

TOWN OF BROOKLET
COUNCIL MEETING
FEBRUARY 16, 2006

- 1 CALL MEETING TO ORDER: Mayor Grooms. Members Present: Russell Davis, Annette Wilson, Randy Newman, Sylvia Prosser, William Hendrix, and Attorney Hube.
- 2 INVOCATION: Mayor Grooms
- 3 APPROVAL OF JANUARY MINUTES: Councilwoman Prosser made a motion to accept the minutes as written. Motion seconded by Councilwoman Wilson and passed with all ayes.
- 4 APPROVAL OF JANUARY FINANCIAL STATEMENTS: Councilwoman Wilson reported the bank balances for the General Fund and Water Fund. Councilman Newman made a motion to accept the statements as presented. Motion seconded by Councilman Hendrix and passed with all ayes.
- 5 RECOGNITION OF GUESTS:
 1. CARL HOFSTADTER, PRESIDENT OF HOFSTADTER AND ASSOCIATES, INFORMATION OF SANITARY SEWER SYSTEM. Mr. Hofstadter introduced himself and Charlie Bridges. They have looked at designing a waste water collection system in Brooklet and a waste water treatment plant and or pump to Statesboro. Council will have four or five options to look at to find the most cost effective. Another option would be to put a discharge to Mill Creek or pump to the Ogeechee River or find some land and spray the treated water. They have estimated that they could probably put in about 15 miles of wastewater lines and pump stations. This would cost about 10 million dollars or more, maybe less. Mr. Hofstadter feels the best avenue would be to go with the Farmers Home Administration. Once this gets started it will take about five years for completion. If you went to Farmers Home (USDA) and received a grant large enough, it could reduce the homeowners' monthly costs of \$100.00 to \$40.00. Roads will be dug up; four inch service lines will be run to the homes, disconnection of the existing septic tank, and proper disabling of that septic tank. If Council plans to proceed we will need to get a lady from (FHA) Farmers Home Administration to talk about funding this project. Mr. Hofstadter does not plan to start any engineering work until we find out if we can get the money. He asked that if Council could not get this first, then not to ask him to go into all the engineering reports and research work and then decide not to go thru with the project. If after meeting with the funding service, Council decides not to proceed, the town will not owe Hofstadter and Associates any money. The town will have to adopt a Mandatory Sewer Use Ordinance and applicants will have to sign up. Councilman Newman made a motion to proceed with the project by meeting with the Farmers Home Administration. Motion seconded by Councilman Davis and passed with all ayes.
 2. WILLIAM GRIFFITH: CAT ORDINANCE. Mr. Griffith had presented a signed petition to Council in November and asked Council to amend the Animal Control Ordinance to include the control of cats as well as dogs. Mr. Griffith lives on

West Lane Street and his neighbor left the garage door open and cats came in and sprayed. Another neighbor complained about cats digging in flower beds and cat prints on vehicles. Mr. Griffith asked for help from Council to do something with the ordinance. Ms. Bray raised her hand to speak. She advised Council that she was the person with the cats on West Lane Street. She has more cats than she wants and understands it is a problem. She is a Hospice Nurse and values human lives as well as animals. Ms. Bray is asking for time to take care of this situation. She has found homes for some of her cats and has contacted Pet Smart and Humane Society to find homes for some cats. She will keep them enclosed until she finds a home for them. She advised she feels she is being targeted.

Councilman Newman feels we could have Bill DeChristopher review the Ordinance and see what he can present to us. Councilwoman Wilson knows there are cats all over Brooklet and would like to make a suggestion. Shut your cats up and if a cat goes into somebody's yard it won't be yours.

3. JEFF WOLF & CHRIS BARFIELD: INFORMATION ON PROPERTY IN THE COUNTY ON BROOKLET LEEFELD ROAD. Wesley Parker, an engineer from Statesboro was representing Mr. Wolf who has applied for a rezone on the 56.44 acres in the county. If Bulloch County approves Mr. Wolf's request he plans to build approximately 47 houses in the subdivision. His current plans are: 1) Owner will install distribution lines and drill 2 wells. 2) Owner will pay to put water lines and wells, and own the water system and collect billing. His proposal to the Town of Brooklet: 1) Owners to install lines and tap into the Town water System. 2) Owners and Brooklet to split tap fee 50/50. 3) Town will collect billing. They would like to know how Council feels about this tonight.

