

AMENDED FEBRUARY 17, 2004

MINUTES

TOWN COUNCIL MEETING

January 20, 2004

PROSPERITY, SC 29127

7:00 P. M.

A public meeting was held as 6:00 p.m. to receive comment on the Youth Protection Ordinance.

In attendance representing the Town were: Mayor Bruce Connelly; Councilman Allen Gallman; Councilmen Larry Spotts; Councilman Derek Underwood; Councilman G.W. Dawkins; Andrea Cantrell, Town Manager; Hank Bufkin, Town Attorney; Chief Benji Sease; Officer Scott Wilson. Public in attendance were: Pat Smith; Cindy Pitts (Newberry Observer); Naomi Mayers and Laurie Renwick.

Mayor Connelly opened the public meeting. Chief Sease reviewed the purpose for drafting this ordinance and also reviewed the details of the proposed ordinance.

Pat Smith stated that she had lived in areas in the past where curfews were enforced. She also stated that even though Prosperity is a wonderful Town there is still nothing for the children to do after 11:00 p.m. at night. There is no reason for children to be out late at night unless it is a supervised activity.

Mayor Connelly and Chief Sease both stated that the proposed ordinance is to protect the youth in our community.

Discussion followed regarding the effect the ordinance would have on children and how officers would make the determinations on a case by case basis.

Jonathan Jackson questioned the impact this would have on a child if there were arrested and it was later determined that they had a legitimate cause to be out after 11:00 p.m. He stated that this could affect them later in life.

Chief Sease that if a child had a legitimate reason for being out they would not be arrested. It would have to be determined on a case by case basis.

Naomi Mayers stated that the parents should be responsible for children under eighteen not our local law enforcement.

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James Summer stated that he had seen children out late at night however he felt this was targeting one group of people.

Officer Wilson stated that this ordinance is strictly for the protection of the youth in our area. Discretion will be used with each situation but it will give the authority for us to deal with the bad situations.

Councilman Gallman stated that he felt like we needed to be fair to the police department as well as the public. This ordinance could be helpful and harmful to our community. It needs to be monitored closely.

Councilman Underwood stated that it would be monitored closely. If there were any situations where one individual was being target without cause it would be addressed by Council immediately.

Mayor Connelly thanked everyone for their input and stated that the proposed ordinance would be reviewed by Council during the regular meeting at 7:00 p.m.

A public hearing was held at 6:30 p.m. regarding annexation of property on Wessinger Road.

Ms Cantrell reviewed the proposed annexation. It will involve fifteen lots that will be zoned R7. This will be the second reading tonight.

No comments or questions were presented from the public.

The regular scheduled meeting began at 7:00 p.m.

Council Attendance: Mayor Bruce Connelly, Councilmen Larry Spotts; Allen Gallman; Derek Underwood; G.W. Dawkins

General Attendance: Andrea Cantrell, Town Administrator; Chief Benji Sease; Fred Sexton, Public Works Director; Officer Scott Wilson; Hank Bufkin, Town Attorney

Public: Pat Smith; John, Susan, Frances, Casey & Cole Dawkins; Sabrina & Asa Manning; Laurie Renwick; Cindy Pitts (Newberry Observer); Gerald Drafts; & Billy Hiller

Councilman Gallman opened the meeting with prayer.

SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS:

Councilman Spotts read the oath of council.

Councilman Dawkins read the oath of council.

APPOINTMENT OF MAYOR PRO-TEM:

Mayor Connelly stated that every two years it is the responsibility of the Mayor of Prosperity to appoint the position of Mayor Pro-Tem. This is a very important position as it does play a major role in the way the Town is shaped for the future. Mayor Connelly thanked council for their input and comments.

In order to qualify for this position the candidate must work with Council and all departments. This would include the police department, the utility department and certainly the administrative department. This individual must have a good working knowledge of the town budget and discuss with the Mayor and Town Manager ways to meet the many State and local demands. In addition the Mayor Pro-Tem, like Council, is expected to review and sign bills each month and make sure council has approved all bills.

