

REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL, THURSDAY, APRIL 17, 2008, 9:00 A.M., COUNCIL CHAMBERS, ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY ST., FLORENCE, SOUTH CAROLINA

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
James T. Schofield, Council Member
Alphonso Bradley, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
William H. Hoge, Planning & Building Department Director
Ray McBride, Library Director
Mike Young, Voter Registration/Elections Director
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Waymon Mumford, Vice-Chairman
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member

A notice of the regular meeting of the Florence County Council appeared in the April 16, 2008 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex and on the County's website (HYPERLINK "http://www.florenceco.org" www.florenceco.org).

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

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the April 3, 2008 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Clerk published the titles and the Chairman opened public hearings for the following Ordinances:

ORDINANCE NO. 24-2007/08

An Ordinance Accepting The Transfer By The Town Of Pamplico, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Pamplico, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

ORDINANCE NO. 25-2007/08

An Ordinance Accepting The Transfer By The City Of Florence To The Florence County Election Commission Of The Authority To Conduct The November 4, 2008 General Election And Associated Primaries And Runoffs Of The City Of Florence And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

ORDINANCE NO. 26-2007/08

An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2008, In The Principal Amount Of Not Exceeding \$25,000,000 And Setting Forth The Terms Upon Which Such Financing May Be Undertaken And The Purposes For Which The Proceeds Of Such Financing May Be Used; Authorizing The Execution And Delivery Of Certain Instruments Relating Thereto, Including A Ground Lease Agreement And A Lease Agreement; Approving The Facilitation Of Such Financing, If Required, By The Florence County Public Facilities Corporation; Approving The Form Of A Trust Agreement Between The Florence County Public Facilities Corporation And A Trustee; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2003 Certificates Of Participation Of The Florence County Public Facilities Corporation; Approving Such Agreements By The County As May Be Required With Respect To The Florence County Public Facilities Corporation, The Redemption Of Said 2003 Certificates Of Participation, And The Aforesaid Lease-Purchase Financing; Approving The Termination Of An Interest Rate Swap Agreement Pursuant To An ISDA Master Agreement And Related Documents Between Florence County And Wachovia Bank, National Association; And Approving Other Matters Relating To The Foregoing.

APPEARANCES:

There were no appearances requested.

COMMITTEE REPORTS:

EDUCATION, RECREATION, HEALTH & WELFARE COMMITTEE

Committee Chairman Anderson stated the Committee on Education, Recreation, Health & Welfare met to discuss the bids received for the animal facility. Councilman Bradley made a motion Council award Invitation-to-Bid #18-07/08 for the construction of the Animal Control Facility to the lowest compliant bidder, Hanco of SC for \$727,910; and authorize the County Administrator to execute all associated documents to proceed. Councilman Anderson seconded the motion, which was approved unanimously.

In addition, Councilman Anderson made a motion that Council move forward with Ordinance No. 20-2007/08 on the May 1st agenda. Councilman Bradley seconded the motion, which was approved unanimously.

PROCLAMATIONS:

NATIONAL VOLUNTEER WEEK

The Clerk published, in its entirety, a Proclamation Declaring the Week of April 27 – May 3, 2008 as National Volunteer Week in Florence County. Councilman Culberson made a motion Council approve the Proclamation. Councilman Anderson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

ORDINANCE NO. 24-2007/08

Mr. Tommy Phillips signed to speak with regard to Ordinance No. 24-2007/08. Mr. Phillips stated he erroneously signed the sign-in sheet; his intent was to speak with regard to Ordinance No. 25-2007/08.

ORDINANCE NO. 25-2007/08

The following individual spoke with regard to Ordinance No. 25-2007/08:

Tommy Phillips, Chairman of the Florence County Republican Party

ORDINANCE NO. 26-2007/08

The following individuals spoke with regard to Ordinance No. 26-2007/08:

Murray Jordan (Mr. Jordan submitted written comments and requested they be made a part of the official record. A copy is attached and incorporated by reference.)

Walt Ranson

There being no additional signatures on the sign-in sheets, the Chairman closed the public hearing for Ordinance No. 24-2007/08, Ordinance No. 25-2007/08 and Ordinance No. 26-2007/08.

RESOLUTIONS:

None.