Councilman Newman reminded Council that in the past we had discouraged providing water outside the city limits. Annexation might be an option but he is apposed to going outside the city limits. Mr. Parker advised they had discussed the possibilities of annexation. Councilman Hendrix feels we need to discuss our water situation. The EPD allows us to pump 6 million gallons a month. In May of 2005 we used five million one hundred fifty seven thousand gallons. A request for increased pumpage has been sent but has not been granted at this time. Our original permit has been extended thru December 31, 2006. If we add this to our pumpage with all the growth within the city we would go over our allowed pumpage. Mr. Hendrix does not see a problem with the annexation and hopefully by 2007 we will have an increased withdrawal limit. Councilman Hendrix asked Mr. Parker for more time to do some research and see what we could come up with. Councilman Hendrix asked Council to table this for now.

4. BARNEY SINEATH: PAVING OF JULIUS CIRCLE AND QUESTIONS ABOUT 320 RAILROAD STREET, PROPERTY OF MARY SINEATH. Mr. Sineath asked what the status was on paving Julius Circle. Councilman Newman advised it was still on hold. Mr. Sineath feels Mr. Peed and Mr. Hall failed to obtain Right of Way Purchases on two parcels. Councilman Newman asked Attorney Hube if this was true. Attorney Hube knows of at least one that he is aware of. Mr. Sineath says it appears there was no consideration given for flood water drain off. Councilman Newman advised there was a plan the county set up to get rid of storm water. It would be an inverted crown road with a catch basin

to drain into an existing ditch located on Julius Circle at the curve. Mr. Sineath applied for a business license for 320 Railroad Street (zoned R-1) which was refused because of zoning. He questions the process to appeal the request. Attorney Hube will look into this. Mr. Sineath asked if Council had any intention of voluntarily rezoning 320 Railroad Street. His cost to the aborted condemnation of 320 Railroad Street, the attorney fees, and appraisal fees, does Council have any intention of reimbursing these fees. Attorney Hube asked to address this and advised Mr. Sineath that he had requested a breakdown documentation of amounts claimed but has not received this information. Mr. Sineath's other question was about the fence around the septic system. Back in October 2003 a bid of \$4262.79 was accepted but no fence yet. Mayor Grooms advised Mr. Sineath we still had not done anything but they had a fence taken down at the cemetery that they plan to use. Mayor Grooms asked if any councilmember knew when we could put it up. Councilman Newman said we would have to get with Billy on this.

6 COMMITTEE REPORTS:

COUNCILMAN DAVIS has checked on prices for a white fence for the cemetery. The price at Lowes was \$748.00 if we could get Billy to put it up it would save some money. Councilwoman Prosser likes the idea of saving money and she thought we would use the money from the sale of the lots for this. She also asked if we were ready to start selling lots. Councilman Davis thinks sometime this month. Councilwoman Prosser advised Council that Belle has had no instructions on the procedure and some people are ready to buy. We will have to have some documentation or deed for the purchaser.

COUNCILWOMAN WILSON advised Council that some attorneys and accountants have been contacted to see if they were interested in doing work for the town; the only response was from attorney Sam Brannen.

COUNCILMAN NEWMAN had a report from the D.O.T. In April 2006 L.A.R.P. will resurface East Lane Street from Parker Avenue to Highway 80 east, approximately 0.298 miles.

COUNCILWOMAN PROSSER advised Council that she and the Mayor went to the S.E. Bulloch School to talk to the lady about trimming the crepe myrtles as a school project. This would not cost the town anything. If they don't we will let Billy and crew do the best they can.

