

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, JANUARY 14, 2010, 9:00 A.M., COUNCIL CHAMBERS
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET,
FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Sheriff Kenney Boone
Barbara Coker, Sheriff Office
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Alphonso Bradley, Council Member

A notice of the regular meeting of the Florence County Council appeared in the January 13, 2010 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex, the Doctors Bruce and Lee Foundation Public Library, and on the County's website (www.florenceco.org).

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

ELECTION OF OFFICERS FOR 2010:

Chairman Smith relinquished the floor to the County Attorney to conduct the election of officers for 2010.

County Attorney James C. Rushton, III opened the floor for nominations for Officers for County Council for calendar year 2010. Councilman Culberson made a motion Council appoint the same slate of officers that served in 2009 by acclamation: K. G. Rusty Smith, Jr. – Chairman, Waymon Mumford – Vice Chairman and H. Morris Anderson – Secretary-Chaplain. Councilman Kirby seconded the motion, which was approved unanimously.

APPROVAL OF MINUTES:

Councilman Anderson made a motion Council approve the minutes of the December 10, 2009 regular meeting of County Council. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no public hearings required, scheduled, or held.

APPEARANCES:

A. MICHELLE JAMES, P.D. – PROGRAM MANAGER, SCDOT

Michelle James, Program Manager, South Carolina Department Of Transportation (SC DOT) Appeared Before Council To Discuss The TV Road And SC 51 Project Scopes. Chairman Smith stated the presentation would be received as information for Council's review and consideration at the next regularly scheduled meeting of Council.

VERMELLE P. SIMMONS – 2010 CENSUS

Ms. Simmons Along With Milton Smalls Appeared Before Council To Provide A Brief Presentation About The Importance Of The 2010 Census.

COMMITTEE REPORTS:

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield stated the Committee was scheduled to meet after the regularly scheduled meeting to discuss Ordinance No. 13-2009/10 (Abatement of Unsafe Structures).

COMMITTEE ON JUSTICE & PUBLIC SAFETY

Committee Chairman Mumford stated the Committee on Justice & Public Safety met prior to the regular meeting to discuss ambulance services. Committee Chairman Mumford made a motion Council remove Ordinance No. 25-2008/09 from the Inactive Agenda: An Ordinance To Amend Florence County Code, Chapter 5, Ambulance Services, In Its Entirety To Establish Procedures Relating To Private Ambulance Services And Other Matters Relating Thereto. Councilman Rodgers seconded the motion, which was approved unanimously. Councilman Mumford made a motion Council approve second reading of the Ordinance as amended and recommended by the Committee. Councilman Rodgers seconded the motion, which was approved unanimously.

COMMITTEE ON EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson displayed photographs of a dog rescued by Environmental Services. The owner was prosecuted through the Magistrate's Office for animal cruelty. He stated the RFP Panel met and approved the architect for the Environmental Services Office Building.

RESOLUTIONS:

RESOLUTION NO. 13-2009/10

The Chairman published the title of Resolution No. 13-2009/10: A Resolution Authorizing The Submission Of An Application By Florence County To The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program For Video Conferencing Systems At The City-County Complex And Law Enforcement Facilities. Councilman Mumford made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTION NO. 14-2009/10

The Chairman published the title of Resolution No. 14-2009/10: A Resolution Authorizing The Submission Of An Application By Florence County To The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program To Provide Staff And Equipment For A Forensic Lab At The Law Enforcement Center To Aid In The Prosecution Of Crimes In A More Efficient And Effective Manner. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

RESOLUTION NO. 15-2009/10

The Chairman published the title of Resolution No. 15-2009/10: A Resolution Of Support For The South Carolina Homebuilders Association's Request To South Carolina Building Codes Council To Remove From The 2009 International Residential Code (IRC) Section R313, Mandatory Requirement Of Automatic Fire Sprinklers In Residential Construction. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 18-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 18-2009/10: An Ordinance To Rezone Property Owned By Randy Coker, Located At Devonshire Road, Lake City From R-2, Single-Family Residential District To PD, Planned Development District Shown On Florence County Map 00167, Block 31, Parcel 127 Consisting Of Approximately 3.47 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 19-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 19-2009/10: An Ordinance To Zone Property Owned By Florence County Located At 959 S. Pamplico Hwy., Pamplico To B-1, Limited Business District Shown On Florence County Tax Map No. 00377, Block 02, Parcel 061 Consisting Of 1.03 Acres. Councilman Ard made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 20-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 20-2009/10: An Ordinance Authorizing Pursuant To Title 4, Chapter 1 Of The South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of An Infrastructure Financing Agreement Between Florence County, South Carolina And Smurfit Stone Container Enterprises, Inc. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 21-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 21-2009/10 would be deferred: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina And Wellman Plastics Recycling, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes And Other Matters Related Thereto.

