



## *Agenda*

City Council Meeting

August 26<sup>th</sup>, 2024

6:30pm

Baldwin Courtroom, 155 Willingham Avenue, Baldwin, GA 30511

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### *Call Meeting to Order*

### *Invocation and Pledge*

### *Consent Agenda*

- a. Approval of Minutes: Council Meeting 8/12/24.

### *Public Comments*

### *Public Hearings*

### *Reports*

Fire Department - Chief Joe Roy

### *Old Business*

### *New Business*

1. Consideration/Approval of Habersham County Roads Study
2. Consideration/Approval of Purchase of Public Works Mower
3. Consideration/Approval of Updated Blue Line Solutions Contract
4. Consideration/Approval of Cemetery Overlay Resolution [#2024-08148R](#)

### *Executive Session*

### *Announcements*

- a. Join us for Movies in the Market on September 27<sup>th</sup> starting at 8:30 pm.. Bring your lawn chairs and blankets and join us for a FREE night of fun at the Farmers' Market at 110 Airport Road. This month we are showing "If." Concessions will be available, with all proceeds going to Shop with a Hero.

### *Adjournment*

*\*\*The City of Baldwin will provide reasonable accommodations whenever needed for those participating in a City Council meeting. Please notify the City Clerk as early as possible prior to a meeting to ensure such accommodations can be made in a smooth and timely fashion.*



**CITY COUNCIL**

Mayor Stephanie Almagno  
Erik Keith, Post 1  
Post 2 Vacant  
Kerri Davis, Post 3  
Maarten Venter, Post 4  
Alice Venter, Post 5



Emily Woodmaster, CAO  
Erin Gathercoal, City Clerk  
Bubba Samuels, City Attorney

186 Hwy 441 Bypass  
Baldwin, GA 30511  
706-778-6341 ~ Cityofbaldwin.org

**Council Action Form**

Meeting Date: August 26th, 2024

Submitted By: Scott Barnhart

Agenda Item: Item #1: Consideration/Approval of Habersham County Roads Study

Classification (City Attorney must approve all ordinances, resolutions, and contracts):

- Ordinance (No. \_\_\_\_\_)
- Contract
- Information Only
- Public Hearing
- Resolution (No. \_\_\_\_\_)
- Ceremonial
- Discussion/Action
- Other

Background (Includes description, background, and justification)

*HABERSHAM COUNTY ROAD STUDY FOR PAVING NEW'S  
SEE ATTACHED PROPOSAL*

Budgeting & Financial Impact (Included project costs and funding sources)

*STREETS - ENGINEERING 100-4200-521202-00*

Capital Asset      Cost \$6,600.00      Useful Life \_\_\_\_\_

Staff Recommendation (Include possible options for consideration)

*MOVE FORWARD WITH THE PROJECT.*

Department Head Approval *[Signature]*

Date 8/22/24

City Attorney Approval *[Signature]*

Date \_\_\_\_\_

CAO Approval *[Signature]*

Date 8/22/24

Council Denial \_\_\_\_\_  
Council Tabled Until \_\_\_\_\_  
Council Approval \_\_\_\_\_





August 14, 2024

Mr. Scott Barnhart  
Public Works Director  
City of Baldwin  
City Hall, P. O. Box 297  
Baldwin, Georgia 30511

**RE: Proposal for Professional Engineering Services  
City of Baldwin- Habersham County Roadway Evaluations**

Dear Scott:

Engineering Management, Inc. (EMI) is pleased to provide the City of Baldwin with a proposal for professional services for roadway evaluations of the +/- 14 miles of roadways within the incorporated limits of the City of Baldwin in Habersham County.

The roadway evaluations will allow the City to prioritize the improvement needs with future planning and budgets. Each road segment will be evaluated based on the condition of the roadway and standard practice and given a score. The scores will be organized in a spreadsheet to assist the City with prioritizing the improvement needs.

More specifically, this work shall consist of the following activities. EMI proposes to perform the necessary services in a phased approach as follows:

- I. **Road Evaluations:** EMI understands that there are +/- 14 miles of roadways within the incorporated limits of the City within Habersham County. EMI will utilize a roadway evaluation form and inspect the roads that are maintained by the City. An evaluation form will be completed for each road section, the results tallied, and each roadway section given a score. After the roadways are evaluated, EMI will utilize a spreadsheet to prioritize the improvement needs.
- II. **Evaluation Report:** Based on the road evaluations and spreadsheet, EMI will develop a letter report summarizing the findings and offering suggestions for future planning and budgeting.

