

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, NOVEMBER 19, 2009, 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  
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  
Ryon Watkins, EMS Director  
Ray McBride, Library Director  
Robert Franks, IT Director  
Sheriff Kenney Boone  
Barbara Coker, Sheriff Office  
David Alford, Director of Voter Registration/Elections  
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the November 18, 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, and on the County's website ([www.florenceco.org](http://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. Chairman Smith congratulated the economic development staff for a great job on the grand opening of Monster.com in Florence County on Wednesday, November 18<sup>th</sup>. He stated the MIT program going in the spec building at the Lake City Godley-Morris Commerce Center is also a new innovative program. He expressed appreciation to Mr. Johnny Godley and Billy Morris who donated the land.

### **APPROVAL OF MINUTES:**

Councilman Anderson made a motion Council approve the minutes of the October 15, 2009 regular meeting of County Council. Councilman Culberson 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. 16-2009/10**

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.

### **APPEARANCES:**

#### **2009 CHRISTMAS CARD CONTEST WINNER**

Council recognized Rachel Lindsey Chavis, a second grader at Greenwood Elementary School and 7 year old daughter of Melissa Chavis, winner of the 2009 Annual Christmas Card Contest and presented Miss Chavis with a framed copy of her festive artwork.

#### **BUDDY BATEMAN WITH AT&T**

Mr. Bateman appeared before Council on behalf of AT&T to present a Utility Tax Credit Grant in the amount of \$35,000 to Florence County to be used to offset expenses associated with the H. J. Heinz Project.

#### **DR. JULIA MIMS, CHAIR – LIBRARY BOARD OF TRUSTEES**

Dr. Julia Mims, Chair of the Library Board of Trustees was unable to attend. Barry Wingard, Friends of the Library appeared to present Library Director Ray McBride with the South Carolina Library Association's South Carolina Librarian of the Year Award.

#### **HOME BUILDERS ASSOCIATION (HBA) OF THE GREATER PEE DEE**

Darryl Hall - HBA Board President, Mark Nix - Executive Director Of SC HBA And Attorney Gary Finklea Appeared Before Council To Request That The Florence County Building Code Official Be Granted Discretionary Authority As Authorized In Chapter 1 Under The Administration Of The 2006 IRC To Modify Or Accept Alternative Materials, Design And Methods Of Construction Based On New Science And/Or Research. Chairman Smith stated Council would need to confer with legal counsel prior to taking any action on this type of issue.

#### **LINDA WITOUSKI**

Ms. Witouski, AKC South Carolina State Legislation Representative, Appeared Before Council To Provide A Short Presentation Of The Economic Benefits Of AKC Dog Shows And Invite County Officials, Businesses And Residents To Be A Part Of The Process. She informed everyone that the Myrtle Beach Kennel Club was scheduled to hold its annual dog show at the Eastern Carolina Agricultural Exposition Center on May 8 – 9, 2010.

## **RESOLUTION OF APPRECIATION AND RECOGNITION**

Councilman Anderson made a motion Council approve a Resolution of Appreciation & Recognition for presentation to Mr. Henry Arthur Brunson in honor of his many contributions and years of dedicated service and published the Resolution in its entirety. Councilman Mumford seconded the motion, which was approved unanimously.

## **COMMITTEE REPORTS:**

### **COMMITTEE ON PUBLIC SERVICES & COUNTY PLANNING**

Committee Chairman Schofield stated the Committee met prior to the regular meeting of Council and requested Council defer action on Ordinance No. 13-2009/10 (Abatement of Unsafe Structures) pending the receipt of additional information requested from staff. The Committee also discussed the Voter Registration/Elections Building and the new Florence Museum.

### **VOTER REGISTRATION/ELECTIONS BUILDING**

Councilman Ard made a motion Council Authorize Staff To Proceed With Construction Documents And Bidding Of The Florence County Voter Registration/Elections Building. Council Schofield seconded the motion, which was approved unanimously.

