

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, DECEMBER 13, 2012 9:00 A.M., COUNCIL
CHAMBERS ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY
STREET, FLORENCE, SOUTH CAROLINA**

PRESENT:

Waymon Mumford, Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Roger M. Poston, Council Member
K. G. Rusty Smith, Jr., County Administrator
D. Malloy McEachin, Jr., County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Arthur C. Gregg, Jr., Public Works Director
Kevin V. Yokim, Finance Director
Suzanne S. King, Administrative Services Director
Joe Eason, Director of Parks & Recreation
Ryon Watkins, EMS Director
Jonathan B. Graham, III, Planning Director
Patrick Fletcher, Procurement Director
Jack Newsome, Tax Assessor
Sheriff Kenney Boone
Keith Lutcken, Coroner Elect
Barbara Coker, Administrative Manager Sheriff's Office
Ray McBride, Library Director
David Alford, Voter Registration & Elections Director

A notice of the regular meeting of the Florence County Council appeared in the December 12, 2012 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the Meeting Agenda and Proposed Additions to the Agenda were provided to members of the media, members of the public requesting copies, and posted in the lobby of the City-County Complex, the Doctors Bruce and Lee Foundation Public Library and all branch libraries, and on the County's website (www.florenceco.org).

Vice Chairman Mumford called the meeting to order. Secretary-Chaplain Anderson provided the invocation and Councilman Kirby led the Pledge of Allegiance to the American Flag. Vice Chairman Mumford welcomed everyone attending the meeting.

ELECTION OF CHAIRMAN

Vice Chairman Mumford turned the gavel over to County Attorney Malloy McEachin for the election of the Chairman. Mr. McEachin stated that pursuant to County Code, in the event the seat for Chairman of County Council became vacant during the year, an election must be held to establish a new Council Chair to complete the term. He then presided over the Election of Chairman. Councilman Schofield made a motion Councilman Waymon Mumford serve as Chair. Councilman Culberson seconded the motion, which was approved unanimously.

Councilman Mumford expressed appreciation for being elected as Chair for the remainder of the term, and stated that, for the record, he had no desire to pursue the Chairmanship for calendar year 2013.

APPROVAL OF MINUTES:

Councilman Anderson made a motion Council Approve The Minutes Of The November 15, 2012 Regular Meeting Of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Chairman Opened The Public Hearings And The Clerk Published The Titles Of The Following:

ORDINANCE NO. 14-2012/13

An Ordinance Authorizing: (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement (The "Incentive Agreement") Between Florence County, South Carolina (The "County") And Honda of South Carolina, Mfg., Inc., Acting For Itself And One Or More Affiliates Or Other Project Sponsors, (The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Expansion Of Certain Manufacturing Facilities Located In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Park To Be Made Available To The Company; And (3) Other Matters Relating Thereto.

ORDINANCE NO. 15-2012/13

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Properties In Florence County Located In The Town Of Pamplico On W. Sixth Avenue, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto.

APPEARANCES:

There were no Appearances requested or scheduled.

COMMITTEE REPORTS:

There were no Committee Reports.

RESOLUTIONS/PROCLAMATIONS:

RESOLUTION NO. 13-2012/13

The Clerk published the title of Resolution No. 13-2012/13: A Resolution To Create A Commission Pursuant To The Capital Project Sales Tax Act, South Carolina Code Annotated §4-10-300, Et Seq.: To Provide For The Appointment, Composition, Duties And Responsibilities Of Such Commission And To Provide For Other Matters Relating Thereto. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Schofield seconded the motion, which was approved unanimously. County Administrator Rusty Smith stated the purpose of formulating the Commission was the consideration of the continuation of the Capital Project Sales Tax and the charge of the Commission was for the purpose of considering proposals for funding capital projects within the County and formulation of the referendum question to place on the ballot.

RESOLUTION NO. 14-2012/13

The Clerk published the title of Resolution No. 14-2012/13: A Resolution Consenting To An Extension Of The Investment Period And The Fee Term For QVC, Inc. Under Its Fee Agreement With Florence County Pursuant To Section 12-44-30(13), Code Of Laws Of South Carolina, 1976, As Amended (The “Code”), And Other Matters Related Thereto. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 21-2011/12 – MOVED TO INACTIVE AGENDA

The Clerk published the title of Ordinance No. 21-2011/12: An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 124 Epps Street, Lake City, South Carolina And Designated As Tax Map Number 80008-12-008: And To Authorize The Conveyance Thereof To Florence School District Three; And Other Matters Relating Thereto. Councilman Schofield made a motion Council Move Ordinance No. 21-2011/12 To The Inactive Agenda Pending Further Action By The Florence School District Three Board. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 13-2012/13 – THIRD READING

The Clerk published the title of Ordinance No. 13-2012/13: An Ordinance Authorizing (1) The Re-Documentation Of That Certain Lease Purchase Agreement Dated December 1, 1998, Between Florence County, South Carolina (The “County”) And Honda Of South Carolina Mfg., Inc. (The “Company”) Pertaining To The Company’s Existing Manufacturing Facilities Located Within The County; (2) Extension Of The Period For Payment Of Fees In Lieu Of *Ad Valorem* Taxes With Respect To Assets Under Said Lease Purchase Agreement; And (3) Other Matters Relating Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There Being No Signatures On The Sign-In Sheets, The Chairman Closed The Public Hearings.