COUNCILMAN HENDRIX advised Georgia Power damaged water lines on West Lee Street that Public Works employees repaired. A bill has been prepared to cover the cost of labor and supplies. Councilman Hendrix asked for approval from Council to send bill to Georgia Power Company. Councilman Hendrix made a motion to bill GA Power. Motion seconded by Councilwoman Prosser and passed with all ayes. Councilman Hendrix also had a letter from Wayne Johnson whose client is Dan McCorkle who plans to develop 119 acres out highway 80 at Buie Road just outside the city limits. They are asking if Brooklet is interested in furnishing water to the proposed development and if we would be interested in annexing the property. Councilman Newman feels we need more information on this request because we do not know what they plan to do with the property.

Councilman Hendrix has talked to Mr. Romaine Bradford concerning the water lines going to the new shopping center at Brooklet Crossing. Mr. Bradford has his attorney working on an easement now in order for the town to supply them water without boring under Parker Avenue. Councilman Newman asked if he would have a meter for each business. Councilman Hendrix advised this was correct. Councilman Newman asked if we would take the lines to one location and Mr. Bradford would be responsible from there and S.P.L.O.S.T. would cover our part for system improvements.

BILL DECHRISTOPHER has been working on a draft for the workshop. Council will be given a copy of the draft so they can add their comments. We have two buildings that need to go. This will be addressed at the workshop sometime in March.

CHIEF MINCEY was away at a Chief Association meeting but left Council a copy of his monthly report.

7 OLD BUSINESS:

1) APPOINTMENT OF A CITY ATTORNEY, CITY ACCOUNTANT, AND ZONING ADMINISTRATOR. Councilwoman Prosser advised we had a letter from Mr. Sam Brannen and if there was no other response she would make a motion to ask Sam Brannen to be our City Attorney. Councilman Davis advised Council that Mr. Hugh Hunter from Sylvania has recently been contacted and was interested but wanted to talk to Council and not send in a bid with a price. Councilman Newman would like to see other quotes because he feels Mr. Brannen's price of a monthly retainer of \$500.00, non litigation work \$200.00 per hour and research in support of litigation \$225.00 per hour was high. Councilwoman Prosser decided the only thing to do was withdraw her motion. We need to make sure Attorney Hube will stay with us until we do something. Mayor Grooms says we need somebody regardless of how expensive. Councilman Newman advised that Mr. Hunter has municipal experience. Mayor Grooms would like to have someone from Bulloch County area. Councilman Newman would like to contact Mr. Hunter to set up a time to meet with some council members.

Councilwoman Prosser feels we need to contact some accountants.

Councilwoman Wilson had copies of letters sent to accountants and attorneys
Accountants: Dabbs, Hickman, Hill, & Cannon LLP; Harmon and Mullis, CPA;
and Reddick, Riggs, & Hunter CPA. There was no response from anyone.

Attorneys: Franklin, Taulbee, Rushing, Snipes, and Marsh; Brown, Roundtree,
& Stewart; and Mr. Hugh Hunter.

There was a discussion concerning an accountant. Councilman Newman made a motion to keep Richard Deal as our accountant. Motion seconded by Councilwoman Prosser & passed with all ayes.

Councilman Newman made a motion to make Belle Gay Zoning Administrator and Bill DeChristopher Assistant Zoning Administrator. Motion seconded by Councilman Hendrix. Motion passed with 3 ayes and 2 non voters. There was a discussion on this matter. Attorney Hube feels the zoning is an important issue now and will get more important and it may be beneficial to have some one focus all their time without having to do other things. There was more

discussion as to the voting. Councilwoman Prosser said she voted no. Councilman Hendrix asked how many votes we had. There were 3 yes votes and the motion passed. Council will review this at budget and may be hire a full time person then.