Mayor Connelly appointed Councilman Gallman as the Mayor Pro-Tem. Councilman Gallman stated that he would do his best to serve as Mayor Pro-Tem for the Town of Prosperity. Mayor Connelly asked that everyone give Councilman Gallman their support.

APPOINTMENT OF COMMITTEES:

Mayor Connelly stated that he would like the committees to remain the same.

RE-APPOINTMENT OF ALL TOWN EMPLOYEES:

A MOTION by Councilman Dawkins to reappoint all town employees; Seconded by Councilman Gallman and so approved unanimously.

APPROVAL OF MINUTES:

Mayor Connelly presented the minutes of the November 18, 2003 council meeting to Council for approval.

A MOTION by Councilman Underwood to approve the minutes of December 16, 2003; Seconded by Councilman Gallman and so approved unanimously.

WELCOME NOTES:

Mayor Connelly welcomed everyone to the Town Meeting. It is a very important meeting as swear in our council member and we appoint new committees. Mayor Connelly thanked everyone for attending.

OPEN SESSION – PUBLIC

Mayor Connelly asked for any public input at this time. None was given.

REPORT OF COMMITTEES:

Electrical, Fire Department, & Parade: Councilman Underwood stated that he has spoke with Fred about relocating the power pole between Hamm Hardware and Thelma's Florist. There is a new building behind Thelma's Florist and the pole in not able to get service because of space restrictions. Councilman Underwood also stated that Fred would like to relocate this pole on a Sunday. It would only effect the hardware store and they are not open on Sunday.

Councilman Underwood stated that poles had been replaced and lines raised at Sunset Trailer Park. This was a hazard for the children and has been taken care of.

There is a problem at Forest Hills regarding access to the electrical lines. It makes it very difficult to work on the lines. This needs to be discussed during the next budget year. Fred stated that the projected costs to relocate the poles and make the repairs would be around \$30,000.00 to \$40,000.00.

Councilman Underwood thanked the fire department for including the Council Members and their spouses at their Christmas Party.

Sanitation and Street: Councilman Dawkins had no report for streets and sanitation. He wanted to thank everyone for electing him to another term on Council.

Building, Recreation and Parks: Councilman Gallman stated that four buildings were auctioned off on Wye Street on Friday. George Harvey Caldwell purchased the buidling and will hopefully clean them up and put them to good use.

Councilmen Gallman stated that sign up is February 2nd. Sabrina Manning stated that we are looking forward to another good year.

Police Department: Chief Sease stated that we picked up the new car purchased from the Local Law Enforcement Block Grant. It should be on the road by next week. Mayor Connelly stated that everyone needs to thank Chief Sease and Ms. Cantrell for their hard work on this grant. This car would have costs this department around \$25,000 to \$30,000.

Water and Sewer Department: Councilman Spotts stated that on December 21st we had a four-inch water main break behind Town Hall. On December 30th Fred got a valve replaced on Colony and Brookside Drive. There was also a sewer stoppage last Sunday on Pine Street and Potato House Road.

Town Administrator: Ms. Cantrell stated that she had no report at this time. Councilman Spotts questioned if the minutes are going on the website. Ms. Cantrell stated that they are however we try to send a couple months at a time so it will not cost the Town as much money.

Councilman Spotts questioned when the financial statements for the month would be available. Ms. Cantrell stated that the statements would be available in about two weeks.

Town Attorney: Mr. Bufkin stated that last month Mayor Connelly asked if we would find out the status of the land around the Clinic Well and behind the old Mills Clinic. Dr. Mills deeded the Clinic Well property to the Town in January 1968. It is a fifty-foot by fifty-foot square parcel and a ten-foot wide easement from the well to the main lines on Hwy. 76. The easement runs behind Dr. Chibarro's office. Also listed on this deed was an unspecified easement for ingress and egress to get there. As the surrounding property is developed the Town does have the right to access the areas in order to provide service.

