



**CITY OF ST. MARYS, GEORGIA**  
July 16, 2012

**TSPLOST PRESENTATIONS**

5:00 p.m.

**CAMDEN COUNTY CHAMBER OF COMMERCE**

5:22 p.m.

**STOP BALLOT COMMITTEE, LLC**

**PUBLIC HEARING**  
**ALCOHOL LICENSE**

**“The Survival Shops, LLC”**

5:45 p.m.

**CITY COUNCIL MEETING**

6:00 p.m.

**AGENDA**

- I. **CALL TO ORDER**
- II. **INVOCATION:** *Councilmember Howell*
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL** **QUORUM: YES  NO**
- V. **APPROVAL OF MINUTES:** *July 2, 2012 Regular City Council Meeting Minutes*
- VI. **PRESENTATION:**  
**BOARD APPOINTMENTS**
  1. Library Board: *(White & Norris)7/31/12*
- VII. **SET CONSENT AGENDA**
- VIII. **APPROVAL OF THE AGENDA**
- IX. **GRANTING AUDIENCE TO THE PUBLIC:**
- X. **OLD BUSINESS:**
  - A. **THE SURVIVAL SHOPS NEW ALCOHOL LICENSE:** .....**TAB “A”**  
The Survival Shops’ Alcohol License to manufacture and taste testing of beer and wine for on-premise consumption, without food

**XI. NEW BUSINESS:**

- A. **JAMES VALIGURA'S WATER BILL:** *Council Direction* .....TAB "B"  
Request for credit by Mr. Valigura on his water bill
- B. **AIRPORT AUTHORITY LEASE RENEGOTIATION:**.....TAB "C"  
Renegotiation of lease with Airport Authority
- C. **TRAVEL POLICY:** *Per Diem*.....TAB "D"  
To adopt changes to the Travel Policy by revising the per diem rate for overnight travel. The revised rate would be based on the Meals and Incidental Expenses (M&IE) rate for the area of travel.
- D. **FIRE DEPARTMENT POSITIONS:** .....TAB "E"  
To request permission to fill two full-time SAFER Firefighter positions
- E. **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY AGREEMENT & RESOLUTION:**  
*Georgia Fund Loan*.....TAB "F"  
Authorize the Mayor to sign the documents
- F. **TRANSPORTATION ENHANCEMENT GRANT:** .....TAB "G"  
Approve contract with Thomas and Hutton for professional Services related to the TE Grant administered by Georgia Department of Transportation for the St. Marys Intracoastal Gateway walkway
- G. **MCDOWELL PROPERTY TRANSFER:** *Property Owners Request* .....TAB "H"  
Consideration of a request by adjacent property owners to individually purchase parts of the Miller, Park and Paper Streets
- H. **CITY MANAGER'S REVIEW:** *Mayor DeLoughy*
- I. **DISCUSSING THE DEPARTMENT OF TRANSPORTATION LETTER, JAY STANFORD LETTER AND ANY OTHER MATTER RELATED TO THE AIRPORT AUTHORITY (ADDED)**

**XII. REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**

- A. **PLANNING DIRECTOR'S REPORT** .....TAB "I"
  - 1. **REZONING:** Clyde A. Chapman, Jr. is requesting rezoning of Parcels S34-03-001 and S34-03-006 to be rezoned from the present R-4 zoning to C-1.
  - 2. **REVERSE SUBDIVISION:** Clyde A. Chapman, Jr. is requesting approval for a six lot to on lot minor final plat, located in Block 33 off Meeting Street. Parcel numbers S34-03-001 and S34-03-006 (rezoned parcels) added to existing previously rezoned parcels S34-03-002, S34-03-003, S34-03-004 and S34-03-005.
- B. **CITY CALENDAR:** *City Clerk*

**XIII. REPORT OF MAYOR:**

**XIV. GRANTING AUDIENCE TO THE PUBLIC**

MAYOR AND COUNCIL COMMENTS

CITY MANAGER'S COMMENTS

**XV. EXECUTIVE SESSION:**

**XVI. ADJOURNMENT:**

**CITY OF ST. MARYS, GEORGIA**  
**July 16, 2012**  
**5:45 p.m.**

**PUBLIC HEARING**  
**“The Survival Shops, LLC”**  
**New Alcohol License**

**MINUTES**

The Mayor and Council for the City of St. Marys, Georgia met to conduct a public hearing on Monday, July 16, 2012 in the Council Chamber at City Hall.

**PRESENT WERE:**

Mayor William DeLoughy  
Councilmember Jim Gant  
Councilmember Sidney Howell  
Councilmember John Morrissey  
Councilmember Keith Post  
Councilmember Nancy Stasinis

**ABSENT WERE:**

Councilmember Greg Bird

**CITY OFFICIALS PRESENT:**

Steven S. Crowell, Jr., City Manager  
Gary Moore, City Attorney (Skype)  
Roger Weaver, Planning Director  
Tim Hatch, Police Chief  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Jennifer Brown, Finance Director  
Donna Folsom, HR Director  
Artie Jones, Economic Dev. Director  
Gene Rudy, Network Administrator  
Judy Gorbutt, Library Manager

Mayor DeLoughy called the public hearing to order at 5:45 p.m. for “The Survival Shops, LLC” alcohol license application. Under the advisement of staff the application has been withdrawn, therefore no public comments are necessary.

**ADJOURNMENT:**

Mayor DeLoughy declared the public hearing closed at 5:47 p.m.

Respectfully submitted,

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Darlene M. Roellig, City Clerk

**CITY COUNCIL MEETING**  
**July 16, 2012**  
**6:00 p.m.**

**MINUTES**

The Mayor and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, July 16, 2012 in the Council Chamber at City Hall.

**PRESENT WERE:**

Mayor William DeLoughy  
Councilmember Jim Gant  
Councilmember John Morrissey  
Councilmember Keith Post  
Councilmember Sidney Howell  
Councilmember Nancy Stasinis

**ABSENT WERE:**

Councilmember Greg Bird

**CITY OFFICIALS PRESENT:**

Steven S. Crowell, Jr., City Manager  
Gary Moore, City Attorney (Skype)  
Roger Weaver, Planning Director  
Tim Hatch, Police Chief  
Bobby Marr, Public Works Director  
Robby Horton, Fire Chief  
Jennifer Brown, Finance Director  
Donna Folsom, HR Director  
Artie Jones, Economic Dev. Director  
Gene Rudy, Network Administrator  
Judy Gorbitt, Library Manager

**CALL TO ORDER:**

Mayor DeLoughy called the City Council Meeting to order at 6:00 p.m. Councilmember Howell gave the invocation. Mayor DeLoughy led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

**APPROVAL OF MINUTES:** *July 2, 2012 Regular City Council Meeting Minutes*

Councilmember Gant moved to approve the July 2, 2012 regular City Council meeting minutes. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

**PRESENTATION:**

**BOARD APPOINTMENTS**

**1. Library Board:** *(White & Norris)7/31/12*

Mayor DeLoughy announced that Miss Norris has submitted a letter of intent for reappointment. The vacancy for Miss White's seat would continue to be announced until an appointment was made.

Councilmember Post moved to reappoint Miss Norris to the Library Board. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

**SET CONSENT AGENDA (\*):**

Councilmember Morrissey moved to set the consent agenda as items C, E and G under New Business. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

**APPROVAL OF THE AGENDA:**

Councilmember Stasinis made a motion to approve the agenda with the addition of discussing the Department of Transportation letter, Jay Stanford letter and any other matter related to the Airport Authority. Councilmember Morrissey seconded the motion. Mayor DeLoughy added the item under New Business "I". Voting was unanimous in favor of the motion.

**GRANTING AUDIENCE TO THE PUBLIC:**

Bob Nutter, 521 Moeckel Place: Support of TSPLOST

**OLD BUSINESS:**

**A. THE SURVIVAL SHOPS NEW ALCOHOL LICENSE:**

The Survival Shops' Alcohol License to manufacture and taste testing of beer and wine for on-premise consumption, without food

Councilmember Post made a motion to withdraw the application. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

The City Manager stated that there was to be discussion on the reimbursement of funds because of a misunderstanding at staff level.

Councilmember Stasinis made a motion to authorize reimbursement of expenses. Councilmember Howell seconded the motion. Council discussed out of pocket expenses that were already incurred. Voting was unanimous in favor of the motion.

**NEW BUSINESS:**

**A. JAMES VALIGURA'S WATER BILL:** *Council Direction*  
Request for credit by Mr. Valigura on his water bill

Mr. Valigura addressed Council regarding an April 2012 water bill, and how excessively higher it was to the normal bills. The Water Department recommended tests on his sprinkler system zones to help identify whether there were leaks and water meter flow to ensure it was working properly. Both tests were conducted with no leaks detected and the meter was working properly. The results of the test were presented to Council with verification of usage within 1,000 gallons and usage reported last month and this month.

Mr. Valigura has requested resolution, credit or adjustment because he did not use the water but did not know where it went. If there was a leak it would still be there but the last two month's bills do not indicate one. Council discussed the water meter tests indicating favorable results, usage of the sprinkler system and circumstances for payment plans.

Information was presented by the Finance Director in support of the amount of water billed had ran through the meter as usage, 97.7% accurate reading on the flow test, the calibrated meter test indicated no leaks, and a payment plan was offered on the account.

Mr. Valigura requested relief of the sewer payment. The Finance Director responded that credits were granted on the sewer side when customers showed proof of leaks but it would depend where the leak occurred. Council discussed past high month usage, due diligence on the City's equipment, not setting precedence on adjustments and bringing the issue back if or when additional information became available.

Following much discussion Councilmember Post made a motion to deny the request. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

**B. AIRPORT AUTHORITY LEASE RENEGOTIATION:**  
Renegotiation of lease with Airport Authority

The City Manager stated that there were three issues the Airport Authority wished to address during renegotiations of the lease: 1) term of the lease, 2) insurance, 3) City Council taking over the approval of leases for use of property at the airport.

Councilmember Morrissey made a motion that the City enter into negotiations with the Airport Authority relative to the lease and in the near term of two weeks. Councilmember Gant seconded the motion.

Council discussed whether to meet as a Council, certain individual Council members meet with the Authority, or Council volunteers willing to participate with the Mayor and City Manager. The City Manager stated that Councilmember Bird recommended forming a committee with suggestions who might be on it. Following discussion, voting was unanimous in favor of the motion.

Councilmember Stasinis volunteered to serve on the Committee. Mayor DeLoughy designated Councilmember Bird, the City Manager and himself to the Committee. Council concurred with the formulation of the Committee members.

**C. TRAVEL POLICY (\*): Per Diem**

To adopt changes to the Travel Policy by revising the per diem rate for overnight travel. The revised rate would be based on the Meals and Incidental Expenses (M&IE) rate for the area of travel.

Councilmember Morrissey moved to approve the revisions on per diem for the Travel Policy. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

**D. FIRE DEPARTMENT POSITIONS:**

To request permission to fill two full-time SAFER Firefighter positions

The Fire Chief stated that the positions were postponed due to the SAFER Grant expiring in August. Since that time, confirmation has been received on an extension to the Fire Department's period of performance to mid-March.

Councilmember Post made a motion to approve hiring the two full-time SAFER Grant Firefighter positions. Councilmember Morrissey seconded the motion for discussion. Council discussed the mid-March grant expiration, the new application deadline for the 2012 grant and a future plan for funding alternatives to include consolidation efforts without the grant. Following much discussion, voting was unanimous in favor of the motion.

**E. GEORGIA ENVIRONMENTAL FINANCE AUTHORITY AGREEMENT & RESOLUTION (\*):**

*Georgia Fund Loan*

Authorize the Mayor to sign the documents

Councilmember Morrissey moved to approve the Georgia Environmental Finance Authority Agreement and Resolution for the Georgia Fund Loan. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

**F. TRANSPORTATION ENHANCEMENT GRANT:**

Approve the contract with Thomas and Hutton for professional services related to the TE Grant administered by Georgia Department of Transportation for the St. Marys Intracoastal Gateway walkway

The Planning Director stated that Thomas and Hutton was the lone bidder. There were no approved contractors through GDOT in Camden County, Kingsland or St. Marys who perform the type of work proposed. The grant is in the amount of \$300,000 with \$50,000 local match or as in-kind services. Details will match the existing design at Howard Gilman Park. The recommendation is to award the professional services contract to Thomas and Hutton in the amount of \$61,100.

Councilmember Gant made a motion to accept the contract based on the submitted bid price with the condition that the City, members of the City staff and/or Council work with the vendor to determine how that cost could be reduced for their services within the next two weeks. Councilmember Stasinis seconded the motion. Council discussed renegotiations to reduce costs on typical designs that have already been completed on drawings at the waterfront park and for surveying on a manmade area.

Following discussion, Councilmember Morrissey amended the motion to bring it back to Council at the next meeting. Councilmember Stasinis seconded the amended motion. Voting was unanimous in favor of the motion.

**G. MCDOWELL PROPERTY TRANSFER (\*): *Property Owners Request***

Consideration of a request by adjacent property owners to individually purchase parts of the Miller, Park and Paper Streets

Councilmember Morrissey moved to approve the transfer of the McDowell property to the adjacent property owners. Councilmember Stasinis seconded the motion. Voting was unanimous in favor of the motion.

**H. CITY MANAGER'S REVIEW: *Mayor DeLoughy***

Mayor DeLoughy stated that a comprehensive review was performed on the City Manager by Council and his direct reports. Many positive comments were received regarding his leadership style, mentoring and establishing an effective management team. Overall performance ratings for the City Manager's standards and job performances were "exceeds job in all areas".

**I. DISCUSSING THE DEPARTMENT OF TRANSPORTATION LETTER, JAY STANFORD LETTER AND ANY OTHER MATTER RELATED TO THE AIRPORT AUTHORITY (ADDED)**

Councilmember Stasinis read GDOT response to the complaint of The Jumping Place on two issues. The first issue alleges that the City of St. Marys and the Airport Authority have economically discriminated against The Jumping Place. Based on GDOT's review of the documents provided to the Department, the proposed fee of \$400 per month is consistent with and considered a commercial operating permit. Another allegation was regarding a cease and desist order that was issued, rescinded and recently reissued by the Airport Authority. In GDOT's review of the information provided by the City and Airport Authority, this cease and desist order was issued because The Jumping Place did not have a valid commercial business permit to operate on the airport. The Airport Authority has the right to issue this type of order in an attempt to enforce its policy.

After receiving the Department of Transportation letter, Mr. Jay Stanford issued a letter to Council stating that The Jumping Place does not have the authority to conduct skydiving onto the airport and it is willfully refusing to comply with the Authority's request to cease and desist from skydiving. For more than four years the prior Authority has been unable to resolve the issue with The Jumping Place, associated with its business. There is then a history of where The Jumping Place skydivers have landed off Airport Authority property and even onto the Kings Bay Naval Base, the death of a skydiver, a crash of one of their planes and recent issues of jumping when there is low cloud coverage. In the Authority's opinion, this history will be devastating to this community and jeopardize liability insurance

coverage, in the event of a serious accident or injury involving The Jumping Place, if it is allowed to continue operating at the Airport without the Authority's approval pursuant to an agreement that establishes policies. Based on this information the issues have gone on for a long time, and Ms. Kloess once again is unable to attend the Council or Authority meetings.

Councilmember Stasinis made a motion to recommend that the City do whatever it can to support the Airport Authority in a legal manner, be it a temporary restraining order and/or injunction or whatever the proper form is necessary to put it to rest. Councilmember Morrissey seconded the motion.

Council discussed postponing due to not receiving the letter until the meeting, continual debates, delays and evading the Airport Authority's right to permit use of the airport and liability issues; the majority of Council's support of the Authority and Department of Transportation findings if contested; The Jumping Place not authorized to operate without a permit; TJP using property operating under a lease not from the City or Authority; the business's ability to discuss issues with the Authority for conclusion; all operations at the airport in compliance; payment of permit; not honoring the cease and desist order; the City's liability without an agreement and allowing time for The Jumping Place to respond to GDOT's finding.

Following much discussion, Councilmember Post amended the motion to include the letter from the Department of Transportation and include the letter from the Airport Authority as part of the minutes. Councilmember Gant seconded the amended motion. Voting was recorded as follows:

FOR	OPPOSED
Councilmember Gant	Councilmember Howell
Councilmember Morrissey	
Councilmember Post	
Councilmember Stasinis	

The City Manager stated for clarification that any funding for legal action comes off the City side and not the airport authority side. Councilmember Gant stated that the letter asked to assist - not take on legal funding so we need to talk with them in that regard.

Councilmember Howell requested that information is received in a more reasonable amount of time instead of right before meeting or do not add it to the agenda.

## **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**

### **A. PLANNING DIRECTOR'S REPORT:**

1. **REZONING:** Clyde A. Chapman, Jr. is requesting rezoning of Parcels S34-03-001 and S34-03-006 to be rezoned from the present R-4 zoning to C-1.
2. **REVERSE SUBDIVISION:** Clyde A. Chapman, Jr. is requesting approval for a six lot to one lot minor final plat, located in Block 33 off Meeting Street. Parcel numbers S34-03-001 and S34-03-006 (rezoned parcels) added to existing previously rezoned parcels S34-03-002, S34-03-003, S34-03-004 and S34-03-005.

Councilmember Morrissey motion to accept the rezoning and reverse subdivision based on the Planning Director's report. Councilmember Howell seconded the motion. Voting was unanimous in favor of the motion.

**B. FINANCE DIRECTOR'S REPORT:**

The Finance Director presented the 12-month financial report on revenues and expenditures for the General, Tourism, SPLOST, Water & Sewer, Solid Waste, and Aquatic Center Funds. A copy of the report is attached as part of the official minutes.

**C. CITY CALENDAR:** *City Clerk*

The City Clerk announced the upcoming events, activities and meetings for the last two weeks in July and the first week in August.

**REPORT OF MAYOR:**

- Attended the 4th of July celebration, Binational Peace Garden dedication. Mr. Robert Pengelly, Consul Canadian Consulate, Atlanta and Arlene White, Executive Director of the Binational Alliance attended the dedication.
- Local Option Sales Tax (LOST) negotiations will resume on August 6th at 8:30 a.m. at the Camden County Emergency Management Building

Mayor DeLoughy expressed concerns regarding letters that were mailed to St Marys' seniors from our state representative. The letters stated that "The City of St. Marys must get its financial house in order before shifting the tax burden on another economically vulnerable group of people who can ill afford a back door tax increase in these hard financial times." He referenced the financial situation of St. Marys' City government as unstable, when in fact it is very stable. Anyone who says that has no understanding of financing.

Councilmember Morrissey stated in reference to the letter that it is incumbent on the City to be sure the public understands the economic health of the City is reported monthly but years end is still in draft form.

Mayor DeLoughy stated that the City has been fiscally responsible for over ten years. He was disappointed to hear comments otherwise.

Councilmember Morrissey further stated that Council needs to communicate the current and prior year's financial status of the City with the reduced and steady millage rates. The City has the ability to maintain services with reduced staff. This speaks to the management process and skill set that has been able to add to the City through the City Manager and the programs he instituted. The information should be shared so everyone could make their own informed opinion.

Councilmember Gant stated he was taken aback with the notice that accused the City of mismanagement of funds, over spending and cannot control what the City is doing. A letter was sent by someone who should never put those kinds of words out when they do not know if the City is in very good financial shape. Council reviews the budget on a regular basis and has annual audits. There is a problem with water and sewer but it is not something that is not going to be handled. The City has a good bond rating. Council needs to repute these negative comments any way possible. The citizens need to know the City is in fine financial shape.

**GRANTING AUDIENCE TO THE PUBLIC:**

There were no further comments from the public.

**MAYOR AND COUNCIL COMMENTS:**

Councilmember Post commented on the letter to the editor in the newspaper addressing the comment that Councilmember Morrissey made during the budget workshop. He took offense to the letter which stated that our citizens are our number one resource and our employees are not. Councilmember Post begged to differ with the writer; our employees are just as important a resource as the taxpayers in this City. Not only are they an important resource, they are taxpayers themselves. Councilmember Post saluted the employees. Councilmember Post took note of the letter to the editor, and was extremely offended by it. Councilmember Post thanked the employees for their service to the City and the hard work that is done every day for the 18,000 residents that call this city home.

Councilmember Morrissey announced voting this week in Woodbine. Beginning July 23<sup>rd</sup> voting will be held at the union hall in St. Marys and the license office in Kingsland through the end of the week. Absentee ballot application forms are available in the foyer for primary republican, democrat or independent ballots. Voting is held on Tuesday, July 31<sup>st</sup>.

**CITY MANAGER'S COMMENTS:**

Council directed staff to look at scheduling a goals and objective session. Information was forwarded to Council on a long and short version. Feedback was received to proceed with the long version of a two day process during the week with public in attendance. An earlier version was to present status reports on various plans. The facilitators would need to determine who will hold the sessions depending on the days scheduled. Council determined to schedule the session on Friday and Saturday or two days during the week as an alternative.

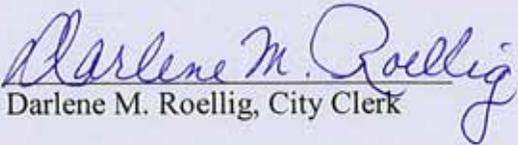
**EXECUTIVE SESSION:**

There was no "Executive Session" at this time.

**ADJOURNMENT:**

Councilmember Gant moved for adjournment. Councilmember Stasinis seconded the motion. Mayor DeLoughy declared the meeting adjourned at 7:23 p.m.

Respectfully submitted,

  
Darlene M. Roellig, City Clerk



July 11, 2012

Mr. Alan Armstrong, Esq.  
Attorney At Law  
2900 Chamblee Tucker Road  
Building 5, Suite 350  
Atlanta, GA 30341

RE: Informal Part 13 Complaint filed by TJP@JAX INC. against the City of St. Marys, Georgia and the St. Marys Airport Authority

Dear Mr. Armstrong:

The Georgia Department of Transportation is delegated the responsibility to address Part 13 Informal Complaints on behalf of the Federal Aviation Administration (FAA) as a participant in its State Block Grant Program. The Department is in receipt of your complaint dated May 25, 2012, filed on behalf of your client, TJP@JAX, INC., which alleges the City of St. Marys and the St. Marys Airport Authority is operating the airport in violation of Federal Grant Assurance No. 22(a) *Economic Nondiscrimination*.

The complaint alleges the City of St. Marys and the St. Marys Airport Authority has economically discriminated against TJP@JAX, INC. by making attempts to stop TJP@JAX, INC. from operating on the St. Marys Airport and is requesting TJP@JAX, INC. sign a permit that establishes a landing fee of \$400.00.

Based on our evaluation of the documents provided to the Department for review, the proposed fee of \$400.00 per month is consistent with and considered a commercial operating permit. The complainant has deemed the associated fee as a landing fee. Landing fees are typically assessed as a per-operation charge and/or a weight-based charge. We view the Authority's permit requirement an effort to formally establish the TJP@JAX, INC. skydive operation as a commercial aeronautical activity on the airport, and the \$400 fee as a recurring monthly obligation authorizing the commercial use of the facility. This is in accordance with FAA policy regarding the establishment of airport rates and charges. Documentation provided to the Department demonstrated the Authority made efforts to justly establish the rate based on comparable rates gathered at two nearby skydive operations in the region, Fernandina Beach Municipal Airport and Herlong Recreational Airport, FL, since there is no other similar operator on the St. Marys Airport.

