

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, MAY 7, 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
William H. Hoge, Planning Director
Ray McBride, Library Director
Sheriff Kenney Boone
Barbara Coker, Sheriff's Office
David Alford, Voter Registration/Elections Director
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the May 6, 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).

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. Chairman Smith commended Councilman Bradley for being the recipient of the Palmetto Silver Award for Academic Excellence at the Florence Career Center from the State Department of Education and reminded all of the National Day of Prayer.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the April 16, 2009 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

No public hearings were required or held.

APPEARANCES:

ED YOUNG – RESOLUTION OF APPRECIATION & RECOGNITION

Councilman Anderson presented a framed Resolution of Appreciation & Recognition to former Congressman Ed Young in honor of his commendable service to the citizens of Florence County. Councilman Ard made a motion Council approve the Resolution. Councilman Kirby seconded the motion, which was approved unanimously. Councilman Anderson published the Resolution in its entirety.

GAYLA BROWN – MISS GREATER PEE DEE 2009

Miss Brown, Reigning Miss Greater Pee Dee 2009, Requested To Appear Before Council To Introduce Herself And Her Platform, “The Beat Goes On – Blood Donation.” Miss Brown was not in attendance.

DOROTHY W. ELLERBE

Ms. Ellerbe Appeared Before Council To Address The Issue Of Paving Cherry Johnson Road In Effingham. Chairman Smith suggested the residents meet with the appropriate member of Council representing that area to begin dialogue with the Florence County Transportation Committee, which is the appropriate body to approve the paving of a road.

WILLIE LEWIS

Councilmen Kirby And Mumford Requested Mr. Willie Lewis Of Cherry Johnson Road Be Allowed To Address Council Regarding The Paving Of Cherry Johnson Road In Effingham.

CHRISTINA N. FENDER

Mrs. Fender Appeared Before Council To Speak On Behalf Of A Rezoning Request (Ordinance No. 30-2008/09). Mrs. Fender requested Council’s approval of a rezoning request to allow her family to keep swine, chickens, and goats on their property, which was not allowed under the current property zoning designation.

LAURIE YOUNG

Ms. Young Appeared Before Council Regarding A Rezone Request By James M. and Christina N. Fender (Ordinance No. 30-2008/09). Ms. Young requested Council uphold the decision of the Planning Commission to deny the Fender’s rezone request.

PEREBIE WALL

Mrs. Wall Appeared Before Council Regarding A Rezone Request By James M. and Christina N. Fender (Ordinance No. 30-2008/09). Mrs. Wall requested Council uphold the decision of the Planning Commission to deny the Fender’s rezone request

COMMITTEE REPORTS:

COMMITTEE ON ADMINISTRATION & FINANCE

Chairman Smith advised that the Committee on Administration & Finance was scheduled to meet on Wednesday, May 13th at 4:00 p.m.

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield stated the Committee met earlier that morning in reference to portable signs and additional meetings would be held. Council would be informed of the progress.

COMMITTEE ON EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson stated the County celebrated the Grand Opening of the new Florence County Animal Control Facility on Friday, May 1st. He expressed appreciation to Council for making it possible.

CITY-COUNTY CONFERENCE COMMITTEE

Committee Co-Chair Bradley stated the Committee was working to schedule a meeting for the following week.

RESOLUTIONS:

RESOLUTION NO. 16-2008/09

Chairman Smith published the title of Resolution No. 16-2008/09: A Resolution To Amend Florence County Personnel Policy Manual To Conform To Internal Revenue Service Regulations In An Efficient Manner; And To Address Other Matters Related Thereto. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 23-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 23-2008/09: An Ordinance To Adopt The Administrative Procedures For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion. Councilman Schofield made a motion to Amend Ordinance No. 23-2008/09, Administrative Procedures For The Florence County Comprehensive Plan, Section Titled “Public Hearing And Notice” On Page 5 To Add The Following Sentence At The End Of The First Paragraph: “However, If The Proposed Amendment Affects 10 Or More Parcels, The Posting Of The Property And Notice To Adjoining Property Owners Is Not Required.” Councilman Kirby seconded the motion to approve the amendment, which was approved unanimously. The Ordinance as amended was approved unanimously.

ORDINANCE NO. 24-2008/09 – THIRD READING

The Chairman published the title of Ordinance No. 24-2008/09: An Ordinance To Amend Section 30-113 Of The Florence County Code Of Ordinances To Provide Consistent Application Of The Requirements Regarding Tattoo Facilities. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

ORDINANCE NO. 26-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 26-2008/09: An Ordinance To Amend Sections: 30-30. Table III: Zoning Setbacks; 30-111. Development Standards For Unzoned Areas; 30-202. Table VIII Number, Dimension, And Location Of Permitted Signs By Zoning District; 30-246. Accessory Buildings And Uses; And Other Matters Relating Thereto. For the purpose of discussion, Councilman Ard made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, for discussion. Councilman Ard stated he would like this item to be referred to Committee for further review. After some discussion, motions were withdrawn and the Chairman referred the Ordinance to the Committee on Public Service & County Planning.

