

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, SEPTEMBER 18, 2008, 9:00 A.M., COUNCIL
CHAMBERS, ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY
ST., FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
Alphonso Bradley, 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
William H. Hoge, Planning & Building Department Director
Chrystine Rathburn, GIS
Ray McBride, Library Director
Sheriff Kenney Boone
Barbara Coker, Sheriff's Office

ABSENT:

Russell W. Culberson, Council Member

A notice of the regular meeting of the Florence County Council appeared in the September 17, 2008 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 and on the County's website (www.florenceco.org).

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

APPROVAL OF MINUTES:

Councilman Anderson made a motion Council approve the minutes of the August 21, 2008 regular meeting of County Council. Councilman Kirby seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Chairman opened public hearing for the following Ordinance and published the title:

ORDINANCE NO. 06-2008/09

An Ordinance To Adopt A New Economic Element For The Florence County/Municipal Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

APPEARANCES:

RESOLUTION OF RECOGNITION

The Clerk published in its entirety a Resolution of Recognition for Jolette Law in honor of her meritorious achievements. Councilman Mumford made a motion Council approve the Resolution. Councilman Bradley seconded the motion, which was approved unanimously. Councilmen Mumford and Bradley presented a framed resolution to Ms. Law.

JOAN ASSEY, CASE MANAGEMENT SYSTEM – SC JUDICIAL DEPT.

Ms. Assey appeared before Council to discuss the statewide Court Case Management System (CMS) and presented a deployment proposal. Judge Nettles commented the practical reason to employ CMS was that the civil docket would be managed so much more effectively. Solicitor Ed Clements stated he was in favor of the general concept but two questions he had were 1) did the \$25,000 maintenance fee for software outlined in the presentation include the Solicitor's Office and 2) if it doesn't connect to the Sheriff's Office, LEC, City PD, etc. that would be a problem; it would be critical for those departments/offices to be included in the connectivity. Ms. Assey provided additional information regarding a proposal for the Solicitor's Office, which would include the Marion County Solicitor's Office, as well. After some discussion, Councilman Anderson made a motion Council proceed with the assessment phase of the deployment proposal then review the completed joint assessment. Councilman Mumford seconded the motion, which was approved unanimously.

WILLIAM H. HOGE, PLANNING DEPARTMENT DIRECTOR – AIR QUALITY REPORT

Mr. Hoge made a presentation to Council regarding new National Air Quality Standards and the status of air quality in Florence County. Chairman Smith stated the County needed to be proactive and set an example on this issue and begin addressing air quality in Florence County by implementing a plan for the County fleet to reduce harmful emissions.

COMMITTEE REPORTS:

There were no Committee Reports.

RESOLUTIONS:

RESOLUTION NO. 04-2008/09

The Chairman published the title of Resolution No. 04-2008/09: A Resolution For The Adoption Of The Digital Zoning Map Layers As The Official Zoning Map For Florence County. Councilman Ard made a motion Council approve the Resolution. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTION NO. 05-2008/09

The Chairman published the title of Resolution No. 05-2008/09: A Resolution Authorizing The Submission Of An Application By Florence County To The State Of South Carolina Community Development Grant Program For Computer Equipment To Be Used By The Public At The Olanta And Timmonsville Branch Libraries. Councilman Rodgers made a motion Council approve the Resolution. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 02-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 02-2008/09: An Ordinance To Amend Section 6.20 Water And Sewer Systems For New Subdivisions And Section 6.25 Small Family And Private Development-D Of The Florence County Land Development And Subdivision Ordinance And Section 28.6-8 Water And Sewer Systems For New Subdivisions And Section 28.6-85 Small Family And Private Development-D Lots Of The Code Of Ordinances Of Florence County To Provide Additional Exemptions For Percolation Tests And Related Septic Permits. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 03-2008/09: An Ordinance To Zone Properties Owned By Bryan Miller And Danette P. And Ricky H. Foshee Located Off Of Country Club Drive, Johnsonville To R-1, Single-Family Residential District Shown On Florence County Tax Map No. 00441, Block 5, Parcel 188 Consisting Of 1.2 +/- Acres And Parcel 215 Consisting Of 1.8 +/- Acres. Councilman Ard made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheet, the Chairman closed the public hearing for Ordinance No. 06-2008/09.

ORDINANCE NO. 06-2008/09 – SECOND READING

The Chairman published the title of Ordinance No. 06-2008/09: An Ordinance To Adopt A New Economic Element For The Florence County/Municipal Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510. Councilman Rodgers made a motion Council approve second reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

ORDINANCE NO. 08-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 08-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-4 Adoption Of Flood Hazard Area Maps, Section 30-61 General Development Standards, Section 30-62 Specific Development Standards, Section 30-264 Responsibility Of Administrative Official, Section 30-267 Certificates Of Zoning Compliance, Section 30-274 Penalties For Violations And Section 30-311 Definitions Of Chapter 30 – Zoning Ordinance Of The Code Of Ordinances Of Florence County.

