

## **CALL TO ORDER**

Mayor James Bratcher called to order the regular meeting of the Rutledge City Council. Council members Brenda Thompson, Chad Cook, Tim Smith and Bruce Altnauer were present as were members of the public.

City attorney John Nix was also present.

## **APPROVAL OF MINUTES**

Brenda Thompson made motion that the minutes of the January 22, 2014 meeting be approved as submitted. Bruce Altnauer seconded, all voted in favor and motion carried.

## **BUSINESS LICENSE APPROVAL**

Mayor Bratcher advised the council that a business license application had been submitted from Greg Sherrill for a small restaurant located at 148 Atlanta Highway called Rutledge Wings, LLC. He stated that it is permitted. Brenda Thompson made motion to approve the business license application for Rutledge Wings, LLC.

Tim Smith seconded, all

voted in favor and motion carried.

## **WEYERHAEUSER AGREEMENT**

Item deferred until City engineer Marty Boyd arrived.

## **ANNEXATION INFORMATION – SALOME ROWE**

Salome Rowe addressed the council and stated that she lived on Academy Lane in unincorporated Rutledge. She said she had been thinking of the advantages and disadvantages of annexation.

not working for us.

She stated taxes are high, but the property taxes are

pickup, sewer or water.

She said we don't have garbage

Will we get

some amenities if we were inside the City?

Also we have shooting in the area, which is really dangerous.

If we were annexed they could not do that it was really rural when we came here.

We have Stanton Springs, trucks going everywhere storing dirt at the end of our road.

I have talked to everyone at the county and could not get any help.

I ended up talking to someone with Baxter and he got it stopped.

They were tearing up our streets.

I just want to look at the advantages and disadvantages.

Chuck Jarrell said we would pay higher taxes.

I know you can get loans and grants in small towns.

Mayor Bratcher informed Ms. Rowe of the different methods of annexation.

He said the 100% method everyone has to agree.

He said it is a due process.

If it is a serious request you would need to get a petition to see how many are interested and then we could move forward.

He advised that sewer was not available but garbage pickup and water possibly could be.

The city ordinances would apply and that would include no discharging of fire arms which would be a benefit.

Bruce Altnauer also added and we would be here to represent you.

Again Mayor Bratcher advised her to get a petition and see how many landowners were interested before they could move forward.

## **WEYERHAEUSER AGREEMENT**

Marty Boyd the cities engineer addressed the council about the WREDCO property on Fears Road. He stated that WREDCO had planned to develop a subdivision called Walnut Ridge which would be in Rutledge's water service area. The existing system could not meet fire protection. WREDCO partnered with the City to do pipeline improvements and to spend \$100,000.00 to locate a new water source because capacity was not enough.

We have an interconnection with Madison and have agreed to purchase 18,000 gallons per day. The City updated the booster pump station and installed a telemetry system. WREDCO partnered with the City to build a 400,000 gallon water tank.

The agreement was the City would pay 56% at \$466,800.00 and WREDCO pay 44% at \$366,000.00.

The City obtained a loan from GEFA and WREDCO became the other part of the bank.

The agreement was to reimburse WREDCO using tap fees from the new subdivision and the new pressure zone.

The agreement stated that every tap sold in the subdivision WREDCO would be paid \$1500.00 and \$1000.00 in new pressure zone until the \$366,000.00 was paid off or a period of ten years had passed whichever came first.

WREDCO came up with this agreement and everyone came together.

The agreement was signed in 2006.

Nobody knew the housing market would crash. The well has not been completed we were going to need 55,000 per day and what we got was 375,000.

This will supply all the water needs; it was never discussed about what happens if you get more. The well was found and located and almost developed.

It is going to take a well house and chemical feed.

The plat has been created and the property donated but it has not been deeded over to the City. WREDCO came to Rutledge about 1 ½ years ago about possibly recouping some of the money.

This is their last development in Georgia they are pulling out as a developing company.

They came back in January and wanted an extension for another ten years to 2026 and as far as the well they are asking for anything produced over 55,000 per day they want \$1.00 per thousand in order to accelerate reimbursement. Once they have been compensated the city would be released of all obligations.

The agreement in 2006 was entered in good faith by both parties.

The reality is that the City has experienced the debt.

We have long term maintenance of this tank.

The only party that has not met their obligation is WREDCO.

We do not have the deed to the well property.

The design plans go to EPD next week.

Brenda Thompson asked when was the property supposed to have been deeded.

Marty Boyd said when it was drilled.

Mayor Bratcher stated they were also supposed to run a loop for the water lines.

Marty Boyd said the next developer will have to do that.

Spencer Knight was present and said that WREDCO came up with the time frame and the deal.

I don't think we should renegotiate this deal.

Marty Boyd said the City still has to develop the well which could be as much as \$125,000.00 to \$150,000.00 dollars.

You need to move forward with this well it is unusual in this part of the state to get that much water.

City attorney John Nix stated the contract says the trigger is completion of the tank and being capable of operation.

They actually conveyed the deed.

They should have done the well site.

It has been surveyed, recorded and it says City of Rutledge.

The challenge is they have never conveyed it to you.

The document for the well site is dated 2013.

The trigger point is way past.

They are business people, you got a private partner interest free and the only way they get a payback is through tap fees.

Right now the number one issue is to ask to please convey us the well site and you have to have some kind of easement.

The second issue is do you want to give them some more time for tap fees. I recommend that you get them to convey the property to you.

Right now lawyers are not involved and you have done everything you were supposed to do.

The bottom line is a deal is a deal.

Marty Boyd stated they have sold the 625 acres and the developer has asked for first right of refusal.

He said we need to respond to WREDCO, permit the well once we have the property.

The tank was designed to serve Walnut Ridge and the rest area.

It did not generate enough usage to turn the water enough in the tank and would not hold chlorine residual.

We had it pickled to let it sit.

Tanks are like houses you have to paint and maintain.

The tank needs to be in the tank maintenance program at some point and you are on the hook.

Request the deed for the well and then you can decide the time table on the well.

Until there is development there is no need to put the tank on line.

You need to put something on that tank within the next 3 to 5 years.

Brenda Thompson made motion to reject the offer for an extension and to stay with the original WREDCO agreement and to get the deed for the property for the well.

Chad Cook seconded, all voted in favor and motion carried.

## **HARD LABOR CREEK MAP AD**

Joellen Artz stated that the merchants had agreed to take a major portion of the ad. The merchants only need \$150.00 to \$200.00 to get 1/3 of the whole map.

The cost would have been \$4200.00 but they let us have it for \$2500.00.

We need an answer by the weekend.

The council instructed the City Clerk to look for the additional money to give towards the map.

## **ESTHER FLEMING – CANDIDATE – HOUSE OF REPRESENTATIVES**

Not present.

## **DAVE BELTON – CANDIDATE – HOUSE OF REPRESENTATIVES**

Not present.

## **UPDATE CDBG GRANT**

Debbie Kilgore advised the council that she spoke with Nina Kelly at RDC and she advised that due to the short time frame we do not have the documentation to be competitive this year. She advised us to document everything with paperwork and pictures and contain it to one area.

We would need to contact her in early November this year to try again.

Chad Cook made motion to adjourn at 8:22 pm. Brenda Thompson seconded, all voted in favor

and motion carried.

**MEETING ADJOURNED.**