ORDINANCE NO. 27-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 27-2008/09: An Ordinance To Amend Section 30-30, Table III, Section 30-48 And Section 30-247 Of The Florence County Code Regarding Zoning Setbacks, Changes In Approved Planned Development Plans And Access To Property. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 28-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 28-2008/09: An Ordinance To Amend Section 30-246 Of The Florence County Code To Enhance The General Locational Rules Regarding Accessory Buildings And Uses. Councilman Schofield made a motion to approve second reading of the Ordinance. Councilman Ard seconded the motion and requested the Ordinance be referred to Committee for further review. After some discussion and a brief explanation by Planning and Building Inspections Director Bill Hoge, the motions were withdrawn and the Chairman referred the Ordinance to the Committee on Public Service & County Planning.

ORDINANCE NO. 29-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 29-2008/09: An Ordinance To Amend Section 30-29, Table II Of The Florence County Code For Revision Of The NAICS Code Reference For Personal Care Services. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 30-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 30-2008/09: An Ordinance To Rezone Properties Owned By James M. And Christina N. Fender Located At 2506 Pamplico Hwy. And 2328 Dudley Drive, Florence County From B-3, General Commercial District To Unzoned Shown On Florence County Tax Map No. 00180, Block 1, Parcels 161 And 162 Consisting Of 2.17 Acres. For the purpose of discussion, Councilman Rodgers made a motion Council approve second reading of the Ordinance. Councilman Ard seconded the motion for discussion. Councilman Rodgers stated he would like for the Ordinance to be referred to Committee for further review. County Administrator Richard Starks stated another option for Council would be to send the Ordinance back to the Planning Commission to further review of the information provided by Mrs. Fender that was not previously disclosed to the Planning Commission. After some discussion, the motions were withdrawn and the Ordinance was referred to the Committee on Public Service & County Planning Committee.

ORDINANCE NO. 31-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 31-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-202, Table VII And Table VIII And Section 30-311, Definitions Of The Florence County Code For Incidental Signs.

ORDINANCE NO. 01-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 01-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2009 And Ending June 30, 2010; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

FLORENCE COUNTY MUSEUM BOARD

Councilman Rodgers made a motion Council Accept The Recommendation Of The Board Of Governors Of The Community Museum Society, Inc. (National Bean Market Museum Of South Carolina) And Appoint Sherri Moore And Briley Altman To Serve As Members Of The Florence County Museum Board For Two And Four Year Terms, Respectively. Councilman Mumford seconded the motion, which was approved unanimously.

BOARD OF ZONING APPEALS

Councilman Bradley made a motion Council Appoint Alexis Pipkins to the Florence County Board of Zoning Appeals representing Council District 3, with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

ECONOMIC DEVELOPMENT PARTNERSHIP BOARD

Councilman Ard made a motion Council re-appoint Frank James to the Florence County Economic Development Partnership Board representing Council District 2, with appropriate expiration term. Councilman Schofield seconded the motion, which was approved unanimously.

Councilman Culberson made a motion Council re-appoint Dr. Charlie Gould to the Florence County Economic Development Partnership Board representing Council District 6, with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

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

RECORDS RETENTION SCHEDULE FOR EMERGENCY SERVICES SUPPLY INVENTORY

Councilman Ard made a motion Council Approve The Records Retention Schedule Recommended By The South Carolina Department Of Archives And History To Retain Emergency Services Supply Inventory Forms For A Period Of Three (3) Years Before Destruction. Councilman Schofield seconded the motion, which was approved unanimously.

EMERGENCY MANAGEMENT DEPARTMENT

GRANT AWARD - S C EMERGENCY MANAGEMENT DIVISION

Councilman Rodgers made a motion Council Accept Grant Award Number LEMPG09 In The Amount Of \$46,159 As Approved By The South Carolina Emergency Management Division (SCEMD) Under The FY2009 Local Emergency Management Performance Grant (LEMPG) Program To Provide Generators, Related Communication Facilities, Physical Security Enhancement Equipment, And Travel Funds For Hurricane Emergency Management Training; In Addition To The Grant Funding, The SCEMD Will Pay \$4,819 For The WebEOC Software Renewal Maintenance And \$9,216 For The Emergency Communications Network Project Through March 31, 2010. Councilman Mumford seconded the motion, which was approved unanimously.

AWARD BID #41-08/09

Councilman Ard made a motion Council Award Bid #41-08/09 – Tour Events To The Low Bidder For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. Councilman Rodgers seconded the motion, which was approved unanimously.

