

TOWN OF BROOKLET
CALLED MEETING
JANUARY 5, 2006

1) CALL MEETING TO ORDER: MAYOR GROOMS.

Members present: William Hendrix, Russell Davis, Randy Newman, Sylvia Prosser, Annette Wilson, and Attorney Hube.

2) PROCEDURE FOR THE SIGNING OF PAPERS RELEASEING CHARGES

AGAINST MAYOR GROOMS: Mayor Grooms advised the group of the discussion on something his lawyer presented to him, which he asked Councilwoman Prosser to read to the group. (See attachment to minutes) Mayor Grooms wanted everyone to understand what was going on and why this happened. If he had done anything wrong and the people would ask him to, he would gladly step down off this platform. The procedure was not proper and he had to obtain an attorney. Mayor Grooms asked if Council wanted to make a motion and vote for him to remain in office. Attorney Hube commented that from a legal standpoint on December 21, 2005 Mr. Rich, Mr. Davis, and Mr. Wynn signed a statement that a decision had been made to drop the petition against Joe Grooms for removal from office as Mayor of Brooklet. This statement was given to Mayor Groom's attorney. Attorney Hube thinks from a legal standpoint those are the folks that brought the petition, they have decided to drop the action, and any action by this present Council would be a mute point because the petition is no longer pending. In his opinion, there is nothing in front of this Council to take action on at all. As far as the statement Mayor Grooms presented goes, he would take some exception just from a procedural standpoint for the statement contained in the paragraph "we have reviewed the material and allegations which sought to remove the mayor from office, and we find them to be without merit."

Attorney Hube thinks this is not an accurate statement from the standpoint that, mayor's attorney filed an injunction to prevent Council from having a hearing in which these allegations would be reviewed and evidence would be presented so Attorney Hube doesn't know that this Council can pass judgment without the opportunity to review. The action has been dismissed so there would not be anything pending in front of this Council to take action on at all.

Mayor Grooms asked if Council had any questions. Councilman Hendrix's feeling is that he and Councilwoman Wilson were not involved in this matter; they have not reviewed any allegations and had no opinion on the matter.

Councilman Newman feels we need to do as the Attorney advised; it is a mute point so we just need to move on.

Councilwoman Prosser feels the mayor deserves an apology and does not think it is mute. Attorney Hube explained that the attorney's role is representing the municipality. He does not represent the mayor individually, he represents the City Council. His duty is to make sure City Council takes appropriate action when they take action, whatever that decision may be. Also to advise those folks on what the legal ramifications are.

Councilwoman Prosser asked if he represented the three Council members. Attorney Hube advised he did not and could not.

This would be a conflict of interest because they were acting individually at that time. He was only to make sure the proper procedures were followed.

Mayor Grooms asked if at this time the three members had dropped all charges against him. Attorney Hube advised him that was correct. It was done on December 21, 2005.

Councilwoman Wilson feels the three members should put an apology in the paper.

Councilwoman Prosser would like to make a motion, if it is proper, that Council pays Mayor Groom's legal fees and expenses.

Councilman Newman feels we need to look into the legal ramification first and let the attorneys handle this legal matter.

Mayor Grooms has discussed this with his attorney but has not discussed this with the city attorney. He will talk to his attorney the next morning to find out if this resolution was approved tonight.

Councilwoman Wilson asked where the petition was that was supposed to be signed.

Attorney Hube advised it was a copy she received earlier tonight which was that one paragraph.

Again, Attorney Hube advised the group from a legal standpoint the matter has been dismissed, there is no longer any action pending to remove the mayor from office. What gave rise to all this was Fred Rich brought a petition to remove the mayor from office.

This was signed by Fred Rich, Russell Davis, and Aubrey Wynn. On December 21, 2005 the same three signed a statement saying "We have decided to drop the petition against Joe Grooms for removal of office of Mayor" The petition has been dismissed, the issue is settled as far as any legal action and there is no action pending at this time.

Councilwoman Prosser advised that the only reason it was dismissed was because Mayor Grooms had to hire a lawyer to get it dismissed and she does not think he should have to pay. A question was asked about a signed copy of the petition. Fred Rich had the only copy of the signed petition. Attorney Hube advised that the petition was brought to the meeting by Fred Rich and was presented to Mayor and Council in a special closed session. This was done pursuant to a part of the City Charter which allows for essentially that type of action to be brought. Then the mayor hired Attorney Edenfield, who brought the injunction, essentially saying the Charter was lacking certain due process requirements in filing the petition and having a hearing.

Attorney Hube feels Mr. Edenfield's assessment was right about the charter.

Councilman Newman advised the group that Fred Rich wrote the original petition, had it signed, and took it with him.

Attorney Hube answered several questions from the public and has heard no mention from Mr. Edenfield about reimbursements from anybody for attorney fees.

Councilwoman Prosser made a motion to pay legal fees for the mayor. The motion was tabled.

3) DISCUSSION OF PAVING JULIUS CIRCLE.

Councilman Davis needs 2 weeks to work out a few things. He will have more information for the January 19th meeting.

4) INFORMATION FROM NORTHLAND CATV CONCERNING THE
REPLACEMENT OF WIRING IN THE DOWNTOWN AREA.

Councilman Davis advised GA Power Company has done the rewiring on Parker Avenue. The cable people need to re route some wiring also. The quote for these repairs will be \$3992.40. This will be paid from SPLOST Fund. Councilman Davis made the motion to accept this bid to have the work done. Motion seconded by Councilman Newman and passed with all ayes.

5) MOTION TO ADJOURN:

Motion to adjourn made by Councilman Newman, seconded by Councilwoman Prosser, and passed with all ayes.

January 3, 2006

We the council vote to drop all allegations and or charges against Mayor Grooms which sought the removal of Mayor Grooms from office, and we do not wish to have any hearings on this matter. We wish to go forward and work with Mayor Grooms and have a productive mayor and council relationship for the City of Brooklet. We have reviewed the material and allegations which sought to remove the mayor from office, and we find them to be with out merit.

*Attachment to Jan. 5th minutes
Read by Councilwoman Prosser.*