

**PUBLIC HEARINGS:**

- 1) Ordinance (2010-05) to amend the Abbeville County Official Zoning Map on a one (1) acre portion of a 36.3 acre tract of land located at 658 Highway 81 South, Calhoun Falls, and identified by tax map number 163-00-00-001 from a zoning district of Forest Agricultural (FA) to General Residential (GR). County Planner Lanny McKay informed Council that the family was not able to attend the meeting due to illness. Hearing no further comments, Chairman Thomas closed the public hearing.
- 2) Resolution (2010-19) providing for the expenditure of Title III Funds for FY 09-10. Hearing no comments, Chairman Thomas closed the public hearing.

**ABBEVILLE COUNTY COUNCIL  
REGULAR MEETING  
JUNE 14, 2010  
MINUTES**

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

**ABSENT:** None

**CALL TO ORDER:**

Chairman Thomas called the meeting to order at 7:33 p.m.

**INVOCATION:**

Councilman Klugh gave the invocation.

**PLEDGE OF ALLEGIANCE:**

County Attorney Lee Roper led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Chairman Thomas hearing no corrections for the minutes to the regular meeting on May 24, 2010 stated the minutes are approved.

**PRESENTATIONS:**

Sheriff Charles Goodwin stated he had nothing personal involved in this situation. He is requesting Ordinance 2010-03 be passed for the protection of his officers. Safety is first, last and always with his deputies. There are two establishments in the County; Chris II on Highway 72

and the Peppermint Club on 28 Bypass. Sheriff Goodwin presented reports which are attached and pictures to show the problems faced by his department in regards to these establishments and explained that only 3 or 4 deputies were on duty in the early hours of the morning. Councilman Campbell asked if the ordinance was passed would it help the parking situation. Sheriff Goodwin stated no. Councilman Campbell asked if they were doing things against the law, why they were not being shut down. Sheriff Goodwin stated they were against a regulation and has been cited for it. The private club license allows them to open up on Sunday and stay open pass 2:00 a.m. on other days; call volume is highest on Sunday. Chairman Thomas asked; who cited the club. Sheriff replied; SLED. SLED has the authority to pull the license. The Sheriff's office can shut down the establishment by going through the solicitor's office. Chairman Thomas asked; you feel the one location endangers the lives of your officers? Sheriff Goodwin stated; I am not out here at 2, 3 or 4 o'clock in the morning; my Chief Deputy brings to me that they are uncomfortable in this establishment with only one or two people when you have over the capacity or a large crowd in a small place; they fear for their lives going into this type of situation. Councilman Norris asked who sets the limit of occupancy. The Sheriff believes it is the Department of Codes, but he has requested the state Fire Marshall to take a look at the situation.

#### **UNFINISHED BUSINESS:**

- a) Second reading of Ordinance (2010-03) to prohibit the sale or consumption of alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. in commercial establishments licensed to sell alcoholic beverages for on premise consumption and to restrict the hours of operation of those establishments. Vice Chairman McClain made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion passed 7-0-0.
- b) Third reading of Ordinance (2010-04) to establish operating and capital budgets for the operation of the County Government of Abbeville County for the fiscal year commencing July 1, 2010. Chairman Thomas requested this item be held until after executive session, rest of Council agreed.

Councilman Gunnells requested a vote on the minutes be taken. County Attorney Lee Roper requested a vote be taken on both the minutes from 5/10/10 and 5/24/10. Councilman Gunnells made a motion to approve both sets of minutes. Councilman Calhoun seconded the motion. The 5/10/10 minutes passed 7-0-0 and the 5/24/10 minutes passed 6-0-1 with Councilman Norris abstaining.

- c) Third reading of Ordinance (2010-05) to amend the Abbeville County Official Zoning Map on a one (1) acre portion of a 36.3 acre tract of land located at 658 Highway 81 South, Calhoun Falls and identified by tax map number 163-00-00-001 from a zoning district of Forest Agricultural (FA) to General Residential (GR). Councilman Campbell made a motion to approve third reading. Vice Chairman McClain seconded the motion. The motion passed 7-0-0.

