

**MINUTES OF THE LYMAN TOWN COUNCIL MEETING  
LYMAN MUNICIPAL COMPLEX  
July 7, 2014**

**1. CALL TO ORDER:**

Mayor Rodney D. Turner announced that have 6:30 PM and call the regularly scheduled meeting of the Lyman Town Council to order.

**2. FOIA:**

Turner asked Dennis P. Drozdak, Clerk/Treasurer, 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 he responded yes.

**ROLL CALL:**

Conducted by Dennis P. Drozdak.

Present: Rodney D. Turner, Mayor  
Tony Wyatt, Mayor Pro tem  
Daisy Carter  
Larry Chappell  
Rita M. Owens  
Teresa Shuler  
Donnie Wetzel

Not present: None

**3. READING AND APPROVAL OF MINUTES:**

Approval of the June 2, 2014 public hearing meeting minutes, motion by Chappell, seconded by Carter. With no other additions, corrections or deletions with all present in favor, the minutes were accepted. Approval of the June 2, 2014 regularly called meeting minutes, motion by Chappell, seconded by Carter. With no other additions, corrections or deletions with all present in favor, the minutes were accepted. Approval of the June 11, 2014 specially called meeting minutes, motion by Chappell, seconded by Wetzel. With no other additions, corrections or deletions with all present in favor, the minutes were accepted. Approval of the June 30, 2014 specially called meeting minutes, motion by Wyatt, seconded by Carter. With no other additions, corrections or deletions with all present in favor, the minutes were accepted.

**4. TREASURERS REPORT:**

Drozdak's treasurers' report is attached in the permanent file. Motion by Wyatt, seconded by Chappell, with all present in favor, the report was accepted.

**5. DEPARTMENTAL REPORTS:**

**Police Department –**

Chief Richards said have my report before you, mentioned roster sent left off two names including the Chaplain, and answer any questions. Wyatt asked about item one the complaint against us. Richards answered that we were the arresting agency, Mayor adding that an outside got here first. Richards noted that got new badges, Hayes designed and approved by the Mayor. Owens said again appreciate that see you out and about.

**Fire –**

Chief Jim Redd announced that you have my report through with 72 calls down 36 from previous month and glad to answer any questions. Wyatt stated another rash of structure fires, Redd responded that Alma Street was 3<sup>rd</sup> degree arson, Mayor finishing that you do a great job.

**Streets –**

Maurice Hawkins answered for the department. Wyatt asked about couple of Hammond Street buildings and what were the circumstances. Hawkins replied that resident tore it down and 9 total trips to the landfill. Mayor if salvaged the metal, Hawkins answered yes on the bone yard. Wyatt asked if any thought of paving out the stop line, Mayor said that 9 months ago blackened out. Wetzel asked about Cagle Road blocks the view, Hawkins said in the 10 foot right of way. Chappell asked since you a supervisor will you be available to be with the policy and procedures committee. Wetzel mentioned Mountainview Circle is huge improvement, Mayor that some issues that are safety you go to the resident and some do a good job. Hawkins added that the guy works the 3<sup>rd</sup> shift too. Wyatt added appreciated too. Chappell asked about the crepe myrtles at Pacific Place, Hawkins answered have not finished and to complete.

**Wastewater –**

Brian Smith announced that you have my report and glad to answer any questions. Wyatt said noticed joint cooperation with Streets and if ever find the source of toxicity. Smith replied that had a meeting with source. Chappell asked since you a supervisor will you be available to be with the policy and procedures committee, Smith answered will be available.

**Pre-treatment –**

Lee Proctor announced that you have my report and glad to answer any questions. Wyatt said pretty straight forward and asked how often you go on their site to do test. Proctor answered twice a year. Chappell commented that with additional duty as code enforcer that road behind Army Navy the grass is chest high, been cut before, Proctor will see lot. Owens asked if ever check on property behind Fred's, Proctor said that encouraging word who owns has hired a landscape company. Owens said actually meant the trash, Proctor answered is Yellow Momma and will check. Proctor finished with Dunkin Donuts property sold.

**Pre-treatment –**

Alan Johnson announced that you have my summary report and glad to answer any questions. Wyatt asked on Holly Springs was all gravity, Johnson replied that Phase 1 all gravity, Mayor adding you think all be gravity, Johnson answered yes, one section tie into Ashlan. Owens said that before a decision on the shingles can you get an architect to get a couple of ideas. Johnson said there was some discussion of taking them down. Wetzel asked if any talk of awnings and Owens added let's get someone to help us. Wetzel finished with comment that landscape looked 3000% better.

