

K. G. "Rusty" Smith, Jr.  
District #1

Ken Ard  
District #2

Alphonso Bradley  
District #3

Mitchell Kirby  
District #4

Johnnie D. Rodgers, Jr.  
District #5

Russell W. Culberson  
District #6

Waymon Mumford  
District #7

James T. Schofield  
District #8

H. Morris Anderson  
District #9

**AGENDA**  
**FLORENCE COUNTY COUNCIL**  
**REGULAR MEETING**  
**COUNTY COUNCIL CHAMBERS, ROOM 803**  
**180 NORTH IRBY STREET**  
**FLORENCE, SOUTH CAROLINA**  
**THURSDAY, APRIL 17, 2008**  
**9:00 A. M.**

- 
- I. **CALL TO ORDER:** K. G. RUSTY SMITH, JR., CHAIRMAN
- II. **INVOCATION:** H. MORRIS ANDERSON, SECRETARY/CHAPLAIN
- III. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**  
WAYMON MUMFORD, VICE CHAIRMAN
- IV. **WELCOME:** K. G. RUSTY SMITH, JR., CHAIRMAN

- V. **MINUTES:**
- MINUTES OF THE APRIL 3, 2008 REGULAR MEETING** [1]
- Council is requested to approve the Minutes of the April 3, 2008 regular meeting of County Council.

- VI. **PUBLIC HEARINGS:** [9]
- Council will hold public hearings on the following items to receive public comment:

- A. **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.

**B. 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.

**C. 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.

**VII. APPEARANCES:**

None.

**VIII. COMMITTEE REPORTS:**

(Items assigned to the Committees in italics. Revisions by Committee Chair requested.)

Administration & Finance

(Council members K. G. "Rusty" Smith, Jr./Chair, Russell W. Culberson, Waymon Mumford and James T. Schofield)

Public Services & County Planning  
(Council members James T. Schofield/Chair, Mitchell Kirby, and Ken Ard)

*January 18, 2007*      *Special Exceptions*  
*County facilities*  
*January 17, 2008*      *Ordinance No. 18-2007/08 (amend the Zoning Ordinance)*

Justice & Public Safety  
(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr. and Al Bradley)

*June 7, 2007*      *Litter Enforcement*

Education, Recreation, Health & Welfare  
(Council members H. Morris Anderson/Chair, Johnnie D. Rodgers, Jr., and Al Bradley)

*January 17, 2008*      *Ordinance No. 20-2007/08 (amend Chapter 6 – Animals & Fowl)*

Agriculture, Forestry, Military Affairs & Intergovernmental Relations  
(Council members Russell W. Culberson/Chair, Morris Anderson and Ken Ard)

Ad Hoc Water Study Committee  
(Council members Ken Ard/Chair, Mitchell Kirby, Russell W. Culberson, and Johnnie D. Rodgers, Jr.)

**IX. PROCLAMATIONS:**

**NATIONAL VOLUNTEER WEEK** [10]  
A Proclamation Declaring the Week of April 27 – May 3, 2008 as National Volunteer Week in Florence County.

**X. RESOLUTIONS:**

No Resolutions were presented on or before publication.

**XI. ORDINANCES IN POSITION:**

**A. THIRD READING**

1. **ORDINANCE NO. 23-2007/08** [13]  
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.  
*(Approved by Planning Commission 8-0)*
  
2. **ORDINANCE NO. 24-2007/08** *(public hearing)* [69]  
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.
  
3. **ORDINANCE NO. 25-2007/08** *(public hearing)* [77]  
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..
  
4. **ORDINANCE NO. 26-2007/08** *(public hearing)* [89]  
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.

**B. SECOND READING**

**ORDINANCE NO. 27-2007/08** [100]  
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.

**C. INTRODUCTION**

1. **ORDINANCE NO. 28-2007/08** [103]  
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.
  
2. **ORDINANCE NO. 29-2007/08 (By Title Only)** [106]  
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.

**XII. APPOINTMENTS TO BOARDS & COMMISSIONS:**

**BOARDS AND COMMISSIONS LIST** [108]  
A list of current and approaching vacancies for 2008 on Boards and Commissions was previously provided to Council.

**XIII. REPORTS TO COUNCIL:**

**PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT**

**AWARD OF BID #21-07/08**

**[109]**

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 associated documents to proceed. (4 compliant bids received)

**XIV. OTHER BUSINESS:**

**A. INFRASTRUCTURE FUND**

**CONVERSE DRIVE**

**[112]**

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.

**B. ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND**

**VANDA DRIVE**

**[114]**

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.

**XV. EXECUTIVE SESSION:**

Pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended.

- Real Property Transactions Pending

**XVI. INACTIVE AGENDA:**

**A. ORDINANCE NO. 15-2007/08**

At its regular meeting of January 3, 2008, Council unanimously voted to remand this Ordinance to the Planning Commission. The Planning Commission reports the applicants have withdrawn the application for the Plan Map Amendment. (This item will be removed from Council's agenda.) An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial.  
*(Planning Commission approved 9 – 0.) (Council District 7)*

**B. ORDINANCE NO. 18-2007/08**

At its regular meeting of January 17, 2008 Council unanimously voted to refer this Ordinance to the Committee on Public Service & County Planning. An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6 And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.  
*(Planning Commission approved 9 – 0.)*

**C. ORDINANCE NO. 20-2007/08**

At its regular meeting of January 17, 2008 Council unanimously voted to refer this Ordinance to the Committee on Education, Recreation, Health & Welfare. An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.

**XVII. ADJOURN:**

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Minutes

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Council is requested to approve the minutes of the April 3, 2008 regular meeting of County Council.

**OPTIONS:**

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

**ATTACHMENTS:**

Copy of proposed Minutes.

DRAFT

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, APRIL 3, 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  
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  
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:**

Carlie Gregg, Public Works Director  
Kevin Yokim, Finance Director  
Herbie Christmas, Environmental Services Officer  
Ray McBride, Library Director  
Sheriff Kenney Boone  
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the April 2, 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 ([www.florenceco.org](http://www.florenceco.org)).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Vice-Chairman Mumford led the Pledge of Alliance 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 March 20, 2008 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

**PUBLIC HEARINGS:**

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

**RESOLUTION NO. 24-2007/08**

A Resolution In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds, Series 2008 (HopeHealth Project), Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$2,300,000.

**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.

**APPEARANCES:**

**MARSHALL YARBOROUGH**

Councilman Culberson requested Mrs. Marshall Yarborough be allowed to address Council. Councilman Rodgers seconded the motion, which was approved. Mrs. Yarborough presented Council with an update on the Mars Bluff Atomic Bomb/Broken Arrow Site commemorative event.

**ED WEST – S C DEPARTMENT OF COMMERCE**

Councilman Mumford requested Mr. Ed West with the South Carolina Department of Commerce be allowed to make a presentation. Councilman Rodgers seconded the motion, which was approved. Mr. West presented Chairman Rusty Smith with the “Homegrown Champions Award” on behalf of the South Carolina Summit. The Award recognizes individuals who have left a community to pursue education, military career, etc. then return to the hometown area and have a positive impact on the community. Chairman Smith expressed his appreciation for the Award.

**COMMITTEE REPORTS:**

**JUSTICE & PUBLIC SAFETY**

Committee Chairman Mumford stated the Committee on Justice & Public Safety met prior to the regular meeting. It was the consensus of the Committee to move forward with presentation of a Litter Control Ordinance at a later meeting of Council and to request Council’s consideration of the addition of \$30,000 in the fiscal year 2009 budget for start-up costs for the implementation of a litter control program. Chairman Smith asked if a motion was needed for this recommendation. County Administrator Richard Starks responded that a motion was not necessary; staff could include the \$30,000 in the budget for Council’s consideration during the normal annual budget process. Councilman Anderson thanked the Committee for its efforts.

**EDUCATION, RECREATION, HEALTH & WELFARE COMMITTEE**

Committee Chairman Anderson stated the Committee on Education, Recreation, Health & Welfare had a meeting scheduled immediately following the Council Meeting to address the cruelty to animals ordinance.

**AD HOC WATER STUDY COMMITTEE**

Committee Chairman Ard stated the Ad Hoc Water Study Committee had a meeting scheduled later that afternoon with the City of Florence to express concerns regarding the provision of water and sewer in the County, however prior to the Council meeting; staff was notified the City cancelled the meeting due to conflicting schedules with City Council members. He stated the Committee would remain persistent and sit down with a contingency from the City to express concerns and figure out a way to alleviate some concerns for provision of water and sewer to the rural areas.

**PROCLAMATIONS:**

**WEEK OF THE YOUNG CHILD**

The Clerk published, in its entirety, a Proclamation Recognizing And Supporting The Efforts Of North Vista Elementary School As They Celebrate The Week Of April 6 – 12, 2008 As The Week Of The Young Child 2008. Councilman Mumford made a motion Council approve the Proclamation. Councilman Culberson seconded the motion, which was approved unanimously.

**PUBLIC HEARINGS:**

There being no signatures on the sign-in sheets, the Chairman closed the public hearings.

**RESOLUTIONS:**

**RESOLUTION NO. 24-2007/08**

The Chairman published the title of Resolution No. 24-2007/08: A Resolution In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds, Series 2008 (HopeHealth Project), Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$2,300,000. Councilman Mumford made a motion Council approve the Resolution. Councilman Ard seconded the motion, which was approved unanimously.

**RESOLUTION NO. 25-2007/08**

The Clerk published Resolution No. 25-2007/08 in its entirety: A Resolution Designating The Month Of April, 2008 As Fair Housing Month. Councilman Culberson made a motion Council approve the Resolution. Councilman Anderson seconded the motion, which was approved unanimously.

**RESOLUTION NO. 26-2007/08**

Chairman Smith stated Mr. Starks approached him prior to the meeting that the County had been advised by the Department of Commerce that a Resolution was necessary to file a Community Development Block Grant (CDBG) application. Council was asked to approve the addition of Resolution No. 26-2007/08 to the agenda: A Resolution Authorizing Submission Of An Application By Florence County To The State Of South Carolina Community Development Block Grant Program For 2008 For Water Line Extension and Fire Protection Improvement Initiatives For Gray Road and Repealing Previous Authorizing Resolution No. 35-2006/07. Councilman Culberson made a motion Council approve the Resolution. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCES IN POSITION:**

**ORDINANCE NO. 23-2007/08 – SECOND READING**

The Clerk 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 Ard made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 24-2007/08 – SECOND READING**

The Clerk 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 Ard made a motion Council approve second reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

**ORDINANCE NO. 25-2007/08 – SECOND READING**

The Clerk 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 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 second reading of the Ordinance. Councilman Schofield seconded the motion. Councilman Ard made a motion to amend the Ordinance to include Associated Primaries and Runoffs of the City of Florence, incumbent upon the City to pay all associated costs. Councilman Culberson seconded the motion to amend, which was approved unanimously. Second reading of the Ordinance as amended was approved unanimously. Councilman Ard recognized James Tanner from Johnsonville and the work that he does on the Election Commission.



**ORDINANCE NO. 26-2007/08 – SECOND READING**

The Clerk 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 Ard made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 27-2007/08 – INTRODUCED**

The Chairman published the title of Ordinance No. 27-2007/08 and declared the Ordinance introduced: 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.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

**PEE DEE WORKFORCE INVESTMENT BOARD**

Councilman Culberson made a motion Council approve the recommendation from the Pee Dee Workforce Investment Board for the following appointment/re-appointments: Richard Harrington and Bill Sebnick representing the private sector, Kyle Edney representing Economic Development, and Judge Taft Guile representing Community Based Organizations (replacing Walter Fleming who has declined reappointment). Councilman Kirby seconded the motion, which was approved unanimously.

**FLORENCE COUNTY PLANNING COMMISSION**

Council unanimously appointed the following individuals to the Florence County Planning Commission, with terms effective July 1, 2008:

- Representing Council District 1 – Roger Kirby
- Representing Council District 3 – Doris Lockhart
- Representing Council District 6 – David Hobbs
- Representing Council District 7 – Cecil Cunha
- Representing Council District 9 – Linda Borgman

## **REPORTS TO COUNCIL:**

### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly financial reports were provided to Council for fiscal year 2008 through February 29, 2008 as an item for the record.

### **PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT**

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

Councilman Ard made a motion Council declare three (3) televisions, County Assets #6389, 6390, and 6391, Ford Explorer V#0615, Ford Taurus V#1102, and Ford Ambulance V#2111, as surplus property and authorize the County Administrator to dispose of said property in the most advantageous manner. Councilman Anderson seconded the motion, which was approved unanimously.

### **TAX ASSESSOR**

#### **LATE FARM APPLICATIONS**

Councilman Mumford made a motion Council open the deadline for application consideration, authorize parcels to be considered, and close the filing deadline. Councilman Kirby seconded the motion, which was approved unanimously.

### **OTHER BUSINESS:**

#### **INFRASTRUCTURE**

##### **WILLOW CREEK BALL FIELD**

Councilman Culberson made a motion Council approve the expenditure of funds from Council Districts 3 and 6 Infrastructure funding allocations in an amount up to \$24,000.00 for the purchase of a backstop for the Willow Creek Ball Field. Councilman Bradley seconded the motion, which was approved unanimously.

##### **TIMMONSVILLE BOYS & GIRLS CLUB**

Councilman Kirby made a motion Council approve the expenditure of funds from Council Districts 2, 3, 4, 6, 7, and 9 Infrastructure funding allocations in an amount up to \$72,630.00 (from each district as indicated on the approving memo) for roof replacement on the Timmonsville Boys & Girls Club. Councilman Bradley seconded the motion, which was approved unanimously.

### **EXECUTIVE SESSION:**

Councilman Anderson made a motion Council enter executive session for a legal briefing by the County Attorney. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:36 a.m. Council reconvened at 10:00 a.m.

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

**COUNCIL MEETING ADJOURNED AT 10:01 A.M.**

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**H. MORRIS ANDERSON  
SECRETARY-CHAPLAIN**

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**CONNIE Y. HASELDEN  
CLERK TO COUNTY COUNCIL**

DRAFT

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Public Hearings

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

Council will hold public hearings to receive public comment with regard to the following:

### **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 2008k 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, 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.

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Proclamation  
National Volunteer Week

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

A Proclamation Declaring The Week Of April 27 – May 3, 2008 As National Volunteer Week In Florence County.

## **OPTIONS:**

1. *(Recommended)* Approve the Proclamation as presented.
2. Provide An Alternate Directive.

## **ATTACHMENTS:**

Copies of the following are attached:

1. Proposed Proclamation;
2. Letter from Kammy Benton with the Senior Citizens Association requesting Council's consideration of the Proclamation.

**PROCLAMATION BY FLORENCE COUNTY COUNCIL  
NATIONAL VOLUNTEER WEEK  
APRIL 27 – May 3, 2008**

**WHEREAS**, the entire community can inspire, equip and mobilize people to take action that changes the world; and

**WHEREAS**, volunteers can connect with local community service opportunities through hundreds of community service organizations like Hands on Affiliates and Volunteer Centers; and

**WHEREAS**, individuals and communities are at the center of social change discovering their power to make a difference; and

**WHEREAS**, during this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

**WHEREAS**, the giving of oneself in service to another empowers the giver and the recipient; and,

**WHEREAS**, experience teaches us that government by itself cannot solve all of our nation's social problems; and,

**WHEREAS**, our country's volunteer force of over 64 million people is a great treasure; and,

**WHEREAS**, volunteers are vital to our future as a caring and productive nation.

**NOW, THEREFORE, WE**, the governing body of Florence County, the Florence County Council, do hereby proclaim the week of April 27 – May 3, 2008 as

**NATIONAL VOLUNTEER WEEK IN FLORENCE COUNTY.**

And urge all citizens to volunteer in their communities; for by volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

**Done in meeting duly assembled this 17<sup>th</sup> day of April, 2008.**

**THE FLORENCE COUNTY COUNCIL:**

\_\_\_\_\_  
**K. G. Rusty Smith, Jr., Chairman**

**ATTEST:**

\_\_\_\_\_  
**Connie Y. Haselden, Clerk to Council**

City/County Council  
180 N. Irby Street  
Florence, SC 29501

Dear City/County Council:

As we approach the 35<sup>th</sup> Annual National Volunteer Week, to be held April 27-May 3, 2008, we ask you to honor our county's volunteers who tirelessly share their time and talent with those in need. Your support can challenge and encourage the people you represent to commit to sustained and future volunteer service.

National Volunteer Week is about inspiring, recognizing and encouraging people to seek ways to engage in their community. It's about meeting our challenges not as isolated individuals but as members of a true community with all of us working together.

This year, the President of the United States will again sign a proclamation in support of National Volunteer Week. We hope you will join the President in proclaiming the week of April 27-May 3 as National Volunteer Week in Florence County.

Attached you will find a sample proclamation and more information about National Volunteer Week, which is an initiative of Points of Light Foundation & Hands On Network and sponsored by Target. The Week was designated by Executive Order as an annual observance by President Richard Nixon in 1974. Every President since has signed a proclamation of support announcing National Volunteer Week as the national week of recognizing volunteers.

Senior Citizens Association's Retired and Senior Volunteer Program (RSVP) plans to honor the volunteers in Florence County by having a drop-in on Tuesday, April 29, 2008, at which time we plan to hand out Presidential Service Awards. We invite you to join our celebration of volunteers at Leatherman Senior Center at 11:30 p.m.

If you have any questions, please call Kammy Benton, RSVP Director at 669-6761. We would be honored to have your participation and look forward to your response.

Sincerely,

Kammy Benton  
RSVP Director  
Senior Citizens Association



## FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: Thursday, April 17, 2008

**AGENDA ITEM:** Ordinance No. 23-2007/08  
Third Reading

**DEPARTMENT:** Planning and Building Inspections



### **ISSUE UNDER CONSIDERATION:**

[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.]

### **POINTS TO CONSIDER:**

1. Council District(s): All Florence County Council Districts
2. According to state law, a new Florence County/Municipal Comprehensive Plan must be developed every ten years.
3. The original passage date of the Natural Resources Element was March 5, 1998.
4. This Element of the Plan will provide an updated list of natural resources and provide detailed goals for local planning decisions.

### **OPTIONS:**

1. *(Recommended)* Approve Ordinance No. 23-2007/08 as unanimously recommended by the eight Planning Commissioners present at the February 26, 2008 meeting.
2. Provide an Alternative Directive

### **ATTACHMENTS:**

**Copies of the following are attached:**

1. Ordinance No. 23-2007/08
2. Resolution for PC#2007-69
3. Staff Report for PC#2007-69
4. Proposed Natural Resources Element



Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: February 26, 2008 [Approved 8- 0]	I, _____,
Planning Commission Public Hearing	: February 26, 2008	Council Clerk, certify that this
Planning Commission Recommendation	: February 26, 2008	Ordinance was advertised for
First Reading/Introduction	: March 20, 2008	Public Hearing on _____.
Committee Referral	: N/A	
Second Reading	: April 3, 2008	
County Council Public Hearing	: April 3, 2008	
Third Reading	: April 17, 2008	
Effective Date	: Immediately	

**ORDINANCE NO. 23-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**[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.]**

**WHEREAS:**

1. SC 6-29-510 requires a new Florence County/Municipal Comprehensive Plan be developed every ten years; and
2. The original passage date of the Natural Resources Element was March 5, 1998; and
3. Passage of this element will fulfill state law requirements, and provide goals for improving natural resources and meeting the challenges described therein.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. The Florence County/Municipal Comprehensive Plan Natural Resources Element attached hereto, is hereby adopted and implemented, and supersedes all other versions of this Element which were adopted previously.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
K. G. Rusty Smith, Jr., Chairman

\_\_\_\_\_  
Approved as to Form and Content  
James C. Rushton, III, County Attorney

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

RESOLUTION FOR PC#2007-69

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

(A Resolution Recommending The Updated Natural Resources Element Of The Comprehensive Plan)

WHEREAS:

1. According to state law, a new Florence County/Municipal Comprehensive Plan must be developed every ten years; and
2. The third element to be adopted according to the ten-year schedule is the Natural Resources Element; and
3. The Planning Commission advertised for and held a workshop on September 13, 2007; and
4. Following the passage of this resolution by the majority of the entire membership of the Planning Commission, the Natural Resources Element must be adopted by ordinance after public hearings by the governing bodies of all participating jurisdictions.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the governing bodies of Florence County, the City of Florence, the City of Johnsonville, the Town of Olanta, the Town of Quinby, the Town of Scranton, and the Town of Timmons ville adopt by ordinance for their respective area of jurisdiction the update to the Florence County/Municipal Comprehensive Plan Natural Resources Element as presented by the Planning Commission.

ATTEST:

Angela Thomas  
Angela Thomas, Secretary

SIGNED:

Glynn Willis  
Glynn Willis, Chairman

COMMISSION VOTE: 8-0

OPPOSED: None

ABSENT: D. Chaplin

D. Floyd

L. Fred

K. Lowery

**STAFF REPORT  
TO THE  
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION  
September 25, 2007  
PC#2007-69 (All Participating Jurisdictions)**

**Subject:** Adoption of a Resolution recommending the updated **Natural Resources Element** of the Comprehensive Plan

**Staff Analysis:**

According to state law, a new comprehensive plan must be developed every ten years. The seven elements of the current plan were passed by all participating jurisdictions on various dates between December 1997 and April of 1999.

The third element to be adopted in accordance with this calendar to meet the ten-year requirement is the Natural Resources Element. The Planning Commission advertised for and held a workshop on September 13, 2007 to discuss this issue and made one typographical error change.

**Element Information:**

The Natural Resources Element details the current environmental conditions of Florence County, the protection and sustainment of the natural resources, and goals for improving several of the statistics described.

Following the passage of a resolution by the majority of the entire membership of the Planning Commission, the Natural Resources Element must be adopted by the governing bodies of all participating jurisdictions. The councils of the appropriate jurisdictions must also hold public hearings on this element before adoption and adopt it by ordinance.

**Planning Commission Recommendation:**

The eight Planning Commission members present at their February 26, 2008 meeting, voted unanimously to adopt a resolution recommending that all participating jurisdictions adopt the Natural Resources Element.