Mr. Scott Barnhart  
August 14, 2024  
Page 2 of 2

### Fee Proposal

Our proposed fees to perform the scope of services described in this letter are on an “hourly not-to-exceed” basis. This allows EMI to perform the services for less than the maximum amounts listed below in many cases. The “not-to-exceed” fees are as follows:

I.	Road Evaluations	\$3,850
II.	<u>Evaluation Report</u>	<u>\$2,750</u>
	Total Proposed Fee	\$6,600

EMI is very thankful for the opportunity to work with the City of Baldwin on this project. We look forward to meeting with you and appropriate staff to review, discuss and refine this information and make any adjustments required based upon those discussions. If our proposal is satisfactory to the City, please so indicate by signing in the space provided below.

Please feel free to contact us at any time should you have questions.

Sincerely,

ENGINEERING MANAGEMENT, INC.



Fletcher Holliday  
President

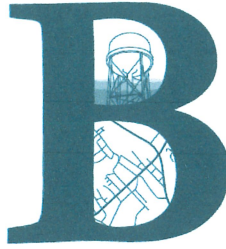
Accepted by the City of Baldwin, Georgia:

By: \_\_\_\_\_

Date: \_\_\_\_\_

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Post 2 Vacant  
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Emily Woodmaster, CAO  
Erin Gathercoal, City Clerk  
Bubba Samuels, City Attorney

186 Hwy 441 Bypass  
Baldwin, GA 30511  
706-778-6341 ~ Cityofbaldwin.org

**Council Action Form**

Meeting Date: August 26, 2024

Submitted By: Scott Barnhart

Agenda Item: Item #2: Consideration/Approval of Purchase of Public Works Mower

Classification (City Attorney must approve all ordinances, resolutions, and contracts):

- Ordinance (No. \_\_\_\_\_)     Contract     Information Only     Public Hearing
- Resolution (No. \_\_\_\_\_)     Ceremonial     Discussion/Action     Other

Background (Includes description, background, and justification)

Purchase Approval For Kubota ZERO TURN mower

Budgeting & Financial Impact (Included project costs and funding sources)

BUDGETED For STREETS LINE ITEM # 100-4200-531600-01  
FY 2024 - FY 2025

Capital Asset    Cost 9,787.72    Useful Life 5 Years

Staff Recommendation (Include possible options for consideration)

Purchase Quoted mower

Department Head Approval [Signature]

Date 8/20/24

City Attorney Approval \_\_\_\_\_

Date \_\_\_\_\_

CAO Approval [Signature]

Date 8/20/24

Council Denial \_\_\_\_\_  
Council Tabled Until \_\_\_\_\_  
Council Approval \_\_\_\_\_



# City of Baldwin

P.O. BOX 247  
BALDWIN, GA 30511

TEL: (706) 778-6341  
FAX: (706) 776-7970

# PURCHASE ORDER NUMBER

01359

DATE

8/20/24

ISSUED TO:

James Short Tractor

SHIP TO:

PW / STREETS / PARK & CEMETERY:

100-4200-531600-01

SHIP VIA

F.O.B.

TERMS

DATE REQUIRED

QTY. ORDERED	QTY. RECEIVED	STOCK NUMBER / ITEM DESCRIPTION	UNIT PRICE		PER	TOTAL AMOUNT	
1	1	48" Zero Turn Mower Quote# 2805372	9,787	72		9,787	72
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16						9,787	72

**IMPORTANT:**

Our order number must appear on all invoices, packages and correspondence. Advise us if unable to deliver complete order by the date required.

