ABBEVILE COUNTY COUNCIL
REGULAR MEETING
AUGUST 28, 2000

PRESENT: V. C. Dove, Councilmen Gunnells, Burnett, Agan, Forrester, Calhoun, Attorney Pruitt, and Director Allen

ABSENT: Chairman Milford

The meeting was called to order at 7:30 pm with prayer.

First item on the agenda was approval of August 14 County Council Meeting Minutes. Councilman Agan made a motion to approve the minutes as presented that was seconded by Councilman Calhoun and passed unanimously.

Old Business:

a. Consideration of appointment to replace Hampton Williams on the Library Board. Councilman Agan asked that this be delayed until the next meeting

b. Consideration of 2nd Reading of request from Sheriff Goodwin for amended budget request for the Victim's Witness Advocacy Program in the amount of $26,000 from the Victim's Witness fund which currently has a $86,783.55 balance. Councilman Calhoun made a motion to have 2nd Reading that was seconded by Councilman Burnett and passed unanimously.

New Business:

a. C. P. Chihasz to discuss Agricultural Building. Clemson Extension Area Director, Carroll Culbertson addressed council by asking if the multi-purpose agricultural building proposed will become a reality. He noted that council had agreed several years ago to place into one bond issue financing not only for a new Law Enforcement Center but for a new multi-purpose agricultural building as well. Councilman Agan addressed this by saying that since council voted on the bond issue, some snags have come up and the county's bonding capacity is not what we thought it was and went on to say that the county would like to use money left over from the bond issue for the law enforcement center to fund the agricultural building.

b. Consideration of recommendation from the Public Works Director to amend/update the County Solid Waste Management Plan to allow the following:

    1. Continued operation by the City of Abbeville of an inert landfill located on SC430, ¼ mile north of SC 133. The landfill will accept

approximately 900 tons of waste per year and the expected life of this facility is 6 years.

2. Wood shredding/grinding operation at the county landfill.
3. Construction and operation of solid waste/recycling convenience centers located on Mt. Olive Church Road, Huggins Garment and Gilgal Church Road. After a brief discussion, Councilman Agan made a motion that we recommend the changes that was seconded by Councilman Burnett and passed unanimously.

EXECUTIVE SESSION:

a. Discuss Personnel Matter
b. Discuss Contractual Matter
c. Discuss Contractual matter concerning the Landfill. Councilman Gunnells made a motion to go into executive session that was seconded by Councilman Burnett and passed unanimously. V. C. Dove stated that there was one item in executive session that needed to be acted upon and that was the purchase of property for a convenience center. Councilman Burnett made a motion to put this on the agenda that was seconded by Councilman Calhoun and passed unanimously. Councilman Agan made a motion that we authorize Phil to work out a deal for the purchase of land for a convenience center not to exceed $10,000, which is located on the corner of Hwy. 284 and Flat Rock Road. Councilman Calhoun seconded this motion that was passed unanimously. Meeting adjourned

ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
SEPTEMBER 11,2000
(CALHOUN FALLS CITY HALL)

PRESENT: Chairman Milford, V. C. Dove, Councilmen Calhoun, Forrester, Agan, Burnett, Gunnells, Director Allen, Attorney Pruitt

The meeting was called to order at 7:30pm with prayer given by Mayor Waller.

First item on the agenda were public hearings on the following:

a. Request from Bell South to rezone approximately .25 acre located approximately 1000 feet of the east side of Hwy.28 (North Main Street) and Hwy. 28 By-Pass from General Commercial to Light Industrial to allow for a Cellular Tower. Gary Pennington from the Law Firm of Pennington & Lott, L.L.P. addressed council by saying that he represented Crown Castle South as Agent for Bell South Carolinas PCS, L.P. who proposes to construct a Telecommunications Facility consisting of a 300-foot tower on the subject property. He presented documents, maps and testimony by colleagues in favor of the request. It will be a self-supporting lattice type tower and will be constructed to accommodate a minimum of four wireless communications providers. The users of this tower may also install equipment cabinets or buildings at the base of the communications tower to house equipment. The tower will be set back approximately 1100 feet from SC Hwy. 28 and will represent an attempt to cover the northern portion of Abbeville and highways branching out from that area and it would not endanger historic properties. Chairman Milford asked how far the tower was to some ones property which Mr. Pennington replied about 250 feet. He went on to say that if the tower falls, it probably would not fall in a straight way but would crumble, so that it would fall within the 100 by 100 foot area leased for the tower. As for the land use plan the county adopted, he noted that it was not set in stone. The land use plan had indicated that this area would be targeted for residential development and that Communications towers can coexist with residential development. Mr. Pennington went on to talk about the importance of wireless communications to the county and said that more than 100,000 calls were made to 911 from wireless phones every day. He also indicated that the county has allowed zoning changes in the past for other cellular towers and he hinted that there could be legal action against the county if the request were denied.

b. Request from Sheriff Goodwin to amend the budget for the Victim's Witness Advocacy Program in the amount of $26,660 from the Victim's Witness fund, which currently has $86,783.55.

c. Approval of 8/28/00 County Council Meeting Minutes. Councilman Agan made a motion to approve minutes that was seconded by Councilman Burnett and passed unanimously.

