

PUBLIC HEARINGS:

- 1) Ordinance (2010-14) to amend the Abbeville County Official Zoning Map on a 7.8 acre tract of land located at the intersection of Highway 28 Bypass & Old Calhoun Falls Road and identified by tax map numbers 121-00-00-178 and 121-00-00-160, from a zoning district of Light Industrial (LI) to General Commercial (GC). Hearing no comments, Chairman Thomas closed the public hearing.

- 2) Ordinance (2010-15) making provision for tax anticipation borrowing by Abbeville County, South Carolina, in the principal amount of not exceeding \$1,000,000.00, in anticipation of the collection of ad valorem taxes for the fiscal year beginning the first day of July, 2010 and ending the 30th day of June, 2011; to prescribe the terms and conditions of such borrowing and the form of note to be executed evidencing the same; and to make provision for the payment thereof. Mr. Jim Irwin of 625 Highway 20, Abbeville stated it was interesting that the County needed a million to make payroll. I attended budget workshops and watched as the County Director threw out figures so fast you couldn't understand what was going on. You let the County Director spend until we have no money. We use to have money; 1.2 mills for county wide water and money in the landfill; you name it we had it. Business is business and if you don't have the business you need to cut back. I am sorry but things have to go. Hearing no further comments, Chairman Thomas closed the public hearing.

- 3) Ordinance (2010-16) to amend Ordinance 2000-2, fee for handling and processing checks for insufficient funds. Hearing no comments, Chairman Thomas closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
AUGUST 9, 2010
MINUTES**

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

ABSENT: Councilman Norris

CALL TO ORDER:

Chairman Thomas called the meeting to order at 7:45 p.m.

INVOCATION:

Vice Chairman McClain gave the invocation.

PLEDGE OF ALLEGIANCE:

Chairman Thomas led the Pledge of Allegiance.

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.

APPROVAL OF MINUTES:

Councilman Gunnells made a motion to approve the minutes of the July 12, 2010, regular county council meeting. Councilman Campbell seconded the motion. The motion carried 6-0-0.

Chairman Thomas informed all that Councilman Norris had been taken to the emergency room earlier and diagnosed with leg cramps. He is at home now, but this is the reason for his absence.

Councilman Campbell made a motion to approve the minutes of the July 21, 2010, special county council meeting. Vice Chairman McClain seconded the motion. The motion carried 5-0-1 with Councilman Gunnells abstaining.

PRESENTATIONS:

Ms. Doris Jones, Census Partnership Specialist, informed Council that Abbeville County had exceeded its response time of return for surveys by 8%. Counties and Municipalities were in 2000 at 62%; now in 2010 it is 68%. Lowndesville had the highest response, while Donalds and Due West were low. Chairman Thomas asked, if she knew of any reasons for the decreases in Donalds and Due West? Ms. Jones replied mostly due to post office boxes. I wish to thank everyone for their hard effort in making the 2010 census a success. She presented to the Chairman a plaque and letter (letter Exhibit A is attached) from the United States Department of Commerce.

UNFINISHED BUSINESS:

- a) Third reading of Ordinance (2010-10) to accept the deed of Right-Of-Way from the property owners of Strawberry Lane in Abbeville County. Councilman Gunnells made a motion to accept third reading. Councilman Campbell seconded the motion. The motion carried 6-0-0.

- b) Third reading of 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. Vice Chairman McClain made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion carried 6-0-0.
- c) Third reading of Ordinance (2010-12) providing for the transfer of authority for conducting Town of Lowndesville Municipal Elections to the Abbeville County Registration and Elections Commission. Councilman Campbell made a motion to approve third reading. Councilman Klugh seconded the motion. The motion carried 6-0-0.
- d) Second reading of Ordinance (2010-14) to amend the Abbeville County Official Zoning Map on a 7.8 acre tract of land located at the intersection of Highway 28 Bypass & Old Calhoun Falls Road and identified by tax map numbers 121-00-00-178 and 121-00-00-160, from a zoning district of Light Industrial (LI) to General Commercial (GC). Councilman Campbell made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion carried 6-0-0.
- e) Third reading of Ordinance (2010-15) making provision for tax anticipation borrowing by Abbeville County, South Carolina, in the principal amount of not exceeding \$1,000,000.00, in anticipation of the collection of ad valorem taxes for the fiscal year beginning the first day of July, 2010 and ending the 30th day of June, 2011; to prescribe the terms and conditions of such borrowing and the form of note to be executed evidencing the same; and to make provision for the payment thereof. Councilman Klugh made a motion to approve third reading. Vice Chairman McClain seconded the motion. The motion carried 6-0-0.
- f) Second reading of Ordinance (2010-16) to amend Ordinance 2000-2, fee for handling and processing checks for insufficient funds. Councilman Gunnells made a motion to approve second reading. Councilman Campbell seconded the motion. The motion carried 6-0-0.

