

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, OCTOBER 21, 2010, 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 (entered at 9:30 a.m.)
Russell W. Culberson, Council Member
J. Ken Ard, Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Sheriff Kenney Boone
Kevin Yokim, Finance Director
Ryon Watkins, EMS Director
Ray McBride, Library Director

ABSENT:

Johnnie D. Rodgers, Jr., Council Member

A notice of the regular meeting of the Florence County Council appeared in the October 20, 2010 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 provided the invocation 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 16, 2010 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council approve the minutes of the October 14, 2010 special called meeting of County Council. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

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

ORDINANCE NO. 07-2010/11

An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Darlington County, Such Industrial/Business Park To Be Geographically Located In Darlington County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina, 1976, As Amended; To Provide For A Written Agreement With Darlington 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.

APPEARANCES:

There were no appearances scheduled.

COMMITTEE REPORTS:

JUSTICE & PUBLIC SERVICE

Committee Chairman Mumford informed the group that the Sheriff Office was moving forward with the Forensics Lab and was preparing to hire a chemist.

PROCLAMATIONS:

ENVIRONMENTAL DISCOVERY CENTER

The Clerk published in its entirety A Proclamation Recognizing The Environmental Discovery Center Committee For Being Awarded A 2010 NACo Achievement Award For The Environmental Discovery Center (EDC) At Lynches River County Park. Councilman Mumford made a motion Council approve the Proclamation as presented. Councilman Anderson seconded the motion, which was approved unanimously. Councilman Mumford presented members of the Committee (Sterling Sadler, Allen Wood, and John Frank) with the Proclamation and expressed appreciation for the work of the Committee and stated that the Award was evidence that the EDC was not only recognized locally but nationally as well. Mrs. Sadler stated the EDC was performing well beyond the expectations of the Committee. On an average, 60 children visited the EDC each day for four (4) days per week.

RESOLUTIONS:

RESOLUTION NO. 02-2010/11

The Chairman published the title of Resolution No. 02-2010/11: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Stallion Trail Located In Effingham. Councilman Culberson made a motion Council approve the Resolution. Councilman Anderson seconded the motion, which was approved unanimously.

RESOLUTION OF RECOGNITION

The Clerk published the resolution in its entirety: A Resolution of Recognition for Robert A. Franks (IT Director) for his dedicated service and to congratulate him for graduating from the University of North Carolina County Government Chief Information Officers Certification Program. Councilman Mumford made a motion Council approve the Resolution. Councilman Culberson seconded the motion, which was approved unanimously. Councilman Mumford presented Mr. Franks with the framed Resolution. Mr. Franks expressed his appreciation for the recognition and support.

ORDINANCES IN POSITION:

ORDINANCE NO. 03-2010/11 – THIRD READING

The Clerk published the Title of Ordinance No. 03-2010/11: An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By East Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And South Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 600010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 600010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2010/11 – THIRD READING

The Clerk published the Title of Ordinance No. 04-2010/11: An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment “A” Located On East Sixth Avenue, East Fifth Avenue, East Main Street, East Third Avenue, East Second Avenue, East First Avenue, North And South Oak Street, North And South Pine Street, North And South Elm Street, Allison Alley, Self Alley, Felly’s Alley, Cockfield Drive, Cain Street, McElveen Street And Human Street, Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006,

Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 600010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-0012 Consisting Of 205 Parcels. Councilman Ard made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 06-2010/11 – THIRD READING

The Clerk published the title of Ordinance No. 06-2010/11: An Ordinance To Amend Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto. Councilman Anderson made a motion Council refer the Ordinance to the Committee on Education, Recreation, Health & Welfare. Councilman Culberson seconded the motion, however the Chairman stated a motion was not necessary and there being no objection, the matter was referred to the Committee.

