

MINUTES
November 18, 2008
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, Fred Sexton, Utility Director

Administrative Absence: Chief Craig Nelson

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 are two sets of minutes to be approved. He presented the minutes from the October 21, 2008 regular meeting and the minutes for the special called Town Council Meeting on November 6, 2008 for approval.

A MOTION by Councilman Gallman to approve the minutes of the October 21, 2008 meeting and the November 6, 2008 meeting; seconded by Councilman Hawkins and so approved unanimously.

OPEN SESSION:

Mayor Spotts introduced Kirksey Koon, County Councilman elect, and asked him if he would like to say a few words. Mr. Koon thanked the voters for their support and asked for their continued support during his term.

Ms. Jenny Rohland, Traffic Committee Chair from Prosperity Rikard Elementary School spoke about the ongoing traffic issues at the school. Ms. Rohland presented each council member a copy of the petition that had been signed by 296 people. Ms. Rohland asked again for help.

REPORTS OF COMMITTEES

Electrical, Fire Dept., Parade Comm. & Rescue Squad: Councilman Hawkins thanked the electrical department for their work during the recent power outages and pole transfers. The budget looks good we are still running behind with revenue vs. expenses in the electrical department.

The parade committee is preparing for the parade and is taking registrations now. Councilman Hawkins stated that Santa would be at The Dutch Fork Chronicle after the parade for photo opportunities. Councilman Hawkins is honored to announce the Grand Marshal for the 2008 parade as Mr. Robert McFall. The fire department supper is December ninth.

Sanitation, Streets, & Buildings Departments: Mr. Dawkins stated that sidewalk work has been done for the past two Sundays and will continue. Councilman Hawkins then stated that the Adopt a Highway Program would take place Saturday morning.

Water and Sewer: Councilman Underwood stated that the sewer budget line items were in order.

Police Department: Chief Nelson is out due to illness. Councilman Hawkins stated that a meeting has been set up with Mr. Bennett, School Superintendent, Sheriff Lee Foster, Mayor Spotts, and Chief Nelson to address traffic concerns at Prosperity Rikard Elementary on December 1, 2008. Mayor Spotts stated that he knew nothing about the meeting.

Recreation and Parks Department: Councilman Gallman stated that there was not much going on in recreation this time of year.

Utility Department: Mr. Sexton stated that the County is now charging us for tire disposal. Mayor Spotts asked that this item be added to the agenda for December.

Town Attorney: Mr. Bufkin stated that the fire station has been worked out and signatures are being obtained for completion of this line item. Mr. Bedenbaugh owns the building but the Town owns the ground it sits on, therefore there is a new element to the fire station project that should work itself out pretty quickly.

Mr. Bufkin stated that there is nothing new with the Newberry Electric Co Op case. The Town has appointed two representatives and has requested some documents for review during this discussion phase of the case. The Clerk Treasurer/ Town Administrator, the question is "Is there any violations of dual office holder?" The Clerk Treasurer is an office holder who works at the discretion of the council and the Town Administrator is not an office holder and works at the discretion of the Mayor with the approval of council. The duties in the ordinance are listed under two separate jobs, however money dictates that we have one person so we do not have to pay but one salary but it may very well be that there are too many things going on that we need more than one person. Mr. Bufkin asked for another month with a recommendation of what needs to be done concerning this issue.

Mr. Bufkin stated that our current ordinance(s) concerning property violations is sufficient for enforcement and recommends that we work within our ordinances to handle property violations.

Town Administrator: Ms. Livingston revisited the traffic situation at Prosperity Rikard School and stated that while five days does not seem to be a sufficient number of days, our commitment to the school was two days a week if we had an officer available.

OLD BUSINESS

Update on Buildings and Citations: We have two active summonses to be heard in December court on the Potato House and McNeary Street properties. The Elm Street property will be cleaned by the parade.

Ordinance on Fine for Rundown Buildings: This item will be taken off the agenda in light of Mr. Bufkin's recommendation. Ms. Livingston asked about using the courtesy summons instead of ticketing to resolve property issues. Discussion followed and no decision was made.

NEW BUSINESS

Audit Presentation: Mayor Spotts stated that Toni McKinley was unable to attend and this would be added to the agenda for the December meeting.

Purchase of Roll Carts: Councilman Dawkins stated that we needed to purchase some roll carts since we are completely out. Discussion followed concerning how many should be purchased. A decision was made to order fifteen carts since there is no price break for ordering one or one hundred.

A MOTION by Councilman Dawkins to purchase 15 roll carts; Seconded by Councilman Underwood so approved unanimously.

Mayor Spotts stated a need for an executive session for a legal update and personnel issue in the police department and clerk treasurer administrator position.

A MOTION by Councilman Dawkins 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 Dawkins and so approved unanimously.

GENERAL INFORMATION

Mayor Spotts stated that no decision was made in executive session only and update on Newberry Electric CoOp.

Mayor Spotts reminded everyone about the Shopper's Walk on December 6 and the Parade on December 7.

Mayor Spotts wished everyone a happy Thanksgiving, and reminded everyone about the Neighborhood Watch program on November 21, 2008 at 7pm.

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A MOTION by Councilman Dawkins to adjourn the meeting at 8:00 pm; Seconded by Councilman Gallman and so approved unanimously.

Karen L. Livingston, Town Administrator