

MINUTES
TOWN COUNCIL MEETING
February 17, 2004
PROSPERITY, SC 29127
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; Fred Sexton,
Public Works Director; Chief Benji Sease; Hank
Bufkin, Town Attorney; Sabrina Manning, Recreation
Director and Janet Chastin, Clerk/Treasurer

Public: Laurie Renwick; Cindy Pitts (Newberry Observer);
Cathy and Vick Blackwelder

Councilman Allen Gallman opened the meeting with prayer.

APPROVAL OF MINUTES:

Mayor Connelly presented the minutes of the January 20, 2004 council meeting to Council for approval.

Councilman Spotts stated that he would like his comment regarding the financial statements added to the minutes under the report of the Town Administrator. The addition was noted.

A MOTION by Councilman Underwood to approve the minutes of January 20, 2004; Seconded by Councilman Gallman and so approved unanimously.

APPROVAL OF TOWN INVOICES:

Mayor Connelly stated that this would be a new part of the monthly council meeting. Our auditor requested that we address the approval of the monthly invoices. Mayor Connelly stated that it is each Council members responsibility to go by the office and review the monthly bills put out by the Clerk/Treasurer.

A MOTION by Councilman Dawkins to approve the monthly invoices; Seconded by Councilman Gallman; the motion carried four to one with Councilman Spotts opposing.

Town Council Meeting
February 17, 2004

Councilman Spotts stated that he would approve the bills prior to being paid but not after they were already paid. Mayor Connelly questioned if Councilman Spotts had reviewed the monthly invoices. Councilman Spotts stated that he had not approved the bills because they were already marked paid and he would not sign off on invoices that had already been paid.

WELCOME NOTE:

Mayor Connelly thanked all for attending. He stated that all of the Town meetings are open to the public and we appreciate anyone that takes the time out to attend.

Before we get into our regular agenda there are several changes I would like to make you aware of. Some of the changes will be at our Auditors request. Another change will be because of a State requirement. Other changes will be made because I feel they will help the Town run more efficiently.

First let me state that this Town operates within the rules of good parliamentary procedures which so states that we must have 2/3 of the Councils vote in order to make or change a decision. This simply means that no one or two of us can effect policy changes. This Council can overrule any ruling that the Mayor makes and their decision will stand. In addition any Council ruling that is voted on and approved will be recorded for permanent record. Our individual feelings that do not pass will not be recorded, as it is not in keeping with good parliamentary procedure.

The first change you will see is we have added the approval of the Town expenses. Now they too must be voted on by this Council. This will be noted on the agenda each month. In the past there was an agreement that each Council member would review all expenses and then signs the invoice upon approval and after that they were paid. This seems to have worked well for a number of years. Then last April Mr. Spotts no longer reviewed or signed the bills and this is his prerogative. However if all the Council chose not to review or sign the bills then this Town would cease to operate. We will continue to review the bills and I ask each Council member to review and sign these monthly invoices. This is so you will be familiar with all Town expenses. The signed bills will come up for a vote by this Council. If at least three members do not sign a bill it will not be approved to be paid. Hopefully this will be suitable.

Next I am advising you that effective immediately direction of the Town employees can only be by vote of the Council, Mayor Pro-tem or myself. As stated earlier we operate by 2/3 majority vote and this will eliminate confusion

Town Council Meeting
February 17, 2004

as well as make sure the staff follows what the complete Council wants. This is being done to make sure we keep our budget in line. Several occasions we have had problems that the staff was told to handle personal request. There is one exception to this rule and that is a utility emergency. This will take precedence over this rule. Again Council can overrule me on this by a 2/3 majority vote.

Thirdly no council member will be allowed to travel at the Town's expense without a vote by 2/3 Council, Mayor Pro-tem and myself requesting this exception. This is so we can be aware of any major expenditure and make sure it is in the budget. Right along with this change is no Council member can request a travel advance. The State will no longer approve this. The money must be expensed and claimed.

