

**TOWN OF BROOKLET
CITY COUNCIL MEETING
MARCH 20, 2008**

1. **CALL MEETING TO ORDER: Mayor Grooms**
Members Present: Russell Davis, Annette Wilson, Randy Newman, Sylvia Prosser, Attorney Hugh Hunter and William Hendrix.

2. **INVOCATION:** Annette Wilson

3. **APPROVAL OF FEBRUARY MINUTES:**
Councilwoman Prosser made a motion to accept the minutes as written. Motion was seconded by Councilman Davis and passed with all ayes.

4. **APPROVAL OF FEBRUARY FINANCIAL STATEMENT:**
Councilman Newman made a motion to approve the financial reports has presented. Motion was seconded by Councilman Hendrix and passed with all ayes.

Garbage Truck sealed bids: The Town of Brooklet received only one sealed bid for the town's garbage truck. Councilman Davis presented the sealed bid to Mayor and Council. The bid is from Andy Hart and Jonathan King of Live Oak Environmental, which consist of \$7,565.00. It was decided by Mayor and Council to reject the bid at this time. Council would like Mrs. Belle to re-advertise the garbage truck with a bid minimum.

Councilman Hendrix made a motion to reject the bid from Live Oak Environmental. Motion was seconded by Councilwoman Prosser and passed with all ayes.

5. **RECOGNITION OF GUEST:**

COASTAL REGIONAL DEVELOPMENT CENTER:
Prior to the council meeting, Mayor Grooms, Mrs. Belle Gay, Mac Oliver and council member Randy Newman met with Michelle Cannon and Tricia Reynolds from RDC. The purpose of this meeting was to discuss updating the zoning ordinance. RDC will take a look at it and get back with council with any suggestions.

BARNEY SINEATH:

1. AUDIT

2. BUDGET

3. SPLOST

4. OPEN MEETING VIOLATIONS

Mr. Sineath asked if any of the Council members or Mayor have met with Richard Deal in reference of our last and recent audit. The reason being is because there was a statement made about Brooklet having several deficiencies in the method of conducting business. Mr. Sineath also discussed the town's budget, cemetery and splost accounts. He stated that there has been some deficiencies over the last five years and felt this needed to be brought to the attention of the town. He also believes the splost and cemetery fund should have its own separate accounts. He believes the town is co-mingling the two accounts.

Mr. Sineath also touched on violations of open meetings. This topic has been discussed on many occasions. Mr. Sineath believes all Council members and Mayor Grooms should take a training class on the open meeting violations. Attorney Hugh Hunter agrees with Mr. Sineath and suggested they take this class so they know the wrongs and rights of open meeting violations.

6. REPORTS FROM COMMITTEES:

Councilman Davis: Councilman Davis and Councilman Newman stopped by to speak to Billy Taylor about setting up a schedule for picking up limbs around Brooklet. This cleanup will begin March 24th. Councilman Davis also talked about getting a new golf cart and lawn mower for the public works department. Councilman Newman asked Councilman Davis if they could come up with a maintenance schedule for the vehicles and equipment used by the public works department. Councilman Hendrix stated to council that he feels Billy is a great supervisor and can handle his department without a schedule to go by. The public works department has received the new dump truck and will start clean up on Monday. Mayor Grooms asked about the old dump truck and its progress. Councilman Davis stated to Mayor Grooms that the truck is still being repaired and should be ready in a week and a half.

Councilwoman Wilson: Gave reports on the General, Water and Splost funds.

Councilman Newman: Still working on sidewalks; needs to patch a place in front of Harry Starlings house and he also still working on the streets at Waters Trailer Park.

Councilwoman Prosser: No Reports.

Councilman Hendrix: Reported on Officer Dee Hagan and his wife. They gave birth to a 7lb. 7 oz. baby girl and all three are doing great.

Chief Buchan: Gave reports on what has happened this last month in Brooklet. There was a stole vehicle that has been found and recovered. There was also a shooting reported with no injuries. The suspect fled and as been reported to have been seen in Mexico. Chief Buchan stated that if the suspect returns back to Brooklet, he will be in for a surprise. Also the skateboard signs have been ordered and should be here in two weeks. Chief Buchan will be leaving March 24th and returning April 4th for Chief Training School in Duluth, Ga. Chief Buchan has asked Sherriff Lynn Anderson and Captain Nesmith with Bulloch County Sherriff's Department to help control the Brooklet area until he returns back to duty. Chief Buchan would like to thank Officer Ray and Officer Dee for all their help during his transition to Chief.

Mac Oliver is our new city employee. Since Mr. Oliver has been employed with the Town of Brooklet, he has been trying to catch up on all delinquent permits and has also started enforcing codes within the Town of Brooklet.

