

TOWN OF BROOKLET  
COUNCIL MEETING NOVEMBER 20, 2009  
MINUTES

1. **CALL MEETING TO ORDER, MAYOR GROOMS**  
MEMBERS PRESENT, Councilman Davis, Councilwoman Wilson,  
Councilman Newman, Attorney Hunter, Councilwoman Prosser, and Councilman  
Hendrix.

2. **INVOCATION BY COUNCILMAN DAVIS.**

3. **APPROVAL OF OCTOBER MINUTES.**

Councilwoman Wilson reviewed under old business of the October minutes regarding changes of Manufactured Homes Ordinance and the Sign Ordinance. She did not agree to be on the Sign Committee, only on the Mobile homes. All members were provided two letters from Attorney Hunter concerning his findings in these two ordinances.

RE: Manufactured Homes, he had enclosed a proposed ordinance for review.

RE: Sign Ordinance, Mr. Hunter's letter stated perhaps it would be a good idea for the mayor to appoint a committee of council to study this matter and he would meet with the committee. There was no committee appointment for the Manufactured Home Ordinance. Councilman Newman made a motion to approve the changes, seconded by Councilman Hendrix and passed with all ayes.

4. **APPROVAL OF OCTOBER FINANCIAL STATEMENTS.**

Councilman Hendrix reviewed the Budget Comparison sheets, giving the balances from all accounts. The annual share of Local Premium Tax check from the Office of Insurance & Safety Fire Commissioner, John Oxendine was deposited in October. Councilman Hendrix made the motion to accept the statements as presented. Motion seconded by Councilwoman Prosser and passed with all ayes.

5. **RECOGNITION OF GUEST REQUESTING TO BE ON THE AGENDA.**

1. KYLE E. STEINIKE, Information regarding a request from SCAD to film a movie in Brooklet. Mr. Steinike was unable to attend but had talked to Councilman Davis concerning this event. They plan to meet with the store owners to agree on times convenient for them.

6. **REPORTS FROM COMMITTEES;**

COUNCILMAN DAVIS reports that Chief Buchan was absent but asked him to present the monthly report.

COUNCILWOMAN WILSON ; No report.

COUNCILMAN NEWMAN; B C D A has purchased 5 new red benches to replace the old ones downtown. Old benches will be repaired to use for the Peanut Festival. The annual Christmas Tree Lighting will be held Wednesday, December 2, 2009 at 6:00 PM.

Councilman Newman is working with Bulloch County, Ellis Wood and the engineers, trying to come up with something to do with the West Lee Street Project. He should have something definite by next meeting. He has also talked with Mr. C. R. Jackson, with D. O. T about cementing stop signs in the intersection of Parker Avenue and Lee Street. Mr. Jackson advised the city would be liable if anyone got hurt and do not do this. He recommended break away signs and cement islands. Proposals from Ellis Wood were presented.

Proposal # 1. Mountable Island for Parker & Lee Street intersection \$900.00.

Proposal # 2. Mountable Island for Cromley Rd. and Brooklet Denmark Rd. \$1,000.00

Councilman Newman made a motion to accept Bid #1 and Bid # 2. Motion seconded by Councilman Hendrix and passed with all ayes.

Proposal # 3. Cromley /Leefield Road intersection alignment \$10,510.00

Councilman Newman asked what council thought about this. Councilwoman Wilson asked if it could be done in phases. Councilman Newman thinks that the longer we wait, the more it will cost and right now they are looking for work. He then made a motion to go with the bid of \$10,325.00 from Ellis Wood. Motion seconded by Councilman Hendrix and passed with all ayes.

COUNCILWOMAN PROSSER: No report

COUNCILMAN HENDRIX: No further report.

CHIEF BUCHAN; Absent.

Chad McCorkle: Absent.

7. **CONSENT AGENDA;**

8. **OLD BUSINESS;**

1. **LIVE OAK'S SERVICE AGREEMENT.**

Councilwoman Wilson explained there were some discrepancies on previous bills and the existing quote. The new service agreement quoted \$8.14 per cart and all previous bills were for \$81.6 per cart. Mr. King stated that the \$8.14 was a typo error on his part.

What he would like to do is have a service agreement signed as a 3 year contract.