**Attachments:**

**Copies of the following are attached:**

1. Proposed Natural Resources Element
2. Resolution of Recommendation

# NATURAL RESOURCES ELEMENT



## FLORENCE COUNTY/MUNICIPAL COMPREHENSIVE PLAN



**NATURAL RESOURCES ELEMENT  
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## NATURAL RESOURCES ELEMENT

### INTRODUCTION

An analysis and inventory of the natural resources of the County is necessary to effectively and productively plan for growth and development. While identifying and recognizing these resources, the Natural Resources Element of the Florence County/Municipal Comprehensive Plan will not only provide information about such resources, but also discuss goals for protection and sustainment. By attempting to preserve, maintain, and improve our natural resources, many facets of our community can be enhanced including social, economic, and cultural aspects.

Conserving natural resources and maintaining a healthy environment is not just about water quality or tree preservation. It is also about understanding the interconnectedness of our ecosystem and using natural resource based planning to ensure that future development respects the characteristics that make Florence County unique. Natural resource based planning starts with conducting a natural resources inventory so a community can see its assets. It then requires that resources be prioritized. Plans and regulations then direct development to the areas most suited for protection, ensuring minimal impact on priority natural resources through the location, design, and engineering of new development.

Florence County is located in the Coastal Plain region of the East Coast and has a variety of natural features and resources that contribute to the quality of life experienced by its residents. Fertile soils, a number of surface water streams, climatic conditions suitable for extended agrarian activities, and an abundance of forested areas enrich the County's recreation amenities, community facilities, and industrial opportunities.

Florence County has a total of 803.05 square miles of land area. Of these 803.05 square miles, 3.84 are covered by water (2005 SC Statistical Abstract). Forest areas and watercourses surround the County on nearly every side, including the Great Pee Dee River that borders Florence County along its eastern side and the Lynches River that runs directly through Florence County ending as it converges with the Great Pee Dee River in the City of Johnsonville. In addition to these rivers, a host of other features compose the natural resources within the total area of Florence County, including fertile soil, wetlands, swamps, bays, and many naturally scenic areas.

This Element is divided into twelve sections, including the Introduction, Summary, and Goals. The remaining sections are:

- Climate and Topography/Slope Characteristics
- Prime Agriculture & Forest Land
- Soil Types
- Mining
- Water & Wetlands
- Flood Hazard Areas
- Plant/Animal Habitats & Endangered Species
- Air Quality
- Unique Scenic Views & Recreation Areas



The conservation of natural resources coupled with the understanding of our ecosystems will ensure that future development has a reduced impact on our natural resources with attention given to location, engineering and design.

The information in the Natural Resource Element is a statement of current environmental conditions and an analysis of that information. It serves to show the resources and environment indicative to Florence County. Ideally, this document will be used as the basis for future planning in Florence County in order to recognize, protect, and enhance existing natural resources.

## CLIMATE AND TOPOGRAPHY

The climate in Florence County is relatively temperate. The warm season begins in April and extends into September. The Appalachian Mountains, which are 175 miles northwest of Florence, act as a natural barrier from most cold fronts keeping winters relatively mild. However, winter temperatures often dip into the 20s. Snow flurries can occur, but it is unusual to have any measurable amount of snowfall. The average temperature in January is 44.7 degrees. The first frost of the season typically occurs in mid-November, with the last frost typically in mid-March. Florence averages an annual rainfall of 43.72 inches, with 36% falling in summer, the greatest of any other season. In addition, Florence experiences its warmest weather during the summer months, with the average temperature in July reaching 81°F. Annually, the average daytime temperature is 63.2°F. The tables below list climate statistics for the County (Internet 1).

Table 3-1 Florence County Temperature Summary (1948-2006)

	TEMPERATURE	DATE
Highest Maximum Temperature	108°F	6/27/1954
Highest Mean Temperature	92°F	7/13/1986
Lowest Minimum Temperature	0°F	1/21/1985
Lowest Mean Temperature	12.5°F	1/21/1985
Maximum Annual Average Temperature	74.8°F	N/A
Mean Annual Average Temperature	64°F	N/A
Minimum Annual Average Temperature	53.1°F	N/A

Source: South Carolina State Climatology Office

Table 3-2 Florence County Precipitation Summary (1892-2006)

	STATISTIC	DATE
Highest Daily Rainfall	8.2"	9/5/1979
Annual Average Rainfall	46.46"	n/a
Wettest Year	82.64" of precipitation	1929
Driest Year	27.5" of precipitation	1954
Mean Snowfall	1.9"	n/a
Largest Snowfall	13"	1973

Source: South Carolina State Climatology Office

Florence County can be found approximately 60 to 65 miles inland from the Atlantic Ocean between the Great Pee Dee and Lynches Rivers. It is composed of 803.05 square miles, or approximately 512,000 acres, and it is situated in the northeast part of South Carolina in the coastal plains region. Florence County has a gently rolling to level terrain, and resides between 25 and 150 feet above sea level. The City of Florence, the highest point in the County, is situated 150 feet above sea level, as opposed to the flood zones, which are located 25 feet above. The





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majority of the County is an average of 70 feet above sea level and is drained by the tributaries of the Great Pee Dee and Lynches Rivers (Internet 13).

## **PRIME AGRICULTURE & FOREST LAND**

### **FOREST LAND**

Florence County woodlands can be divided into two types of vegetative communities: upland vegetation and lowland forest areas. The upland forest has both coniferous (cone bearing) and deciduous (shedding leaves annually) forests. This area is known to have ample pines and broad leaf tree species that tower across the landscape. The types of trees in the upland area can include: oaks, sweet gums, and hickories. At the base of the larger trees is an assortment of thick understory, including smaller trees, shrubs and vines such as blackberry and muscadine grape. The lowland forest areas, which are located within the flood plain of the Great Pee Dee and Lynches Rivers, include trees such as bald cypress, gum, sycamore, water hickory, lowland oaks, soft maples, willows, and others. The understory is similar to the understory of the upland woodlands, but is also cleaner in flood prone areas.

Trees are vital natural resources and must be conserved and protected. Trees have many benefits to a community such as:

- reducing electricity bills by providing shade to homes and neighborhoods
- increasing property values, reducing storm water runoff and flooding possibilities
- enhancing wildlife and providing habitats for animals and other plants
- improving air quality by removing dust and other pollutants such as ozone, carbon monoxide and sulfur dioxide from the air and producing oxygen
- reducing the temperature by providing shade
- reducing glare and reflection
- contributing to a more aesthetically pleasing community

Trees contribute greatly to a community which is why it is vital to enhance, conserve, and protect the trees in Florence County. This concept will be discussed further in the Land Use Element.

### **AGRICULTURAL RESOURCES**

Significant portions of Florence County have been adapted for crop production and overall farm usage. (See Table 3-3) Soil types and their characteristics, which will be discussed later, are important factors in the measure of success realized in growing the variety of crops in Florence County. The table below compares the farm acreage of Florence County with those of the neighboring counties.

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Table 3-3 Farm Land for Florence and Surrounding Counties (2002)

COUNTY	TOTAL LAND AREA OF COUNTY (ACRES)	FARM LAND (ACRES)	% FARM LAND
Florence	511,494	171,388	33.51%
Clarendon	388,640	147,890	38.05%
Darlington	359,718	161,443	44.88%
Dillon	259,123	112,262	43.32%
Lee	262,611	122,518	46.65%
Marion	313,024	93,262	29.79%
Marlboro	307,021	114,963	37.44%
Sumter	425,894	135,805	31.89%
Williamsburg	597,760	205,904	34.45%

Source: National Agricultural Statistic Service

As the table above indicates, Florence County had a relatively lower percentage of farm land, compared to other surrounding counties. At 33.5%, Florence ranks seventh in the Pee Dee in its percentage of farm land. Only Sumter and Marion have lesser amounts of farm land at 31.89% and 29.79% respectively. Lee County, which is primarily rural, has the largest portion of farm land at 46.65%. However, the table below provides further insight into how farming is changing in Florence and surrounding counties.

Table 3-4 Number & Size of Farms in SC, Florence, & Neighboring Counties (1997 & 2002)

COUNTY	# OF FARMS (1997)	AVERAGE SIZE (1997)	# OF FARMS (2002)	AVERAGE SIZE (2002)
<b>South Carolina</b>	<b>25,807</b>	<b>193 acres</b>	<b>24,541</b>	<b>197 acres</b>
Florence	762	235 acres	612	280 acres
Clarendon	365	407 acres	390	319 acres
Darlington	433	382 acres	361	447 acres
Dillon	229	415 acres	197	570 acres
Lee	267	465 acres	324	378 acres
Marion	240	347 acres	213	438 acres
Marlboro	212	564 acres	222	518 acres
Sumter	501	296 acres	537	253 acres
Williamsburg	740	272 acres	681	302 acres

Source: SC Statistical Abstract, 2006

As illustrated in the table above, in 2002 Florence County had 612 individual farms, at an average size of 280 acres. Of the Pee Dee Counties, only Williamsburg has more farms than Florence with 681. Dillon County represents the Pee Dee County with the largest average size farm at 570 acres. Based on the above table, between 1997 and 2002 the number of farms in Florence County decreased, but the size of the remaining farms increased. So, while Florence lost a number of farms over this time period, the County also gained acreage on remaining farms. Of the 612 farms, 464 were less than 219 acres. This may be an indication of an emergence of part-time or hobby farmers that operate farms under the notion that the farm will not be a primary source of income. Often times, hobby farmers operate farms as a side job. Farms in Florence County represent 2.5% of all farms in the state. Statewide, Anderson tops this list, with 6.7% of all farms in South Carolina located in their county. Moreover, McCormick County has the fewest farms in the state, representing only 0.4% of the total. Of the Pee Dee Counties, Florence ranks fifth in the market value of agricultural products sold, at thirty-five million dollars per year. The majority of the thirty-five million dollars of agricultural products sold in Florence County is produced by the farms in the county that are over 219 acres in size. From the table below, you can see that 148 farms are larger than 219 acres. The farms in Florence, large and small, produce a variety of crops, including cotton, soybeans, hay, tobacco, grain corn, and grain wheat.



Table 3-5 Size and Number of Farms, Florence County (1997 & 2002)

SIZE OF FARM (ACRES)	NUMBER OF FARMS (2002)
1 - 49 ACRES	228
50 - 99 ACRES	100
100 - 219 ACRES	136
220 - 499 ACRES	64
500 + ACRES	84

Source: National Agricultural Statistic Service

In regards to total farm acreage, Florence County's total has decreased approximately 24% between 1987 and 2002. Changes in farmland resources have also occurred over recent periods of time. Significant changes in the amount of farmland in the County may be indicative of changes in community priorities or due to development activities and increased competition in other economic markets. The table below indicates the changes in farms in Florence County between 1987 and 2002.

Table 3-6 Florence County Changes in Number and Acreage of Farms (1987-2002)

	# OF FARMS	LAND IN FARMS	TOTAL CROPLAND	TOTAL CROPLAND
1987	926	209,688 acres	891 farms	136,465 acres
1992	781	194,822 acres	755 farms	131,812 acres
1997	615	168,600 acres	579 farms	114,479 acres
2002	612	171,388 acres	532 farms	103,576 acres
<b>15 year change</b>	<b>-314</b>	<b>-38,300 acres</b>	<b>-359 farms</b>	<b>-32,889 acres</b>

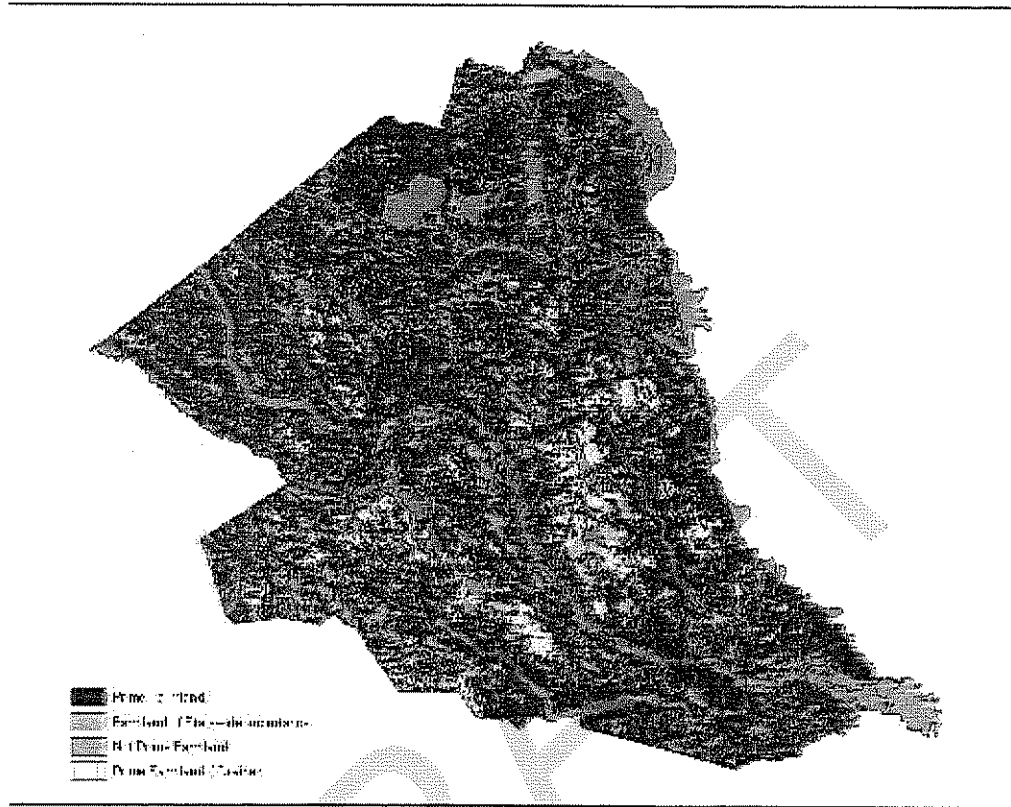
Source: National Agricultural Statistic Service

While agriculture is visible across Florence County, certain areas, such as locations of prime farmland, are better suited for this use. Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. If treated and managed according to acceptable farming methods, prime farmland can produce large amounts of crops. Not only is prime farmland ideal for farming and crop production, but it can easily be converted and used for development. Often times, prime farmland is converted for development purposes when it is located in close proximity to urban areas. Between 1992 and 1997, 86,200 acres of prime farmland in South Carolina was converted to developed land. Furthermore, of the land developed during those years, 23.8% was prime farmland. If Florence County desires to protect prime farmland from development in the future, this can be accomplished through zoning and conservation easements.

Land that does not meet the criteria for prime may be considered farmland of statewide importance. The criteria for defining farmland of statewide importance are determined by the appropriate state and local agencies in cooperation with the US Department of Agriculture (USDA). Farmland of statewide importance includes land areas where the soils do not meet the requirements for prime farmland, but are still highly productive. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law. This type of farmland can produce a high yield of crops if treated and managed properly. In addition, it can be expensive to convert back into quality cropland once developed. The following map shows the location of prime farmland and farmland of statewide importance in Florence.



Figure 3-1 Florence County Farmland



Map courtesy of the South Carolina Department of Natural Resources

### SOIL TYPES

Soil types play a crucial role in determining agricultural, industrial, recreational, and wildlife composition. Throughout Florence County, there are a variety of uses for the wide range of soils. Soil types considered optimal for agricultural use are also considered good for residential, commercial, and industrial uses. The following is a brief summary of some of the soil types found in Florence County. The information in this section was taken from the Natural Resource Conservation Service (NRCS) website (Internet 2). The table and map below, which can and should facilitate land use planning, list the soil types in Florence County.

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Figure 3-2 Florence County Soil Types



Source: Natural Resource Conservation Service (Internet 2)

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Table 3-7 Florence County Soil Types

SOIL TYPE	ACRES	COMMON CROPS
Barth Loamy Sand (Ba)	2,813	n/a
Brogdon Sand (Br)	1,074	n/a
Cahaba Loamy Fine Sand (0-3% Slopes) (CaA)	5,833	n/a
Cahaba-Leaf Complex (Cb)	3,845	n/a
Cape Fear Loam (Ce)	967	n/a
Chastain-Chewacia-Congaree (Ch)	18,471	n/a
Chipley Loamy Sand (Cn)	4,090	Tobacco, cotton, corn, soybean, oats
Coxville Fine Sandy Loam (Cv)	69,674	Corn, soybeans, small grain, pasture grasses
Duplin Fine Sandy Loam (Dp)	20,402	Tobacco, cotton, corn, soybean, truck crops, small grain
Duplin and Exum Soils (0-2% Slopes) (DuA)	3,222	n/a
Duplin and Exum Soils (2-6% Slopes) (DuB)	961	n/a
Exum Sandy Loam (Ex)	1,154	n/a
Faceville Loamy Sand (0-2% Slopes) (FaA)	357	n/a
Faceville Loamy Sand (2-6% Slopes) (FaB)	256	n/a
Faceville Loamy Sand (6-15% Slopes) (FaD)	42	n/a
Fuquay Sand (0-4% Slopes) (FuB)	2,294	n/a
Goldsboro Loamy Sand (Go)	46,306	Tobacco, cotton, corn, soybeans, truck crops, small grain
Hyde Loam (Hy)	357	n/a
Johns Fine Sandy Loam (Jo)	6,917	n/a
Kalmia Loamy Sand (Ka)	1,799	n/a
Kenansville Sand (0-4% Slopes) (KeB)	1,642	n/a
Lakeland Sand (0-6% Slopes) (LaB)	22,096	Corn, peanuts, watermelons, soybeans
Lakeland Sand (6-15% Slopes) (LaD)	3,848	Coastal Bermuda grass, bahia grass, sericea lespedeza
Lucy Sand (0-6% Slopes) (LuB)	1,442	n/a
Lynchburg Sandy Loam (Ly)	78,523	Tobacco, corn, soybeans, small grain
Lynn Haven Sand (Lz)	446	n/a
Mine Pits and Dumps (Mp)	419	n/a
Norfolk Loamy Sand (0-2% Slope) (NoA)	34,993	Cotton, corn, soybeans
Norfolk Loamy Sand (0-2% Slope) (NoA)	7,114	Cotton, corn, tobacco, soybeans, small grain
Oianta Loamy Sand (On)	4,001	n/a
Orangeburg Loamy Sand (0-2% Slopes) (OrA)	3,224	Cotton, tobacco, corn, soybeans
Orangeburg Loamy Sand (2-6% Slopes) (OrB)	1,544	n/a
Orangeburg Loamy Sand (6-10% Slopes) (OrC)	100	n/a
Osier Loamy Sand (Os)	7,058	n/a
Pantego Loam (Pa)	12,546	n/a
Pocalla Sand (0-4% Slopes) (PIB)	1,422	n/a
Rains Sandy Loam (Ra)	20,487	Corn, soybeans, small grain, pasture grasses
Rimini Sand (Rs)	154	n/a
Rutlege Loamy Sand (Ru)	7,357	Gum trees, water-tolerant oak trees, cypress, some pines
Sunsweet Loamy Fine Sand (6-10% Slopes) (SuC)	1,418	n/a
Sunsweet Loamy Fine Sand (10-25% Slopes) (SuE)	1,494	n/a
Urban Land-Coxville Norfolk Association (Ub)	4,778	n/a
Varina Loamy Fine Sand (0-2% Slopes) (VaA)	1,470	n/a
Varina Loamy Fine Sand (2-6% Slopes) (VaA)	3,911	n/a
Water (W)	3,433	n/a
Wagram Sand (0-6% Slopes) (WgB)	30,263	Cotton, tobacco, corn, soybeans, Bermuda & bahia grass
Wagram Sand (6-10% Slopes) (WgC)	2,834	n/a
Wagram Sand (10-15% Slopes) (WgD)	1,291	n/a
Wahee Fine Sandy Loam (Wh)	5,598	n/a
Wehadkee-Chastain Association (Wk)	11,011	n/a
Wehadkee and Johnson Soil	31,622	n/a

Source: Natural Resource Conservation Service (Internet 2)



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## **EROSION**

In addition to the many uses that can occur on various soil types, there are also major concerns with erosion of soils in Florence County. Soil erosion management is a widespread issue in both Florence and throughout South Carolina, and leads to many problems including the following:

- Filling of streams and lakes
- Reduction of cropland
- Damaging of fish and wildlife habitats
- Clogging of storm drainage systems
- Increasing the costs associated with water treatment

Erosion is a process in which soil particles are loosened from an original resting area and transported to another location. Although often a natural process and the result of wind, water run-off, or other geologic means, erosion can be increased by poor land use practices, deforestation, overgrazing, unmanaged construction activity, and road building. However, improved land use practices can reduce erosion through techniques such as terrace-building and tree planting. In order to reduce the amount of erosion caused by development, sites that have soil types with minimal limitations regarding the intended use for the site are encouraged for selection. Erosion mitigation methods would also help to increase site stability and reduce the negative effects on other areas in the County.

Additionally, by volume, sediment, matter that has been deposited by some natural process such as wind and water, is considered a major source of water pollution. In order to attempt to alleviate this growing problem, there are several steps that can be taken according to the NRCS as follows:

1. Planners should pass ordinances in their communities to control erosion.
2. Plans should include standard practices to reduce runoff and retain soils sediment on site.
3. Developers should be required to prepare a soil and water conservation component to any development that disturbs or adds fill dirt to the natural surface of the land.
4. The watershed approach should be used in planning for soil and water conservation and stormwater management.
5. Local planners should encourage the adoption of Best Management Practices (BMPs) to guide forestry, agriculture, and construction activities.
6. Planners should use soil survey information for making land use plans and decisions. Furthermore, builders and developers should consult a soil survey before commencing any construction activities.

## **MINING**

South Carolina currently has approximately 540 active mining permits. Sixteen of these permits are active in Florence County. Of these 16 mines, 7 mine strictly sand, while the other 9 mine both sand and clay. In 1974, the South Carolina Mining Act was passed to ensure all mined lands would be returned to some useful purpose and for the protection of people and the environment. This process is also known as the reclamation process. The reclamation process, as well as the mine permitting process, is overseen by the Mining and Reclamation Section of the SC Department of Health and Environmental Control (SCDHEC). The basic objectives of reclamation are to ensure public safety, establish vegetation for soil stability, and protection of



adjacent areas. The regulations allow for reclamation such as lakes or ponds, grasslands, woodlands, croplands, parks or recreational areas, landfills or residential or commercial development (Internet 15). The table below provides a list of active mining permits in Florence County, as well as the minerals mined and the reclamation practice.