### **FLORENCE COUNTY MUSEUM**

Councilman Schofield made a motion Council Authorize A Contract With The Consortium Of Cooper, Robertson And Partners, New York And Watson Tate Savory, Columbia, SC To Design The Florence County Museum For A Fixed Fee Of \$905,200, Plus Reimbursables (Estimated To Cost \$90,000) As Recommended By The Florence County Museum Board. Council Ard seconded the motion, which was approved unanimously.

### **FLORENCE COUNTY PLANNING COMMISSION**

Chairman Smith recognized Mr. Peter Knoller, Chair of the Florence County Planning Commission. Mr. Knoller announced that the Commission would hold a Work Session on November 20, 2009 at noon at the Drs. Bruce and Lee Foundation Public Library to discuss proposed revisions to the sign ordinance.

## **RESOLUTIONS:**

### **RESOLUTION NO. 05-2009/10**

The Chairman published the title of Resolution No. 05-2009/10: 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. Councilman Kirby made a motion Council approve the Resolution. Councilman Culberson seconded the motion, which was approved unanimously.

#### **RESOLUTION NO. 10-2009/10**

The Chairman published the title of Resolution No. 10-2009/10: A Resolution To Amend The Florence County Personnel Policy Manual By Amending Section 4.8C, Cell Phones, Item (3) To Provide A Cell Phone Use Option For 'Business Use Only' With Reimbursement At The Established Rate For Any Occasional Unofficial Calls. Councilman Mumford made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

#### **ORDINANCES IN POSITION:**

#### **EMERGENCY ORDINANCE NO. 01-2009/10**

The Clerk published the title of Emergency Ordinance No. 01-2009/10: An Emergency Ordinance For The Purpose Of Temporarily Suspending Sunday Work Prohibitions As Provided For In Title 53 Of The South Carolina Code Of Laws, From Sunday, November 22, 2009 Through Sunday, January 3, 2010 In Florence County, South Carolina, Maintaining Existing Restriction On The Sale Of Alcohol. Councilman Schofield made a motion Council approve the Ordinance as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 07-2009/10 – THIRD 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 Mumford made a motion to approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 10-2009/10 – THIRD 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 Ard made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 14-2009/10 – THIRD 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 Culberson made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 15-2009/10 – THIRD 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 Rodgers made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

### **PUBLIC HEARINGS:**

Gary Finklea requested to speak during the public hearing regarding Ordinance No. 16-2009/10. He requested Council amend the Administrative Procedures to delete the word “substantial” from page 4, Item ‘C’ at the bottom of the page.

There being no additional signatures on the sign-in sheet, the Chairman closed the public hearing.

### **ORDINANCE NO. 16-2009/10 – SECOND READING**

The Clerk published the title of Ordinance No. 16-2009/10: 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. Councilman Kirby made a motion Council Amend The Proposed Administrative Procedures To Delete The Word ‘Substantial’ From Item ‘C’ On Page 4. Councilman Culberson seconded the motion, which was approved unanimously. Councilman Anderson made a motion to approve second reading of the Ordinance as amended. Councilman Mumford seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 17-2009/10 – SECOND READING**

The Clerk published the title of Ordinance No. 17-2009/10: 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. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 18-2009/10 – INTRODUCED**

The Clerk published the title of Ordinance No. 18-2009/10 and the Chairman declared the Ordinance introduced: 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.

### **ORDINANCE NO. 19-2009/10 – INTRODUCED**

The Clerk published the title of Ordinance No. 19-2009/10 and the Chairman declared the Ordinance introduced: 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.

### **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 September 30, 2009 As An Item For The Record.

#### **FLORENCE REGIONAL ARTS ALLIANCE**

Councilman Mumford made a motion Council Approve The Temporary Use Of The Former Florence County Public Library By The Florence Regional Arts Alliance For ArtsFest 2010 And Authorize The County Administrator To Execute A Temporary Letter-Form, Lease Agreement, Subject To Review By The County Attorney. Councilman Rodgers seconded the motion, which was approved unanimously.