ORDINANCE NO. 09-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 09-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-28 Table I: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts And Section 30-29 Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Business And Rural District Of Chapter 30 – Zoning Ordinance Of The Code Of Ordinances For Florence County For Provisions Of Libraries.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

FLORENCE COUNTY BOARD OF HEALTH

Councilman Mumford re-appointed Ms. Lucille Windom to represent Council District 7 on the Florence County Board of Health with the appropriate expiration date.

REPORTS TO COUNCIL:

ADMINISTRATION

CHANGE OF VENUE FOR DECEMBER 11, 2008 COUNCIL MEETING

Councilman Mumford made a motion Council Approve the Change Of Venue For The December 11, 2008 Regular Meeting Of County Council To Lynches River County Park And Associated Employee Recognition Programs. Councilman Kirby seconded the motion, which was approved unanimously.

CAPITAL PROJECTS, 2008 CAPITAL PROJECT FUND

Councilman Ard made a motion Council Authorize The County Administrator To Commence Work On The Following Capital Projects Utilizing Funds Appropriated In The 2008 Capital Project Fund, Line 315-411-401-000-8699 Up To The Following Amounts By Project: \$125,000 For Recreation Improvements In The Timmonsville Area; \$161,000 For Paving Of Savannah Grove Park Public Parking Area; \$200,000 Additional Funding For The Johnsonville Library Branch Construction; \$200,000 For Recreation In The Pamplico Area; Up To \$260,000 For Construction Of 3rd Animal Control Facility Bay (Change Order With Current Contractor Authorized); And \$100,000 For Improvements To Greenwood Park Recreation Facility. Councilman Rodgers seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES

NON-EXCLUSIVE, NON-EMERGENT AMBULANCE FRANCHISE

Councilman Rodgers made a motion Council Award A Non-Exclusive, Non-Emergent Ambulance Franchise To First Care Medical Transport, LLC. Councilman Mumford seconded the motion, which was approved unanimously.

PROCUREMENT DEPARTMENT

AWARD BID #03-08/09

County Administrator Richard Starks stated that due to some contractual questions, this matter would be deferred until after executive session. (Council was asked to Accept The Bid Of The Lowest Responsive Bidder, Architectural Floor Solutions, For The Construction Of A Low Profile Raised Floor At The Emergency Operations Center For The County Emergency Management Department In The Amount Of \$20,250.00 From Funds Budgeted Within The Department; And Authorize The County Administrator To Execute All Associated Documents To Proceed.) (3 compliant bids received/1 non-compliant bid received)

DECLARATION OF SURPLUS PROPERTY

Councilman Ard made a motion to Declare Asset #V0549 A 1999 Ford Explorer As Surplus Property And Allow For Donation Of Said Property To Pamplico Rescue And Ambulance Service, Inc. Councilman Bradley seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Anderson made a motion Council Declare (14) Defibrillators And Equipment From The EMS Department As Surplus Property And Authorize The County Administrator To Dispose Of Said Property In The Most Advantageous Manner. Councilman Bradley seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Ard made a motion Council Declare Two Vehicles And One Ambulance As Surplus Property And Authorize The County Administrator To Dispose Of Said Property In The Most Advantageous Manner. Councilman Rodgers seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE

GRANT AWARD UNITED STATES DEPARTMENT OF JUSTICE

Councilman Rodgers made a motion Council Accept The Fiscal Year 2008 Edward Byrne Memorial JAG Grant Award From The USDOJ In The Amount Of \$20,396 For Mobile Radios And Accessories For The Detention Center Staff Of The Sheriff's Office. Councilman Mumford seconded the motion, which was approved unanimously.

ADMINISTRATION

JOHNSONVILLE RURAL FIRE DISTRICT

Councilman Ard made a motion Council Approve \$20,481 Appropriated In The FY08/09 General Fund Budget For The Johnsonville Rural Fire Department For The Purchase Of Extrication Equipment To Be Redirected To The Purchase Of Poly-Based Water Tanks To Be Installed On Existing Tanker Trucks To Allow Emergency Repairs Needed Immediately. Councilman Rodgers seconded the motion, which was approved unanimously.

GAS CONVERSION AT LAW ENFORCEMENT CENTER

Councilman Ard made a motion Council Approve The Expenditure Of \$80,000 From The 2008 Capital Project Fund To Convert The Equipment At The Law Enforcement Complex (LEC) From Propane To Natural Gas And Authorize The County Administrator To Enter Into A Contract To Supply Natural Gas To This Facility. Councilman Rodgers seconded the motion, which was approved unanimously. Chairman Smith stated that based on discussions he had been involved in with economic development and industry this would be a useful tool. He asked the Administrator to engage in discussions with the natural gas provider regarding the possibility of providing natural gas, not only to the LEC but to industry as well.