Table 3-8 Florence County Active Mining Permits

MINE NAME	MINERALS MINED	RECLAMATION PRACTICE
Anderson Pit	Sand Top	n/a
Asphalt Plant # 8	Sand	Grasslands
Hayes Excavation	Sand/Clay	Lake or Pond
Hayes Excavation (2)	Sand/Clay	Lake or Pond
Huggins Pit	Sand Top	n/a
J. Hayes	Sand/Clay	Grasslands
J. Hayes (2)	Sand/Clay	Grasslands
Johnsonville Plant	Sand	Lake or Pond
McCutcheon #2	Sand/Clay	Grasslands, Lake or Pond
McCutcheon Mine	Sand/Clay	Grasslands
McLellan Pit	Sand Top	n/a
Poston Pit	Sand/Clay	Grasslands, Lake or Pond
Prestress Mine	Sand	Grasslands, Lake or Pond
R.E. Goodson Mine	Sand/Clay	Grassland
Wildbird Run Mine	Sand Top	n/a
Wildbird Run Mine (2)	Sand Top	n/a

Source: SC Department of Health and Environmental Control (SCDHEC)

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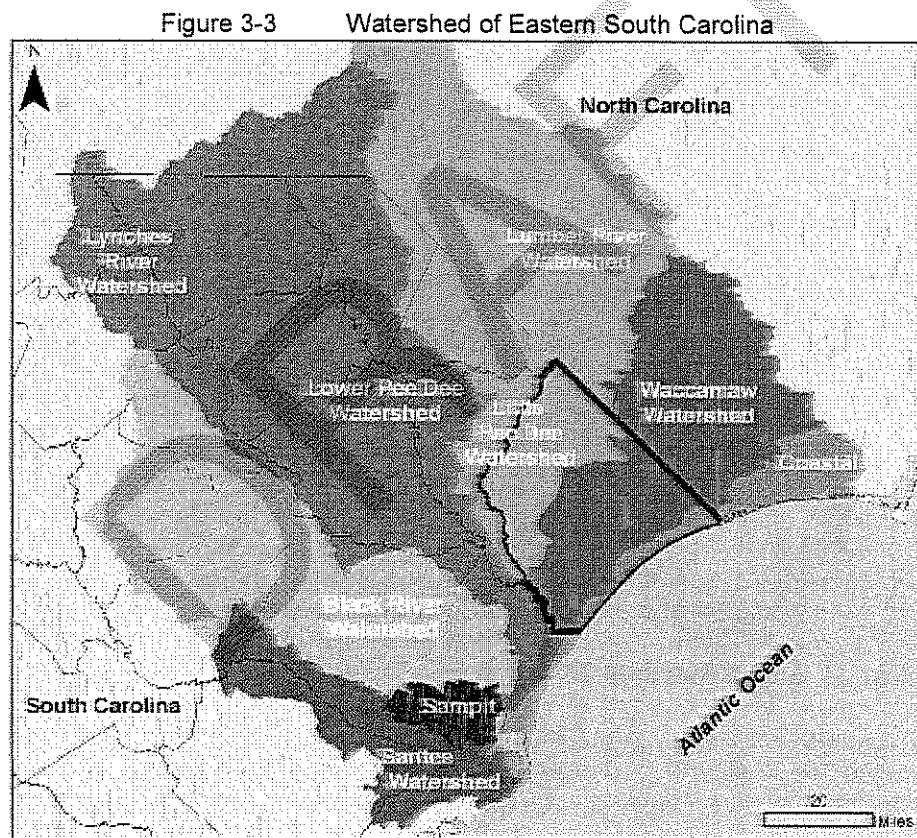




## WATERSHEDS & WATER BODIES

A watershed is the land that water flows across or through on its way to a common stream, river, or lake. Water that flows across land is usually the result of rainfall, which generates stormwater runoff. Areas with high water tables also support sustained dry weather flows into low-lying areas, such as ditches and creeks. Flows are also supported by groundwater emissions, including artesian springs.

Depending on the specific management need, a watershed can be defined broadly, such as the drainage for an entire river or lake, or very narrowly, such as the drainage feeding just a small creek or pond. The broadest spatial scale is termed a "basin" and the smallest, a "catchment". In South Carolina, eight basins have been defined (**Map 1**). Florence County, located west of the highlighted County, Horry County, lies within two watersheds, the Lower Pee Dee and Lynches River Watersheds.



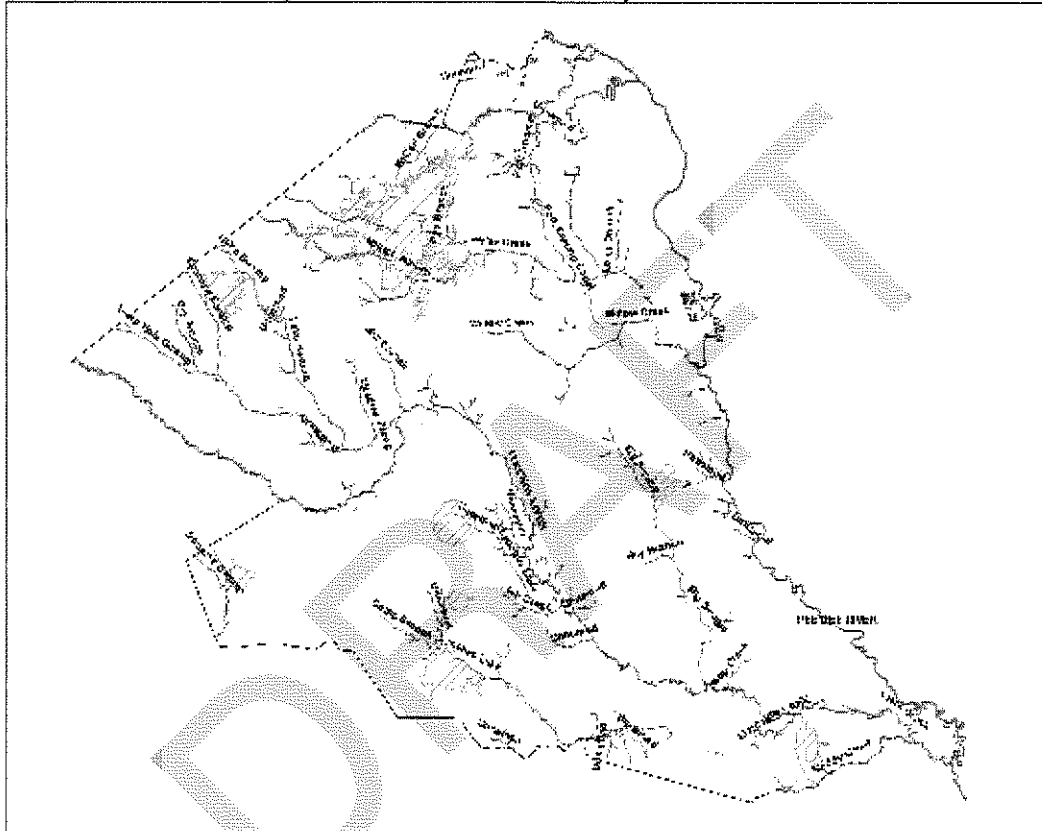
Source: Waccamaw Watershed Academy, Coastal Carolina University



## **WATER BODIES**

Florence County has over 139,000 acres covered by water. These water sources include rivers, creeks, ponds, and streams. The map below shows the major water bodies in Florence County.

Figure 3-4 Florence County Water Bodies



Map courtesy of the Florence County Planning Department

## **RIVER BASINS & WATERSHEDS**

Two major river basin assessments were completed in August 2007, by Natural Resource Conservation Service (NRCS). These reports provide a comprehensive study and assessment and can be accessed at: [http://www.sc.nrcs.usda.gov/intranet/rapid\\_watershed\\_assessment.html](http://www.sc.nrcs.usda.gov/intranet/rapid_watershed_assessment.html)

Watersheds and drainage basins are the parts of the land surface of Florence County that serve the purpose of channeling rainwater to the two major rivers in the County: the Lynches River and the Great Pee Dee River. The average annual rainfall for the County is 46.46 inches per year. Most of this rainfall is used by plants, absorbed into the soil, or drained into basins and rivers



(Internet 1). A portion of the rainfall is intercepted by plants and absorbed into the soil. The remaining water that is not evaporated progresses through drainage basins to river channels.

The following information, taken from a report by the North Carolina Department of Environment and Natural Resources, details information about the Yadkin-Pee Dee River Basin: The Yadkin-Pee Dee Basin is the northern portion of a large river system that drains central North Carolina and northeastern South Carolina. The basin is divided into four sub-basins. The headwaters of the Yadkin River drain the eastern slope of the Blue Ridge Mountains, northeast of Blowing Rock. In the upper part of the basin the Yadkin flows generally northeasterly for about 100 miles before turning south. It continues flowing southeasterly and merges with the Uwharrie River east of Albemarle to form the Pee Dee River. The Rocky River flows into the mainstream below Lake Tillery. The Pee Dee continues flowing southeastward through South Carolina, where it is known as the Great Pee Dee River, and flows into the Atlantic Ocean near Georgetown, SC (Internet 5).

Land in Florence County is influenced by two major rivers of the Pee Dee River basin and an extensive network of tributaries feeding into those rivers. Interconnected within the County are also a number of branches, creeks, swamps and wetlands, as indicated in the map above. These areas serve vital functions related to the County's water supply, drainage, agricultural activities, and wildlife habitat. Some of the tributaries of the two rivers in the County are unnamed and minor in terms of the water volume contributed into larger streams, but they all contribute to the important surface water areas of the County. The list provided in this section includes the rivers, creeks, and most of the major branches feeding into the rivers (1997 Comprehensive Plan).

Florence County is covered in its entirety by the Pee Dee River basin. However, there are three sub-basins that operate within this larger basin to drain runoff from portions of the County. These three sub-basins are described as follows:

- **Great Pee Dee River Sub-basin:** This sub-basin drainage area covers the northeastern portion between Marion and Florence Counties, draining about 40% of the County's land area. The City of Florence and the Town of Quinby are both located within the Great Pee Dee River Sub-basin.
- **Lynches River Sub-basin:** This sub-basin drains the municipalities of Timmonsville, Coward, Lake City, Scranton, Pamplico and Johnsonville. Being located in the middle of the County, the Lynches River Sub-basin covers about 55% of Florence County.
- **Black River Sub-basin:** Although the Black River does not flow through any portion of Florence County, part of its sub-basin can be found in the County. Black River is in Williamsburg County just to the south of Florence County. About 5% of Florence County's southwestern edge is affected by the sub-basin of the Black River.

Issues involving river basins are primarily related to water run-off. Run-off can carry a variety of pollutants, including petroleum products from spills, automobiles, and highways. Pesticides and fertilizers, as well as chemical treatments for golf courses, can travel along the sub-basins in the County. As mentioned earlier, sedimentation from erosion and contaminants can cause problems for water-based recreational areas and natural sources used for public water supplies. As part of the mandate from the Environmental Protection Agency (EPA) and the South Carolina Department of Health and Environmental Control (SCDHEC), Florence County has adopted a storm water management plan that addresses various requirements. Implementation of this plan will not only allow Florence County to meet the Federal and State requirements, but also provide opportunities for improving the water quality in the area.

The following sections provide listings and information about water resources in Florence. A map of many of these water features can be found in the map on page 12 of this document.



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### Rivers

- **Great Pee Dee River:** This River forms the eastern border of Florence County and runs in a southeastern direction. This is the larger of the two rivers associated with the County and has a drainage area over most of the northeast portion of Florence County.
- **Lynches River:** Lynches River enters the County on the west near Cartersville and runs through the middle and southeast parts of the County. Its boundaries merge with the Great Pee Dee River in the southeastern corner of the County.

### Lakes and Ponds

- **Forest Lake:** Located off of West Palmetto Street
- **Lazar Lake:** Situated between Second Loop Road and Jeffries Creek
- **Lynches Lake:** Located between Lake City and Johnsonville
- **Lake Oakdale:** Located northwest of Interstate 95 in the Oakdale community
- **Freedom Florence Pond:** Located off of SC 51 near Jeffries Creek
- **McLeod Park Pond:** Located off of US 76 at David McLeod Park
- **Muldrows Mill Pond:** Located south of the City of Florence near US 52.

### Wetlands and Swamps

Wetlands cover a large part of Florence County. These areas create a number of outdoor activities including fishing, hunting, boating, wildlife observation, natural studies, swimming, camping, and hiking. According to the Environmental Protection Agency (EPA), "Inland wetlands are most common on floodplains along rivers and streams, in isolated depressions surrounded by dry land, along the margins of lakes and ponds, and in other low-lying areas where the groundwater intercepts the soil surface or where precipitation sufficiently saturates the soil". Florence County wetlands may include marshes and wet meadows with herbaceous plants, swamps dominated by shrubs, and wooded swamps with trees as described by the EPA. These areas are abundant in undisturbed plant and animal life with some of the species found being rare and endangered, which will later be discussed (Internet 6).

### Swamps

- **Back Swamp:** Traces a portion of the northern County line abutting Darlington County
- **Big Swamp:** Runs parallel with a portion of SC 51 near the Pamplico area
- **Deep Hole Swamp:** Located in Cartersville
- **Douglas Swamp:** Located in the Motts area, southwest of Olanta
- **Lake Swamp:** Situated between Timmons ville and Effingham
- **Little Swamp:** Located near the Pee Dee River in the southeastern part of the County
- **Long Branch Swamp:** Runs along the southern portion of the County line and borders Williamsburg County
- **Middle Swamp:** Located southwest of the City of Florence
- **Polk Swamp:** Located in the northeast part of Florence County
- **Sparrow Swamp:** Situated south of Timmons ville
- **Snow's Island:** Located in the southeastern most tip of the County near Johnsonville

### Branches

- **Alligator Branch:** Located between US 52 and Savannah Grove Road
- **Barfields Old Mill Branch:** Located northeast of Pamplico
- **Bay Branch:** Located in the Cartersville Township, west of Timmons ville
- **Big Branch:** Located near Danwood
- **Bigham Branch:** Located north of Pamplico



- **Boggy Branch:** Located in the northeast part of County
- **Bullock Branch:** Located southeast of Pamplico
- **Bushy Branch:** Runs through Olanta and into Douglas Swamp, just south of Olanta
- **Camp Branch:** Runs along Highway 403, towards Lake City
- **Cane Branch:** Located in the north central part of County
- **Claussen Branch:** Located in the northeast part of County
- **Gum Branch:** Located on Cane Branch Road
- **Long Branch:** Located in the northeast part of County
- **McCall Branch:** Located west of Evergreen
- **Meadow Prong Branch:** Located in Effingham, west of Savannah Grove Road
- **Middle Branch:** Situated in the northern part of County
- **Mill Branch:** Located on the eastern part of the County, north of Pamplico
- **Mill Pond Branch:** Located southwest of Pamplico
- **Pole Cat Branch:** Located near Lynch Cross Roads, west of Coward
- **Two Mile Branch:** Located west of Scranton (1997 Comprehensive Plan)

#### Creeks

- **Adams Creek:** Located in the northern part of County
- **Beaver Dam Creek:** Located northwest of the City of Florence
- **Black Creek:** Located north of Quinby
- **Clarks Creek:** Marks a portion of the southeastern County line
- **Cypress Creek:** Located near Evergreen
- **Deep Creek:** Located north of Johnsonville
- **High Hill Creek:** Located between Coward and Scranton
- **Jeffries Creek:** Runs through the northern portion of the County from the Darlington County line in the west to the Pee Dee River in the east
- **Muddy Creek:** Runs along the southern portion of the County line near Johnsonville
- **Willow Creek:** Located near Evergreen (1997 Comprehensive Plan)

#### Carolina Bays

While many of the natural resources in Florence County are clearly identifiable and understandable, there is one natural phenomenon that has varying explanations for how they came to exist. The following information is taken from a brochure from US Fisheries and Wildlife to assist in explaining this resource. Carolina Bays are small wetland depressions which are symmetrically oval in shape. When seen from the air, they are very distinct and the long axis of the oval is always oriented northwest to southeast. These wetlands occur only in the coastal plain regions of North Carolina, South Carolina, and Georgia and vary in size from one acre to thousands of acres. The origin of Carolina Bays is a mystery. Some theories include: meteor showers, ocean currents, and sinkholes, but each theory has at least one flaw to disprove it. There are several different vegetative structures found in Carolina Bays based on the depression depth, size, hydrology, and subsurface. The map below shows Woods Bay located in Florence County, near Olanta.

The map below shows Woods Bay located in Florence County, near Olanta. Woods Bay consists of 1,590 acres including marsh, sand hills, oak, hickory forest and a shrub bog. More than 75 species of mammals, reptiles and amphibians are found here, along with more than 150 species of birds. Woods Bay State Natural Area offers a close-up look at one of the last remaining large Carolina Bays on the Atlantic Coastal Plain.



Kingsburg Bay is a very unique Carolina Bay in Kingsburg, Lower Florence County that is being extensively studied for its unique plant and animal communities.

Figure 3-5 Carolina Bay



Map courtesy of the Florence County Planning Department

Some bays are predominately open water areas with large scattered pond cypress trees, while others are very thick, shrubby areas. A list of the bays in the County is given below. There are also numerous smaller and unnamed bays in the County that may not be named here.

#### Bays

- **Alligator Bay:** Located near the Evergreen Community
- **Big Bay:** Situated southeast of Scranton
- **Ben Gause Bay:** Located near Lynches River County Park
- **Carolina Bay:** Located in southwest portion of County
- **Cox Bay:** Located southeast of New Hope
- **Cypress Bay:** Located near Highway 46 close to the Evergreen Community
- **Dials Bay:** Located near Highway 51 close to the Evergreen Community
- **Green Bay:** Situated on the east side of Florence County, south of Highway 76
- **Green Spring Bay:** Located near the Evergreen Community
- **Gregg Bay:** Located southwest of Evergreen near Highway 149
- **Kingsburg Bay:** Located in Kingsburg, Lower Florence County, on Chinaberry Road
- **Maple Bay:** Located near the Evergreen Community
- **Mill Bay:** Located north of Lake City
- **Morris Bay:** Located near the Effingham Community
- **Sand Hill Bay:** Situated near Effingham
- **Tans Bay:** Located off Highway 35 (John Paul Jones Road) near Perkins Crossroads
- **Turner Bay:** Located near Highway 149 near the Evergreen Community
- **Whites Bay:** Located near Highway 301, southwest of Cusaac's Crossroads
- **Woods Bay:** Located south on Highway 58 toward Shiloh, Woods Bay Rd(Hwy 48)



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## SURFACE WATER QUALITY

In 1972 Congress enacted the Clean Water Act ("CWA" or "the Act") "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters" so as to support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water. SC DHEC has been delegated as the authority to implement the provisions of the CWA through S.C. Regulation 61-68, *Water Classifications and Standards* and S.C. Regulation 61-69, *Classified Waters*. Regulation 61-68 establishes water classifications based on designated uses (DUs) tied to water quality standards and criteria.

By federal law, the waters classified for regulation under the Clean Water Act are those defined as all the "waters of the United States" (33 CFR Part 328). These generally include all natural surface waters including some wetlands. A complete list of water bodies and their specific classification can be found in S.C. Regulation 61-69, *Classified Waters*.

The types of classified waters in Florence County are listed below along with their designated uses (DU). Examples of the most important DUs are: (1) supports recreational activity, (2) supports aquatic life, (3) drinking water source. For each classification, a set of water quality standards and criteria exist. Failure to maintain these standards is taken as evidence of lack of attainment of designated use. SC DHEC is charged with monitoring compliance with the water quality standards. It is the intent and purpose of the regulations that waters that meet the standards shall be maintained and waters that do not meet the standards shall be improved (SCDHEC, State of South Carolina Integrated Report for 2004, Part II: Assessment and Reporting, 2004).

- **Class ORW**, or "outstanding resource waters," is freshwater or saltwater which constitute an outstanding recreational or ecological resource, or those freshwaters suitable as a source for drinking water supply purposes, with treatment levels specified by the Department.
- **Class FW**, or "freshwater," is water suitable for primary and secondary contact recreation and as a source for drinking water supply, after conventional treatment. These waters are also suitable for fishing, and the survival and propagation of a balanced indigenous aquatic community of fauna and flora. This class is also suitable for industrial and agricultural uses.

Every two years, SCDHEC is required to report which waterbodies fail to meet water quality standards and hence are not attaining their designated uses. This is referred to as the 303(d) list of impaired waterbodies. The 2004 and 2006 lists for waters and sediment in Florence County is provided in Table 3-9. It is based on samples collected between 2000 and 2004. Sites are listed by water or sediment quality criteria that have been violated, such as adequate dissolved oxygen, or excessively high turbidity, fecal coliform, heavy metals or pesticides.

It is important to note that the 2006 sampling periods, 2000 – 2004 included years during which Florence County was in a period of severe drought, i.e., 1999 – 2002. Higher rainfall would be expected to result in lower water quality due to pollution from stormwater runoff.

