

PUBLIC HEARING:

Ordinance (2012-06) to amend the Abbeville County official zoning map on a 1.2 acre tract of land located at 123 Highway 28 South (Eastern Portion) and identified by tax map number 134-00-00-108 from a zoning district of Forest Agricultural (FA) to General Commercial (GC). Mr. Donny Ray of 91 New Smith Road, Abbeville informed Council on his opposition to this rezoning. Stating it would increase traffic and noise, plus could be harmful to the environment. He lastly requested Council to protect his community and its citizens. Ms. Donna Ray of 91 New Smith Road, Abbeville informed Council that she felt unsafe in her home; people come to my house to inquire about the various vehicles for sale on that property. Barrels of dark liquid stored there and cars being painted on the property form an environmental hazard. She requests Council deny the rezoning. Hearing no further comments, Chairman McClain closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
JULY 9, 2012
MINUTES**

PRESENT: Chairman McClain, Vice Chairman Campbell, Councilmen Klugh, Stone, Norris, Thomas and Calhoun.

ABSENT: None

CALL TO ORDER:

Chairman McClain called the meeting to order at 7:39 p.m.

INVOCATION:

Vice Chairman Campbell gave the invocation.

PLEDGE OF ALLEGIANCE:

Vice Chairman Campbell 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) Vice Chairman Campbell made a motion to approve the minutes of the June 11, 2012, regular county council meeting. Councilman Norris seconded the motion. The motion carried 7-0-0.

- b) Councilman Norris made a motion to approve the minutes of the June 25, 2012, special county council meeting. Vice Chairman Campbell seconded the motion. The motion carried 6-0-1 with Councilman Calhoun abstaining.

UNFINISHED BUSINESS:

- 1) Third reading of Ordinance (2012-05) 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, 2012 and ending the 30th day of June, 2013; 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 Norris made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- 2) Second reading of Ordinance (2012-06) to amend the Abbeville County official zoning map on a 1.2 acre tract of land located at 123 Highway 28 south (Eastern Portion) and identified by tax map number 134-00-00-108 from a zoning district of Forest Agricultural (FA) to General Commercial (GC). Councilman Klugh made a motion to deny this ordinance. Councilman Stone seconded the motion. The motion carried 7-0-0.

NEW BUSINESS:

a) Resolutions:

- 1) Resolution (2012-11) authorizing the County Director to enter into a contractual relationship with Satterfield Construction Company, Inc. in the amount of \$277,832.41 for road improvements to the new Abbeville County Administrative Complex and the new Abbeville County Library in Abbeville County, South Carolina. Councilman Thomas made a motion to approve this resolution. Councilman Norris seconded the motion. The motion carried 7-0-0.
- 2) Resolution (2012-12) authorizing the County Director to extend the contract with Joyce Engineering, Inc. for engineering and environmental services at the Abbeville County Landfills. Councilman Norris made a motion to approve this resolution. Councilman Thomas seconded the motion. The motion carried 7-0-0.
- 3) Resolution (2012-13) authorizing the County Director to enter into a contractual relationship with Herbert Anderson, Jr. Construction Company of Greenwood, South Carolina in the amount of \$340,568.55 for the construction of a landfill access road, sediment pond and leachate conveyance system in Abbeville County, South Carolina. Councilman Klugh made a motion to approve this resolution. Vice Chairman Campbell seconded the motion. The motion carried 7-0-0.
- 4) Resolution (2012-14) authorizing the County Director to enter into a contract with Cline, Brandt, Kochenower and Company for auditing services. Councilman Norris made a motion to approve this resolution. Councilman Klugh seconded the motion. Councilman Stone asked how many years this firm has been auditing the County. County Director Bruce Cooley replied at least ten (10) years. Councilman Stone

stated he believed you needed diversity so you do not become comfortable. Councilman Thomas agreed stating 3-5 years is all that is needed so they don't become complacent. Vice Chairman Campbell agreed, stating ten (10) years is to long you need new eyes. County Director Cooley said it is council's decision. The motion died with all opposed. Councilman Stone made a motion to accept Martin-Smith & Company as the new auditors. Vice Chairman Campbell seconded the motion. The motion carried 7-0-0.

DIRECTOR'S REPORT: None

COMMITTEE REPORTS:

- a) Finance Committee—Bryan McClain, Claude Thomas and Billy Norris. No report was given.
- b) Personnel and Administration—Don Campbell, Charlie Stone and Claude Thomas. No report was given.
- c) Public Works—John Calhoun, Billy Norris and Oscar Klugh. No report was given.
- d) Intergovernmental Relations—Charlie Stone, Oscar Klugh and Don Campbell. Committee Chairman Stone made a committee recommendation for Mr. Mark Rice to be appointed to the Planning Commission. This recommendation carried 7-0-0.
- e) Planning and Industrial Development—Claude Thomas, Don Campbell and Charlie Stone. No report was given.
- f) Education, Recreation, Health and Welfare—Oscar Klugh, Bryan McClain and John Calhoun. No report was given.
- g) Public Safety—Billy Norris, John Calhoun and Bryan McClain. No report was given.

