

## CORRECTED MINUTES

ABEVILLE COUNTY COUNCIL  
REGULAR MEETING  
FEBRUARY 11, 2002

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

Absent: Councilman Thomas

Public Hearing: Ordinance to allow County of Abbeville to establish and enforce a noise ordinance. Since there were no comments the public hearing adjourned.

Chairman Walker called the meeting to order with prayer given by Councilman Scott.

4. First item on the agenda was approval of January 28<sup>th</sup> Council meeting minutes and February 1, 2002 Called meeting. Councilman Agan made a motion to approve the January 28<sup>th</sup> minutes that was seconded by Councilman Calhoun. Councilman Agan commented on the last page of these minutes, at the top of the page he was thinking that the Coroner said his increase went up to \$700 and not \$750. Next to the last paragraph, the last sentence, talking about the motion coming out of executive session says that the motion passed not to accept. It should read that the motion failed to accept Mr. Allen's letter of resignation.

Chairman Walker said that he had a change on the first page, Item 4 wherein it states that Chairman Walker said that on page 3, Councilman Gunnells made a motion to approve the roofing contract in the amount of \$92,660... Paid out of item 7000 Capital Projects. This should be scratched out. He said that it needed to be reworded to say that we approved the amount of, \$92,660, \$50,000 to be paid out of Dept. 532 Bldgs. and Grounds and another \$42,660 out of Economic Development #562, line item 89900 lump sum appropriation and up to an additional \$10,000 to come out of Bldgs. and Grounds. All were in favor. Chairman Walker also referred to the last page and last paragraph wherein it says that Councilman Forrester made a motion to go into executive session that was seconded by Councilman Brown and passed unanimously. After the period Mr. Walker said that he would like to add in that after returning to open session. Motion was passed unanimously to approve the Januray 28<sup>th</sup> minutes.

Next item on the agenda was approval of minutes of February 1, 2002 Called Meeting. Councilman Gunnells made a motion to approve minutes that was seconded by

Councilman Brown. Chairman Walker said that after the Development matter, he would like to add that "after reconvening open session Councilman Agan made a motion Also that same paragraph next to the last line says that Councilman Agan also made a motion that the Chairman of County Council be allowed to sign the necessary time cards and any other duties the County Director was performing on a daily basis until a permanent director is hired Chairman Walker said that he would like to have that to continue and in the absence of an interim director. Motion passed unanimously

#### 5. Presentations:

Cline Brandt Kochenower to present audit for the fiscal year 2001. He addressed Council by saying that they have completed their examination of our financial statements for fiscal year ending June 30, 2001'. The federal compliance part of the audit will be completed in the next day or two and this report will be in our hands soon thereafter. The County's Finance Director has prepared the financial statement and they are very proud to tell us that these are the county's financial statement and the only thing that is their's is their opinion on the financial statements. He went on by saying that these financial statements are complete with the exception of the required supplemental information from the Clerk of Court. The page is blank and they are unable to obtain the information so far. If the report were submitted without that information, it would be a Qualified Report. Chairman Walker commented by saying that it was disturbing to him as well as the other council members. Mr. Kochenower stated that if he could get the information from the Clerk of Court, then they could finish the audit report. He said that he would wait on direction from Council.

#### 6 Committee Reports:

Personnel & Administration that is chaired by Councilman Thomas. There was nothing to report.

. Finance, Chairman Walker, Chair. Said that the Finance Committee has met with our Auditor a number of times over the past few weeks getting some of the reports finalized.

Public Works Committee; Councilman Gunnells, Chair stated that they had been talking with DHEC in the past month on pallet issues at the Landfill. Candy Southard had been working with them as well and according to DHEC, they have the authority to do a one-time burn on their pallets as long as it is with the fire training, therefore the major pile we have, we can get rid of at this time We also have some drainage problems at Diamond Hill Recycling Facility and there have been some other issues as far as what they can comply with and make work. He said that the big issue is planting grass. He went on by saying that with Candy and our DHEC people, He felt this could be resolved in a timely manner

Intergovernmental Relations; Councilman Forrester, Chair. He addressed Council by saying that he had an appointment to the Library Board of Ms. Shirley Emden to

replace Joseph Brownlee and she is willing to accept the position. Also to replace Mr. Perrin Anderson who is deceased, the committee recommended Mr. Richard Hazelwood. (Chairman Walker reminded Council that any recommendations coming from the Committee are presumed to have a motion and a second. Motion passed unanimously to appoint these members to their respective board.

Planning and Industrial Development; Councilman Brown Chair asked Sheriff Goodwin to address council. He said that in regard to Ordinance 01-21 that deals with the noise ordinance for Abbeville County that he wanted to thank Council for the vision of going forth to implement some type of noise ordinance in Abbeville County. He felt that it would be very beneficial to their enforcement of different types of complaints He went on by saying that they had three complaints over the weekend that was dealing with different types of noises within the County which he said was covered in this ordinance.

