

ABBEVILLE COUNTY COUNCIL  
REGULAR MEETING  
NOVEMBER 26, 2001

PRESENT: Chairman Walker, V.C. Thomas, Councilmen Agan, Forrester, Calhoun, Gunnells, Brown, Director Allen, and Attorney Pruitt

Chairman Walker called the Public Hearing to order as follows:

1. Abbeville Planning Commission's recommendation concerning the property located at 544 Corbin Road, Honea Path, SC. That this property be rezoned from FA to BI. No comments.
2. An offer of \$1,500 from SCDOT for County Property located on Road/Route-SC 72-DSS Office Bldg. No Comments.
3. On the proposed redistricting of County Council Districts as identified as Plan 2. No Comments. Since there were no comments, Public Hearings were adjourned.

4. Chairman Walker called the Regular Meeting to order with the Pledge of Allegiance and prayer given by Councilman Brown. First item on the agenda was approval of Minutes from November 12<sup>th</sup> council meeting. Councilman Brown made a motion to approve minutes that was seconded by Councilman Calhoun. Councilman Agan referred to page 5, last paragraph concerning county bonuses and that dollar signs needed to be added to the figures. Motion passed to approve minutes. Next item was approval of minutes for special meeting on November 19<sup>th</sup>. Councilman Agan made a motion to approve minutes that was seconded by Councilman Forrester. Councilman Agan referred to 1<sup>st</sup> page, second paragraph that the word transfer be stricken out of the first sentence. Motion to instruct County Director to reimburse the infrastructure and not to transfer. Councilman Agan referred to second page, last paragraph concerning the Bibb Building with reference to some spelling errors and the third sentence wherein Agan expressed he agreed with the Chair's statement. Chairman Walker referred to two corrections in the November 19<sup>th</sup> minutes. V. C. Thomas abstained since he was not at this meeting. Motion passed to approve minutes with the changes.

5. Presentations

EMS Director Steve McDade and County Council to recognize Sharmel Miller for receiving the 2001 Palmetto Award for her exceptional professionalism in the field of EMS Communications, and acknowledges the special contributions of telecommunicators whose daily performance of their duties is an inspiration and example to others in the field of telecommunications. Ms. Miller, an E-911 dispatcher was praised for her teamwork and her service in such areas as developing an emergency management Website. Chairman Walker presented Ms. Miller with a plaque.

6. Committee Reports: Chairman Walker stated that the Committee recommendations are considered, seconded, when reported out of Committee and therefore can move directly into discussion

Personnel & Administration: Vice Chairman Thomas, Chair stated that a portion of the Personnel & Administration Committee intended to look at our employees and enriching their jobs, try to build up employee morale, bring the county together as well as we can between employees and employers and in doing this, they have come up with the idea of an Appreciation Dinner and service awards being presented. The idea is to present service awards to those employees who have been employed by the County for at least 20 years and would also like to recognize the retiring Fire Commissioner, Charles Magaha, at that time. Funding will come from department 503 (non-departmental), which is already included in the budget (\$29,500), which would also include a merit increase of \$100 for fulltime employees and \$25 for part time. After further discussion, Council agreed to the Appreciation Dinner and Service Awards.

Finance Committee; Chairman Walker, Chair had nothing to report but wanted to take the opportunity to remind council of the Budget and Control Boards approval to cut the aid to subdivisions by 3.4 million which means that we will receive over the next two quarters \$18,467 less than we had projected in our revenues for this fiscal year

Public Works: Councilman Gunnells, Chair had nothing to report at this time.

Intergovernmental Relations; Councilman Forrester, Chair had nothing to report at this time.

Planning and Industrial Development; Councilman Brown, Chair reminded the committee of a meeting at 6:00pm in the Courthouse Conference Room to discuss changes made in the noise ordinance.

Education, Recreation, Health & Welfare; Councilman Calhoun, Chair had nothing to report.

Public Safety; Councilman Agan, Chair had nothing to report.