ORDINANCE NO. 08-2010/11 – THIRD READING

The Clerk published the title of Ordinance No. 08-2010/11: An Ordinance Approving The Delivery By The Florence County Public Facilities Corporation Of Refunding Certificates Of Participation (Law Enforcement Center And Civic Center Projects), Series 2010, In The Principal Amount Of Not Exceeding \$23,000,000 In Order To Achieve An Estimated Debt Service Savings Of Approximately \$500,000 Net Of All Costs Of Issuing Said Refunding Certificates Of Participation; Authorizing The Execution And Delivery Of Certain Instruments Relating To Said Refunding Certificates Of Participation, Including A Ground Lease Agreement And A Lease Agreement, Both Between The Florence County Public Facilities Corporation And Florence County, A Certificate Purchase Agreement Among The Florence County Public Facilities Corporation, Florence County, And The Underwriter Of The Refunding Certificates; Approving The Delivery Of An Assignment Of Lessor's Interest In Lease By The Florence County Public Facilities Corporation To The Certificate Trustee, A Trust Agreement Between The Florence County Public Facilities Corporation And The Certificate Trustee, And A Preliminary Official Statement And Official Statement With Respect To The Sale Of The Refunding Certificates Of Participation; Authorizing The Proposed Refinancing To Be Effected By Means Of A Refunding Lease-Purchase Financing Directly Between The County And A Financial Institution Or A Modification Of The Existing Lease-Purchase Financing Between The County And Branch Banking And Trust Company In Lieu Of The Issuance Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheet for public hearing of Ordinance No. 07-2010/11, Chairman Smith closed the public hearing.

ORDINANCE NO. 07-2010/11 – SECOND READING

The Clerk published the title of Ordinance No. 07-2010/11: An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Darlington County, Such Industrial/Business Park To Be Geographically Located In Darlington County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina, 1976, As Amended; To Provide For A Written Agreement With Darlington 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. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 09-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 09-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Table VII-Regulation Signs By Type, Characteristics And Zoning Districts And Table VIII-Number, Dimension, And Location Of Permitted Signs By Zoning District; Section 30-205, Temporary Signs On Private Property; And Section 30-311, Definitions, Conflict With Other Laws To Revise The Portable Signs Regulations.

ORDINANCE NO. 10-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 10-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By William Michael Nexsen Located At 1217 Pheasant Road, Florence County From R-3, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 286 Consisting Of Approximately 1.02 Acres.

ORDINANCE NO. 11-2010/11 – INTRODUCED BY TITLE ONLY

The Clerk published the title of Ordinance No. 11-2010/11 and the Chairman declared the Ordinance introduced: 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.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

The following appointments/reappointments were unanimously approved by Council with appropriate expiration terms:

- **Commission on Alcohol & Drug Abuse** – Reappointed Elizabeth Thomas to represent County Council District 7.
- **Johnsonville Rural Fire District Board** – Reappointed David Hartfield and Rudy C. Cook and appointed William Prosser to fill the seat left vacant by the death of Billy Marlow.
- **Planning Commission** – Reappointed Doris Lockhart to represent County Council District 3 and David Hobbs to represent County Council District 6.
- **Economic Development Partnership Board** – Appointed Terry Dingle to represent County Council District 3.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through August 31, 2010 As An Item For The Record.

SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES AGREEMENT

Councilman Ard made a motion Council Approve An Agreement With The South Carolina Department Of Social Services (DSS) For Two Units Of Storage Space At The County-Owned Facility At 181 North Irby Street. Councilman Culberson seconded the motion, which was approved unanimously.

EMERGENCY MANAGEMENT DEPARTMENT

AWARD RFP #02-10/11

Councilman Mumford made a motion Council Award RFP #02-10/11 For The Stand-By Debris Monitoring And Recovery Services For The Emergency Management Department To O'Brien's Response Management, Maitland, Florida. Councilman Culberson seconded the motion, which was approved unanimously.

