



CITY OF  
**Swainsboro**  
*Crossroads of the Great South*



**City Council Meeting**

**June 04, 2012**

The regular meeting of the Mayor and City Council, held Monday, June 04, 2012, at 6:00 P.M. at Swainsboro City Hall.

**Members Present:** Collins, Parker, Stroud, Edenfield, Stafford, & Faulkner

**Members Absent:**

**Prayer of Invocation:** Rev. Tim Nary

Mayor Schwabe presented the “Our Home Town Hero” Award to Mike Lisenby. He is a relatively new member of our community. He has chosen to retire here and has become very involved with the Emanuel County Board of Education as a volunteer helping kids. Mr. Lisenby was very appreciative, and was especially pleased to receive the honor from the mayor and council on which his father-in-law, Mr. James Smith, has served as Mayor Pro Tem for many years.

Motion to accept minutes from the previous meeting was made.

**Motion: by Stafford Seconded: by Faulkner 6-0**

**A. Consensus Business**

None

**B. New Business**

1. The DDA Director Lynn Brinson addressed council informing them of the upcoming annual Ultimate Yard Sale. The date of the event is June 9, 2012 from 7:00am to 12:00pm. She is requesting the closure of Roger Shaw St. during the times of the event. Motion was made to grant the request.

**Motion: by Stafford Seconded: by Edenfield 6-0**

2. The DDA Director Lynn Brinson and Elizabeth Gilmer, chairperson of Emanuel Salutes America Event, addressed council informing them of the upcoming Emanuel Salutes America Event scheduled for June 28<sup>th</sup> through July 4<sup>th</sup>. Ms. Gilmer explained the events that were planned and asked for council’s support. She is requesting the closure of Roger Shaw St. during the times of the events on June 30<sup>th</sup> from 12:00pm to 5:00pm. Motion was made to grant the request.

**Motion: by Stafford Seconded: by Edenfield 6-0**

3. Council heard the application (for advertisement only) of Michael Dorminey dba Swainsboro Sunoco 350 East Main St., for beer and wine package only. Motion was made to advertise.

**Motion: by Edenfield Seconded: by Stroud 6-0**

4. Mayor Schwabe presented a copy of the 2012 Local Option Sales Tax Distribution as proposed by the County of Emanuel. Mayor Schwabe stated it was the same percentage the city had received in the past. Motion was made to approve the LOST Distribution as presented.

**Motion: by Edenfield Seconded: by Parker 6-0**

5. Mayor Schwabe presented an inter-governmental agreement between the city and the county for the building of the new City-County Fire Station as follows:

## INTER-GOVERNMENTAL AGREEMENT

This Agreement made and entered into by and between the **COUNTY OF EMANUEL**, hereinafter referred to as "County" and the **CITY OF SWAINSBORO**, hereinafter referred to as "City"

Whereas, the County funds and operates a rural fire department to provide fire protection in the unincorporated areas of the County and,

Whereas, City funds and operates a fire department to provide protection in the incorporated area of the City and,

Whereas, City and County have previously entered into an operating agreement concerning the storage and use of County firefighting equipment and,

Whereas, County equipment is currently being stored at the City fire department and,

Whereas, both parties are desirous of constructing a new and larger building for housing both City and County equipment and,

Whereas, County has agreed to convey to City one certain parcel of land which County owns for the location of said building and,

Whereas, City and County have appropriated certain funds to pay for the construction and equipping of such building,

Now, therefore, for the sums, promises, and mutual considerations contained herein the parties do hereby covenant and agree as follows:

City will contract for and oversee the construction of a new fire station located on the property referenced above and County will contribute the sum of \$200,000.00 to the cost of such construction. The balance of the cost for constructing and equipping such fire station shall be the sole responsibility of the City.

City will dedicate to County's use at least two (2) bays in the new fire station and such other space that is necessary and available in the existing fire station for storage of County firefighting equipment. The placement of such equipment and the management of both stations shall be the sole responsibility of the Swainsboro fire chief. After completion of the new fire station the City will deed an interest to County in both the new fire station and the old fire station in proportion to the amount which the County has contributed relative to the entire cost of the new structure. The land conveyed by County to City shall be the amount of consideration for the conveyance of an interest in the old fire station to the County.

Routine maintenance and upkeep of both structures shall be the responsibility of the City and any major structural repairs or equipment replacement shall be shared between the two entities based upon their percentage of ownership. The cost of providing insurance for the two structures shall be shared in the same manner.

Either party may terminate this agreement upon sixty (60) days written notice to the other and, in that event, the following provisions governing the purchase and/or sale of one entity's interest in the buildings to the other shall control.