SOLE SOURCE PROCUREMENT – CANOPY WALK

Councilman Rodgers made a motion Council Authorize The Award Of A Sole Source Procurement To Phoenix Experiential For The Extension Of The Tree Top Canopy Walk At Lynches River County Park In The Amount Of \$42,850 To Be Funded From A South Carolina Department Of Natural Resources Grant; And Authorize The County Administrator To Execute All Associated Documents. Councilman Culberson seconded the motion, which was approved unanimously.

PROCUREMENT DEPARTMENT

RFP PANEL APPOINTMENT

Chairman Smith appointed Councilman Anderson To Serve On The RFP Panel For The Leatherman Senior Center Exercise Room Renovation.

PUBLIC WORKS DEPARTMENT

BID AWARDS

Councilman Ard made a motion Council Authorize The County Administrator To Award Bids To Qualified Vendors Who Provide Pricing Quotes For Materials That Meet Specifications For County Rocking, Paving, And Resurfacing Projects, And Providing That Said Awards May Be Based On A Combination Of Supplies And Services That Are Most Economical To The County, Which May Be “Total Delivered Price” Or “Pickup Price,” Such As The County May Require. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTIONS:

RESOLUTION NO. 17-2008/09

Mr. Starks published the title of Resolution No. 17-2008/09: A Resolution Authorizing An Agreement Between Florence County And The Town Of Pamplico For Certain County Planning And Building Inspection Services Within The Town Of Pamplico. Councilman Ard made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

SOUTH LYNCHES FIRE DEPARTMENT

Councilman Rodgers made a motion Council Approve The Expenditure Of Funds From Council Districts 1 and 5 Infrastructure Funding Allocations In An Amount Up To \$8,500 (\$4,250 From Each District) To Assist The South Lynches Fire Department With The Purchase Of A Fast Attack Skid Unit To Enhance Fire Suppression Capabilities With Farming And Logging Equipment, As Well As Grass And Woods Fires Not Capable Of Being Reached By The Larger Fire Apparatus. Councilman Kirby seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

RESURFACING FIRST THROUGH SIXTH STREETS

Councilman Mumford made a motion Council Approve The Expenditure Of Funds From Council District 7 RSMF Funding Allocation In An Amount Up To \$125,000 To Resurface First, Second, Third, Fourth, Fifth and Sixth Streets With 1½” Hot Laid Asphalt. Councilman Bradley seconded the motion, which was approved unanimously.

The following item was approved as an addition to the agenda:

PROSSER FIELD IN JOHNSONVILLE

Councilman Ard made a motion Council Approve The Expenditure Of Funds From Council District 2 Infrastructure Funding Allocation In An Amount Up To \$6,800.00 For The Construction Of Dugouts At Prosser Field In Johnsonville. Councilman Kirby seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Ard made a motion Council Enter Executive Session To Discuss Contractual Matters Concerning Pending Real Property Transactions, Contractual Matter Concerning the SCDJ Case Management Statement of Work, Contractual Matter Concerning the Building Commission, Contractual Matter Concerning the Sheriff's Office, and an Economic Development Matter. Councilman Mumford seconded the motion, which was approved unanimously.

Council entered executive session at 10:44 a.m. Council reconvened at 11:18 a.m. Councilmen Mumford, Rodgers, and Ard did not return to the meeting from Executive Session.

VOTER REGISTRATION

Councilman Schofield made a motion Council Authorize The County Administrator To Proceed With A \$2,500 Option Fee To Purchase Part Of TMS# 00151-01-001 For \$196,237.80; To Proceed With The Purchase Subject To A Majority Vote Of Approval By The Florence County Voter Registration And Election Commission And Department Of Justice Clearance, Funding To Come From FY09 Capital Project Funds. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 33-2008/09 - INTRODUCED

Chairman Smith published the title and introduced Ordinance No. 33-2008/09: An Ordinance To Declare As Surplus Property And Authorize The Sale Of A Portion Of Real Property Owned By Florence County And Designated As Tax Map Number 90089-02-027 (Lot “B”), And Other Matters Relating Thereto.

SC PORTAL/LLC CREDIT CARD PROCESSING AGREEMENT

Councilman Bradley made a motion Council Authorize The County Administrator To Execute The Statement Of Work And Agreement For Services With South Carolina Interactive To Utilize Their Payment Engine As Required For Operation Of The South Carolina Judicial Department's Case Management System In Florence County. Councilman Anderson seconded the motion, which was approved unanimously.

POLYGRAPH SERVICES CONTRACT

Councilman Anderson made a motion Council Approve A Contract With William C. Barnes Associates For Special Services Provided To The Florence County Sheriff's Office In The Amount Of \$30,000 To Be Funded From The FY2010 Sheriff's Office Departmental Budget. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCE NO. 32-2008/09 - INTRODUCED

Chairman Smith published the title and introduced Ordinance No. 32-2008/09: 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 David C. Poole Company, Inc.

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

COUNCIL MEETING ADJOURNED AT 11:21 A.M.