

MINUTES
June 17, 2008
Public Hearing
6:45 PM
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; Fred Sexton, Utility Director, Henry Bufkin, Town Attorney, Tim Savidge, Bufkin Law Firm, Craig Nelson, Police Chief

Mayor Spotts called the public hearing to order and stated the budget was the only subject on the agenda for the public hearing. With no questions or comment from the public; the public hearing was closed at 6:50 PM.

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

APPROVAL OF MINUTES:

Mayor Spotts stated that there is one set of minutes that need to be approved. He presented the minutes from the May 20, 2008 meeting for approval.

A MOTION by Councilman Gallman to approve the minutes of the May 20, 2008 meeting as written; seconded by Councilman Dawkins and so approved unanimously.

OPEN SESSION:

Ms. Debra Kelly signed up to speak concerning Pony League Baseball. Ms. Kelly talked about the regular season and some issues she has with the organization of the league. The Town Council took Ms. Kelly's comments for information.

REPORTS OF COMMITTEES

Electrical, Fire Dept., Parade Comm. & Rescue Squad: Councilman Hawkins stated that several poles had been changed over throughout Town. He also commented on an issue of a delivery truck being parked on Pearl Street and the possibility that the fire department could not get around it in the event of an alarm. Hawkins is going to study the issue with Chief Nelson and see what resolution would benefit the Town Citizens and

the Fire Department. The parade committee has met and is looking at adding some rules to the parade sign up deadline. Councilman Hawkins also mentioned that citizens have asked about the siren being set off by Newberry County 911 for every call. In the past few years many apartments have been rented and the siren is a nuisance in the middle of the night for these tenants. Mr. Hawkins has checked with Chief Bowers and alternative notification measures are being looked in to.

Ms. Livingston asked if the rescue squad might be willing to donate their building on Main Street for a library.

Sanitation, Streets, & Buildings Departments: Mr. Dawkins thanked Councilman Chad Hawkins for his work on the completion of the Post Office driveway project. The traffic is flowing smoothly and John Lee, Postmaster, and Councilman Hawkins should be commended for their hard work and dedication to complete the project. Councilman Dawkins stated that the sidewalk repairs were ongoing and what had been completed looked very nice. Councilman Dawkins reported that thirty roll carts had been picked up from Amick's and two dumpsters are to be picked up soon.

Councilman Gallman asked about the Potato House and if the clean up was on going. Councilman Hawkins brought up the McNeary Street railroad cross arm. This arm will drop should there be a power surge or lightning strike.

Mr. Bufkin noted that when the arms are installed it would be illegal to cross the tracks if the arms are down because of a power surge or outage. If there is only a light at the crossing you may stop and proceed at your own risk, however, if the arms are down, no one can cross.

Water and Sewer: Councilman Underwood stated that several budget line items are up. Councilman Underwood reported that the repairs have been made to the Kubota and it is back in service.

Police Department: Mayor Spotts congratulated Chief Nelson for his completion of Radar Instructor Certification School. Chief Nelson can now train our officers as well as other agency officers for radar. Chief Nelson reported 16 arrests with 22 counts for the month of May as well as a rise in the number of larcenies in Town. So far this month Twenty-Three tickets have been written for July Court. Chief Nelson complimented Officer Weathers on the great job he was doing for the department. Chief Nelson commented on the delivery truck at Pearl Street and noted that the street was too narrow for the fire truck to use and does pose a safety issue. Nelson suggested that the fire truck go out to Broad Street when responding to a call.

Councilman Underwood asked if the larcenies were contributed to young people and asked about the Youth Protection Ordinance that we currently have in place. Chief Nelson responded that he thought young people were responsible for the rise in larcenies and he has a real good suspect, he just has to find the proof. The Youth Protection Ordinance was discussed and is being enforced by the Police Department.

Chief Nelson noted that if we could add lighting to Elm Street and Pine Street perhaps that would deter some of the issues we are having in that particular area.

Recreation and Parks Department: Councilman Gallman commented that he has enjoyed the ball season this year and thanked council for their willingness to provide good fields, lights, and concession stands for the league and entire community. Councilman Gallman discussed the decline in participation of the Pony League not only in Prosperity in throughout the Tri-County League. Councilman Hawkins asked about football in Prosperity. Ms. Livingston stated she had worked out with the City of Newberry to have a team from Prosperity that would practice in Prosperity but would play in Newberry.

Ms. Livingston went on to state that Debbie Murphy would host an art camp June 23-27 as well as mentioned the other programs available to the Prosperity Community for the summer including tennis clinics in June and July, Safety Camp sponsored by the Newberry County Sheriff's Office, Literacy Council Reading Program and a baseball camp hosted by Joey Long.

Utility Department: Mr. Sexton had no report.

Town Attorney: Tim Savidge reported no update on Newberry Electric Co op issue; he further reported on a claim by Mr. Stafford that he has contacted the Insurance Reserve Fund and is awaiting an update from them. Ongoing case Wilson vs. Town of Prosperity a Motion Hearing before Judge Kinard on June 13 with a ruling to following within the coming days and Mr. Savidge stated a jury verdict had been announced last week in the Dorn vs. Town of Prosperity, in favor of Officer Nelson but against the Town. The Insurance Reserve Fund has advised that they will be appealing the verdict in the 4th circuit court. The fire station property transfer was still moving forward and hopefully would be ready for the next council meeting.

Town Administrator: Ms. Livingston stated Mike Bedenbaugh has sent eighteen pages of information on the depot from Norfolk Southern for Council review. Ms. Livingston will pass a copy around for Council to make notes and the subject will be discussed at a later date. Mr. Bufkin asked if there was any expense to the Town for the depot. Ms. Livingston stated that the cost was \$100.00 per year with an agreement to have the depot moved within two years twenty-six feet off the railroad right of way. Councilman Hawkins stated that Mr. Bedenbaugh gave an estimate of \$18,000 to move the depot. All depot information was taken for information at this time.

OLD BUSINESS

Update on Property Ordinance Action Plans: Citations that were written were recalled due to an issue with a health inspector being mentioned in the ordinance and our need to get a determination from the health inspector before we proceed with writing

citations. We are looking to resolve the issue with both properties before the next council meeting.

NEW BUSINESS

Second Reading of 2008-2009 Budget: Mayor Spotts stated that we need a second reading of the 2008-2009 budget. The Town Budget is \$414,300.00 and the Utility Budget is \$1,459,455.00.

A MOTION by Councilman Hawkins to approve the second reading of the 2008-2009 budget; seconded by Councilman Gallman so approved unanimously.

Second Reading to amend ordinances related to utility rate increases: Mayor Spotts stated that there is a need for a second reading to amend ordinances related to utility rate increases, and called for the second reading. The water rate will increase 4.5 per cent due to Newberry County Water and Sewer rate increases. The electric rate will increase 8 percent due to the cost of Duke Power.

A MOTION by Councilman Gallman to approve the second reading to amend ordinances related to utility rate increases; seconded by Councilman Hawkins and so approved unanimously.

Sidewalk Resolution: Mayor Spotts presented the sidewalk resolution for approval. Councilman Hawkins asked that the resolution be read aloud. Ms. Livingston read the attached resolution

A MOTION by Councilman Gallman to approve the sidewalk resolution; seconded by Councilman Underwood and so approved unanimously.

Meal Per Diem Reimbursement for 08-09-budget year: Mayor Spotts stated that there is a need to increase the per diem reimbursement in accordance with the US General Services Administration and National Association of counties for 08-09 budget year to \$50.00 (fifty dollars) per day.

A MOTION by Councilman Underwood to approve the 08-09 per diem reimbursement rate of \$50.00 per day; seconded by Councilman Gallman and so approved unanimously.

Recreation Department Contract: Mayor Spotts noted to council that the recreation contract with Newberry County would expire June 30, 2008. Mayor Spotts continued by stating his thoughts concerning the program and the way it was run this year was very professional and worked well for the citizens of Prosperity and the neighboring communities. Ms. Livingston added that the County is willing to extend the contract for two years as written which includes T-ball, coaches pitch, girls softball, and Dixie Youth Baseball as well as monetary support for tennis clinics and art camp. Councilman Hawkins asked if Dixie Boys Baseball could be added to the contract to alleviate some of the frustrations of this season. Ms. Livingston responded that she had talked to Ms. Lake,

Recreation Director for Newberry County about adding the Pony League Program and her response was that she would have to ask County Council and would get back with me. Councilman Underwood ask if there were any options for recreation and was told that the YMCA had showed interest in bidding on the administering of the programs without going through the County. However, Jerry Coffey, YMCA Administrator rescinded his offer to bid stating that the Y could not offer all the programs currently offered by the County for the same money.

Mayor Spotts asked for a motion to extend the recreation contract with Newberry County for two years.

A MOTION by Councilman Gallman to extend the current recreation contract with Newberry County, and add Pony League Baseball; seconded by Councilman Underwood and so approved unanimously.

GENERAL INFORMATION

Mayor Spotts extended a thank you to Fred and his crew for keeping all grass cut and trash picked up and other utility work around Town during the extremely hot weather we have had already this year.

Mayor Spotts asked for all Town Employees to do their part to conserve gas and fuel.

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

A MOTION by Councilman Dawkins to adjourn the meeting at 7:54 pm; Seconded by Councilman Underwood and so approved unanimously.

Karen L. Livingston, Town Administrator