

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, MAY 17, 2012 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
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Roger M. Poston, Council Member
Thomas B. Robinson, 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
Ryon Watkins, EMS Director
Jonathan B. Graham, III, Planning Director
Ray McBride, Library Director
Sheriff Kenney Boone
Barbara Coker, Sheriff's Office
Tucker Mitchell, Morning News
Tonya Brown, TV 15 News Reporter

ABSENT:

Waymon Mumford, Vice-Chairman

A notice of the regular meeting of the Florence County Council appeared in the May 16, 2012 edition of the **MORNING NEWS**. Copies of the Meeting 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 all branch libraries, and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson provided the invocation and Councilman Kirby led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting. Chairman Smith expressed appreciation to Senators Leatherman, McGill and members of the Senate for their efforts to restore partial funding to the Local Government Fund, which would alleviate a tax increase for the citizens of Florence County. He asked that elected officials and emergency service providers encourage members of the House of Representatives to mimic the decision made by the Senate to restore funding.

APPROVAL OF MINUTES:

Councilman Anderson made a motion Council Approve The Minutes Of The April 19, 2012 Regular Meeting Of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council Approve The Minutes Of The May 3, 2012 Special Called meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Clerk published the titles and Chairman Smith opened Public Hearing for the following:

ORDINANCE NO. 26-2011/12

An Ordinance To Ratify FY12 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.

ORDINANCE NO. 01-2012/13

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2012 And Ending June 30, 2013; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

APPEARANCES:

PRESENTATION OF RESOLUTION OF RECOGNITION

Councilman Anderson made a motion Council approve A *Resolution Of Recognition* For Amy McAllister-Skinner, South Carolina Teacher Of The Year, For Her Laudable Achievements. Councilman Poston seconded the motion, which was approved unanimously. The Clerk published the *Resolution* in its entirety and Councilman Poston presented Mrs. Skinner with the framed Resolution.

PRESENTATION OF RESOLUTIONS OF RECOGNITION

Councilman Anderson made a motion Council approve A *Resolution Of Recognition* For The 2012 Class A State Champions, The Timmonsville High School Varsity Girls Basketball Team And Coaches. Councilman Kirby seconded the motion, which was approved unanimously. The Clerk published the *Resolution* in its entirety and Councilman Kirby presented framed resolutions to the team and coaches.

WILLIAM K. AND ELIZABETH M. MCCALLISTER

Mr. And Mrs. McCallister Appeared Before Council To Discuss The Matter Of Paving Moulds Road. Chairman Smith received information from Public Works Director Carlie Gregg and the cost to pave the mile of road in question would be a minimum of \$800,000. He stated funding was always the biggest obstacle but that the request would be taken under advisement to determine what could be done.

COMMITTEE REPORTS:

PUBLIC SERVICES & COUNTY PLANNING

Committee Chairman Schofield announced that the groundbreaking for the Museum project was scheduled for Monday, May 21, 2012.

RESOLUTIONS/PROCLAMATIONS:

RESOLUTION NO. 25-2011/12

The Clerk published the title of Resolution No. 25-2011/12: A Resolution To Approve A Multi-Jurisdictional Agreement Requested By The Florence County Sheriff And Authorizing The County Administrator To Execute Said Agreement. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Anderson seconded the motion, which was approved unanimously.

RESOLUTION NO. 26-2011/12

The Clerk published the title of Resolution No. 26-2011/12: A Resolution Authorizing The Submission Of An Application By Florence County To The Drs. Bruce And Lee Foundation In The Amount Of \$2,500,000 For The Design And Development Of The Lake City Park Project And Approve A Memorandum Of Understanding With The City Of Lake City Concerning Said Park. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 21-2011/12 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 21-2011/12 would be deferred: 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.

