

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
AUGUST 11, 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:

Chairman Norris 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:

Vice Chairman McClain made a motion to approve the minutes of the July 14, 2008, regular county council meeting. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

PUBLIC COMMENT (Agenda Items):

Mr. S.M. "Mack" Beaty, IV of Abbeville, read in paper that the County over spent \$900,000.00 through the years. Now we are doing it again to the tune of \$300,000.00 for Prysman Cable. Have researched this expansion and see the benefits to the County, but we do not need to be maintaining walls. If we can find \$300,000.00 for this project, we can find money for programs which we have historically supported like GLEAMNS, Soil & Water and Clemson Extension.

Mr. Jim Irwin of Abbeville spoke on Ordinance 08-15. This Tax Anticipation Note I believe should be for one million not two. County Director Moulder corrected him that one million was for the Special Source Revenue Bond. Mr. Irwin asked where the money is going. Trip to Florida, EMS Director going all over the world for prestigious awards, but you cannot eat or spend prestigious awards. Hilton Head trip cost \$9,613.00. This is really a joke. You take the money spent on this trip and you would have the money for Soil & Water. More of an expense is these Blackberries everyone is carrying. I used to pick Blackberries to eat and now you want to

talk on them. I have heard that the cost for one of these is \$80.00 per month and there are about 10 of them being used. The State has a freeze on hiring and is going to be doing some cuts. Why not Abbeville County? Council has no clue what is going on. I don't think you give a tinkers damn on what's going on. You need to answer to the people and they are hot.

PRESENTATIONS:

Ms. Barbara Turnburke, American Red Cross Service Center Manager informed Council that for the fiscal year beginning July 1, 2007 and ending June 30, 2008 the Red Cross has spent \$18,897.00 in Abbeville County. This year so far \$1,669.50 has been spent.

Mr. Stan Keaton, Chairman of the Abbeville Soil & Water Conservation District requested Council to reconsider their budget cut. He introduced Mr. Barney Gambrell who informed Council that Soil & Water had been receiving at least \$2,500.00 per year from the County since the 1950's. This money was used in part for education and conservation programs for children. If no funds are received from the County they would not receive \$15,000.00 from the State, which paid for their part time secretary. It is not fair for the County to cut their funding out completely. Abbeville County has benefited greatly and they are not asking for much, just \$2,500.00 for this year.

Ms. Edith Davis a resident of Abbeville County and a parent of a special needs child requested that Council please reconsider their budget cut of the Burton Center. She introduced Mr. Burton, who informed Council that his buses cover over 4,000 miles per day in six (6) Counties. They travel all over Abbeville picking up 84 special needs adults and bringing them back. We have streamlined our operation as much as possible. We request that you please reconsider and give us \$15,000.00 or we may have to cut positions in Abbeville County.

OLD BUSINESS:

- a) Third reading of ordinance (08-02) to accept the deed of Right-of-Way from the property owner of Bobcat Lane in Abbeville County. Councilman Gunnells made a motion to remove this ordinance from the table. Councilman Thomas seconded the motion. The motion carried 7-0-0. Vice Chairman McClain made a motion to approve third reading. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- b) Third reading of ordinance (08-07) authorizing the amendment of that certain fee agreement by and between Prysmian Power Cables and Systems USA, LLC and Abbeville County, South Carolina to add an infrastructure improvement grant and other matters related thereto. Chairman Norris moved this item to after Executive session. There were no objections.
- c) Third reading of ordinance (08-08) to purchase two (2) acres of property at a price of \$10,000.00 from Faye H. and Thomas Alexander on state secondary road #291 known as Sherard Circle for the construction of a convenience/recycle center. Councilman Simpson made a motion to approve third reading. Councilman Gunnells seconded the motion. The motion carried 7-0-0.

