

PUBLIC HEARING:

- 1) Ordinance (09-10) to amend the Abbeville County Personnel Manual and Administrative Procedures, including but not limited to such policies and procedures adopted by Abbeville County Ordinance No. 09-03, to make changes pertaining to Retiree Insurance and Benefits and other matters related thereto. Mr. Jim Irwin of 625 Highway 20, Abbeville inquired what the cost to the county would be and was informed by Chairman McClain the cost would be \$32,000.00 per year. Hearing no further comments, Chairman McClain closed the public hearing.
- 2) Ordinance (09-11) to amend two sections of the Zoning Ordinance of Abbeville County, No. 07-22, adopted February 11, 2008. Hearing no comment, Chairman McClain closed the public hearing.
- 3) Ordinance (09-12) authorizing the execution and delivery of one or more incentive agreements by and between Abbeville County, South Carolina and Independent Pipe Products, Inc. and one or more affiliated or related entities, to provide for a Fee In Lieu of taxes incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for a special source revenue credit; to authorize the execution and delivery of a real estate contract for the sale of approximately 22 acres of real property and improvements thereon; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance and other related matters. Mr. Jim Irwin of 625 Highway 20, Abbeville inquired about the reduction in acreage. Chairman McClain informed him that the County had decided to keep 4 acres behind the Sheriff's Department. Hearing no further comments, Chairman McClain closed the public hearing.
- 4) Ordinance (09-13) approving an amendment to the infrastructure financing agreement between Abbeville County, South Carolina and Carolina Fabrication, Inc. dated December 8, 2008 to provide for a revised infrastructure credit schedule and other matters related thereto. Hearing no comment, Chairman McClain closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
SPECIAL MEETING
AUGUST 31, 2009
MINUTES**

PRESENT: Chairman McClain, Councilman Campbell, Councilman Klugh, Councilman Norris and Councilman Calhoun.

ABSENT: Vice Chairman Gunnells and Councilman Thomas

CALL TO ORDER:

Chairman McClain called the meeting to order.

INVOCATION:

Chairman McClain gave the invocation.

PLEDGE OF ALLEGIANCE:

Chairman McClain led the Pledge of Allegiance.

FREEDOM OF INFORMATION ACT:

Chairman McClain 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) Councilman Campbell made a motion to approve the minutes of the August 10, 2009, regular county council meeting. Councilman Calhoun seconded the motion. The motion carried 5-0-0.

UNFINISHED BUSINESS:

- a) Second reading of Ordinance (09-10) to amend the Abbeville County Personnel Manual and Administrative Procedures, including but not limited to such policies and procedures adopted by Abbeville County Ordinance No. 09-03, to make changes pertaining to Retiree Insurance and Benefits and other matters related thereto. Councilman Campbell made a motion to approve second reading. Councilman Klugh seconded the motion. Chairman McClain asked County Attorney Lee Roper to explain the Ordinance. The County Attorney stated the employees with 25 years of service had a six (6) month window once this Ordinance was approved to retire and retain full benefits. After such time they would receive reduced benefits. Once an employee reaches 65 years of age they are reduced to match the percentages. All are subject to a life time cap. The motion carried 5-0-0.
- b) Second reading of Ordinance (09-11) to amend two sections of the Zoning Ordinance of Abbeville County, No. 07-22, adopted February 11, 2008. Councilman Campbell made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion carried 5-0-0.
- c) Second reading of Ordinance (09-12) authorizing the execution and delivery of one or more incentive agreements by and between Abbeville County, South Carolina and Independent Pipe Products, Inc. and one or more affiliated or related entities, to provide for a Fee In Lieu of taxes incentive; to provide for a sponsor affiliate; to provide for the

inclusion of the project in a multi-county business or industrial park; to provide for a special source revenue credit; to authorize the execution and delivery of a real estate contract for the sale of approximately 22 acres of real property and improvements thereon; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance and other related matters. Councilman Norris made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion carried 5-0-0.

- d) Second reading of Ordinance (09-13) approving an amendment to the infrastructure financing agreement between Abbeville County, South Carolina and Carolina Fabrication, Inc. dated December 8, 2008 to provide for a revised infrastructure credit schedule and other matters related thereto. Councilman Klugh made a motion to approve second reading. Councilman Norris seconded the motion. Chairman McClain asked was this in the budget and told it was not. Councilman Campbell stated the budget would be reduced by the amount. The motion carried 4-1-0 with Chairman McClain opposed.