Old Business:

a. 3rd Reading of request from Bell South to rezone approximately .25 acre located approximately 1000 feet of the eastside of Hwy. 28 (North Main Street) and Hwy. 28 By-Pass from General Commercial to light industrial to allow for a Cellular Tower. Councilman Burnett made a motion to have 3rd Reading that was seconded by V. C. Dove. Councilman Gunnells agreed with the motion. Chairman Milford, Councilmen Calhoun, Agan, Forrester opposed the motion. Motion did not carry.

b. 3rd Reading of request from Sheriff Goodwin to amend the budget for the Victim's Witness Advocacy Program in the amount of $26,660 from the Victim's Witness Fund which currently has $86,783.55. V. C. Dove made a motion to have 3rd reading that was seconded by Councilman Burnett and passed unanimously.

New Business:

a. Approval of bills for payment. Councilman Calhoun made a motion to pay bills that was seconded by Councilman Burnett and passed unanimously.

b. Consideration to Proclaim the week of September 18-22-00 as Industry Appreciation Week and urge all residents to salute our industries and their employees for their many contributions to our country. Councilman Agan made a motion to proclaim Sept. 18-22 as Industry Appreciation Week that was seconded by V. C. Dove and passed unanimously.

c. Request from the Abbeville County Memorial Hospital Foundation for County Council to make a contribution to assist the Hospital in purchasing heart monitors. After a lengthy discussion by Johnnie Waller, V. C. Dove made a motion to give them $250 that was seconded by Councilman Agan and passed unanimously. These funds are to come from the contingency fund

d. Request from Council to approve payment of the county's insurance of $1,000 and advise what account to charge to, as it relates to the July 6, 2000 electrical storm damage of the computer system. The total cost of this was $6,290 and the insurance paid approximately $5,200. Council agreed to pay the $1000 out of the contingency fund. V. C. Dove made a motion to this effect that was seconded by Councilman Burnett and passed unanimously.

e. Consideration of proposed agreement with DRE Inc. (Dunn & Associates) to serve as consulting engineers for Abbeville County in preparation of plans and

other engineering services as related to the proposed Diamond Hill and Gilgal Church Road solid waste/recycling convenience centers. After a brief discussion, Councilman Burnett made a motion to approve this and that we pay up to $10,000 for the engineering work. Motion was seconded by Councilman Calhoun and passed unanimously.

f. Consideration of encroachment request from Bell south for placement of an underground telephone cable within the right of way on Malone Road, a county maintained gravel road located between US 178 and Otto Lollis Road. After a brief discussion, Councilman Gunnells made a motion to approve this request that was seconded by Councilman Burnett and passed unanimously.

Next item was an addendum to the agenda and was consideration of appointment of Rose Mary McCurry to the Library Board. Councilman Agan stated that there was a vacancy by Hampton Williams who has retired due to health reasons. He, therefore, made a motion to appoint Ms. McCurry to the Library Board Councilman Gunnells seconded this motion that was passed unanimously.

Next item on the addendum was a request from the Assessor's Office to issue three checks for refunds on Building Permits. After a brief discussion, Councilman Gunnells made a motion to deny this request and that we set forth a procedure to implement a grace period as to refunds on Building Permits. Councilman Calhoun seconded this motion that was passed unanimously.

Executive Session:

a. Personnel Matter in Finance Dept.
b. Contractual Matter concerning the Landfill.

Councilman Burnett made a motion to go into executive session that was seconded by Councilman Calhoun and passed unanimously. No action was taken in executive session. V. C. Dove made a motion to adjourn that was seconded by Councilman Burnett and passed unanimously.

ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
SEPTEMBER 25, 2000
(DIAMOND HILL SCHOOL)

PRESENT: Chairman Milford, V. C. Dove, Councilmen Calhoun, Forrester, Agan, Burnett, Gunnells, Director Allen, Attorney Pruitt

The meeting was called to order at 7:30 PM with prayer.