2) REPORT FROM ATTORNEY HUBE ON MAYOR GROOMS'

ATTORNEY FEES: Attorney Hube asked Mr. Orr to help him recollect his question from last month and asked him to re state the question. I could not hear the question but Attorney Hube's reply was whether or not the action taken was by the Council or by three individuals. He has talked to GMA Attorney Ted Baggett. His opinion was whether they were acting as individuals or Council members pursuant to the Charter the answer remains the same. The Council has the option to reimburse if they wish but there is no affirmative obligation for them to do so. Attorney Hube had not seen an itemized bill yet. Mayor Grooms passed him a copy of the bill and stated that he would leave it strictly up to Council, if Council has authority to do it they can do it, if they don't I'll eat it . It is all uncalled for but he advised he would take the financial part of it. If Council wants to reimburse fine if they don't he will have no hard feelings toward that part of it. There may be hard feelings but not in that area. Attorney asked Council if they were interested in seeing the itemized statement from Mayor Grooms' attorney. Councilwoman Prosser wanted to make a comment. She does not think we should ask the people of Brooklet to pay but she does not think the mayor should pay because it is a terrible injustice. She has talked to people who do not think the town should pay for it but they don't think the mayor should but the people making the charges. If he were to pursue this it would just cost more money and time. If the mayor had not gone to the attorney it would have been laughed off.

3) DISCUSSION ON DOING BUSINESS WITH BROOKLET CITGO SERVICE STATION- SEE ARTICLE A. CODE OF ETHICS. Mayor Grooms advised the Code of Ethics has one article and the Town Charter has another. Councilwoman Prosser asked which had preference. Attorney Hube advised it was the Town Charter. Councilman Hendrix told Council this was their decision. He read article A. from the Code of Ethics.

Councilwoman Prosser read from the Charter Section 2-1 D. Councilman Newman asked Attorney Hube what his comment was. Attorney Hube replied it is a provision prohibiting Mayor and Council from benefiting from City business. The town can not do business at Brooklet Citgo.

8 NEW BUSINESS:

1. AMENDMENT TO SPLOST AGREEMENT WITH BULLOCH COUNTY. Mayor Grooms asked if there was a discussion. It was asking for \$70,000.00 to be transferred from the Cultural Facility to the Administrative Building Fund. Mayor Grooms said he could not sign the agreement. Information on previous action taken will be attached to these minutes.

2. SEE ARTICLE B: APPOINTMENT TO THE ETHICS COMMITTEE. Committee which consists of 3 people; one appointed by the mayor, one appointed by the Council, and one appointed by the two named, subject to the approval by a majority of Council. The third member of the Ethics Committee shall be a member in good standing in the state. All appointees serve a two year term. Mayor Grooms asked Attorney Hube to accept a position and he agreed for as long as he is with us. Councilman Newman reads that the third person is to be appointed by the two named by Mayor and Council. Councilman Hendrix has contacted Coach Fred Shaver who said he would be happy to serve on this committee. Councilman Hendrix made a motion to appoint Coach Shaver to the Ethics Committee and Councilman Newman seconded the motion. Motion passed with all ayes. Mayor Grooms appointed Charles Mallard. Mr. Mallard asked if the committee meets once a month and what he has to do.
3. PLANS FOR A DAY FOR MR. JOHN SPENCE. Councilman Newman asked to table this matter because of illness. Councilman Newman made a motion to table plans for Mr. Spence. Motion seconded by Councilwoman Prosser and passed with all ayes.

Councilwoman Prosser made a motion to adjourn the meeting. Motion seconded by Councilman Newman.

Councilman Newman made a motion to open the meeting to allow Mr. Tom McElwee to speak. Motion seconded by Councilwoman Prosser and passed with all ayes.

Mr. McElwee lives at 709 W. Lane Street and the owner of property at 321 Dixie Street. He came tonight because he had received a notice from the Zoning Administrator concerning a tractor trailer parked at 321 Dixie Street. He does not intend to violate the City Code, but wants to understand the difference in being able to park a boat trailer, a large RV in back of the house and cannot park a tractor trailer being used to provide for the family. Mayor Grooms asked Mr. DeChristopher to address this matter. This being in an R-1 District, Mr. DeChristopher advised Mr. McElwee that tractor trailer trucks were not allowed. Mr. DeChristopher sent out the letter allowing him 45 days to find another place to park. Mr. McElwee still questions how recreational vehicles can park there and not vehicles used for livelihood. Councilwoman Prosser explained that Mr. DeChristopher is carrying out the ordinance rules and we need to revisit some of the existing ordinances. She feels a tractor trailer making a living for a family takes precedence over a recreational vehicle. Mr. McElwee would like for Council to revisit this particular ordinance.