ORDINANCE NO. 14-2012/13 – THIRD READING

The Clerk published the title of Ordinance No. 14-2012/13: An Ordinance Authorizing: (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement (The “Incentive Agreement”) Between Florence County, South Carolina (The “County”) And Honda of South Carolina, Mfg., Inc., Acting For Itself And One Or More Affiliates Or Other Project Sponsors, (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of *Ad Valorem* Taxes With Respect To The Expansion Of Certain Manufacturing Facilities Located In The County (The “Project”); (2) The Benefits Of A Multi-County Industrial Park To Be Made Available To The Company; And (3) Other Matters Relating Thereto. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 15-2012/13 – SECOND READING

The Clerk published the title of Ordinance No. 15-2012/13: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For ~~Properties~~ Property In Florence County Located In The Town Of Pamplico On W. Sixth Avenue, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto. Councilman Poston made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 16-2012/13 – SECOND READING

The Clerk published the title of Ordinance No. 16-2012/13: An Ordinance To Rezone Property Owned By Pamplico Rescue And Ambulance Service, Inc. Located At 191 West Sixth Avenue, Pamplico As Shown On Florence County Tax Map No. 60001, Block 01, Parcel 021; Consisting Of Approximately 3.91 Acres From R-5, Multi-Family Residential District, RU-2, Rural Resource District And R-1, Single-Family Residential District To B-1, Limited Business District; And Other Matters Related Thereto. Councilman Poston made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 17-2012/13 – SECOND READING

The Clerk published the title of Ordinance No. 17-2012/13: An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Poston seconded the motion, which was approved unanimously.

ORDINANCE NO. 18-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 18-2012/13 introduced: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

ORDINANCE NO. 19-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 19-2012/13 introduced: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

ORDINANCE NO. 20-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 20-2012/13 introduced: An Ordinance To Rezone Property Owned By Doulaveris Holdings, LLC Located At 306 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 019; Consisting Of Approx. 0.518 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.

ORDINANCE NO. 21-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 21-2012/13 introduced: An Ordinance To Rezone Property Owned By James R. And Karen E. Kelly Located At 222 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 020; Consisting Of Approx. 0.262 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.

ORDINANCE NO. 22-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 22-2012/13 introduced: An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (B)(2) And (C); And Other Matters Related Thereto.

ORDINANCE NO. 23-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 23-2012/13 introduced: An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.

ORDINANCE NO. 24-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 24-2012/13 introduced: An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.

ORDINANCE NO. 25-2012/13 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 25-2012/13 introduced: An Ordinance To Amend Florence County Code Chapter 2, Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Relating Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

There were no appointments.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2013 Through October 31, 2012 As An Item For The Record.

2013 CALENDAR OF MEETING DATES AND HOLIDAYS

Councilman Schofield made a motion Council Approve The 2013 Calendar Of Meeting Dates And Holidays. Councilman Culberson seconded the motion, which was approved unanimously.

RFQ – CITY-COUNTY COMPLEX

Chairman Mumford appointed Councilman Schofield to serve on the RFQ Panel for RFQ #12-12/13 Architectural and Space Planning Services for the City-County Complex.

Councilman Schofield made a motion Council Approve A Request For Qualifications For Architectural And Space Planning Services For The City-County Complex Building Renovations And Additional Space Needed For County Functions In The Future To Be Funded By The City-County Building Commission. Councilman Culberson seconded the motion, which was approved unanimously.

MUSEUM/GRANTS

GRANT APPLICATION

Councilman Schofield made a motion Council approve The Submission Of A Grant Application For Funding In The Amount Of \$70,000 Under The Institute Of Museum And Library Services (IMLS) Fiscal Year 2013 Museums For America Grant Program To Provide For Two Interactive Touch Screen Exhibits For The New Florence County Museum. Councilman Anderson seconded the motion, which was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY - EMS

Councilman Culberson made a motion Council Declare Various Equipment From The Emergency Medical Services Department As Surplus Property For Disposal Through Public Internet Auction Via GovDeals And/Or Destruction. Councilman Kirby seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Culberson made a motion Council Declare A 1979 Camelot Mobile Home As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Anderson seconded the motion, which was approved unanimously.

REVIEW PANEL APPOINTMENT

Chairman Mumford Appointed Councilman Schofield To Serve On The Review Panel For RFP #08-12/13 Shelving For Florence County Museum.

RECREATION/PROCUREMENT

AWARD OF BID #10-12/13

Councilman Anderson made a motion Council approve The Award Of Bid #10-12/13 For Resurfacing Of Five (5) Tennis Courts At Ebenezer Park To Tennico Of Columbia, Inc., Columbia, SC In The Amount Of \$19,760 To Be Funded From A United States Tennis Association Grant And Previously Approved Council District 9 Infrastructure Funds. Councilman Bradley seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/GRANTS

SC DEPARTMENT OF PUBLIC SAFETY JUSTICE ASSISTANCE

Councilman Anderson made a motion Council approve The Submission Of A Grant Application In The Amount Of \$124,400 Under The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program To Provide For The Personnel And Start-Up Costs For A Crime Scene/Forensic Investigator For The Florence County Sheriff's Office. Councilman Culberson seconded the motion, which was approved unanimously. In response to a question from Councilman Kirby, the Sheriff responded that it was a three (3) year grant.

SC DEPARTMENT OF PUBLIC SAFETY JUSTICE ASSISTANCE

Councilman Anderson made a motion Council approve The Submission Of A Grant Application In The Amount Of \$132,234 Under The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program To Provide For The Personnel And Start-Up Costs For A White Collar Crime/Identity Theft Investigator For The Florence County Sheriff's Office. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

ENVIRONMENTAL DISCOVERY CENTER COMMITTEE

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$30,000 From Council Districts' Infrastructure/Utility Funding Allocations To Assist The Environmental Discovery Center Committee With The Expansion Of The Environmental Discovery Center At Lynches River County Park. Councilman Culberson seconded the motion, which was approved unanimously.

FRANCIS MARION RECREATION COMPLEX

Councilman Culberson made a motion Council approve The Expenditure Of Up To \$30,000 From Council Districts 3, 6, And 7 Infrastructure/Utility Funding Allocations For Facility Improvements At Francis Marion Recreation Complex. Councilman Bradley seconded the motion, which was approved unanimously.

UTILITY

CITY OF JOHNSONVILLE

Councilman Poston made a motion Council Amend Page ix Item XIV. B. 1. To Reflect The Expenditure Of \$20,000 To Conform To The Agenda Action Item Found On Page 214 Of The Agenda Packet. Councilman Kirby seconded the motion, which was approved unanimously. Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$20,000 From Council District 2 Utility Funding Allocation To Assist The City Of Johnsonville With Its Blue-Field Water Project. Councilman Poston seconded the motion, which was approved unanimously.

W. HASKELL AVENUE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$7,500 From Council District 3 Utility Funding Allocation To Pay For 220 Feet Of 24" Concrete Pipe, Concrete Blocks And Concrete For W. Haskell Avenue In Brookgreen Subdivision, Pending SCDOT Encroachment Permit. Councilman Schofield seconded the motion, which was approved unanimously.

The following were Additions to the Agenda:

REPORTS TO COUNCIL: EMS

Councilman Schofield made a motion Council Authorize The Addition Of Twelve (12) EMT/Paramedic Permanent Positions To Staff Two (2) Full-Time Twenty-Four (24) Hour Medic Units Consistent With The Pay Levels And Certifications Of Current Staff To Be Funded From FY13 Budgeted Funds. Councilman Bradley seconded the motion, which was approved unanimously.

TOWN OF QUINBY

Councilman Bradley made a motion Council approve The Expenditure Of Up To \$200 From Council District 3 Infrastructure Funding Allocation To Assist The Town Of Quinby With Replacing The Net On The Tennis Court At The Recreation Complex In Quinby. Councilman Anderson seconded the motion, which was approved unanimously.

SPECIAL PRESENTATION:

RESOLUTION OF APPRECIATION AND RECOGNITION

The Clerk published in its entirety a Resolution of Appreciation and Recognition For Councilman H. Morris Anderson For His Commendable Service. Council unanimously adopted the Resolution. Members of Council, the County Administrator, the County Attorney, the Sheriff and the Clerk expressed appreciation to Councilman Anderson and commended him for his service and wished him well in future endeavors.

EXECUTIVE SESSION:

Councilman Bradley made a motion Council Enter Executive Session, Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended, To Discuss A Personnel Matter, Pending Real Property Contractual Matter(s), And Legal Matters. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:43 a.m. Council reconvened at 10:52 a.m.

Subsequent to Executive Session, Council took the following actions:

CLASS ACTION LAWSUIT

Councilman Bradley made a motion Council Approve Florence County To Participate In A Class Action Lawsuit To Recover Filing Fees Of Fannie Mae And Freddie Mac And To Engage The Law Firm Of Kyle Michal, LLC, Strom Law Firm LLC, And Jennings Law Firm, LLC And Authorize The Chairman Of County Council To Execute An Employment Agreement. Councilman Anderson seconded the motion, which was approved unanimously.

NATIONAL CEMETERY

Councilman Anderson made a motion Council Approve The Execution Of A Sales Contract For The Purchase Of Thirty (30) Lots Of Land For The Expansion Of The National Cemetery Located In Florence, South Carolina And To Authorize The Chairman Of Florence County Council To Execute Said Contract. Councilman Bradley seconded the motion, which was approved unanimously.

There being no further business to come before Council, Councilman Culberson made a motion to adjourn. Councilman Anderson seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 10:53 A.M.