

**TOWN OF GARLAND
SPECIAL MEETING & PUBLIC HEARING
OF THE BOARD OF COMMISSIONERS
THURSDAY, DECEMBER 16, 2021
6:30 PM**

The special meeting and public hearing of the Board of Commissioners of the Town of Garland was held on Thursday, December 16, 2021 at 6:30 pm.

The following members of the Board of Commissioners were present:

**Carolyn R. Melvin
Barbara A. Peterson
Jo A. Strickland
Ralph Smith, Jr.**

Commissioner Andy Johnson requested to be excused due to an emergency.

CALL TO ORDER

Mayor Austin Brown called the meeting to order at 6:30 pm. He welcomed everyone in attendance. Town Clerk, Pamela Cashwell, was present recording notes for the minutes.

QUORUM

Mayor Austin Brown and Clerk Cashwell established there was a quorum present.

BUDGET AMENDMENT

Clerk Cashwell presented Budget Amendment 2021-2022-02 to the board for consideration. Mayor Pro Tem Carolyn R. Melvin made a motion to approve the amendment as presented, seconded by Commissioner Barbara A. Peterson, and carried unanimously. (See attached). Mayor Austin Brown read a letter by Mr. E. L. Rackley stating he was contributing \$10,000.00 to the C. D. Cain Memorial Park Restricted Fund in honor of his late wife, Mrs. Connie Rackley. He noted they were happy to donate the land for this project and it made Connie happy to see many children playing in the park. He noted he and his family would like to see this donation be earmarked toward a capital project for playground equipment or activity in Connie's memory. He stated he and his family were looking forward to further development of the park especially with the walking track and restroom facilities that will be constructed as part of the CDBG project.

ATTORNEY RESIGNATION LETTER

Mayor Austin Brown read a letter dated November 16, 2021 from Attorney Alan Maynard resigning as Attorney for the Town of Garland. He thanked the town for the opportunity to serve as attorney and wished the town and the new board much success in the future. He submitted his final bill in the letter. Mayor Pro Tem Carolyn

R. Melvin made a motion to accept the resignation submitted by Attorney Alan Maynard, seconded by Commissioner Barbara A. Peterson, and carried unanimously.

Mayor Brown noted he had asked Attorney Maynard to itemize his final bill and he received that information and sent it to each board member today for review. Commissioner Jo A. Strickland stated she did not think the final bill should be paid until we receive a more specific itemized bill indicating how many emails he had received, who they were from and the purpose of the emails. Commissioner Ralph Smith, Jr. stated he is in favor of paying the final bill and working toward hiring an attorney to represent the town. After additional discussion, Commissioner Ralph Smith, Jr. made a motion to approve paying the final billing submitted to the town by Attorney Maynard, seconded by Mayor Pro Tem Carolyn R. Melvin and carried with a vote of three to one. Commissioner Jo A. Strickland cast the dissenting vote.

ATTORNEY SEARCH PROCESS

Mayor Austin Brown informed the board they could reach out to attorneys of their choosing to interview for the vacant position and noted the interviews would be conducted in open session at a board meeting. He recommended they schedule interviews for at least three candidates and begin the interviewing process during the January 18, 2022 meeting. Board members discussed local attorneys they are familiar with and agreed to reach out to various candidates and see if they are interested in the position of town attorney.

BRIEF RECESS

Mayor Pro Tem Carolyn Melvin made a motion to take a brief recess at 6:50 pm., seconded by Commissioner Ralph Smith, Jr. and carried unanimously.

Mayor Brown called the meeting back to order at 6:59 pm.

PUBLIC HEARING FOR ZONING REQUEST

Mayor Pro Tem Carolyn R. Melvin made a motion to enter in Public Hearing for the purpose of a proposed special use permit submitted by Mrs. Grace Bryant, seconded by Commissioner Ralph Smith, Jr. and carried unanimously.

Mayor Brown stated the zoning application submitted by Mrs. Bryant was to open a day care facility called Sunny Daycare in her home located at 459 W. Fifth Street. This requires a special use permit for the zoned location. Letters were sent to all adjoining property owners and no responses have been received. Mayor Brown opened the floor for public comments, and none were received.

Mayor Pro Tem Carolyn R. Melvin made a motion to close the Public Hearing, seconded by Commissioner Barbara A. Peterson and carried unanimously.

BOARD ACTION FOR ZONING APPLICATION

Commissioner Ralph Smith, Jr. made a motion to approve the special use permit submitted by Mrs. Grace Bryant, seconded by Mayor Pro Tem Carolyn R. Melvin, and carried unanimously.

ADJOURNMENT

Mayor Pro Tem Carolyn R. Melvin made a motion to adjourn the meeting, seconded by Commissioner Barbara A. Peterson and carried unanimously. Meeting adjourned at 7:02 pm.

Pamela Cashwell

Pamela Cashwell, Town Clerk

Board Approved:

Austin Brown

Austin Brown, Mayor