Councilman Underwood asked for clarification on the travel expenses. Mayor Connelly stated that the money must be expensed first and then turned in for reimbursement. Ms. Cantrell stated that we could still pay registration and fees that are a set amount. Items like food and gas will not be expensed in advance. Receipts will have to be turned in for these items.

OPEN SESSION – PUBLIC

No one from the public wished to comment.

REPORT OF COMMITTEES:

Electrical, Fire Department, & Parade: Councilman Underwood thanked Fred and his crew for the great job during the ice storm. The resources available to them were limited but they still did an outstanding job.

Sanitation and Street: Councilman Dawkins also wanted to Fred and his crew for the great job performed.

Councilman Dawkins stated that the sidewalks are in need of repair again. We will be working on this soon. And the highway department recently patched some areas in the road but additional repairs are needed. He stated that he would be getting with Fred to get a list together for them to repair.

Councilman Underwood stated that he had heard that the Highway Department would be assisting us with limb removal from the ice storm. Ms. Cantrell stated that this was mentioned to Fred but nothing has been confirmed at this time. Mr. Bufkin questioned if this work would be contracted out. Ms. Cantrell stated that

Town Council Meeting
February 17, 2004

the Highway Department would be contracting it out. Fred stated that this was part of the delay because they were waiting on bids to come in.

Building, Recreation and Parks: Councilman Gallman stated that the baseball season would be starting soon. Work is needed on the Langford Street and the Railroad ballparks. He stated that the nets need to be put back up at the Railroad ballpark. On the Langford Street ballpark we will need some soil added to the field. Ms. Manning stated that we are taking bids on resurfacing that ball field. Councilman Gallman stated that we are hoping for a good season this year.

Police Department: Chief Sease stated that our part time officer, Bill Griffin, is out on medical leave right now. Chief Sease asked that everyone keep him in their prayers. Mayor Connelly stated that the Police Department also did an outstanding job during the ice storm. They helped control traffic while Fred and his crew were working on the power lines.

Mayor Connelly also stated that the new car has been striped and is on the road.

Water and Sewer Department: Councilman Spotts stated that during the ice storm on the 28th we had a six inch water main to break on South Main Street. On the 8th of February we had a stopped up sewer main on North Wheeler Street. And also the pump in the Clinic Well is burn up and we are currently getting it worked on.

Fred thanked Councilman Spotts for helping with the water main break during the ice storm.

Town Administrator: Ms. Cantrell stated she had been working with Fred to get some assessments for the damage from the ice storm. We are around \$52,000.00 in damage to date. This will increase slightly with the additional bills that we will receive. Mayor Connelly asked if it would be possible to get a final total within the next thirty days. Ms. Cantrell stated that all the bills should be in shortly to allow us to get a finalized figure. She also stated that the costs of the water main break that occurred during the ice storm should be added into this final amount because we are certain that this was caused by the weather also.

Town Attorney: Mr. Bufkin stated that he has no report at this time but would like to ask that Council add an executive session to the agenda for tonight.

A MOTION by Councilman Underwood to add an Executive Session to discuss litigation; Seconded by Councilman Dawkins and so approved unanimously.

Town Council Meeting
February 17, 2004

Old School Renovations: Mayor Connelly stated that the Auditorium Benefit Committee has met and they are excited about about upcoming fundraisers. Recently during the ice storm it would have been beneficial to have a facility like the auditorium to utilize.

Mayor Connelly stated that last Saturday he met with the Studebaker Club. They were very excited to come to Prosperity to meet and stated that they would be back in the future. All these individuals were from out of Town.