Ad Hoc Committee on Office/Space; Councilman Gunnells, Chair stated that at this time he does not have a rough draft of what was discussed at the meeting

7. Old Business:

7A, (a) 3<sup>rd</sup> Reading on the Abbeville County Planning Commission recommendation concerning the property located at 544 Corbin Road, Honea Path, SC. That this property be rezoned from FA to BI. V. C. Thomas made a

motion to have 3<sup>rd</sup> Reading that was seconded by Councilman Gunnells and passed unanimously.

7B, (a) 3rd Reading on Ordinance No. 01-24, the offer of \$1,500 from SCDOT for County Property located on Road/Route-SC 72-DSS Office Bldg. Councilman Agan made a motion to have 3<sup>rd</sup> Reading that was seconded by Councilman Brown and passed unanimously.

7C, (a) 3rd Reading on Ordinance No:01-23, the proposed redistricting of County Council Seats identified as Plan 2. Councilman Brown made a motion to have 3<sup>rd</sup> Reading that was seconded by Councilman Calhoun and passed unanimously.

7D, (a) 2<sup>nd</sup> Reading on Ordinance 01-22, to impose a moratorium on any new outdoor advertising in Abbeville County pending revision of the County Zoning Ordinance. V. C. Thomas made a motion to have 2<sup>nd</sup> Reading that was seconded by Councilman Calhoun and passed unanimously.

7E. Chairman Walker to review Council retreat minutes and assign committees. He addressed Council by saying that last May they had a retreat at the COG and they covered a lot of business over the two-day period. Some of the items discussed are still outstanding at this time and he would like to address some of these issues since they will need attention over the next several months. Some of the items are computerization of county offices, which may take a few years to accomplish. He felt that the time for planning was now and appointed a committee of Councilman Thomas, Gunnells and himself and that he would take the initiative to contact them and set up the first meeting. The next one was dealing with Board and Commission appointments by Council Districts and we do have a committee that deals with appointments which is chaired by Councilmen Forrester, Agan and Calhoun. He talked with Councilman Forrester who agreed to address this. Another item was County-Wide Water as to consider whether or not we want to establish a Water Commission and to turn this over to the committee and report back to us as to their recommendations for action. We have an existing committee, which is the Public Works Committee, which is chaired by Councilman Gunnells and felt that they should deal with the recommendations on the water commission. He also looked at manufactured housing assessment and felt that we have just about finished up with assessment and have tried to hire a Planner and when he comes on board it will free Mark Sumner up some and he would like to defer appointing anyone to this committee

7F. Council to discuss membership on the BZA and its future size and terms. Director Allen stated that at the last meeting notification was given that two seats were coming open and in our previous discussions concerning zoning we talked about increasing the size of the membership of the BZA and at that meeting Mr. Agan mentioned that he would like to discuss leaving the two people on the Board until we go further and decide what the future is on the organization of the BZA. Councilman Agan felt that the policies or bylaws read that they would continue to

serve until replaced or reappointed. Since we are talking about making changes on the BZA from 5 to 7, he felt it would hold down some confusion in the future if these people will serve until the new terms are established. He made a motion to ask Ms. Strickland and Mr. Paul to continue to serve on the BZA until the new policies are established. Councilman Forrester seconded the motion that was passed unanimously.

8. New Business:

8A. (a) Attorney Pruitt to discuss the Gardner/Debt Set Off Collection Act litigation and Abbeville County's involvement and possible settlement. After a brief discussion, Council agreed to pay \$135 toward the settlement.

8B. (A) Council to allow up to \$1,600 from Dept. 503 line 26200 to be used for County Council Employee Recognition Dinner. (This item was addressed in Committee)

8C. (A) The Planning Commission makes the following recommendation for Council to hold 1<sup>st</sup> Reading on the Zoning request from Brenda Powell on property located at 5 Horton Dr., Abbeville from GR to GC. V. C. Thomas made a motion to have 1<sup>st</sup> Reading on this request that was seconded by Councilman Gunnels and passed unanimously.