Mr. Alan Armstrong  
TJP@JAX, INC. Part 13 Informal Complaint  
July 11, 2012  
Page 2

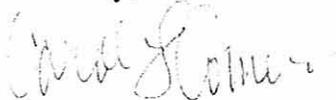
In the original complaint and subsequent correspondence, it was stated a Cease and Desist Order was issued, rescinded, and recently re-issued by the airport authority. In our review of the information provided by the City and the airport authority this Cease and Desist Order was issued because TJP@JAX, INC. did not have a valid commercial business permit to operate on the airport. The airport authority has the right to issue this type of order in an attempt to enforce its policies. In our opinion the actions taken by the airport authority do not appear to be based on the fact that TJP@JAX, INC. is a skydiving operation, but rather an aeronautical business operating without the proper commercial operating permit, as referred to in their Airport Rules and Regulations.

Based on the documentation provided to our office, it is the opinion of the Department that the City of St. Marys and the Airport Authority are in compliance with FAA Grant Assurance No. 22(a) *Economic Nondiscrimination*. Therefore, we consider this matter closed and recommend TJP@JAX, INC. continue to work with the St. Marys Airport Authority and the City of St. Marys to resolve any outstanding matters.

This is a preliminary evaluation and not a final agency action subject to judicial review. TJP@JAX, INC. has the right to file an informal appeal of the Department's findings to the FAA Atlanta Airports District Office or submit a formal complaint to FAA Office of the Chief Counsel, Attention: FAA Part 16, Airports Proceeding Docket, AGC-610, Federal Aviation Administration, 800 Independence Avenue, Washington, DC 20591.

Regarding TJP@JAX, INC. rights to appeal, questions or additional clarification, please contact Carla Sands, Acting Aviation Programs Manager at (404) 505-4866.

Sincerely,



Carol L. Comer, Director  
Division of Intermodal

CLC:PPC:CJS

cc: Scott Seritt, FAA ATL ADO  
Chuck Garrison, FAA Regional Airports Office  
Hon. Bill DeLoughy, Mayor, City of St. Marys  
Jay Stanford, Chairman, St Marys Airport Authority  
Gary Moore, St. Marys City Attorney

To all Council Persons,

July 15, 2012

At our most recent meeting, the Airport Authority (Authority) unanimously approved that the City Council be notified of an increasing liability to the City, involving the TJP@JAX INC a.k.a. The Jumping Place, (TJP) continuing to operate its skydiving operation onto the St. Marys Airport (Airport) without the Authority's permission. The Authority has undertaken action to protect the community against such liability and it is of the opinion that additional action is needed by the City Council.

At the present time, the TJP does not having the authority to conduct skydiving onto the Airport and it is willfully refusing to comply with the Authority's request to cease and desist from skydiving onto the Airport. The Authority's demand to cease such activity was served personally upon TJP by the Authority. Furthermore, this cease and desist action by the Authority has been confirmed as proper by the recent decision of the Georgia Department of Transportation dated July 11, 2012. The Authority is of the opinion that immediate action is required by the City to protect the interest of the City of St. Marys from unnecessary liability, in the event of a skydiving related accident or injury, involving TJP's skydiving onto the Airport's property without the Authority's permission to conduct such business at the Airport.