**6. PROJECTS:**

- a. Streetscape & Trails enhancement= Drozdak said Streetscape almost done.
- b. Lyman Event Center
- c. Farmers Market=

7. **APPEARING BEFORE COUNCIL:**

Leon Hart of Nexsen Pruet said that Johnson asked to talk to you to bring you up to speed on Startex and here cause of the receivership. He said there are 2 sludge presses and have the ability to sell these as long as it goes into the fund. To get presses, in the worst case scenario will have to tear off the roof, the other is to tear down the building. Want to make you aware and give you the legal side and said that quite frankly dealing with 3 Circuit Court opinions, 1<sup>st</sup> in 2002 as the receiver, did not own but present operations and maintenance and charge a reasonable fee. It has 2 sludge presses that Town did not need. In 2005 a 2<sup>nd</sup> order gave the Town authority to sell and paid for any attorney fees. Harmon continued that recollects they were advertised, subsequent to eliminate the plant and pump to Lyman and in February, 2010 a consent order to eliminate discharge into the river and DHEC concurred. The order provided that did not own the collection system and left to sell the presses with Lyman maintaining the security and safety. Harmon added that particularly interested not to deal with the old sludge, so you do have the authority to dispose of the 2 sludge presses and you have copies of all 3 orders. Wyatt remarked that orders appear clearly, but were not the owners notified, who does own it. Harmon replied that owner was one time Startex International but was discharged in bankruptcy. Chappell asked who is responsible for keeping up and any appropriate user fees to keep up. Wetzel said appreciate you can sell something don't own, Harmon responding but have Court approval. Wyatt said to close out, order gives us authorization just need a resolution. Mayor concluded that will probably be addressing this issue soon.

Mike Caughman of Davis & Floyd stated that Danny Ware could not attend but was here to answer questions on project that is preceding full speed ahead. Grant to \$167,000 and received technical questions. He said that they are waiting what Council decides, waiting to respond, waiting for direction from Council. A lot interest in grant money, maximum of \$350,000 and have been somewhat successful. No CDBG grant cause Spartanburg not in eligible County and tag onto. Also, can only have one open CDBG at a time. In terms of interest rate, rate not expected to change, it would be 2%. It would equate to \$17,114 per month per 1 million for 20 years except for a hardship could go beyond 20 years. Wyatt asked are they tied to River Street, Caughman answered yes. Wyatt asked only other for the application for funding is to get a place in line, but does it obligate us, but comfortable to go forward. Caughman said he would rather go full speed.

8. **OLD BUSINESS:**

None.

9. **NEW BUSINESS:**

- a. Clerk Drozdak administered Council person oath of office to Larry Chappell, Donnie. Wetzel and Tony Wyatt.
- a. b. Nominations for election of Mayor Pro-tem, Chappell nominated Wyatt, seconded by Owens, Mayor asked for a vote, all in favor, none opposed.
- b. c. Mayor asked for nominations for Judge, Mayor announced that he would reclude himself from voting, as well as Owens. Wyatt nominated Judge Rollins, seconded by Shuler, Mayor asked for a vote, all in favor, none opposed. Mayor asked for nominations for Attorney, Wyatt named Danny Crowe from Columbia, seconded by Owens. Mayor named John Duggan, Mayor asked for a vote on Danny Crowe, five voted yes, Turner and Carter voted no. Mayor asked for nominations for Clerk, Wyatt named Drozdak. Mayor stated that have an ordinance that keep violating of separation of duties since 2002. He continued if continue on this path need to repeal. Wyatt asked we combined by vote, Mayor replied repeal the ordinance, there were no other nominations, Mayor asked for vote, all in favor.

**10. ANNOUNCEMENTS: Mayor said**

- a. Next regularly scheduled meeting, Monday, August 4, 2014.
- c. Mayor added note on announcements, but working on some strategic planning, have a retreat, have first meeting recommend start on Friday, break at 5PM, then Saturday. Start putting an agenda that you would like. Wyatt responded that an event like this need structure, find an external facilitator, can't do by yourself. Mayor said looking it at September or October.

**11. EXECUTIVE SESSION:**

- a. None.

**12. ADJOURNMENT: Mayor asked for a motion to adjourn:**

- a. At 7:37 PM Carter made a motion to adjourn, with all in favor.

Submitted by,



Dennis P. Drozdak, Clerk / Treasurer

Approved by,



Rodney D. Turner, Mayor

Date:

08/04/2014