9. Director' Update.

- (i) Director Allen stated that this past Monday he was served with the citations on the OSHA violations concerning the unfortunate accident we had at the Landfill. They listed a total of 18 violations and gave us dates to comply with each one. The total fines equated were \$2,100. Most of the deadlines were last week. The date he received it, he talked with Ms. Linsky with OSHA to request an informal hearing to see about an extension on this. During their conversation, she asked if we would object to any of the violations listed and he informed her we would not and would work at correcting them. They spent 45 minutes on going over what we had done to correct a number of these violations since the accident. He also requested that a compliance group from OSHA to come out and do an onsite inspection with us to show us areas we could improve on. They have implemented a number of things that the inspector suggested that day. A number of training sessions have been scheduled until the first of the year due to the holidays. Ms. Linsky informed us that there would be no need for an informal conference and would consider the phone call as a conference and reduced our fine to \$840 for a 60% reduction because of the efforts we were making.
- (i) LEC was scheduled to be open on 12/3 but because of the delay in getting the furniture, it has been postponed to the following weekend. The Sheriff and Magistrate's office will be opened on that Monday.

(i) Search for County Planner. Tuesday, following the meeting, he was authorized to pursue the search for a Planner. He had an ad in SCAPA and the SCAC. Ads have also been put into the newspaper and it will be two weeks this Wednesday and 2 applications have been received.

10. Announcements:

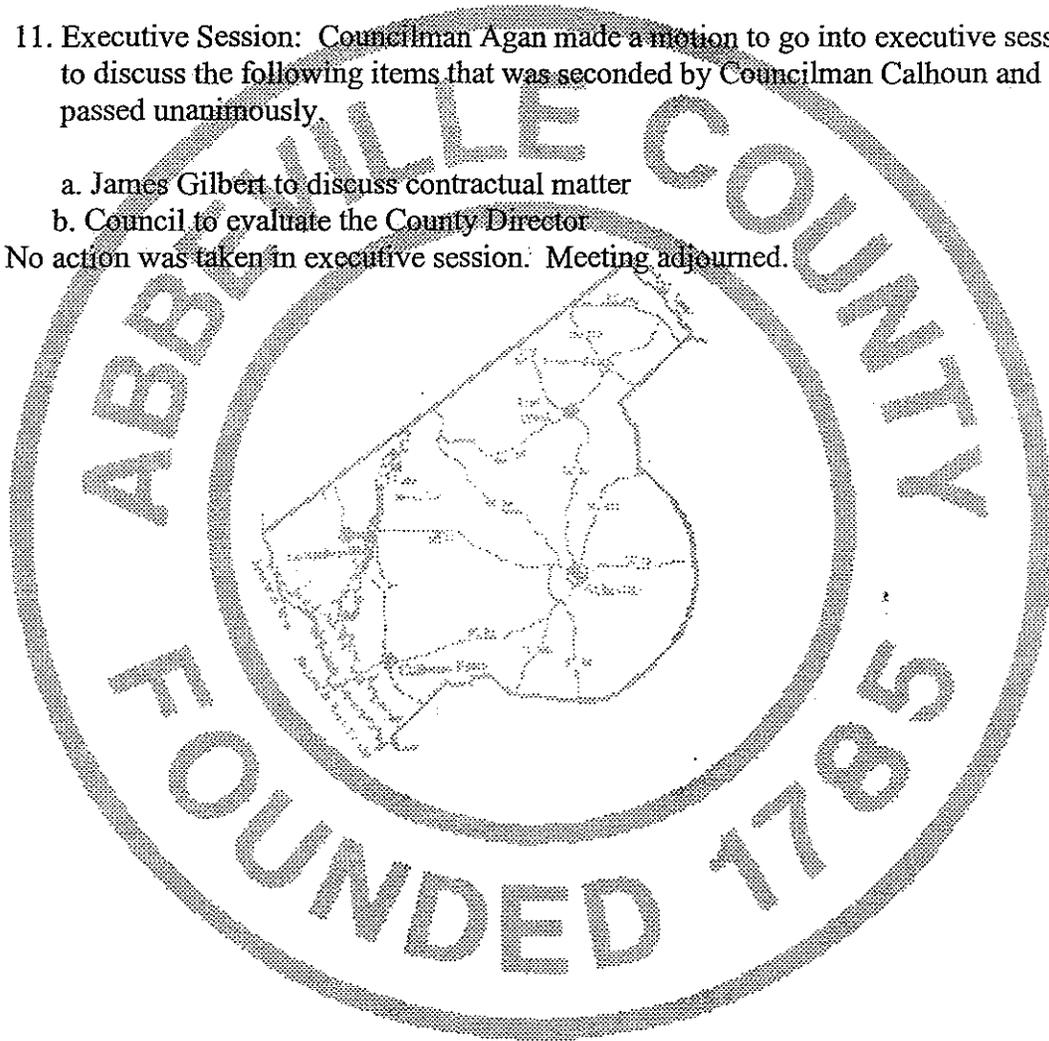
A Zoning Meeting will be held on Thursday, Dec. 6<sup>th</sup> from 7:00pm.

