

The Lyerly Town Council met for their regular monthly meeting on Tuesday, November 10, 2020 at Lyerly Town Hall. Those in attendance were:

Jim Ferguson, Mayor
Phil Brooks
Juanita Baker
Shirley Davis
Jim Gilliland

November 10, 2020

The meeting was called to order by Mayor Ferguson at 7:00 pm.

New Business:

Meter reading software - Mayor Ferguson said that Badger is the company that we use for our water meters. They have changed the software needed to read the meters the way that we do which is driving around and when you get close enough, it downloads the reading to the laptop and then they bring that back to the office and we generate bills from that info. They no longer make the old meters that work with our software so we can't buy the old meters anymore. The new meters that we will purchase require the new software in order to read them. The new software will read the old meters and the new ones. We have purchased some new meters from Badger because we don't have any more meters but we can't read them without the new software and it will cost \$17,000. We have the money but it's just an unexpected expense. Mayor Ferguson added that they kind of have us over a barrel because we are already locked into using their equipment. We can't change the brand of meter or we would have to change them all out. So we really have no choice. Juanita Baker said that we can use the old meters we already have. Mayor Ferguson said yes, just any new ones that we buy won't be supported by the software that we currently own. Jim Gilliland asked how many meters does that amount to, as far as the old ones that we can't read electronically. Mayor Ferguson explained that the software that we own currently reads the meters that we own currently. But any new meters that we install or any old ones that break and we replace with new meters won't be able to be read. Juanita Baker said so we will have to replace the old meters as they go out. Mayor Ferguson said yes. Juanita Baker asked if we can wait until then to buy the software. Sally Kerce said that we are in need of meters now. Michael Cabe said that the last case of meters we ordered is the new ones so as we install them, we will have to hand read them until we get the new software. Mayor Ferguson asked how many meters per year are we looking at having to replace. Michael Cabe said that just having to change out meters that go bad, we are looking at about 8-10. As far as new services, recently it has been 4-6 per year. He added that the old meters are going out more rapidly now due to their age. Phil Brooks asked if there is any competition out there. Mayor Ferguson said that we would have the same problem. If we changed, we would still have to buy new software plus replace all of our meters. Michael Cabe said that the options that he looked at, the cost was double and the software was primitive at best and we would have to change our billing software as well. Jim Gilliland asked if we have contacted any other towns to see if they have

some of the older Badger meters that we could use. Michael Cabe said that the county is already in the process of changing over to the new software. He said that the old meters have only been in the ground for 7/8 years and they are going bad. Shirley Davis asked if the City of Summerville is going with this same company or a different one. Michael Cabe said that the City of Summerville is using a different company. They and Badger are at odds at best right now. Jim Gilliland said that they have a lawsuit against Badger. Juanita Baker asked the mayor when he is expecting to have to have this \$17,000, now or three months. Mayor Ferguson said that we have the money now so we should go ahead and do it. Michael Cabe said that \$4,000 of that is for two days of required training for him and Sally. Jim Gilliland asked what kind of warranty is on the new meters. Michael Cabe said that they will have a ten year warranty and we can turn in the old meters to be replaced but they will be replaced with the newer meters. Jim Gilliland asked if he is saying that they require we turn in an old one to buy a new one. Michael Cabe said that the warranty will cover the meters for ten years. If we have one go out, we can send it in and then test it and if it's bad, they'll replace it. Phil Brooks said so they will warranty the meters that aren't ten years old in the ground. Michael Cabe said yes. Shirley Davis asked if we buy the new software, other than meters, we won't have any other expense. Sally Kerce said that there will be a yearly expense for the software end of it. She believes it was \$2,000. Michael Cabe said that he thinks all of the yearly expense together was around \$2,000. Jim Gilliland asked is there like a core deposit on the old meters. All we have to do is turn in an old one to get a new one. Michael Cabe said yes but we will have to have one in the mean time. Jim Gilliland asked why we have to turn in the old meters. We bought them. Michael Cabe said that if you want it replaced under the warranty, you have to. Phil Brooks said that he doesn't see a way out of it. Juanita Baker said she doesn't either. Jim Gilliland said that he doesn't like it. Shirley Davis said that none of us like it. Phil Brooks said that it's a bitter pill, right here. Michael Cabe said that the software we have was \$26,000 in 2011/2012. Phil Brooks said that it does save a massive amount of man hours. Phil Brooks made a motion to approve the purchase of the new meter reading software. Shirley Davis seconded. All in favor.

Name plates on the benches – Mayor Ferguson said that Juanita Baker has pointed out that the names did not go back on the correct benches. Juanita Baker said that they had name plates up there that don't even go on those benches. Sally Kerce said that they mixed up the ones that were on the back trail with the ones that were around the track. Michael Cabe said that they had no idea what went where. Juanita Baker said that all they had to do was ask if anyone knew. She said that she has a lot of stuff about the park so anytime they need to know anything, she can pull it up. Phil Brooks said that the park looks great and well maintained. Mayor Ferguson said that we will be fixing the name plates back how they go.