AWARD RFP #03-10/11

Councilman Ard made a motion Council Award RFP #03-10/11 For The Stand-By Debris Management And Removal Services As Follows: Primary Award To Phillips And Jordan, Inc., Robbinsville, North Carolina; Secondary Award To Ceres Environmental Services, Inc., Sarasota, Florida And J.B. Coxwell Contracting, Inc., Jacksonville, Florida. Councilman Culberson seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES

APPLICATIONS FOR NON-EXCLUSIVE AMBULANCE FRANCHISES

Councilman Mumford made a motion Council Award A Non-Exclusive Ambulance Franchise To Vital Care EMS, Inc. Councilman Schofield seconded the motion, which was approved unanimously.

GEOGRAPHIC INFORMATION SYSTEMS (GIS) DEPARTMENT

US DOJ COPS TECHNOLOGY PROGRAM GRANT

Councilman Mumford made a motion Council Authorize Participation In A Regional U.S. Department Of Justice COPS Technology Program Grant To Provide Updated Pictometry Images (\$75,460) And To Approve \$20,465 From The General Fund Contingency. Councilman Anderson seconded the motion, which was approved unanimously.

PARKS AND RECREATION

BROOKS MCCALL PARK

Councilman Bradley made a motion Council Establish A Rate Structure For Reservation Of Shelter And Enclosed Building At Brooks McCall Community Park. Councilman Anderson seconded the motion, which was approved unanimously.

PROCUREMENT

AWARD BID #04-10/11

Councilman Mumford made a motion Council Approve The Award Of Bid #04-10/11 For Concrete Improvements At South Lynches Fire Department To Newman Davis Construction Company, Sumter, South Carolina In The Amount Of \$19,300 To Be Funded From Previously Approved Funds. Councilman Anderson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

SAVANNAH GROVE COMMUNITY PARK – PICNIC SHELTERS

Councilman Culberson made a motion Council Approve The Expenditure Of An Amount Up To \$12,500.00 From Council Districts' 3, 4, 5, 6, And 9 Infrastructure Funding Allocations (\$2,500 From Each District) For Services To Design And Construct Two (2) 16' X 16' Picnic Shelters At Savannah Grove Community Park (Athletic Fields Area). Councilman Anderson seconded the motion, which was approved unanimously.

SHERIFF OFFICE

Councilman Bradley made a motion Council Approve The Expenditure Of An Amount Up To \$3,600.00 From Council District 3 Infrastructure Funding Allocation To Assist The Florence County Sheriff Office With A Replacement Radio. Councilman Culberson seconded the motion, which was approved unanimously.

TIMROD ELEMENTARY SCHOOL

Councilman Bradley made a motion Council Approve Up To \$3,550.00 From Council District 3 Infrastructure Funding Allocation To Assist Henry Timrod Elementary School With The Removal Of An Old Fence And The Purchase/Installation Of A New Fence For The Playground Area. Councilman Anderson seconded the motion, which was approved unanimously.

TIMROD ELEMENTARY SCHOOL

Councilman Bradley made a motion Council Approve Up To \$25,000.00 From Council Districts' 3, 6, And 7 Infrastructure Funding Allocations (\$10,000 From District 3 and \$7,500 Each From Districts 6 and 7) To Assist Timrod Elementary School With The Purchase Of Playground Equipment. Councilman Mumford seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF)

WEST WILLIAMS ROAD

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$79,350.00 From Council District 3 RSMF/Utility Funding Allocation To Pay For Resurfacing Of West Williams Road And 6" Reclamation Of 4,500 Square Yards. Councilman Anderson seconded the motion, which was approved unanimously.

EAST WILLIAMS ROAD

Councilman Ard made a motion Council Approve The Expenditure Of Up To \$2,875.00 From Council District 5 RSMF Funding Allocation To Pay For Additional Crushed Asphalt To Be Put On East Williams Road. Councilman Anderson seconded the motion, which was approved unanimously.