BUYER







Utility Tractors & Mowers - 031121  
 CE and AG - 040319  
 Utility Vehicles 122220  
 NJPA Arkansas 4600041718  
 NJPA Delaware 655-17673  
 Nebraska 14777 (OC)  
 Mississippi 6200067336

Z724XKWNC-48 WEB QUOTE #2805372

Date: 8/20/2024 7:54:05 AM

-- Customer Information --

BARNHART, SCOTT  
 198220

CITY OF BALDWIN

sbarnhart@cityofbaldwin.org  
 706-778-6341

Quote Provided By  
 JAMES SHORT TRACTOR & EQ OF  
 ALTO  
 Randall Yarber  
 1325 STATE HIGHWAY 365  
 ALTO, GA 30510  
 email: yarberco@gmail.com  
 phone: 7067789000

-- Standard Features --

-- Custom Options --



Z700 Series Z724XKWNC-48

\*\*\* EQUIPMENT IN STANDARD MACHINE \*\*\*

**GASOLINE ENGINE**

Air-cooled V-Twin Vertical Shaft  
 KAWASAKI, Model FX  
 GH735V  
 23.5 hp @ 3,600 RPM\*  
 Displacement 726 cc

**TRANSMISSION**

Parker Torqpact GT14  
 Integrated 14cc pump and  
 wheel motor  
 Internal Parking Brake  
 Forward Speeds 0 - 11.2 mph  
 Reverse Speeds 0 - 5.6 mph

**STEERING / MOTION CONTROL**

(2) Hand Levers  
 Hydraulically Damped

**FLUID CAPACITY**

Fuel Tank 11.6 gal  
 Oil 2.2 qts  
 Transaxle 3.5 qts

**DIMENSIONS**

Height 69.9"  
 Length 83.9"  
 Width w/o deck 50.4"  
 Wheelbase 51"

\* Manufacturer's estimate.

**TIRES AND WHEELS**

Front Casters 13 x 5.0 - 6 Flat free  
 Rear 24 x 9.5 -12 Turf

**OPERATING FEATURES**

Zero Turn Radius  
 Foot Controlled Brake  
 Adjustable Levers and Mower Deck  
 Lift Pedal  
 Cup Holder & Storage  
 Compartments  
 Semi-pneumatic, Smooth, Flat free  
 Front Tires

**SAFETY EQUIPMENT**

Seat Safety Switch  
 Control Lever Safety Switch  
 Parking Brake Safety Switch  
 Foldable ROPS

**PTO SYSTEM**

Belt Driven  
 Dynamo-Electric clutch

**MOWER DECK**

48" Cutting Width  
 1-5" Cut Height, Adjustable  
 1/4" Increments  
 Flexible Discharge Cover  
 Fabricated 8 Gauge Steel  
 6" Deep Design  
 3 Blades  
 18,100-18,600 fpm Blade Tip  
 Speed  
 Maintenance-Free Sealed Spindles

Z724XKWNC-48 Base Price: \$11,699.00

Configured Price: \$11,699.00

Sourcewell Discount: (\$2,573.78)

SUBTOTAL: \$9,125.22

Dealer Assembly: \$0.00

Freight Cost: \$262.50

PDI: \$400.00

Total Unit Price: \$9,787.72

Quantity Ordered: 1

Final Sales Price: \$9,787.72

**Purchase Order Must Reflect Final Sales Price.**

To order, place your Purchase Order directly with the quoting dealer

\*Some series of products are sold out for 2022. All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

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**ACKNOWLEDGEMENT OF AGREEMENT BETWEEN  
THE GEORGIA DEPARTMENT OF REVENUE  
AND**

City of Baldwin

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Governing Body

This Acknowledgement of Agreement (“Agreement”) has been updated pursuant to changes in legislation and modifies the procedures for enforcing penalties for school bus and school zone traffic violations. The Agreement shall be effective on the later date of (a) July 1, 2024 or (b) the date of signature. This Agreement shall replace any previous agreements executed by the governing body of the law enforcement agency (“Governing Body”).

