

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, OCTOBER 15, 2009, 6:00 P.M., NATIONAL BEAN
MARKET MUSEUM, 111 HENRY STREET, LAKE CITY, 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
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 Yokim, Finance Director
Dusty Owens, Emergency Management Director
William H. Hoge, Planning Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Sheriff Kenney Boone
Barbara Coker, Sheriff Office
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Johnnie D. Rodgers, Jr., Council Member (absent due to illness)

A notice of the regular meeting of the Florence County Council appeared in the October 14, 2009 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, the Lower Florence County Public Service Building, the National Bean Market Museum and on the County’s website (www.florenceco.org).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson provided the invocation. The musical group “The Plaids” sang the National Anthem 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 September 17, 2009 regular meeting of County Council. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

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

ORDINANCE NO. 11-2009/10

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. 12-2009/10

An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.

APPEARANCES:

RESOLUTION OF RECOGNITION PRESENTED TO THE PLAIDS

Councilman Mumford made a motion to approve a resolution of recognition to The Plaids in honor of their distinguished community service. Councilman Kirby seconded the motion, which was approved unanimously. The Clerk published the resolution in its entirety. Chairman Smith and Councilman Ard presented each member [*John Coleman (a DMD and an instructor at The Georgia School of Dentistry), Roger Kirby (Kirby Realty and minister of music at the Lake City First Baptist Church), Happy Pendergraft (a sales rep at King Cadillac), and Craig Shutte (Engineer at Nan Ya Plastics and Youth Minister at the Kingstree First Baptist Church), and accompanist Faith Godwin (Lake City High School Teacher and Director of the Lake City High School Ensemble)*] of The Plaids with a framed resolution.

HOME BUILDERS ASSOCIATION (HBA) OF THE GREATER PEE DEE

Darryl Hall, HBA Board President and Mark Nix, Executive Director of SC HBA requested to appear before Council to present information regarding residential building and developments in Florence County. The HBA requested Council submit a request for the local building code modification to the SC Building Codes Council to allow for the use of the 2008 USGS Seismic Map. The maps used by the SC Building Codes Council are based on the 2006 International Residential Code and those maps were updated through a study conducted by Clemson University in partnership with The Citadel. Planning & Building Director Bill Hoge provided a brief summary of the requested action.

RESOLUTION NO. 09-2009/10

Subsequent to the presentation by the Home Builders Association and Planning Director Bill Hoge, Councilman Kirby made a motion Council adopt a Resolution requesting the South Carolina Building Codes Council do a local modification accepting the 2008 Seismic Maps from The Citadel for Florence County to use. Councilman Anderson seconded the motion, which was approved unanimously.

COMMITTEE REPORTS:

There were no Committee Reports offered.

RESOLUTIONS:

RESOLUTION NO. 05-2009/10 – DEFERRED TO NOVEMBER 19TH MEETING

The Chairman stated Resolution No. 05-2009/10 would be deferred to the November 19th meeting: A Resolution To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto.

RESOLUTION NO. 08-2009/10

The Chairman published the title of Resolution No. 08-2009/10: A Resolution Authorizing Submission Of A Joint Application With The City Of Lake City To The State Of South Carolina Community Development Block Grant (CDBG) Program Under The Ready To Go Public Facilities Grant Program For Water Line Extension Into The Glendale School Road Community. Councilman Kirby made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 05-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 05-2009/10: An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297. Administrative Procedures, Action. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 06-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 06-2009/10: An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Sections 30-91, 30-95, And 30-292 For Text Corrections; And Sections 30-294 And 30-295 For Minor Text Updates. Councilman Mumford made a motion Council approved third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 08-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 08-2009/10: An Ordinance To Amend Florence County Code, Chapter 9.5 Drainage And Stormwater Management Ordinance, Section 9.5-16 Regarding Requirements For Land Disturbing Activity And Section 9.5-72 Regarding Clarification Of Close Out Processes For Commercial And Residential Projects. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion. Mr. Hoge provided a brief overview of the Ordinance. In response to a question from Chairman Smith regarding repercussions for non-compliance, Mr. Hoge stated the County and the citizens would be liable to the State and could face large fines for non-compliance. After some discussion, Council approved third reading of the Ordinance with a seven (7) to one (1) vote. Voting in the affirmative were Councilmen Culberson, Mumford, Smith, Anderson, Bradley, Schofield, and Ard. Voting against third reading of the Ordinance was Councilman Kirby.

