

PUBLIC HEARING:

- 1) Ordinance (09-15) to amend the Abbeville County Official Zoning Map on a 13.2 acre tract of land located at 243 Jets Landing Road, Abbeville and identified by tax map number 055-00-00-023 and to rezone one (1) acre of this tract from Light Industrial (LI) to Forest Agricultural (FA). Hearing no comment, Chairman McClain closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
NOVEMBER 9, 2009
MINUTES**

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

ABSENT: None

CALL TO ORDER:

Chairman McClain called the meeting to order at 7:35 p.m.

INVOCATION:

Councilman Campbell 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:

Vice Chairman Gunnells made a motion to approve the minutes of the October 12, 2009, regular county council meeting. Councilman Calhoun seconded the motion. The motion carried 6-0-1 with Councilman Campbell abstained.

PRESENTATIONS:

Ms. Sarah M. Kennerly, Branch Co-President for the American Association of University Women requested assistance on a project in Due West to restore the oldest building on Erskine Campus. A cabin built in 1850 which housed students before dormitories were built. The Association is still in need of \$2,900.00 in matching grant funds and appeals to the County for a donation. This was received as information only.

UNFINISHED BUSINESS:

- a) Third 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. Chairman McClain moved this item to after Executive Session.
- b) Third 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 Norris made a motion to approve third reading. Councilman Thomas seconded the motion. The motion carried 7-0-0.
- c) Second reading of Ordinance (09-15) to amend the Abbeville County Official Zoning Map on a 13.2 acre tract of land located at 243 Jets Landing Road, Abbeville and identified by tax map number 055-00-00-023 and to rezone one (1) acre of this tract from Light Industrial (LI) to Forest Agricultural (FA). Councilman Thomas made a motion to approve second reading. Councilman Norris seconded the motion. The motion carried 7-0-0.

NEW BUSINESS:

Intergovernmental agreement between Abbeville County and McCormick County for fire protection along the Abbeville County/McCormick County line and extending five (5) miles within each county on either side. Councilman Norris made a motion to approve this agreement. Councilman Klugh seconded the motion. Councilman Campbell asked what the cost to the county would be and Dan Evatt the Fire Marshal responded \$1,500.00 by Abbeville County and \$5,000.00 by McCormick County. Councilman Thomas interjected that the agreement states Abbeville County will be responsible for Insurance, Workers Compensation and maintenance will these not be additional costs to the County? Mr. Evatt stated no county will pay any more than \$5,000.00 per year. The motion carried 7-0-0.

a) Resolutions:

- 1) Resolution (09-59) authorizing the County Director and/or the Finance Director to execute documents to amend and supplement the master equipment lease/purchase agreement with Ford Motor Credit Company dated 8/15/02 for the purpose of purchasing seven (7) new automobiles. Vice Chairman Gunnells made a motion to approve this resolution. Councilman Thomas seconded the motion. Councilman Campbell asked was this not discussed to wait until the first of the year. County Director Scott Moulder stated this is just a formality for the attorney and the first payment on the cars will not be until March or April of 2010 and will be paid for by the Public Safety Fee. The motion carried 7-0-0.
- 2) Resolution (09-60) to authorize the expenditure of Accommodations Tax monies as recommended by the Accommodation Tax Committee. Councilman Norris made a motion to approve this resolution. Vice Chairman Gunnells seconded the motion. Councilman Campbell asked what criteria the committee used to make their decisions. The County Director stated the committee analyzed all the requests and looked at relevance of each item to tourism and the impact it would have, the number of people it would bring in and the materials provided with the requests. These were just committee recommendations; Council has the final decision and can make changes if they wish. The motion carried 7-0-0.

DIRECTOR'S REPORT: None

COMMITTEE REPORTS:

- a) Finance Committee—Don Campbell, Bryan McClain and Claude Thomas. No report was given.
- b) Personnel and Administration—Bryan McClain, Billy Norris and Oscar Klugh. No report was given.
- c) Public Works—Oscar Klugh, Ray Gunnells and John Calhoun. No report was given.
- d) Intergovernmental Relations—Billy Norris, John Calhoun and Ray Gunnells. Councilman Norris made a committee recommendation to appoint Mr. Robert Hawkins to the Board of Assessment Appeals. The recommendation was approved 7-0-0. Councilman Norris made a committee recommendation to reappoint Mr. Jim Irwin to the Zoning Board of Appeals. The recommendation was approved 7-0-0. Councilman Norris made a committee recommendation to appoint Ms. Julia Bowie to the Planning Commission. The recommendation was approved 7-0-0.
- e) Planning and Industrial Development—Claude Thomas, Oscar Klugh and Don Campbell. No report was given.