11. Executive Session: Councilman Agan made a motion to go into executive session to discuss the following items that was seconded by Councilman Calhoun and passed unanimously.

a. James Gilbert to discuss contractual matter

b. Council to evaluate the County Director

No action was taken in executive session. Meeting adjourned.



ABBEVILLE COUNTY COUNCIL  
SPECIAL MEETING  
November 29, 2001

PRESENT: Chairman Walker, V. C. Thomas, Councilmen Agan, Calhoun, Gunnells, Brown, Director Allen, and Attorney Pruitt

ABSENT: Councilman Forrester

Chairman Walker called the meeting to order. The purpose of this meeting was to hear a status report from Ben Kochenower on the County's 2001 Audit and other matters regarding the audit.

Mr. Ben Kochenower addressed Council by saying that they had done some preliminary work on the audit and are currently waiting for the bookkeeping and accounting to be completed. He said that during the year we had some transition and turnover and that the 2000-year audit was presented during late June or early July of 2001 and he believed that he made the statement that everybody was optimistic that maybe by early November we could have an audit report. This has not been the case and said he had no business in making such a statement. What we do have is a Finance Department who is working on this situation. Since then, they have been waiting, encouraging and from time to time have had discussions on the phone and give pointers and direction and maybe every couple of weeks they will be a telephone conversation and we don't have our Audit as yet. Mr. Agan called him last week and asked him to come this evening in order to talk about this whole situation so we may know where we are.

Lisa Wiles came in the week that our previous finance director went on leave. She assisted in getting the year 2000 Audit completed and has been getting her feet on the ground in the Finance Department by learning all that and trying to do the bookkeeping and accounting for all fiscal year 2000-2001. It was a pretty deep hole and something she had not done before. Judy Scott is the only one we have in the County right now that had been thru an Abbeville County Audit and it's been a few years since she did it. Lisa has been working on it and it has been a big job to keep the Finance Department going and to do two-year end audits. He continued by saying that he was here 2-3 years ago when we changed auditors through their first audit. He said that we are in way better shape than we were back then. Lisa has gone through a reconciliation process with all the cash accounts with the treasurer and has most of it done. She needs to talk to Council about what she thinks it's going to take to get it done, but we have basically been waiting on her.

Mr. Kochenower said that the goal and objective that Council presented to them when they got involved with Abbeville County was that we would take control of our finances, get accurate and timely reporting, have reasonable assurance that it was accurate and to make decisions based on that. Since then, we have had some turnover in the finance area. Right now there is a lady in the Finance Office that has done more than anybody we have had in the Finance Office up to now, as far as actually doing the work and getting it done.

She has done reconciliations and both she and Judy have been acting nicely and seem to get along very well. It is not going as quickly as we had anticipated but we are way ahead than we were six months ago and that he was talking about the paperwork, accounting and having someone down there that understands the accounting system. From his personal observation, this individual we have in the office is actually doing the work and getting some things done. He went on to say that he and Lisa went through the trial balance for about two hours and talked about what was needed to do and she had all the cash taken care of, all of the payables interfund transactions, etc. They made a list as to what needed to be done for them to come in and complete the audit. Mr. Kochenower suggested that Lisa do once she gets the trial balance done is to actually put the numbers into the financial statement. He said that he didn't know how long it would take but with a goal in mind for council to take control of their finances, we need someone who is knowledgeable on staff and we have someone who is gaining that knowledge. His recommendation was to let Lisa finish it and not lose this opportunity. She would then be through what it takes to get an audit out.

