

**MINUTES**  
**Town Council Meeting**  
**October 20, 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; and Fred Sexton, Utility Director, Craig Nelson, Police Chief, 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.

Mayor Spotts stated that there was a need to add and executive session to the agenda as item 6.1 and a possible vote afterwards as item 6.2. Item discussed will be a legal update.

**A MOTION** by Councilman Gallman to add item 6.1 and 6.2 to the agenda; Seconded by Councilman Dawkins and so approved unanimously

**APPROVAL OF MINUTES:**

Mayor Spotts stated that there is one set of minutes to be approved. He presented the minutes from the September 15, 2009 Regular Council Meeting for approval.

**A MOTION** by Councilman Dawkins to approve the minutes from the September 15, 2009 Regular Council Meeting for approval; seconded by Councilman Underwood and so approved unanimously with a change from Councilman Hawkins to add verbiage concerning his comments in the Water and Sewer Department noted and corrected.

**OPEN SESSION**

No one signed up to speak.

**REPORTS OF COMMITTEES:**

**Electrical, Fire & Rescue:** Councilman Hawkins reported that budget items are in line. He reported that using our employees to clear the lines would be the most economical for the Town. Looking at the weekly reports, trimming trees and cutting limbs is the top priority for the utility department. He reported that there was a major power outage on the Duke Side where a raccoon was found on top of the substation transformer. Thanks given to Fred and his crew for timely restoration. The Fire and Rescue Stations have installed a generator that will be able to provide emergency services throughout the Town in the event of power failure. The Rescue Squad Christmas Party is December 1, 2009.

**Sanitation, Streets, & Buildings:** Mr. Dawkins stated that the garbage collection revenue is running in line with the budget. Trees were trimmed in front of the Antique Store. The old trash truck is being listed for sale.

**Water and Sewer:** Councilman Underwood stated that budgeted line items seem to be in line with the annual projection, except for repair to the lift stations. A fire hydrant was replaced due to an auto accident on S. Main and will be charged to the other party's insurance for reimbursement.

**Police Department:** Chief Nelson stated that he was glad to be back from medical leave. Mr. Underwood asked if our officer search could include non-certified officers for us to look at hiring the third officer. Chief Nelson and Ms. Livingston will review applications and pass on to council.

**Recreation, Parks and Parade:** Councilman Gallman stated that soccer is going good. The float is being worked on and will be complete by the deadline. Councilman Hawkins asked if any travel ball teams have approached the Town about using the fields. Ms. Livingston responded that the fields are not available when a town recreation function is scheduled however if not they are used on a first come first serve basis. She further stated that some towns' rent their fields and that might be a source of revenue we want to explore in the future. Councilman Hawkins stated that it would probably take more time and money to schedule and police the program than it would make.

**Utility Department:** Mr. Sexton had no report at this time. Mr. Gallman thanked Fred for cutting the water off at Shiloh when it was a major leak discovered.

**Town Attorney:** Tim stated that they are still working Hare appeal.

**Town Administrator:** Ms. Livingston had nothing to report at this time.

Councilman Hawkins asked about the deposit into the reserve fund. Ms. Livingston stated that it was a result of a Municipal Association Collection of Taxes and was not sure of which collection account it came from. She further stated that future deposits will show the receipt of funds.

#### **OLD BUSINESS:**

**Property Update on Buildings and Citations:** Ms. Livingston stated that 37 properties are on the current list, three were added today. Seventeen properties have started clean up, Twelve have been cleaned and removed from the list, fourteen have had no change from last month, and three have not been delivered but will be put with utility bills for November delivery.

#### **NEW BUSINESS:**

**Donation of Fountain in the Square:** Mr. Sexton noted that water and electricity are available for the fountain.

**Swearing in of Officer Jeremy Merck:** Mayor Spotts introduced Jeremy Merck and held the bible for his swearing in. Jeremy finished the academy with the highest honor in physical fitness.

**Adding Vision Insurance to the Benefits Package for Full Time Employees:** Ms. Livingston asked Council to consider paying the premiums for full time employees beginning January 1, 2010. Discussion followed. Councilman Underwood clarified that only the employee portion would be paid by the Town.

**A MOTION** by Councilman Underwood to pay the employee portion of vision insurance premiums for full time employees; Seconded by Councilman Dawkins and so approved unanimously.

Councilman Hawkins stated that paying the premium will show our employees how much we appreciate what they do and felt that the benefit far outweighed the cost of premiums.

**Donation of Tree for Town Square:** Councilman Underwood stated that he had called a good many people about a tree for the square. Place on the agenda for November.

**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 Underwood to come out of Executive Session; Seconded by Councilman Gallman and so approved by all present unanimously.

Mayor Spotts called for a motion concerning a legal update during Executive Session.

**A MOTION** by Councilman Hawkins to authorize the town representative to proceed with the legal issue as discussed in Executive Session; Seconded by Councilman Dawkins and so approved unanimously.

**GENERAL INFORMATION:**

Mayor Spotts reminded everyone that a trunk or treat would be held in the square on October 31, 2009 from 6-8 pm.

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

Town of Prosperity Council Meeting  
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**A MOTION** by Councilman Dawkins to adjourn the meeting at 7:46 pm; Seconded by Councilman Gallman and so approved unanimously.

*Karen L. Livingston* Karen L. Livingston, Town Administrator