NEW BUSINESS:

- a) Resolutions:

- 1) Resolution (09-47) to authorize the transfer of \$17,434.67 from the Local Option Sales Tax Account to the General Fund. Councilman Norris made a motion to approve this resolution. Councilman Campbell seconded the motion. The motion carried 5-0-0.
- 2) Resolution (09-48) of Abbeville County, South Carolina, authorizing the Chairman of County Council or the County Administrator to execute a PT-444 so as to extend the five year exemption from nonschool and non-municipal ad valorem taxation to Sage Automotive Interiors, Inc.; and other matters relating thereto. Councilman Campbell made a motion to approve this resolution. Councilman Norris seconded the motion. County Director Moulder explained that the PT-444 was a form authorizing the extension to be transferred to Sage Automotive which purchased the Milliken plant. The motion carried 5-0-0.
- 3) Resolution (09-49) authorizing the County Director to enter into a contract with Young Plumbing for the extension of a waterline on Harkness Lane. Councilman Klugh made a motion to approve this resolution. Councilman Calhoun seconded the motion. County Director Moulder informed Council that this was expense was covered by a grant and any overage would be paid for by Donalds-Due West Water Authority per the agreement. The motion carried 5-0-0.
- 4) Resolution (09-50) authorizing the County Director to enter into a contract with Design South Professionals, Inc. of Anderson, SC for engineering/architecture and project management services at the Lakelands Commerce Center for the speculative building project. Councilman Norris made a motion to approve this resolution.

Councilman Calhoun seconded the motion. The County Director broke down the selection process for Council. The motion carried 5-0-0.

- 5) Resolution (09-51) authorizing the County Director to modify the contract with Applied Industrial Technologies of Greenwood, South Carolina in the amount of \$8,025.00 (including sales tax) for the rebuilding of the main compression cylinder on the Logemann Solid Waste Baler. Councilman Campbell made a motion to approve this resolution. Councilman Norris seconded the motion. Public Works Director Buddy Agan stated he had the money in his budget for this. The motion carried 5-0-0.

EXECUTIVE SESSION: None

PUBLIC COMMENT (sign in sheet only):

County Director Moulder requested guidance on the use of money's left on the grant for the Bixby trial. We can use the money only for operations not jury cost. Around \$40,000.00 is still available and we could replace the boiler which would cost around \$30,000.00. Council instructed him to proceed with bidding process.

Sheriff Charles Goodwin of Abbeville informed Council he was here to speak for his office and the employees of Abbeville County. The County's most valuable asset is its employees. One is as important as the other. There have been no raises in two years, jobs have been lost, furlough days taken and a reduction in benefits. A title change does not justify a raise. My office has lost 13 deputies and detention workers to other counties due to lack of money and benefits. The cost to the tax payer to train new offices to replace those lost costs \$203,703.00. I requested \$10,000 for overtime, EMS requested \$450,000.00 and 911 requested \$222,000.00, which is a 203% increase. What incentives do employees receive? One department is just as important as another department. Treat all with dignity and respect. Consider all employees not just a few.

County Coroner Ronnie Ashley explained that he has not had a raise since 2003. Employees have been laid off and hours reduced. This is not right; an investigation or audit needs to be done by SLED. Where is the money going? Return the part time employees to full time. No reductions and no pay raises.

Ms. Mary Wolfe of 97 Pond Drive, Abbeville requested public comment be moved to before executive session. It is extremely inconsiderate to expect the public to wait until after executive when we have no idea how long executive session will last session.

Chairman McClain spoke to say one thing, whether misunderstanding I am not going to argue with it, but we have furloughed employees last year, no pay raises in the last two years, made several cuts in several departments and had to increase the work load in those departments, we have been over budget last year and had to get a TAN and looking at our cash flow this year we will probably have to get another TAN, we looked at cutting retiree insurance not because we wanted to but because of the G.A.S.B. 45 requirements. So tonight I know why all of you are here. I make it a motion to rescind the pay increase of the EMS Director given on July 11, 2009.

Councilman Campbell seconded the motion. Chairman McClain called for discussion and Councilman Calhoun wanted to know if this issue should be discussed in executive session. County Director Moulder said this issue does not need to be held in executive session, Council can choose to discuss personnel issues in executive session, but it is not required. So if this discussion was in open session it should continue unless a motion and second is made to go into executive session to discuss personnel matter. Chairman McClain said we have a motion and a second on the floor is there any other discussion? Councilman Klugh requested to hear the job description of the EMS Director. County Director Moulder said he could get a copy of the comp and class study and do a hard reading if needed, but all of them are about two or three pages long so it would be difficult to remember every line in it. Councilman Campbell said I believe the biggest issue is giving one employee a \$12,000.00 increase and it was not a merit increase; it was a reclassification. Council did not vote on it, so Mr. Chairman I call for the question. The motion carried 4-1-0 with Councilman Norris opposed. Chairman McClain stated this raise is rescinded.

ADJOURNMENT:

There being no further items of discussion Councilman Norris made a motion to adjourn. Councilman Campbell seconded the motion. The motion carried 5-0-0.

The meeting adjourned.

Done this _____ day of _____, 2009

Abbeville County Council

By: _____
Robert B. McClain, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council