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 (2010-17) to amend Ordinance No. 2010-04 relating to Abbeville County's budget for the fiscal year beginning July 1, 2010, so as to provide supplemental appropriations to cover the deficiency of the preceding year 2009-2010, to increase the projected Local Option Sales Tax Revenues, to make other adjustments and other matters related thereto. Chairman Thomas asked County Attorney Lee Roper to elaborate on this ordinance. The attorney stated this is an increase in revenue coming in from the Local Option Sales Tax (LOST) Account to cover a prior year deficiency. You will be increasing the millage to cover that deficiency; which you are allowed to do by the South Carolina Statute. The increased revenue from the LOST will cover this increase and each tax payer will in essence get a credit, which will offset the increase in millage.
- b) Resolutions:
 - 1) Resolution (2010-25) authorizing the County Director to enter into an agreement with the Solicitor of the Eighth Judicial Circuit to implement Abbeville County's Worthless Check Program. Councilman Gunnells made a motion to approve this resolution. Councilman Campbell seconded the motion. The motion carried 6-0-0.

Chairman Thomas informed Council that due to time restraints to pass Ordinance 2010-17 we need to have a special called meeting on August 23, 2010 at 7:30 p.m.

DIRECTOR'S REPORT: None

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. Chairman Thomas asked the committee to meet with the Delinquent Tax Collector to discuss her personnel issue and bring a report back to Council.

- c) Public Works—Billy Norris, Claude Thomas and John Calhoun. No report was given. Chairman Thomas commented that at the last meeting he had stated some concerns with the secession street extension water line; involving spigots not functioning. He and the Interim County Director looked at the situation and probably some of the well pumps have burned up, probably due to a lack of communication. Not one of the three entities involved with the project want to take blame. They spoke with all; however Donalds/Due West Water Authority is working with them and the church that was having a problem with the line going in. In an effort to avoid these problems Chairman Thomas asked our Director to request the Public Works Director Buddy Agan to supervise the new project taking place at Hodges Highway and to make sure that what people are told is what they do.
- d) Intergovernmental Relations—Oscar Klugh, Ray Gunnells and Bryan McClain. Councilman Klugh requested to give his report after executive session. Council had no objections.
- e) Planning and Industrial Development—John Calhoun, Oscar Klugh and Claude Thomas. Councilman Calhoun informed Council that further investigation on cell towers is being done by the County Planning Director Lanny McKay.
- 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. No report was given.

Chairman Thomas asked for a district report:

District #1	No report
District #2	No report
District #3	No report
District #4	Councilman absent
District #5	No report
District #6	No report
District #7	No report

PUBLIC COMMENT (sign in sheet only):

Mr. Charles Mensch of 56 Olin Smith Road, Donalds handed out a letter (letter attached Exhibit B) to Council from the State Ethics Commission. This letter was in response to his request for an audit to be performed in the Sheriffs Department in regards to vending machines, phones in law enforcement center and food catering service in jail. He wants to know where the money is going. Why has there not been an audit. He requests an audit be performed on this situation. Chairman Thomas asked Interim County Director Barry Devore if he knew about how these funds were collected. He stated this year was one of the years the independent auditing firm was going to zero in on this type of thing.

A motion was made by Vice Chairman McClain to go into Executive Session for a contractual issue regarding stimulus money, legal issue pertaining to county property, personnel issues pertaining to boards and commissions and the recruitment for county director. Councilman Calhoun seconded the motion. The motion carried 6-0-0.

EXECUTIVE SESSION:

Chairman Thomas reconvened the meeting following executive session and announced we will now have the report of the Intergovernmental Committee:

Councilman Klugh made a committee recommendation for Ms. Julianne Bowles to serve on the Accommodations Tax Committee representing District #4. This committee recommendation passed unanimously. Councilman Klugh made a committee recommendation for Ms. Geraldine Morris to serve on the Development Board representing an at large position. This committee recommendation passed unanimously. Councilman Klugh lastly requested a letter of appreciation be sent to all members of the Boards and Commissions. All of Council agreed and Chairman Thomas instructed Councilman Klugh to collaborate on one with the County Director and Clerk to Council.

ADJOURNMENT:

There being no further items of discussion Vice Chairman McClain made a motion to adjourn. Councilman Campbell seconded the motion. The motion carried 6-0-0.

The meeting adjourned at 9:45 pm.

Done this _____ day of _____, 2010

Abbeville County Council

By: _____
Claude Thomas, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council