The following are abbreviations for uses which support a particular activity as determined by SCDHEC:

- AL- Aquatic Life Use
- REC-Recreational Use/Swimming
- FISH-Fish Consumption



Table 3-9 2006 List of Impaired Waters

Station Number	Waterbody	County	Use	Cause
PD-230	Middle Swamp @ SC 51 3.5 mi. SSE of Florence	Florence	AL	DO
PD-230	Middle Swamp @ SC 51 3.5 mi. SSE of Florence	Florence	REC	FC
PD-065	Gulley Branch @ S-21-13 Timrod Park	Florence	AL	BIO
PD-256	Jeffries Creek @ S-21-112 4.8 mi. W of Florence	Florence	AL	DO
PD-256	Jeffries Creek @ S-21-112 4.8 mi. W of Florence	Florence	REC	FC
PD-167	Willow Creek @ S-21-57	Florence	REC	FC
PD-630	Willow Creek @ SC 327	Florence	AL	BIO
PD-231	Jeffries Creek UN # RD 3.3 mi ESE of Claussen	Florence	AL	CU
PD-622	Great Pee Dee River @ Dewitt Bluff	Florence	Fish	HG
PD-076	Great Pee Dee River @ Poston Ellisons	Florence	Fish	HG
MD-662	Great Pee Dee River @ Bostick	Florence	Fish	HG
PD-623	Black Creek @ SC 327	Florence	Fish	HG

Source: SCDHEC, 303 (d) List of Impaired Waterbodies 2006  
[https://www.scdhec.gov/environment/water/docs/06\\_303d.pdf](https://www.scdhec.gov/environment/water/docs/06_303d.pdf)

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Water Quality Indicators used in Table 3-9 are provided below:

Table 3-10 Common Water Quality Indicators

Parameter	Abbreviation	Water Quality Effect
Dissolved Oxygen	DO	Essential for the survival of aquatic organisms. If the amount of oxygen dissolved in water falls below the minimum requirements for survival, aquatic organisms may die. Pollution also can cause declines in DO. Decreasing DO is a negative water quality indicator of aquatic life.
Turbidity	TURB	Turbidity is an expression of the scattering and absorption of light through water. The presence of clay, silt, fine organic and inorganic matter, soluble colored organic compounds, and plankton and other microscopic organisms increases turbidity. Increasing turbidity can be an indication of increased runoff from land and is a negative water quality indicator.
Heavy Metals	CU, ZN, NI	These metals are toxic to aquatic life. They are introduced into natural waters by runoff from roads as the metals are common components of automobiles and gasoline.
Macro-Invertebrates	BIO	The abundance and diversity of the native macro invertebrates is used as a biotic indicator of ecosystem health. High abundance and diversity indicate water quality and habitat are in excellent condition. The use of this indicator requires knowledge of "natural" abundance and diversity.
Fecal Coliform Bacteria	BACT	Coliform bacteria are present in the digestive tract and feces of all warm-blooded animals. Their presence indicates that surface waters may contain pathogenic microbes. Correlations have been shown between fecal-coliform numbers in recreational and drinking waters and the risk of adverse health effects. Increasing bacteria levels is a negative water quality indicator for recreational use.

Source: SCDHEC, Watershed Water Quality Report, Pee Dee Basin, 2000

Since 1976, SC DHEC has been monitoring fish for pollutants (<http://www.scdhec.gov/environment/water/fish/index.htm>). Most of the fish sampling sites in Florence County have been continuously 303(d)-listed for mercury contamination. This has led to the posting of fish consumption advisories (Table 3-12). For reasons not understood, the mercury concentrations in fish from the Pee Dee are the highest in the State.



Table 3-11 Sites on the 2006 303(d) List for Mercury Contamination in Fish

TIME TARGET DATE	LOCATION	STATION
	BLACK CREEK @ SC 327	PD-623
	GREAT PEE DEE RIVER @ HWY 378	PD-076
	GREAT PEE DEE RIVER @ DEWITTS LANDING	PD-622
	GREAT PEE DEE RIVER @ BOSTICK	PD- 662

SCDHEC protects public health by issuing fish consumption advisories based on their 303(d) list: [https://www.scdhec.gov/environment/water/docs/06\\_303d.pdf](https://www.scdhec.gov/environment/water/docs/06_303d.pdf)

The 2007 Fish Consumption Advisories are provided in the following table.

Table 3-12 2007 Fish Consumption Advisories

WATERBODY	LOCATION	SPECIES OF FISH	ADVISORY
Great Pee Dee River	From NC/SC State Line to the Great Pee Dee River	All Other Fish	1 meal a month
		Bowfin (Mudfish)	DO NOT EAT ANY
		Chain Pickerel	DO NOT EAT ANY
		Flathead Catfish	DO NOT EAT ANY
		Largemouth Bass	DO NOT EAT ANY
	From the NC/SC State Line to U.S. Hwy 17	Black Crappie	1 meal a week
		Blue Catfish	1 meal a week
		Bluegill	1 meal a week
		Channel Catfish	1 meal a week
		Redear Sunfish	1 meal a week
	From the NC/SC State Line to U.S. Hwy 17	Warmouth	1 meal a week
		Chain Pickerel	1 meal a month
		Bowfin (Mudfish)	DO NOT EAT ANY
		Largemouth Bass	DO NOT EAT ANY

Source: SCDHEC (<http://www.scdhec.net/environment/water/fish/advisories.htm>)  
[https://www.scdhec.gov/environment/water/docs/06\\_303d.pdf](https://www.scdhec.gov/environment/water/docs/06_303d.pdf)



Section 303 of the Clean Water Act also established the principle of the total maximum daily load (TMDL) as a means of reducing water pollution in impaired waters. A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards. It is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources and includes a margin of safety and consideration of seasonal variations (SCDHEC).

Sites on the 303(d) list are required by the CWA to develop a Total Maximum Daily Load (TMDL). This is a pollution source budget that identifies the loading reductions required to enable the receiving waters to attain water quality standards. A TMDL for dissolved oxygen was approved in 1999 for the Great Pee Dee River. This was required for approval of NPDES discharge permits for the sewage treatment plants. SC DHEC has set target dates for development of the remaining TMDLs. At this time, implementation of the TMDLs is strictly voluntary with financial incentives available through US EPA 319 grant funding. This voluntary status is subject to change as a new regulatory program is expected to increase local responsibilities for insuring improved water quality in stormwater runoff (National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Program for Small Municipal Separate Storm Sewer Systems (SMS4s)).

Approved Total Maximum Daily Load:

TMDL Document	Number of Stations	Parameter of Concern	Status
Pee Dee Basin	3	Fecal Coliform	Completed and Approved
Thompson Creek	2	Fecal Coliform	Approved and Implementing

Regulatory monitoring associated with the CWA has been conducted by SCDHEC. This monitoring is done on a watershed basis. Due to financial limitations, sampling efforts are concentrated on a rotating basis amongst the eight basins in South Carolina such that each basin is studied at least once every five (5) years (SCDHEC, URL: <http://www.scdhec.net/environment/water/shed/prog.htm>).

The last intensive study of the Pee Dee and Coastal water basins was conducted in 2003 and the next is scheduled for 2008. During the off years, only two sites are sampled once a month. Detailed watershed water quality assessment reports summarizing the monitoring data are issued every five (5) years. (SCDHEC, URL: <http://www.scdhec.net/eqc/admin/html/eqcpubs.html#watershed>).

Other monitoring efforts include continuous water quality and quantity sensors maintained by the USGS. This data collection supported the development of the DO TMDL. As indicated in Table 3-9 at least two sites covered by this TMDL continue to experience declining DO (dissolved oxygen) and show no improvement. Since severe cuts were made to permitted discharges from the sewage treatment plants, the continuing decline in water quality is attributed to an increase in stormwater runoff. This source of oxygen demand was not explicitly included in the DO TMDL and hence is not currently being monitored or controlled.

To support the increased demands of the new NPDES Phase II Stormwater Program, Florence County is now directly linked to the U.S. Geological Survey (USGS) to maintain continuous water quality and quantity sensors in Lynches River. The data from these sensors is made available in realtime to the public through the USGS website (<http://waterdata.usgs.gov/sc/nwis/rt>).



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## Wetlands

Wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils (EPA- ACOE, Wetland Definition). Wetlands are essential components of the landscape of Florence County. Their functions are multiple and diverse and include:

- Critical breeding, nesting, and feeding habitats for many species of waterfowl, mammals, and reptiles
- Water quality protection and enhancement by moderating surface runoff, recharging groundwater supplies, and trapping and removing sediments, nutrients, and chemical pollutants
- Spawning and nursery grounds for many commercial fish and shellfish species
- Flood hazard reduction by reducing the velocity of flowing water, absorbing and slowly releasing floodwaters, thereby lowering flood peaks
- Recreational opportunities for bird watchers, hunters, canoeists, anglers, and others.

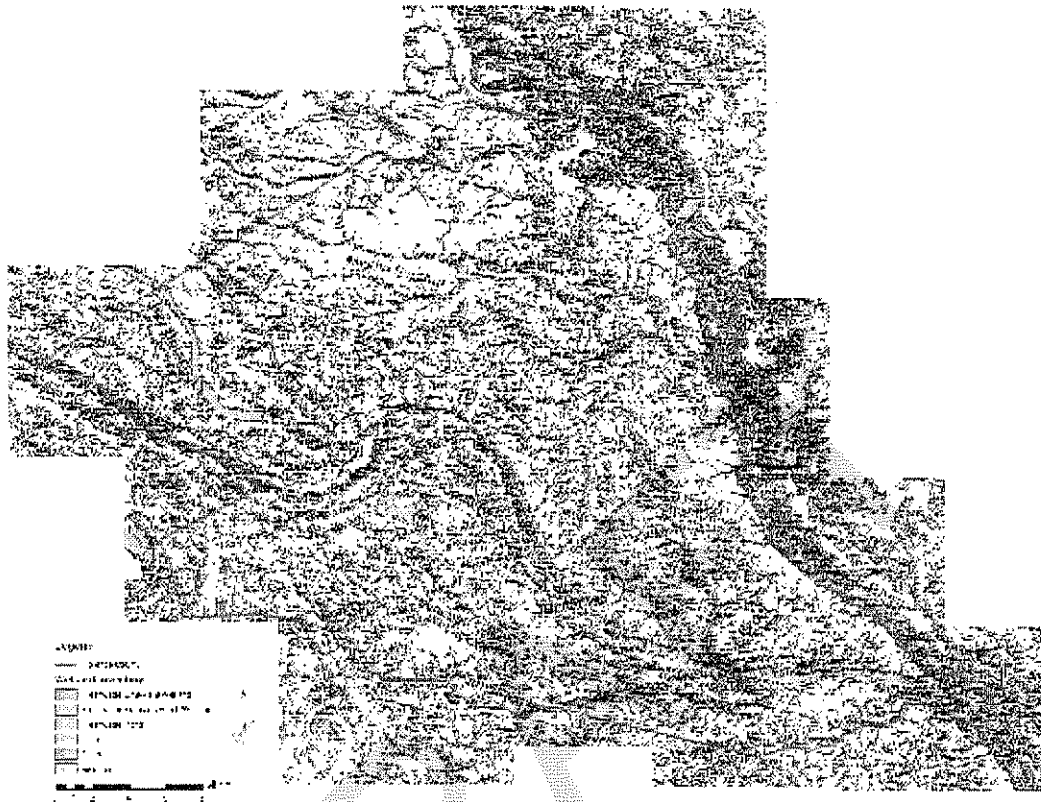
There are about 4.5 million acres of wetlands in South Carolina, about 23.4 percent of the state's land surface. Only four states – Alaska, Florida, Louisiana and Maine have a higher percentage of wetlands than South Carolina (SCDHEC, The Facts on Wetlands). Florence County is approximately 44% wetlands (Tiner et al, 2002). As shown in Figure 3-6, wetlands are a major feature of the landscape in our county. Historically, the value of wetlands has been misunderstood, resulting in the destruction of more than 50 percent of the United States' naturally occurring wetlands. In the past two decades, 84 percent of wetlands losses have occurred in the southeastern United States.

The last Wetlands inventory for Florence County was done in 1993. One goal is to have a current wetlands inventory done for the entire County in the next five years showing remaining isolated wetlands, wetlands placed in mitigation.

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Figure 3-6 Florence County Wetland Inventory



Source: U.S. Fish and Wildlife Service

Since the enactment of the Federal Clean Water Act, the U.S. Army Corps of Engineers has issued permits to discharge material into waters of the United States, which includes wetlands (404 Certification). As the lead agency permitting activities in wetlands, the Corps determines what areas are wetlands and subject to federal regulations. Many states have a wetland permission program to augment the Federal program. South Carolina does not. This leaves several types of activities in wetlands unregulated including: discharge of untreated stormwater into wetlands, ditching to drain wetlands, and exempted activities such as silviculture (fisheries). In South Carolina, several state programs that regulate activities in wetlands areas are tied to the Federal permitting program. The SCDHEC's Bureau of Water must issue a water quality certification for every federal permit that allows a discharge to state waters, including wetlands (401 Certification). SCDHEC's Office of Ocean and Coastal Resource Management (OCRM) must certify that any federal action in the coastal zone is consistent with state's coastal zone management plan. Activities in tidal wetlands require a permit from OCRM (Wetlands and Their Importance, DHEC). As of 2007, Florence County has no wetland mitigation banks.

Carolina Bays are isolated wetlands in natural shallow, elliptical, depressions that are largely fed by rain and shallow groundwater. Researchers believe Carolina Bays are 30,000 to 100,000 years old, yet scientists are not certain of their origins. They are found primarily in North and South Carolina and Georgia but range from Florida to Delaware. They fill with rainwater during winter and spring and dry during summer months. When left in an unaltered condition, these



bays are generally considered to be an isolated, freshwater wetland. The bays provide many of the values associated with wetlands including stormwater storage, water quality enhancement, and habitat for many wildlife species. Each bay may range in size of less than one acre to more than 1,000 acres. Only 10% of the original bays remain. More than 97% of the Carolina bays once found in South Carolina have been destroyed or severely altered (University of Georgia, Carolina Bays Fact Sheet).

The Natural Resource Conservation Services (NRCS) Wetland Reserve Program (WRP) provides cost-share to landowners to protect these wetland areas. The impact of this successful project has helped other counties restore and mitigate for the loss of wetlands. One possible goal for Florence County is to identify these special areas and to work closely with NRCS and landowners to place these areas in Wetland Reserve Programs for protection.

The City of Florence has implemented a special conservation/reserve program for setting aside sensitive areas of wetlands and open space for protection. In addition, they have implemented a Jeffries Creek Overlay Ordinance that that protects 30 feet of the riparian buffer adjacent to Jeffries Creek in the city.

## FLOODPLAINS

Florence County has 22% of total land area composed of 100 year flood plain. Floodplains perform important natural functions including:

- Temporary storage of floodwaters,
- Moderation of peak flows,
- Maintenance of water quality,
- Groundwater recharge,
- Erosion prevention,
- Wildlife habitat,
- Recreational opportunities.

## FLOOD HAZARD AREAS

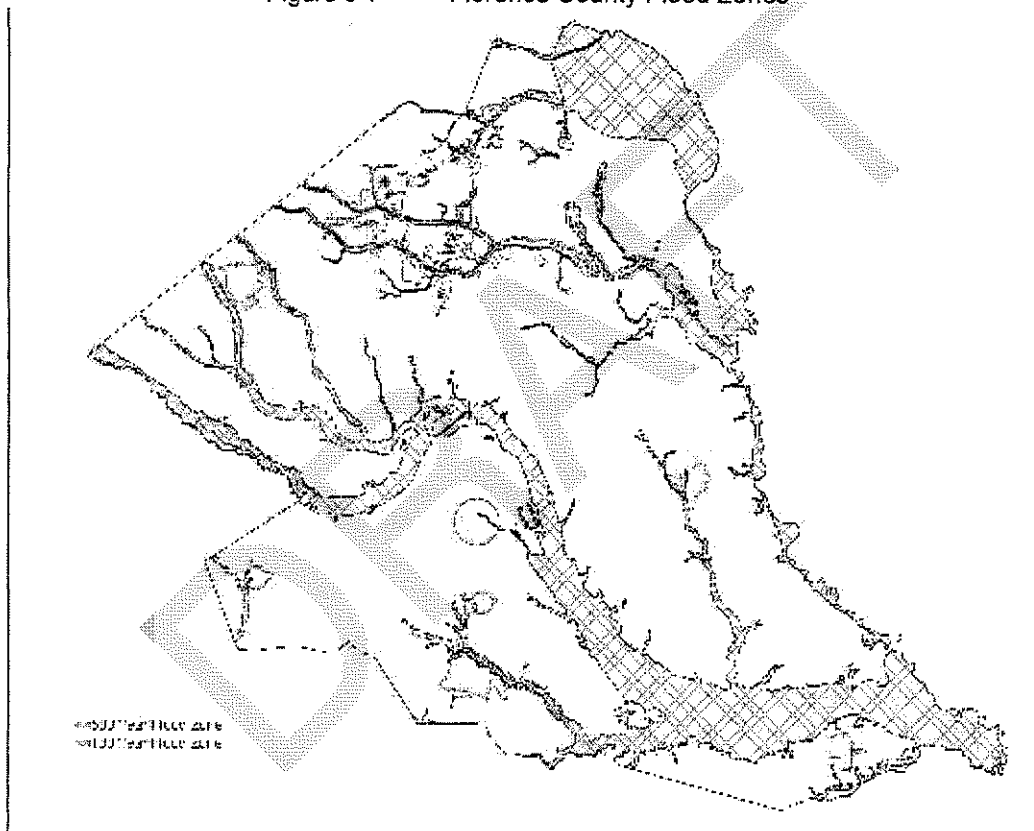
Flood hazard areas are locations that are generally in and around water streams and bodies that are prone to rising waters. The flood hazard areas of Florence County are classified either by the 100 year Flood Zone area or the 500 year Flood Zone area. The 100 year Flood Zone is defined as an area having a 1% chance of being inundated with floodwaters in any given year. Other terms used for this area are "base-flood" or "1% chance flood." The 500 year Flood Zone is defined as an area of moderate flood hazard. (SCDNR, Regulations for Floodplain Management). To put this into perspective, a home, for example, that lies in a flood hazard area may have a 0.6% chance of experiencing some form of flood damage during the term of a typical 30-year mortgage (Internet 16).

The floodway of a body of water is the area that carries the most significant amount of floodwater during a flood. Therefore, these areas are likely to have the deepest and fastest water. Floodways must be kept open and free of obstructions to allow floodwaters to move downstream and not be diverted onto other properties. Placing fill or buildings in a floodway may block the flow of water and increase flood heights. Although the FEMA National Flood Insurance Program (NFIP) does allow development in these areas as long as it does not obstruct water flow, Florence County should still be cognizant of limiting development in the floodways.



With the many waterways and tributaries in and around Florence County, there are flood hazard areas in nearly every part of the County. In the northern part of the County, where the borders of Darlington, Dillon, and Marlboro counties are located, there is an extensive flood hazard area connected with the waters of the Pee Dee River and Black Creek. On the northwest side of the County, Jeffries Creek and several other swamps enter the County. These tributaries all have flood hazard areas associated with the land adjacent to their banks. Most of the southeastern portion of the County and the entire eastern borders abutting Marion County are within the flood hazard area associated with the Pee Dee River. Lynches River also has an extensive flood hazard area on the western side of the County, which forms part of the border with Lee and Sumter counties. The flood hazard area of the Lynches River continues through the County following the floodway of the river down through the Johnsonville area, where the Lynches and Pee Dee Rivers meet. The map below is a visual display of this information.

Figure 3-7 Florence County Flood Zones



Map courtesy of the Florence County Planning Department

In Florence County, flooding may naturally occur. However, development can also affect the levels of floods. According to an article in the July 2006 edition of Planning, land development can dramatically alter hydrology. On an undeveloped site, precipitation can either soak into the ground by infiltration to be used by existing vegetation or return to the atmosphere through evaporation. When new houses are built, natural landscapes are converted to lawns, surfaces are paved for parking lots, and other forms of impervious cover are introduced. As a result infiltration and evaporation rates decrease and the amount of surface runoff increases. The same amount of rainfall may cause more surface runoff and more flooding after development than



before (Meenar, Duffy, & Bari). To help with this, Florence County currently has a flood damage control ordinance and also participates in the National Flood Insurance Program. All regulations for these items are currently administered by the Florence County Planning Department.

The National Flood Insurance Program (NFIP) requires participating counties and towns to issue permits for construction in the 100-year floodplain. If state and federal permits are required, development may not begin until all necessary permits are issued. Proposed development must not increase flooding or create a dangerous situation during flooding, especially for adjacent or nearby property owners. Structures must be built to minimize damage during flooding (SCDNR, Regulations for Floodplain Management).

In 1998, the Federal Emergency Management Agency (FEMA) designated the City of Florence as the first Project Impact Community in South Carolina. A Hazard Evaluation Plan was the first step in determining the risks in the Florence area. Several committees involving both the private and public sectors have addressed these risks and developed the following mitigation actions:

- Hurricane Awareness displays at Lowe's Home Improvement stores and other local events,
- Employee Hazard Awareness events at local industries and businesses,
- Hurricane Hunter exhibit at Florence airport in cooperation with Florence County Emergency Preparedness, National Weather Service and Pee Dee Electric Cooperative,
- Florence Area Household Hazardous Waste Collection Days, (Ongoing annual event)
- City of Florence Hazard Awareness Calendar 2001 distributed to over 13,000 households,
- Public notices regarding flood risks, flood insurance and suggested mitigation actions.

\* For further Stormwater related information and NFIP minimums for building in flood zones, or to obtain copies of the Stormwater Ordinance and Design Manuals, go to the Florence County Government website at <http://www.florenceco.org>.

## **THREATS TO NATURAL RESOURCES**

### **WATER QUANTITY**

In 1900 total water use was 430 billion m<sup>3</sup> (cubic meters) in South Carolina. By 2000 it was 6,050 billion m<sup>3</sup> which reflects 14 fold increase over the 20<sup>th</sup> century. Some regions are facing severe problems due to scarcity of water resources and pollution of natural waters. In 1900 the relative water use was 81.4% for agriculture, 7.0% for industry, and 4.7 % for urban purposes. By 2000 the relative water use was 56.7% for agriculture, 31.7% for industry, and 3.7% for urban purposes. (Kandratyev et al., 2003)

The per capita renewable fresh water supply is rapidly declining, especially in dry and hot climates. There may be 1-3 billion people experiencing water stress by 2025 (Gardener-Outlaw and Engleman, 1997).

There is a wealth of published scientific data on methods of land development, erosion control, water quality management, and soil fertility management. It is important to strengthen channels of





communication between scientists and policy makers so that valuable and credible scientific data and practical technology can be translated into simple language that policy makers can understand and use to implement constructive strategies for the future.

Intra-basin water withdrawals are currently not regulated by the state. With potential long term water supply crisis facing South Carolina and our neighboring state and the present state of MODERATE to SEVERE DROUGHT PHASE continuing across the state, a water conservation and management plan should be addressed.