ORDINANCE NO. 22-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 22-2011/12: An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of A Fee Agreement Between Florence County, South Carolina, XEL Florence, L.P., And Med3000, Inc. And 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. 23-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 23-2011/12: An Ordinance Authorizing An Amendment To The Agreement Governing The Joint County Industrial And Business Park By And Between Marion County, South Carolina And Florence County, South Carolina, To Authorize The Expansion Of The Boundaries Of The Park And Other Matters Related Thereto. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 25-2011/12 – SECOND READING

The Clerk published the title of Ordinance No. 25-2011/12: An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment “A” Located On East And West Marion Street, North And South Georgetown Highway, Stone Avenue, North And South Hampton Avenue, Training Circle, Stadium Road, Stuckey Street, Columbia Avenue, East, South And West Pine Street, North And South Railroad Avenue, Trailwood Street, Florence Avenue, East Broadway Street, Possum Fork Road, Jasmine Street, Maple Street, Elm Street, Huggins Eaddy Street, Sawmill Road, North Jackson Avenue And North Butler Avenue, Johnsonville As Shown Of Florence County Tax Map No. 00433, Block 05, Parcels 001, 012-014, 049, 064, 093, 101, 103, 111, 116, 123, 179, 180, 223, 224, 229, 259, 287; Florence County Tax Map No. 00440, Block 05, Parcels 025-031, 040, 055, 070-072, 080; Florence County Tax Map No. 50002, Block 02, Parcels 007-009 And Block 03, Parcels 007-010; Florence County Tax Map No. 50003, Block 04, Parcels 001-015, 017-028; Block 05, Parcels 001-004, And Block 06, Parcels 001-004, 006-009; Florence County Tax Map No. 50006, Block 01, Parcels 001-003, 011-015, 019; Block 03, Parcels 004, 005; Block 04, Parcels 001-003, 008-012; Block 05, Parcels 001-008, 010, 011; Block 06, Parcels 001-009; Block 07, Parcels 001-003; Block 08, Parcels 007-009; Block 09, Parcels 004, 005, 010, 011; Block 10, Parcels 005-008, 010; Block 11, Parcels 001, 008, 010-013 And Block 12, Parcels 004, 005, 009, 011; Florence County Tax Map No. 50007, Block 04, Parcels 001-004, 006-009 And Block 06, Parcels 002-005, 007; Consisting Of Approximately 207.04 Acres From R-3, Single-Family Residential District To R-3A, Single-Family Residential District; And Other Matters Related Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Poston seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheets, the Chairman closed the Public Hearings. (The sign-in sheets are attached and incorporated by reference.)

ORDINANCE NO. 26-2011/12 – SECOND READING

The Clerk published the title of Ordinance No. 26-2011/12: An Ordinance To Ratify FY12 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Poston seconded the motion, which was approved unanimously.

ORDINANCE NO. 27-2011/12 – SECOND READING DEFERRED

The Chairman stated second reading of Ordinance No. 27-2011/12 would be deferred: An Ordinance To Zone Property Located On Pisgah Road, Enterprise Drive, Florence Park Drive, Mechanicsville Road, Prosperity Way, Range Way, Success Way And Cecil Road, Florence, SC, As Shown On Florence County Tax Map No. 00120, Block 01, Parcels 001-003, 022, 025, 034, 039-040, 052, 058-059, 061-063, 065, 073, 075, 077-082, 085-086, 088-090, 092-093; Florence County Tax Map No. 00145, Block 01, Parcels 076-077, 085-089, 093, 095, 100, 103-104; Consisting Of 773.14 Acres To B-6, Industrial District, Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.