#### **GRANT AWARD SOUTH CAROLINA DHEC**

Councilman Kirby made a motion Council Accept Additional Funding For Grant Award #21 wo 10 In The Amount Of \$2,000 As Approved By The South Carolina Department Of Health And Environmental Control (DHEC) Under The FY10 Used Oil Grant Program To Cover Contract Costs For Used Oil Filter Recycling, Public Education, And Professional Development For The Recycling Coordinator. Councilman Ard seconded the motion, which was approved unanimously.

### **EMERGENCY MANAGEMENT DEPARTMENT**

#### **GRANT AWARD SLED HS FFY09**

Councilman Rodgers made a motion Council Accept A \$50,000 Grant Award From The South Carolina Law Enforcement Division (SLED) For Approved Homeland Security Equipment And Training To Be Used By The Florence County Emergency Management Department (EMD) To Assist With The Florence County Type III Incident Management Team Operations. Councilman Culberson seconded the motion, which was approved unanimously.

### **GRANT AWARD SLED HS FFY09**

Councilman Kirby made a motion Council Accept A \$40,000 Grant Award From The South Carolina Law Enforcement Division (SLED) For Approved Homeland Security Equipment And Training To Be Used By The Florence County Emergency Management Department (EMD) To Assist With The Florence County WMD/COBRA Team Operations. Councilman Rodgers seconded the motion, which was approved unanimously.

### **FINANCE DEPARTMENT/SHERIFF OFFICE**

#### **ALLOCATION OF FUNDS FOR ADDITIONAL PATROL DEPUTY SLOTS**

Councilman Rodgers made a motion Council Approve The Allocation Of \$106,975 From The General Fund Fund Balance For Five (5) Additional Patrol Deputy Slots Approved By County Council At Its Regular Meeting Of October 15, 2009. Councilman Mumford seconded the motion, which was approved unanimously.

### **LIBRARY**

#### **SCSL 2010 FISCAL STABILIZATION FUNDS**

Councilman Anderson made a motion Council Accept FY2010 State Stabilization Funds From The South Carolina State Library (SCSL) In The Amount Of \$52,820 To Be Utilized To Purchase Computer Equipment, Replace Several Security Cameras In The Main Library And Purchase Books And Other Needed Resource Materials. Councilman Bradley seconded the motion, which was approved unanimously.

### **PARKS & RECREATION DEPARTMENT**

#### **GRANT AWARD CONSERVATION FUND**

Councilman Rodgers made a motion Council Accept A \$647 Kodak American Greenways Awards Program Grant Administered By The Conservation Fund In Partnership With Kodak And The National Geographic Society To Aid In The Creation Of The Carolina Fence Garden At Lynches River County Park (LRCP). Councilman Kirby seconded the motion, which was approved unanimously.

### **PROCUREMENT DEPARTMENT**

#### **DECLARATION OF SURPLUS PROPERTY**

Councilman Culberson made a motion Council Declare Five (5) Vehicles And One (1) Van As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Kirby seconded the motion, which was approved unanimously.

## **OTHER BUSINESS:**

### **INFRASTRUCTURE FUND**

#### **CITY OF FLORENCE**

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$21,175.00 From Council Districts 3 and 7 Infrastructure Funding Allocations (\$10,587.50 from each district) To Assist The City Of Florence In Paving A Walking/Fitness Path (Trail) Within Iola Jones Park. Councilman Bradley seconded the motion, which was approved unanimously.

### **ROAD SYSTEM MAINTENANCE FEE**

#### **DOGWOOD STREET**

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$6,930.00 From Council District 5 RSMF Funding Allocation To Put Crushed Asphalt On 900 Feet Of Dogwood Street. Councilman Mumford seconded the motion, which was approved unanimously.