In recognition of declining groundwater levels and depletion of local aquifers S.C. Department of Health and Environmental Control has designated the Pee Dee region as a Capacity Use Area. Capacity Use Area designation, according to Title 49 Chapter 5 of the South Carolina Code of Laws, requires that "groundwater resources of the state be put to beneficial use to the fullest extent to which they are capable, subject to reasonable regulation, in order to conserve and protect these resources, prevent waste and to provide and maintain conditions which are conducive to the development and use of water resources."

Where large amounts of groundwater pumping has caused or will cause a problem, such as saltwater contamination of lower water levels in nearby wells, a Capacity Use Area may be designated by DHEC. There are currently four Capacity Use Areas in South Carolina: the Low Country, Trident, Waccamaw, and the Pee Dee (Darlington, Dillon, Florence, Marion). The purpose is not to prevent the use of or limit access to the groundwater resource, but to ensure that this important resource is available for everyone to use. Large users, such as industries or water suppliers, who plan to pump more than 3 million gallons a month must receive a permit and report the amount withdrawn each year. The Pee Dee Capacity Use Area was designated in 2006. At this point, a large-scale switch was made to use treated surface water as the primary drinking water source for Florence County. A capacity use program for groundwater withdrawals covers only large volume users.

In order to more responsibly manage Florence County's groundwater resources, the county should consider adopting mechanisms, such as watershed management plans, which would provide additional protection to designated critical water resource areas, including selected watersheds. Additional considerations could include land use, development and building regulation revisions to encourage water conservation.

In 1996, various amendments to the federal Safe Drinking Water Act (SDWA) provide for a greater focus on pollution prevention as an approach to protecting surface water and groundwater supplies from pollution. The amendments require SCDHEC to provide Source Water Assessments to federally defined public water supply systems. SCDHEC has now generated assessment reports for all federally defined public water supply systems (SCDHEC, URL: <http://www.scdhec.net/environment/water/srcewtr.htm>).

Improving water use efficiency, decreasing nonpoint source pollution, conserving soil and water resources and restoring degraded soils and ecosystems are important strategies for enhancing and improving supplies of fresh water resources. A County wide plan for water quantity/water conservation should be a near term County goal.

## WATER QUALITY

The primary threat to water quality in Florence County is from stormwater runoff and loss of natural filtration as a result of reduction of vegetated riparian buffers and wetlands. Over the past several years, Florence County has experienced unprecedented growth. This increased development alters the surface of the land by replacing natural cover with rooftops, roads, parking

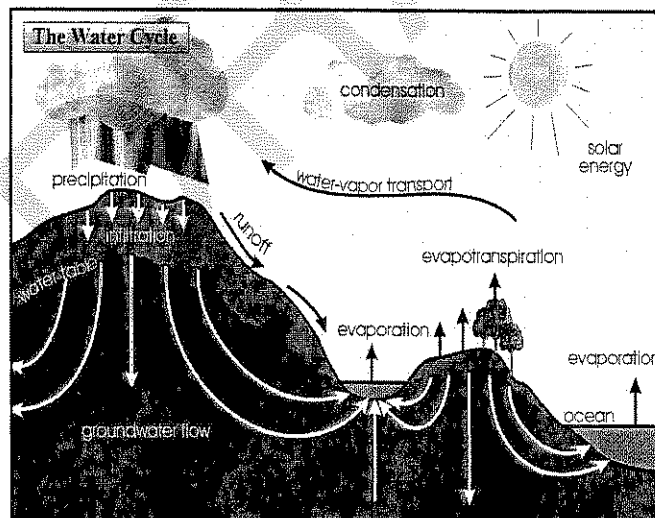


lots, driveways and sidewalks. These hard surfaces are impermeable to rainfall and are collectively known as impervious cover (Center for Watershed Protection).

Over 200 watershed studies have shown that impervious cover and the polluted run off from that impervious cover can have a negative impact on the quality of our nation's aquatic resources. Non-point source pollution (NPS) is the technical term for polluted runoff. It occurs when water flowing over the land picks up an array of contaminants, which find their way into our waterways, either directly or through storm drain collection systems. The term non-point is used to distinguish this type of pollution from point source pollution, which comes from specific sources such as industrial facilities or sewage treatment plants. The Environmental Protection Agency has estimated that NPS is the single largest cause of the deterioration of our nation's water quality. Polluted runoff is largely the result of the way we develop, use and maintain our land. (SCNEMO—Non-Point Education for Municipal Officials: [www.scseagrant.org/scnemo/factsheets.htm](http://www.scseagrant.org/scnemo/factsheets.htm)).

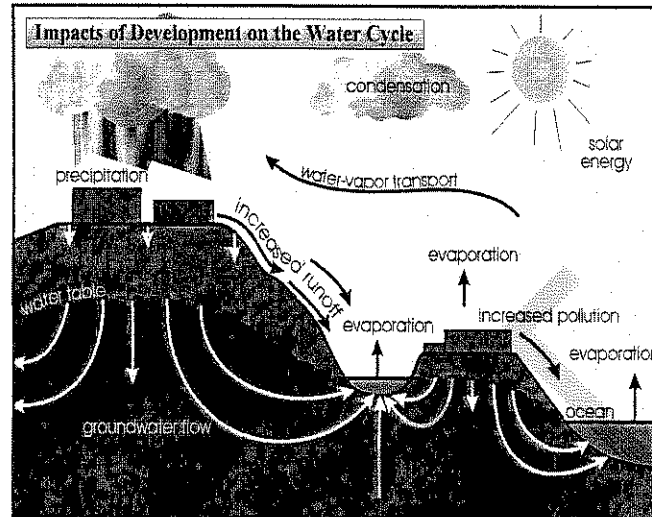
When development occurs, the resultant alterations to the land can lead to dramatic changes to the hydrology, or the way water is transported and stored. Impervious man-made surfaces (roads, driveways, rooftops) and compacted earth associated with development create a barrier to the seepage of rainfall into the soil, thus increasing surface runoff and decreasing groundwater infiltration. This disruption of the natural water cycle leads to a number of changes, including: 1) increased volume and velocity of runoff, 2) increased frequency and severity of flooding, 3) peak (storm) flows many times greater than in undisturbed eco-systems, 4) loss of natural runoff storage capacity in vegetation, wetlands, and soil, 5) reduced groundwater recharge and 6) decreased base flow, the groundwater contribution to stream flow. (Impacts of Development on Waterways, Nonpoint Education for Municipal Officials, NEMO).

Figure 3-8 Natural Water Cycle



Source: NEMO, Linking Land Use to Water Quality

Figure 3-9 Development Impacts to the Water Cycle



Source: NEMO, Linking Land Use to Water Quality

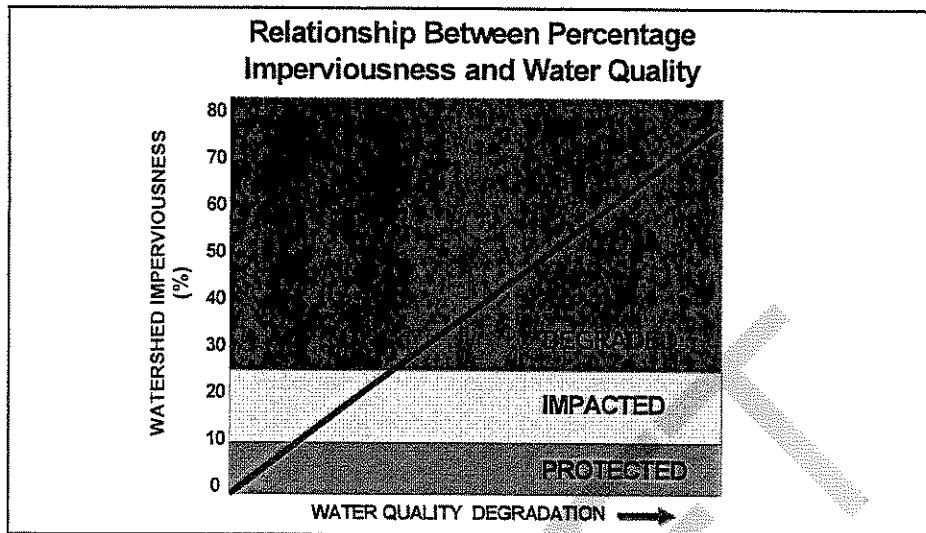
Development results in more intensive land use and a related increase in the generation of pollutants. Increased runoff serves to transport these pollutants directly into waterways, creating nonpoint source pollution, or polluted runoff. Stormwater runoff is widely recognized by environmental scientists and regulators as the single largest threat to water quality in the United States. (NEMO)

The hydrologic, physical and ecological changes caused by development can have a dramatic impact on the natural function of our waterways. When increased pollution is added, the combination can be devastating. In fact, many studies are finding a direct relationship between the intensity of development in an area - as indicated by the amount of impervious surfaces - and the degree of degradation of its waterways. These studies suggest that water quality begins to degrade at impervious levels of 12% to 15%, or at even lower levels for particularly sensitive waters. (NEMO)

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Figure 3-10 Analysis Between Water Quality and Impervious Surface



Source: Adapted from Schueler, et al, 1992

The figure above shows the relationship between impervious land coverage and water quality. Pervious surfaces including wetland systems provide drainage, aquatic habitat, and a degree of pollutant removal through natural processing. (NEMO)

There are several widely accepted methods to accommodate development in a way that addresses stormwater runoff and its environmental effect including low impact development techniques.

Low Impact Development (LID) techniques provide ways to simultaneously incorporate economic and environmental considerations into the land development process in order to keep the perviousness of the land as close to pre-construction levels as possible. This approach uses various planning and design practices and technologies to simultaneously conserve and protect natural resource systems while reducing infrastructure costs. LID still allows land to be developed, but in a cost-effective manner that helps mitigate potential environmental impacts. LID is best suited for new, suburban development. Developers who have used LID practices and technologies have indicated that one of the keys to a successful project is to invest additional time and money in the initial planning stages of development. While this idea may be unpopular because of increased up-front costs, the expenditures are often recouped in the form of rapid home sales, enhanced community marketability, and higher lot yields (National Association of Home Builders, The Practice of Low Impact Development, 2003).

LID deals mainly in three major development topics: stormwater management, wastewater management and circulation design. LID storm water management systems can reduce development costs through the reduction or elimination of conventional storm water conveyance and collection systems. LID systems can reduce the need for paving, curb and gutter, piping, inlet structures, and storm water ponds by treating water at its source instead of at the end of the pipe. However, developers are not the only parties to benefit from the use of LID storm water management techniques. Municipalities also benefit in the long term through reduced maintenance costs. When dealing with wastewater, the LID approach gives developers a variety



of on-site wastewater treatment system options either as alternatives or enhancements to conventional septic systems. LID designs for streets, sidewalks, and driveways can maintain the functions of circulation while helping to reduce expanses of impervious surfaces that can alter local hydrology and degrade water quality. In turn, new street designs can influence the layout of lots and help to increase the volume of open space in new residential developments. When coupled with narrower, open-section streets, a well-designed street layout can eliminate hundreds of square feet of impervious surface. Depending on the density, location, and type of subdivision, different types of street layouts may easily lend themselves to a cluster arrangement, conserving natural features, maintaining open space, and protecting water quality (National Association of Home Builders, *The Practice of Low Impact Development*, 2003).

## **PLANT/ANIMAL HABITATS & ENDANGERED SPECIES**

Within the many forested areas of Florence County are the habitats of a host of animal species that make the County and the surrounding areas their home. More specifically, Florence County's animal life includes woodcock, snipe, ducks, mergansers, coots, Canada goose, deer, fox, raccoon, minks, otters, coyote, and bobcats.

The importance of the various animal species among the County's wildlife population is essential in the proper functioning of the entire biotic system in the region. Current knowledge of all the interrelated relationships between individual species is limited. The presence of some wildlife species helps to identify certain natural communities and plant life. The red cockaded woodpecker and the longleaf pine/grassland plant community are an example of community identification by association with the known habitat of the specific animal. This association may also be helpful in identifying disruptions in the natural habitat as the presence of such animal populations decline or change over time.

Table 3-13 shown on the page 34 lists plants and animals in the Florence County region that have been placed on the list of rare, endangered or threatened species. This information was gathered from the South Carolina Department of Natural Resources.

As indicated in this table, there are a variety of different plant and animal species in Florence County, many of which are threatened or endangered species. Therefore, special attention should be given to protecting the habitats of these species.

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Table 3-13 Endangered Plant & Animal Life: Florence County

COMMON NAME	SPECIES GROUP	GLOBAL DEGREE OF ENDANGERMENT	STATE DEGREE OF ENDANGERMENT	LEGAL STATUS
Georgia Leadplant	Plant	Very Rare or Restricted	Unknown	Of State Concern
Blue Maiden-Cane	Plant	Apparently Secure	Unknown	Of State Concern
Black-Stem Spleenwort	Plant	Demonstrably Secure	Critical or Imperiled	Of State Concern
Narrowleaf Sedge	Plant	Demonstrably Secure	Unknown	Of State Concern
Willdenow's Sedge	Plant	Demonstrably Secure	Reported, but lacking good documentation	Of State Concern
Meadow Sedge	Plant	Demonstrably Secure	Unknown	Of State Concern
Cayaponia	Plant	Apparently secure	Unknown	Of State Concern
Seabirds and/or Wading Birds	Birds	Unknown	Unknown	Of State Concern
Southeastern Tickseed	Plant	Very Rare or Restricted to Demonstrably Secure	Unknown	Of State Concern
Gravel Elimia	Snails	Apparently Secure	Unknown	Of State Concern
Bald Eagle	Birds	Apparently Secure	Imperiled	State Endangered as of June 28, 2007
Loggerhead Shrike	Birds	Apparently Secure	Rare or Uncommon	Of State Concern
Boykin's Lobelia	Plant	Imperiled to Very Rare or Restricted	Unknown	Of State Concern
Climbing Fern	Plant	Apparently Secure	Critical to Imperiled	Of State Concern
Carolina Bird-In-A-Nest	Plant	Imperiled to Very Rare or Restricted	Unknown	Of State Concern
Canby's Dropwort	Plant	Imperiled	Critical	Federal and State Endangered
Red-Cockaded Woodpecker	Birds	Very Rare or Restricted	Imperiled	Federal and State Endangered
Pickerel Frog	Amphibian	Demonstrably Secure	Unknown	Of State Concern
Awmed Meadowbeauty	Plant	Very Rare or Restricted	Imperiled	Of State Concern
May White	Plant	Imperiled	Imperiled	Of State Concern
Horned Beakrush	Plant	Apparently Secure	Reported, but lacking good documentation	Of State Concern
Tracy Beakrush	Plant	Apparently Secure	Unknown	Of State Concern
Stalkless Yellowcress	Plant	Demonstrably Secure	Unknown	Of State Concern
Chaffseed	Plant	Imperiled	Imperiled	Federal and State Endangered
Ovate Catchfly	Plant	Imperiled to Very Rare or Restricted	Unknown	Of State Concern
Broad-Toothed Hedge-Nettle	Plant	Demonstrably Secure	Critical	Of State Concern
Ovate Marsh Fern	Plant	Very rare or Restricted	Reported, but lacking good documentation	Of State Concern
Weak Nettle	Plant	Apparently to Demonstrably Secure	Unknown	Of State Concern

Source: South Carolina Department of Natural Resources (Internet 8)



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## AIR QUALITY

The quality of air in Florence County and throughout our region is important for a variety of reasons. The South Carolina Department of Health and Environmental Control (SCDHEC) identifies a range of air pollutants, six of which are currently the focus of air quality monitors throughout South Carolina due to their health concerns. While additional information on these pollutants is available from SCDHEC, it is important to describe one of them in great detail due to an agreement Florence County entered into with the SCDHEC and the Environmental Protection Agency (EPA). This agreement, known as the Early Action Compact, was developed at the end of 2002 and has an end date of December 31, 2007. The primary role of the Early Action Compact is to reach a standard of attainment for ozone, which is set by the EPA. According to the Ozone Fact Sheet provided by SCDHEC, the following facts explain several key points about ozone:

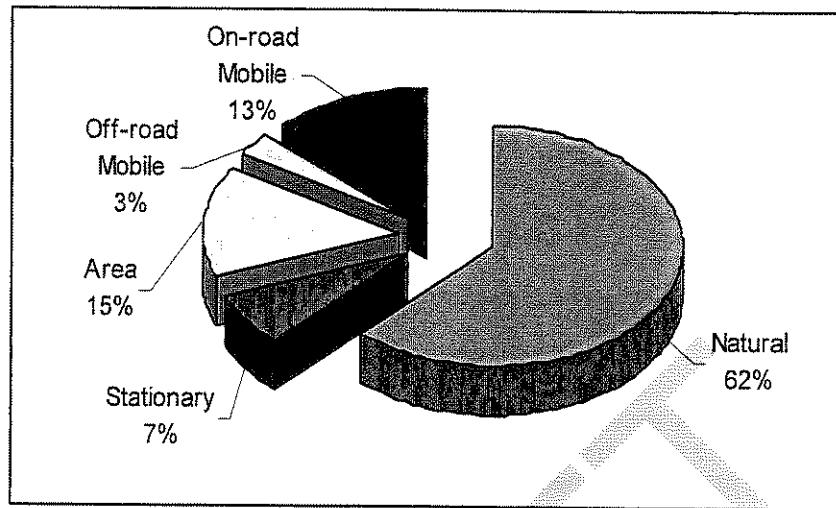
- Ten to fifteen miles above the earth, stratospheric ozone occurs naturally and protects us from exposure to the sun's ultraviolet radiation. At ground-level, ozone is a result of air pollution and can harm our health.
- Ground-level ozone is formed when two chemicals, nitrogen oxides (NOx) and volatile organic compounds (VOCs), react in the presence of heat and sunlight.
- NOx and VOCs are emitted when fossil fuels are burned. Some sources of these pollutants are cars, trucks, and industry. Other sources of VOCs include natural sources like pine trees, as well as vapors from paints, glues, and solvents.
- Ground-level ozone is a concern during the hot, summer months.
- Areas that usually have the most severe ground-level ozone problems include densely populated areas and areas with high levels of traffic.
- The Environmental Protection Agency sets standards for ozone and other air pollutants. For each pollutant, there are two standards. The primary standard is set to protect health, regardless of the cost. The secondary standard protects public welfare. Public welfare includes effects on soil, water, property, animals, and visibility.
- When the ground-level ozone level is high, it can cause eye irritation, headaches, dryness of the mouth and throat, shortness of breath, wheezing, and coughing.
- Children, the elderly, and people with pre-existing lung disease such as emphysema, asthma, and chronic bronchitis are especially sensitive to ground-level ozone. However, everyone is sensitive to high levels of ground-level ozone (Internet 17).

To further examine our sources of NOx and VOCs, the following charts may be useful:

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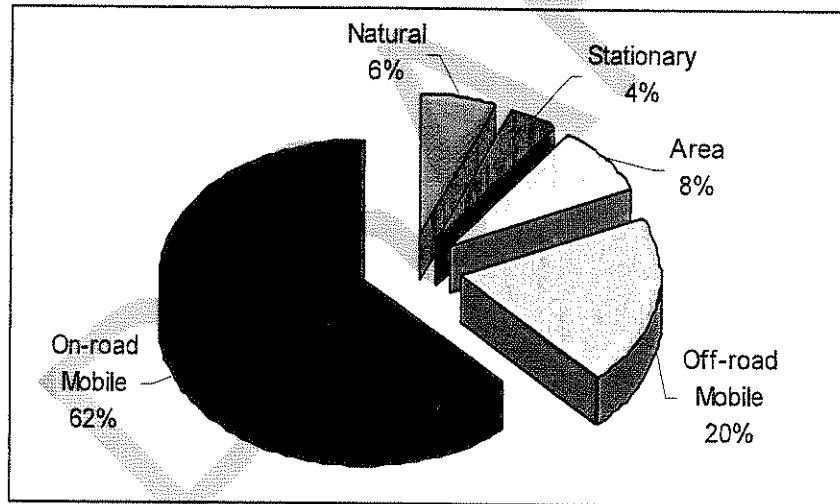


Figure 3-11 Sources of VOCs



Source: Environmental Protection Agency (Internet 9)

Figure 3-12 Sources of NOx



Source: Environmental Protection Agency (Internet 9)

According to the Florence County Early Action Plan, emissions of NOx and VOCs are precursors to the formation of ozone. South Carolina is sometimes referred to as "NOx limited." This means that small amounts of NOx enable ozone to form rapidly when VOC levels are relatively high, but ozone production is quickly limited by the removal of NOx. Under these conditions, NOx reductions are highly effective at reducing ozone while VOC reductions have little effect. With such a high percentage of NOx coming from on-road sources, it would appear that reductions from mobile sources would be most beneficial.

The Clean Air Act, which was last amended in 1990, requires the EPA to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. When the National Ambient Air Quality Standards are not met in a specified area, the area is designated





by the EPA as "non-attainment." If the area meets the standard they are designated "attainment." In a case that there is not enough data to make the designation, the EPA will designate the area as "unclassifiable."

Florence County is currently in attainment for ozone, however as the EPA continues to review the National Ambient Air Quality Standards, ozone and other pollutants, such as particulate matter, may become areas of concern. As part of the Early Action Compact and as a way to promote good air quality, Florence County is on the verge of launching a campaign known as Take a Break from the Exhaust (TABFTE). TABFTE is a project that was developed in 2001 by the Bureau of Air Quality (BAQ) to help reduce the amount of Vehicle Miles Traveled (VMT) in an effort to reduce Ground-Level Ozone. This program has become a successful tool that has been recognized by the Governor's office as the 2003 Pollution Prevention Award winner for state agencies (Internet 12). The program was proposed to Florence County. This program will be revisited as Florence County addresses new EPA Standards on air quality. The hope is that other countywide organizations will see the positive effects of this program and begin to use it. The collective efforts of a wide variety of organizations/businesses in the County should prove very beneficial in reducing the amount of ground level ozone in Florence County.

## **UNIQUE SCENIC VIEWS & RECREATION AREAS**

This section includes scenic views, scenic sites and unique parks and recreation areas that enhance the natural features of the County. There are a number of areas and sites in the County that generally inspire appreciation for the natural environment and resources of Florence and contribute to the quality of life to area residents. Natural scenic areas exist in nearly every part of Florence County. Even some developed areas have rural characteristics such as roadways with canopy trees and moss coverings, which may add to the scenic experience. These rural attributes may contribute to the level of enjoyment and quality of life for many of the residents. A number of natural scenic sites, including streams, developed recreational areas, and boating facilities are located in the County. The following facilities allow greater access to natural resources in the Pee Dee area.