First item on the agenda was approval of September 11,2000 County Council Meeting Minutes. Councilman Agan made a motion to approve minutes that was seconded by Councilman Burnett and passed unanimously.

a. Next item on the agenda was Rock Reinhart to discuss budget matters. He addressed council by saying that most everyone was aware of the new fire station being built on Flat Rock Road and wanted to thank Council and Phil Gates for helping them. Members of the Homeowners Association complained about the $15 dock fee proposed by the City of Abbeville for the 2000-01 fiscal year

b. Next item on the agenda was Council to set millage and fees for county operations and bond issues as follows:

1. Set Local Option Factor Number. Director Allen said that the factor for this year would be 0.001380. V. C. Dove made a motion to approve the 0.001380 and set this as the Rollback tax factor for next year. Motion was seconded by Councilman Burnett and passed unanimously.
2. Set fees for Landfill. Chairman Milford stated that last year it was $36 and this year it was also $36. Councilman made a motion to approve the household fee of $36 that was seconded by Councilman Burnett and passed unanimously.
3. Set fees for Building Inspection. Director Allen stated that these were the fees set back in June when the building codes were approved and set by the Southern Building Codes Association. Councilman Gunnells made a motion to approve the fees that was seconded by V. C. Dove and passed unanimously. Councilman Agan commented by saying that the fee includes inspection of Mobile Homes as well.
4. Set millage for operating. Chairman Milford read out the millage as follows:

	2000/01	99/2000
General Fund	52.3	52.3
Dev. Board	3.0	3.0
Rural Fire	8.0	7.6
Solid Waste	4.0	4.0
Co. Bond Issue	0	1.5
Co.Office Bldg.	0	.5
Infrastructure Dev.	7.5	

Debt/Bond Sev. 6.0
Hunters Creek Plantation –35 mills

Councilman Agan stated that he was concerned with the 52.3 mills being enough to generate the funds that we are going to need. He also pointed out that what some council members were calling a surplus of money from last year was not a surplus at all. After further discussion Councilman Agan stated that we had not had a workshop to set the millage and that the Finance Committee had not been called together or any other council member. He felt that there should be a workshop and that the numbers should be gone over in detail.He said he would vote against it, since we are not prepared to know what our finances will be next year. He, therefore, made a motion that we have a workshop this week to discuss the millage for the general fund and a special meeting next week to set it in motion. Councilman Gunnlls seconded motion. Councilman Forrester agreed with the motion. Chairman Milford, Councilmen Burnett, Calhoun and Dove opposed. Motion did not pass. Councilman Burnett made a motion that we pass the millages for the county that was seconded by V. C. Dove. Chairman Milford and Councilman Calhoun agreed with the motion. Councilmen Agan, Forrester, Gunnells opposed. Motion passed to set the millages.

Chairman Milford stated that we needed to discuss the Tipping Fees for the Landfill. He said that the only thing that was changed was sludge from $30 to $15. After a brief discussion, V. C. Dove made a motion to approve the tipping fees that was seconded by Councilman Calhoun and passed unanimously.

c. Discuss Law Enforcement Bond money. After a brief discussion Councilman Calhoun made a motion that we spend the bond money from the jail bond, about $3.3 million for the law enforcement center before using reserve monies. Motion was seconded by Councilman Burnett and passed unanimously.

d. Consideration to renew the existing contract with O'Dell Company for delivery of gasoline and diesel fuel Councilman Burnett made a motion to renew the contract that was seconded by Councilman Calhoun and passed unanimously.

e. Consideration of recommendation from the Public Works Director for purchase of a pull behind bush hog for roadside and landfill maintenance. After a brief discussion, V. C. Dove made a motion to approve this request that was seconded by Councilman Burnett and passed unanimously.

Next item on an addendum was Treasurer to request permission to transfer $18,365.72 from LOST Fund account into the General Fund for the month of August. V.C. Dove made a motion to approve this request that was seconded by Councilman Burnett and passed unanimously.

EXECUTIVE SESSION:

a. Discuss Personnel Matter regarding Finance Department

Councilman Calhoun made a motion to go into executive session that was seconded by Councilman Burnett and passed unanimously. No action was taken in executive session. Meeting adjourned.

ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
OCTOBER 9, 2000
DONALDS

PRESENT: Chairman Milford, V. C. Dove, Councilmen Agan, Burnett, Forrester, Burnett, Gunnells, Director Allen, Attorney Pruitt

The meeting was called to order at 7:30 pm with prayer.

First item on the agenda was approval of September 25th County Council Meeting Minutes. Councilman Agan made a motion to approve minutes that was seconded by Councilman Forrester and passed unanimously.