### **UTILITY FUND**

#### **MCIVER ROAD**

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$5,700.00 From Council District 7 Utility Funding Allocation For 256' of 24" RCP Pipe And 3 Cast Iron Drop Inlets To Be Installed In An Existing Sideline Ditch On McIver Road (Job #2). Councilman Anderson seconded the motion, which was approved unanimously.

### **COUNCILMAN SCHOFIELD**

Councilman Schofield stated, "Recently, there was an 'Opinion' in the Editorial by Licia Stone and a 'Letter to the Editor' by Lou Vause in the Morning News which have misrepresented the facts concerning the county budget and spending of funds and for that reason I feel compelled to set the record straight. We are all fair game up here (we asked for this job) for criticism about policies we make; and that is fine. But when individuals mislead the public by misstatements and choosing and picking which facts they will disclose that is beyond the pail.

Mrs. Vause, Citizens In Action Chairman, stated in her letter, "Concerned members of Florence County Citizens In Action wrote letters to each member of County Council asking for balances in each Council member's discretionary funds. Only four Council members responded with identical form letters to the inquiries of the citizens. They were Russell Culberson, Morris Anderson, James Schofield, and Johnnie Rodgers. They only gave balances and did not identify projects for which the funds were spent."



Mrs. Vause, you are right that Councilmen Culberson, Anderson and Rodgers did not identify projects that the money was spent for. Ms. Bundy in her letter only asked for the beginning balances for Councilman Rodgers for 2008 and 9 that is exactly what she got. Mr. Magurn asked Councilman Culberson for the beginning balances of 08 and 09 and how much money was spent from each fund; that is exactly what he got. (I apologize for the pronunciation of this citizen's name because I'm not sure how it's pronounced.) Mr. Hueftle asked Councilman Anderson for the balances in the funds for the fiscal year ending 2008 and amounts spent and the current balances for 09 and that is exactly what he got. To infer that they were withholding information that was asked for is *false*.

Mrs. Vause stated that the responses were identical form letters and they only gave balances and did not identify projects for which the funds were spent. Once again this is false. I received a very nice letter from Miriam Dew and responded to her with a detailed account of funds in district 8 for years 08 and 09. I showed her the beginning balances, commitments made during each year, and the ending balance. I also gave her a list of projects, such as the tennis center, installation of traffic signal on Bellevue and Second Loop, storm water improvements, Langley and Dresden Drive water extension. The letter explained to Mrs. Dew that commitments in the original amounts of \$171,000 for district infrastructure funds, \$186,000 for road system maintenance fund, and \$165,000 from the utility fund which total \$522,000 were made before I became a member of this council by the previous district 8 councilman and approved by the County Council for the City of Florence Tennis Complex. I have copies of that Resolution for anyone that wants to see it. Mrs. Vause asserts that I have been a "big spender" this year with \$468,867 spent so far this year. She fails to disclose that \$458,810 is this year's portion of the prior commitment for the tennis complex. So in reality I spent \$10, 057 this year of district road and infrastructure funds and that was mostly for the traffic signal on Second Loop, trying to keep someone from getting killed on that busy street. Hardly the big spender as represented in the article. To misrepresent that I spent that amount of money this year, when the facts show that it was committed by the Council and legally enforceable by the City, before I was sworn-in, and to do this even though it was clearly explained to them in my letter to Mrs. Dew is just plain deceptive to the public.

