

**MINUTES**  
**TOWN COUNCIL SPECIAL CALLED MEETING**  
**PROSPERITY, SC 29127**  
**March 1, 2004**  
**7:00 PM**

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

General Attendance: Andrea Cantrell, Town Administrator; Attorney Henry Bufkin; Janet Chastain, Clerk/Treasurer

Councilman Allen Gallman opened with prayer.

Mayor Connelly stated that this meeting has been called to have the first reading on the amended procurement policy. Mr. Bufkin stated that after the last meeting he felt like the Town was going in the wrong direction with the procurement policy. He stated that Ms. Cantrell had given him the procurement policies that were drafted and amended in April 17, 2001. It set up procedures for who had authority to do what, and how procurements were generated in order to proceed with the daily operations of the Town. Mr. Bufkin stated that he felt that this ordinance adequately laid out who had the authority to do what. He stated that it had been brought up that the Town pays a few monthly bills outside of this ordinance. These are bills that occur every month (For ex. – Duke Power and US Dept. of Energy) which have to be paid in a timely manner. This situation is not included in this ordinance and this seems to be a flaw. The Town's administrative staff is capable of handling these duties. Although this process needs to be monitored, the administrative staff needs to be trusted to follow through with these procedures. Mr. Bufkin stated that there is no way that the Town could efficiently run if the Council had to approve every bill prior to payment. This would demand too much time from Council. He suggested amending the ordinance to include a section that would account for the bills that are paid every month. The portion added would be page four, subparagraph E (see attached copy). He also stated that the bills, paid and unpaid bills, are available for the Council to review at any time. The Council has every right to question any bill. Mayor Connelly stated that his interpretation of reviewing the bills was simply to make Council aware of how the Town's money is being spent. Councilman Underwood stated that Section four states that Council is to review the bills in order to ratify the Town Administrators actions. No where does it state that Council is to pre-approve bills. Mr. Bufkin stated that the only place in the ordinance that pre-approval is needed is when an expenditure is over \$5,000.00, and at that point pre-approval from two Council members are

needed. Councilman Spotts questioned which bills would be paid prior to their approval. He also stated that he would not approve a bill after payment had been made. Mr. Bufkin stated that Councilman Spotts had every right to come in on a daily basis and review bills prior to them being paid. The only other option is for Council to totally rewrite this ordinance. The changes that are being proposed tonight makes no change to how Council reviews the bills. Councilman Spotts questioned if the staff could contact him when the bills were ready to be paid then he would come over and review them. Mayor Connelly stated that the staff could not be expected to contact every Council member every time they got ready to pay a bill. He suggested that we choose day that the bills would be put out for approval. Ms. Cantrell stated that bills are paid every Tuesday and could be put out for review on Monday. Councilman questioned what would happen if a bill had already been paid and the majority of Council would not ratify it. Ms. Cantrell stated that this has been a question in the past. Mr. Bufkin stated the Town runs smoothly because the staff takes care of the day to day operations and Council reviews and oversees the operations to be able to answer to the public that everything is running smoothly. By demanding approval in advance it will greatly slow down this process. Ms. Cantrell stated that the Town's Auditor (Dean Richardson) stated that it was not his intent by his comments in his management letter that Council pre-approves every bill. He simply wanted Council to be aware of what was going on this office. She also stated that Mr. Richardson reiterated this statement in an email she received today. Ms. Cantrell read the email received from Mr. Richardson (copy attached). Mayor Connelly stated that to satisfy all parties, the bills could be put out on Monday and any Council member who wishes to review them prior to payment could do so, however it would not be required. Ms. Cantrell pointed out that this would still only be reviewing the bills not pre-approving unless we change the ordinance. After discussion it was agreed that the bills would be put out on Monday for review by all Council members. Mr. Bufkin stated that he would add this addition to the ordinance. Ms. Cantrell stated that all department heads review their bills also. Mr. Bufkin questioned if the in Town bills were still being held for approval before being paid. Ms. Cantrell stated that this is a procedure that is still taking place. The in Town bills are held until Council reviews them and they are then paid. Some of the newer businesses in Town have put ten and fifteen day turnaround on their invoices. We had to pay some of these prior to Council's approval simply to avoid charges. She also stated that we did not have a good understanding for why these bills were being held. Mr. Bufkin stated that the ordinance does not make separate stipulations for in Town bills and his recommendation would be that they are paid in accordance with the ordinance. Mayor Connelly asked if Council was in agreement.

March 1, 2004  
Special Called Meeting

**A MOTION** by Councilman Underwood to amend the Procurement Policy Ordinance dated April 17, 2001 with the addition of Item E to Section 4-2; Seconded by Councilman Gallman and so approved unanimously.

**A MOTION** by Councilman Underwood to adjourn meeting at 7:30 P.M.; Seconded by Mr. Gallman and so approved unanimously.

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Janet Chastain  
Clerk/Treasurer