Phil Brooks asked if on the veterans crosses and flags, is there any way to spread them out and put them all the way around the track. He then asked Michael Cabe if that would look ok. Michael Cabe said that was actually his idea but it was shot down. Mayor Ferguson asked how many we have. Sally Kerce said around 84. Michael Cabe said that he will do them however they want them done. He thinks that they went against that idea so people wouldn't have to walk so far to view them. Juanita Baker said that we could start them further back, maybe at the end of the playground. Phil Brooks said that he just thought it might look better. Juanita Baker said that we could start at the end of the playground and go half way around the track since we don't have 100 yet and spread them out more when we get more. Shirley Davis said that some people are not able to walk that far. Juanita Baker said then they sure won't be able to walk all the way around like Phil suggested. Michael Cabe asked if we are still thinking about getting the plastic crosses with the names etched into them. Mayor Ferguson said that he would like to

do that since all we have now is the vinyl letters stuck on. Juniata Baker asked if we would put them in order of battles instead of having them all mixed up. Mayor Ferguson said that we could organize them in order of conflict. Juanita Baker said that she thinks it would just look good and people would know where to look.

Juanita Baker asked if the guys could go to the park and knock down the weeds in the ditch, they are growing up. And please don't put any more hay in the back. Mayor Ferguson said that we have already discussed that and they won't.

Fence at the Park - Mayor Ferguson said that the fence at the park has dried to where it needs to be sealed; otherwise the boards are just going to warp and pop screws. He said that we have a couple of options. We could do it ourselves which would cost around \$3,000 worth of whatever sealer we buy and that will last a couple of years and then we'll have to do it again. Or we can get it done with some stuff that is semi permanent and will last about 20 years but it's expensive. It will cost about \$14,000 to do everything that's up there. It is warranted for 20 years. If we do it ourselves every couple of years, it will end up costing around \$30,000 over 20 years. Mayor Ferguson added that we don't have to do it now, we can do it next year but we can use SPLOST to maintain the park so we can use it for this. Juanita Baker said that she loves the little bridge but the one on the highway needs rocks put on it. Mayor Ferguson said that he doesn't need a motion or anything but he wanted to run it by the council before he puts it in the budget for next year to see if they think it is something worthwhile. Shirley Davis said that we spent the money on the fence; we need to keep it up. Juanita Baker said that if it's guaranteed for 20 years, we need to do it. Michael Cabe said that nothing voids the warranty. You can sand it, paint it, and stain it or anything. Jim Gilliland asked who this company is. Mayor Ferguson handed out the brochures for Ever Seal. Michael Cabe said that there is no competition. Mayor Ferguson said that he has looked and there are only four in the southeast and this is the closest to us. Shirley Davis then asked that this isn't something that is going to hurt the kids if they climb on it? Mayor Ferguson said yes, it is super poisonous; probably kill anything that gets close but the hell with that, we want the fence to be taken care of. He said he's not worried about kids and dogs and stuff. Everyone was laughing. Mayor Ferguson said that he is just kidding. Juanita Baker read in the brochure where it says that it is 100% Eco friendly, non toxic and biodegradable. Shirley Davis said that it is child proof. Mayor Ferguson said yeah, keeps kids away. Shirley Davis said that we will have a laugh out of that for a while. Jim Gilliland asked if there are boards up there bucking. Michael Cabe said that they have had to replace some screws but haven't had to replace any boards yet. He said that there was one that buckled while they were installing it and instead of taking out the screws and putting it on right, they spent an hour or longer and used a come along to pull it back down level and screwed it back on.

Christmas – Mayor Ferguson said that we will plan to have our Christmas party after the meeting in December. So that will be Tuesday, December 8th. Shirley Davis asked if that would be the only meeting in December. Mayor Ferguson said yes. We won't have a work session next month unless something comes up. Shirley Davis asked if we will do the gifts again. Mayor Ferguson said yes, that will be fun. Guys bring a \$20 guy gift and girl bring \$20 girl gift. Juanita Baker asked about the food. Mayor Ferguson said that we will order the food. Juanita Baker then asked about desserts. Mayor Ferguson said that everyone can bring a dessert.

Mayor Ferguson opened the floor to the public at 7:27pm.

Shirley Davis asked if we had heard about Tony Patel. He said that Tony tried to call him after the paper came out. He said that he needs to email Louis to see if he has been served but he's sure that he has. He will also be having Louis to send demand letters to everyone that was on the list. Jim Gilliland asked what about over on that hill over there. Mayor Ferguson asked what hill, Mill Village? He said that it's on the list. Jim Gilliland said that it is a hell of a mess. He rode over there the other day. Mayor Ferguson said that there are several hells of messes over there. Juanita Baker said that the foot of the hill is just as bad. Mayor Ferguson said that we will get it all taken care of. Jim Gilliland said that Tony Patel is saying that since he pays taxes, he doesn't have to clean up his property. Mayor Ferguson said that he is wrong.

