

ORDINANCE NO. 4-5-04

AN ORDINANCE TO AMEND THE CHARTER OF THE TOWN OF MAYSVILLE APPROVED BY ACT OF THE GEORGIA GENERAL ASSEMBLY ON AUGUST 17, 1909 (Ga. L. 1909, p1110) PURSUANT TO THE AUTHORITY OF O.C.G.A. §36-35-4.1 TO REAPPORTION THE ELECTION DISTRICTS FOR MUNICIPAL ELECTION OF MEMBERS TO THE MAYSVILLE TOWN COUNCIL; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Town Council of Maysville, Georgia as follows:

Section 1. AMENDMENT TO TOWN CHARTER TO REAPPORTION ELECTION DISTRICTS.

Pursuant to the Home Rule Powers set out in O.C.G.A. §36-35-4.1; following the procedures required by O.C.G.A. §36-35-3, and based upon the United States Decennial Census of 2000; it is hereby resolved, that the four election districts for the election of members to the Maysville Town Council shall henceforth be constituted as set out in Exhibit "A" attached to this ordinance and by this reference incorporated into this ordinance.

Section 2. REPEAL OF CONFLICTING ORDINANCES.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 3. SEVERABILITY OF PARAGRAPHS.

If any portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 4. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon the City's receipt from the United States Department of Justice of correspondence indicating that the United States Department of Justice interposes no objection to the implementation of this Ordinance, provided that, if the City does not receive such correspondence by the first day of qualifying for the 2004 Mayor and Council elections, this Ordinance shall not be effective, and any ordinances in conflict herewith shall remain in effect.

SO ORDAINED.

MAYSVILLE TOWN COUNCIL

By: Richard L. Presley
Mayor

[Signatures Continue on Next Page]

M. F. James
Councilperson

Bob Taylor
Councilperson

Andy Miller
Councilperson

Archie S. Stuchlik
Councilperson

Attest:

Lain V. Harper
Town Clerk

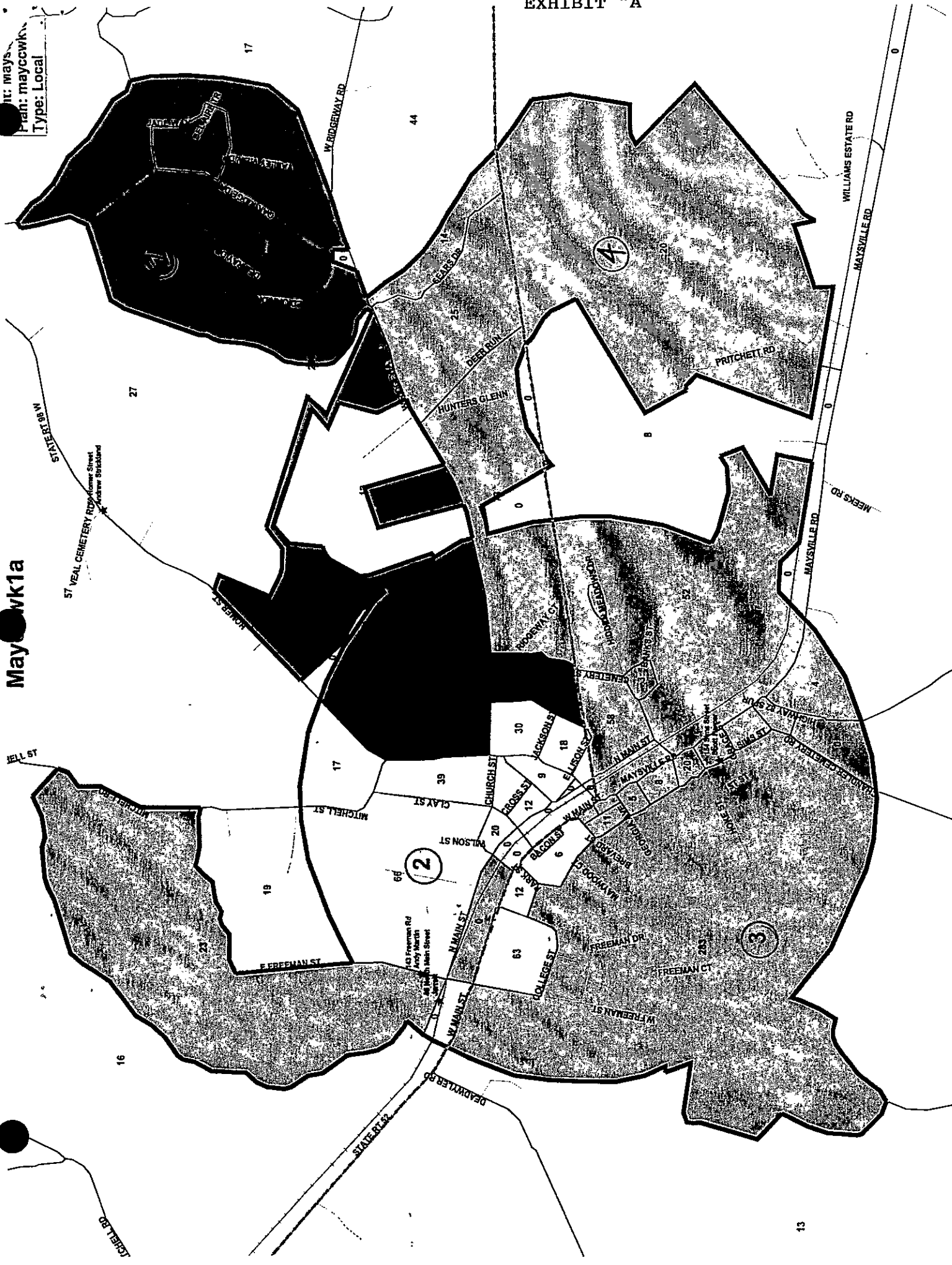
CERTIFICATION

This ordinance was duly adopted at the regular meetings of the Mayor and Council of the Town of Maysville, Georgia on April 5, 2004 and May 3, 2004 after publication of notice as required by law.

Lain V. Harper
Town Clerk

IT: ways
Plan: maycwk1a
Type: Local

Maycwk1a



ST VEAL CEMETERY Ridge-Homer Street
Andrew Strickland

2

3

STATE ST. 42

13

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP.OR LATINO	%HISP.
1	310	-2	-0.64%	5	1.61%	0	5	1.61%	3	0.97%
	VAP			230	3	1.30%	0	3	1.30%	3
2	316	4	1.28%	13	4.11%	0	13	4.11%	1	0.32%
	VAP			234	5	2.14%	0	5	2.14%	1
3	306	-6	-1.92%	0	0.00%	0	0	0.00%	1	0.33%
	VAP			220	0	0.00%	0	0	0.00%	0
4	315	3	0.96%	14	4.44%	2	16	5.08%	14	4.44%
	VAP			235	12	5.11%	0	12	5.11%	7

Total Population: 1,247

Ideal Value: 312

Summary

Population Range: 306 to 316

Absolute Range: -6 to 4

Absolute Overall Range: 10

Relative Range: -1.92% to 1.28%

Relative Overall Range: 3.21%

Exhibit "B"

to

Submission for Preclearance

Existing Boundaries

Plan Name:maycc

Plan Type:

User: staff

Administrator:

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP.OR LATINO	%HISP.
1	504	192	61.54%	5	0.99%	0	5	0.99%	16	3.17%
	VAP			370	3	0.81%	0	3	0.81%	9
2	165	-147	-47.12%	0	0.00%	0	0	0.00%	1	0.61%
	VAP			129	0	0.00%	0	0	0.00%	1
3	112	-200	-64.10%	13	11.61%	0	13	11.61%	0	0.00%
	VAP			71	5	7.04%	0	5	7.04%	0
4	183	-129	-41.35%	14	7.65%	2	16	8.74%	1	0.55%
	VAP			143	12	8.39%	0	12	8.39%	1

Total Population: 964

Ideal Value: 312

Summary Statistics

Population Range: 112 to 504

Absolute Range: -200 to 192

Absolute Overall Range: 392

Relative Range: -64.10% to 61.54%

Relative Overall Range: 125.64%

Exhibit “C”

to

Submission for Preclearance

Revised Boundaries

Plan Name: mayccwk1a

Plan Type:

User:

Administrator:

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP.OR LATINO	%HISP.
1	310	-2	-0.64%	5	1.61%	0	5	1.61%	3	0.97%
	VAP			230	3	1.30%	0	3	1.30%	3
2	316	4	1.28%	13	4.11%	0	13	4.11%	1	0.32%
	VAP			234	5	2.14%	0	5	2.14%	1
3	306	-6	-1.92%	0	0.00%	0	0	0.00%	1	0.33%
	VAP			220	0	0.00%	0	0	0.00%	0
4	315	3	0.96%	14	4.44%	2	16	5.08%	14	4.44%
	VAP			235	12	5.11%	0	12	5.11%	7