Attorney Hugh Hunter discussed the issue on the School Resource Officer at Southeast Bulloch High School. A couple of months ago, Bulloch County Board of Education asked the Town of Brooklet to allow its off duty police officer to continue to serve as the SRO officer at the school and also to continue using the Brooklet police uniform, firearm and police vehicle as well. The outset goal was to make sure that whatever was done that the City of Brooklet tax payers would not be put at risk. Attorney Hugh Hunter felt like at the time, that could properly be done and can still possibly be done. The goal was to get the Board of Education to make a proposal that would accomplish that, to allow that situation to continue and to have all the legalities covered so that Brooklet tax payers wouldn't be put at risk and to their credit, the Bulloch Board of Education has done a couple of things and have reported to Attorney Hugh Hunter that they have the officer covered under their liability policy. Attorney Hugh Hunter is still concerned that their liability policy doesn't completely solve the problem, even though they have hired the individual and have him covered under their insurance policy. He suggest looking at having an indemnification agreement where the school board would indemnify the city against any and all liability that might occur which would include providing defense policy in Brooklet. Susan Cox is of the opinion that the school board cannot legally give an indemnification agreement under the current law. Attorney Hugh Hunter agrees with Susan Cox although there are arguments that they could do so for matters that they do not enjoy sovereign unity, such as police liability cases. Attorney Hugh Hunter asked Mrs. Belle to call GIRMA to get affirmative coverage in writing showing proof of this situation. There is also another legal issue; under the State Constitution, Brooklet cannot provide police services outside of the city limits unless there is a contract with the county. Attorney Hugh Hunter can assure that the county would properly enter into an agreement if Brooklet asked them to allow the city to participate in providing police services, uniform, vehicle and firearm to be used. If the city is going to continue to provide all the equipment the officer needs, it is Attorney Hugh Hunters' recommendation that Brooklet not do so unless we have

affirmative insurance coverage either under school board policy where Brooklet is added as an additional insured or GIRMA will give us affirmative coverage in writing for this particular situation. There is an alternative however, to allow the officer to continue to work for the school, but not allow him to use the police vehicle, uniform or firearm. It has also been suggested that we have the school board sign an indemnification agreement. This agreement allows a police officer to work off duty but acquires that the entity that he works for sign an identification form. Attorney Hugh Hunter believes we should follow this policy. In addition, Brooklet should have the School Board agree that they will be responsible for all the training that the officer may need.

As a citizen of Brooklet, Mr. Fred Shaver would like to see us continue the SRO program because the chances of us having to pay out anything are very slim that most anything we do is a high risk everyday. Mr. Shaver supports the SRO program. Mayor Grooms suggested we leave this situation as is for the time being.

7. CONSENT AGENDA:

8. OLD BUSINESS:

1. REVIEW OF BROOKLET CODE OF ORDINANCES TO SEND TO MUNICIPAL CODE CORPORATION. (Planning & Zoning section if time permits.)

Attorney Hugh Hunter was asked to check on some language of discharging firearms in the city limits. He recommends an ordinance where no person will be able to fire a gun or any other firearm without permission from the Chief of Police. That would not apply to police officers or self defense cases.

Acceptance of streets; structure board; Attorney Hugh Hunter suggest have a three person board; residents of Bulloch county, one member should be from the field of Building construction and architecture or professional engineering.

Charles Mallard pointed out that there was a requirement that a street be a public street and the city would not accept the street as a public street until 50% of the subdivision lots were built at least a year after the street was paved. How do you issue a building permit before the city accepts the street? Attorney Hugh Hunter wants to look at rewording this ordinance section.

9: NEW BUSINESS:

1. DISCUSSION ON HANDICAPED PARKING, PEDESTRIAN CROSSING AND SPEED BUMPS FOR EAST LEE STREET.

Councilman Newman stated that there has been an issue concerning the parking in front of the Adult Center on East Lee Street. Chief Buchan has received several complaints about the transport vehicles blocking the road way. Chief Buchan will start issuing citations to whomever parks in the road way, he will also have the vehicles towed if no one is in them. It is Chief Buchan's suggestion to put a double park behind the place of business. Chief Buchan is only looking after everyone's best interest in the Town of Brooklet.

Pedestrian Crossing; Councilman Newman stated that there was stripping done a year or so ago and now it has been determined that we need to go ahead and reestablish that yield and extend the triangle.

Crosswalks; Councilman Newman has bids for the crosswalks. Councilman Newman made a motion to accept all four bids and go ahead to proceed. Motion was seconded by Councilwoman Prosser and passed with all ayes.

Speed bumps; Councilman Newman would like to talk to DOT to get their opinion on the speed bumps. Councilman Newman will look more into this until next council meeting.

2. REVIEW OF TOWN OF BROOKLET CODE OF ETHICS. ARTICLE B / SECTION 1-25 ETHICS COMMITTEE.

The Town of Brooklet does not have a lawyer living in the town of Brooklet, therefore this position has not been filled at this time. Coach Fred Shaver and Charles Mallard have been asked to elect officials to serve on the committee. Attorney Hugh Hunter stated that he would accept serving as the Town's lawyer but needed to do more research on this matter.

Brenda Hendrix has sent the Mayor a letter and also the Town of Brooklet an invoice for work she provided to the town after she resigned. Mrs. Hendrix prepared the audit for the police department and trained Lori Prosser on the MDS system for court. The Mayor asked council to approve the invoice. Councilman Hendrix made a motion to go ahead and pay Mrs. Hendrix for her work done. Motion was seconded by Councilwoman Prosser and passed with all ayes.

PUBLIC PARTICIPATION ON AGENDA ITEMS. These comments shall be limited to the subject that is being debated. Members of the public may speak for five minutes and may speak only once. Anyone wishing to speak at any meeting must be recognized by the mayor before addressing the board

10. ADJOURNMENT

Mayor Grooms asked to have adjournment. Councilman Hendrix made a motion to adjourn; Councilwoman Prosser seconded the motion and passed with all ayes.