The Governing Body above acknowledges and understands the following:

1. Under O.C.G.A. § 40-6-163, the owner of a motor vehicle may be held liable for a civil monetary penalty if his/her vehicle is found, as evidenced by recorded images, to have met or overtaken, from either direction, a stopped school bus which has activated visual signals as specified in O.C.G.A. §§ 408-111 and 40-8-115.
2. Under O.C.G.A. § 40-14-18, the owner of a motor vehicle may be held liable for a civil monetary penalty if his/her vehicle is found, as evidenced by photographically recorded images, to have been operated in disregard or disobedience of the speed limit within any school zone, and such disregard or disobedience was not otherwise authorized by law, during the time designated in O.C.G.A. § 40-1418(a)(1), and when such violations are in excess of 10 miles per hour over the speed limit.
3. The Georgia Department of Revenue (“DOR”) has been charged with administrative obligations under certain provisions of O.C.G.A. §§ 40-6-163 and 40-14-18 which will be met systematically upon request of the Governing Body or its agent (“Agent”), as defined by O.C.G.A. § 40-14-1.1.
4. For auditing purposes, copies of the three notices required by O.C.G.A. §§ 40-6-163 and 40-14-18 to be sent to the motor vehicle owner by a law enforcement agency, Governing Body, or their Agent must be retained in the files of the Governing Body for at least one year from the date of referral to DOR.
5. The Governing Body understands that the procedure for placing and removing holds is at the sole discretion of DOR. The Governing Body or Agent will be required to utilize DRIVES e-Services to place and remove holds.
6. The Governing Body must designate one person or entity (“Designee”) to be the administrator for all addition or removal of users utilizing e-Services to place and remove holds with DOR in order to ensure the effective enforcement of O.C.G.A. §§ 40-6-163 and 40-14-18. Such Designee will be identified in e-Services.
7. If the Governing Body or Agent provides adequate verification through e-Services that a violation of either statute has occurred, the violation has not been contested, and the assessed penalty has not been paid, the Governing Body or Agent may place a hold in e-Services, no earlier than 30 days after the third and final notice has been sent to the owner of the motor vehicle.
8. When the Governing Body or Agent places a hold on a vehicle in e-Services, this will prevent the renewal of the registration of such vehicle within this state, unless and until the Governing Body or

**ACKNOWLEDGEMENT OF AGREEMENT BETWEEN DOR AND GOVERNING BODY**

Version 2 (Updated June 2024)

Agent removes the hold in e-Services.

- 9. The Governing Body or Agent must send a notice in compliance with O.C.G.A. §§ 40-6-163(d) or 40-14-18 to the registered owner of the motor vehicle. The final notice must inform the registered owner of the consequences for failure to pay any unpaid civil monetary penalty authorized under the statutory provisions above and any late fee. The Governing Body or Agent must include the following language in the letter in a font at least as large as the main body text of the notice. The Department strongly recommends that the Governing Body or Agent bold, underline, or highlight the following in a manner that draws the readers’ attention to the text.

Unless you have already paid any penalties and fees as described in this notice, you must pay the amounts due within 30 days of the date of this letter to avoid further action that will affect the registration of your vehicle. If we do not receive payment within 30 days, we will send a referral to the Georgia Department of Revenue. The Department will place a hold on your vehicle’s registration. Once a hold is placed, you will not be able to renew your vehicle registration and obtain a revalidation decal until the hold is lifted. When your vehicle’s registration lapses, it will not be legal to drive that vehicle on Georgia roads. A failure to timely renew your vehicle’s registration may also result in additional penalties.

- 10. For any second or subsequent school bus violation under O.C.G.A. § 40-6-163 by the same owner in the same jurisdiction, the Governing Body or Agent shall request insurance coverage information for such owner from DOR and send notice of the violation to the owner’s insurance carrier in a timely manner.
- 11. The Governing Body must designate one person or entity (“Point of Contact”) that the vehicle owner can contact to pay the penalty and any late fee. The following individual or entity shall be the Governing Body’s Point of Contact for vehicle owners:

<b>Point of Contact (Name, Title)</b>	SCHOOL ZONE PHOTO CITATION PROCESSING CENTER
<b>Phone Number</b>	1-855-252-0086
<b>Website (optional)</b>	<a href="http://WWW.VIOLATIONPAYMENT.NET">WWW.VIOLATIONPAYMENT.NET</a>

- 12. The Governing Body authorizes the designation of the Agent below:

<b>Designated Agent Company</b>	SCHOOL ZONE PHOTO CITATION PROCESSING CENTER
<b>Agent Point of Contact (Name, Title)</b>	Melissa Parsons, Director of Agency Operations
<b>Agent Email Address</b>	<a href="mailto:dorevenue@bluelinesolutions.org">dorevenue@bluelinesolutions.org</a>

- 13. The Governing Body is responsible for removing the hold in e-Services no later than one business day after receipt of payment of the penalty (and any late fee, if applicable).



