

PUBLIC HEARINGS:

- 1) Ordinance (08-26) to amend Ordinance number 2000-04, Section 1, Fee for Handling and Processing Checks for Insufficient Funds. Mr. Jim Irwin 625 Highway 20 of Abbeville requested to know why this was being done. County Director Moulder stated it was to get the County in line with the State. Hearing no further comment, Chairman Norris closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
DECEMBER 8, 2008
MINUTES**

PRESENT: Chairman Norris, Vice Chairman McClain, Councilman Simpson, Councilman Thomas, Councilman Calhoun, Councilman Davis and Councilman Gunnells.

ABSENT: None

CALL TO ORDER:

Chairman Norris called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Norris led the Pledge of Allegiance.

INVOCATION:

Councilman Thomas gave the invocation.

FREEDOM OF INFORMATION ACT:

Chairman Norris stated for the record that the agenda has been posted and notice has been provided to the local news media as required by the Freedom of Information Act.

APPROVAL OF MINUTES:

- a) Councilman Gunnells made a motion to approve the minutes of the November 10, 2008, regular county council meeting. Councilman Simpson seconded the motion. The motion carried 6-0-0.
- b) Vice Chairman McClain made a motion to approve the minutes of the November 13, 2008, special county council meeting. Councilman Thomas seconded the motion. The motion carried 6-0-0.

PUBLIC COMMENT (Agenda Items):

Mr. Jim Irwin, 625 Highway 20, Abbeville inquired as to the need for a special source revenue bond? Why not transfer money from other funds instead? Money keeps being spent, place a freeze on all expenditures. When Patricia Gordon left the planning position you moved the planning department to Steve Bowles and gave him extra for doing it. Now you have hired Lanny McKay for planning, have you taken away the extra from Steve Bowles? Prysmian is paying \$100,000.00 in taxes, yet we are paying \$300,000.00 for their wall! Blackberries are still being used. It is time for reduction. Council hired a County Director to give them advice, are you listening or just telling him what to do. You are spending more than what is coming in. Don't count on taxes to get you through, you haven't collected them yet.

OLD BUSINESS:

Councilman Thomas made a motion to add Resolution 08-57 to the agenda under New Business. Councilman Simpson seconded the motion. The motion carried 6-0-0.

- a) Third reading of Ordinance (08-17) authorizing: (1) the execution and delivery of a special source credit agreement by and between Abbeville County, South Carolina (the "County") and Project Palmetto (the "Company"); (2) the joint development of an Industrial Park in cooperation with Anderson County, such park to be geographically located in Abbeville and Anderson Counties and to be established pursuant to Section 4-1-170 of the South Carolina Code of Laws 1976, as amended; (3) the execution and delivery of a written agreement with Anderson County to provide for sharing of the expenses of the park and for the distribution of the revenues from the park to the counties and relevant taxing entities within the counties; and (4) other matters related thereto. Councilman Simpson made a motion to table third reading. Vice Chairman McClain seconded the motion. The motion carried 6-0-0.
- b) Third reading of Ordinance (08-20) to amend the Abbeville County Official Zoning Map for a 0.7 acre tract of land located at 117 Union Church Road, Abbeville, and identified by tax map number 134-00-00-143, to rezone from General Residential (GR) to General Commercial (GC). Councilman Gunnells made a motion to approve third reading. Councilman Davis seconded the motion. The motion carried 6-0-0.
- c) Third reading of Ordinance (08-21) to amend the Abbeville County Official Zoning Map for a 2.6 acre tract of land located at 152 Highway 184, Iva, and identified by tax map number 046-00-00-033, to rezone from Forest Agricultural (FA) to Rural Development District (RDD). Vice Chairman McClain made a motion to approve third reading. Councilman Simpson seconded the motion. The motion carried 6-0-0.
- d) Third reading of Ordinance (08-23) to develop a jointly owned and operated industrial/business park in conjunction with Laurens County, such industrial/business park to be geographically located in Abbeville County and established pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as amended; to provide for a written agreement with Laurens County to provide for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxation and other

matters related thereto. Councilman Gunnells made a motion to approve third reading. Councilman Davis seconded the motion. The motion carried 6-0-0.

- e) Third reading of Ordinance (08-24) authorizing pursuant to Title 4, Chapter 1 of the South Carolina Code of Laws, 1976, as amended, the execution and delivery of an infrastructure financing agreement between Abbeville County, South Carolina and Carolina Fabrication, Inc. Vice Chairman McClain made a motion to approve third reading. Councilman Simpson seconded the motion. The motion carried 6-0-0.
- f) Third reading of Ordinance (08-25) authorizing the execution and delivery of a fee agreement by and between Abbeville County, South Carolina and Milliken & Company, with respect to certain economic development property, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto. Councilman Davis made a motion to approve third reading. Councilman Gunnells seconded the motion. The motion carried 6-0-0.
- g) Second reading of Ordinance (08-26) to amend Ordinance number 2000-04, Section 1, Fee for Handling and Processing Checks for Insufficient Funds. Councilman Thomas made a motion to approve second reading. Councilman Simpson seconded the motion. The motion carried 6-0-0.
- h) Resolution (08-27) authorizing the County Director to sign the Federal Emergency Management Agency Community Partner Memorandum of Agreement. Vice Chairman McClain made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion failed 2-4-0 with Chairman Norris and Councilmen Gunnells, Davis and Simpson opposed.

