

MINUTES
Town Council Meeting
July 21, 2009
7:00 PM.

Council Attendance: Mayor Larry Spotts, Councilmen: G.W. Dawkins, Allen Gallman, Chad Hawkins, Derek Underwood
Administrative Attendance: Karen Livingston, Town Administrator; Craig Nelson, Police Chief and Fred Sexton, Utility Director , Henry Bufkin, Town Attorney, and Timothy Savidge, Bufkin Law Firm

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

APPROVAL OF MINUTES:

Mayor Spotts stated that there is one set of minutes to be approved. He presented the minutes from the June 16, 2009 Public Hearing and Regular Meeting for approval.

A MOTION by Councilman Dawkins to approve the minutes from the June 16, 2009 Public Hearing and Regular Meeting for approval; seconded by Councilman Hawkins and so approved unanimously.

OPEN SESSION

LTC Dave Schimsa, US Army 360th CABDE, addressed council concerning a training opportunity in town for his unit. The 360th CABDE is interested in a training exercise to use their equipment and manpower to maintain the infrastructure of Prosperity. Council agreed to the training in August and asked Mr. Schimsa to coordinate with Mr. Sexton.

Ms. H. Steiner addressed council with concerns about one police car being used by all the officers and her concern about the police officers pay. She also addressed the condition of Pearl Street. Fred is to notify the Highway Department to schedule repair. Council took her comments for information.

REPORTS OF COMMITTEES:

Electrical, Fire & Rescue: Councilman Hawkins thanked the Utility Department helped CSX with the electricity for the new cross arms. The budget numbers were overran but we are in a new budget year and going forward we should be ok. Robert Dennis reported some drainage issues around the rescue building and wanted to use the town's equipment to dig a French drain to help with the issue. Mayor and Council took this for information

Sanitation, Streets, & Buildings: Mr. Dawkins stated that the new garbage truck has been worked on under warranty. Fred is to clean the streets and repair the tile on Main Street before Hoppin'. We have no update on the grant for the ADA ramp.

Mr. Underwood stated that he had spoke with Mr. Bennett concerning the parking lot in front of the building in that the Town was interested in acquiring the parking lot and making improvements to it for parking. He further stated that Mr. Bennett had come by and looked at the parking lot and agreed that the School Board may be interested in doing that however, he asked for council to pass a resolution or make a motion or write a letter to the School Board to deed it to the town. If deeding is not an option maybe we could lease it or granting us the right to use it. Part of that would be refinishing it marking the parking places and add lighting.

Councilman Hawkins asked if the plan would also include cutting the trees and paving the entire piece of property. Mayor Spotts stated that we had suggested that before and Mr. Underwood did not want to cut the trees; Councilman Hawkins answered that maybe this would be a good time for the trees to be cut and the parking lot to be opened up for Town Hall use. Councilman Underwood stated that he was one vote and if four other people wanted the trees to come down they would have. He stated that he convinced the rest of the council and further stated that if we do take the trees down we still want to beautify the area with low-lying trees. Councilman Hawkins then suggested that we take a look at thinning the trees around the ball field to open up an area for a walking track.

A MOTION for Council to pass a resolution that The Newberry County School District deed the parking lot to the Town to be used for civic purposes and a parking lot.

Mayor Spotts asked if he was making a motion for Ms. Karen to write a letter to them and Mr. Underwood stated he was.

Mr. Bufkin suggested that the motion be broadened to any property that the School District may want to deed to us. Councilman Underwood does not want the resolution to fail because he adds the other property to it, however he amended the motion as follows:

A MOTION by Councilman Underwood to adopt a resolution that the Newberry County School District deed the parking area and any other property on or around School Drive to the Town of Prosperity to be used for Civic Purposes as deemed appropriate; seconded by Councilman Hawkins and so approved unanimously.

Water and Sewer: Councilman Underwood stated that he wanted to ask Fred if the packer truck was repaired. Fred answered that it had been and is on the road. He further stated that this is the new budget year and there was nothing new to report.

Police Department: Chief Nelson stated that the police department has been very busy. He updated the Council on the break-in at Piggly Wiggly and stated that the offender has been caught and is currently in Richland County Jail. He further stated that person breaking into the cars on McNeary, Main, and Elm has been caught due to the diligence

of Officer Wilbanks and Steele. Chief Nelson stated that two of the police cars are not working and are currently being worked on by a former county mechanic who is very familiar with the problems these cars are having. Councilman Hawkins asked Chief Nelson if we have started looking at quotes and bids to replace the 2001 Crown Vic. We are trying to wait out the grants. Councilman Hawkins asked for an update on the reserve officer situation and asked about the traffic direction at the school.