**ACKNOWLEDGEMENT OF AGREEMENT BETWEEN DOR AND GOVERNING BODY**

Version 2 (Updated June 2024)

14. The Governing Body agrees to comply with, and will ensure that the Governing Body's Agent complies with, the Driver's Privacy Protection Act (DPPA) and O.C.G.A. §§ 40-2-130 and 40-3-23 when handling any motor vehicle information received from DOR. Pursuant to the DPPA, 18 U.S.C. §§ 2721-21 and O.C.G.A. §§ 40-2-130, 40-3-23, it is unlawful for any person to (1) knowingly obtain or disclose personal information from a motor vehicle record for any use not permitted by the DPPA or (2) make a false representation to obtain any personal information from a motor vehicle record.

I, as an authorized signor for the Governing Body, hereby consent to and acknowledge the above on behalf of the Governing Body.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

DRAFT



PASSED: \_\_\_\_\_

**RESOLUTION #2024-08148R**

A RESOLUTION TO PROHIBIT SALES OF CEMETERY PLOTS IN THE "OLD SECTION" OF THE CITY OF BALDWIN CEMETERY; TO ESTABLISH AND ADOPT AN OVERLAY OF THE CEMETERY MAP; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Baldwin owns, operates, and maintains the City of Baldwin Cemetery, and as such, the Baldwin City Council is responsible for the establishment of policies and fees for the sale of burial plots within the cemetery.

WHEREAS, on December 11, 2023 the City Council voted unanimously to approve the Cemetery Rules and Regulations for access to the cemetery, the purchasing and revocation of cemetery plots, and responsibilities of the City to maintain the City of Baldwin Cemetery.

WHEREAS, these Cemetery Rules and Regulations state that no plots are available for purchase in the "old section" of the cemetery, due to inadequate record keeping over the prior 70 years since the City of Baldwin was granted the cemetery from the Shore Family, and that only cemetery plots in the "new section" of the cemetery are available for purchase.

NOW THEREFORE BE IT RESOLVED, that the Baldwin City Council does adopt the attached cemetery overlay dated August 26<sup>th</sup>, 2024 to clearly establish the "old section" and "new section" of the cemetery.

BE IT FUTHER RESOLVED, that the Baldwin City Council does hereby declare that no cemetery plot in the "old section" of the City of Baldwin be sold under any circumstances except those granted exception by the Baldwin City Council in a public meeting.

This resolution shall be effective immediately.

SO RESOLVED, this 26<sup>th</sup> day of August 2024.

**BALDWIN CITY COUNCIL**

BY: \_\_\_\_\_  
Mayor Stephanie Almagno

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Council Member Erik Keith

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Council Member Kerri Davis

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Council Member Maarten Venter