Total Population: 1,247

Ideal Value: 312

Summary

Population Range: 306 to 316

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Absolute Overall Range: 10

Relative Range: -1.92% to 1.28%

Relative Overall Range: 3.21%

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic Area: Maysville town, Georgia

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total population.....	1,247	100.0	HISPANIC OR LATINO AND RACE		
SEX AND AGE			Total population.....	1,247	100.0
Male.....	603	48.4	Hispanic or Latino (of any race).....	19	1.5
Female.....	644	51.6	Mexican.....	12	1.0
Under 5 years.....	86	6.9	Puerto Rican.....	-	-
5 to 9 years.....	88	7.1	Cuban.....	1	0.1
10 to 14 years.....	99	7.9	Other Hispanic or Latino.....	6	0.5
15 to 19 years.....	84	6.7	Not Hispanic or Latino.....	1,228	98.5
20 to 24 years.....	57	4.6	White alone.....	1,182	94.8
25 to 34 years.....	192	15.4	RELATIONSHIP		
35 to 44 years.....	216	17.3	Total population.....	1,247	100.0
45 to 54 years.....	149	11.9	In households.....	1,240	99.4
55 to 59 years.....	72	5.8	Householder.....	481	38.6
60 to 64 years.....	60	4.8	Spouse.....	297	23.8
65 to 74 years.....	88	7.1	Child.....	375	30.1
75 to 84 years.....	46	3.7	Own child under 18 years.....	297	23.8
85 years and over.....	10	0.8	Other relatives.....	56	4.5
Median age (years).....	35.8	(X)	Under 18 years.....	26	2.1
18 years and over.....	919	73.7	Nonrelatives.....	31	2.5
Male.....	423	33.9	Unmarried partner.....	17	1.4
Female.....	496	39.8	In group quarters.....	7	0.6
21 years and over.....	876	70.2	Institutionalized population.....	7	0.6
62 years and over.....	179	14.4	Noninstitutionalized population.....	-	-
65 years and over.....	144	11.5	HOUSEHOLD BY TYPE		
Male.....	58	4.7	Total households.....	481	100.0
Female.....	86	6.9	Family households (families).....	365	75.9
RACE			With own children under 18 years.....	172	35.8
One race.....	1,234	99.0	Married-couple family.....	297	61.7
White.....	1,186	95.1	With own children under 18 years.....	132	27.4
Black or African American.....	32	2.6	Female householder, no husband present.....	46	9.6
American Indian and Alaska Native.....	1	0.1	With own children under 18 years.....	26	5.4
Asian.....	3	0.2	Nonfamily households.....	116	24.1
Asian Indian.....	-	-	Householder living alone.....	104	21.6
Chinese.....	-	-	Householder 65 years and over.....	43	8.9
Filipino.....	-	-	Households with individuals under 18 years.....	188	39.1
Japanese.....	-	-	Households with individuals 65 years and over.....	105	21.8
Korean.....	3	0.2	Average household size.....	2.58	(X)
Vietnamese.....	-	-	Average family size.....	2.99	(X)
Other Asian ¹	-	-	HOUSING OCCUPANCY		
Native Hawaiian and Other Pacific Islander.....	-	-	Total housing units.....	529	100.0
Native Hawaiian.....	-	-	Occupied housing units.....	481	90.9
Guamanian or Chamorro.....	-	-	Vacant housing units.....	48	9.1
Samoan.....	-	-	For seasonal, recreational, or occasional use.....	2	0.4
Other Pacific Islander ²	-	-	Homeowner vacancy rate (percent).....	4.6	(X)
Some other race.....	12	1.0	Rental vacancy rate (percent).....	3.3	(X)
Two or more races.....	13	1.0	HOUSING TENURE		
<i>Race alone or in combination with one or more other races:</i> ³			Occupied housing units.....	481	100.0
White.....	1,198	96.1	Owner-occupied housing units.....	392	81.5
Black or African American.....	34	2.7	Renter-occupied housing units.....	89	18.5
American Indian and Alaska Native.....	6	0.5	Average household size of owner-occupied units.....	2.64	(X)
Asian.....	5	0.4	Average household size of renter-occupied units.....	2.31	(X)
Native Hawaiian and Other Pacific Islander.....	-	-			
Some other race.....	17	1.4			

- Represents zero or rounds to zero. (X) Not applicable.

¹ Other Asian alone, or two or more Asian categories.

² Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.

³ In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.



Exhibit "D"

to

Submission for Preclearance

Maps - Existing Wards

Exhibit "E"

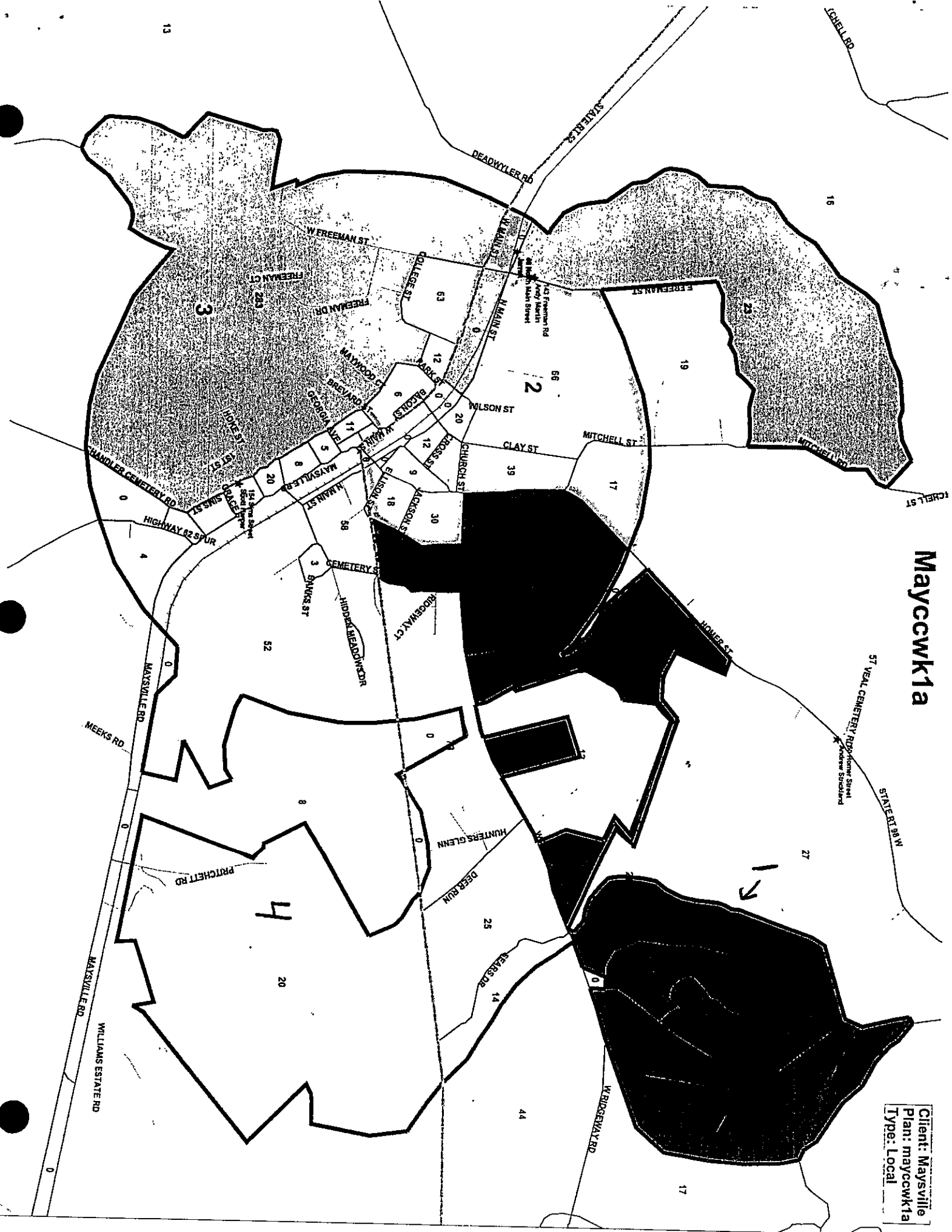
to

Submission for Preclearance

Maps - Revised Wards

Maycwk1a

Client: Maysville
Plan: maycwk1a
Type: Local



19 132 - 4

14

Exhibit "F"

to

Submission for Preclearance

Notice

Town of Maysville
Notice of Proposed Town Charter Amendment
Reapportionment of Town Council Districts

Pursuant to the Home Rule Powers set out in O.C.G.A. §36-35-4.1; following the procedures required by O.C.G.A. §36-35-3, and based upon the United States Decennial Census of 2000; the Mayor and Town Council of the Town of Maysville propose to amend the Town Charter to provide that the four election districts for the election of members to the Maysville Town Council shall henceforth be constituted as set out in the proposed Charter Amendment. The purpose of the amendment is to assure that the populations of the districts have minimum variances to comply with the one person - one vote requirements of the U.S. Constitution. Copies of the proposed amendment are on file with the Maysville Town Clerk, the Clerk of Superior Court of Jackson County and the Clerk of Superior Court of Banks County for the purpose of examination and inspection by the public.

The amendment will be considered by the Maysville Mayor and Town Council at two regular meetings to be held at 7:30 p.m. at the Maysville library, those meetings to be held on April 5, 2004 and May 3, 2004.

Exhibit "G"

to

Submission for Preclearance

Public Notice

**PUBLIC NOTICE
TOWN OF MAYSVILLE**

A submission by the Town of Maysville for reapportionment of Town Wards based on the 2000 Federal Census has been made to Joseph D. Rich, Chief, Voting Section, Civil Rights Division, Department of Justice pursuant to the Voting Rights Act and is available at the Maysville City Hall for public inspection. Comments on the submission are invited for consideration of the Attorney General.

Exhibit "H"

to

Submission for Preclearance

Minutes

MAYSVILLE CITY COUNCIL

MAYSVILLE, GEORGIA

APRIL 5, 2004

The regular monthly meeting of the Mayor and City Council was held at the Maysville Public Library on April 5, 2004 at 7:30 p.m.

All members present with Gary Freeman, Lois Harper, Chip McGaughey, Mark Dudziak and various members of the community. April Sorrow covered for the Jackson Herald.

After prayer and pledge the Mayor turned meeting over to Chip McGaughey with EMI. He explains what Town must do to get our wastewater department in line with State Requirements. City has already approved contract for engineering of this project.

After EPD approves report we can go forward with project. Construction Drawings, etc. will total \$12,400.00. Need to get approval from Council for the \$12,400 for EMI to continue with this project. The construction cost has already been approved. Mayor asks for move to approve this amount EMI to continue with this project. Motion by M. F. Jarrett, seconded by Andrew, all in favor.

Discussion of project cost for construction of 12 inch water line from the intersection of Yarbrough Ridgeway Road to James Short Industrial Park along HWY 98. The lines would then run to a new 500,000 Gallon water tank located in the park and connect to existing lines on HWY. 82 Spur. Connections would also be made to Pritchett Road, Williams Estate Road and Boone Road.

The total cost of proposed project is \$1.3443 million. Half of the construction cost, which totals 1 million dollars is for the water tank. Without the tank the project would cost \$688,000. Also included in this cost are three permit fees from the railroad company.

Project support cost, DOT permits total \$236,000. Chip says there are several options out there if the City wants to investigate. Average usage per residence is about 4,000 per month. Calculations of operating cost were based on that amount. Mr. McGaughey also said that most cities have water customers separated in residential and commercial users. Bigger meters require more demand, so you defer cost more to people using the more water and sewage.

Wayne Farms is the largest current customer using 433,000 gallons of water each month. A proposed Mar-Jac feed mill was also figured in at about 390,000 gallons per month. Mayor Presley said the company had stated originally stated that they would use one million gallons of water each month.

Mayor said we need to verify that amount and also to get with Mar-Jac and find out what they really need, table this for two weeks and go over it and get our thoughts together. The Council decided to table the discussion and scheduled a work session and meeting of April 19, 2004 at 7:30 p.m.

In other business, Kevin Weatherby tells Council that Church would like to file a petition to have property rezoned that the church has purchased on Hwy. 98 from agriculture to whatever needed to build church. To get with Gary and work out needs.

Mayor turns meeting over to Gary to discuss reapportionment. Explains that this must be done at least every ten years. Gary showed Council a proposed map and explained what we must do to meet requirements.

Mayor asks for a move to change Charter of Town to adopt amendments for Charter. Must be brought up at next meeting. Will take two meetings to amend the charter to change the boundaries of the voting districts. Motion made to adopt Ordinance to change Charter. Motion made by Scott seconded by Marion, all in favor. To be voted on again at next meeting ~~and the next.~~

Police Department asks for Ordinance to add 12.00 surcharge fee per case. M. F. Jarrett motions, Andrew seconds, all in favor to add this charge to be effective at mid-night tonight.