OTHER BUSINESS:

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

DEVONSHIRE ROAD

Councilman Rodgers made a motion Council Approve the expenditure of funds from Council District 1 RSMF funding allocation in an amount up to \$22,217.32 for MBC stone and 2" of crushed asphalt for Devonshire Road. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY SYSTEM FUND:

FIRE HYDRANT – TARA VILLAGE AREA

Councilman Mumford made a motion Council approve the expenditure of funds from Council Districts 5 and 7 utilities system funding allocations in an amount up to \$1,500.00 (\$750.00 from each district) to assist with the elevation of a fire hydrant in the Tara Village area to bring the hydrant above ground level for reliable operation during emergencies and meet the fire district's public safety standard. Councilman Rodgers seconded the motion, which was approved unanimously.

INFRASTRUCTURE FUND:

TOWN OF PAMPLICO

Councilman Ard made a motion Council approve the expenditure of funds from Council District 2 infrastructure funding allocation in an amount up to \$36,500.00 to assist the Town of Pamplico with a Streetscape Project. Councilman Mumford seconded the motion, which was approved unanimously.

COUNCILMAN MUMFORD:

COMMITTEE ON JUSTICE & PUBLIC SAFETY

Councilman Mumford informed the group that an Environmental Services Officer was hired in August to handle Litter Enforcement and the Committee on Justice & Public Safety would meet again sometime in January to evaluate the progress and determine the path forward with regard to litter control.

COUNCILMAN SCHOFIELD:

COMMENTS

Councilman Schofield stated it was erroneously reported by members of the media that one of the land options for the proposed Judicial Center was property in the South Park Shopping Center and that the property was owned by Mr. Schofield and family members. He stated for the record this was not correct, the property was sold by his family over three years previously.

EXECUTIVE SESSION:

Councilman Rodgers made a motion Council enter executive session to discuss a contractual matter concerning the Florence Museum, contractual matters concerning pending real property transactions, and pending legal matters. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 10:25 a.m. Council reconvened at 11:56 a.m.

Subsequent to executive session, Council took the following actions:

ORDINANCE NO. 10-2008/09

Chairman Smith published the title and declared Ordinance No. 10-2008/09 introduced: An Ordinance To Revise Chapter 2, Administration, Article V, Boards and Commissions and Agencies of Florence County Code regarding the Florence County Cultural Commission and other matters related thereto.

CITY OF FLORENCE PROPERTY PURCHASE

Councilman Mumford made a motion Council authorize the County Administrator to purchase from the City of Florence property located at the corner of Dargan and Cheves Streets for the new Florence Museum; option purchase amount is \$200,000 with \$5,000 earnest money. Councilman Bradley seconded the motion, which was approved unanimously; to be funded from funding allocations in the 2008 Capital Projects Fund.

MEMORANDUM OF UNDERSTANDING – FLORENCE MUSEUM

Councilman Schofield made a motion that the County sign the Memorandum of Understanding between the Florence Museum and Florence County with regard to how to proceed with developing a new museum. Councilman Rodgers seconded the motion. Councilman Kirby stated he was committed to the project, but he could not vote to approve any additional millage. Chairman Smith stated this agreement would not commit the County in any way for tax dollars to go for a match for bricks and mortar; this was simply an agreement of understanding and the County had committed to the operation and maintenance in the annual budget process through the hospitality tax. This agreement would help work toward obtaining a match for a grant from other resources. Motion was approved unanimously.

RFP SELECTION COMMITTEE FOR VOTER’S REGISTRATION BUILDING

Chairman Smith appointed Councilman Schofield to serve on the RFP Selection Committee for the Voter’s Registration Building.

AWARD BID #03-08/09

Councilman Schofield made a motion Council accept the bid of \$14,384 for Bonnitz Contracting for the construction of a low profile raised floor at the Emergency Operations Center for the County Emergency Management Department from funds budgeted within the department. Councilman Anderson seconded the motion, which was approved unanimously.

TEMPORARY LEASE

Councilman Ard made a motion Council authorize the County Attorney to proceed with a temporary lease for \$1 on Eaddy and Persimmon Bluff Landings. Councilman Kirby seconded the motion, which was approved unanimously.

RECREATION PROPERTY PURCHASE

County Administrator Richard Starks stated for the record that on this next item, the property in question was actually in the estate of K. G. Smith, Sr. and Mr. Starks had been working with the sole family member that manages the property without the Chairman's knowledge because the property had interest to the County the Chairman was unaware. Therefore the Chairman recused himself from the discussion on this matter in executive session. Chairman Smith yielded the Chair to Vice Chairman Mumford to handle this item. Councilman Ard made a motion Council authorize the County Administrator to proceed with the purchase of property on Dargan Street identified as Tax Map Number 90002-09-009 and 90089-02-010 for \$119,000 plus all other closing costs and document fees, excluding any sales commissions; and, if for any reason, the purchase was not concluded or the Seller's offer was withdrawn, the County Administrator was authorized to proceed immediately with the purchase of property on Irby Street identified as Tax Map Number 90-089-02-019 for \$150,000. Councilman Anderson seconded the motion and stated this was an appraiser's valuation of the property. The motion was approved unanimously; Chairman Smith recused himself from the vote. Vice Chairman Mumford returned the Chair to Chairman Smith.

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

COUNCIL MEETING ADJOURNED AT 12:03 P.M.