

**MINUTES**  
**December 19, 2006**  
**Town Council Meeting**  
**7:00 PM**  
**Prosperity, SC 29127**

Council Attendance: Mayor Larry Spotts, Councilmen: G.W. Dawkins  
Allen Gallman, Chad Hawkins, & Derek Underwood

Administrative Attendance: Karen Livingston, Clerk Treasurer;  
Hank Bufkin, Attorney; Sgt. Scott Wilson; Craig  
Nelson

Mayor Spotts called the regular meeting to order. Mayor Spotts welcomed everyone and stated that there would be one change to the agenda. Number 6 New Business Item a. Mr. Caldwell is unable to be here tonight. Mayor Spotts asked Councilman Gallman to open the meeting with prayer.

**APPROVAL OF MINUTES:**

There is one set of minutes to be approved. Mayor Spotts asked for a motion to approve the November 21, 2006 Regular Meeting Minutes.

**A MOTION** by Councilman Underwood to approve the minutes of the November 21, 2006 meeting as written; seconded by Councilman Gallman and so approved unanimously.

Mayor Spotts recognized Daniel Hare to speak on policies. Mr. Hare read from a prepared statement concerning the children of Prosperity. Mr. Hare thanked Mayor Spotts and Councilman Hawkins for getting the ball rolling for youth football next fall. Mr. Hare asked for the gym doors to be open for youth basketball.

**REPORT OF COMMITTEES**

**Electrical, Fire Dept., Parade Comm. & Rescue Squad:** Councilman Underwood Thanked everyone for their help with the Parade and reported that there was a good turnout for the parade and that the float had been moved from the picnic shelter. Electrical budget looks good. Having nothing specific to report from the Rescue Squad at this time, Mr. Underwood closed his report.

**Sanitation, Streets, & Buildings Departments:** Councilman Dawkins stated that he had nothing specific to report. Mayor Spotts asked if the tile replacement project was finished and it was reported by Mr. Sexton that it was. Mayor Spotts and Councilman Dawkins commented on how good the streets looked with the new paint and thanked the

Utility Department for their hard work. Mayor Spotts asked about the new epoxy that was used on the tile and Mr. Sexton responded that it had its pros and cons and time would tell if it worked better. Councilman Underwood asked for updates on the limb removal and was told that the project was underway.

**Water and Sewer:** Councilman Gallman reported repair work to lift station one and two. He also thanked Ms. Livingston and the Utility Crew for the new sidewalk. Mayor Spotts asked about the leak on Brown Street and was told that the repair would be done on Wednesday morning.

**Police Department:** Officer Wilson reminded Council that Adrian Navarette will graduate from the police academy on Friday, December 22, 2006 and invited all who could to attend. Calls for service totaled 80 for November with 32 moving violations, 8 adult arrest and 0 juvenile arrest. Several police reports were distributed to Council showing high activity at the Overnight Club on Kibler Street, which opened on October 20, 2006 with weekly calls including open beer, public intoxication, and a fight that sent 6 people to the hospital. Officer Wilson is going to speak to Bobby Boyd, owner, and see what can be done to resolve the issues. Council is reviewing the public nuisance ordinance to see if Council can do anything to help resolve this issue. Mr. Bufkin asked if weapons had been used and was told that the only weapons used were beer bottles but no knives or guns.

**Recreation & Parks:** Councilman Hawkins stated that we are without a recreation coordinator. We are working with an outside source to resolve our issues and hopefully we will have some direction by the beginning of the year. Benjamin Odom, who is working on his Eagle Scout badge, is working up a proposal for the roadside park on Hwy 76 to show his leadership skill by building picnic tables and or park benches with a 14x14 shed. The Town would be responsible for material and the scouts would provide labor. Mayor Spotts stated that in the past concrete has been donated and asked that we check with him to see if concrete can be donated. Councilman Hawkins is also working with Ms. Cushman to see about a PARD Grant.