V. C. Thomas asked Mr. Kochenower that when he spoke in Calhoun Falls, he was very optimistic about us having the audit completed as stated and he was getting the 2000 audit done that was late. With the knowledge of what is going on in the office having worked with the current finance director, what needed to be done to get us moving. Mr. Kochenower stated that what she needed was privacy and to be left alone and new computer software, starting January 1<sup>st</sup>. Training will be starting in December. There will be W2's and 1099's in January as well as the budget process. He suggested that what needs to happen is that Council consider getting someone to do the W2's and 1099's perhaps by using Smith Data. Have the other two girls learn the new computer software sometime in February. Lisa felt that the two girls in the office could handle the day to day operations and leave her alone to where she could work on nothing but getting ready for this audit. She needs time to concentrate and focus because of general interruptions with people coming in and asking questions. Mr. Kochenower felt, at this point, that something needed to be sacrificed to some degree. One issue discussed was what is significant and what we needed to worry about now and what we could put off until later. If there are some accounts that have \$15 or \$20 in them, we need to adjust or leave alone until we could get the audit out. Mr. Kochenower felt that, in talking with Lisa, she believes that if she could get somebody to do the W2's and 1099's, she could be left alone and the other girls can handle everything. This needs to be done within the next three weeks. She needs to get together with Judy and spend quality time so she will know what adjustments are to be made. There also may be some things that Mr. Kochenower needs to help her with.

Mr. Kochenower stated that the financial statement put out is not simple like it used to be 30 years ago and a lot of us took 4-6 years of intensive training and still wonder if we know what we are doing. He went on to say that there was going to have to be some communications between the Treasurer and Finance Director. Judy knows what's going on and what Lisa needs is to find out what's going on. The simplest and most cost effective way to find out is to sit down with Judy to find out and learn.

Chairman Walker stated that in order to get the audit completed this year, what he would like to see is a recommendation from Lisa and Paul saying here is what we propose not doing or whatever and it can include having someone do some of the work or whatever it takes to get it done as quickly as possible which would be before Christmas. Councilman Agan said that we heard a couple of suggestions such as W2's and 1099's which would be a big help between now and Christmas and other things that it would take to get through before Christmas. After a lengthy discussion, Chairman Walker asked what the cost of the audit would be to which Mr. Kochenower stated that to finish the audit, it would cost about \$15,000-\$20,000 to finish the audit itself. Anything else we have to do, we don't know. We are about a third of the way building the audit. Councilman Agan said that he had some issues with the way we have proceeded with the audit and had nothing to do with the finance department but what we had discussed prior to the beginning of this year. He thought that we would proceed until we had a written agreement between Abbeville County and the Firm, stating the amount, what would be performed for that amount and our rate and that you would not proceed beyond the agreed amount without approval from County Council. He asked for the agreement that was faxed down and what he got was a number that was higher than what was budgeted. Mr. Kochenower signed it but we never completed it from our end. He was curious about all the discussion had about the audit we are in to be so particular so that there would be no misunderstanding between the two parties. We have lived up to our end for one thing but you have proceeded without this agreement being completed. In his opinion it needed some changes. He was curious as to whose authority the audit started back in May or June. Mr. Kochenower said that he had been in contact with Paul and the Finance Department.

Councilman Agan referred to a document that had several errors in it and was never signed by anybody. The factors were never put in for Lost, Vehicle percentage. The millage is wrong for two items one being the School and the other LEC. The statement saying a general cost of living increase of 3% for all fulltime employees is inactive at this time and adopted at this regular meeting of County Council on 6/18/01. He said this was never looked at and there were other areas that were never changed after they met. He wanted to know what we were going to do with it to which Chairman Walker stated that we would correct it and reissue.

V. C. Thomas made a motion to go into executive session that was seconded by Councilman Agan and passed unanimously. Chairman Walker stated that in executive session they completed the evaluation of County Director Allen. There was no action taken. Chairman Walker stated that some came to him and asked why we were so long in session during an evaluation and are there serious problems and is termination eminent. He said that his experience has always been a one on one situation but in this case it was a ~~seven~~ <sup>ONE</sup> on seven, which takes a lot longer since there are seven different opinions and seven ideas. Council pointed out his strengths and weaknesses in his performance as Director, but took no action. Councilman Calhoun made a motion to adjourn that was seconded by Councilman Gunnells and passed unanimously.