Marks has bids on Hunter's Glen of \$25661.38 - Ferguson Enterprises, 25,661.38, National Waterworks \$25,523.20, Bill Griffin - 38,472.00, Greg Doss, 37,097.00 - low bid 35,007.00 from Roberts Septic Serv. Material quote only good for 10:00a.m. Tuesday April 6. Main bid difference is in labor.

Council studies bids at length. Scott motions, seconded by Andy to accept low bid of labor and material from Roberts Septic Service and National Waterworks.

DDA - Trent says may e a report first of month.

Scott asks about using Park for Farmer's Market Friday and Saturday when vegetables start coming in, about the first of may. Motion by Scott, seconded by Andrew, all in favor of allowing these activities in Park.

Andy - Nothing

Andrew - House where Ruth King lived needs to be cleaned up.. Clerk to write letter asking owner to clean up property.

Marion makes motion to go into executive session

Mayor says he has been approached by Cancer Society to donate \$500.00 to the American Cancer Society. Andrew motions, seconded by Marion, all in favor of this move.

Jackson County Chamber of Commerce is asking for a donation of \$1,000.00.

No vote on this issue/

Executive Session

Add roll call vote + motion

Council called back to order after and no further business, meeting.

Adopted _____

MAYSVILLE CITY COUNCIL

MAYSVILLE, GEORGIA

MAY 3, 2004

The regular monthly meeting of the Mayor and City Council met at the Maysville Public Library on May 3, 2004 at 7:30 p.m. All members of the Council were present along with Lois Harper, City Clerk, Gary Freeman, City Attorney, Mark Dudziak, water department and Jerry Hood from EMI.

Prayer, and pledge to flag.

Old minutes read and adopted with two changes. Charter to be voted on again tonight.
Roll call vote, Marion, yes, Andrew, yes, Scott, yes - Andy, yes.

Mayor turned meeting over to Jerry Hood to explain new water rates, and reasons for having to ask for increases. May be able to get contract in by July. Only way we can get loan is to show we can afford improvements by raising rates. Used tank would have to meet same specifications as new tank. Must have new tank to meet growth needs. Motion by Marion, seconded by Scott to adopt rates as per printout. All in favor.

Catherine asks about dog situation. Mayor told Council and Catherine that we have an Ordinance on the table to maybe help with Animal Control. Asks about water pressure. Mark and Scott explained what is planned to ease pressure up gradually since old pipes are in such guarded condition. Also asks about taxes. Wants to know if we can put pressure on Banks County to get tax digest.

Mayor asks Jerry if Council needs to do anything else. Nothing needed.

Mayor asks for motion to amend Charter for Reapportionment. Motion made by Scott, Seconded by Andy, unanimous vote in favor.

Dog Ordinance discussed. Motion to adopt Jackson County Dog Ordinance to be our main source of Animal Control. Andy moves we adopt ordinance as read, seconded by Marion, all in favor.

Andrew - nothing

Andy asks about sub division study. Impact fees for future building could go toward principle. Tabled for further discussion at next meeting.

Scott - nothing.

Marion - nothing.

Mark - Maybe Georgia Rural Water would do training here if Council approved.

Gary - Asks for executive session to discuss purchase of property. Motion by Marion, seconded by Scott, Roll call vote all yes.

After executive session, Council met again and motion was made to adjourn.

Adopted _____

Plan Name: mayccwk1a

Plan Type:

User:

Administrator:

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP.OR LATINO	%HISP
1	310	-2	-0.64%	5	1.61%	0	5	1.61%	3	0.97%
	VAP 230			3	1.30%	0	3	1.30%	3	1.30%
2	316	4	1.28%	13	4.11%	0	13	4.11%	1	0.32%
	VAP 234			5	2.14%	0	5	2.14%	1	0.43%
3	306	-6	-1.92%	0	0.00%	0	0	0.00%	1	0.33%
	VAP 220			0	0.00%	0	0	0.00%	0	0.00%
4	315	3	0.96%	14	4.44%	2	16	5.08%	14	4.44%
	VAP 235			12	5.11%	0	12	5.11%	7	2.98%

Total Population: 1,247

Ideal Value: 312

Summary

Population Range: 306 to 316

Absolute Range: -6 to 4

Absolute Overall Range: 10

Relative Range: -1.92% to 1.28%

Relative Overall Range: 3.21%