### **Scenic Rivers Program**

The South Carolina Rivers Act of 1989 established the South Carolina Scenic Rivers Program to protect "unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic or cultural values" of selected rivers or river segments in the state. The goal of the program is the conservation of South Carolina's river heritage through the proper management of the natural and cultural character of the state's river corridor.

The basic method of river corridor protection is a cooperative, voluntary management program created by landowners, community interests, and the South Carolina Department of Natural Resources. The intent of the program is to bring landowners together to study the river and key river issues and to address these issues and management practices on lands bordering the river. Together, landowners and other interested parties in the community develop a scenic river management plan that recommends long term management strategies oriented toward preserving traditional uses of the river and the preservation of the scenic beauty of the river corridor.

The *Great Pee Dee River* in lower Florence County from the Highway 378 bridge down to Georgetown was given the scenic designation by the State Legislature in 2006. Presently, there is an effort by the Coastal Conservation League to have the portion above Highway 378

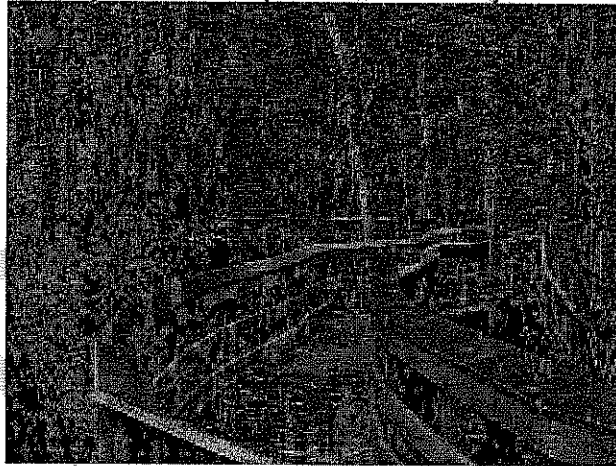


designated as well. This portion of the river boasts some of the most unusual limestone cliffs and scenic vistas in the Pee Dee as well as being significant historical and archeological sites.

### **Lynches River**

Lynches River features towering cypress trees and sandhills offering a wide variety of vegetation. Attractions along the river include fishing, canoeing, kayaking, and hiking along nature trails. Lynches River enters the County on the west near Cartersville and runs through the middle and southeast parts of the County. Its boundaries merge with the Great Pee Dee River in the southeastern corner of the County. In 1992, the Upper Lynches River, which runs from Lee County to Lynches River County Park in Florence County, was designated as a scenic river by the SC Department of Natural Resources (SCDNR). The study conducted on the Upper Lynches River found that the overall wild character of the river is intact, it is free flowing, and it provides exceptional recreational values. Four wildlife species of concern were found to be inhabitants of the area surrounding the Upper Lynches including: the fox squirrel, the pickerel frog, the spotted turtle, and the red-cockaded woodpecker. In addition, landowners were in favor of the scenic river designation, as was the Florence, Sumter, Lee, & Darlington County Councils and the State Legislature. The Lynches River is significant because it provides miles of natural wildlife corridor, which serves as a refuge for area-sensitive species. The recreational opportunities are also unique and exceptional. The SCDNR is currently in the process of studying the Lower Lynches River for possible designation as a scenic river as well.

Figure 3-13 Lynches River County Park



Picture courtesy of the Florence County/Municipal Planning Department

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**Jeffries Creek**

While Jeffries Creek spans across the northern portion of Florence County, a park is located at 1501 Hillside Drive between Edisto Drive and DeBerry Boulevard. This 55-acre park features nature trails, playgrounds and a picnic area and shelter. (Florence Web.com Parks)

Figure 3-14 Jeffries Creek

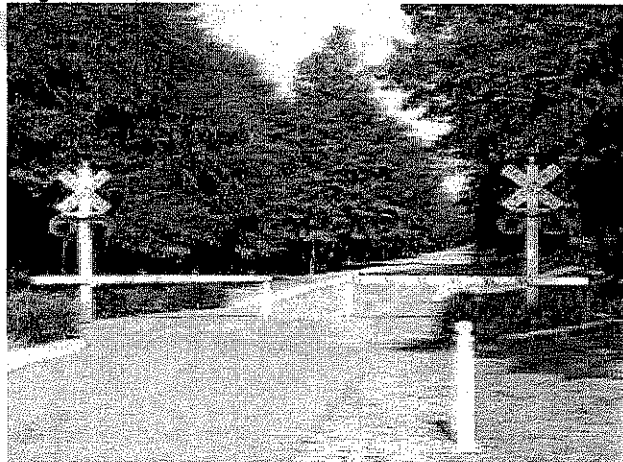


Picture courtesy of the Florence County/Municipal Planning Department

**Rail Trail**

The Florence Rail Trail is 14 acres of natural and paved trails along an abandoned rail corridor in West Florence. It can be accessed from several points along the trail. The two parking areas provide easy trail access and are located at Old Ebenezer Road and at McLeod Fitness Center. There are currently plans to expand the Rail Trail to further enhance the connectivity in the Florence area. The Rail Trail is the perfect opportunity to view some beautiful natural scenery inside the city limits of Florence.

Figure 3-15 Florence Rail Trail



Picture courtesy of <http://www.sciway3.net/outdoors/park-florencerailtrail.html>



In addition to the Rail Trail, numerous boat ramps in Florence County provide access to the scenic waterways listed previously. These ramps allow access to view the beautiful natural scenery of the waterways in Florence County by providing entry to these scenic bodies of water.

#### **Boat Ramps**

- SC Highway 327 Boat Ramp on Black Creek
- US Highway 52 Boat Ramp on Lynches River
- Odell Venters on Lynches River
- Bazens Landing on the Great Pee Dee River
- Cain Landing on the Great Pee Dee River
- Dewitts Bluff on the Great Pee Dee River
- Ellison Landing on the Great Pee Dee River
- Red Bluff on the Great Pee Dee River
- Persimmon Bluff on Lynches River
- Timber or Ginn's Bluff on Lynches River
- Bottle Landing on Lynches River
- Pitts Landing on Lynches River
- Mack Lake on Lynches River
- Smith Landing on Lynches River
- River Rest (aka Timber Landing) is located on Lynches River
- Lee Landing on Lynches River
- Bass Bridge on Lynches River
- Courtney Point on Lynches River
- Cockfield Landing on Lynches River
- Anderson Bridge on Lynches River
- High Bank located on Lynches River
- Rush Landing located on Lynches River
- Bostick's Landing on Great Pee Dee River

#### **South Carolina Heritage Trust Program**

The South Carolina Department of Natural Resources' Heritage Trust Program was created in 1976, the first such program in the nation. It was established to preserve those natural features and cultural landmarks that are quickly disappearing as the state's population increases in size. The program's purpose is to identify, evaluate, and protect the elements considered the most outstanding representatives of the state's heritage. There are currently no heritage preserves in Florence County (SCDNR, Protecting South Carolina's Natural and Cultural Heritage).

#### **Open Space Planning**

Planning for Open Space can help to prioritize lands for acquisition and donation so that the County will have an interconnected network of usable open spaces and viable natural resource conservation lands. Open Space planning can also enhance access to parks and recreation areas, tie into the current Rail Trails program, enhance quality of living for residents, and benefit tourism in the County. The goal of open space planning is:

- To promote the preservation of open space, scenic areas and vistas greenways, squares and village greens;



- To promote the protection and conservation of environmental or natural resources;
- To promote the expansion of quality open space for a wide range of recreational opportunities including playgrounds, playfields, plazas, parks, mini-parks, picnic areas, bicycle or hiking trails, or golf courses for all county residents;
- To promote tourism emphasizing open space, recreational sites, and natural resources of Florence County;
- To promote education, awareness, and research relating to environmental and natural resources;
- To assist in coordinating activities of volunteers, organizations, businesses and governmental agencies interested in the preservation of open space, recreational sites, and natural resources;
- To prepare and submit to the Florence County Council for consideration a proposed list of areas of open space, significant environmental and natural resources, and recreational sites to be acquired, leased, preserved, protected, maintained, or developed.

## Growth Potential and Management

Land use and management can define the impact to natural resources, particularly to water resources in relation to water quality. Assessing the potential for an area to expand and grow allows for water quality planning to occur and permits monitoring for potential impairment of water quality. Indicators used to predict growth potential include water and sewer service, road and highway accessibility, and population trends. These indicators and others are used to determine areas within the Pee Dee River Basin having the greatest potential for impacts to water quality as a result of development.

Road systems, water systems and utility systems are not built piece by piece without any advanced planning or coordination between different system components. Built infrastructure systems are planned, designed and invested far in advance of their actual use. The same principles and approaches that are used for built infrastructure should be followed when looking at our natural resources, our green infrastructure. Green Infrastructure is the interconnected network of protected land and water that supports native species, maintains natural ecological processes, sustains air and water resources, and contributes to the health and quality of life for Florence County residents. This green infrastructure is important to the economic future of Florence County and planning needs to be proactive with an eye towards preserving and protecting as much of this green infrastructure as possible.

## Natural Resource Conservation

There are several non-profit groups advocating for the conservation and preservation of Natural Resources in Florence County. They are:

- The Pee Dee Land Trust is a 501c3, nonprofit organization dedicated to protecting our region's significant agricultural, historical, and natural areas through the use of conservation easements. Additionally, the Land Trust provides educational programs and outreach activities. Its focus area includes eight counties that border the Great Pee Dee River in South Carolina including Florence County.
- The Pee Dee Chapter of the Sierra Club whose statement of purpose is to explore, enjoy, and protect wild places of the earth; to practice and promote responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore



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the quality of the natural and human environment; and to use lawful means to carry out these objectives.

- The Pee Dee River Watchers program is responsible for advocating compliance with environmental laws, identifying problems which affect the Great Pee Dee River, responding to citizen complaints, educating the public, and advocating for the public's right to protect and defend the environment.
- Responsible Economic Development is a land watch group that is involved in protecting and enhancing the community through participation in land use decisions, zoning, and development that minimizes impact to natural resources as well educating the public on the effects of urban sprawl.

## **SUMMARY**

Florence County has a variety of natural features and resources that contribute to the quality of life experienced by its residents. These features include fertile soils, which are suitable for crop production, a number of surface water streams, including the Lynches and Great Pee Dee Rivers, climatic conditions suitable for extended agrarian activities, an abundance of wooded areas, community facilities, and industrial opportunities. Furthermore, Florence County enjoys a number of wetlands, swamps, and bays that are the habitat for a number of unique plant and animal species. In addition, many parts of the rural and urban settings of Florence County have scenic roadways and attractive landscapes. Too often, this abundance of natural resources is taken for granted. The future use of land, especially development in a rapidly growing Florence County, can have a profound effect on the natural resources in the County. One large mistake that can be made is to sacrifice the natural resources in the County for the sake of economic development. Instead, developers and County/City officials should work together to prosper in both economic development and protection of natural resources. Natural resources are an integral part of the Florence community and contribute greatly to the quality of life experience by the residents. The recognition, enhancement, and protection of these resources will ultimately lead to sustainable community growth and a more beautiful Florence County that all can enjoy.

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## GOALS AND IMPLEMENTATION STRATEGIES

The goals of the Natural Resources Element seek to promote an atmosphere of recognition, enhancement, and protection of the natural resources in Florence County in order to heighten the appeal and character of the community and promote a better quality of life for all residents.

### **GOAL 1**

Establish an atmosphere of awareness and importance of the natural resources in Florence County to include scenic areas, unique plant and animal habitats, wetlands, and prime agricultural and forest lands.

**Implementation Strategy:** Inventory all key natural and scenic resources in the County. This information should be shared with developers in the Florence area. Furthermore, Florence County may periodically sponsor natural resources awareness campaigns.

Adopt an agriculture overlay ordinance in the County to preserve current agricultural areas and ensure that farming/agriculture operations are not adversely affected by new residential and commercial developments. **(short term)**

**Time Frame:** 1 year. This element can be used as a starting point.

### **GOAL 2**

Protect natural resources while shaping the future development of Florence County with special emphasis on protecting rare and endangered species habitats.

**Implementation Strategy:** Review new development proposals for impacts to natural resources, and establish a staff person to consider the impact of new developments upon natural resources and natural conditions, which may include scenic areas, unique plant and animal habitats, wetlands, and prime agricultural and forest lands more specifically and as part of the National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water regulations, county staff should review and inspect development for compliance. This can be accomplished in conjunction with Goal 1 and the Land Use Element of the Florence County/Municipal Comprehensive Plan.

**Time Frame:** Review criteria and staff member hired within 1 year. Continue implementation thereafter.

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### **GOAL 3**

Strive to protect air quality of Florence County and the Pee Dee region before it becomes an observed problem.

#### **Implementation Strategy:**

- Implement the TABFTE campaign in order to promote activities which improve air quality. Hopefully this program will be a countywide success and other businesses will follow in the footsteps of Florence County by implementing the program in their own organizations.
- Cooperate with state and federal agencies in the efforts to monitor air quality. **(continuously)**
- Work with known sources of air pollution to maintain and reduce emissions and to mitigate the effects to the extent possible. **(short term)**
- Minimize domestic burning of field and yard debris, trash, etc. **(short term)**
- Minimize vehicle trips by partnering with PDRTA to establish park and ride lots to employment centers, shopping area and recreation areas. **(short term)**
- Provide incentives for the creation of off street bike and walking trails as means of transportation. **(short term)**
- Encourage and provide incentives for mixed use developments built for pedestrian-friendly use which minimize the daily number of car trips necessary. **(short term)**

**Time Frame:** Continuous implementation of the program in order to constantly reduce the amount of air pollution in Florence County.

### **GOAL 4**

To preserve and enhance the scenic areas of Florence County.

**Implementation Strategy:** Work in conjunction with the Pee Dee Land Trust and local land owners to expand the use of conservation easements in rural agricultural, scenic, historical areas to encourage easements where appropriate to instate voluntary land protection.

**Time Frame:** 15-20 years to complete implementation, with a comprehensive list to be developed within 2 years.

### **GOAL 5**

To promote alternative forms of energy use.

**Implementation Strategy:** Explore the use of energy in public, commercial, and residential uses. Investigate available technologies and then educate county staff on advantages and disadvantages.

**Time Frame:** Research and education to begin within 1 year and continue throughout the life of this document.

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**GOAL 6**

To protect and promote solar natural resources.

**Implementation Strategy:** Explore the use of solar energy in public, commercial, and residential uses. Investigate available technologies and then educate building inspection staff on advantages and disadvantages.

**Time Frame:** Research and education to begin within 1 year and continue throughout the life of this document.

**GOAL 7**

Reduce erosion through techniques such as terrace building and tree planting.

**Implementation Strategy:** Pass an ordinance which requires the planting of trees and the building of terraces when development occurs.

**Time Frame:** Ordinance to be drafted and passed within one year. This goal will work in conjunction with the Land Use Element of the Florence County/Municipal Comprehensive Plan.

**GOAL 8**

- a. Consider watershed boundaries as well as political boundaries when making major land use decisions.
- b. Protect jurisdictional and other wetlands, floodplains, and other ecologically sensitive areas such as riparian corridors and watersheds.

**Implementation Strategy:**

- With Florence County being the downstream recipient of water from the Catawba, and Yadkin River watersheds, which cross county and state boundaries, it is essential to encourage the creation of interstate and intergovernmental compacts, which address watershed issues. **(intermediate to long term)**
- Cooperate with the Natural Resource Conservation Service to promote the Wetlands Reserve Program as a viable conservation option for qualified landowners. **(continuous)**
- Adopt more stringent building requirements for land disturbance in the 100-year flood zone. **(short term)**
- Provide incentives for developers to preserve natural vegetation at residential development sites. **(short term)**
- Establish an annual awards program highlighting projects that have successfully implemented creative development techniques that conserve natural resources. **(short term to intermediate)**
- Cooperate with public education providers by sponsoring workshops, publications and other outreach efforts that could assist private landowners, developers and engineers in implementing natural resources conservation practices on large and small scale. **(continuous)**

**Time Frame:** as noted above



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**GOAL 9**

- a. Maintain and improve the surface water quality for all waterbodies located in Florence County.
- b. Restore and maintain the chemical, physical, and biological integrity of the County's waters so that they can support the protection and propagation of fish, and wildlife and recreation in and on the water.
- c. The County should take an active role in encouraging development techniques which maintain or improve water quality.

**Implementation Strategy:**

- Develop and implement an outreach program to educate residents, tourists and community leaders on the unique and fragile ecosystems of Florence County on behavior that can help or harm this resource. **(short term)**
- New County buildings should incorporate low impact design techniques and LEED certification into the overall site plan as a model for private developers by 2015. **(short term to intermediate)**
- Study land use and zoning around water supply sources, both surface waters and wells and implement policies that would further a protection program. **(long term)**
- Work with SCDHEC to implement programs, which will improve the surface water quality of those segments of river and which have been listed as impaired Waterbodies. **(continuous)**
- Work with Clemson University Pee Dee Research and Education, the Natural Resource Conservation Service, the Farm Bureau and local agricultural and mine landowners to address issues that affect water quality including confined animal feeding operations, buffering, irrigation, and dewatering. **(short term)**

**Time Frame: as noted above**

**GOAL 10**

Assess and create a plan addressing water quantity including water conservation and management policies.

**Implementation Strategy:**

- Designate impaired waterways pursuant to State and Federal water quality standards. **(short term)**
- Maximize buffers and inputs to impaired waterways from development and other uses that will further impact water quality and quantity. **(intermediate)**
- Cooperate with State and Federal agencies and develop best management practices for land uses adjacent to water bodies. **(long term)**

**Time Frame: as noted above**



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**GOAL 11**

Conserve the essential flood reduction, groundwater recharge, pollution filtering, and recreation functions of wetlands.

**Implementation Strategy:**

- Seek to alleviate point source pollution. **(continuous)**
- Upgrade stormwater facilities to meet future demand. **(continuous)**
- Utilize the development review process to ensure proper stormwater management techniques. **(continuous)**

**Time Frame: as noted above**

**GOAL 12**

Ensure that flood prone areas and floodways are maintained for their essential natural functions.

**Implementation Strategy:**

- Minimize wetland impacts during new and expanded development. **(continuous)**
- Support wetland creation and restoration projects. **(continuous)**
- Seek conservation easements on privately-owned wetlands that will preserve its natural function into perpetuity. **(continuous)**

**Time Frame: as noted above**

**GOAL 13**

Improve stormwater and drainage management.

**Implementation Strategy:**

- Provide incentives for developers to incorporate creative stormwater management techniques into their developments including LID, green building technology, pervious surfaces, rain gardens, and bio-retention areas. **(short term)**
- Prepare a comprehensive drainage master plan for the County as a way to take a more holistic approach to stormwater management. Areas with significant drainage problems should have more stringent stormwater requirements placed on new development. **(long term)**
- Improve stormwater management and computer modeling capabilities. **(intermediate)**
- Develop a capital improvements plan to resolve major drainage basin problems. **(short term)**
- New County buildings should incorporate low impact design techniques into the overall site plan as a model for private developers. **(short term to intermediate)**

**Time Frame: as noted above**



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#### **GOAL 14**

Florence County needs to protect and conserve its forests, agriculture, plant and animal habitat, and urban trees while increasing its preserved open areas, scenic areas and recreational opportunities.

#### **Implementation Strategy:**

- Through the development review process, minimize the destruction of existing trees to ensure ecological and aesthetic benefits. **(continuous)**
- Promote the use of native species whenever possible. **(continuous)**
- Produce a Countywide Open Space Plan to guide the creation of permanently protected, interconnected, usable open areas within residential developments and around other significant features in the County. **(long term)**
- Determine the feasibility of creating a 'no net loss' of tree canopy for new and expanding developments. **(short term)**
- Seek conservation easements on priority natural resources for perpetual protection. **(intermediate)**

**Time Frame: as noted above**

#### **GOAL 15**

Protect and conserve the ecologically important areas and promotion of sustainable land use.

#### **Implementation Strategy:**

- Amend the Land Development Regulations to address defensible space as a wildfire mitigation technique when new development is proposed in close proximity to large tracts of forested land. **(short term)**
- Provide incentives to developers to maintain existing vegetation within new commercial and residential development. **(short term)**
- Create a tree preservation ordinance to include standards for conservation that would both enhance the aesthetic and the environmental function of urban trees. **(short term)**
- Support adding property to the Heritage Preserves and Pee Dee Land Trust. **(continuous)**
- Encourage property owners to participate in the Wildlife Habitat Incentives Program of the Natural Resources Conservation Service. **(short term to intermediate)**
- Develop an Open Space Plan. **(long term)**
- Explore creative planning techniques, such as transfer of development rights, as a means to conserve important natural and scenic features of the County. **(short term to intermediate)**
- Encourage the reuse and upgrade of existing infrastructure rather than the expansion of infrastructure into undeveloped areas. **(short term)**
- Work with the Master Gardeners and other local organizations to educate landowners and developers on the benefits of native species and the hazards of invasive species within their developments. **(short term)**

**Time Frame: as noted above**



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### **ELEMENT ADOPTION DATES**

Florence County.....	April 17, 2008
City of Johnsonville.....	May 6, 2008
Town of Olanta.....	May 6, 2008
Town of Quinby.....	May 6, 2008
Town of Scranton.....	May 12, 2008
Town of Timmons ville.....	May 6, 2008

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# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Third Reading - Ordinance No. 24-2007/08

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

(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.)

**OPTIONS:**

1. *(Recommended)* Approve Third Reading of Ordinance No. 24-2007/08.
2. Provide alternate directive.