This liability is aggravated by the recent informal request from the City Council upon the Authority to rescind its current cease and desist order against TJP, while the Authority's demand upon TJP to cease skydiving onto the Airport was being considered by the Georgia Department of Transportation, and to explore a possible agreement with TJP. Considering the history involving this matter, arguably, this request by the City Council was in complete disregard to the best interest of the City of St. Marys and the Authority. For more than four years the prior Authority has been unable to resolve issues with TJP, associated with its business. For more than four years TJP has refused to enter into an agreement that provided permission for it to skydive onto the Airport and to pay for such privilege. Then there is the history of incidents where TJP skydivers have landed off of airport property and even onto the Kings Bay Naval Base, the death of a skydiver, a crash of TJP's plane while conducting skydiving onto the Airport and a City Councilman advocating on behalf of TJP, before the current Authority when it was

endeavoring to resolve TJP issues and, finally, the long-time refusal of the City to address TJP issues.

In the Authority's opinion, this history will be devastating to this community and jeopardizes liability insurance coverage, in the event of a serious accident or injury involving TJP, if it is allowed to continue operating at the Airport without the Authority's approval pursuant to an agreement that establishes policies, which are protective of this community and in compliance with any FAA requirements that TJP must adhere to in the operation of its skydiving business onto the Airport.

The Authority will be meeting this week to consider whether to request moving for a Temporary Restraining Order and Injunction, if necessary, to require TJP to cease skydiving onto the Airport until it has an agreement with the Authority that permits it to do so. On behalf of the Authority I am hereby requesting the City Council to advise me immediately if the City will support and cooperate with the Authority in this matter and, in addition, provide financial assistance, no less than one-half of the cost of this legal action, to the Authority, if it approves to pursue such legal action.

Jay Stanford  
St. Marys Airport Authority Chairman

A handwritten signature in black ink, appearing to read 'Jay Stanford', with a long horizontal flourish extending to the right.



**SPENCER**  
STATE REPRESENTATIVE

July 12, 2012

Dear St. Marys Senior Resident,

Thank you for allowing me to represent you in Atlanta as your State Representative over the past two years.

I am writing to you about two issues that greatly concern you; the St. Marys senior homestead exemption and TSPLOST. My question to you is this: **Does the city of Kingsland and the County have the same financial difficulties as St. Marys? Every city budget is different and St. Marys has over spent.** Therefore, each governing tax authority in the county has its own fiscal issues to address and not all communities in Camden are alike. The absence of a senior income cap has not lead to recruitment of numerous retirees buying up distressed properties in either the county or in Kingsland as some have tried to predict with these income cap removals.

In a response to a controversial request from the City Council, I offered to raise the income cap for the senior homestead tax exemption instead of a complete removal. The Council did not discuss the full impact of the exemption in front of the citizens of St. Marys. I believe the current income cap at \$25,000.00 is intended to help those seniors who may not be as fortunate as others financially. Raising the income cap would have updated the current cap from \$25,000 to \$55,000 a year. I am still open to this measure. Updating the cap to adjust for inflation in today's dollars is a reasonable compromise due to the current fiscal situation in St. Marys. Removing the entire income cap would not be fiscally responsible. The compromise I suggested was not accepted by some on the City Council. In order to honor their controversial recommendation, I asked for a unanimous decision from the Council. No unanimous decision was reached. **The city of St. Marys must get its financial house in order before shifting the tax burden on another economically vulnerable group of people who can ill afford a back door tax increase in these hard financial times.**

I also want to take this time to encourage you to vote NO for the **largest tax increase in Georgia history** known as the Transportation Special Purpose Local Option Sales Tax (TSPLOST). This NEW tax will continue over ten years. My opponent, Mr. Jacobson, is being dishonest about helping seniors. **He supports this large tax which increases your cost of living expenses by 14% on food, electricity, and medicine (he is quoted at College of Coastal GA Forum, April, 19 2012).** TSPLOST does not tax gasoline. Gas taxes are currently used to help build roads and bridges in Georgia. **Seniors on fixed incomes should not be forced to choose between their daily living expenses and medical needs.** When you add in the expansive cost of Medicare and Medicaid for Georgia, this TSPLOST tax will limit your services to healthcare and food.

I humbly ask you to vote **down** a tax increase on yourself, and I will continue to look out for your best interests when you re-elect me, Jason Spencer, on July 31<sup>st</sup>.

Your public servant,



Rep. Jason Spencer