MOTION TO ADJOURN: Councilman Newman made motion to adjourn, motion seconded by Councilwoman Wilson, and passed with all ayes.

September 15
2005

COUNCIL WOMAN PROSSER had been to the Keep Bulloch Beautiful meeting and was presented a plaque and they named Brooklet City Hall as the "Property of the month" for September.

COUNCILMAN NEWMAN reports that we have the new Liberty Garden in place, thanks to Keep Bulloch Beautiful for furnishing the plants. The City employees and the Mayor and his wife planted the flowers. Councilman Newman knows of a person who stencils work and makes cement look like real brick. He would like for Mr. Cooper from Southern Landscape Curbing and Re surfacing to do this to the front porch of the City Hall. He has presented a quote of \$400.00 for this job. Councilman Newman made a motion we have this done. Motion seconded by Council Woman Prosser and passed with all ayes.

IAN CATTO thanked council for giving him the opportunity to act as Chief during this transition period. The department continues their participation in events of the S E T E N and plan to attend a meeting on October 1. Councilman Newman had a report on taking applications for Chief job through September 23. At this time he is forming a committee of citizens of the town and business owners to go through applications. There is a Chief school beginning on October 7, which gives us from September 23 to October 7 to have a committee meeting and get back to council. He would like to schedule a called meeting before October 7 with the committee recommendation and finalize this decision.

BILL DECHRISTOPHER has been checking out sign permits. Follow ups have been done on previous letters sent out. Mrs. Coppage at Lee Street Antiques was asked to take down her signs she puts up on the corner of Parker and Lee Streets. She talked to him about erecting a directional sign for the local business to list their names and ect. Mr. DeChristopher thinks the biggest problem would be to secure a place for the sign and find out how much participation there will be. Councilman Newman asked Mr. DeChristopher to take a survey of the business to see how much support we would have.

8. UNFINISHED BUSINESS; none

9. NEW BUSINESS;

1. Bids on the 2000 Police car. No bids were received. A suggestion was made to put a for sale sign on the car and park it at the Citgo Station.
2. Discussion on the SPLOST Fund. We need a letter to Tom Couch requesting a transfer of the \$75,000 for the Cultural Facility to the Municipal Building Fund. This will enable us to finish paying bills for the New City Hall. All members agreed and the letter will be signed Friday.

Motion to adjourn the meeting made by Councilman Rich, seconded by Councilman Davis and passed with all ayes.



Town of Brooklet

"Home of the Peanut Festival"



Joe A. Grooms, Jr.-Mayor
Benjamin (Randy) Newman-Council
Belle Gay-Clerk
Brian A. Mundy-Police Cheif

9/17/2005

Sylvia P. Prosser -Mayor Pro-T
Russell D. Davis-Cour
James Aubrey Wynn-Cour
Fredrick J. Rich-Cour

Mr. Tom Couch
Bulloch County Board of Commissioners
P. O. Box 347
Statesboro, GA 30459

Mr. Couch;

The Town of Brooklet held a discussion at the Council Meeting held September 16, 2005, concerning the "SPLOST" Fund distribution. Council feels the need to transfer the \$75,000.00 allocated for a Cultural Facility to the Municipal Building account. The new City Hall is complete and is a very nice building of which we are very proud. Thanks to the SPLOST Fund the Town of Brooklet has this new facility.

The county has done a lot for the Town of Brooklet and we do appreciate your co-operation. We would be happy to return the favors, so if we can do anything for the county, please do not hesitate to let us know.

Come see us in our new building.

Sincerely;

Mayor Grooms,
and Council Members