

PUBLIC HEARING:

a) An ordinance (06-21) suspending Sunday work prohibitions; and other matters related thereto. Hearing no comment, Chairman Gunnells closed the public hearing.

b) An ordinance (06-22) to amend Section 6.002, Paragraph B, Subparagraphs 4 and 5 of the Code of Ordinances of Abbeville County concerning request to be heard.

Ms. Penny King of 395 McGill Circle, Abbeville, informed Council that they are the governing body for their respected districts. To be an effective leader you must be a good listener. If you don't listen you don't have a clue. Do not undo the good work you have already accomplished. Adhere to the existing ordinance already in place; don't throw the baby out with the bath water.

Mr. Jim Irwin of 625 Highway 20, Abbeville, stated we are sending out an alarm, our freedom of speech is in danger of being taken away. Ordinance 03-08 now in place states the correct procedure. Don't penalize the citizens for poor Council proceedings. Keep ordinance 03-08 in place and table ordinance 06-22.

Mr. Edward Evans of District 4, Abbeville, requests that Council do away with signing up for public comment. Citizens should be allowed to speak on whatever topic they want at the start of every meeting and then leave if they so choose. Not all have access to word processors to get requests in seven (7) days ahead of time. I ask Council to allow citizens to speak on whatever matter they wish with time limits of course. Council should encourage citizens to speak.

Mr. Mack Beaty of 38 Highway 28 South, Abbeville, spoke that the City of Abbeville allows public comment on non-agenda items. If you proceed with what you are planning tonight you are stifling the free flow of information. Don't take the rights of Abbevillians away because you felt uncomfortable, blind sided or unprofessional. I don't believe an ordinance is the magic bullet for professionalism, actions determine whether you are professional or not, an ordinance will not resolve that situation. Mr. Chairman runs the meeting by the established ordinances, if the people do not understand the procedure it would be very easy to explain it and control your Council. Council if your Chairman cannot run the meeting in accordance to the established procedure, then you may need to elect a new Chairman.

Mr. Harry Stille of Due West, gentlemen all of you are public officials who chose to run for this office. That is not your seat it is the publics seat, you were just the one who ran for that seat and was elected by the people. Government should be 100% open. Every one of us who has sat in public office is going to get shot at and sometimes you are going to get hit and there is nothing you can do about it. There should be no ordinance for comment, just open government.

Mr. Robert Vaughn of 265 Lake Shore Drive, Abbeville, there is no shame in not knowing the answer to a question. We have people who live in this county that are illiterate. That does not mean they are stupid, just that they cannot read or write. We have folks in this county who will not be able to notify you seven (7) days before a council meeting. Please do not change this ordinance, because there are people out there who will not be able to communicate with you for one reason or another.

c) An ordinance (06-23) to establish certain fees to be charged by Abbeville County in connection with searching for and/or making copies of public records pursuant to the South Carolina Freedom of Information Act. Hearing no comment, Chairman Gunnells closed the public hearing.

d) An ordinance (06-24) to amend the Abbeville County Personnel Policy Manual to remove "General Election Day" as a paid holiday observed by Abbeville County from page eight (8) of the Personnel Policy Manual.

Mr. Alan Hughes of 344 Noble Drive, Abbeville, requested that Council table this ordinance and allow them time to find a suitable location to move the elections too. Please do not make any hasty decisions.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
JANUARY 8, 2007
MINUTES**

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

ABSENT: None

ELECTION OF OFFICERS:

Chairman Gunnells turned the meeting over to the County Attorney Lee Roper, who went over the procedures to be followed. Councilman Davis nominated Councilman Gunnells. Councilman McClain nominated Councilman Thomas. Councilman Simpson made a motion to close the nominations. Councilman Calhoun seconded the motion. The motion carried 7-0-0. The County Attorney called for a show of hands from members of Council voting for Councilman Gunnells. Four (4) members voted for Councilman Gunnells. The County Attorney called for a show of hands from members of Council voting for Councilman Thomas. Three (3) members voted for Councilman Thomas. Accordingly Councilman Gunnells was elected as Chairman. The County Attorney opened the floor for nominations on Vice Chairman. Chairman Gunnells nominated Councilman Norris for the position of Vice Chairman. Councilman McClain nominated Councilman Thomas for the position of Vice Chairman. Councilman Davis made a motion to close nominations. Councilman Calhoun seconded the motion. The motion carried 7-0-0. The County Attorney called for a show of hands from members of Council voting for Councilman Norris. Four (4) members voted for Councilman Norris. The County Attorney called for a show of hands from members of Council voting for Councilman Thomas. Three (3) members voted for Councilman Thomas. Accordingly Councilman Norris was elected Vice Chairman. The County Attorney turned the floor back over to Chairman Gunnells.

CALL TO ORDER:

Chairman Gunnells called the meeting to order at 8:15 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Gunnells led the Pledge of Allegiance.

INVOCATION:

Councilman Norris gave the invocation.

FREEDOM OF INFORMATION ACT:

Chairman Gunnells stated for the record that both the Press and Banner and the Index Journal were notified of the meeting and that the meeting was posted on County Buildings as required by the Freedom of Information Act.