**Utility Department:** Utility Director, Fred Sexton had no report at this time. Councilman Hawkins thanked Fred for the lights to illuminate the park and flag and stated that they really looked good. Councilman Hawkins asked about putting lights on the street going to the lighthouse and was told that we would wait until the construction was done on the new firehouse before the poles and lights were set.

**Town Attorney:** Mr. Bufkin stated that he had been given a task to find out about an abandoned car. Mr. Bufkin reported that the car does not qualify as abandoned since it is properly licensed. He went on to state that the car is part of an estate and he has talked with the owner and the owner will resolve the issue as soon as possible and have the car moved or stored elsewhere. Mr. Bufkin stated that he was still collecting information from other towns about fees charged for services. He does not have a presentation for Council on this matter however, He and Ms. Livingston will work on this for next month.

**Clerk/Treasurer:** Mrs. Livingston stated that our customer Appreciation week was very successful and was expanded to include Town Talk and an Art Show featuring artwork from Mid-Carolina High School Students. Ms. Livingston thanked Dr. Lynn Cary and Debbie Bowers-Murphy for their help with coordinating the Art Show. Livingston stated that since we do not know what County Council will do with the Property Tax Issue, She asked that all purchases be reviewed and assessed for timely need. Ms. Livingston also, asked that the bids for a utility truck and utility vehicle that will be tabled until we are sure of funding from property taxes. Ms. Livingston thanked Fred and his crew for their help with the light installation and a big thank you to the Building and Grounds Department of the Newberry County School District for completing the walkway beside the building.

## **OLD BUSINESS**

### **FIRST AUTOMOTIVE**

Mayor Spotts stated that this item would be postponed until the January meeting.

## **NEW BUSINESS**

**05/06 AUDIT REPORT:** Dean Richardson with McGregor and Company thanked council for inviting him tonight. Mr. Richardson stated that the audit has been completed and is in draft form waiting for the management letter and should be completed by weeks end. Utility fund reported a net decrease in funds by \$132,000 compared to \$118,000 in the previous year. Government Activities Fund (General Fund) reported a net decrease in fund balance by \$22,605.00 reflective of the capital improvements to the Town Center. The report will include an unqualified opinion and some management recommendations that have been discussed with management during the fieldwork. This was a very intense audit and Dean appreciated the cooperation from Town Staff and Management.

**ZONING BOARD OF APPEALS APPOINTMENT:** Mr. Rick Mercer has resigned from the ZBA and Catherine Eldridge has been nominated to fill his spot. Also, Ms. Debra Cook has agreed to extend her appointment for one more year. Mayor Spotts asked for a motion to appoint Catherine Eldridge and reappoint Debra Cook to the Zoning Board of Appeals.

**A MOTION** by Councilman Underwood to appoint Catherine Eldridge and reappoint Debra Cook to the Zoning Board of Appeals; seconded by Councilman Dawkins and so approved unanimously.

## **EXECUTIVE SESSION**

Mayor Spotts announced personnel issues, Duke Contract, a insurance matter and a legal matter for discussion in executive session.

**A MOTION** by Councilman Gallman to go into Executive Session; Seconded by Councilman Hawkins and so approved unanimously.

**A MOTION** by Councilman Underwood to come out of Executive Session; Seconded by Councilman Dawkins and so approved unanimously.

Mayor Spotts stated that no decisions were made in Executive Session.

**GENERAL INFORMATION**

Mayor Spotts stated that a spending freeze would be implemented tonight for non-essential spending. Council agreed that the Administrator would work closely with each department to determine spending requirements and approvals for each one. Mayor Spotts commended the utility department for their work on the cleanliness of the Town for the Shoppers Walk and Parade.

Mayor Spotts wished everyone a Safe and Merry Christmas and Happy Holiday.

**A MOTION** by Councilman Dawkins to adjourn the meeting at 8:16 PM; Seconded by Councilman Underwood and so approved unanimously.

\_\_\_\_\_ Karen L. Livingston Clerk- Treasurer