

**MINUTES OF THE LYMAN TOWN COUNCIL MEETING
LYMAN MUNICIPAL COMPLEX
July 9, 2012**

1. CALL TO ORDER:

The regularly scheduled meeting of the Lyman Town Council was called to order by Mayor Rodney Turner at 6:32 PM. The Mayor made a motion to amend the agenda for Request to address Council for information 5b, Carter, Wyatt with motion, Owens seconded, none opposed.

2. FOIA:

Dennis P. Drozdak, Clerk/Treasurer responded to Mayor Turner's question if written notice of this meeting with an agenda was publicly posted, published and forwarded to the local newspapers no less than 24 hours prior to adjournment and responded yes.

3. ROLL CALL:

Conducted by Dennis P. Drozdak.

Present: Rodney D. Turner, Mayor

Tony Wyatt, Mayor Pro Tem

Daisy Carter

Larry Chappell

C. Phil McIntyre

Rita M. Owens

Donnie Wetzel

4. READING AND APPROVAL OF MINUTES:

Approval of June 4, 2012 minutes, motion by Wyatt, second by Owens, with no additions, corrections or deletions with all in favor the minutes were accepted. Approval of the first June 21, 2012 minutes, with the addition of McIntyre under present and multi-churches, motion by Wyatt, second by Chappell, with no other additions, corrections or deletions with all in favor the minutes were accepted. Approval of the second June 21, 2012 minutes, with the addition of McIntyre under present, motion by Wyatt, second by Owens, with no other additions, corrections or deletions with all in favor the minutes were accepted. Approval of the third June 21, 2012 minutes, with the addition of McIntyre under present, motion by Wetzel, second by Chappell, with no other additions, corrections or deletions with all in favor the minutes were accepted.

5. REQUEST TO ADDRESS COUNCIL:

a. Mayor asked that the email Wyatt sent to Drozdak (attached), be read into the minutes. Mayor stated that he asked Henry Laye with the Spartanburg County Election Commission to attend and explain the issues with the June election. Laye introduced his boss, Don Watson. Laye said that he realized that it was a close election and shared the goal that everyone qualified and in this district gets to vote. Mayor stated that there were four streets not allowed because the election commission did not have them listed. Laye said he shares Wyatt's concern that certain persons could not participate. First off, the poll manager is supposed to listen to the voters and insist that the voter complete a paper ballot. Then on the certification date, Thursday, would have written on ballot if allowed and would be counted. Laye said that he needs more work with his poll managers, he also stated to Wyatt, that the city maps need to be current with the County. Since the town is now transferring authority to County for certification, only the losing candidate can do a protest. Wyatt responded that he appreciated Laye's generosity, and that his intentions were not to overturn election. He stated that there were citizens that had a concern; however they did not push the issue. Wyatt then asked about absentee ballots, Laye responded that you can get one four days prior to election because he cannot mail out the ballot and have it physically received by Tuesday 7PM and will not be accepted unless he has physical possession. Wyatt said maybe six months prior to an election we can check the maps, but if annex 45 days prior to election would not be official until DOJ gives stamp of approval. Watson said that they try to run an efficient office, but make mistakes. He said that everyone registered should get to vote. Wyatt said that people just did not know to insist. Mayor noted that in 2006 had a similar problem in Lyman Farms. He commented that Laye does a fantastic job and that he appreciates his work.

- b. Carter said that reason she wanted to be on agenda is that she feels that the LymanFest committee was not fairly recognized. That she was on three to four years ago and knew what hard job they have. She noted that the town used to give out plaques to members. She stated she would like to see it reinstated and come in next month to receive plaques. Mayor Turner stated that he had asked Wetzel for a list of all the member's names. Wetzel responded that he had provided Mayor Turner with a list however, Mayor Turner was unclear as to whether or not the list included all members, but that he would look into it. Wetzel asked to discuss a personnel issue, Mayor denied.

6. EXECUTIVE SESSION:

- a. At 6:57PM, Mayor made a motion to go into executive session for the purpose of the Town's attorney review of contract negotiations. Carter seconded. At 7:33PM, Mayor made a motion to come out of executive session and that no votes were made during the meeting, it was seconded by Chappell and with no further discussion, no opposed and the motion carried with all in favor.

7. TREASURERS REPORT:

Mr. Drozdak's treasurers' report is attached in the permanent file. Drozdak mentioned that the Municipal Association had not remitted two insurance companies franchise tax so June financial report was not accurate. Motion by Wyatt, second by Chappell, with all in favor the report was accepted.

8. DEPARTMENTAL REPORTS:

Police Department –

Chief Terry Richards stated that the complete report is attached in the permanent file. Wyatt asked about e trace, the cooperation with ATF and what was the cost and why initiated? Richards responded that there was no cost and that it provided access to a database. Wyatt said he had the understanding that there had been an organizational change. Mayor responded that he put another person in second in command in the police dept. Wyatt asked why, what was the rationale? Mayor said in time we would know.

