

**PUBLIC HEARINGS:**

- 1) 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). Hearing no comment, Chairman Norris closed the public hearing.
- 2) 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). Hearing no comment, Chairman Norris closed the public hearing.
- 3) Ordinance (08-22) adopting the initial Capital Improvements Plan (CIP) for unincorporated Abbeville County, Fiscal Years 2009/2010 through 2013/2014; and prioritizing capital projects recommended in the CIP for the initial Fiscal Year of 2009/2010. Hearing no comment, Chairman Norris closed the public hearing.
- 4) 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. Hearing no comment, Chairman Norris closed the public hearing.
- 5) 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. Hearing no comment, Chairman Norris closed the public hearing.
- 6) 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. Hearing no comment, Chairman Norris closed the public hearing.

**ABBEVILLE COUNTY COUNCIL  
REGULAR MEETING  
NOVEMBER 10, 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 7:35 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) Vice Chairman McClain made a motion to approve the minutes of the October 13, 2008, regular county council meeting. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

**PUBLIC COMMENT (Agenda Items):** None

**OLD BUSINESS:**

- 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. Chairman Norris made a motion to table third reading. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- b) Third reading of Ordinance (08-18) to amend the Abbeville County Official Zoning Map for a 0.7 acre tract of land located at the intersection of Highways 71 and 284, and identified by tax map number 090-00-00-038 from Forest Agricultural (FA) to Rural Development District (RDD). Councilman Simpson made a motion to approve third reading. Councilman Gunnells seconded the motion. The motion carried 7-0-0.

- c) Third reading of Ordinance (08-19) providing for the adoption of Abbeville County Building Codes. Councilman Gunnells made a motion to approve third reading. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.
- d) Second 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. Councilman Thomas requested further information. Planning Director McKay informed Council that this rezoning was granted in 1981 according to the Tax Assessor's records and a building permit was issued at the same time. The motion carried 7-0-0.
- e) Second 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). Councilman Simpson made a motion to approve second reading. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.
- f) Second reading of Ordinance (08-22) adopting the initial Capital Improvements Plan (CIP) for unincorporated Abbeville County, Fiscal Years 2009/2010 through 2013/2014; and prioritizing capital projects recommended in the CIP for the initial Fiscal Year of 2009/2010. Chairman Norris made a motion to table second reading. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.
- g) Second 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 Thomas made a motion to approve second reading. Councilman Simpson seconded the motion. The motion carried 7-0-0.
- h) Second 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 second reading. Councilman Gunnells seconded the motion. The motion carried 7-0-0.
- i) Second 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. Vice Chairman McClain made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

- j) Approval of Contract for Services related to Engineering Development of the Community Development Block Grant Long Cane Community Waterline Extension Project. Chairman Norris made a motion to move this item to after Executive Session. Councilman Gunnells seconded the motion. The motion carried 7-0-0.

**NEW BUSINESS:**

- a) 2009 Meeting Schedule. Councilman Gunnells made a motion to approve the schedule with the amendment of the March 23<sup>rd</sup> meeting being moved to March 25<sup>th</sup>. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.
- b) FY 2009-2010 Budget Calendar. Councilman Thomas made a motion to approve the schedule with the amendment of the March 23<sup>rd</sup> meeting being moved to March 25<sup>th</sup>. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- c) Consideration of SCDOT and CSX Railroad request to install a railroad access drive way in the Abbeville County Detention Center Parking Lot in accordance with engineered plans submitted by SCDOT. Councilman Simpson made a motion to approve this request with a written agreement from CSX on usage. Chairman Norris seconded the motion. The motion carried 7-0-0.
- d) 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 (08-26) to amend Ordinance number 2000-04, Section 1, fee for handling and processing checks for insufficient funds.
- e) Resolutions:
  - 1) Resolution (08-43) to authorize the expenditure of Accommodation Tax monies as recommended by the Accommodation Tax Committee. Councilman Thomas made a motion to approve this resolution. Vice Chairman McClain seconded the motion. The motion carried 7-0-0.
  - 2) Resolution (08-44) inducement with respect to Milliken & Company. Councilman Gunnells made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
  - 3) Resolution (08-45) to authorize the transfer of \$19,566.88 from the Local Option Sales Tax Account to the General Fund. Councilman Simpson made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
  - 4) Resolution (08-46) authorizing the County Director to enter into a contractual agreement to participate in the Secure Rural Schools and Community Self-Determination Act of 2000 to expend Forestry Funds. Vice Chairman McClain made a motion to approve this resolution with 20% going to Title III. Councilman Thomas seconded the motion. The motion carried 7-0-0.

- 5) Resolution (08-47) establishing the millage rates and fees for FY 08-09. Councilman Gunnells made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

Councilman Gunnells requested all Councilmen to review the Ordinance from Pickens County in regards to illegal aliens. Chairman Norris asked the County Attorney to look into this ordinance.

**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. Councilman Simpson left the room. Vice Chairman McClain announced that since Title III funds would continue the need to fill vacant positions on the Board were needed. Also, other vacancies needed to be filled as soon as possible on other committees.
- 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 with CDBG and a budget issue. Councilman Simpson seconded the motion. The motion carried 7-0-0.

**EXECUTIVE SESSION:**

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

Councilman Gunnells made a motion to award the contract for CDBG to Heaner. Councilman Simpson seconded the motion. The motion carried 6-1-0 with Councilman Thomas opposed.

Vice Chairman McClain made a motion for budget cuts discussed in executive session to be carried out by the County Director. Councilman Gunnells seconded the motion. The motion carried 7-0-0.

**PUBLIC COMMENT (Non-Agenda Items):** None

**ADJOURNMENT:**

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

The meeting adjourned at 9:26 pm.

Done this 8<sup>th</sup> day of December, 2008

Abbeville County Council

By: \_\_\_\_\_  
William C. Norris, Chairman

ATTEST:

By: \_\_\_\_\_  
Lynn Sopolosky, Clerk to Council