RESOLUTION OF RECOGNITION PRESENTED TO LT. WAYNE HOWARD

Councilman Culberson made a motion Council Approve A Resolution Of Recognition To Lt. Wayne Howard In Honor Of His Distinguished Community Service. Councilman Mumford seconded the motion, which was approved unanimously. The Clerk published the resolution in its entirety. Councilman Culberson presented Lt. Howard with a framed resolution.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheets for public hearing, the Chairman closed the Public Hearing for Ordinance No. 11-2009/10 and Ordinance No. 12-2009/10.

ORDINANCE NO. 11-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 11-2009/10: 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. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 12-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 12-2009/10: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And MIT-RCF, LLC, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 07-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 07-2009/10: An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With Title 6, Chapter 29, Section 510 of the South Carolina Code Of Laws, 1976, As Amended. Councilman Schofield made a motion to approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 10-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 10-2009/10: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-28, Table I: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts And Section 30-30, Table III: Zoning Setbacks, To Add New Zoning Districts R-3A (Single Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses And Setbacks As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

ORDINANCE NO. 13-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 13-2009/10: An Ordinance To Establish Policies And Procedures Related To The Abatement Of Unsafe Structures As Florence County Code, Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto. Councilman Bradley made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion. Councilman Schofield stated that prior to third reading of the Ordinance, he would like for Council to consider inserting a requirement that the Sheriff Office be involved in the process. At the suggestion of the County Administrator and with consent of Council, Chairman Smith referred the Ordinance to the Committee on Public Service & County Planning for review prior to Council's consideration of third reading of the Ordinance. The motion for second reading was approved unanimously.

ORDINANCE NO. 14-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 14-2009/10: An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting Of 19.32 Acres. Councilman Kirby made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 15-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 15-2009/10: An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St., Olanta To R-1, Single Family Residential District Shown On Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 16-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 16-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Adopt The Amendments To The Administrative Procedures For The Florence County Comprehensive Plan In Accordance With Title 6, Chapter 29, Section 520 Of The South Carolina Code Of Laws, 1976, As Amended.

ORDINANCE NO. 17-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 17-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By JAK Ventures LLC, Located At Oakdale Terrace Blvd., Florence From R-4, Multi-Family Residential District To PD, Planned Development District Shown On Florence County Tax Map No. 00074, Block 01, Parcels 22, 199, 200, 201, 202, 203, 204, 205, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324 Consisting Of Approximately 7.4 Acres.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

There were none.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2010 Through August 31, 2009 As An Item For The Record.

PURCHASE OF PROPERTY - OLANTA

Councilman Anderson made a motion Council Authorize The Purchase Of Property Located At 220 E. Main Street, Olanta, Current Olanta Magistrate Office, For \$37,000 And Authorize The County Administrator To Proceed. Councilman Mumford seconded the motion, which was approved unanimously.

UNITED STATES DEPARTMENT OF ENERGY GRANT

Councilman Mumford made a motion Council Accept Grant Award #DE-SC0001852 In The Amount Of \$572,300 Under The Recovery Act (ARRA) Energy Efficiency Conservation Block Grant (EECBG) – Formula Grant Program From The United States Department Of Energy To Improve Energy Efficiency And Reduce Consumption In Six Main County Facilities: EMS Headquarters, Florence Public Service Building, Planning Building And Library Headquarters In Florence, Law Enforcement Center In Effingham And Lower Florence County Public Service Building In Lake City. Councilman Anderson seconded the motion, which was approved unanimously.

PEE DEE COMMERCE TOUCHSTONE ENERGY COMMERCE CENTER

Councilman Mumford made a motion Council Authorize Re-Work Of Florence Harlee Boulevard Circle Located In The Pee Dee Commerce Touchstone Energy Commerce Center At An Estimated Cost Of \$103,000 To Be Funded From Previously Allocated Rural Development Act (RDA) Funds And A Grant From The North Eastern Strategic Alliance (NESA). Councilman Anderson seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES (EMS)

AWARD BID

Councilman Culberson made a motion Council Authorize The Use Of Florida Association Of Counties Bid #08-08-0909 Awarded To Wheeled Coach Industries To Purchase Two (2) Ambulances At A Base Bid Of \$112,330 Each With Needed Options In The Amount Of \$5,482.28 Additional Per Ambulance From Peach State Ambulance, Inc., Tyrone, GA, The Authorized Regional Representative For Wheeled Coach Industries (Total Purchase Of \$235,624.56) As Funded And Approved In The FY10 Budget. Councilman Schofield seconded the motion, which was approved unanimously.

PARKS & RECREATION DEPARTMENT

GRANT AWARD PALMETTO PRIDE

Councilman Anderson made a motion Council Accept A 2010 Tree Grant From Palmetto Pride To Provide 87 Trees For The Southern Forest Project At Lynches River County Park. Councilman Kirby seconded the motion, which was approved unanimously.

