

**MINUTES**  
**July 15, 2008**  
**Town Council Meeting**  
**7:00 PM**  
**Prosperity, SC 29127**

Council Attendance: Mayor Larry Spotts, Councilmen: G.W. Dawkins,  
Allen Gallman, Chad Hawkins

Council Absence: Councilman 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 June 17, 2008 public hearing and regular meeting for approval.

**A MOTION** by Councilman Dawkins to approve the minutes of the June 17, 2008 meeting; seconded by Councilman Hawkins and so approved unanimously.

Mayor Spotts stated a need to add an executive session to the agenda to discuss a legal update from Wick Stuart.

**A MOTION** by Councilman Hawkins to go into executive session; seconded by Councilman Dawkins and so approved unanimously.

**A MOTION** by Councilman Hawkins to come out of executive session; seconded by Councilman Gallman and so approved unanimously.

Mayor Spotts stated that no decisions were made during executive session only a legal update was given.

**OPEN SESSION:**

Mr. Richard Youngblood signed up to speak about the Newberry Master Gardeners Association moving their Farmer's Market to the Prosperity Town Square from the Walking Track on Wednesday evenings from 6pm -8pm. Council listened to the request and took Mr. Youngblood's request for information.

## **REPORTS OF COMMITTEES**

**Electrical, Fire Dept., Parade Comm. & Rescue Squad:** Councilman Hawkins stated that the utility department had done some tree trimming. He thanked the utility department for their diligence in being pro active. The parade committee met and is getting the ball rolling for the 2008 parade.

Ms. Livingston reminded council that the float was in the Stoney Hill Fire Department and the time has come to move the float to a new home. Ms. Livingston asked that she meet with the Parade Committee to decide which direction to take to ensure a secure place for the float outside of the fire departments. Mr. Hawkins is going to set up a meeting. Ms. Livingston will get some estimates and have information ready for the meeting.

**Sanitation, Streets, & Buildings Departments:** Mr. Dawkins stated he had no report however he mentioned that the railroad beds had been sprayed. Councilman Hawkins stated that he and Councilman Underwood have contacted Gerald Shealy and have an appointment with the CTC to secure some funding for sidewalks on August 18, 2008 to ask for sidewalk funding for the Town of Prosperity.

**Water and Sewer:** Councilman Underwood was absent due to a prior travel commitment.

**Police Department:** Chief Nelson reported 49 arrests with 68 counts since January 2008. Fourteen warrants have been served. Due to personnel fluctuation, we had Thirty-Four tickets for the July Court. Year to date, we have had 12 larceny calls including bicycles and copper.

Councilman Gallman asked for stronger enforcement of the curfew currently in place for Prosperity. Chief Nelson stated that the police hours have been changed to cover the problem times and he has added some extra shifts where all three officers are out to saturate the Town.

**Recreation and Parks Department:** Councilman Gallman reported that the 9 and 10 year old All-stars have won nine games in a row and are headed to the State Tournament. Ms. Crotwell asked Councilman Hawkins for a donation from the Town. Mr. Gallman stated that we have given them \$100.00 in the past and this year Pomaria gave the team \$300.00. Mayor Spotts stated that instead of donating the taxpayers' money, why doesn't each council member donate \$20.00 each. Councilman Gallman disagreed; however he said he would go along with what ever the other Council members wanted to do. Mayor Spotts stated that it is easy for Council to give the taxpayer money away; however, he felt that the council should donate individually instead of tax dollars. Councilman Hawkins responded with a motion for the Town to donate \$100.00 to the Mid-Carolina Dixie Youth and each councilmember donate \$20.00 out of their pocket. Mayor Spotts asked that the motion be amended to reflect that each councilmember donate \$40.00 and no money comes out of the taxpayer's pocket.

Councilman Hawkins responded that he did not intend on entering into a bidding war. He further stated that the Town has donated \$100.00 in the past and he feels that by donating from the Town it shows united support for the kids. He further stated that, “This is the way we make memories with our kids and these kids will remember that the Town of Whitmire, Pomaria, Prosperity helped support them and in return we are supporting ourselves by the memories these boys make.”