- f) Education, Recreation, Health and Welfare—John Calhoun, Don Campbell and Bryan McClain. No report was given.
- g) Public Safety—Ray Gunnells, John Calhoun and Billy Norris. No report was given.
- h) Training & Travel—Don Campbell, Claude Thomas and Ray Gunnells. No report was given.

PUBLIC COMMENT (sign in sheet only):

Mr. Jim Irwin of 625 Highway 20, Abbeville stated street talk has it that I am against bringing the part time employees back to full time. There is nothing to this, let's set the record straight; Council made the decision not me so don't blame me. Talking about where we spent money, excessive salary increases the Development Director received a total of \$9,700.00 increase while no other employees got anything. There is a morale problem with the employees. Open up your ears and eyes. Sheriff brought up the discrepancy in Training and Travel for the Economic Development office \$7,600.00 which only has one person and his office which has 55 people has \$6,000.00. Now let's talk about the EMS money maker. This Department is always going over budget when nobody else can. They are wearing out our vehicles going outside the county, plus they are leaving Abbeville County residents with a response time of 25 to 50 minutes. People are leaving for better pay after we train them, where is a two year contract with the employee if we do the training. We are under the impression that Abbeville County hired an EMS Director not a public relations director; he is the only department head that does not have to get permission for out of town trips. Curbing some of these expenditures could put all the people back to work and fund the post retirement benefits. Wish you would look into these expenditures.

Mr. Ronnie Ashley, County Coroner requested help with two problems. First the time it takes dispatch to call him to a death scene and second to fix his radios. Chairman McClain requested the County Director to look into these issues.

Mr. Shane Brown of 90 Oakwood Farms Court, Greenwood wanted to find out who came up with Resolution 09-54 Special Events Permit and the reason for it? To which the County Planning Director responded the purpose of it is to regulate special events which are not allowed in a particular zone. Mr. Brown said what I think of this is a property rights thing. This is private property and I look for you all to take up for us and our private property. This is our property and we should be allowed to do what we want on it. To get somebody's permission to do something on our own land is a disgrace. I would really look forward to yall passing some resolutions to appeal some things like well permits or some big dollar permits. Stand up for freedom and stop somebody from putting restrictions on others. I am counting on you all to make some rules that are easy to live by.

Mr. Jack Pelfrey of 460 Rock Hill, Abbeville I am here to support Mr. Brown. We live in a free country and the last time I looked Abbeville County was still in the United States. If this resolution is passed it is opening up a can of worms. Law enforcement has the laws to protect and that is what they are there for. I don't need to have restrictions for what I have on my land, but if things get out of control you can call law enforcement. We are not giving up our freedom or backing down.

A motion was made by Councilman Campbell to go into Executive Session to discuss an economic development issue and to obtain legal advice on Ordinance 09-10. Councilman Norris seconded the motion. The motion carried 7-0-0.

EXECUTIVE SESSION:

Chairman McClain reconvened the meeting following executive session and announced that one item needed to be addressed.

Councilman Thomas made a motion to change Exhibit A and requested our Counsel to explain the changes. Councilman Campbell seconded the motion. County Attorney Lee Roper stated what is currently before Council is language to allow retiree benefits for employees who have retired and current employees who have completed 25 years of employment to receive \$276.00 per month until the age of 65 where it would be reduced to \$100.00 per month with a max life time amount of \$20,000. Those employees with 20 to 25 years of service will receive \$207.00 per month until 65 where it would be reduced to \$75.00 per month with a \$15,000.00 life time max. Employees with 15 to 20 years would receive \$138.00 per month until age 65 with a reduction to \$50.00 per month and a life time of \$10,000. The motion carried 7-0-0.

Councilman Norris made a motion to delete the age 65 requirements. Councilman Klugh seconded the motion. The motion carried 6-1-0 with Councilman Campbell opposed.

Vice Chairman Gunnells made a motion to approve third reading of Ordinance 09-10 with changes. Councilman Klugh seconded the motion. The motion carried 6-1-0 with Councilman Campbell opposed.

ADJOURNMENT:

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

The meeting adjourned at 9:50 pm.

Done this _____ day of _____, 2009

Abbeville County Council

By: _____
Robert B. McClain, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council