Within thirty (30) days of receipt of the notice of intent to terminate each party shall submit to the other party an offer to buy and/or an offer to sell their interest in one or both fire stations at a specific monetary amount. Each party shall then have thirty (30) days from receipt of the offer to sell and/or offer to buy in which to accept or reject the respective offers or to submit a counteroffer. If the parties have not reached an agreement within thirty (30) days of the submission of any counteroffers then the matter will be submitted to binding arbitration which shall take place in Emanuel County, Georgia. Within fifteen (15) days the parties shall mutually agree upon an arbitrator and in the absence of such agreement either party may petition the Superior Court of Emanuel County for appointment of one to serve. At such arbitration each party shall submit their best offer to buy and/or to sell along with such supporting evidence as they deem necessary and appropriate and the arbitrator shall choose between those offers and that decision shall be final and binding. The party whose offer is not accepted by the arbitrator shall be responsible for the cost of arbitration including the other party's attorney's fees and any and all other third party expenses directly related to the arbitration process.

The parties shall continue to provide fire protection to their respective jurisdictions under the terms and conditions of their existing operating agreement. This constitutes the entire agreement between the parties and may not be altered

or modified except in writing and signed by the parties hereto.

Witness our hands and seals this 4<sup>th</sup> day of June, 2012.

Emanuel County,

Its *Dessie E. Rain*  
Chairman

Attest *[Signature]*  
Clerk

*[Signature]*  
Witness  
*Carol P. Harty*  
Notary Public  
CAROL P. HARTY  
EMANUEL COUNTY, GA

City of

Its *[Signature]*  
Mayor

Attest *[Signature]*  
Clerk

*Melissa Kirtley*  
Witness

*Cindy M. Gray*  
Notary Public

CINDY M. GRAY  
NOTARY PUBLIC  
Comm. Exp. 6/24/12  
EMANUEL COUNTY, GA

INTER-GOVERNMENTAL AGREEMENT

Motion to accept agreement as presented was made  
**Motion: by Edenfield Seconded: by Parker 6-0**

**C. Old Business**

None

**D. Committee Reports**

**Police:** Councilperson Faulkner stated that interviews for Police Officer were held and recommended the hiring of Britt Humphrey. Motion was made to accept the recommendation.  
**Motion: by Faulkner Seconded: by Stafford 6-0**

Retired Assistant Chief Young was thanked by the council for his many years of service to the Police Department and City.

Mayor Schwabe reminded all juveniles, the city of Swainsboro still has a curfew for juveniles and this will be enforced.

**Executive:** Councilperson Stroud had no report.

**Public Works:** Councilperson Parker reported everything routine.

Councilperson Parker asked council, as a request from St. James Baptist Church, to consider the closure of McLeod Bridge Rd. from Hopkins St. to Harris St. on June 9, 2012 from 11:00am to 6:00pm. This would be in corporation with an event sponsored by St. James Baptist Church. Motion was to honor the request as presented.

**Motion: by Parker Seconded: by Faulkner 6-0**

**Fire:** Councilperson Stafford reported that the Fire Personnel Committee had interviewed for a new Administrative Assistant position and recommended the hiring of Theresa Womack. She is currently the Interim Assistant. Motion was made to hire Theresa Womack as the Administrative Assistant.

**Motion: by Stafford Seconded: by Stroud 6-0**

**Recreation:** Councilperson Collins reported on all of the events at the Rec. Department.

June 9 <sup>th</sup>	Softball Tournament	Softball Complex
June 30 <sup>th</sup>	Fashion Show	Swainsboro Auditorium

**Airport:** No report

**Water & WW:** Councilperson Edenfield reported on the progress of the USDA project and the GEFA project. He reported that there are 5 buildings that need to be painted to match the new paint scheme.

**Downtown Development:** Lynn reported she was still working on the Main St. Designation Process and would be finished soon.

**Administrative:** No report

**Building Inspection:** No report

**Mayor :** Mayor Schwabe reported the council needs to start considering the building of a new water park as called for in the 2011 SPLOST. He asked Mayor Pro Tem Faulkner to Chair the project. Mayor Pro Tem ask all of the council to serve on the committee. Mayor Schwabe stated some designs and prices need to be looked at.

Mayor Schwabe asked Lt. Nasworthy, of the Fire Dept., to set up some hose testing sights, on some of the hottest days, around the city.

Councilperson Stroud thanked all of the council and citizens of Swainsboro for all of the prayers, flowers, notes, and thoughts, during her time of illness.

Mayor Pro Tem Faulkner made council aware that there would be a banquet honoring the 1958 girls basketball State Champions from Emanuel County Elementary and High School at the Swainsboro Middle School on July 7, 2012 at 6:00pm.

Meeting was adjourned.

**Submitted: Al L Lawson, City Administrator**