APPROVAL OF MINUTES:

Councilman Davis made a motion to approve the minutes of the December 11, 2006, regular county council meeting. Councilman Simpson seconded the motion. The motion carried 6-0-1 with Councilman McClain abstaining.

PUBLIC COMMENT: None

PRESENTATIONS: None

OLD BUSINESS:

- a) Third reading of an ordinance (06-16) to amend the Abbeville County Road System, Ordinance 2000-5, index of roads maintained by Abbeville County, South Carolina by adding State Park Road to the County Road System. Tabled till after Executive Session per Chairman Gunnells.
- b) Third reading of an ordinance (06-19) to amend the Abbeville County Official Zoning Map for a 45.82 acre tract of land located at Beulah Land Farm Road and identified by tax map number 103-00-00-026 from Forest/Agricultural (FA) to General Commercial (GC). Councilman Simpson made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- c) An ordinance (06-20) to amend the Abbeville County Official Zoning Map for a 357.12 acre tract of land located at Beulah Land Farm Road and identified by tax map number 103-00-00-027 from Forest/Agricultural (FA) to Restricted Residential (R-8). Councilman Simpson made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- d) Second reading of an ordinance (06-21) suspending Sunday work prohibitions; and other matters related thereto. Vice Chairman Norris made a motion to approve second reading. Chairman Gunnells said due to lack of a second the motion dies.
- e) Second reading of an ordinance (06-22) to amend Section 6.002, Paragraph B, Subparagraphs 4 and 5 of the Code of Ordinances of Abbeville County concerning request to be heard. Councilman Simpson made a motion that this reading be tabled. Councilman McClain seconded the motion. The motion carried 7-0-0.
- f) Second reading of an ordinance (06-23) to establish certain fees to be charged by Abbeville County in connection with searching for and/or making copies of public records pursuant to the South Carolina Freedom of Information Act. Councilman Thomas made a motion to approve second reading. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- g) Second reading of an ordinance (06-24) to amend the Abbeville County Personnel Policy Manual to remove "General Election Day" as a paid holiday observed by Abbeville County from page eight (8) of the Personnel Policy Manual. Councilman Thomas made a motion to table second reading until after executive session. Councilman Simpson 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.

- 1) An ordinance (07-01) to develop a jointly owned and operated industrial/business park in conjunction with Anderson County for Project Enviro.
- 2) An ordinance (07-02) to develop a jointly owned and operated industrial/business park in conjunction with Anderson County.

b) Resolutions:

- 1) A resolution (07-01) authorizing the County Director to enter into a contractual agreement with the South Carolina Association of Counties for cable franchise services. Vice Chairman Norris made a motion to approve this resolution. Councilman Davis seconded the motion. The motion carried 6-1-0 with Councilman Thomas opposed.
- 2) A resolution (07-02) authorizing the County Director to enter into a contractual relationship with Shealy Environmental Services, Inc. for laboratory analytical services for the storm water quality monitoring program at the Abbeville County Landfills. Councilman Thomas made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- 3) A resolution (07-03) for Right of Way Easements to SCDOT to replace the bridge on Highway 28 By-Pass. Councilman Simpson made a motion to approve this resolution. Councilman McClain seconded the motion. The motion carried 7-0-0.

DIRECTOR'S REPORT: None

COMMITTEE REPORTS:

- a) Finance Committee—Ray Gunnells, Claude Thomas and Billy Norris. No report was given.
- b) Personnel and Administration—Mike Davis, Jeff Simpson and Claude Thomas. No report was given.
- c) Public Works—Jeff Simpson and Billy Norris. No report was given.
- d) Intergovernmental Relations—Billy Norris, 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 and Jeff Simpson. No report was given.
- g) Public Safety—John Calhoun and Billy Norris. No report was given.

A motion was made by Councilman Simpson to go into Executive Session to discuss a legal issue on State Park Road, an Economic Development contractual matter and a personnel issue. Councilman Thomas seconded the motion. The motion carried 7-0-0.

EXECUTIVE SESSION:

Chairman Gunnells reconvened the meeting following executive session and announced that two issues needed to be addressed.

Third reading of an ordinance (06-16) to amend the Abbeville County Road System, Ordinance 2000-5, index of roads maintained by Abbeville County, South Carolina by adding State Park Road to the County Road System. Vice Chairman Norris made a motion to amend the ordinance authorizing the County Director to sign the road maintenance agreement. Councilman McClain seconded the motion. The motion carried 7-0-0. Councilman Simpson made a motion to approve third reading as amended. Councilman Davis seconded the motion. The motion carried 7-0-0.

Second reading of an ordinance (06-24) to amend the Abbeville County Personnel Policy Manual to remove "General Election Day" as a paid holiday observed by Abbeville County from page eight (8) of the Personnel Policy Manual. Councilman Davis made a motion to table second reading. Councilman Thomas seconded the motion. The motion carried 7-0-0.

ADJOURNMENT:

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

The meeting adjourned at 9:17 pm.

Done this _____ day of _____, 2007

Abbeville County Council

By: _____
Ernest R. Gunnells, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council