COUNCIL MEMBERS REPORT/COMMENTS:

District 5 - Councilman Klugh questioned how the search for property in Calhoun Falls was progressing. County Director Cooley informed all that the Public Safety Committee would be going to look at some property soon. Councilman Thomas stated that the plan for EMS stations was approved by Council and should be followed. A station should be placed on Highway 81 to help out the citizens of Lowndesville and Lake Secession.

PUBLIC COMMENT (sign in sheet only):

Ms. Dede Grant of 202 Hillcrest Drive, Abbeville stated the image of the county is damaged. An article on the Sheriff has had 29,000 hits. I have requested a FOIA in regards to the Sheriff's office. Here are additional pictures of non-county vehicles being washed and worked on by the Sheriffs personnel (photos given to Chairman McClain). Respect has been lost; we need to regain pride in our County.

Ms. Mary Hedden of 2832 Cedar Springs, Abbeville explained that she did not say her son was fired at the last meeting. I was not paid or pushed into doing this; I just want justice done, not swept under the rug. Here is a list of questions I would like answered by the next Council meeting (gave the sheet to Chairman McClain). We all need answers about where our tax money is going.

Councilman Stone said he is sick and tired of this horrible image we are putting out right now. For two situations, if a young couple is thinking of moving here and if I was a businessman or industry they would look at this type of thing and it makes the economic development job twice as hard with all this controversy. We as county council owe it to all of our constituents and to the Sheriff's office to see if these allegations have any merit. I make a motion tonight that we get SLED to do a full investigation into these allegations. Vice Chairman Campbell seconded the motion. The motion carried 7-0-0. Chairman McClain requested the County Attorney to do a letter addressed to SLED voicing this motion. County Attorney Lee Roper stated SLED is the appropriate agency to investigate this matter. He also informed all that the material given to the County Director has been turned over to SLED and it is our understanding that SLED has begun an investigation. He also reminded all that in addition to SLED being the proper agency to investigate this; County Council has no authority to investigate, direct, suspend or remove the Sheriff or anybody in his department; we have no control over the Sheriff, he is an elected official.

CAPITAL PROJECTS COMMITTEE REPORT:

Public Works Director Buddy Agan informed all that the air is on at both buildings. For the Administration building the telephone cabling is complete on the 1st floor and should be complete on the 2nd floor by the end of this week. 1st floor ceiling grid is in and 2nd floor is 95% complete on framing. Painting has begun on the 2nd floor and tile in the restrooms has started.

The Library façade should be complete in two weeks. Half the ceiling grid is installed and the 1st coat of paint has been applied.

Committee Chairman Thomas requested the Planning and Industrial Development Committee meet with the city to see about reducing the costs for heating and air on the new buildings.

A motion was made by Councilman Thomas to go into Executive Session for an Economic Development issue and a legal issue pertaining to county property. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

EXECUTIVE SESSION:

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

Councilman Thomas made a motion to deed approximately 1.6 acres of property in Abbeville County to Abbeville Plant Facilities, LLC in accordance with Ordinance #08-13 passed by County Council on October 13, 2008. Councilman Stone seconded the motion. The motion carried 7-0-0.

County Attorney Roper read the following statement:

As has been reported in the media, information has been received by Abbeville County Council and others pertaining to allegations against the Abbeville County Sheriff. All such information received by County Council has been delivered to the State Law Enforcement Division/SLED. It is the County's understanding that SLED is investigating the allegations against the Sheriff and with tonight's vote; County Council is formally requesting SLED to investigate. SLED is the proper agency to investigate these allegations. County Council has no authority to investigate the allegations against the Sheriff. In addition, the Sheriff is an elected official and therefore, County Council has no authority to direct the Sheriff in any way, nor does County Council have the authority to suspend, remove or terminate the Sheriff or any of his employees. Finally, tonight's County Council vote to request a SLED investigation and this statement are not to be construed as a statement or opinion regarding the truth or validity of any allegations against the Sheriff.

Chairman McClain announced there would be a grand opening for the EMS station in Antreville on July 31 at 7:00 p.m.

ADJOURNMENT:

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

The meeting adjourned at 9:37 p.m.

Done this 13th day of August, 2012

Abbeville County Council

By: Robert B. McClain
Robert B. McClain, Chairman

ATTEST:

By: Lynn Sopolosky
Lynn Sopolosky, Clerk to Council