ORDINANCES IN POSITION:

ORDINANCE NO. 23-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 23-2007/08: An Ordinance To Adopt A New Natural Resources Element For The Florence County/Municipal Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 24-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 24-2007/08: An Ordinance Accepting The Transfer By The Town Of Pamplico, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Pamplico, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

ORDINANCE NO. 25-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 25-2007/08: An Ordinance Accepting The Transfer By The City Of Florence To The Florence County Election Commission Of The Authority To Conduct The November 4, 2008 General Election And Associated Primaries And Runoffs Of The City Of Florence And Authorizing The Execution Of An Agreement Providing For Such Transfer 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. 26-2007/08 – THIRD READING

The Chairman published the title of Ordinance No. 26-2007/08: An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2008, In The Principal Amount Of Not Exceeding \$25,000,000 And Setting Forth The Terms Upon Which Such Financing May Be Undertaken And The Purposes For Which The Proceeds Of Such Financing May Be Used; Authorizing The Execution And Delivery Of Certain Instruments Relating Thereto, Including A Ground Lease Agreement And A Lease Agreement; Approving The Facilitation Of Such Financing, If Required, By The Florence County Public Facilities Corporation; Approving The Form Of A Trust Agreement Between The Florence County Public Facilities Corporation And A Trustee; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2003 Certificates Of Participation Of The Florence County Public Facilities Corporation; Approving Such Agreements By The County As May Be Required With Respect To The Florence County Public Facilities Corporation, The Redemption Of Said 2003 Certificates Of Participation, And The Aforesaid Lease-Purchase Financing; Approving The Termination Of An Interest Rate Swap Agreement Pursuant To An ISDA Master Agreement And Related Documents Between Florence County And Wachovia Bank, National Association; And Approving Other Matters Relating To The Foregoing. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Bradley seconded the motion. Councilman Kirby requested additional information be provided by the Administrator. The County Administrator provided a brief summary of the need for the Refunding of the COP and asked Finance Director Kevin Yokim to provide additional financial information. Mr. Yokim yielded the floor to Mr. Walter Goldsmith with First Southwest, a Financial Advisory Firm who provided additional insight into the need for and benefit of the COP Refunding Issuance. Third reading of the Ordinance was approved unanimously.

ORDINANCE NO. 27-2007/08 – SECOND READING

The Chairman published the title of Ordinance No. 27-2007/08: An Ordinance To Amend Florence County Land Development And Subdivision Ordinance No. 38-2006/07, Article VI, Section 6.25 (D), Lots, To Amend The Requirement For Septic Percolation Tests And Permits To Exempt Estate Settlements and Life Estates. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 28-2007/08 – INTRODUCTION

The Chairman published the title of Ordinance No. 28-2007/08 and declared the Ordinance introduced: An Ordinance To Amend Ordinance No. 31-2006/07 To Provide For Compensation Of Members Of The Board Of Fire Control For A Rural Volunteer Fire District And Other Matters Relating Thereto.

ORDINANCE NO. 29-2007/08 – INTRODUCTION

The Chairman published the title of Ordinance No. 29-2007/08 and declared the Ordinance introduced by title only: An Ordinance To Establish The Florence County Cultural Commission; Provide For The Composition And Appointment Of The Commission; Establish The Effective Date For Such Appointments; And Other Matters Relating Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

FLORENCE COUNTY LIBRARY BOARD OF TRUSTEES

Councilman Culberson made a motion Council reappoint the following individuals to serve on the Florence County Library Board of Trustees: Janis Munnerlyn, representing Council District 6 and Julia Mims, representing Council District 1. Councilman Kirby seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT

AWARD OF BID #21-07/08

Councilman Anderson made a motion Council Award Bid #21-07/08 to the low responsive bidder, Bliss Products and Services of Columbia, SC for the purchase of a Rubberized Playground Surface for Lynches River Park in the amount of \$17,280; and authorize the County Administrator to execute all associate documents to proceed. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

CONVERSE DRIVE

Councilman Culberson made a motion Council approve the expenditure of funds from Council District 8 Infrastructure funding allocations in an amount up to \$1,800.00 for 200 feet of double wall black plastic pipe to deviate run-off from Converse Drive to swamp area, to alleviate erosion to driveway utilized by residents. Councilman Kirby seconded the motion. Councilman Schofield recused himself due to a potential conflict with his business. Motion was approved.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

VANDA DRIVE

Councilman Kirby made a motion Council approve the expenditure of funds from Council District 4 RSMF funding allocations in an amount up to \$12,195.75 for crushed asphalt for Vanda Drive. Councilman Bradley seconded the motion, which was approved unanimously.

DOCK BROACH LANE

Councilman Kirby made a motion Council approve the expenditure of funds from Council District 4 RSMF funding allocations in an amount up to \$7,554.67 for MBC stone and crushed asphalt for Dock Broach Lane. Councilman Culberson seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Kirby made a motion Council enter executive session to discuss real property transactions pending. Councilman Anderson seconded the motion, which was approved unanimously.

Council entered executive session at 9:45 a.m. Council reconvened at 9:59 a.m.

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

COUNCIL MEETING ADJOURNED AT 10:00 A.M.

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Florence County Council Regular Meeting
April 17, 2008