**ATTACHMENTS:**

Copies of the following are attached:

1. Ordinance No. 24-2007/08.
2. Election Authority Agreement.
3. Town of Pamplico Ordinance No. 2008-001.



Sponsor(s) : County Council  
 First Reading/Introduction : March 20, 2008  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : April 3, 2008  
 Public Hearing : April 17, 2008  
 Third Reading : April 17, 2008  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 24-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(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.)**

**WHEREAS:**

1. The Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County"), finds that the facts set forth in this ordinance exist, and that the statements made with respect thereto are true and correct; and
2. Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended (the "Enabling Act"), provides that a municipality may transfer the authority for conducting municipal elections to the county election commission, which is authorized by the Enabling Act to conduct municipal elections; and
3. The Enabling Act provides, as a condition of the transfer by a municipality to a county election commission of the authority to conduct a municipal election, that the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement, with the municipal ordinance stating what authority is being transferred and the county ordinance accepting such authority; and
4. The Town of Pamplico, South Carolina has expressed a desire to transfer complete authority to conduct municipal general elections of the Town to the Florence County Election Commission; and
5. Council desires to accept the authority from the Town of Pamplico in accordance with the Enabling Act and finds the conduct of municipal general elections for the Town of Pamplico by the Florence County Voter Registration/Elections Commission will serve a valid public purpose within the authority of the County acting by and through the Election Commission.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Council accepts the transfer by the Town of Pamplico to the Election Commission of the authority to conduct the Town's municipal general elections. The scope of such authority shall be as set forth in the Election Authority Agreement (the "Agreement") between the Town of Pamplico and the County, such Agreement being attached hereto as "Exhibit A."
2. The Chairman of Council is authorized to execute the Agreement, which shall be in substantially the form as attached hereto as "Exhibit A," on behalf of the County.
3. The Election Commission is hereby directed to conduct the Town's general municipal elections.
4. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

SIGNED:

\_\_\_\_\_  
K. G. Rusty Smith, Jr., Chairman

\_\_\_\_\_  
Approved as to Form and Content  
James C. Rushton, III, County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

Exhibit A

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE ) ELECTION AUTHORITY AGREEMENT

This ELECTION AUTHORITY AGREEMENT made as of this \_\_\_ day of \_\_\_\_\_, 2008, by and between FLORENCE COUNTY, SOUTH CAROLINA (the "County") and the TOWN OF PAMPLICO, SOUTH CAROLINA (the "Town").

WITNESSETH:

**Section 1. Transfer and Acceptance of Authority to Conduct Municipal Elections of the Town of Pamplico.** Pursuant to the authority contained in Section 5-15-145 of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), and an ordinance adopted by the Town Council of the Town of Pamplico, the Town hereby transfers the authority to conduct the Town's municipal elections to the County, which shall act by and through the Florence County Voter Registration and Elections Commission (the "Election Commission"). The County hereby accepts such authority pursuant to the Enabling Act and an ordinance duly adopted by the County Council of the County.

**Section 2. Obligations of County; Scope of Authority Transferred.** The County hereby agrees to conduct the Town's municipal elections in accordance with applicable state and federal law, including without limitation the provisions regarding municipal elections contained in Chapter 15 of Title 5 of the Code of Laws of South Carolina, as amended. Acting through the Election Commission, the County shall discharge all functions with respect to the conduct of the Town's municipal elections, including obtaining and utilizing of voter registration's lists; the preparation of ballots and other voting materials; the receipt, processing and counting of absentee ballots; the preparation and administration of voting places; the appointment and coordination of poll managers; the supervision of the election; and the counting of votes and the report of the votes to the Town Council of the Town of Pamplico or an appointed authority representing the town government. The County shall be responsible for the certification of election results or any contest. The County shall also be responsible for the satisfaction of any legal requirements for the Town's municipal elections, including without limitation any advertisements or clearances required by law.

**Section 3. Warranties.** Both the Town and the County warrant and represent that each has, as required by the Enabling Act, adopted an ordinance authorizing this agreement, as well as the transfer or acceptance of the authority to conduct the Town's municipal elections. The Town, warrants that it has taken all steps required by law, including advertisement, for the holding of its municipal elections.

**Section 4. Payment of County's Expenses.** The Town hereby agrees to pay, upon demand of the County, any and all expenses incurred by the County in connection with the County's conduct of the Town's municipal elections, including and without limitation any costs or attorney's fees which

may be incurred by the County in the event of a proceeding contesting the Town's municipal elections or the conduct thereof, or any litigation arising out of the same.

IN WITNESS WHEREOF, the Town and the County have each caused this instrument to be signed in their names by their duly authorized officers as of the date first hereinabove written.

TOWN OF PAMPLICO, SOUTH CAROLINA

By: \_\_\_\_\_

Attest:

\_\_\_\_\_

FLORENCE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

K.G. Rusty Smith, Jr., Chairman

Attest:

\_\_\_\_\_  
Richard A. Starks  
County Administrator

DRAFT

RECEIVED

ORDINANCE NO. 2008-001

2008 JAN 24 PM 10:29

First Reading April 16, 2007

FLORENCE COUNTY  
VOTER REGISTRATION AND ELECTIONS COMMISSION

Second Reading January 22, 2008

AN ORDINANCE PROVIDING FOR THE TRANSFER FOR CONDUCTING MUNICIPAL ELECTIONS TO THE FLORENCE COUNTY VOTER REGISTRATION AND ELECTION COMMISSION

BE IT ORDAINED by the Town Council of the Town of Pamplico, South Carolina, now met and in assembly sitting, and by authority thereof:

Section I. That this Ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, 5-7-30, Section 5-7-260, and Section 2-32 of the Code of the Town of Pamplico.

Section II. That Chapter 8 (Elections), of the Code of the Town of Pamplico, is amended by the following revisions, changes and additions;

WHEREAS, Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended, provides for the transfer of the powers, duties, and responsibility for the conduction of municipal election for the municipal election commission to county election commission upon the adoption of appropriate ordinances by those municipalities desiring to effect such transfer; and

WHEREAS, the Town of Pamplico desires to transfer all authority for conducting municipal elections to the Florence County Voter Registration and Elections Commission.

Now, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pamplico duly assembled in council this 22<sup>nd</sup> day of January 2008, that all authority for the conducting of municipal elections is hereby transferred to the Voter Registration and Elections Commission for Florence County in the following particulars:

- a. The Florence County Voter Registration and Elections Commission shall advertise municipal elections, prepare and distribute ballots and election materials, appoint managers of election for each polling place, and otherwise supervise and conduct all municipal elections of the Town of Pamplico.
- b. Immediately upon the closing of the polls at any municipal election in the Town of Pamplico, the Florence County Voter Registration and Elections Commission shall begin to count and continuously count the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for Mayor and Councilperson, and publicly display the unofficial results.

- c. The Voter Registration and Elections Commission shall thereafter certify the results of the elections and transmit the certified results to the Town Council of the Town of Pamplico or an appointed authority representing the town government as soon as practical following the certification.
- d. Accept candidate filings and filing fees, including, but not limited to notices of candidacy, candidacy pledges, hear and decide protests and certify the results of municipal elections.
- e. Utilize an Automated Election System and computer counting with the count publicly conducted.
- f. Take such other action as may be necessary or appropriate to conduct municipal elections and certify the results.

Section III. The Town of Pamplico shall reimburse the Registration and Elections Commission of Florence County for all costs incurred in providing ballots, advertising elections, printing costs, postage, transportation cost, temporary help, programming charges, poll managers, compensation and other related additional expenses incurred in its conduct of municipal elections in the Town of Pamplico. In the event a protest is filed or litigation is commenced in connection with the conduct of municipal elections, the Town of Pamplico shall pay all court costs, attorney fees, court reporter fees and costs, and other costs and expenses incurred in such protest or litigation. The Florence County Voter Registration and Elections Commission shall provide invoices and/or other documentation to the Town of Pamplico of all costs and expenses incurred in the conduct of the Town of Pamplico municipal elections, protests, certification of results, litigation or other costs which may be incurred, not specifically mentioned in this ordinance.

Section IV. This ordinance shall take effect upon the successful completion of the following necessary action prerequisite under federal and state law to effect the changes called for hereunder:

- a. adoption of an appropriate ordinance by the Town Council of the Town of Pamplico transferring the authority accepted hereunder;
- b. adoption of an appropriate ordinance by the governing body of Florence County accepting the authority being transferred hereunder;
- c. submission to the United States Justice Department and subsequent receipt of pre-clearance and positive response to the transfer of authority for conducting municipal elections which would be effected hereunder.

Section V. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of inconsistency.

Done, passed, ratified and ordered enrolled as an ordinance of the Town, this 22<sup>nd</sup> day of January, 2008.

Mayor:

[Handwritten Signature]

Council Members:

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

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Attest: [Handwritten Signature]

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# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Third Reading - Ordinance No. 25-2007/08

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

**(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 Of The City Of Florence 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.)**

## **OPTIONS:**

1. *(Recommended)* Approve Third Reading of Ordinance No. 25-2007/08.
2. Provide alternate directive.

## **ATTACHMENTS:**

Copies of the following are attached:

1. Ordinance No. 25-2007/08.
2. Election Authority Agreement.
3. Correspondence dated February 22, 2008 from David N. Williams, City Manager.
4. City of Florence Ordinance No. 2008-04.
5. City of Florence Resolution No. 2008-04.



Sponsor(s) : County Council  
 First Reading/Introduction : March 20, 2008  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : April 3, 2008  
 Public Hearing : April 17, 2008  
 Third Reading : April 17, 2008  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 25-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(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.)**

**WHEREAS:**

1. The Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County"), finds that the facts set forth in this ordinance exist, and that the statements made with respect thereto are true and correct; and
2. Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended (the "Enabling Act"), provides that a municipality may transfer the authority for conducting municipal elections to the county election commission, which is authorized by the Enabling Act to conduct municipal elections; and
3. The Enabling Act provides, as a condition of the transfer by a municipality to a county election commission of the authority to conduct a municipal election, that the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement, with the municipal ordinance stating what authority is being transferred and the county ordinance accepting such authority; and
4. The City of Florence ("the City") has expressed a desire to transfer complete authority to conduct the November 4, 2008 general elections and associated primaries and runoffs of the City to the Florence County Election Commission; and
5. Council desires to accept the authority from the City in accordance with the Enabling Act and finds the conduct of the November 4, 2008 general elections and associated primaries and runoffs for the City by the Florence County Voter Registration/Elections Commission will serve a valid public purpose within the authority of the County acting by and through the Election Commission.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Council accepts the transfer by the City to the Election Commission of the authority to conduct the City's November 4, 2008 general elections and associated primaries and runoffs. The scope of such authority shall be as set forth in the Election Authority Agreement (the "Agreement") between the City and the County, such Agreement being attached hereto as "Exhibit A."
2. The City of Florence agrees to reimburse the County for any and all costs related to the City's November 4, 2008 general elections and associated primaries and runoffs.
3. The Chairman of Council is authorized to execute the Agreement, which shall be in substantially the form as attached hereto as "Exhibit A," on behalf of the County.
4. The Election Commission is hereby directed to conduct the City's November 4, 2008 general elections and associated primaries and runoffs.
5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
6. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
Approved as to Form and Content  
James C. Rushton, III, County Attorney

SIGNED:

\_\_\_\_\_  
K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:



**Section 4. Payment of County's Expenses.** The City hereby agrees to pay, upon demand of the County, any and all expenses incurred by the County in connection with the County's conduct of the City's November 4, 2008 general elections and associated primaries and runoffs, including and without limitation any costs or attorney's fees which may be incurred by the County in the event of a proceeding contesting the aforementioned elections or the conduct thereof, or any litigation arising out of the same.

IN WITNESS WHEREOF, the City and the County has each caused this instrument to be signed in their names by their duly authorized officers as of the date first hereinabove written.

CITY OF FLORENCE, SOUTH CAROLINA

By: \_\_\_\_\_  
Frank E. Willis, Mayor

Attest:

\_\_\_\_\_  
David N. Williams  
City Manager

FLORENCE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
K.G. Rusty Smith, Jr., Chairman

Attest:

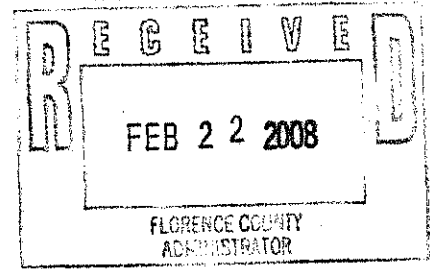
\_\_\_\_\_  
Richard A. Starks  
County Administrator

CITY OF  
FLORENCE

• S C •



OFFICE OF THE CITY MANAGER  
CITY-COUNTY COMPLEX AA  
180 N. IRBY STREET  
FLORENCE, SC  
29501-3456  
PHONE (843) 665-3113  
FAX (843) 665-3110



February 22, 2008

Mr. Richard Starks, Administrator  
Florence County  
180 N. Irby Street  
City County Complex, MSC-G  
Florence, SC 29501

Dear Richard:

Please accept this letter as our request to have Florence County Council consider approval of an agreement between the City of Florence and the County of Florence to transfer authority to conduct the City's Municipal Election that will be held November 4, 2008, to the Florence County Elections Commission.

I respectfully request that this issue be place on the agenda for Florence County Council's next regularly scheduled meeting.

Sincerely,

David N. Williams  
City Manager

A CITY OF  
CHARACTER

ORDINANCE NO. 2008- 04

AN ORDINANCE TO PROVIDE FOR THE HOLDING OF THE 2008 MUNICIPAL ELECTION FOR THE OCCUPANCY OF THE OFFICE OF MAYOR AND TWO AT LARGE CITY COUNCIL SEATS AND FOR CERTAIN TIMES FOR THE FILING OF NOMINATION PETITIONS, HOLDING PRIMARIES OR CONVENTIONS, THE ENTRY OF CANDIDATES FOR NOMINATIONS IN MUNICIPAL PARTY PRIMARY ELECTIONS OR CONVENTIONS AND THE TIME FOR CLOSING OF ENTRIES.

WHEREAS, Section 5-15-70 of the Code of Laws of South Carolina, 1976, as amended, requires that certain times be established by Ordinance for the conduction of Municipal Elections.

NOW, THEREFORE, BE IT ORDAINED By the City Council of the City of Florence at a meeting duly assembled and by the authority thereof:

That the following dates are hereby established for the 2008 General Election of Mayor and two City Council members At-Large:

1. General Election

The General Election shall be held on November 4, 2008 during voting hours beginning at 7:00 a.m. and concluding at 7:00 p.m., at which time the Mayor and two City Councilmembers shall be elected at-large. The Mayor and Councilmembers will each be elected for the term of four (4) years.

2. Nominations for Office

Nominations of candidates may be by political party or by petition.

2.1 Nomination by Political Party

Persons wishing to be placed on the ballot for office may file their Statement of Candidacy along with their Statement of Economic Interest with the Chairman of the respective Florence County political party as follows:

- a. Opening date for candidates' filing for political primaries shall be at noon on March 17, 2008.
- b. Closing date for candidates' filing for political primaries shall be at noon on March 31, 2008. By noon, April 10, 2008, the County Chairman of the respective political party shall file with the Florence County Election Commission written certification of the name and office sought of all candidates to be placed on the ballot of that political party and their individual statement of intention of candidacy and verification by the political party County Chairman that each candidate certified meets or will meet by the time of the General Election the qualification for office for which the candidate has filed.
- c. Political party primaries for nominating candidates shall be held at the regular polling places and conducted by the Florence County Election Commission in conjunction with the County and Statewide Primaries on June 10, 2008, during voting hours beginning at 7:00 a.m. and concluding at 7:00 p.m.
- d. Second primary (first run-off), if necessary, shall be held on June 24, 2008.
- e. Political party conventions for nominating candidates shall be held on or before June 10, 2008.
- f. Political party primaries or conventions must certify nominees to the Municipal Election Commission no later than noon on August 15, 2008.

## 2.2 Nominations by Petition

Candidates wishing to qualify for the General Elections by Petition must file their petition along with their Statement of Economic Interest with the Municipal Clerk by noon on July 15, 2008. The petition must bear the signatures of at least five (5%) percent of the qualified electors of the City of Florence.

3. Election Commission

The General Election shall be conducted in accordance with §5-15-100, S . C. Code of Laws, by the Municipal Election Commission, appointed pursuant to §5-15-90, S. C. Code of Laws. Pursuant to §5-15-145 of the S. C. Code of Laws, the City hereby authorizes the Florence County Election Commission to physically conduct the General Election to include preparation of the ballots, obtaining Voter Registration Lists, appointing and coordinating Poll Managers, handling absentee ballots, preparing voting materials for each precinct, readying voting places, supervising voting places, counting votes, and reporting the results to the Municipal Election Commission. The Municipal Election Commission shall certify the results and address any contests of the results.

4. Notice

Two public notices of the General Election shall be given which shall include the location of the polling places. The first notice shall be given at least 60 days prior to the election, and the second notice shall be given no later than two weeks after the first notice.

5. Filing Fee

The filing fee for the offices of Mayor and City Council to the City of Florence shall be \$0.

6. Determining Results of the Election

The person receiving the highest number of votes for Mayor shall be declared elected. The two persons receiving the highest numbers of votes for the two (2) At-Large City Council seats shall be declared elected.


In the event of a tie, a runoff election shall be held two weeks following the General Election pursuant to 5-15-125 of the S. C. Code of Laws, 1976, as amended.


7. Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.



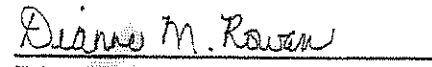
ADOPTED THIS 11th DAY OF February, 2008.

Approved as to form:

  
James W. Peterson, Jr.  
City Attorney

  
Frank E. Willis  
Mayor

Attest:

  
Dianne M. Rowan  
Municipal Clerk

ADOPTED ON FIRST READING AT A MEETING OF  
THE COUNCIL OF THE CITY OF  
CITY 1-14-08  
ORD. 2-11-08  
BY \_\_\_\_\_  
COPY MAILED TO Jim Peterson;  
ON Mike Young

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF FLORENCE )

RESOLUTION 2008-04

**A RESOLUTION BY THE CITY OF FLORENCE TO REQUEST THAT THE FLORENCE COUNTY ELECTION COMMISSION CONDUCT THE PARTY PRIMARIES ON JUNE 10, 2008 FOR THE 2008 MUNICIPAL ELECTION AND AUTHORIZING THE PAYMENT OF THE ADDITIONAL COSTS INCURRED BY THE FLORENCE COUNTY ELECTION COMMISSION IN CONDUCTING SAID MUNICIPAL PRIMARIES FOR THE PARTIES.**

**WHEREAS**, the City of Florence, by Ordinance 2008-04, provided for the 2008 municipal elections, said ordinance providing that the party primaries, if any, will occur on June 10, 2008 and will be conducted by the Florence County Election Commission in conjunction with the statewide and countywide primaries set for the same date; and

**WHEREAS**, the City needs to address the costs of adding the municipal primaries to the others being conducted on June 10, 2008 in order to enable the County to allow the Florence County Election Commission to conduct the primaries for the municipal election; and

**WHEREAS**, the City is informed and believes that having the primaries conducted by the Florence County Election Commission is in the public's best interest and is needed to insure that the primaries are conducted fairly, efficiently, and in compliance with the applicable laws and procedures.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of Florence as follows:


1. The City hereby requests that the County of Florence authorize the Florence County Election Commission to conduct the party primaries for the 2008 municipal election in conjunction with the state and county primaries on June 10, 2008.
2. The City hereby authorizes the City Manager to enter into an agreement with Florence County and the Florence County Election Commission by which the City agrees to pay for any increased costs incurred by the Florence County Election Commission in conducting said party primaries for the 2008 municipal elections.

**AND IT IS HEREBY SO RESOLVED.**

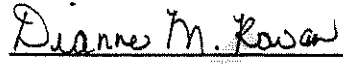
RESOLVED this 31st day of March, 2008.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAMES W. PETERSON, JR.  
CITY ATTORNEY

  
\_\_\_\_\_  
FRANK E. WILLIS  
MAYOR

ATTEST:

  
\_\_\_\_\_  
DIANNE M. ROWAN  
MUNICIPAL CLERK

DRAFT

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Third Reading of Ordinance No. 26-2007/08

**DEPARTMENT:** Finance

## **ISSUE UNDER CONSIDERATION:**

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.

## **POINTS TO CONSIDER:**

1. The County has been informed that, due to downgrades of the credit rating of Ambac, Merchant Capital has failed to remarket the 2003 Certificates pursuant to the Remarketing Agreement, and the 2003 Certificates have been purchased and are being held by Wachovia pursuant to the Standby Purchase Agreement.
2. Under the terms of the Standby Purchase Agreement, the rate of interest borne by the 2003 Certificates held by Wachovia is presently nine per cent (9%) per annum, and will, absent successful remarketing of the 2003 Certificates, increase to ten per cent (10%) per annum on May 1, 2008, and eleven per cent (11%) per annum on September 1, 2008.
3. It has been determined that it will be in the best interests of the County to refund the 2003 Certificates by the issuance of a refunding obligation, which refunding obligation will bear a fixed rate of interest and will be negotiated for purchase by a single financial institution for its own portfolio and not for resale, therefore eliminating the need for bond insurance as well as costs associated with a sale of such refunding obligation in the secondary market;
4. Council has also contemplated the borrowing of funds to finance all or a portion of the cost of acquiring (including acquisition of real property), designing, constructing, renovating, and equipping of the following projects: (i) a new Florence County Voter Registration and Elections Commission building; (ii) a recreational park in the Southern portion of the County; (iii) a turning lane on Ebenezer Road to serve a County convenience site; (iv) a recreational park in the Brookgreen area of the County; (v) a new Johnsonville Branch Library; (vi) the expansion of the exercise room at the County's Senior Center; (vii) the development of historical sites in the Northeast portion of the County; (viii) a southern Florence County museum; (ix) a sidewalk along Wilson Road; and (x) various historical, cultural, recreational, and tourism-related projects in the County.

## **FUNDING FACTORS:**

1. The debt service for the jail portion of this new lease-purchase agreement will continue to be paid from debt service millage.
2. The debt service for the civic center portion of this new lease-purchase agreement will continue to be paid from a portion of the County's 3% local accommodations tax and a portion of the City of Florence's 2% hospitality tax.

## **OPTIONS:**

1. *(Recommended)* Approve Third Reading of Ordinance No. 26-2007/08.
2. Provide An Alternate Directive

## **ATTACHMENT:**

1. Certificates of Participation Background Summary
2. Ordinance No. 26-2007/08
3. Project working list

### Certificates of Participation Background Summary

In 1990, Florence County issued certificates of participation (COPs) to fund the construction of the jail and civic center. These COPs were debt that did not count against the County's 8% debt limit. The financial advisor firm that assisted the County at that time was Raymond James & Associates.