Meeting adjourned.

## CORRECTED MINUTES

ABBEVILLE COUNTY COUNCIL  
REGULAR MEETING  
DECEMBER 10, 2001

PRESENT: Chairman Walker, V. C. Thomas, Councilmen Agan, Forrester, Scott, Gunnells, Calhoun, Director Allen, Attorney Pruitt

### Public Hearing:

On Ordinance No: 01-22, to impose a moratorium on any new outdoor advertising in Abbeville County pending revision of the County Zoning Ordinance. Chairman Walker stated that this would be deferred until the January 14th Meeting. He proceeded to call the regular meeting to order with prayer given by Attorney Pruitt.

First item on the agenda were approval of minutes of the November 26<sup>th</sup> and 29<sup>th</sup> County Council Meeting. Councilman Agan made reference to the minutes of November 26<sup>th</sup> concerning changes on the BZA from 5 to 7 and that it should read 5 to 7 members. He also referred to minutes of November 29<sup>th</sup> wherein it refers to a document that had several errors and that it should read the document we are talking about is the FY2001-02 Abbeville Budget. He also referred to the general cost of living increase of 3% for all fulltime employees that was enacted and not inactive as stated in the minutes. There were a few other errors that were noted and corrected. Councilman Scott made a motion to approve the minutes of the Nov. 26<sup>th</sup> meeting that was seconded by Councilman Calhoun and passed unanimously. Councilman Agan made a motion to approve minutes of the Nov. 29<sup>th</sup> meeting with corrections noted that was seconded by Councilman Gunnells and passed unanimously.

### 5. Presentations:

Mr. Robert Sherard to address County Council on allegations of misappropriation of funds for the project at Calhoun Falls referred to as Lakeside at Russell. He addressed Council by referring to the misuse of state funds with regard to the Lakeside Russell Project. He quoted an article from the newspaper in which Rep. Harry Stille said that roughly \$200,000 in state funds had been spent in a questionable way, given the contract between the South Carolina Department of Commerce and Freshwater Resorts. After further comments, council received it as information.

### 6. Committee Reports:

Personnel & Administration; Vice Chairman Thomas, Chair reminded everyone of the dinner for County Employees to be held at the United Methodist Church at 7PM on December 13<sup>th</sup>.

Finance, Chairman Walker, Chair. Councilman Agan made a motion to rescind his motion of November 19<sup>th</sup> to instruct the County Director to reimburse the Infrastructure Fund in the amount of \$80,105 from the Economic Development Project carry forward monies. Motion was seconded by Councilman Gunnells and passed unanimously. The Finance Committee recommended the transfer of the following funds to cover the cost of the 2000 Audit. \$22,120 to be transferred from Dept. 570 LEC, General Fund line item 33000, Professional Services, \$14,500 to be transferred from Dept. 503 Non-Departmental, General Line Item 26200 Merit Increases, \$10,611.90 to be transferred from Dept. 503 Non-Departmental, General Fund line item 89900 Lump Sum for a total of \$47,231.90 to be transferred into Dept. 564 External Auditor, General Fund line item 33000 Professional Services. Council discussed the contract with Cline Brandt & Kochenower and Director Allen pointed out that in the original contract on page one of the audit for fiscal year ending 6/31/01 had a price of \$34,000. The updated contract Director Allen presented had changed that to \$30,000. Chairman Walker mentioned that in the 11/29 meeting with Kochenower they had stated that an audit should cost \$25,000. He also stated that to complete the 2001 audit should cost no more than between \$15,000 and \$20,000.

Public Works: Councilman Gunnells, Chair had no report at this time.

Intergovernmental Relations; Councilman Forrester, Chair said that a letter was received from Paul Agnew stating that he resigned from the Library Board.

Planning and Industrial Development; Councilman Brown, Chair stated the county-wide noise ordinance was still in committee and there are changes being made.

Education, Recreation, Health & Welfare; Councilman Calhoun, Chair had no report at this time.

Public Safety, Councilman Agan, Chair had no report at this time.