UTILITY

WEST CAMERON LANE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$28,779.00 From Council District 3 Utility Funding Allocation To Pay For Resurfacing Of West Cameron Lane And 80 Square Yards Full Depth Patching. Councilman Mumford seconded the motion, which was approved unanimously.

MARSHALL AVENUE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$37,548.00 From Council District 3 Utility Funding Allocation To Pay For Resurfacing Of Marshall Avenue And 95 Square Yards Full Depth Patching. Councilman Anderson seconded the motion, which was approved unanimously.

EBENEZER PARK

Councilman Anderson made a motion Council Approve An Amount Estimated At \$27,000.00 From Council District 9 Utility Funding Allocation To SC DOT To Pipe A Portion Of The Ditches At Ebenezer Park. Councilman Bradley seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

EADDY FORD CEMETERY ROAD

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$5,787.00 From Council District 5 RSMF Funding Allocation To Pay For Crushed Asphalt For Eaddy Ford Cemetery Road. Councilman Anderson seconded the motion, which was approved unanimously.

UNION GROVE ROAD

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$13,139.00 From Council District 6 RSMF Funding Allocation To Pay For Rock And Crushed Asphalt For Union Grove Road. Councilman Anderson seconded the motion, which was approved unanimously.

SHERIFF OFFICE

Councilman Ard made a motion Council Authorize A Physical Training “Pilot Program” With Competitive Edge For The Sheriff Office And Up To \$20,000 From The General Fund Contingency. Councilman Anderson seconded the motion, which was approved unanimously. Members of Council commended the Sheriff for implementing the program and his pro-active attitude about employees’ health.

(Councilman Kirby entered the meeting at 9:30 a.m.)

COUNCILMAN ARD

Councilman Ard commented that, for the record he wanted to say that, “It is not policy related, but politics, it is a political season, it tends to bring out the best and the worst in us and my friend has had some bad light shined upon him, and that’s Morris Anderson. I can’t speak to the specifics of that particular event, but I will say I have served with him for six years and have always considered him a man of character, integrity, he’s always dealt with me in a very respectful way and that’s a struggle when you get involved in political campaigns and things happen and I just, from my point of view, as a friend and a member of County Council you have always been first class, as far as I’m concerned.”

REASSESSMENT NOTICES

Chairman Smith asked County Administrator Richard Starks to provide Council members with clarification at the next meeting as to the deadline for submission of appeals for the reassessment notices.

THANKSGIVING DINNER FOR SENIORS

Councilman Anderson made a motion Council approve the designation of \$2,500 from the Senior Center Budget for the Thanksgiving Dinner for Senior Citizens in Florence County, contingent upon the City of Florence committing to \$2,500 for the program again this year. Councilman Mumford seconded the motion, which was approved unanimously.

HALL OF FAME

Councilman Anderson made a motion Council approve The Expenditure Of A Total Amount Of \$5,000 To Come From Participating Council Districts' Infrastructure Funding Allocations For The Hall Of Fame At The Civic Center, Which Is Dedicated To Local Heroes. Councilman Ard seconded the motion, which was approved unanimously.

VICE CHAIRMAN MUMFORD

Chairman Smith stated he had another accolade for Councilman Mumford. Councilman Mumford was elected to the Board of Trustees for Morris College in Sumter.

LEGAL COUNSEL

Chairman Smith stated he received notice of withdrawal of representation from the Hyman Law Firm, effective immediately. Councilman Culberson made a motion that the County Administrator Proceed With The Solicitation Of Interested Firms To Serve As County Legal Counsel. Councilman Mumford seconded the motion, which was approved unanimously. Chairman Smith asked Mr. Starks to forward responses received to the Committee on Administration & Finance. Councilman Anderson stated he wanted to go on record accepting the resignation and thanking Mr. Rushton for his service and wishing him the best.

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

COUNCIL MEETING ADJOURNED AT 9:38 A.M.