Old School Renovations: Mayor Connelly stated that the renovations are at a stand still right now until our funds build back up. Councilman Gallman stated that the Town might want to consider giving some funds to the Old School Renovation Committee. Mayor Connelly stated that the Committee is currently discussing the renovation of the restrooms. The committee can get some proposals and then report back to Council regarding what funds are needed.

OLD BUSINESS:

Second Reading of Curfew Ordinance: Mayor Connelly asked Council for comments on the proposed ordinance. Councilman Underwood stated that he had all confidence in our Police Department to use this ordinance as a tool and resource to make the streets safer for citizens and the youth that we are trying to

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protect. It gives them the authority to address the bad situations. Councilman Underwood stated that he was in full support. Councilman Gallman stated that he supported the Police department but asked that they not target a specific group. Councilman Spotts stated that he supports the Police department however he would like to see the second reading put on hold another month. Councilman Spotts was contacted by several people that were unable to make the meeting tonight and he would like to give them a chance to respond. Councilman Dawkins stated that changes could still be made before next month. Mayor and Council agreed to put the second reading on next months agenda.

2nd Reading of the Wessinger Road Annexation: Mayor Connelly asked for any questions from Council.

A MOTION by Councilman Dawkins to approve the 2nd reading of the Wessinger Road Annexation; Seconded by Councilman Gallman and so approved unanimously.

NEW BUSINESS

Recreation Fees: Councilman Spotts stated that at one time the out of town participants paid \$5.00 more than the in town participants. He stated that some tax money does go to the recreation department and out of town participants should pay more money. Mayor Connelly pointed out the Parade Committee, the Business Association, the Fire Department are all made up of members from out of town however we do not penalize them because they in return support our town. Our recreation department is by far one of the best in the area. Around a thousand children support our program each year. These people supporting our recreation program also come through our town and support our merchants. Comments have even been made from merchants regarding this. Councilman Gallman stated that he had no knowledge of the Town charging more for out of town participants and feels that the fees should be the same for all. Councilman Spotts stated that he felt the out of town participants should pay more for fees than in town participants. Mayor Connelly stated that Newberry County also subsidizes our recreation program. Sabrina Manning stated that the County gave \$11,700.00 to our program this past year. A portion of this money had stipulations on it however \$10,000.00 of the funds was simply to support the program. Ms. Manning stated that the recreation budget is set up to support itself through fees. Councilman Underwood stated that if you start charging out of town participants more money it will discourage them from participating in our program. Mayor Connelly stated that the fees will remain the same unless Council would like to vote to change them.

GENERAL INFORMATION

Thanks to each of you for your understanding and support during a very difficult time for the Town of Prosperity. Let me explain. Before December 1, 2003 we have had to deal with numerous unplanned situations. Since December 1, 2003 we have been without a Clerk/Treasurer. Part of the season is by choice and another part is we felt the timing was not right to bring in a new person. Before December we already knew a number of reports and figures did not match well with the new Windows program. It is extremely difficult to match and/or transfer information from a DOS computer program and a Windows program. The people with the software company have worked very hard to make them compute properly. It was not felt a new employee should be put in this situation, so we decided to wait. We knew additional help would be needed so we have engaged our auditor to assist and make sure when the program is complete the figures would match.

Next was a chain of events that took place that made running this office very difficult. First Melissa's husband had to have emergency surgery and she had to be out. Next out part time employee Missy had a family emergency and had to be out. Well if that was not enough, Andrea developed the flu. She worked sick and into the night to make sure all parts were covered. All bills got paid and payroll was met. What a job. Each of you should thank Andrea for her devotion and hard work. Some time ago I told each of you I would reward Andrea for her devotion and hard work. Soon I will exercise my right as Mayor and do just that. Once that decision is made I will advise each of you of just what. If you would like to make a suggestion I stand ready to listen. Thank you Andrea for your devotion and hard work. On behalf of the Town we appreciate the job you are doing.

A MOTION by Councilman Dawkins to adjourn the council meeting at p.m.;
Seconded by Councilman Gallman and so approved unanimously.

Andrea Cantrell
Town Administrator