Fire Department –

Sean Harter presented the report for Chief Redd and the complete report attached is in the permanent file. Harter said that Leigh Fibers fire had 37 hours to assist Startex. Also, awarded a Federal grant of \$32,000 to recruit and train firemen. Carter asked if they responded to the Buettenett fire, Harter replied that they responded for six to seven hours.

Public Works –

Alan Johnson presented his monthly report and the complete report summary is attached in the permanent file. Wyatt asked Alan to explain the sewer surcharge and the reason TSS has a downward trend. Alan replied that is because of a recent spill and is down from 93% some points, may be to temperature change. BOD is straight across the board. Wyatt asked about extreme heat and Johnson said that warmer the weather the more active biologically. Wetzel noticed that landfill cost was down. Wyatt asked if they were taking precautions with staff in this extreme heat, Johnson replied they have a cooler and ice on the trucks. Carter asked if they were still bug spraying for mosquitoes and Johnson said yes and Dave Gregg received his certification.

1. Storm water= project completed
2. Trails=Drozdak said nothing more to report.
3. City of Wellford=Mayor said attorney handling.
4. Park/Amphitheatre/ Farmers Market= Drozdak reported that attendance down last two weeks.
5. Trees/Sidewalks=Johnson reported he had three requests to remove trees, 101 Lawrence and two on Ridge, one at 76-77 and 96 Ridge. He stated that he has letters from the homeowners concerning safety issues, Mayor said to proceed. Johnson said sidewalks on Brook Street repaired as part storm water project. Mayor said the town made photos of everything and accelerated sidewalk repairs. Wyatt said that homeowners want to correct the trip hazard. Mayor responded that he wants a scheduled basis; he asked Alan to take photos and find the money. Johnson said that they are prioritizing the sidewalks.

6. Library= Johnson said that he has gotten additional quotes, still in \$7,000 range. Mayor added that after abatement, there needs to be some council persons want to be on committee to restore. Carter volunteered since on Friends of the Library board, along with Chappell.

9. OLD BUSINESS

- a. None.

10. NEW BUSINESS:

- a. Judge John Rollins administered the oath of office to Rodney D. Turner as Mayor and Daisy Carter, Phil McIntyre and Rita Owens as Council members. Drozdak read into the minutes a conflict of interest by the Mayor for appointment of Judge and Attorney.
- b. Election of Mayor Pro Tem, Carter nominated Wyatt, Owens nominated Chappell, the Mayor hearing no more nominations stated that on each vote you can vote for yourself. With a show of hands, Wyatt had four (4), Chappell two (2), Wyatt is Mayor Pro Tem.
- c. Mayor nominated Drozdak as clerk, Wyatt seconded, none opposed. Mayor Pro Tem Wyatt presided over Judge and Attorney, asked that John Rollins as Judge, closed nominations, none opposed. For Town Attorney, Wyatt nominated John Duggan to continue, closed nominations, none opposed, Duggan appointed as Town Attorney.
- d. Resolution to adjust 020612A to add installation costs to the BB&T Startex generator. Motion by Chappell, seconded by McIntyre, none opposed, resolution unanimously passed.
- f. Resolution for refinishing floors at 59 Groce Road (Lyman event Center). Motion by McIntyre, seconded by Owens, none opposed, resolution unanimously passed.
- g. Resolution for removing asbestos from Old Library building. Motion by Wyatt, seconded by Chappell, none opposed, resolution unanimously passed.
- h. Resolution to curtail the sewer contract with the City of Wellford. Motion by Chappell, seconded by Wyatt, none opposed, resolution unanimously passed.
- i. First reading of an Ordinance to re-classify the zoning of property located at 12319 Greenville Highway from R-15 to GBD1. Motion by Chappell, seconded by Wetzel, none opposed, first reading of ordinance unanimously passed.

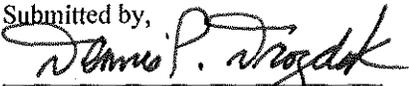
11. ANNOUNCEMENTS:

- a. Wyatt said he wants to make a statement that it concerns him of the recently concluded election of a story he heard many times that besmirches the integrity of Wetzel and he would like to publicly refute them. Mayor said must have prior notice.
- a. Next regularly scheduled meeting, Monday, August 6, 2012.

12. ADJOURNMENT:

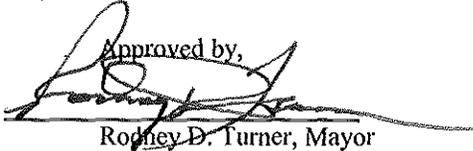
At 8:14pm Carter made a motion to adjourn, with all in favor.

Submitted by,



Dennis P. Drozdak, Clerk/Treasurer

Approved by,



Rodney D. Turner, Mayor

Date:

08/06/2012