

TOWN OF BROOKLET  
COUNCIL MEETING  
SEPTEMBER 21, 2006

- 1) CALL MEETING TO ORDER: Mayor Grooms.  
Members Present: Russell Davis, Annette Wilson, William Hendrix, and Attorney Hunter. Randy Newman and Sylvia Prosser were absent.
- 2) INVOCATION: Councilman Davis.
- 3) APPROVAL OF AUGUST MINUTES: Councilwoman Wilson made reference to page 3 concerning the amount of SPLOST money received for the City Hall building. The amount written in the minutes reflected \$320,8758.28. Correct amount is \$320,875.28. With this figure corrected, Councilwoman Wilson made a motion to accept the minutes with the correction. Motion seconded by Councilman Davis and passed with all ayes.
- 4) APPROVAL OF AUGUST FINANCIAL STATEMENTS: Councilwoman Wilson gave the bank balances for the General Fund and Water Fund and asked for a motion to adopt the financial statements. Motion made by Councilman Hendrix, seconded by Councilman Davis, and passed with all ayes.
- 5) RECOGNITION OF GUESTS:
  - 1) TONY MALOTT: To discuss opening a business and conducting an auction twice a month after 6:00 p.m. the location would be 109 Parker Avenue. Mr. Malott plans to open his business as a consignment shop, buy-sell-trade. He also would like to hold an auction on the first and third weekend (Friday and Saturday) of each month, but wanted to address Council regarding the parking. Mr. Malott's father will work with him and also do clock repair. Council feels the parking will not be a problem and will allow Mr. Malott to obtain a Business License and hold the auctions two weekends per month. Mayor Grooms advised him to get with Belle and apply for the Business License.
  - 2) JEROME JONES: To discuss the water bill for the Estate of W.K. Jones, 203 N. Cromley Rd. Mr. Jones did not attend the meeting.
  - 3) RICHARD RAWLINGS & DON RAWLINGS: To request permission from Council to annex 63.85 acres into the Brooklet City Limits. This property sits behind Winnie Way and West Lee Street. They have plans for a subdivision and request the zone be changed from A-1 to R-1 for Single Family Dwelling. Councilman Davis asked if they would be using the same plat and plans that were previously drawn up by Ms. Boaen. Don advised they would probably rearrange some things. Nothing major. Councilman Hendrix adds that Mr. Rawlings is just asking permission from Council to annex under the 100% Rule. Attorney Hunter asked if they had completed the plat. They have a sketch plan at this time but are working on a new one. Attorney Hunter advised them to bring the plat to Belle when it is done.

4) BARNEY SINEATH:

1-Request that Council consider authorizing Attorney Hunter to conduct informal hearings with Mr. Sineath in an effort to resolve zoning, environmental, and condemnation issues relating to Civil Actions B04CV024W and B04CV069W which are still pending in the Superior Court of Bulloch County. Attorney Hunter advised Mr. Sineath that he had Belle get copies of these two civil actions and fax them to his office. One was a Petition for Mandamus Action which was filed in the name of Mary Sineath. Mr. Hunter stated that under our rules of Ethics he could not discuss a case with Mary or Barney personally without permission from her attorney. Mr. Sineath advised he had one half undivided interest in the property. The other civil action on file was a Petition for Permission for Mayor and Council to enter upon land; to conduct appraisal, environmental site assessment, and survey; with leave to amend to add request for condemnation. Attorney Hunter asked Mr. Sineath if it would make sense to have his attorney dismiss this case and refile the rezone request. Mayor Grooms asked if Council wanted to give Attorney Hunter permission to speak with Mary Sineath's attorney on behalf of the Town of Brooklet. Councilman Davis would like to wait on this decision until we have a complete Council present.

2-Request that Council consider authorizing Attorney Hunter to review and evaluate the issues resulting from the transfer of 1.32 acres to Brooklet Crossing LLC, recorded in deed book 1540 @ page 526 on 5/6/2005 and the subsequent use of materials and labor on this private property. Councilman Hendrix advised that the Town made a trade with Mr. Bradford, Brooklet Crossing LLC. The dirt part of Cone Street, which led to the city dump, was closed and the town was given a 40' paved easement off of Parker Avenue at the back side of the property REF: March 17<sup>th</sup> minutes.

3-Request that Council consider authorizing Attorney Hunter to evaluate the various charters of Brooklet, the Georgia Code and other sources to determine if Mayor Grooms and Council members Davis and Newman are holding over from a two year term of office ending 12/31/05. Attorney Hunter feels that when the legislature changed the Municipal Elections and went on to provide terms of office may be changed to four years, this would preempt the City Charters and the last election would have fallen under that statute.

4- Request that Council consider authorizing Attorney Hunter to determine if amendments to Brooklet's Zoning Ordinance require a second reading. Mr. Sineath would like a written opinion on this.

6) COMMITTEE REPORTS:

COUNCILMAN DAVIS: He has information from Farmers and Merchants Bank concerning his inquiry on C.D.'s. The Cemetery Account has a balance of \$32,105.00 and he would like to transfer \$30,000.00 to a C.D.

Councilman Davis feels there is a need for a buffer or a fence for the cemetery and he would like to leave some money in the checking account for this. Mayor Grooms asked if we could go to \$31,000.00. Councilman Davis made a motion to open the C. D. from the cemetery fund in the amount of \$31,000.00. Motion seconded by Councilman Hendrix and passed with all ayes.

COUNCILWOMAN WILSON: No report.