New Business:

a. Approval of bills for payment. Councilman Burnett made a motion to approve bills that was seconded by Councilman Forrester and passed unanimously.

b. Fire Truck proposal for County Fire Commission. Fire Marshall, Jim Sosebee stated that this was an ongoing project since July and they have sent out a bid package that detailed the type of truck they wanted placed in the county and it was a clone of the truck that was placed in Station 11. Seven bid packages were sent out and the bids ranged from $142,000 a truck up to $316,000 for a pair, which was approximately $32,000 difference on the pair. Once the changes were made and corrections, the final bid for each truck was approximately $152,000. They had projected $150,000 for each truck, and they scaled it down to that price. Slagel's Fire Equipment out of Columbia was the low bid and met the total specs and the spec package was about 44 pages. They have taken numerous finance plans and the plan that best suits their needs and is the lowest rate they can find was four annual payments that would begin in December 2001 and is BB&T with a total interest charge of about $34,000 over the four years. This would put them at making payments of about $84,000 a year, which is in the scope of their budget for the two trucks. Attorney Pruitt stated that we needed to have 1st Reading on an ordinance to approve the lease-purchase agreement with BB&T for two fire trucks. Councilman Gunnells made a motion to have 1st Reading that was seconded by Councilman Burnett and passed unanimously.

c. Peter Strickland to address Abbeville County's Hiring Process. Mr. Strickland stated that his wife had applied for a job at the Abbeville County Farm. She did not get the job which went to someone that he felt was less qualified. He noted that they had just moved from New York about four months ago and that his wife had considerable law enforcement experience. She was already working at the county farm and she had applied for the job. He just wanted some answers and wasn't there to step on anybody's toes. Council indicated that they would look into the matter.

d. Approval of lease agreement with BB&T for LEC kitchen equipment. Director Allen addressed council by saying that this was the route they decided to go with in deciding the budget for the jail. He had Mr. Pruitt to review the lease agreement and he forwarded it to Mr. Theo Dubose. After talking with Mr. Dubose and the Architect, there were two items that would have gone against our borrowing capacity because they are fixtures that are attached to the building and, therefore, would become real estate and they were in the amount of $5,045. They were the hood and fire protection equipment within the kitchen area so they had to pull them out of the lease agreement. He requested council to enter into an agreement with BB&T for $104,631.74, with an interest rate of 5.6 for 5 years and a payment schedule broken down. Chairman Milford said that we have got to have the hood but are we not premature in purchasing the rest of the equipment now. Mr. Allen stated that we had agreed to do this and two month ago we accepted from American Equipment Enterprises and they have already ordered the equipment. After further discussion, Councilman Burnett made a motion to have 1st Reading to approve the lease agreement of $104,631.74 with exception of the hood. Motion was seconded by Councilman Agan and passed unanimously. Councilman Agan made a motion that items 11 and 13 fire protection system and range hood in the amount of $5,045 be paid out of Law Enforcement Funds Motion was seconded by Councilman Burnett and passed unanimously.

e. Mayor Buth Sain and Tracy Carter to discuss Community and High School track. Mayor Sain addressed council by saying that there were three high schools in Abbeville County and all of them have track teams but none of them has a track. He asked for the County's financial assistance in developing a community and high school track in Due West and said that the track would be used by Dixie High School and when not in use would be available for use by the Due West Community. After further discussion, Council welcomed him to come back in January when we will have tax money coming in. Mayor Sain said he would like the County to contribute as much as $7,000 to the project.

f. Approval of Resolution for First Amendment to Lease Amendment by and between Pirelli Cables and Systems, LLC, a limited liability company (Pirelli) and Abbeville County, South Carolina, a body politic and corporate and political subdivision of the State of South (Abbeville). Councilman Agan made a motion to approve the Resolution that was seconded by Councilman Burnett and passed unanimously.

g. Consideration of 1st Reading of an Ordinance Authorizing the Amendment of the Lease Agreement between Abbeville County as Lessor and Pirelli Cables and Systems LLC as Lessee, dated December 28, 1999, Relating to, Without Limitation, the lease of a project as defined in Title 4, Chapter 12 of the South Carolina Code of Laws, as amended and the payment to Abbeville County of a fee in lieu of taxes. Councilman Agan made a motion to have 1st Reading that was seconded by Councilman Calhoun and passed unanimously.

Executive Session:

10/9/00

a. Discussion of a contractual matter. Councilman Burnett made a motion to go into executive session to discuss a contractual matter concerning economic development that was seconded by Councilman Calhoun and passed unanimously. No action was taken in executive session. V. C. Dove made a motion to adjourn that was seconded by Councilman Burnett and passed unanimously.