NEW BUSINESS:

- a) First Readings: New Policy – All first readings are read into the record by the Chairman, and a vote is not necessary per Ordinance 05-11.
 - 1) Ordinance (08-27) authorizing the issuance and sale of not to exceed \$1,000,000.00 principal amount Abbeville County, South Carolina Special Source Revenue Bonds in one or more series, the application of the proceeds of said bonds to defray the costs of the construction of certain infrastructure improvements in the County and other matters relating thereto.
- b) Resolutions:
 - 1) Resolution (08-48) honoring Mrs. Debbie Temple for her professional accomplishments. Councilman Davis made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion carried 6-0-0.
 - 2) Resolution (08-49) honoring Mrs. Sharmel Miller for her professional accomplishments. Councilman Thomas made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 6-0-0.

- 3) Resolution (08-50) honoring Abbeville County E-911 Communications Center for their professional accomplishments. Councilman Gunnells made a motion to approve this resolution. Councilman Simpson seconded the motion. The motion carried 6-0-0.
- 4) Resolution (08-51) recognizing and honoring Mr. Keith Barnes for his dedicated years of service to the residents of Abbeville County. Councilman Simpson made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 6-0-0.
- 5) Resolution (08-52) recognizing and honoring Mr. Nate Overholt for his dedicated years of service to the residents of Abbeville County. Councilman Gunnells made a motion to approve this resolution. Vice Chairman McClain seconded the motion. The motion carried 6-0-0.
- 6) Resolution (08-53) to authorize the transfer of \$24,010.79 from the Local Option Sales Tax Account to the General Fund. Vice Chairman McClain made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion carried 6-0-0.
- 7) Resolution (08-54) of recognition for service to Abbeville County. Councilman Thomas made a motion to approve this resolution. Vice Chairman McClain seconded the motion. The motion carried 5-0-1 with Councilman Davis abstaining.
- 8) Resolution (08-55) of recognition for service to Abbeville County. Vice Chairman McClain made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 5-0-1 with Councilman Simpson abstaining.
- 9) Resolution (08-56) of the Abbeville County Council requesting that the South Carolina General Assembly continue to support meaningful incentives for recyclers in recognition of the energy and environmental benefits of recycling to our county, the state and the nation. Councilman Davis made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 6-0-0.
- 10) Resolution (08-57) honoring Ms. Julia C. Bowie for her service to Abbeville County. Councilman Thomas made a motion to approve this resolution. Councilman Simpson seconded the motion. The motion carried 6-0-0.

DIRECTOR'S REPORT: None

COMMITTEE REPORTS:

- a) Finance Committee—Ray Gunnells, Claude Thomas and Billy Norris. No report was given.
- b) Personnel and Administration— Jeff Simpson, Bryan McClain and Claude Thomas. No report was given.

- c) Public Works—Mike Davis, Billy Norris and Bryan McClain. No report was given.
- d) Intergovernmental Relations—Bryan McClain, Mike Davis and John Calhoun. No report was given, but Vice Chairman McClain reminded Council that Title III Funds Committee still had a lot of vacancies needing to be filled.
- e) Planning and Industrial Development—Claude Thomas, Ray Gunnells and John Calhoun. No report was given.
- f) Education, Recreation, Health and Welfare—John Calhoun, Ray Gunnells and Jeff Simpson. No report was given.
- g) Public Safety—Billy Norris, Jeff Simpson and Mike Davis. No report was given.

A motion was made by Vice Chairman McClain to go into Executive Session to discuss a personnel issue, contractual matter and legal advice on a lawsuit. Councilman Simpson seconded the motion. The motion carried 6-0-0.

Councilman Calhoun arrived at the meeting.

EXECUTIVE SESSION:

Chairman Norris reconvened the meeting following executive session and announced that no action was needed following executive session.

PUBLIC COMMENT (Non-Agenda Items):

Mr. BJ Johnson, 1620 Highway 81 North, Calhoun Falls, informed Council that he has been with the County for 22 years and this is a low point for the County. How was the decision made for the lay-offs? EMS has grown, but my department has stayed the same. I have lost 1/3 of my work force. I should not be penalized for having an efficient office. The size of my office is comparable to other counties. I request Council to reverse its decision.

Ms. Heather Osborne, 378 Mt. Carmel Road, Abbeville, stated she is a paralegal and is in the courthouse frequently. Abbeville County's Courthouse is friendly, accessible and the courthouse employees should be commended for their service. The cuts made in the Probate office will hurt that department. They deal with citizens during a very stressful time. Reinstate the position to full time as soon as possible.

Ms. Angie Greeson, 407 Sunset Drive, Abbeville, informed Council that she has been with the County 2 ½ years till 11/14/08 when position was reduced to part-time. The Probate office performs various duties for the community and this cut will affect them. I have put my heart and soul into this job. Why was her job chosen and not others in the Courthouse, some of which have just hired new people? Please reverse the decision not only for me, but for the community.

ADJOURNMENT:

There being no further items of discussion Councilman Gunnells made a motion to adjourn. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.

The meeting adjourned at 9:43 pm.

Done this 12th day of January, 2009

Abbeville County Council

By: _____
Robert B. McClain, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council