

MINUTES
April 21, 2009
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, Town Administrator; Henry Bufkin, Town Attorney, Tim Savidge, Bufkin Law Firm, Craig Nelson, Police Chief, Fred Sexton, Utility Director

Mayor Spotts called the regular meeting to order and asked Councilman Underwood to open the meeting with prayer.

APPROVAL OF MINUTES:

Mayor Spotts stated that there is one set of minutes to be approved. He presented the minutes from the March 17, 2009 Public Hearing and Regular Meeting for approval.

A MOTION by Councilman Gallman to approve the minutes of the March 17, 2009 meeting; seconded by Councilman Dawkins and so approved unanimously.

Mayor Spotts added two items to the agenda after the executive session; item one is voting on agreement and the other is first reading of an ordinance.

OPEN SESSION:

No one signed up to speak.

REPORTS OF COMMITTEES:

Electrical, Fire & Rescue: Ms. Livingston stated that Councilman Hawkins is running late and wanted to report that a meeting has been scheduled with the Fire Chief and other members of the Fire Department to discuss zoning issue as they apply to upstairs apartments in downtown areas.

Sanitation, Streets, & Buildings: Mr. Dawkins stated that the trash service was one day late this week due to a break down. Mr. Sexton stated that the Packer Truck is in very bad shape and is costing a lot of money to maintain. The transmission is gone and suggested that we purchase a new truck from the City of Newberry. Discussion followed.

A MOTION by Councilman Gallman to purchase a packer truck up to \$20,000; seconded by Councilman Underwood and so approved unanimously.

Mr. Dawkins stated that the streets were cleaned and the sidewalks washed down and the sidewalks will be cleaned again next month. Mr. Dawkins stated that there is a pot hole on Main Street that needs to be repaired by the State. A report has been filed and hopefully they will get to it soon.

Water and Sewer: Councilman Underwood reviewed the weekly reports and talked about the budget is in order.

Police Department: Chief Nelson stated that we had three cases for the grand jury review and all three received true bills. He mentioned that several grants were pending. Councilman Gallman thanked Officer Steele for his help with a patient who walked off from a group home earlier this month.

Recreation, Parks and Parade: Councilman Gallman stated that recreation is off to a great start and wishes the turnout would be even bigger. Mr. Gallman spoke with Mr. Davenport, chair of the Parade Committee, and stated that the parade float shed is on target and he thanked the Town for the effort. Mr. Gallman asked Council to grant permission for the dead trees to be taken down by the utility department. Council granted permission.

Utility Department: Mr. Sexton stated that the 2nd recloser has been ordered and will be installed when it arrives. He further stated that he is trying to get bids on a transformer for Grace Street.

Town Attorney: Mr. Bufkin stated that there are two items to update the Mayor and Council and both are later in the agenda. Daniel Hare appeal has been appealed.

Town Administrator: Ms. Livingston stated that she has no report at this time. Councilman Underwood asked Council to move the May Council Meeting a week earlier or later. Mayor Spotts stated that if we start moving the Council Meeting to suit everyone's schedule then we would have a challenge every month. Mayor Spotts stated that if you change the council meeting for one we would have to change the meeting for everyone. Councilman Dawkins stated that he has missed council meeting. Discussion followed. Mayor Spotts agreed to hold a special called meeting to vote on the budget so Mr. Underwood could be present for the vote.

OLD BUSINESS

Update on Buildings and Citations: Ms. Livingston reported that properties are looking better except for the property on McNeary Street. The Potato House property is looking much better, and the council needs to look around and report other properties to be added to the list.

Fire Inspection Report: Ms. Livingston stated that she would get with Mr. Bufkin and see what we can do to put more bite in our ordinance and/or appoint someone within the administration to conduct safety inspections. Mayor Spotts asked that we add this to the agenda next month for an update.

Grant Update: Ms. Livingston stated that three grants have been put in for the police department, sidewalk grants have been written and we are hopeful that the Town will get one. Councilman Hawkins stated that he has met with an engineer who has gotten grants for other towns. Together they are working to get our streets and sidewalks ADA Compliant. Mr. Hawkins stated that ten million dollars of stimulus money has been submitted for two million dollars that is available. Prosperity is hopeful that we will receive some money.

Second Reading of Ordinance to Close a Portion of State Road S36-583 at Prosperity Fire Station: Mayor Spotts presented the second reading of an ordinance to close State Road S-36-583 at the Fire Station.

A MOTION by Councilman Hawkins to approve second reading of an ordinance to close a portion of State Road S-36-583 at the Fire Station; Seconded by Councilman Underwood and so approved unanimously.

Update on Railroad Crossing Repair: The railroad has started the repairs and we are on their books for the other crossings.

NEW BUSINESS

Swearing in of Officer Brian Steele and Reserve Officers Allen Cox and Mike Hall: Mayor Spotts stated with much pride that tonight we would swear in a full time officer, Brian Steele, and two Reserve Officers, Allen Cox and Mike Hall. Officer Steele read his oath as his children held the bible for him. Mayor Spotts also recognized Jeremy Merck, who will begin the reserve training at a later day. Allen Cox read his oath and was sworn in, as did Mike Hall.

Mayor Spotts welcomed all three officers to Town and stated he was glad to be working with them. Chief Nelson stated his pride and congratulations to both reserve officers and thanked them for their hard work and dedication.

Set a Date for Budget Workshop: The budget workshop was set for May 5, 2009 at 6:30 p.m.

Decision on request for Stable Steak House to serve beer at Prosperity's Hoppin': Councilman Hawkins asked about extra police and a dedicated area for the drinking, he also voiced a concern of the legality of serving alcohol in the Town Limits. Council asked to review the information handed out by Ms. Folden and will vote on the issue next month.

Pride in Prosperity Date Set for May 2, 2009: The Pride in Prosperity Date was set for May 2, 2009 beginning at 8:00 a.m.

Mayor Spotts stated a need for an executive session for a legal update.

A MOTION by Councilman Underwood to go into executive session; seconded by Councilman Hawkins and so approved unanimously.

A MOTION by Councilman Hawkins to come out of executive session; seconded by Councilman Underwood and so approved unanimously.

Mayor Spotts stated that at this time he would like a vote taken on the approval of the Settlement Agreement between the Town of Prosperity and the Newberry Electric Co op.

A MOTION by Councilman Underwood to approve the Settlement Agreement between the Town of Prosperity and Newberry Electric Co op; seconded by Councilman Hawkins and so approved with a vote of 4 to 1 with Councilman Gallman voting negative.

A MOTION by Councilman Hawkins to approve the First Reading of an Ordinance to Approve the Settlement Agreement between the Town of Prosperity and Newberry Electric Co op; seconded by Councilman Underwood and so approved with a vote of 4 to 1 with Councilman Gallman voting negative.

GENERAL INFORMATION

Mayor Spotts stated that the truck train accident could have been much worse and he thanked all the business owners, Sherriff's Department and Town Personnel for their work during the outage.

Pride in Prosperity will be held on May 2, 2009.

Remember, this is your Town and please do your part to KEEP PROSPERITY CLEAN.

A MOTION by Councilman Dawkins to adjourn the meeting at 7:47 pm; Seconded by Councilman Underwood and so approved unanimously.

Karen L. Livingston, Town Administrator