ORDINANCE NO. 01-2012/13 – SECOND READING

The Clerk published the title of Ordinance No. 01-2012/13: An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2012 And Ending June 30, 2013; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto. Councilman Schofield made a motion to approve second reading for discussion purposes. Councilman Poston seconded the motion. Chairman Smith stated he thought the concern on Council was that there was a millage increase included in the budget but there was not sufficient support by Council to approve that. Chairman Smith offered an amendment: Amend Ordinance No. 01-2012/13 To Amend Section 1.D. To Provide That The Florence County Mill Levy For FY13 Is 68.9 Mills, Contingent Upon The Receipt Of Sufficient Funding From The General Assembly In The Local Government Fund So That The Funding Set Forth In Section 1.E. Is Fully Met. Councilman Schofield made a motion to approve the Amendment. Councilman Culberson seconded the motion, which was approved unanimously. Councilman Schofield made a motion to approve second reading of the Ordinance as amended. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 28-2011/12 – INTRODUCED

The Clerk published the title of Ordinance No. 28-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Provide For The Issuance And Sale Of A Not Exceeding Nine Hundred Twenty-Five Thousand Dollar (\$925,000) General Obligation Refunding And Improvement Bond Of Florence County, South Carolina (Johnsonville Rural Fire District), To Prescribe The Purposes For Which The Proceeds Of Said Bond Shall Be Expended, To Provide For The Payment Of Said Bond, And Other Matters Relating Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

COMMISSION ON ALCOHOL & DRUG ABUSE

Council Unanimously Approved The Recommendation Of The Commission On Alcohol & Drug Abuse For The Re-Appointment Of W. Joe McMillan, Jr., To Seat 8, Council District 8, With Appropriate Expiration Term.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

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

EMERGENCY MANAGEMENT/PROCUREMENT

SOLE SOURCE PROCUREMENT AWARD

Councilman Anderson made a motion Council Authorize The Award Of A Sole Source Procurement To Fisher Safety For A Chemical Detection Meter For The Emergency Management Department In The Amount Of \$54,000 To Be Funded From South Carolina Law Enforcement Division (SLED) Homeland Security Grant Funds. Councilman Rodgers seconded the motion, which was approved unanimously.

FINANCE

RFP EVALUATION PANEL APPOINTMENT

Chairman Smith Appointed Councilman Schofield To Serve On The RFP Evaluation Panel For The External Audit Contract.

RECREATION/PROCUREMENT

AWARD OF BID #12-11/12

Councilman Anderson made a motion Council Approve The Award Of Bid #12-11/12 For Construction Of A Restroom Facility At Ebenezer Park To Thomas Construction, Effingham, SC In The Amount Of \$27,950 To Be Funded From Insurance Proceeds. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Schofield made a motion Council Declare One (1) Handgun, A Glock SF Serial Number PAU091, As Surplus Property For The Purpose Of Awarding To A Retiring Employee. Councilman Anderson seconded the motion, which was approved unanimously.

The following two (2) items were additions to the Agenda:

SHERIFF'S OFFICE/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Anderson made a motion Council Declare One (1) Handgun, A Glock 21 SF Serial Number PAU119, As Surplus Property For The Purpose Of Awarding It To A Retiring Employee. Councilman Bradley seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/PROCUREMENT

SOLE SOURCE PROCUREMENT

Councilman Schofield made a motion Council Authorize The Award Of A Sole Source Procurement To Madden Associates For Two (2) ELSAG MPH900 Car Tag Readers In The Amount Of \$46,248 To Be Funded From Florence County Sheriff's Office Departmental Funds. Councilman Anderson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE/UTILITY

PDCAP WEED AND SEED SAFE HAVEN

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$12,762 From Council Districts 3 And 7 Infrastructure/Utility Funding Allocations (Approximately \$6,381 From Each District) To Purchase Equipment To Be Used For Youth Programs At The Pee Dee Community Action Partnership (PDCAP) Weed And Seed Safe Haven. Councilman Anderson seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF)

CHRISTY LANE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$20,582 From Council District 5 RSMF Funding Allocation To Pay For Rock And Crushed Asphalt For Christy Lane. Councilman Anderson seconded the motion, which was approved unanimously.

