ad valorem taxes for the years prior to the calendar year 2016 which are due and owing to the City of Blue Ridge, Georgia by delinquent taxpayers, the City of Blue Ridge, Georgia, through a duly authorized agent, which may be, but does not have to be, the Mayor, the City

Manager, or other authorized agent, shall send a past due and delinquent tax notice by mail to all owners of property subject to taxation for the calendar years prior to 2016 who have not paid the tax due for said prior calendar years. This past due and delinquent tax notice shall be sent to said delinquent taxpayers by certified or registered mail, return receipt requested. Upon failure to pay the tax due by the delinquent taxpayers within thirty days of the return receipt of the past due and delinquent tax notice, the Mayor, the City Manager, or other duly authorized agent of the City of Blue Ridge, Georgia acting by and through the proper taxing authority, shall cause a writ of fieri facias to be issued and recorded on the appropriate tax digest of the City of Blue Ridge, Georgia or upon the general execution docket of Fannin County. All property of the delinquent taxpayer subject to said writ shall be subject to levy and sale in accordance with the provisions for sheriff's sales to secure payment of the past due and delinquent ad valorem taxes, or shall be subject to any other collection procedure allowed by Georgia law, including but not limited to O.C.G.A. § 48-4-75 et seq. The delinquent and past due ad valorem taxes for the prior calendar years shall bear a penalty and interest amount equal to the maximum amount allowed by general statutory law. The City of Blue Ridge, Georgia, shall also be entitled to assess the expenses of any tax foreclosure sale, including attorney's fees, which the City of Blue Ridge, Georgia, incurred due to the failure of the owner (taxpayer) to pay the ad valorem taxes owed.

SECTION 8. REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT.

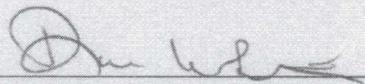
Any part of any prior ordinances, in conflict with the terms of this Ordinance, are hereby repealed to the extent of the conflict; but it is hereby provided, that any ordinance or law which may be applicable hereto and aid in carrying out and making effective the intent, purpose and provisions hereof, is hereby adopted as a part hereof and shall be legally construed to be in favor of upholding this Ordinance on behalf of the City of Blue Ridge, Georgia.

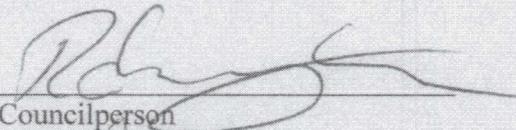
SECTION 9. SEVERABILITY.

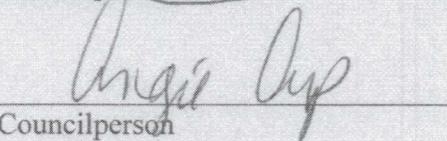
If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to effect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared to be the intent of the City Council of the City of Blue Ridge to provide for separate and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

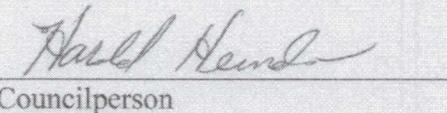
This 18th day of October, 2016.

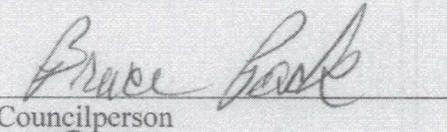
BLUE RIDGE CITY COUNCIL

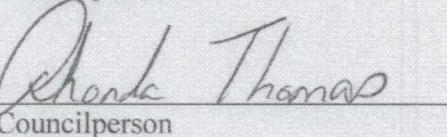
By: 
Mayor


Councilperson

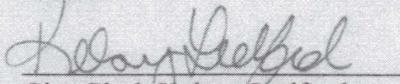

Councilperson


Councilperson


Councilperson


Councilperson

Attest:


City Clerk Kelsey Ledford
2881-146/W155639

PASSED: October 18, 2016

A RESOLUTION NO. 2016-10-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, GEORGIA TO ADOPT A BUDGET FOR ALL FUNDS OF THE CITY FOR THE CALENDAR YEAR 2017; TO ADOPT THE BUDGET ATTACHED TO THIS RESOLUTION AND INCORPORATED BY REFERENCE HEREOF INTO THIS RESOLUTION AND WITH SAID BUDGET FOR ALL FUNDS INDICATING THE SUM OF ESTIMATED REVENUES, AS WELL AS THE SUM OF EXPECTED EXPENDITURES; TO PROVIDE FOR A BALANCED BUDGET FOR THE 2017 FISCAL YEAR; TO PROVIDE THAT NOTHING CONTAINED WITHIN THIS BUDGET RESOLUTION, AS WELL AS THE ATTACHED PROPOSED BUDGET, SHALL PRECLUDE THE CITY COUNCIL OF THE CITY OF BLUE RIDGE FROM AMENDING ITS BUDGET DURING THE 2017 FISCAL YEAR SO AS TO ADAPT TO CHANGING GOVERNMENTAL NEEDS DURING THE BUDGET PERIOD; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 35.45 of the Blue Ridge Code of Ordinances, the City has adopted a fiscal year beginning January 1 and ending December 31 of each year;

WHEREAS, O.C.G.A. §36-81-3 provides that the governing authority of each local government shall adopt and operate under an annual balanced budget for the general fund, each special revenue fund and each debt service fund of the entity;

WHEREAS, the City Council does hereby desire to adopt a General Fund, Confiscated Assets Fund, Hotel/Motel Fund, SPLOST Fund and Water and Sewer Fund budget by this resolution for the calendar year of 2017 and the fiscal year of 2017; and

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED BY THE ABOVE-REFERENCED AUTHORITY, as follows:

SECTION 1. BUDGET FOR THE FUNDS OF THE CITY OF BLUE RIDGE.

The City Council of the City of Blue Ridge, Georgia, as the governing authority of the

City, does hereby adopt a balanced budget for the General Fund, Confiscated Assets Fund, Hotel/Motel Fund, SPLOST Fund and Water and Sewer Fund of the City for the calendar year of 2017 and the fiscal year of 2017, and being as more specifically described by the attached ledger sheets comprising the budget, and which indicate the following:

- (1) Administration, operation and maintenance expenses of each department or office of the City;
- (2) Interest and debt redemption charges;
- (3) Proposed capital expenditures, detailed by departments and offices when practicable;
- (4) Cash deficits of the preceding year;
- (5) Contingent expenses; and
- (6) Such reserves as may be deemed advisable by the City Council;

and which are all incorporated by reference into this budget resolution and comprising the budget for the on-coming fiscal year.

SECTION 2. BALANCED BUDGET.

As indicated by the incorporated budget, the proposed budget for fiscal year 2017 is balanced in that the sum of estimated revenues and appropriated fund balances is equal to appropriations, and in accordance with O.C.G.A. § 36-81-3(b)(3).

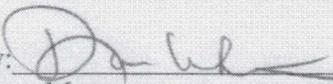
SECTION 3. AMENDMENT TO THE BUDGET.

Nothing within this budget resolution shall preclude the City Council of the City of Blue Ridge, Georgia from amending its budget for the 2017 fiscal year so as to adapt to changing governmental needs during the budget period, being said fiscal year for the City of Blue Ridge. The City Council of the City of Blue Ridge retains full and complete authority to amend said budget at any time during the budget period due to a change in anticipated revenues or through a

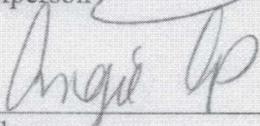
transfer of appropriations among departments, so long as said budget amendments are approved by the City Council of the City of Blue Ridge. All changes in the budget, budget appropriations, or transfers of appropriations within the departments of the City of Blue Ridge, Georgia shall be in accordance with such policies as are adopted by the City Council of the City of Blue Ridge, Georgia.

SO RESOLVED this 18th day of October, 2016.

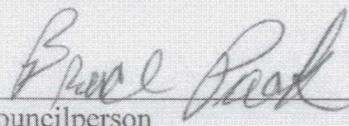
BLUE RIDGE CITY COUNCIL

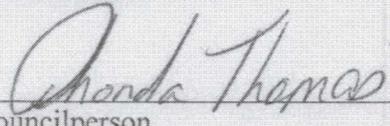
By: 
Mayor


Councilperson

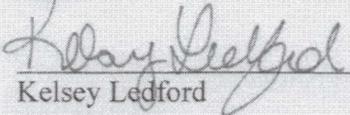

Councilperson


Councilperson


Councilperson


Councilperson

Attest:


Kelsey Ledford
City Clerk