Juanita Baker said that we had talked about paving some of the roads. Mayor Ferguson said that Lyerly Dam got paved last week.

Jan Kilgo asked that we are going to send out letters about property. Mayor Ferguson said yes, followed by consequences. Jan Kilgo then asked who will decide what's bad and what isn't bad. Jim Gilliland asked about the people who have chickens running around. We have a livestock ordinance but I don't know if that falls under that. Sally Kerce said that the Pullen's have called and complained about chickens in their yard. Michael Cabe said that there is a livestock ordinance and a nuisance ordinance. Sally Kerce told the Mayor that Jan had a question about who decides about the properties. Mayor Ferguson said that the council will. We have an ordinance with a description in it of the kind of things that are a problem. It is kind of permissive. It refers mainly to old appliances and cars that have been there for years. He said that if what we think is junk and the owner thinks it's treasure, that's fine. Put a fence around it. The problem is that when you get to a certain point, it affects your neighbors because it lowers their property value. And technically you are doing something to injure your neighbors. Jim Gilliland said that Joyce Cook has a legitimate complaint. Mayor Ferguson said that is perfect example of what he's talking about. He asked what her neighbors name is. Sally Kerce said Gary Allmon. She added that Joyce Cook is trying to sell her property but can't because of the junk next door. Mayor Ferguson said that there are two bad places on Mill Village Road. Jim Gilliland said yes, this place and the Newton place. He said that the Newton place may be worse than the other place. Mayor Ferguson said that they are neck and neck. He said that he isn't a big fan of the government coming on people's property and telling them how to live. Jim Gilliland said that he isn't either but that's ridiculous. Mayor Ferguson said that it is over the top. Juanita Baker said especially with old burnt houses and that stuff. Mayor Ferguson said yes and he thinks that they all agree that we don't expect everyone's yard to look like a golf course but we are talking about addressing extreme cases. These are extreme cases of junked up property full of who knows what kind of vermin and affecting people's property value. Juanita Baker said that she doesn't understand if people know that it affects their property value but most of them are rental property. Jan Kilgo asked who is going to be responsible for the rental properties. Mayor Ferguson said that ultimately it is on the property owner. Sally Kerce said that there weren't any renters on the list. Mayor Ferguson said that if Jan is talking about her street, he knows that there is one house that is a little bit junky looking but that isn't what we are talking about. Jan Kilgo then asked if we aren't going to be opening up for people to have lawsuits and fight back. Mayor Ferguson said that he doesn't think the legal fees will be that injurious to us. Jim Gilliland said that what the people will spend on legal fees, they could use to clean up. Sally Kerce asked the mayor if he is still going to try the face to face approach first. Mayor Ferguson said yes. He has letters going out to everyone on the list but then he is going to go talk with them. Jan Kilgo said that she feels the same way about the government not telling people how to live. Mayor Ferguson said that he agrees but at some point we have to decide what kind of town this is

going to be. Phil Brooks agreed. Mayor Ferguson then said is it going to be a junked up meth infested, nasty place to live or it is going to be a nice, clean place to live. He said that he thinks everyone can agree that when you drive into town on Highway 114 and you get to the old Lucky's, you look over and think what a dump. Phil Brooks said that is a reserved comment. Juanita Baker said that it's before that, it's when you get to her house. She said that when you come past her house, it's from the second house up. Mayor Ferguson agreed.

Shirley Davis said that we didn't talk about Christmas. Mayor Ferguson asked if they think we should do something in the park for Christmas or not. Shirley Davis said that we should decorate for it but nothing for people to attend. Juanita Baker said that a lot of people had Halloween parties and stuff and everyone really enjoyed them. Sally Kerce said that we could do a movie in the park and have everyone spread out. Juanita Baker said that it will be too cold for a movie. Shirley Davis said that we should just decorate the pavilion and put a tree up there like last year. Juanita Baker said that she loves the way the park looks now for Thanksgiving so why not do something similar for Christmas. Jim Gilliland asked who decorated the park. Mayor Ferguson said that it was Kasia Ferguson and Gwen Fisher. Jim Gilliland said that it looks good. Mayor Ferguson said that he will tell her. Jim Gilliland said that he made some pictures and showed some people and they thought it looks good too. He said that we are getting a lot more people in the park; A lot from Alabama too. Mayor Ferguson asked what is the verdict; Yes or no to Santa and all that. Everyone said no. Michael Cabe then asked if they want the big tree decorated. Juanita Baker said yes, and around the pavilion. Shirley Davis added and around the gate. That way if anyone wants to use the park for the holidays, it will be ready for them. Jim Gilliland then asked if someone wants to use the park for a political or just a family get together, do we rent it or what. Mayor Ferguson said that we rent it. Jim Gilliland asked what we charge. Sally Kerce said that it is \$15 for four hours or \$30 for all day but once we close the restrooms for the winter, she doesn't charge because they won't have access to the restrooms.

Juanita Baker made the motion to adjourn. Phil Brooks seconded. All in favor.
Meeting was adjourned at 7:41 pm.

Mayor

Town Clerk