COUNCILMAN HENDRIX: Mr. & Mrs. Sammons were present to hear results from their water bill. Councilwoman Prosser was absent but wrote her recommendation to Council on this matter, "I met with the Sammons family, Mr. Luker, DeLaine, and Mr. Edenfield. I recommend that we have the Sammons pay their water bill for several months then try to adjust their previous water bills to be more like the new ones; taking into account the fact that they did use irrigation during some of the previous months. "

On 9/18/06 Ms. Sammons paid \$10.00 for mosquito spraying and \$60.00 for garbage pick up. There was a mistake on the new meter reading. The reading was turned in at 11700 gallons and should have been 1200 gallons used. An adjustment was made for this. Councilman Hendrix advised them the meter which he sent off for an accuracy check came back and shows that for every 100 gallons that went through the meter there were charged for only 96 gallons. Mr. Sammons told Council that he thought Ms. Prosser was going to recommend they read the new meter and pay that then go back and look what they used then versus what they use now. Councilman Hendrix says they need to pay the bill every month starting with the September bill. What goes through the new Census meter is right because the meter has been certified. Pay a monthly water bill for 12 months then in order to pay off the old bill use the new meter, average it out, and pay accordingly. Ms. Sammons agreed to this but wants to have a new account number beginning with the September water bill. Councilman Hendrix mentioned getting prices and information on electric reading equipment for the Water Department. Mr. Luker discussed his water bill at 1590 Tara Boulevard.

BILL DECHRISTOPHER: A zoning workshop was scheduled for September 12<sup>th</sup> but was cancelled due to unforeseen circumstances. Hopefully they will reschedule in the near future.

CHIEF MINCEY: Officer D. Hagan will graduate from the Police Academy on Friday at Savannah State University after 10 weeks of training. Chief Mincey invited Mayor and Council to attend the ceremony.

- 7) CONSENT AGENDA: Motion to adopt the Ordinance to Annex 106.27 acres into Brooklet City Limits (Sandra McCorkle).  
Councilman Hendrix made a motion to adopt the Ordinance for Annexation of the Buie Road property. Motion seconded by Councilman Davis and passed with all ayes.
- 8) OLD BUSINESS: Attorney Hunter to discuss Condemnation of property on Julius Circle. Attorney Hunter advised Council that we were proceeding under a particular procedure which requires Mayor and Council to adopt a resolution. One resolution is for property owned by Noise Mae Tillman located at 507 Julius Circle and another is for property owned by James E. Smith, Jr. ETAL located at 509 Julius Circle. Both properties have title problems which is one reason for the Condemnation process. Another reason is that we can not find all the people necessary to sign deeds on the Smith property. This is the purpose of signing the resolution and authorizes Attorney Hunter to proceed with the Condemnation. Council will need to authorize the Mayor to execute Declaration of Taking on each piece of property. Councilman Davis made a motion to adopt the resolution on Noise Mae Tillman Declaration of Taking of 0.007 acre of her property. Motion seconded by Councilman Hendrix and passed with all ayes. Councilman Davis made a motion to adopt the resolution on James E Smith, Jr. ETAL Declaration of Taking of 0.003 acre of this property. Motion seconded by Councilwoman Wilson and passed with all ayes. Attorney Hunter advised Council the next step was to authorize the Mayor to sign a Declaration of Taking. Councilman Davis made a motion for Council to authorize Mayor Grooms to sign the Declaration of Taking of the Smith property on Julius Circle. Motion seconded by Councilwoman Wilson and passed with all ayes. Councilman Davis made a motion to authorize Mayor Grooms to sign the Declaration of Taking of the Tillman property on Julius Circle. Motion seconded by Councilman Hendrix and passed with all ayes.  
The property of Ms. Tillman was appraised at \$250.00 and property of Smith was appraised at \$25.00. Attorney Hunter advised Mayor and Council that the Clerk should be authorized to pay these monies to the Registrar of Court. Councilman Hendrix made a motion to authorize the City Clerk to pay the mentioned amounts. Motion seconded by Councilman Davis and passed with all ayes.
- 9) NEW BUSINESS: Council to set millage rate for 2006 Property taxes.  
Councilman Davis made a motion to set the Millage Rate at 7.692 for the 2006 Property Taxes. Motion seconded by Councilman Wilson and passed with all ayes.
- 10) PUBLIC PARTICIPATION: Mayor Grooms wanted to recognize the Boy Scouts Troop 337 attending the meeting to observe a City Council meeting for requirements for Citizenship Merit Badge. They plan to come back again in a month or so to complete their work.

Romaine Bradford, owner of Brooklet Crossing was here to redeem his good name. Mr. Sineath made a statement at the last meeting that Mr. Bradford had received preferential treatment because he was a Jones. He wanted to try and clear this up. Mr. Bradford's attorney and the town attorney were working on an easement and Mr. Bradford was not aware this was not finalized. He received the easement today and provided City Hall a copy. The reason Mr. Bradford asked to take in the old Right of Way was they needed additional room to put adequate parking and have the flow of traffic run smoothly around the property. His idea was to help Brooklet and give them something new that they could be proud of. He used his equipment and his people on the easement to put the water lines in. The easement was traded for a paved road for City Employees to go to the city dump. All this was to help Brooklet and did not intend to have hard feelings.

- 11) ADJOURNMENT: Motion to adjourn made by Councilman Hendrix, seconded by Councilman Davis, and passed with all ayes.