Both of these articles suggest that the funds that are providing road repair and maintenance, utility line construction of water to county citizens be diverted to balance the budget. What a change in position in just a few years! I have a copy of a letter from the Attorney General's Office dated August 24, 2006 addressed to the Treasurer about the legality of the Road System Maintenance Fee in which the State Official writes, "In addition, you, the Florence County Treasurer, enclosed a letter you received from Licia Stone of the Florence County Citizens In Action. You state, her request is concerning the legality of establishing a fee for a purpose and then siphoning off money for unrelated purposes." So which is it Mrs. Stone, you didn't like it when you alleged in 06 that Council was siphoning off money collected for one purpose to another purpose but now you want us to take the funds that are established for specific purposes and siphon it off to balance the budget. You can't have it both ways. I don't believe the citizens in my district, which have many roads in need of resurfacing, would appreciate that approach. Citizens on Berkeley, Linden, Nottingham, Canterbury, Windsor, Cardinal, Raven, Partridge, and Hummingbird are about to get their roads resurfaced. Not because I want

to make a big show in my third year of representing this district, but because after starting on Council with a balance of \$301 for infrastructure and \$668 for paving (and I assure you we wouldn't get much paving for \$668) I have finally been able to accumulate enough to get the job done. It is wrong to suggest that money collected to maintain roads and money allocated to provide citizens with safe drinking water and fire protection be diverted to balance the budget. Because of good management of county funds, uncommitted reserve funds were available to help balance the budget and prevent a millage increase this year.

One of these letters stated "Many citizens are concerned, letters have appeared in the local papers but the people have not been given an explanation for these higher taxes and fees." Wrong again. Review the tape of the council meeting in Lake City in October and you will find a very detailed explanation was given by me for the tax increase instituted by school district number one. This increase in millage by district one was very much a shock to county council; we were not notified nor does the law require that we be notified and the school district is totally in control of this matter.

On June 4<sup>th</sup> a public hearing was held on the budget; no one signed up to speak or ask questions. If these two individuals had all these concerns, why did they not ask questions at that time? These individuals suggest there was no public discussion or explanation of why we raised the solid waste fee or how we balanced the budget. The Administration & Finance Committee met in public and discussed the solid waste fee increase, the use of the general fund monies, and the across the board 1% cut in expenditures that were proposed to keep the budget in balance without a tax increase, due to the reduction of approximately \$2 million in state shared revenues. This council did its part to lessen the burden in this difficult economic climate. At this meeting, it WAS discussed that since the cost to provide solid waste service in this county was approximately 3 times the amount of revenue being received from the solid waste fee, an increase to \$58 was recommended. The public, including Citizens In Action, have been at these meetings before and are welcome to attend any time they like. On June 18, 2009 the Administration & Finance Committee reported to Council a suggested 1% cut in expenditures, the use of the general fund \$700,000 and setting the solid waste fee at \$58. So to say this was not explained is just not correct.

You call them discretionary funds we call them district funds used to fund needed projects in the district and NO, it is NOT our money; on that we all agree. They belong to the citizens; they are spent on the citizens. Once again it seems that some do not understand that one of the primary responsibilities that a council member has is to decide the budget and where funding will go. Providing an amount of money each year allocated by district assures that each district will get some of its priorities accomplished. If you don't like the specific projects I've voted for, such as the traffic signal, let the public know. We will let the public decide whether or not they approve of this funding; that is the voter's responsibility.

I just can't help but wonder why some get all exercised about a \$22 per year increase in the solid waste fee but never appear before City Council complaining about the water and sewer rates and the exorbitant tap fees that are thousands of dollars that are charged to

county citizens. If some were so concerned about what tax payers have to give government they would not ignore these areas. Criticizing our policy decisions is fine, just don't tell the public things that are not the truth and when the facts have been given to you and do not support your argument, leave them out in your public statements and mislead this community.

I will end by saying, like most members of the Council, I get many calls from constituents and most questions are resolved quickly and to their satisfaction. They don't resort to writing letters to the editor before they even call me or sit down and discuss the facts. I just call that common courtesy. Thank you, Mr. Chairman."

Councilman Kirby stated when he first came on Council there was a "free for all" at the end of the year; any monies left were voted on by majority so if five members of Council agreed to spend the money in those districts, the other four received no funding. That was one of the reasons monies were allocated by district so that each district would get the same portion of funds to spend in each district for projects that were specific to that particular district. He stated that over the years the County had built up funds in the County General Fund and had obtained a AAA rating because of its good stewardship with County funds.