Mayor Spotts stated that Mr. Bennett had taken responsibility for the traffic direction at the school and we had put directing traffic on the back burner. Ms. Livingston stated that we did not make a chiseled in stone commitment to direct traffic, however, we did agree to help out for early release and the first few days of school, if we have an officer available.

Councilman Hawkins asked that Chief Nelson check with Mr. Lyden to make him aware that we are here to help if we are needed and available. Councilman Underwood added that he would like to see a presence at the school, as would other citizens and council members. Mayor Spotts added that he wanted the public to know that Mr. Bennett did accept responsibility for the traffic issues at Prosperity Rikard and stated it was his problem. Councilman Hawkins agreed.

Recreation, Parks and Parade: Councilman Gallman stated that the ball season is over. Our art camp and cheerleading camp is going very well. He stated that there are a lot of pageant going on in the Civic Center. Mr. Gallman reported that the float shed is almost finished. Additional material has been ordered and once received will finish the shed. Councilman Hawkins asked if we had a team to go to the state playoffs. Ms. Livingston stated that the Dixie Youth teams have both made it to the tournaments and no donations have been solicited.

Utility Department: Mr. Sexton stated that we needed a fuse sectionalizing coordination study done on the town's substation to aid us during power outages. This is covered under new business and will be addressed at this time.

Town Attorney: Mr. Savidge stated that Mr. Hare's appeal has been answered.

Town Administrator: Ms. Livingston stated that she has been asked by Tom Reid to approach council about renting the park and facilities to host a festival on September 10, 2009. Mayor Spotts asked council how they felt about renting our facilities. Councilman Hawkins stated that we needed to get a legal document drawn up to protect the town's liability. Mr. Bufkin stated that he would research the liability of the town and whether there is a church state policy that would be violated. Mayor Spotts stated that we need some type of agreement to cover the cleaning of the grounds and electricity and for this item to be added to the August agenda.

The Council took this for information and will have Mr. Bufkin research the liability and make a recommendation to the council.

Ms. Livingston also talked about Prosperity's Hoppin' Festival and invited everyone out to eat frog legs.

OLD BUSINESS:

Property Update on Buildings and Citations: Ms. Livingston stated that a list of properties targeted for unlicensed vehicles has been compiled and letters will be sent to owners to set timelines for cleanup and or removal.

Bids of Circuits and Fuses: Fred Sexton stated that three bids had been obtained for a coordination study and short circuit analysis. Discussion followed.

A MOTION by Councilman Underwood to accept the quote from Duke Energy for \$3360.00 to conduct a coordination study and short circuit analysis; Seconded by Councilman Hawkins and so approved unanimously.

NEW BUSINESS:

Service Award Recognition: Stanley Dominick was recognized for 15 years of service and Michelle Bundrick was recognized for five years of service. Mayor Spotts presented Michelle with a certificate. Stanley was absent from the meeting due to Lineman Training School.

Swear in Election Commission: Mayor Spotts swore in James and Joan Mills as Election Commissioners. Ms. Neva Risivich was unable to attend the council meeting but will be sworn in at a later date.

Property and Liability Insurance Quote: Ms. Livingston presented the council with an insurance quote from South Carolina Municipal Insurance Reserve Fund with a breakdown of the differences in our current insurance. Discussion followed.

A MOTION by Councilman Dawkins to accept the quote from SCMIRF; Seconded by Councilman Underwood and so approved unanimously.

EXECUTIVE SESSION:

Mayor Spotts announced an executive session is needed 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 Dawkins to come out of Executive Session; Seconded by Councilman Hawkins and so approved by all present unanimously.

Mayor Spotts stated that no decisions were made in Executive Session only information was taken.

Town of Prosperity Council Meeting
July 21, 2009

GENERAL INFORMATION:

Mayor Spotts stated that the Town Council would be attending the Governmental Association Meeting Monday, June 29 in Silverstreet.

Remember, this is your town and let's keep it clean.

A MOTION by Councilman Dawkins to adjourn the meeting at 8:12pm; Seconded by Councilman Underwood and so approved unanimously.

Karen L. Livingston Karen L. Livingston, Town Administrator