Mayor Spotts again asked that each councilmember donate the money out of pocket. And again Councilman Hawkins made the following motion.

**A MOTION** by Councilman Hawkins to donate \$100.00 to the Mid-Carolina Dixie Youth out of the Town’s money; seconded by Councilman Gallman and so approved by vote of majority with Councilman Underwood being absent and Mayor Spotts voting against the motion stating that he would donate \$20.00 to reimburse the Town, out of his pocket instead of spending the taxpayers dollars.

**Utility Department:** Mr. Sexton had no report.

**Town Attorney:** Tim Savidge reported that not much has changed since last month on the REA case. Stafford vs. the Town a slip and fall case – The insurance Reserve Fund is waiting on information to close the case. Dorn Vs. Town of Prosperity – According to Charles Verner, the Insurance Reserve Fund is appealing the verdict. Fire Station Deed is being worked on.

**Town Administrator:** No report at this time.

## **OLD BUSINESS**

**Update on Property Ordinance Action Plans:** Argo Building is still in need of repair/cleaning. Mr. Bufkin is arranging a meeting with Mr. Argo to establish an action plan for his property. Tim Savidge has been in touch with the city of Newberry and Newberry County to inquire about adopting an ordinance where we can ticket and or fine a property owner not in compliance. Tim and Karen will work together to present to council an alternative to our current ordinance where we do not have a health official. Discussion followed by Mr. Bufkin and Councilman Gallman concerning a property downtown. Mr. Gallman feels this property is a fire hazard and perhaps we need to check with the Fire Chief to see what powers we have to condemn a building that is not to fire ordinance standards.

## **NEW BUSINESS**

**Update of Pearl Street as Fire Lane:** Chief Nelson stated that the Highway Department was contacted and stated that it is up to the Town to establish a “fire lane”. Discussion followed. Councilman Hawkins suggested that we designate Pearl Street a fire lane. Ms. Livingston stated that she had contacted the Main Dish and asked that they establish an unloading area to the right of their ramp instead of off of Pearl Street. The Main Dish has

contacted their food vendor and asked the driver not to unload on Pearl Street but instead go around to the other side of the ramp, however, very rarely is the same driver on the route, which makes for some confusion when the first load of goods being brought in is when Chris and Rachel Lapham know that the truck is parked outside.

The food service stated to Rachel and Chris that if the curb is painted to designate it as a fire zone their trucks would not park there. Chad is going to get with Chief Bowers and Chief Nelson to bring Pearl Street up to standard and make necessary changes for the safety of all motorists and citizens. Discussion followed concerning adding a light to Main Street to warn motorists of oncoming emergency equipment. No decision was made at this time.

**Addition of Dixie Boys to Recreation Contract:** Mayor Spotts stated that the County Recreation Contract has been amended to include Dixie Boys Baseball League and has been extended until 2010.

**Swearing in Deanna Wilbanks:** Mayor Spotts stated that it is his pleasure to swear in Deanna Wilbanks as Prosperity's new Police Officer. Ms. Wilbanks read her Oath of Office, and was congratulated by the Mayor and Council. Mayor Spotts stated that Ms. Wilbanks brings two years experience to the Town of Prosperity and we are glad to have her here.

**Bids on Line Truck:** Mayor Spotts stated that the Line Truck is on its last leg and we need to consider getting a new one. Fred stated that he had several bids that are in the 60-70 thousand dollar range. At this time, the estimates are being taken for information and add to the agenda for August.

## **GENERAL INFORMATION**

Mayor Spotts reminded the public that the Council will be in Charleston, SC at the MASC annual meeting.

Mayor Spotts stated that poles are being transferred throughout Town and there may be some temporary power outages. The outages will be held to a minimum. Mr. Bufkin asked if advance notice could be given to the citizens before the outage. Mayor Spotts responded that Fred was notifying the affected area as needed.

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

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

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Karen L. Livingston, Town Administrator