

**CITY OF PINE LAKE
MEETING MINUTES
APRIL 12, 2010
7:30 PM**

COUNCIL MEETING

CALL TO ORDER

The regular monthly meeting of the Pine Lake City Council was called to order at 7:33 PM by Mayor Pro-Tem Kathie deNobriga.

PRESENT: Mayor Greg Zarus (arriving at 7:36 PM)
Mayor Pro-Tem Kathie de Nobriga
Council Member Greg Creech
Council Member Bitsy Pitts
Council Member Cindy Diamond
Council Member Melanie Hammet
City Administrator Phil Howland
City Clerk Valerie Caldwell
Police Chief Sarai Y'Hudah-Green

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Pro-Tem Kathie deNobriga.

ANNOUNCEMENTS:

- Friday 04/16 DDA 12:30 PM Take 2
- Saturday 04/17 PLAIN Yard Sale
- Tuesday 04/20 ARB 7:00 PM Club House
- Tuesday 04/27 TAB 6:30 PM Beach House
- Tuesday 04/27 Council 7:30 PM Court House

It was noted that the Council would hold their quarterly planning session beginning at 5:30 PM on Tuesday, April 27th, prior to the scheduled 7:30 PM work session.

COMMUNICATIONS

Council Member Creech commended Council Members Diamond, Hammet and Pitts on the excellent job they had done at the musical performance the prior Saturday evening.

Mayor Pro-Tem deNobriga stated that the Notes from City Hall were due first thing the following morning and encouraged everyone to provide any relevant information in a timely manner.

Council member Diamond stated that the City Attorney was reviewing the proposed engagement letter from the Auditor.

AMENDMENTS TO AGENDA

Unfinished Business agenda item for Adoption of 2010 Beach and Park Rules was moved to the Consent Agenda.

MINUTES:

Mr. Howland distributed the meeting minutes from the March 30th meeting. These minutes were unanimously approved on motion by Council member Hammet, and second by Council member Creech.

PUBLIC COMMENT:

There were no public comments at this time.

DEPARTMENTAL REPORTS

Chief Green distributed the departmental monthly report and provided an overview of the department's activities.

A brief discussion ensued regarding swimming prior to the beach opening. It was pointed out that the testing of the water for fecal coliform had not yet begun, and as such, swimming was prohibited. The Administrator was directed to procure and post appropriate signage.

Administrator Howland reported the Administration Department had been experiencing computer networking issues which had negatively impacted the work flow. He followed with a report of items upon which he was working; i.e., employee evaluations, preparation for the upcoming 3 day FEMA training in Forsythe, exploring revenue sources for a Flood Plain buy-out match and various other issues.

CONSENT AGENDA

Motion to approve the 2010 Beach and Park Rules was made by Council Member Hammet, seconded by Council Member Pitts and was unanimously approved.

UNFINISHED BUSINESS

Resolutions for 401(a) and 457(b) Defined Contribution Retirement Plan

Clerk Caldwell explained that recent IRS guidance required that all defined contribution pre-approved plans be restated and refiled with the IRS to ensure compliance with the

Economic Growth Tax Relief and Reconciliation Act of 2001, no later than April 30, 2010. She explained the plan could simply be left as currently written, but this would be an opportune time to make any changes Council may desire. The plan currently encompasses four positions; Administrator, Clerk, Police Chief, and Director of Public Works, with specific dollar amounts for each position.

Mayor Pro-Tem deNobriga stated that the City's retirement plan serves as a tool for recruitment and retention of quality employees. She suggested changing the plan to delete the position of Director of Public Works, as those duties have been combined with that of Administrator, and in lieu thereof add the position of Court Clerk. With respect to funding, she suggested a flat 5% of the employee's gross annual salary. That will equate to approximately \$8,200 for fiscal year 2010. It was noted this amount could be funded through savings realized in decreased insurance premiums experienced for this year. Funding for future years was discussed. Council member Creech stated he did not feel having the plan cover only four employees was fair to the remainder of the city staff. Mayor Pro-Tem deNobriga stated that because of the supervisory nature of these four positions a distinction could be drawn and the city could certainly look at expanding the number of covered positions for future years. Mayor Zarus stated that when the Administrator had been employed, part of his salary was to be paid through the retirement contribution. Council member Hammet stated she was in favor of investing in quality personnel and moved to approve the following changes to the plan, (a) four covered positions listed as (i) City Administrator, (ii) City Clerk, (iii) Police Chief and (iv) Court Clerk, (b) with a contribution of 5% of gross annually salary, which would not exceed \$8,200 this calendar year, and (c) authorize the Mayor to execute the revised paperwork for the plans. This motion was seconded by Mayor Pro-Tem deNobriga and approved 4-1. Voting in favor were Hammet, deNobriga, Diamond and Pitts. Voting in opposition was Creech stating the plan would benefit some but not others.

NEW BUSINESS:

Resolution Renewing Local Government Service Delivery Strategy

Following a brief presentation of the Service Delivery Strategy status, motion was made by Mayor Pro-Tem deNobriga to approve Resolution # R-03-10 to renew the Local Government Service Delivery Strategy to remain in full force and effect until February 28, 2011, once approved by the Georgia General Assembly. This motion was seconded by Council member Diamond and was unanimously approved.

Mayor Zarus recused himself from the last two agenda items, due to the proximity of his personal residence to the location of the work to be funded through budget transfers proposed in the next two agenda items.

Budget Amendment for Tree Removal on Impoundment

Administrator Howland reported four trees and one stump required removal from the impoundment, which compromise the integrity of the dam. As the contractor was currently on site, this work could be accomplished for \$3,700. He requested authorization to expend the additional \$3,700. When questioned about an offsetting revenue source, Administrator Howland stated the funding could come from bond proceeds. He further reported that he anticipated the entire berm being repaired in the very near future with anticipated grant funds. Motion was made by Council member Hammet to amend the Stormwater budget by increasing revenue in the amount of \$3,700 from bond funds, and increasing expenditures by \$3,700 for contract labor to remove the trees and stump and stabilize the area, with the bond to be repaid upon receipt of anticipated grant funds for the repair of the entire impoundment. This motion was seconded by Council member Creech and was unanimously approved.

Budget Amendment for City Match on Capital Improvements Budget

Mr. Howland stated he had not budgeted for the City's match on grant funding for the Capital Improvements Project on the western wetlands. Following a discussion this item was unanimously tabled upon motion by Council member Hammet and second by Council member Pitts.

PUBLIC COMMENT

None

COUNCIL COMMENTS

The Clerk was instructed to place the Facility Rental Policy on the agenda for the upcoming work session.

There being no further business, the meeting adjourned upon motion by Council member Diamond and second by Council member Creech. 9:12 PM.

Valerie Caldwell, City Clerk