Ad-Hoc Committee on Space, Councilman Gunnells Chair stated if we go downstairs in the basement with the Planner and Codes Office would there be ramps installed where one would step down into the office for handicapped, etc. Mr. Allen stated that this was checked into for Council's purpose also and to do that would eat up the entire room.. He mentioned the Registration and Election Office that is the same height and how much the ramp takes would take it all the way to the Director's door. Councilman Agan asked where the conference room for the Planner would be located to which Mr. Allen said they could put a large table in the back part of the Assessor's Office to handle this. Councilmen

Gunnells recommended that on the main floor of the Courthouse, the Master of Equity's Office would be turned into a satellite station for the Sheriff and Probation and Parole. On the third floor of the Courthouse, a conference room currently being used by attorneys would be turned into the County Director's Office. In the County Office Annex known as the Magistrate's Building, a number of offices would be turned over to the Probation and Parole agency.

#### Ad-Hoc Committee on Computerization of County Government

#### 7. Old Business:

- a. 2<sup>nd</sup> Reading on the Zoning request from Brenda Powell on property located at 5 Horton Dr., Abbeville from GR to GC. After a brief discussion, Councilman Gunnells made a motion to have 2<sup>nd</sup> Reading that was seconded by Councilman Brown and passed unanimously.

#### 8. New Business:

- a. County Treasurer, Judy Scott, to request Council's approval to transfer \$67,890.76 from the LOST Account to the General Fund for October 2001. Councilman Agan made a motion to approve the transfer that was seconded by Councilman Calhoun and passed unanimously.

#### 9. Director's Update:

- (i) LEC - The County Sheriff's Office and associated departments, such as the DARE officer and Litter Officer and Magistrate's Office have already moved into the Law Enforcement Center this past weekend.
- (i) With reference to the reassessment, it is about 99% complete.

#### 10. Announcements.

- (i) Mr. Allen announced that the December 24<sup>th</sup> County Council Meeting would be cancelled. He also stated that Thursday evening, December 13<sup>th</sup> at 7pm was the County Council Dinner for County employees.

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Ad-Hoc Committee on Office Space; Councilman Gunnells, Chair The Committee to present its report and recommendations on County Office space needs. Councilmen Gunnells recommended that on the main floor of the Courthouse, the Master of Equity's Office would be turned into a satellite station for the Sheriff and Probation and Parole. On the third floor of the Courthouse, a

conference room currently being used by attorneys would be turned into the County Director's Office. In the County Office Annex known as the Magistrate's Building, a number of offices would be turned over to the Probation and Parole agency.

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DECEMBER 31, 2001

PRESENT: Chairman Walker, V. C. Thomas, Councilmen Agan, Forrester, Brown, Calhoun, and Director Allen

ABSENT: Councilman Gunnells, Attorney Pruitt

Chairman Walker called the meeting to order at 9AM. The purpose of the meeting was to consider the approval of the final construction of the fence around the Diamond Hill Convenience Center. Mr. Sutton and his son were there and contracted to do the fence and install it around the convenience center. A month or so ago an inquiry was made to Public Works as to why the fence had not been completed yet or didn't appear to be completed because there was no concrete around it. In the meantime, a lot of holes had filled up with dirt. Mr. Forrester and Walker went out there and work was being done but it certainly was not adequate and it wasn't according to the drawing specs, which is all they had to go by. In looking at the specifications, they were way over design and didn't need 3 ft. of concrete in the ground. In talking with Mr. Sutton on this particular fence, he was asked if he could do it for the same linear price per foot as he installed the one at Gilgal Church. He indicated that a letter was sent back saying that it could be done. Mr. Walker further stated that both he and Mr. Forrester were out there a couple of days ago and it looked as though what they were doing was acceptable and adequate. They were digging around the posts a good four inches to six inches and a foot deep and were going to mix the concrete and pour it into the holes. Both Chairman Walker and Councilman Forrester felt that they could not make this decision or approval by themselves and felt that they should call this meeting and address this issue on the fence.