- d) Third reading of ordinance (08-09) to amend the Abbeville County official zoning map for a one (1) acre tract of land located at 4595 Old Calhoun Falls Road and identified by tax map number 130-00-00-042 from General Commercial (GC) to Rural Development District (RDD). Chairman Norris moved this item to after Executive session. There were no objections.
- e) Third reading of ordinance (08-10) to amend the Abbeville County official zoning map for a 1.3 acre tract of land located along Gin House Road and identified by tax map numbers 046-00-00-081 and 046-00-00-034 from Forest Agricultural (FA) to Rural Development District (RDD). Councilman Thomas made a motion to approve third reading. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- f) Third reading of ordinance (08-11) to amend the Abbeville County official zoning map for a 3.7 acre tract of land located along Highway 28 and identified by tax map numbers 046-00-00-043, 045, 049 and 080 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 7-0-0.
- g) Third reading of ordinance (08-12) to amend the Abbeville County official zoning map for a 3.51 acre tract of land located along Parnell Road and identified by tax map number 054-00-00-222 (PT.) from Forest Agricultural (FA) to General Residential (GR). Councilman Simpson made a motion to approve third reading. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.

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 (08-13) to approve the sale of approximately a 1.6 acre tract of land located in Abbeville County, a portion of property identified on TMS #121-00-00-008, and also shown on a plat prepared by Michael Neil Garrett (Plat Book 35, page 165) exhibit “A”, legal description from (Deed Book 246, page 764) hereto as exhibit “B”, to be sold “as is” to Abbeville Plant Facilities, LLC. for \$1.00 and other valuable consideration.
 - 2) Ordinance (08-14) to amend the text of the Zoning Ordinance of Abbeville County regarding Special Use Permits, adopted February 11, 2008.
 - 3) Ordinance (08-15) making provision for tax anticipation borrowing by Abbeville County, South Carolina, in the principal amount of not exceeding \$2,000,000.00 in anticipation of the collection of Ad Valorem Taxes for the fiscal year beginning the first day of July, 2008 and ending the 30th day of June, 2009; to prescribe the terms and conditions of such borrowing and the form of note to be executed evidencing the same; and to make provision for the payment thereof.

b) Resolutions:

- 1) 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 Calhoun seconded the motion. Councilman Gunnells informed Council that he had talked with an insurance company and was informed that any citizen could purchase flood insurance and this resolution penalized the citizens of Abbeville County by making it mandatory that all whose property touches water must purchase flood insurance. Vice Chairman McClain and Councilman Calhoun rescinded their motions. Vice Chairman McClain made a motion to table this resolution until the County Director could get information in regards to this matter. Councilman Thomas seconded the motion. The motion carried 7-0-0.
- 2) Resolution (08-28) to authorize the transfer of \$19,626.10 from the Local Option Sales Tax Account to the General Fund. Councilman Simpson made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion carried 7-0-0.
- 3) Resolution (08-29) authorizing the County Director to enter into a contract with Ospreyhd Production to create a Tourism/Economic Development DVD/HD material for distribution and web access. Chairman Norris made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 7-0-0.
- 4) Resolution (08-30) authorizing the County Director to enter into a contract with Carlisle Associates, Inc. for engineering services at the Lakelands Commerce Center. Councilman Gunnells made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion carried 7-0-0.
- 5) Resolution (08-31) authorizing the County of Abbeville to offer incentives to Project Palmetto; upon their location of operations in Abbeville County, South Carolina. Chairman Norris moved this item to after executive session. There were no objections.
- 6) Resolution (08-32) to approve and authorize the execution of the Grant Award Agreement between Abbeville County, the South Carolina Department of Commerce and the South Carolina Department of Transportation for the administration of a grant for the Prysmian Retaining Wall Project. Chairman Norris moved this item to after executive session. There were no objections.
- 7) Resolution (08-33) to direct the Abbeville County Director to obtain the assistance of Bond Counsel for the purpose of preparing the necessary documents to issue Tax Anticipation Note(s) in the amount of approximately \$2,000,000.00 so that such documents can be brought before Abbeville County Council for approval. Councilman Gunnells made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 6-1-0 with Vice Chairman McClain opposed.

- 8) Resolution (08-34) to direct the Abbeville County Director to obtain the assistance of Bond Counsel for the purpose of preparing the necessary documents to issue Special Source Revenue Bonds in the amount of approximately \$1,650,000.00 so that such documents can be brought before Abbeville County Council for approval and to direct the County Director to issue a request for proposals from local banks for such financing. Chairman Norris moved this item to after executive session. There were no objections.