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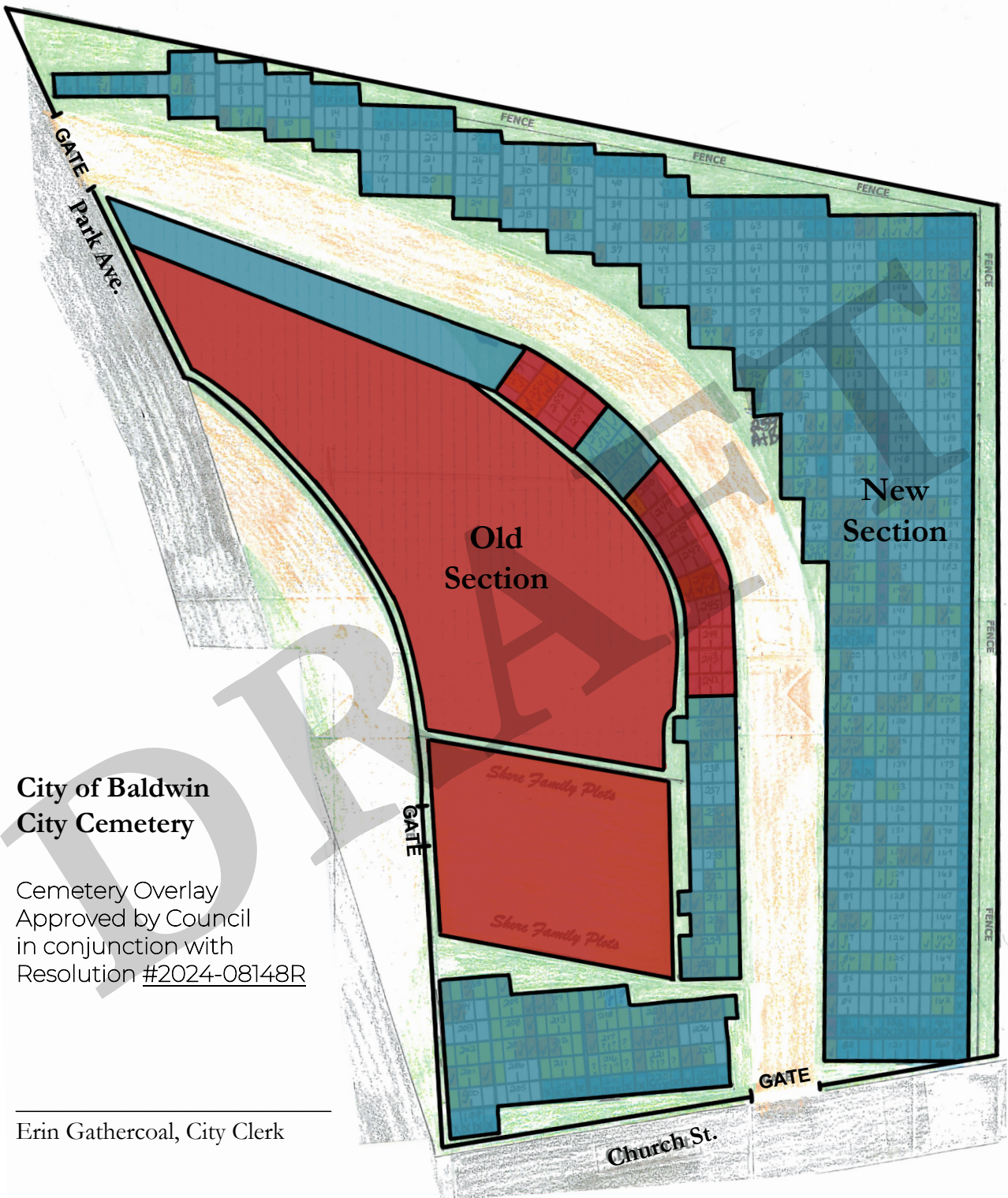
Council Member Alice Venter

Attest:

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City Clerk Erin Gathercoal

DRAFT



**City of Baldwin  
City Cemetery**

Cemetery Overlay  
Approved by Council  
in conjunction with  
Resolution #2024-08148R

Erin Gathercoal, City Clerk

Date Approved



**RESOLUTION – CITY OF BALDWIN, GEORGIA  
HABERSHAM COUNTY HAZARD MITIGATION PLAN 2023**

**RESOLUTION NO. #2024-08149R**

**WHEREAS**, Habersham County and its municipalities recognize that it is threatened by several different types of natural and man-made hazards that can result in loss of life, property loss, economic hardship and threats to public health and safety; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) has required that every county and municipality have a pre-disaster mitigation plan in place, and requires the adoption of such plans in order to receive funding from the Hazard Mitigation Grant Program; and

**WHEREAS**, a Hazard Mitigation Plan is a community’s plan for evaluating hazards, identifying resources and capabilities, selecting appropriate actions, and developing and implementing the preferred mitigation actions to eliminate or reduce future damage in order to protect the health, safety and welfare of the residents in the community; and

**WHEREAS**, the Habersham County Hazard Mitigation Plan 2023 has been prepared in accordance with FEMA requirements at 44 CFR 201.6; and

**WHEREAS**, the Plan will be updated every five years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of Baldwin, Georgia, that:

- 1) The City of Baldwin, Georgia, has adopted the Habersham County Hazard Mitigation Plan 2023; and
- 2) It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range mitigation planning and budgeting for Habersham County and its municipalities.

**PASSED, APPROVED AND ADOPTED** by the Mayor and Council of the City of Baldwin, Georgia, in regular session this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk