

**MINUTES**  
**August 19, 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; Fred Sexton, Utility Director, Henry Bufkin, Town Attorney, Tim Savidge, Bufkin Law Firm, Craig Nelson, Police Chief

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 to be approved. He presented the minutes from the July 15, 2008 regular meeting for approval.

**A MOTION** by Councilman Gallman to approve the minutes of the July 15, 2008 meeting; seconded by Councilman Dawkins and so approved unanimously.

**OPEN SESSION:**

Ms. Andy Hawkins signed up to speak about the Prosperity Depot. Ms. Hawkins introduced herself as the spokesperson for the Depot Committee. Ms. Hawkins stated that the Committee has met with a member the Newberry Historical Society to research a feasibility study grant, which will require a matching fund of three thousand to thirty-five hundred dollars. Updates will follow as available and I would like to set a table up at Hoppin' to see the interest in Prosperity for restoring the depot.

Next to speak was Ms. Coleman who expressed her concerns about the Prosperity Police Department's handling of an incident that happened to her, and the safety of Prosperity Citizens in general. Ms. Coleman started by expressing her need for a resolution and not to pass blame as to what happened and what failed in the system and what we can do to help the next victim of a violent crime.

Ms. Coleman was accosted while walking in the downtown area of Prosperity. She was able to break away from the attacker and flag a car down to take her to the police station. Once there, she stated that she felt tortured for three and one half hours by the officers handling the case and she questioned the ability of the Prosperity Police Department to handle what she considered a pre-sexual assault and what we can do as a Town to keep this from happening to anyone else. Ms. Coleman read an email she wrote to Sheriff

Foster and asked the question why we were not equipped to do a lineup in Prosperity. Chief Nelson stated that we could not do a lineup in Prosperity and had to wait for the Sherriff Department to do the lineup.

Mayor Spotts stated that Chief Nelson had assured him that even though Ms. Coleman did not see progress in her case there was always someone working on it. Chief Nelson answered that this was a true statement. Mr. Coleman commented on the investigation as it related to the Newberry County Sherriff's Department and his feelings of both agencies and the way they work together and what can be done to improve the timeliness of solving cases and better equipping the police to handle this kind crime. Ms. Coleman added that the victim's advocate should have been notified immediately since she was hysterical and would have felt better speaking to a female.

Mr. and Mrs. Coleman stated that they appreciated Chief Nelson keeping their name out of the press however, they want to take steps to prevent this from happening to anyone else, and that they would like to see at least two officers on duty at all times. Mayor Spotts responded that even if we added officers, they could not be everywhere.

Comments were made by Councilman Gallman and Councilman Hawkins and Ms. Livingston interjected that Ron Abrams, with the NCSO has set up neighborhood watch classes in the past with little or no participation, however, Mr. Abrams will set them up again if we ask.

Mayor Spotts thanked both Mr. and Mrs. Coleman for coming in and assured them that the Town would be looking into programs to prevent such events.

## **REPORTS OF COMMITTEES**

**Electrical, Fire Dept., Parade Comm. & Rescue Squad:** Councilman Hawkins stated that the electrical department has been very busy. The Back Porch building has been reconnected and the new restaurant will be opening in early September. Power has been installed for the Hoppin' Festival. Fire and Rescue have nothing new to report. The parade committee met last week and have secured Santa Claus for the parade. Councilman Hawkins asked Mr. Bufkin if the judges could sit in his vacant lot again and Mr. Bufkin answered yes. The Grand Marshall nominees will be chosen by the parade committee and passed on to the Council for a vote.

The parade committee agreed to give their five hundred dollar allowance to build the new float shed.

**Sanitation, Streets, & Buildings Departments:** Mr. Dawkins stated the trash truck had a major breakdown to the hydraulic cylinder but is now repaired. He reported that the sidewalk tile project would have to wait until cooler weather. Councilman Hawkins gave an update on the CTC meeting he and Councilman Underwood attended earlier today. The CTC was asked for sidewalk funding for the Town of Prosperity. Hawkins continued to say that the CTC was looking for matching funding and was told that we did not have

the match in our budget; however, we would look into securing grant funding for the projects.

Councilman Underwood stated that we are not going to do the entire sidewalk project at one time and that there would possibly be a match up to fifty percent. Mr. Underwood then read the sidewalk priority list.

S. Main from end of Pine to Wilvant Street- 50ft. right of way  
Pine Street to Elm Street – 30 ft. right of way – lots of obstacles (RR tracks, permanent walls)  
S. Wheeler Phase 1 Grace to Prosperity Rikard School – pedestrian walk to school  
S. Wheeler Phase 2 Prosperity Rikard School to Wessinger Drive – pedestrian walk  
Main Street beautification- not eligible for CTC grant  
Town Hall walkway and driveway  
Brown Street to Williamswood

Councilman Underwood further stated that the CTC took the sidewalk proposal for information and will let us know something when they meet in October. Council thanked the board members of the CTC for the opportunity to speak with them.

**Water and Sewer:** Councilman Underwood stated that the budget line items were over in a couple of areas, pipe fittings, chemicals, however, several repairs had been made that attribute to the overages.

**Police Department:** Chief Nelson reported 59 arrests with 81 counts since January 2008. We have 38 tickets for September court. Chief Nelson talked about the type of offenses that are being investigated and the time it takes to investigate.

Mayor Spotts complimented the police department and the caliber of training our new officers are getting. Councilman Dawkins asked if the police department could handle directing traffic at the school. Chief Nelson responded that at this time we are not able to do this. It is something that we would like to do, however, we do not have the manpower. Councilman Underwood asked how long it takes and if the time could be cut in half, would we be able to do it.

Councilman Dawkins stated that several people asked him about the Police Department not being there to direct traffic; Councilman Hawkins and Underwood stated they too had been asked about it. Mayor Spotts reminded Council that we never committed to having an officer at the school, we only stated that if we had an officer available, we would have them direct traffic, if they have a call or other duties, then the traffic would not be handled.

Councilman Hawkins stated that he had contacted Jody Hamm who is on the Newberry County School Board concerning the traffic situation, Mr. Hawkins then stated that first he had contacted the SCDOT about putting a traffic light at the end of the road. The SCDOT stated that they could not put a light at the end of a driveway and that when the

school was being built they were told that there was not enough storage for cars when dropping off and picking up children and that Highway 76 would be used as storage. The SCDOT went on to say that several school districts were hiring crossing guards for traffic control. Jody Hamm was then emailed and he was going to talk with Mr. Bennett, however, Mr. Hawkins asked if Benji Sease could be hired to direct traffic for 30 – 45 minutes a day. Mayor Spotts stated that Benji was not able to be here daily due to his health and commitment to his children. Ms. Livingston asked if the safety officer at the school could direct traffic. Councilman Hawkins stated that each school did not have an officer. Chief Nelson stated that the safety officers move from school to school.

Jody Hamm is to get with Mr. Bennett, as are some teachers to see if we can come up with a solution to our problem. Ms. Livingston commented that in the past we used our reserve officers and asked if there is someone in the community that would be interested in taking this task on. Discussion followed.

Mr. Bufkin asked if a constable could direct the traffic. Chief Nelson answered that they could not. Councilman Hawkins asked that council act together to get some help for the traffic issue at Prosperity Rikard and stated that if someone would volunteer to do the traffic control, Kevin with the DOT would teach the certification class necessary for them to learn how.

Councilman Hawkins asked to say a few words about the comments that have been made tonight concerning Ms. Coleman's comments concerning her being in the police station for three to three and a half hours the night of her incident. Councilman Hawkins asked Chief Nelson if he felt he had enough officers in the Town of Prosperity or does the Council need to look into getting more officers. The Town Council is here to serve the people and you are here to protect the people. Chief Nelson answered affirmative.

Mr. Bufkin commented that there is another police force that covers the Town of Prosperity and that is the Newberry County Sheriff's Office. We pay county taxes just like all other County citizens and why should the dime be dropped on us for more police officers when the Sheriff's Office is to back us up just as SLED backs them up.

Mayor Spotts commented that every department in every city would answer the same way Chief Nelson did; "I don't have enough officers" however, each department needs to get by on what they have. Councilman Gallman stated that even if we had an officer at each corner, you would not have one where crime happens. Discussion followed from Chief Nelson concerning the investigation of the Coleman incident.

Comments followed from Councilman Gallman and Mayor Spotts again praised Chief Nelson for his training of his department and the job they have done.