DIRECTOR'S REPORT:

County Director Moulder requested permission from Council to sign the grant agreement for the Secession Street Extension Water Line. Councilman Thomas made a motion to approve this signage. Councilman Calhoun seconded the motion. Chairman Norris requested this issue be tabled until after executive session. Councilmen Thomas and Calhoun rescinded their motions.

County Director Moulder informed Council on a request by WCTel for an additional easement on SC 28 and Old Calhoun Falls Road to move podium about 10 feet on fire property. Vice Chairman McClain made a motion to approve this request. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

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.
- 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 an Economic Project and receive legal advice on Prysmian Cable and Bond issues. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

EXECUTIVE SESSION:

Chairman Norris reconvened the meeting following executive session and announced that there were several issues which needed to be addressed.

- a) Third reading of ordinance (08-07) authorizing the amendment of that certain fee agreement by and between Prysmian Power Cables and Systems USA, LLC and Abbeville County, South Carolina to add an infrastructure improvement grant and other matters related thereto. Councilman Gunnells made a motion to approve third reading. Councilman Davis seconded the motion. The motion carried 6-0-1 with Vice Chairman McClain abstaining.
- b) Third reading of ordinance (08-09) to amend the Abbeville County official zoning map for a one (1) acre tract of land located at 4595 Old Calhoun Falls Road and identified by tax map number 130-00-00-042 from General Commercial (GC) to Rural Development District (RDD). Councilman Simpson made a motion to table third reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- c) Resolution (08-31) authorizing the County of Abbeville to offer incentives to Project Palmetto; upon their location of operations in Abbeville County, South Carolina. Vice Chairman McClain made a motion to table this resolution. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- d) Resolution (08-32) to approve and authorize the execution of the Grant Award Agreement between Abbeville County, South Carolina and the coordinating council for Economic Development for the administration of a grant for the Prysmian Retaining Wall Project. Councilman Thomas made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 6-0-1 with Vice Chairman McClain abstaining.
- e) Councilman Gunnells made a motion to add Resolutions 08-35 and 08-36 to the agenda. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- f) Resolution (08-35) to approve and authorize the execution of the agreement between Abbeville County, South Carolina, the South Carolina Department of Transportation and Prysmian Power Cables and Systems USA LLC for the Prysmian retaining wall project. Councilman Davis made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 6-0-1 with Vice Chairman McClain abstaining.
- g) Resolution (08-36) to approve and authorize the execution of the performance agreement between Abbeville County, South Carolina, the South Carolina Department of Commerce and Prysmian Power Cables and Systems USA LLC for the Prysmian retaining wall project. Councilman Simpson made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 6-0-1 with Vice Chairman McClain abstaining.

- h) Resolution (08-34) to direct the Abbeville County Director to obtain the assistance of Bond Counsel for the purpose of preparing the necessary documents to issue Special Source Revenue Bonds in the amount of approximately \$1,650,000.00 so that such documents can be brought before Abbeville County Council for approval and to direct the County Director to issue a request for proposals from local banks for such financing. Councilman Gunnells made a motion to approve this resolution. Councilman Davis seconded the motion. The motion carried 7-0-0.
- i) Councilman Thomas made a motion to give County Director Moulder approval to sign the Secession Street Extension Water Line Grant Agreement. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.

PUBLIC COMMENT (Non-Agenda Items):

Mr. Luther Bowman of Lowndesville requested that Council give Clemson Extension \$3,000.00 needed for their programs. Please reinstate giving money to Clemson when funds become available. It will be money well spent.

County Attorney Roper elaborated on Resolutions 08-32, 08-35 and 08-36 pertaining to the Prysmian retaining wall. 08-32 referred to Dept. of Commerce giving the money to the County and the County giving it to Dept. of Transportation. 08-35 referred to building the project. 08-36 referred to the obligations of Prysmian upon receiving of the funds.

ADJOURNMENT:

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

The meeting adjourned at 9:53 pm.

Done this 8th day of September, 2008

Abbeville County Council

By: _____
William C. Norris, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council