ORDINANCE NO. 22-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 22-2009/10 would be deferred: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And J.P. Morgan Chase, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes And Other Matters Related Thereto.

ORDINANCE NO. 23-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 23-2009/10 would be deferred: An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 1998 Between Florence County, South Carolina And Williamsburg County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park.

ORDINANCE NO. 24-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 24-2009/10: An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 2006 Between Florence County, South Carolina And Marion County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 25-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 25-2009/10: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-206, Prohibited Signs, And Section 30-209, Removal Of Signs, And Article VII, General And Ancillary Regulations, Section 30-249, Nonconformities, And Article X, Definitions, Regarding The Removal Of Dilapidated, Dangerous, And Illegal Signs, And The Definitions For Those Signs And Abandoned Signs. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 26-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 26-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By Cynthia Matthews Located At 3434 And 3508 James Turner Road, Florence County From R-1, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 072 Consisting Of Approximately 15.7 Acres.

ORDINANCE NO. 27-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 27-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By Pamela S. Truesdale Located At 3514 James Turner Road, Florence County From R-1, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 090 Consisting Of Approximately 4.81 Acres.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

FLORENCE COUNTY LIBRARY BOARD OF TRUSTEES

Council unanimously appointed Charles Howle to represent Florence County Council District 9 on the Florence County Library Board of Trustees, with appropriate expiration terms.

FLORENCE CITY-COUNTY HISTORICAL COMMISSION

Council unanimously re-appointed Peggy Brown for recommendation to the Governor to serve on the Florence City-County Historical Commission, with appropriate expiration terms.

CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS

Council unanimously appointed Phillip Dowling to serve on the Florence County Construction Board of Adjustments & Appeals, representing Council District 9, with appropriate expiration terms.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2010 Through November 30, 2009 As An Item For The Record.

SCDHEC WASTE TIRE/AUTOMOBILE DISMANTLER RECYCLING GRANT

Councilman Kirby made a motion Council Accept FY2010 Waste Tire/Automobile Dismantler Recycling Grant #21 Wt 10 In The Amount Of \$41,500 To Be Utilized To Assist With Disposal Costs Associated With Waste Tires At The Old Landfill. Councilman Culberson seconded the motion, which was approved unanimously.

FINANCE

ACCEPTANCE OF FISCAL YEAR ENDED JUNE 30, 2009 AUDIT

Butch Whiddon, Baird & Company, CPA's, LLC, presented an overview of the Fiscal Year Ended June 30, 2009 Audit. Councilman Kirby made a motion Council accept the Audit as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES (EMS)

GRANT AWARD – CAROLINAS HOSPITAL SYSTEM

Councilman Rodgers made a motion Council Accept A Grant Award In The Amount Of \$20,192 From Carolinas Hospital System For Their Portion Of Equipment Costs To Provide EKG Transmission Capability From An Ambulance En-Route To Carolinas Hospital System Emergency Department. Councilman Anderson seconded the motion, which was approved unanimously.

GRANT AWARD – MCLEOD HEALTH

Councilman Mumford made a motion Council Accept A Grant Award In The Amount Of \$20,192 From McLeod Health For Their Portion Of Equipment Costs To Provide EKG Transmission Capability From An Ambulance En-Route To McLeod Regional Medical Center Emergency Department. Councilman Rodgers seconded the motion, which was approved unanimously.

LIBRARY

GRANT AWARD – HONDA SOUTH CAROLINA MFG., INC.

Councilman Kirby made a motion Council Accept A Grant Award In The Amount Of \$5,000 From Honda South Carolina Mfg., Inc. For Books And Other Library Materials For The Timmons ville Library. Councilman Rodgers seconded the motion, which was approved unanimously. Chairman Smith announced that the ribbon cutting ceremony for the newly constructed Baker Memorial Library in Timmons ville was scheduled for Sunday, February 7, 2010 at 2 p.m.