OLD BUSINESS:

Second Reading of Curfew Ordinance: Mayor Connelly recognized Laurie Renwick, who wanted to speak on the curfew ordinance. Ms. Renwick stated that she was representing the Prosperity Business Association. She wanted to publicly thank the Police Department for their hard work in keeping the quality of life good for the citizens and the people that visit with us in Prosperity. She asked that the Police Department not interpret the concerns regarding the curfew ordinance as a lack of support. The concern is merely an understanding of the language that is used in the ordinance, which pertains to business owners. Ms. Renwick read the portion of the ordinance that pertains to business owners. She questioned if these portions of the ordinance help achieve the purpose stated or will deleting this portion hinder the police from achieving the purpose stated. The members of the Business Association believe the answer to both of these questions is no. She also stated that the businesses in Prosperity do not operate during these late night hours. The ordinance also addresses children present at a local business during school hours. Mr. Renwick questioned if we really want to address on a daily basis whether or not children are attending school. Is this our responsibility. The school district has funds and manpower to address children that are constantly out of school. The Business Association feels that this language is not necessary in this ordinance. Councilman Underwood stated that it had already been discussed about leaving this wording out of the ordinance. Mayor Connelly stated that this was originally put in the ordinance to give the Police Department the authority to address this situation if it arose. We have had this issue come up in the past. Chief Sease stated that he had no problem leaving these sections out. Mr. Bufkin stated that his recommendation would be to leave the truancy portion left out and if we have issues in the future this portion can be added back in. Mayor Connelly stated that he would like to see the curfew hours changes to 12:00 all the time instead of 11:00 Sunday through Thursday and 12:00 on Friday and Saturday. Councilman Gallman stated that during baseball season the boys are out late at night and some of the children have to walk home. Mayor Connelly stated that this situation would be fine. The ordinance gives the Police Department the authority to address an issue if a situation should arise.

Town Council Meeting
February 17, 2004

We have had some issues in the past and the Police department needs the authority to address them. He also stated that he would like to appoint Councilman Gallman to work with Chief Sease to monitor this ordinance and these situations. Mr. Bufkin suggested that Council passes the ordinance but agrees to review it around three months and then again at the end of the summer. Mayor Connelly stated that Council has heard the proposed changes, which consist of leaving out item #2, #4, Section C and changing the curfew to 12:00 seven days a week. Councilman Spotts stated that he supported the police department however he would like to see the ordinance rewritten before voting on it. Councilman Underwood stated if the changes are on the record this should be sufficient.

A MOTION by Councilman Gallman to approve the second reading of the Youth Protection Ordinance; Seconded by Councilman Underwood; the motion carried four to one with Councilman Spotts opposing.

NEW BUSINESS

Appointment of Clerk/Treasurer (Janet Chastain): Ms. Cantrell introduced Janet Chastain as the new Clerk/Treasurer for the Town. She stated that Ms. Chastain is originally from Georgia but is living in Prosperity now.

GENERAL INFORMATION

Mayor Connelly stated that he had written a letter to the Newberry Observer and would like to read it to Council. (See attached copy of letter) Mayor Connelly stated that also had a letter going to the State paper in Columbia that addresses an article by the Chicago Tribune regarding the Town of Prosperity. Please be looking for this also.

Mayor Connelly read thank you notes from Wendy Steiner (owner of the German Restaurant), Willie Floyd Ruff, and Nancy and Lester Vaughn for the Town's hard work during the ice storm.

Councilman Gallman recognized Fred and his crew again for their diligent work and long hours during the ice storm.

A MOTION by Councilman Underwood to go into Executive session; Seconded by Councilman Gallman and so approved unanimously.

Town Council Meeting
February 17, 2004

A MOTION by Councilman Dawkins to come out of Executive session;
Seconded by Councilman Gallman and so approved unanimously.

Mayor Connelly stated that during Executive Session a litigation issue that the Town is involved in was discussed. No action will be taken at this time.

A MOTION by Councilman Dawkins to adjourn the council meeting at 7:51 p.m.; Seconded by Councilman Gallman and so approved unanimously.

Janet Chastain
Clerk/Treasurer