Councilman Agan stated that in looking at it briefly that 3 ft. of concrete in the line post holes might be a little overkill. The problem is when you bid on a job no matter who you are, they all need to bid on apples and apples and not apples and oranges. We had this problem one site back when we were saying one thing and meaning another in our plans and specifications. Whether they are wrong or right you still need to bid on the job the way the plans or specifications call for. You can't just bid a job because you know it's wrong and base your price on knowing that it's not right and bidding it another way. Chairman Walker and Councilman Forrester went to Gilgal and Donalds and Mr. Walker said that he would not put one in his yard. We have allowed this to go on which does not make it right. Councilman Agan said that we either need a refund for the job that was performed or go back and correct it according to the specifications. After further discussion, Councilman Agan made a motion to have both Mr. Suttons added to the

agenda. Motion was seconded by Councilman Forrester and passed unanimously. The younger Mr. Sutton stated that as far as the depth of the concrete, they called Keith Dunn in Anderson and they have never put concrete below the posts all the way to the top but they have always dug the footing at least a foot deep and drive the post in so it would stand straight and pour the concrete. He understood that it was not done like that on this job but they did discuss it with the guy before they did it. They never discussed any money or discount because he never bid on 3 ft. concrete. When bidding on this the younger Mr. Sutton stated that they looked at the drawing and specs and other things and then questioned him on the concrete. Chairman Walker asked the Suttons that during a rebid what do they normally look at when they bid. The young Mr. Sutton said that they normally look at the specs and drawings as well as addressing commercial grade pipe, etc. He also said that he would go back and look at the other convenience centers and if they don't have concrete around them, it would be corrected. The older Mr. Sutton stated that Diamond Hill and Gilgal were the only ones that they had specifications. The other centers were just given the footage and no bid document. As far as them taking so long to put the fence up, everytime they went out there, they had to put their corner post up in order to get a straight line and were held up another two weeks because of the septic system as well as other things. After further discussion, Councilman Agan by saying that he didn't know how we could do anything without something in writing so these fellows know what they are supposed to do and what we know what they are going to do as well as what is expected. Mr. Sutton said that he had something in writing that consisted of one sheet that was signed. Councilman Forrester added that they got their money tied up in this fence and they held him up and there should have been some correspondence from both sides. After further discussion, Chairman Walker stated that what he would like to see done was to go ahead and get this thing done and it's going to be a better job than what we have gotten on the others. Councilman Calhoun commented by saying that he was glad that Mr. Forrester and Mr. Walker saw what had happened and we can't have people doing work without being supervised.

Councilman Agan made a motion that these are minimum specifications to be met for corners and line posts at Diamond Hill Convenience Center. On the corners and gateposts, use the 3" post that is in place, 3 ft. in the ground with a 2 ft. concrete collar minimum 8" diameter holes, tension bars as per plans. These are minimums and if more were wanted, it would be okay. The line post is a 2" post, which is in place, 2 foot in the ground with a one-foot concrete collar 8" diameter hole. These are the minimum specifications. He continued by saying that this motion would change anything that has been prior in the plans for specifications or any other verbal communication. This is what would be needed to complete this contract on the fence at Diamond Hill. There was never an original date of completion according to the Suttons. Councilman Agan stated that we needed to come up with a reasonable date of completion and after a brief discussion Councilman Agan suggested that he would be in favor of January 14<sup>th</sup> and giving any additional days according to the weather. Since there is a Council Meeting on the 14<sup>th</sup>, and if it should be necessary to extend it, it could be done at the meeting. Chairman Walker stated that he would like for the motion to say that if the 14<sup>th</sup> is not met, they have by date the reasons they could not work on those days. Councilman Agan completed his motion by saying that the concrete in discussion is a properly mixed

concrete and not placed dry. Completion date of the fence is January 14<sup>th</sup> and if an extension were needed due to weather or other circumstances the sub-contractor would request an extension to council. Councilman Forrester seconded the motion. V. C. Thomas stated that, just for clarification, where did the specs in the motion come from to which Chairman Walker stated that they came from Council and not based on any engineering data. V. C. Thomas abstained. Motion passed. Meeting adjourned.



ABBEVILLE COUNTY COUNCIL  
SPECIAL MEETING  
DECEMBER 31, 2001

PRESENT: Chairman Walker, V. C. Thomas, Councilmen Agan, Forrester, Brown, Calhoun, and Director Allen

ABSENT: Councilman Gunnells

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