COOPER LANE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$8,910 From Council District 7 RSMF Funding Allocation To Pay For Additional Crushed Asphalt For Cooper Lane. Councilman Anderson seconded the motion, which was approved unanimously.

UTILITY

TOWN OF OLANTA

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$198 From Council Districts 1 and 5 Utility Funding Allocations (Approximately \$99 From Each District) To Pay For 20' Of 15" Concrete Pipe To Be Installed On The Road Leading To The Town Of Olanta's New Well. Councilman Culberson seconded the motion, which was approved unanimously.

WILLIAMS MIDDLE SCHOOL

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$2,000 From Council District 3 Utility Funding Allocation For Repairs/Upgrades To The Outdoor Basketball Court At Williams Middle School. (*Project Request Approved At The March 15, 2012 Meeting But Additional Funding Was Needed To Complete The Project.*) Councilman Anderson seconded the motion, which was approved unanimously.

The following three (3) items were additions to the Agenda:

PROSPECT FIELD

Councilman Poston made a motion Council Approve The Expenditure Of Up To \$300 From Council District 2 Utility Funding Allocation For Electrical Upgrades At Prospect Field. Councilman Rodgers seconded the motion, which was approved unanimously.

AMERICAN LEGION STADIUM

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$3,712.50 From Council Districts 6 and 7 Infrastructure Funding Allocations (\$Approximately \$1,856.25 From Each District) For American Legion Stadium Parking Lot. (*The Total Project Cost Was \$7,425; 50% Of The Total Cost To Be Funded By The City Of Florence.*) Councilman Culberson seconded the motion, which was approved unanimously.

MAY FLY 2012

Councilman Schofield made a motion Council Approve Additional Funding In The Amount Of \$4,999 For May Fly 2012 From The Local Hospitality Tax Fund. Councilman Culberson seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Anderson made a motion Council Enter Executive Session, Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended, For Legal Advice, Economic Development Matter, Real Property Acquisition And A Personnel Issue. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:36 a.m. Council reconvened at 10:57 a.m.

ORDINANCE NO. 29-2011/12 – INTRODUCED BY TITLE ONLY

The Chairman published the title of Ordinance No. 29-2011/12 and declared the Ordinance introduced by title only: An Ordinance Authorizing The Execution And Delivery Of An Infrastructure Credit Agreement By And Between Florence County, South Carolina And Project Warehouse, And Other Matters Related Thereto.

ORDINANCE NO. 30-2011/12 – INTRODUCED BY TITLE ONLY

The Chairman published the title of Ordinance No. 30-2011/12 and declared the Ordinance introduced by title only: An Ordinance To Develop A Jointly Owned And Operated Industrial And Business Park In Conjunction With Williamsburg County, Such Industrial And Business Park To Include Property Initially Located In Florence County And Established Pursuant To Sec. 4-1-170 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Provide For A Written Agreement With Williamsburg County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of *Ad Valorem* Taxation; And Other Matters Related Thereto.

ORDINANCE NO. 31-2011/12 – INTRODUCED BY TITLE ONLY

The Chairman published the title of Ordinance No. 31-2011/12 and declared the Ordinance introduced by title only: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Taxes Agreement By And Between Florence County, South Carolina And Project Wood, And Other Matters Related Thereto.

LEASE AGREEMENT – JAMES M. WARD

Councilman Kirby made a motion Council Authorize The County Administrator To Execute A Lease Agreement Between Florence County And James M. Ward For Property Known As Piney Grove Park, 1300 Piney Grove Road, Timmons ville, SC, Tax Map No. 00020-04-101 For Recreational Activities. Councilman Anderson seconded the motion, which was approved unanimously.

LETTER OF RESIGNATION

Chairman Smith published in its entirety a letter of resignation from Florence County Councilman Johnnie D. Rodgers, Jr., District 5, effective June 29, 2012. (The letter is attached and incorporated by reference.)

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

COUNCIL MEETING ADJOURNED AT 10:53 A.M.