**Recreation and Parks Department:** Councilman Gallman reported that the contract with Newberry County Recreation has been renewed until 2010. Councilman Gallman also stated that football registration was ongoing and to come on and sign up.

Councilman Hawkins stated that Pastor Turner from Wightman had asked him to bring up that the walking track would be shortened because a parking lot was going to be paved over part of the current track. Mayor Spotts stated that a committee who raised the money built the track on church property. The Town only maintains the track.

**Utility Department:** Mr. Sexton reported that a 1995 utility Ford pickup transmission is down and would like to repair. Mayor Spotts stated to go ahead and fix the truck but to get a couple bids before repairing.

Mayor Spotts asked about the transferring of power to the poles. Mr. Sexton stated that the process was slow going due to Stanley going to lineman training and we should get back on task. There are 12 poles left to transfer.

**Town Attorney:** Mr. Bufkin stated that not much was going on the terms of change in litigation. Last month we presented an Agreement in Principle concerning the property where the new fire station is built and the transfer of the property to Newberry County. The agreement also paved the way for a parking lot to be paved and available for the Town to use. Discussion followed concerning a time line for completion of the project, what the scope of work would be, and whose responsibility each task would be.

Councilman Hawkins asked if DHEC had furnished a report on the building next to Roma's. Mr. Bufkin stated they had not. Councilman Hawkins said he would follow up with them.

**Town Administrator:** Ms. Livingston stated that the audit had started Monday and everything was on track. Hoppin' is underway and we are hoping for a clear night Friday.

## **OLD BUSINESS**

**Update on Property Ordinance Action Plans:** Ms. Livingston did not go on her usual field trip however; there are two properties in violation and need citations written.

## **NEW BUSINESS**

**Purchase of Line Truck:** Fred read the line truck bids to Council with the least expensive being \$20,000. Councilman Underwood asked if we could repair the current truck for 15-20 thousand? Discussion followed. Once the safety issue of the employee was established and the necessity of the Town because the boom is worn out on the current truck;

**A MOTION** by Councilman Gallman to purchase the 1994 International Line Truck with 175,000 miles for \$20,000; seconded by Councilman Hawkins with comments that we have bought a backhoe, pickup, etc. from our reserve fund and we need to set a plan to replenish the money, and so approved unanimously.

**Painting of Fire Lane:** Carry over to October.

**Bids on Police Car:** Mayor Spotts stated that we have several police cars that are in bad shape and ask for bids on a new car for Chief Nelson. Ms. Livingston read the four bids that we received and stated that we currently have three police cars that we will accept bids on. The estimated market value is between two thousand and three thousand dollars for each car. Councilman Underwood asked about used vs. new and asked how many cars we have now. Councilman Dawkins asked how many cars we insure and was told three. Councilman Hawkins asked about a grant to get a new car. Ms. Livingston stated that the grants that were looked into were for a sole purpose use (drug enforcement, traffic control, etc.). Councilman Underwood asked that we look into buying a used car instead of a new one. After discussion.

**A MOTION** by Councilman Hawkins to approve the purchase of a police car up to \$19,000 but to make sure we replenish the reserves; seconded by Councilman Dawkins and so approved with a vote of 4 to 1. Councilman Underwood voted no because he wanted us to look into a older model car.

**Ordinance on Fine for Rundown Buildings:** Add to agenda for October

**Bids of Float Shed:** The parade Committee has offered their help to build the shed to shoulder the cost of labor. Mr. Allen suggested talking to Frank Hurbert about building the shed. The material cost for the shed will be ~\$1,000. The doors will add ~\$400.00. Ms. Livingston asked if the shed could be built behind Capital Bank.

**A MOTION** by Councilman Hawkins to build the float shed in the field behind Capital Bank; seconded by Councilman Gallman and so approved unanimously.

## **GENERAL INFORMATION**

Mayor Spotts reminded everyone of Prosperity's Hoppin' on Friday and invited everyone to attend.

Mayor Spotts stated that South Carolina is in extreme drought condition and although there are no mandatory water restrictions, we do ask that you conserve water as much as possible.

Prosperity is the 7<sup>th</sup> cheapest city in electric rates in SCAMP cities.

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

**A MOTION** by Councilman Dawkins to adjourn the meeting at 8:35 pm; Seconded by Councilman Underwood and so approved unanimously.

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Karen L. Livingston, Town Administrator