

City of Byron  
Mayor and Council Minutes  
November 8, 2021

The City of Byron Mayor and Council met in regular session in the Council Chambers of the Municipal Complex. Mayor Michael Chidester, Council Members James Richardson, Rusty Adams, Michael Chumbley, Alan Dorsey and Chris Hodges were in attendance. City employees that attended were City Clerk Telina Allred, City Administrator Tiffany Sandefur, Public Works Director Tiffany Bibb, Police Chief Wesley Cannon, Chief Court Clerk Dede Thibodeaux and Fire Chief Josh Riley. City Attorney Brian Causey attended the meeting also. There were three (3) visitors that attended the meeting. A representative from the Leader Tribune and another from the Byron Buzz attended the meeting as well.

Mayor Michael Chidester called the meeting to order at 6:00 PM, asked Council Member James Richardson to give the invocation and led the audience in the Pledge of Allegiance.

AGENDA AMENDED: Mayor Chidester asked that the agenda be amended to remove items #2 and #6. To add as item #14(a) taxes at Cumberland Shores, #14(b) uncollectible taxes and #14(c) renew landscape contract.

APPROVAL OF MINUTES: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the minutes of the Mayor and Council Meeting held on October 11, 2021. Unanimous.

ORDINANCE (#2021-12) REGARDING CHAPTER 36, TAXATION: Removed but will be back on the December agenda after more necessary clean-up.

MILLAGE RATE FY2021: Motion made by Michael Chumbley, seconded by Rusty Adams to approve the millage rate for the City of Byron at 9.0 mills FY2021. Unanimous.

BOARD APPOINTMENTS: Motion made by James Richardson, seconded by Alan Dorsey to approve the reappointment of April Hodges to the Byron Development Authority Board, term to expire November 12, 2025; to approve the reappointment of Jerry Reynolds to the Byron Development Authority Board, term to expire November 12, 2025 and to also approve the reappointment of Chris Simmons to the Byron Development Authority Board, term to expire November 12, 2025. Unanimous.

RESOLUTION REGARDING AMENDED JOB DESCRIPTIONS: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the following Resolution to adopt an amended job description for the positions of Court Terminal Agency Coordinator/Deputy Clerk and Deputy Clerk in the Municipal Court Department for the City of Byron. Unanimous. (Resolution on file in the City Clerk's office at the Municipal Complex.)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO APPROVE THE CITY OF BYRON AMENDED JOB DESCRIPTIONS FOR MUNICIPAL COURT; AND FOR OTHER PURPOSES.**

**BE IT RESOLVED** by the Mayor and Council of the City of Byron, Georgia to approve the City of Byron Amended Job Descriptions for Court Terminal Agency Coordinator/Deputy Clerk and Deputy in the Municipal Court Department as set out in the Exhibit "A" which by this reference is made a part of this Resolution.

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

**SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THIS 8th DAY OF NOVEMBER, 2021.**

FIRE DEPARTMENT SCHEDULE OF FEES: Removed. Mayor Chidester said that due to the nature of the fees it will need to be done by way of Ordinance. Once done by Ordinance, going forward the fees can change per the Schedule of Fees.

ADMINISTRATIVE DEPARTMENT AMENDED SCHEDULE OF FEES:

Motion made by Chris Hodges, seconded by Rusty Adams to approve the following Resolution regarding an amended Schedule of Fees for the Administrative Department. (Resolution on file in the City Clerk's office at the Municipal Complex.)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO ADOPT A SCHEDULE OF FEES FOR THE ADMINISTRATION DEPARTMENT; AND FOR OTHER PURPOSES.**

BE IT RESOLVED by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the attached Exhibit "A", Schedule of Fees, which by this reference is hereby made a part of this Resolution, is adopted as the Schedule of Fees for the Administration Department for the City of Byron effective November 9, 2021.

BE IT FURTHER RESOLVED that in the event any fee included on the Schedule of Fees is otherwise set forth in a City of Byron Ordinance, then said fee on the Schedule shall not apply but rather the Ordinance fee shall be applied.

SO RESOLVED this 8th day of November, 2021.

RESOLUTION REGARDING AMENDED POLICY REGARDING COVID-19 PANDEMIC:  
Motion made by Michael Chumbley, seconded by Chris Hodges to approve the following Resolution authorizing the Mayor to approve an amendment to the COVID-19 pandemic policy and to be added to the Personnel Policies as “Appendix A”.

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA TO APPROVE A REVISED PERSONNEL POLICY CONCERNING THE COVID-19 PANDEMIC; AND FOR OTHER PURPOSES.**

**BE IT RESOLVED** by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the City of Byron hereby adopts the following revised Personnel Policy:

Appendix A: COVID-19 Pandemic

A copy of said revised Policy is attached hereto as Exhibit “A”, and by this reference made a part of this Resolution. This revision shall be effective on November 9, 2021.

All policies or parts of policies in conflict herewith are hereby repealed.

**BE IT FURTHER RESOLVED** that this revised policy shall be made a part of the City of Byron Personnel Manual and organized and numbered by the City Council Personnel Committee as the Committee shall deem appropriate.

SO ADOPTED THIS 8<sup>TH</sup> DAY OF November, 2021.

ORDINANCE (#2021-13) REGARDING CHAPTER 4, ALCOHOLIC BEVERAGES:  
First reading was held of AN ORDINANCE (#2021-13) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO REPEAL AND REPLACE A CERTAIN SECTION AND/OR SUBSECTION OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

ORDINANCE (#2021-14) REGARDING CHAPTER 16, ENVIRONMENT:  
First reading was held of AN ORDINANCE (#2021-14) OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 16, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.