Councilman Bradley stated the articles in the paper did not indicate that he responded to the request he received but he did respond. He stated Council had a lot of projects that were pending and the amounts indicated in the paper were incorrect for District 3. He stated that Council received a lot of requests from constituents but that it took time for Council and staff to research the projects and determine the needs in the community as a whole, not just for one select group or an individual.

### **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, To Discuss The Following: Contractual Matters Concerning Economic Development, Lower Florence County Hospital District, Pending Real Property/Right-of-Way Transactions, Personnel matters – Florence County Sheriff Office and a couple of legal matters. Councilman Culberson seconded the motion, which was approved unanimously.

Council entered executive session at 10:27 a.m. Council reconvened at 11:40 a.m.

Councilman Mumford left prior to executive session.

Subsequent to Executive Session, Council took the following actions:

### **RESOLUTION NO. 11-2009/10**

Councilman Ard published the title of Resolution No. 11-2009/10 and made a motion Council approve the Resolution: A Resolution Authorizing An Incentive And Inducement Agreement Between Wellman Plastics Recycling And Florence County, South Carolina. Councilman Kirby seconded the motion, which was approved unanimously.

**ORDINANCE NO. 21-2009/10**

Councilman Ard published the title of Ordinance No. 21-2009/10 and the Chairman declared the Ordinance introduced by title only: 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. 20-2009/10**

Councilman Culberson published the title of Ordinance No. 20-2009/10 and the Chairman declared the Ordinance introduced by title only: 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.

**ORDINANCE NO. 24-2009/10**

Councilman Culberson published the title of Ordinance No. 24-2009/10 and the Chairman declared the Ordinance introduced by title only: 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.

**RESOLUTION NO. 12-2009/10**

Councilman Bradley published the title of Resolution No. 12-2009/10 and made a motion Council approve the Resolution: A Resolution Authorizing An Incentive And Inducement Agreement Between J. P. Morgan Chase And Florence County, South Carolina. Councilman Anderson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 22-2009/10**

Councilman Bradley published the title of Ordinance No. 22-2009/10 and the Chairman declared the Ordinance introduced by title only: 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**

Councilman Bradley published the title of Ordinance No. 23-2009/10 and the Chairman declared the Ordinance introduced by title only: 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.

### **US 76 WIDENING PROJECT**

Councilman Kirby made a motion Council Approve A Scope Change For The Florence County Forward Project/US. Highway 76 Portion To Utilize The SCDOT Approved Twin Bridge Alternative. Councilman Anderson seconded the motion, which was approved unanimously.

### **PINE NEEDLES ROAD PROJECT**

Councilman Anderson made a motion Council Approve A Scope Change For The Florence County Forward Project/Pine Needles Road Portion, To Pipe Drainage Ditches Along S. Ebenezer Road, Just North Of Pine Needles Road. Councilman Culberson seconded the motion, which was approved unanimously.

### **DONATION OF PROPERTY – WELLMAN INC.**

Councilman Ard made a motion Council Authorize The County Administrator To Accept Donation Of Wellman's Former Human Resources Building And To Complete All Necessary Transactions Related To Said Acceptance. Councilman Rodgers seconded the motion, which was approved unanimously.

### **SHERIFF OFFICE – PERSONNEL MATTER**

Councilman Kirby made a motion Council Approve Budget Neutral Position Changes As Requested By The Florence County Sheriff Office. Councilman Culberson seconded the motion, which was approved unanimously.

### **CHRISTMAS HOLIDAY**

Councilman Rodgers made a motion Council Approve Christmas Holidays for County Employees Same as the State. Councilman Culberson seconded the motion, which was approved unanimously.

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

### **COUNCIL MEETING ADJOURNED AT 11:46 A.M.**