PROCUREMENT DEPARTMENT

APPOINTMENT OF EVALUATION COMMITTEE MEMBER

Chairman Smith appointed Councilman Rodgers To Serve On The Public Works Heavy Equipment Bid Development And Evaluation Committee.

BID AWARD

Councilman Ard made a motion Council Approve The Award Of Bid #08-09/10 To Stryker Medical, Portage, MI In The Amount Of \$11,803.96 For An Ambulance Cot For The Johnsonville Rescue Squad; To Be Funded From Grant Funds, With The Required Matching Funds Provided By Johnsonville Rescue Squad. Councilman Rodgers seconded the motion, which was approved unanimously.

SURPLUS PROPERTY

Councilman Ard made a motion Council Authorize The Sale Of Vehicle #927, A 2005 Ford Five Hundred, To Johnsonville Fire District In The Amount Of \$1,000. Councilman Rodgers seconded the motion, which was approved unanimously.

SURPLUS PROPERTY

Councilman Rodgers made a motion Council Declare Ninety-Six (96) Outdated Radios As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF OFFICE

PURCHASE AUTHORIZATION

Councilman Culberson made a motion Council Authorize The Purchase Of Eight (8) Flashback Digital In-Car Cameras, Compatible With The Existing Digital Evidence Series System Currently Used At The Sheriff Office, From The Exclusive Manufacturer And Distributor L3 Communications Mobile Vision Inc., In The Amount Of \$42,336 Utilizing 2009 Justice Assistance Grant Funds. Councilman Rodgers seconded the motion, which was approved unanimously.

DECLARE HANDGUN SURPLUS

Councilman Culberson made a motion Council Declare One (1) Handgun As Surplus Property For The Purpose Of Awarding It To A Retiring Sheriff Office Employee, Ernest Jones. Councilman Kirby seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

FRANCIS MARION RECREATION ATHLETIC PARK

Councilman Culberson made a motion Council Approve The Expenditure From Council Districts 3, 5 and 7 Infrastructure Funding Allocations In A Total Amount Estimated At \$7,300 (Approximately \$2,433.33 from each district) To Assist Francis Marion Recreation Athletic Park With The Extension Of The Backstop On The Dixie Boys Field From 20 Feet To 30 Feet And Painting The Concessions Building. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY FUNDING

PINE NEEDLES WIDENING PROJECT

Councilman Kirby made a motion Council Approve The Expenditure From Council District 9 Utility Funding Allocation In An Amount Up To \$3,735 To Assist With The Pine Needles Widening Project Piping Along A Portion Of South Ebenezer Road. Councilman Rodgers seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

MORRIS STREET SIDEWALK PROJECT

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$15,940.40 From Council District 1 Infrastructure Funding Allocation To Provide Matching Funds For A SC DOT Enhancement Grant For The Morris Street Sidewalk Project In Lake City, Contingent Upon Award Of The Grant. Councilman Mumford seconded the motion, which was approved unanimously.

WEST FLORENCE HIGH SCHOOL

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$25,000 From Council Districts 3 and 9 Infrastructure Funding Allocations (\$12,500 From Each District) To Assist Florence School District One With The Construction Of A Baseball Locker Room At West Florence High School. Councilman Culberson seconded the motion, which was approved unanimously.

E. SALEM ROAD

Councilman Ard made a motion Council Approve The Expenditure Of Up To \$67,434.85 From Council District 2 RSMF Funding Allocation To Put MBC Stone And Crushed Asphalt On E. Salem Road. Councilman Culberson seconded the motion, which was approved unanimously.

MARY ROAD

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$4,100 From Council District 5 Infrastructure Funding Allocation To Pay For MBC Stone And Crushed Asphalt For Mary Road. Councilman Culberson seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Mumford 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 The Following: Contractual Matters Concerning Pending Real Property Transactions and Personnel Matters Related To The Chief Magistrate's Office. Councilman Culberson seconded the motion, which was approved unanimously.

Council entered executive session at 10:09 a.m. Council reconvened at 10:31 a.m.

Subsequent to Executive Session, Council took the following actions:

JOHNSONVILLE LIBRARY

Councilman Ard made a motion Council Transfer [by deed] The Current Johnsonville Library Property From The County Back To The City Of Johnsonville. Councilman Culberson seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 10:32 A.M.