- d) Third reading of Ordinance (2010-06) to amend the Abbeville County Official Zoning Map on various properties bordering Grey Rock Estates Road, consisting of 24 tax parcels along a 400 ft. strip parallel to both sides of Grey Rock Estates Road for approximately 0.71 miles and identified by tax map numbers 109-00-00-167, 173, 113, 145, 159, 144, 164, 165, 149, 175, 160, 158, 161, 114, 112; and 110-00-00-010, 067, 073, 080, 081, 092, 100, 104; and 122-00-00-108 from a district of R-8 Restricted Residential (R-8) to Forest Agricultural (FA). Councilman Klugh made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion passed 7-0-0.
- e) Third reading of Ordinance (2010-07) to amend the Abbeville County Official Zoning Map on a 69.22 acre tract of land located on Commerce Drive in the Lakelands-Commerce Park, Abbeville and identified by tax map number 110-00-00-090 from a zoning district of Forest Agricultural (FA) to Basic Industrial (BI). Councilman Gunnells made a motion to approve third reading. Councilman Campbell seconded the motion. The motion passed 7-0-0.
- f) Third reading of Ordinance (2010-08) to amend the Abbeville County Official Zoning Map on a 10.94 acre portion of a 51.1 acre tract of land located at the intersection of Corbin Road and Highway 252, Honea Path and identified as the former Milliken Plant and by tax map number 003-00-00-099 from a zoning district of Forest Agricultural (FA) to Basic Industrial (BI). Councilman Norris made a motion to approve third reading. Councilman Gunnells seconded the motion. The motion passed 7-0-0.
- g) Third reading of Ordinance (2010-09) to provide for the issuance and sale of a not exceeding one million five hundred thousand dollars (\$1,500,000.00) general obligation refunding bond, series 2010 of Abbeville County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto. Vice Chairman McClain made a motion to approve third reading. Councilman Norris seconded the motion. The motion passed 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 per Ordinance 05-11.
  - 1) Ordinance (2010-10) to accept the deed of Right-Of-Way from the property owners of Strawberry Lane in Abbeville County.
  - 2) Ordinance (2010-11) amending Ordinance #08-27 (authorizing the issuance and sale of not to exceed \$750,000.00 principal amount Abbeville County, South Carolina special source revenue bonds in one or more series; the application of the proceeds of said bonds to defray the costs of the construction of certain infrastructure improvements in the county; and other matters relating thereto) to provide for a revised payment schedule and other matters relating thereto.

- 3) Ordinance (2010-12) providing for the transfer of authority for conducting Town of Lowndesville Municipal Elections to the Abbeville County Registration and Elections Commission.

b) Resolutions:

- 1) Resolution (2010-19) providing for the expenditure of Title III Funds for FY 09-10. Councilman Gunnells made a motion to approve this resolution. Councilman Norris seconded the motion. The motion carried 7-0-0.
- 2) Resolution (2010-20) to authorize the transfer of \$13,413.74 from the Local Option Sales Tax Account to the General Fund. Councilman Norris made a motion to approve this resolution. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

**DIRECTOR'S REPORT:**

Interim County Director Barry Devore informed Council that the ambulance was purchased at the auction for \$50,000.00 and that Governor Sanford has vetoed the refunding for the Libraries of \$60,000.00, reimbursement to Registration and Elections plus Palmetto 800 radios reimbursement. Some of these vetoes may be overturned and he will keep Council apprised of the situation.

**COMMITTEE REPORTS:**

- a) Finance Committee—Claude Thomas, Billy Norris and Bryan McClain. No report was given.
- b) Personnel and Administration—Bryan McClain, Ray Gunnells and Don Campbell. No report was given.
- c) Public Works—Billy Norris, Claude Thomas and John Calhoun. No report was given.
- d) Intergovernmental Relations—Oscar Klugh, Ray Gunnells and Bryan McClain. Chairman Klugh made a committee recommendation for Ms. Jane Stone to be reappointed to the Library Board. The recommendation passed 7-0-0.
- e) Planning and Industrial Development—John Calhoun, Oscar Klugh and Claude Thomas. No report was given.
- f) Education, Recreation, Health and Welfare—Ray Gunnells, Don Campbell and John Calhoun. No report was given.
- g) Public Safety—Don Campbell, Oscar Klugh and Billy Norris. Chairman Campbell informed Council that the ambulance purchased for \$50,000.00 would be placed in service shortly.

**PUBLIC COMMENT (sign in sheet only):**

Mr. Jim Irwin of 625 Highway 20, Abbeville stated the publicized safety fee projected revenue is unclear to the public. We are not negative; just disagree with your decisions. All these studies (i.e. economic development, old hospital, water etc.) have run us out of money. People are tired of being spent dry of their funds. Do you really know how true the budget is that you are passing?

Mr. Johnny Lomax of 601 Cambridge Street, Abbeville explained that since being in business for two years the police have only had to come to his establishment four times. Most incidents are handled with personnel security and staff. He cannot be held responsible for what people do once they leave his establishment. Everything that the Sheriff's department has asked us to do we have done it. Closing us at 2:00 hurts our money, because people do not come out until late. The Peppermint has been successful because it is open late.

Chairman Thomas asked for district reports before going into executive session:

District 1	Everything has happened.
District 2	No report
District 3	No report
District 4	No report
District 5	No report
District 6	No report
District 7	Emergency signals are up at the Antreville Fire Department.

A motion was made by Councilman Klugh to go into Executive Session for an economic development issue, personnel issue pertaining to County Director position and legal issues on budget and reserve fund. Councilman Campbell seconded the motion. The motion carried 7-0-0.

**EXECUTIVE SESSION:**

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

- a) Third reading of Ordinance (2010-04) to establish operating and capital budgets for the operation of the County Government of Abbeville County for the fiscal year commencing July 1, 2010. Councilman Norris made a motion to reduce the line item for Administration Salaries by \$18,000.00 and to increase the line item for the Health Department in Intergovernmental by \$18,000.00. Councilman Klugh seconded the motion. The motion carried 7-0-0. Councilman Gunnells made a motion to pass third reading as amended. Councilman Norris seconded the motion. The motion passed 6-1-0 with Councilman Campbell opposed.

Chairman Thomas 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.

**ADJOURNMENT:**

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

The meeting adjourned at 9:43 pm.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 2010

**Abbeville County Council**

By: \_\_\_\_\_  
Claude Thomas, Chairman

ATTEST:

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