MEMORANDUM OF UNDERSTANDING – CITY OF FLORENCE

Councilman Anderson made a motion Council Approve A Memorandum Of Understanding Between Florence County And The City Of Florence To Provide For Joint Use Of The County-Leased S & W Manufacturing Ball Fields. Councilman Mumford seconded the motion, which was approved unanimously.

MEMORANDUM OF UNDERSTANDING – SC DNR

Councilman Kirby made a motion Council Approve A Request By SC Department Of Natural Resources (DNR) To Revise A Memorandum Of Understanding (MOU) Between DNR And Florence County To Construct An Archery Range At Lynches River County Park. Councilman Culberson seconded the motion, which was approved unanimously.

SHERIFF OFFICE

CONTRACT AWARD

Councilman Mumford made a motion Council Accept Award Of An Annual Contract/Grant In The Amount Of \$4,500 From Circle Park To Florence County Sheriff Office For Services To Be Rendered As A Participant In The 12th Judicial Circuit Alcohol Enforcement Team. Councilman Anderson seconded the motion, which was approved unanimously.

GRANT AWARD SOUTH CAROLINA DEPARTMENT OF HIGHWAY SAFETY

Councilman Anderson made a motion Council Accept A South Carolina Department Of Highway Safety Grant In The Amount Of \$25,000 For Services Rendered As The Host Agency For The 12th Judicial Circuit Law Enforcement Network. Councilman Mumford seconded the motion, which was approved unanimously.

GRANT AWARD SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY

Councilman Mumford made a motion Council Accept Grant Award #1GS09183 In The Amount Of \$149,920 From The South Carolina Department Of Public Safety Under The Justice Assistance Grant Program To Provide Funding For Approved Law Enforcement Equipment For The Florence County Sheriff Office. Councilman Culberson seconded the motion, which was approved unanimously.

GRANT AWARD UNITED STATES DEPARTMENT OF JUSTICE (USDOJ)

Councilman Anderson made a motion Council Accept Technology Program Grant #2009CKWX0253 Under The Office Of Community Oriented Policing Services (COPS) From The United States Department Of Justice (USDOJ) In The Amount Of \$60,000 For Approved Communication Equipment. Councilman Bradley seconded the motion, which was approved unanimously.

FIVE (5) PERMANENT PATROL SLOTS

Councilman Anderson made a motion Council approve The Request From Florence County Sheriff Office To Authorize Five (5) Permanent Patrol Slots Effective Immediately To Be Filled And Interim Funding Through June 30, 2010, To Be Identified By The Sheriff Office In Conjunction With The County Administrator. Councilman Schofield seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

TOWN OF PAMPLICO

Councilman Ard made a motion Council Approve The Expenditure Of Up To \$12,598.20 From Council District 2 Infrastructure Funding Allocation To Assist The Town Of Pamplico With The Purchase Of 5 Handheld Radios, Chargers, Extra Batteries, Etc. Councilman Kirby seconded the motion, which was approved unanimously.

BACK SWAMP SCHOOL TRUST, INC.

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$14,600.00 From Council Districts 3 and 7 Infrastructure Funding Allocations (\$7,300.00 From Each District) To Assist The Back Swamp School Trust, Inc. With Enhancements To The Historical Back Swamp School Building Located On Pocket Road (The Construction Of A Handicap Entrance And Enclosing The Area Under The Building As Required For Insurance Purposes). Councilman Bradley seconded the motion, which was approved unanimously.

UTILITY FUND

GLENDAL SCHOOL ROAD COMMUNITY PROJECT

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$24,285.50 From Council District 1 Utility Funding Allocation To Assist The City Of Lake City With The Required Matching Funds Under The SC CDBG Program For Water Line Extension Into The Glendale School Road Community. (*Resolution No. 08-2009/10*) Councilman Kirby seconded the motion, which was approved unanimously.

OAKDALE III

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$4,750.00 From Council District 9 Utility Funding Allocation To Clear A Ditch In A Public Drainage Easement Of Two Very Large, Dead Trees At Oakdale III. Councilman Mumford seconded the motion, which was approved unanimously.

SENIOR CITIZENS

Councilman Anderson made a motion Council Provide Up To \$1,500 To The City Of Florence And \$1,500 To The City Of Lake City To Support A "Thanksgiving Turkeys" Program For Seniors, To Come From Senior Center FY2010 Allocations Where Available. Councilman Mumford seconded the motion, which was approved unanimously.

COUNCILMAN SCHOFIELD

Councilman Schofield provided a brief explanation of the increase in tax notices recently received by residents.

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

COUNCIL MEETING ADJOURNED AT 7:23 P.M.