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 Office Space; Councilman Gunnells Chair stated that he had two bids coming in for the Health Dept. on the wiring where the magistrate moved They are also waiting for at least two more bids.

Ad-Hoc Committee on Computerization of County Government; Chairman Walker Chair had no report at this time.

#### 7. Old Business:

\(A) Consideration of Third Reading to establish and enforce noise ordinance. Council Brown made a motion to have 3<sup>rd</sup> Reading including amendments that was seconded by Councilman Agan. Councilman Calhoun opposed, Motion passed to have 3<sup>rd</sup> Reading.

#### 8. New Business:.

(a) Approval of invoices for payment. V. C. Gunnells made a motion to approve invoices that was seconded by Councilman Forrester and passed unanimously.

(a) Approval of Committee assignments. Chairman Walker said If council had any suggestions on the makeup of these committees, he would appreciate the input and comments.

(a) Request from Probate Judge, Carol Speer for a fireproof file cabinet. Chairman Walker referred to the letter from Ms. Speer asking that we approve \$1,297.18. A purchase order was attached. He asked the Finance Director, Lisa Wiles how this would be paid for since Ms. Speer could not be here tonight She said that the first

meeting in September 2001, Council approved the amount of \$25,202 to spend on the cleanup and on that list there was room for the purchase of two file cabinets so there would be room in that cleanup and the money we got back from the insurance would be enough to pay for the cabinet. Councilman Agan made a motion to approve this request not o exceeds \$1,400 that was seconded by Councilman Forrester and passed unanimously.

- (a) Consideration of 1<sup>st</sup> Reading on a request from the Planning Commission to rezone approximately 1 acre located on the north side of Hwy. 72, beginning approximately 200 ft. easterly of the intersection of Hwy. 72 and Horton Drive from General Residential to General Commercial to allow this tract to comply with the Land Use Plan. Councilman Agan made a motion to have 1<sup>st</sup> Reading that was seconded by Councillman Calhoun and passed unanimously.

9. Director's Update:

Chairman Walker presented a letter from B.P. Barber and Associates concerning methane-monitoring results at the Landfill. The county has exceeded limits on methane expulsion at the county's old landfill. He said that the situation is not dangerous and noted that every landfill emits methane and additional testing must be done to monitor the situation.

- 10. Chairman Walker said there was one item in executive session to discuss the purpose of executive session that he felt should be addressed in regular session. Councilman Brown made a motion to transfer this item as well as the Sheriff's request to repair damage on patrol car under New Business. Motion was seconded by Councilman Agan and passed unanimously.

Chairman Walker referred to a sheet in council's package from the Association of Counties report dealing with recent court cases. Attorney Pruitt stated that there are only some things that can be discussed in executive session and all other business of the county must be discussed in open session. Specific purpose is defined as a description of the matter to be discussed. Identified by one of the following: Discussion of employment matters, discussion of contract negotiations and receipt of legal advice, discussion of security matters, discussion of crimes and offenses and discussion of matters concerning economic development. Failure to announce the specific purpose of an executive session is a violation of the FOIA.

Next item on the agenda was a matter dealing with the request from the Sheriff to be allowed to pay for \$1,800 worth of damage to cover his vehicles that were damaged in October by the U.S. Postal Service who is obligated to pay for this. Sheriff Goodwin commented by saying that the County is waiting for the U.S. Postal Service to forward a check in the amount of \$1,800 to cover the damages that was estimated to the vehicle. This vehicle was damaged on Oct. 23, 2001 and he is requesting authorization for the damage to be paid out of the auto expense account #100-540-42100-80020 until a check is received. Councilman Agan made a motion to approve this request that was seconded by Councilman Calhoun and passed unanimously.

## 11. Executive Session

Two personnel matters concerning the Public Works Department

(a) Vice Chairman Gunnells to discuss a contractual matter. Councilman Forrester made a motion to go into executive session that was seconded by Councilman Calhoun and passed unanimously. The Council Meeting was reconvened. Chairman Walker said that a number of items were discussed in *executive session*. ; *V. C. Gunnells discussed a* contractual matter and no action was taken at this time. There were a number of items such as to recognize Keith Adams who has recently obtained his landfill certification with a \$500 per year increase in salary. Councilman Agan put this in the form of a motion that was seconded by Councilman Calhoun and passed unanimously. V.C. Gunnells. Made a motion to begin the advertising for a Public Works Director that was seconded by Councilman Brown and passed unanimously. Chairman Walker also directed the Public Works Committee to begin a financial analysis of public works for personnel and other needs since we don't have a good feel as to where money has been spent and where they are left and the best way to deal with any current or future personnel needs throughout the Public Works Dep't. Councilman Agan made a motion that was seconded by Councilman Brown to appoint Candy Southard as a temporary acting Public Works Office Manager. Motion passed unanimously. Councilman Agan made a motion to adjourn that was seconded by Councilman Brown and passed unanimously.