Councilman Newman mentioned that the tape from December 18, 2008 had been reviewed where Councilwoman Prosser had made a motion for a 3 year contract, but he would like for the attorney to review this before we entered into a contract to be presented to us in the next month or so. We did not get this contract until October and the attorney has not reviewed it. Mr. King asked if there was still an intent to have a 3 year contract. Councilman Newman spoke with Harry Starling (Finance) at the Bulloch County office. Legally, the counties and cities cannot enter into a 3 year contract because of their annual budget plan.

You can do a one year contract with a renewal but not a 3 year contract. Attorney Hunter agreed. Councilwoman Prosser remembers talking about trying this for a year and Mr. King was hesitant because of the cost of setting up for only one year. Councilwoman Wilson requested this be on record that she would commend him on one thing, he did not go up on prices when the cost of fuel went to \$4.00 per gallon. Mr. King advised there was an increase of a fuel sur charge including 4.3% beginning with the 2008 June billing. According to our records the charge for the months of June and July was \$203.52. The amount for August and Sept was \$179.40. October amount was for \$100.88.

Mr. King said they were here to service the town as they had been doing and if there is any service reason for the town to go anywhere else, please let them know and he may talk about cutting prices. Mr. King needs to plan for 2010 and needs to know if he will be allowed to service the town. Mr. Hart said they would only ask for the same courtesy we just heard about the good work done by Ellis Wood. Councilman Hendrix made a suggestion we extend the Live Oak Agreement – not contract – for the remainder of the year and look at it again in November or December 2010. There was a discussion and the mayor asked Councilman Hendrix to repeat the motion. Councilman Hendrix made a motion to extend the agreement with the town for garbage service for the remainder of the year and extend it in 2010. Then there was a discussion whether to make a new agreement from January to December or the fiscal year of July 1, 2009 to June 30 2010. decision was to review this in May, 2010 for the new budget. Mr. Hunter reviewed the agreement and thinks that in January 2010, we might want to enter into a new contract and vote by the new City Council. The general rule is that one council cannot bind a future council. You agree in principal, but re-vote and sign a contract in January. Attorney Hunter suggested we keep this agreement until the end of this year. He will give a better opinion at the December meeting and a new council will deal with it in January 21, 2010 and set up a final structure. Live oak will continue the service thru January 21, 2010. Councilman Hendrix asked to rescind the previous motion.

2. ROD PYE is worried now that he hears that one council is not able to bind over another. He has been put off another month, but appreciates Randy's work. He has been dealing with this since February of this year. If the can come to an agreement at the December meeting to get something done, will this be bound over because there is no way the work would be done from December 19<sup>th</sup> to December 31<sup>st</sup> because of the holidays. He asked Mr. Hunter, legally, a future council could change it, but as a practical matter, this does not matter. Mr. Pye passed out a list of things he wanted copies of, including tapes. Councilman Newman advised he needs to come by City Hall and fill out an open records request.

## **9. NEW BUSINESS.**

### **1. NOMINATION AND VOTE FOR TWO MEMBER OF THE BROOKLET PLANNING & ZONING BOARD.**

Councilman Newman made a motion to nominate Bill DeChristopher. Motion seconded by Councilman Hendrix and passed with all ayes.

Councilman Newman asked Mr. Rod Pye if he would like to be on the board. Mr. Pye said he would be glad to help the City of Brooklet. He is a permanent fixture and is not going anywhere unless he gets run out or drowns and would be happy to serve on Planning & Zoning. Councilwoman Prosser made a motion to nominate Mr. Pye. Motion seconded by Councilwoman Wilson and passed with all ayes.

2. PLANS FOR CHRISTMAS PARTY AND CHRISTMAS BONUS.

Belle has checked with Ralph and the Brooklet Diner about having the party at his place. He has openings in December. A final decision was made for Tuesday, December 15, 2009 at 6:30 P M, with dinner being served at 7:00 P M. Christmas Bonus will stay the same as last year. \$100.00 for full time employees and \$50.00 for Part time employees. Motion was made by Councilman Newman, Seconded by Councilman Hendrix and passed with all ayes. .

3. Barney Sineath asked about the bank balances and was concerned about where the money went. The General fund paid the Water Fund money owed.

4. Mayor Grooms asked for a motion to close regular session to go into Executive session for a discussion on personnel matters. Motion made by Councilman Davis, Seconded by Councilman Newman and passed with all ayes. Councilman Newman made a motion to into executive session for a discussion on personnel matters. Motion seconded by Councilman Davis and passed with all ayes.