MAINTENANCE AGREEMENT WITH XEROX: Motion made by Rusty Adams, seconded by Chris Hodges to approve the following Resolution authorizing the Mayor to execute a contract with Xerox for the maintenance and supplies on the MICR encoding printer for the City of Byron. (Resolution on file in the City Clerk’s office at the Municipal Complex.)

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON,**

**GEORGIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF BYRON AND XEROX REGARDING THE PERFORMANCE OF MAINTENANCE AND SERVICE WORK FOR THE CITY OF BYRON MICR ENCODING PRINTER; AND FOR OTHER PURPOSES.**

**BE IT RESOLVED** by the Mayor and Council of the City of Byron, Georgia and it is hereby so resolved by the authority of same that the Mayor is authorized to execute an agreement with Xerox regarding the performance of maintenance and service work for the City of Byron MICR encoding printer and attached hereto as Exhibit "A".

All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

**SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 8<sup>th</sup> DAY OF NOVEMBER, 2021.**

GMA SUPPLEMENTAL LEASE: Motion made by Michael Chumbley, seconded by Chris Hodges to approve the following Resolution authorizing the Mayor to execute one or more lease supplements under the GMA Direct Leasing Program regarding three (3) Ford Explorers with equipment.

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BYRON TO EXECUTE ONE OR MORE LEASE SUPPLEMENTS FOR A LEASE OR LEASES UNDER THE GMA DIRECT LEASING PROGRAM; TO DESIGNATE SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, The City of Byron has entered into a Master lease (the "Master Lease") dated as of February 4, 2003, with Georgia Municipal Association, Inc., for the leasing from time to time of certain equipment, machinery, or other personal property pursuant to Supplemental Leases; and

**WHEREAS**, copies of two (2) Lease Supplements along with exhibits and attachments thereto are attached to this Resolution:

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

The Mayor of the City is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect one or more leases for three (3) Ford Explorers with

Equipment (the "Leased Property"); said Mayor of the City is authorized and directed in the name of and on behalf of the City of Byron to execute and deliver (i) one or more Lease Supplements for items of the Leased property in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said City, and (ii) such other documents as may be deemed by said City to be desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed documents has been authorized and approved hereby; the aforesaid Mayor is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

An appropriation in the City's current operating budget has previously been made, which shall be sufficient to the pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements.

The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said Mayor shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.

This authorization is effective immediately.

ADOPTED this 8<sup>th</sup> day of November, 2021.

**SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON,  
GEORGIA ON THE 8th DAY OF November, 2021.**

GMA SUPPLEMENTAL LEASE: Motion made by Chris Hodges, seconded by Alan Dorsey to approve the following Resolution authorizing the Mayor to execute one or more lease supplements under the GMA Direct Leasing Program regarding a Ford F-150.

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BYRON TO EXECUTE ONE OR MORE LEASE SUPPLEMENTS FOR A LEASE OR LEASES UNDER THE GMA DIRECT LEASING PROGRAM; TO DESIGNATE SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Mayor and Council Minutes  
November 8, 2021  
Page 6, cont'd.

**WHEREAS**, The City of Byron has entered into a Master lease (the "Master Lease") dated as of February 4, 2003, with Georgia Municipal Association, Inc., for the leasing from time to time of certain equipment, machinery, or other personal property pursuant to Supplemental Leases; and **WHEREAS**, copies of two (2) Lease Supplements along with exhibits and attachments thereto are attached to this Resolution:

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

The Mayor of the City is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect one or more leases for one (1) Ford F-150 (the "Leased Property"); said Mayor of the City is authorized and directed in the name of and on behalf of the City of Byron to execute and deliver (i) one or more Lease Supplements for items of the Leased property in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said City, and (ii) such other documents as may be deemed by said City to be desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed documents has been authorized and approved hereby; the aforesaid Mayor is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

An appropriation in the City's current operating budget has previously been made, which shall be sufficient to the pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements.

The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said Mayor shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.

This authorization is effective immediately.

ADOPTED this 8th day of November, 2021.

**SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA ON THE 8<sup>th</sup> DAY OF November, 2021.**

TAXES ON CUMBERLAND SHORES: Mayor Chidester stated that the street was paved and to be brought into the city four (4) years ago but never was due to an oversight but continued to be taxed to the owner of the property. Motion made by Alan Dorsey, seconded by Chris Hodges to waive the

Mayor and Council Minutes  
November 8, 2021  
Page 7, cont'd.

collection of the small amount of taxes since the city should have had the taxes all along. Unanimous.

UNCOLLECTIBLE TAXES: Mayor Chidester stated the question was whether to write off back taxes through the years given that they cannot be collected on. The city will institute a procedure so as not to lose a fifa due to an uncollectible status going forward. Chris Hodges made a motion, seconded by James Richardson to approve to write off back taxes older than seven (7) years to clean the books of uncollectible taxes. Unanimous.

LANDSCAPE CONTRACT: Michael Chumbley made a motion, seconded by Chris Hodges to approve to auto-renew the Hedgerow Landscaping contract and to approve the additional amount of \$6,900.00 for extra areas to be included in the contract for the 2022 year. Unanimous.

ADJOURNMENT: Motion was made by Michael Chumbley, seconded by Rusty Adams to adjourn the meeting at 6:18 PM. Unanimous.

Telina Allred  
Clerk of Council