In 1992, interest rates dropped, so the COPs were re-financed at a rate 1.25% lower than in 1990. However, in 1998, rates dropped even lower than they were in 1992. Unfortunately, the legal documents in 1992 did not allow the COPs to be re-financed again until 2003. But, later in 1998, John Swift, financial advisor formerly with Raymond James and now with Merchant Capital, presented a financing mechanism called a swap agreement, which allowed the County to take advantage of these lower rates. Therefore, the County entered into this swap agreement with Wachovia.

In 2003, Wachovia exercised its rights under the swap agreement. This required that the County issue new COPs, which had to be bought and sold on a weekly basis. Merchant Capital was the agent responsible for selling these new COPs. These new COPs are insured by a company named Ambac. As a result of the sub-prime mortgage crisis, Ambac's financial status has been downgraded. Therefore, bond buyers are no longer as willing to purchase debt insured by Ambac.

On January 29, Merchant Capital informed the County that they could not find a buyer for these COPs. Therefore, as a result of the swap agreement, Wachovia was required to purchase these COPs. However, the provisions of the agreement allowed Wachovia to charge a much higher interest rate than what the County had been paying on these COPs.

Therefore, it has now become necessary to acquire the services of an independent financial advisory firm to review this issue in conjunction with County staff and the County's bond counsel, Haynsworth, Sinkler, Boyd, to reposition the financing.

Amount of COPs outstanding (in thousands) at various dates were:

<u>Date</u>	<u>Total Amount</u>	<u>Jail</u>	<u>Civic Center</u>	<u>Equipment/ Issuance Costs</u>
October 1990 (Original issue)	\$42,585	\$23,305	\$12,005	\$ 7,235
December 1992 (Refunding)	\$45,880	\$23,305	\$12,005	\$10,570
March 2003 (Swap agreement)	\$29,515	\$19,480	\$10,035	\$ 0
June 2007 (Most recent audit)	\$20,125	\$13,283	\$ 6,843	\$ 0

Savings realized with each of these previous transactions noted above were as follows:

- 1) Re-financing in 1992 saved Florence County approximately \$2,850,000 in interest over the remaining life of the COPs.
- 2) Wachovia paid Florence County \$300,000 in 1998 for entering into the swap agreement, plus Wachovia agreed to pay the call premium on the COPs in 2003, which amounted to \$580,000.
- 3) The re-financing in 2003 saved Florence County an additional \$300,000 in interest over the remaining life of the COPs.

Sponsor(s)	: County Council	
First Reading	: March 20, 2008	I, _____,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on _____.
Second Reading	: April 3, 2008	
Public Hearing	: April 17, 2008	
Third Reading	: April 17, 2008	
Effective Date	:	

**ORDINANCE NO. 26-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(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 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.)**

**WHEREAS:**

1. Florence County Council (the "Council") previously determined that a need existed for (a) the acquisition and construction in Florence County, South Carolina (the "County") of a County Law Enforcement Center, including a jail, sheriff's offices and emergency operations center with radio operations (collectively, the "Law Enforcement Center"), and a regional sports, entertainment and exhibition facility (the "Civic Center"), (the Law Enforcement Center and the Civic Center are hereinafter collectively referred to as the "Original Projects") and (b) the acquisition of certain equipment to be utilized for various County purposes (the "Equipment"); and
2. Pursuant to the authority contained in Section 4-9-30, Code of Laws of South Carolina 1976, as amended, providing for the power of counties to lease real and personal property, the County determined to finance the acquisition and construction of the Original Projects through a lease-purchase transaction; and
3. In order to accomplish said lease-purchase transaction, the County entered into a Ground Lease Agreement dated as of October 1, 1990 with The Florence County Public Facilities Corporation, a South Carolina nonprofit corporation (the "Corporation"), whereby the real property upon which the Original Projects were to be constructed was leased by the County to the Corporation (the "Ground Lease"), and, in connection therewith, the Corporation leased such real property back to the County pursuant to a Lease Agreement dated as of October 1, 1990 between the Corporation, as lessor, and the County, as lessee (the "Lease Agreement"), whereby the County agreed to make payments of rent and payment of all costs and expenses of any kind incurred by the Corporation in connection with the leased property and the maintenance thereof; and

4. In order to finance the acquisition and construction of the Original Projects and the acquisition of the Equipment, the Corporation delivered its \$42,545,000 original principal amount Certificates of Participation (Law Enforcement Center Project, Civic Center Project and Equipment), Series 1990, dated October 1, 1990 (the "1990 Certificates"), the primary payment source of which was the payment of rent by the County pursuant to the Lease Agreement; and
5. The Original Projects have since been acquired and constructed and are in use by the County for their intended purposes, and the Equipment has since been acquired and, ultimately, released from the Ground Lease and the Lease Agreement; and
6. The County and the Corporation determined in 1992 that a savings in debt service under the 1990 Certificates could be achieved through an advance refunding and defeasance of the 1990 Certificates through the delivery by the Corporation of \$45,880,000 original principal amount Refunding Certificates of Participation (Law Enforcement Center Project, Civic Center Project and Equipment), Series 1992, dated December 1, 1992 (the "1992 Certificates"); and
7. Pursuant to Ordinance No. 25-97/98 enacted April 16, 1998, the Council authorized the execution and delivery by the County of an International Swap Dealers Association, Inc. Master Agreement dated July 9, 1998 with First Union National Bank (now known as Wachovia Bank, National Association) ("Wachovia"), including all schedules thereto and confirmations thereof, whereby, in return for certain cash consideration received by the County from Wachovia and the delivery by the Corporation on or about March 1, 2003 (the "Future Delivery Date") of variable interest rate certificates of participation to refund the 1992 Certificates, Wachovia would be liable, commencing on the Future Delivery Date, for periodic payments of a variable interest rate to the County, and the County at such time would be liable for periodic payments of a fixed interest rate to Wachovia (the "Swap Agreement"); and
8. In accordance with the requirements of the Swap Agreement, and in order to achieve a savings in total debt service payments with respect to the 1992 Certificates, the Corporation, with the consent and approval of the County, refunded the 1992 Certificates by issuing its \$29,515,000 Refunding Certificates of Participation (Law Enforcement Center and Civic Center Projects), Series 2003 (the "2003 Certificates") dated March 3, 2003 at a variable interest rate and insured by Ambac Assurance Corporation ("Ambac") and subject to a Remarketing Agreement (the "Remarketing Agreement") with Merchant Capital, LLC ("Merchant Capital") and a Standby Purchase Agreement (the "Standby Purchase Agreement") with Wachovia, each dated as of March 1, 2003; and
9. Merchant Capital has previously informed the County that, due to downgrades of the credit rating of Ambac, Merchant Capital has failed to remarket the 2003 Certificates pursuant to the Remarketing Agreement, and the 2003 Certificates have been purchased and are being held by Wachovia pursuant to the Standby Purchase Agreement;
10. Under the terms of the Standby Purchase Agreement and the Swap Agreement, the effective rate of interest borne by the 2003 Certificates held by Wachovia and subject to the Swap Agreement is presently approximately nine per cent (9%) per annum, and will, absent successful remarketing of the 2003 Certificates, increase to approximately ten per cent (10%) per annum on May 1, 2008, and approximately eleven per cent (11%) per annum on September 1, 2008;
11. Council has determined that it will be in the best interests of the County to refund the 2003 Certificates by the issuance of a refunding obligation, which refunding obligation will bear a fixed rate of interest and will be negotiated for purchase by a single financial institution for its own portfolio and not for resale, therefore obviating the need for bond insurance as well as costs associated with a sale of such refunding obligation in the secondary market;

12. Council is cognizant of the fact that a refunding of the 2003 Certificates will require a termination of the Swap Agreement, which will entail a swap termination payment based on market conditions at the time of such termination (the "Termination Fee");
13. Council has received quotes for the purchase of such refunding obligation, and has determined that, based on existing interest rates and other market conditions, the sum of all payments to be made under such refunding obligation (taking into account a borrowing of the Termination Fee) will be less than the sum of the payments under the 2003 Certificates, therefore qualifying such refunding obligation as a "refinancing agreement" as such term is defined in Section 11-27-110 of the Code of Laws of South Carolina, 1976, as amended;
14. Council has also contemplated the borrowing of funds to finance all or a portion of the cost of acquiring (including acquisition of real property), designing, constructing, renovating, and equipping of the following projects: (i) a new Florence County Voter Registration and Elections Commission building; (ii) a recreational park in the Southern portion of the County; (iii) a turning lane on Ebenezer Road to serve a County convenience site; (iv) a recreational park in the Brookgreen area of the County; (v) a new Johnsonville Branch Library; (vi) the expansion of the exercise room at the County's Senior Center; (vii) the development of historical sites in the Northeast portion of the County; and (viii) various historical, cultural, recreational, and tourism-related projects in the County (together, the "New Projects"). Council estimates the cost of the New Projects to be approximately \$4,500,000;
15. Council has determined that it will be in the best interests of the County to add to the principal amount of the aforesaid refunding obligation such amounts as will be required to defray the costs of the New Projects, and is mindful that such amount allocable to the New Projects will not qualify as a "refinancing agreement" as such term is defined in Section 11-27-110 of the Code of Laws of South Carolina, 1976, as amended, and will therefore be chargeable against the County's 8% general obligation indebtedness limit provided for in Article X, Section 14 of the South Carolina Constitution;
16. The assessed value of all taxable property located within the County (net of property subject to a fee in lieu of tax) as certified by the County Auditor for the year 2007, which is the last completed assessment thereof, is a sum of not less than \$416,780,944, and thus the eight percent (8%) debt limit of the County is not less than \$33,342,000. The County has outstanding \$18,801,248 aggregate principal amount of general obligation debt which is chargeable against the eight percent (8%) limit. Thus, the County may issue the sum of \$14,541,247 general obligation debt at the present time without the authorization required by Section 14(6) of the South Carolina Constitution; and
17. Council is minded to authorize the issuance of an obligation in the form of a lease-purchase financing obligation in the principal amount of not exceeding \$25,000,000, and to use the proceeds of such financing: (i) to refund the 2003 Certificates; (ii) to pay the Termination Fee to Wachovia with respect to the Swap Agreement; (iii) to finance a portion of the cost New Projects; and (iv) to pay costs associated with the issuance of the Financing Arrangement (as hereinafter defined).

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**



**ARTICLE I**  
**DEFINITIONS**

The terms defined in this Article I (except as otherwise expressly provided for or unless the context otherwise requires) for all purposes of this Ordinance shall have the respective meanings set forth in this Article I.

**"2003 Certificates"** means the outstanding principal amount of the Refunding Certificates of Participation (Law Enforcement Center, Civic Center Project, and Equipment), Series 2003, of the Corporation, dated March 3, 2003.

**"Bank"** means Branch Banking & Trust Company, or, in the event another financial institution is chosen to enter into the Financing Arrangement provided for in this Ordinance with the County pursuant to Section 3.01 hereof, such other financial institution as is selected by the County Administrator.

**"Chairman"** means the Chairman of the Council, or in his absence for any reason, the Vice-Chairman or acting Chairman of the Council.

**"Clerk"** means the Clerk of the Council, or in her absence for any reason, the acting Clerk of the Council.

**"Code"** means the Internal Revenue Code of 1986, as amended, and applicable U.S. Treasury Regulations thereunder.

**"Corporation"** means The Florence County Public Facilities Corporation, a South Carolina nonprofit corporation, its successors and assigns.

**"Council"** means the Florence County Council, the governing body of Florence County, South Carolina, and any successor body.

**"County"** means Florence County, South Carolina, its successors and assigns.

**"Facilities"** means the land and the improvements thereon, including all or part of the Property, as are subject to and more particularly described in the Lease Agreement.

**"Ground Lease"** means the Ground Lease between the County and the Bank which shall be in the form as attached hereto as "Exhibit A."

**"ISDA Master Agreement" or "Swap Agreement"** means the ISDA Master Agreement dated as of July 9, 1998 among the County, the Corporation and First Union National Bank (now known as Wachovia Bank, National Association), as the swap provider, including all schedules thereto and confirmations thereof.

**"Lease Agreement"** means the Lease Agreement between the County and the Bank, which shall be in the form as attached hereto as "Exhibit B," with respect to the Facilities.

**"New Projects"** means: (i) a new Florence County Voter Registration and Elections Commission building; (ii) a recreational park in the Southern portion of the County; (iii) a turning lane on Ebenezer Road to serve a County convenience site; (iv) a recreational park in the Brookgreen area of the County; (v) a new Johnsonville Branch Library; (vi) the expansion of the exercise room at the County's Senior Center; (vii) the development of historical sites in the Northeast portion of the County; and (viii) various historical, cultural, recreational, and tourism-related projects in the County.

**"Ordinance"** means this Ordinance of the County Council.

“**Original Projects**” means the Law Enforcement Center and the Civic Center, as such terms are defined in the recitals to this Ordinance.

“**Projects**” means, together the Original Projects and the New Projects.

“**Property**” means the real property and improvements thereon subject to the Ground Lease and the Lease Agreement.

“**Termination Fee**” means the fee that is required to be paid to Wachovia Bank, N.A. pursuant to the Swap Agreement as a condition of the termination of the Swap Agreement.

## ARTICLE II

### AUTHORIZATION OF AND CONSENT TO TRANSACTION AND FINANCING DOCUMENTS

#### *Section 2.01 Approval of Transaction.*

Council does hereby approve and direct the refinancing of the 2003 Certificates and the financing of the New Projects through the entry by the County into a lease-purchase financing arrangement with the Bank in an amount not to exceed \$25,000,000 by means of the execution and delivery of the Ground Lease and the Lease Agreement in connection therewith, such lease-purchase financing arrangement to be designated “CAPITAL FACILITIES REFUNDING AND IMPROVEMENT LEASE-PURCHASE FINANCING, SERIES 2008” (the “Financing Arrangement”). Council also approves the termination of the Swap Agreement and the payment of the Termination Fee in connection therewith. The 2003 Certificates shall be called for redemption at the first practicable date occurring on or after the date of original delivery of the proceeds of the Financing Arrangement (the “Redemption Date”). In this regard, the County hereby authorizes, to the extent required, the delivery of the requisite notice of the redemption of the 2003 Certificates.

The principal amount of the Financing Arrangement, not to exceed \$25,000,000, shall be determined by the County Administrator based on amounts required to effect the refunding of the 2003 Certificates, the payment of the Termination Fee, the funding of the New Projects, and the payment of all costs associated with the Financing Arrangement, prior to the entry by the County into the Financing Arrangement.

#### *Section 2.02 Ground Lease and Lease Agreement.*

The forms, terms and provisions of the Ground Lease and the Lease Agreement presented to Council and attached hereto as “Exhibit A” and “Exhibit B,” respectively, are hereby incorporated herein by reference as if the Ground Lease and the Lease Agreement were set out in this Ordinance in their entirety. The Chairman and the County Administrator, or either one of them, and the Clerk are hereby authorized, empowered and directed to execute, acknowledge and deliver the Ground Lease and the Lease Agreement to the Corporation. The Ground Lease and the Lease Agreement are to be in substantially the forms now before this meeting and hereby approved, or with such changes therein as may be deemed necessary by the persons executing the same, upon advice of counsel, to accomplish the purposes of the transaction contemplated therein and in this Ordinance and as shall not be inconsistent with or contrary to such purposes. The execution by such persons of the Ground Lease and the Lease Agreement shall constitute conclusive evidence of their approval of any and all such changes.

#### *Section 2.03 Escrow Agreement.*

Should it be determined by the County Administrator, upon the advice of counsel, that the delivery by the County of an escrow deposit agreement with the paying agent for the 2003 Certificates (an “Escrow Agreement”) will be necessary to provide for the defeasance of the 2003 Certificates and the redemption of the same on the Redemption Date, the County shall execute and deliver such an agreement, in form customarily used by South Carolina political

subdivisions for transactions of this nature. The Chairman and the County Administrator, or either one of them, is authorized to execute and deliver any such Escrow Agreement on behalf of the County.

***Section 2.04 Use of Proceeds of the Financing Arrangement.***

The proceeds of the Financing Arrangement shall be applied; (i) to refund the 2003 Certificates; (ii) to pay the Termination Fee to Wachovia with respect to the Swap Agreement; (iii) to finance a portion of the cost of the New Projects; and (iv) to pay costs associated with the issuance of the Financing Arrangement.

***Section 2.05 Other Financing Documents.***

The Chairman and the County Administrator, or either one of them, are hereby authorized and fully empowered, for and on behalf of the County, to take such further action and to execute any and all additional documents, instruments, certificates or other papers, including without limitation any agreement required to cancel the leases associated with the 2003 Certificates and to terminate the Swap Agreement, as they deem necessary and appropriate, with the advice of counsel, to accomplish the transactions contemplated by this Ordinance.

***Section 2.06 Financial Advisor***

The County Administrator is hereby authorized and fully empowered to engage the services of First Southwest Company to serve as the County's financial advisor with respect to the refinancing of the 2003 Certificates and the financing of the New Projects.

**ARTICLE III**

**AWARD OF FINANCING ARRANGEMENT**

***Section 3.01 Award of Financing Arrangement.***

County staff is presently negotiating the Financing Arrangement with the Bank, and projects that the Financing Arrangement will bear a fixed rate of interest of approximately 3.75% for a term of ten (10) years. The Financing Arrangement is hereby awarded to the Bank at a fixed rate of interest of not to exceed 4.25% for a term not to exceed ten (10) years.

In the event the Bank proposes to enter into the Financing Arrangement at a fixed rate of interest in excess of 4.25%, the County Administrator, in consultation with the County Finance Director, is authorized to negotiate the Financing Arrangement with and award the Financing Arrangement to another lending institution, which, in his discretion and after consultation with the County Finance Director, the County Administrator shall determine has made a proposal with respect to the Financing Arrangement that is in the best interests of the County; provided, however, that no Financing Arrangement shall bear interest at rate in excess of 4.25% without prior approval by resolution of Council.

**ARTICLE IV**

**COMPLIANCE WITH REQUIREMENTS OF THE CODE**

***Section 4.01 General Covenant.***

The County will comply with all requirements of the Code in order to preserve the tax-exempt status of the Financing Arrangement, including without limitation, the requirements to (i) timely file information report Form 8038-G with the Internal Revenue Service, and (ii) rebate certain arbitrage earnings to the United States Government pursuant to Section 148(f) of the Code. In this connection, the County covenants to execute any and all agreements or other documentation as it may be advised by Special Counsel as will enable it to comply with this Section.

**Section 4.02 Tax Representations and Covenants.**

The County hereby further represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause the interest component of the Financing Arrangement to become includable in the gross income of the holder thereof for federal income tax purposes pursuant to the provisions of the Code and applicable regulations promulgated thereunder. Without limiting the generality of the foregoing, the County represents and covenants that:

(A) The Property will be leased by the County pursuant to the Lease Agreement or owned by the County in accordance with the rules governing the ownership of property for federal income tax purposes.

(B) The County shall not permit the proceeds of the Financing Arrangement, the Property, or the New Projects or any portion thereof, to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in any activity carried on by a person other than a natural person other than a governmental unit as provided in Section 141(b) of the Code, or five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.

(C) The County is not a party to nor will it enter into any contracts with any person for the use or management of any of the New Projects or the Property that do not conform to the guidelines set forth in U.S. Treasury Rev. Proc. 97-13.

(D) Except with respect to the Ground Lease and the Lease Agreement and the rights therein, the County will not sell or lease the Property, the New Projects, or any portion thereof to any person unless it obtains the opinion of nationally recognized special tax counsel that such lease or sale will not affect the tax exemption of the Financing Arrangement.

(E) The Financing Arrangement will not be federally guaranteed within the meaning of Section 149(b) of the Code. The County shall not enter into any leases or sales or service contracts with any federal government agency with respect to the Property or the New Projects unless it obtains the opinion of nationally recognized special tax counsel that such action will not affect the tax exemption of the Financing Arrangement.

**ARTICLE V**

**MISCELLANEOUS**

**Section 5.01** The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 5.02** All orders, resolutions, ordinances and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE: Majority

OPPOSED:  
ABSENT:

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Approved as to Form  
James C. Rushton, III, County Attorney

DRAFT

**Florence County  
2008 Lease Purchase  
Project working list**

Voter Registration/Election Commission building	1,300,000
Recreation park in southern Florence County	500,000
Johnsonville branch library	500,000
Widen portion of Ebenezer Road	390,000
Brookgreen Park addition	290,000
Senior Center exercise room expansion	150,000
Northeast Florence County historical site(s) development	150,000
Southern Florence County museum	400,000
Wilson Road sidewalk	150,000
Various historical, cultural, recreational, and tourism-related projects	1,170,000
Total	5,000,000

DRAFT

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Second Reading - Ordinance No. 27-2007/08

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

(An Ordinance To Amend Florence County Land Development And Subdivision Ordinance No. 38-2007/08, Article VI, Section 6.25(D), Lots, To Amend The Requirement For Septic Percolation Tests And Permits To Exempt Estate Settlements And Life Estates.)

**OPTIONS:**

1. *(Recommended)* Approve Second Reading of Ordinance No. 27-2007/08.
2. Provide an alternate directive.

**ATTACHMENTS:**

Ordinance No. 27-2007/08.

DRAFT

Sponsor(s) : County Council  
 First Reading/Introduction : April 3, 2008  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Public Hearing :  
 Second Reading :  
 Third Reading :  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 27-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(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.)**

**WHEREAS:**

1. Section 6.25(D), of the Florence County Land Development and Subdivision Ordinance requires lots containing single family residences that utilize a septic tank and drinking water well to secure permits from the South Carolina Department of Health and Environmental Control (SCDHEC); and
2. This amendment will exempt estate settlements and life estates from this requirement for percolation tests and permits from SCDHEC.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. The Florence County Land Development and Subdivision Ordinance No. 38-2006/07, Article VI, Section 6.25(D), Lots, is hereby amended to provide for the exemption of estate settlements and life estates from the requirement for percolation tests and permits from SCDHEC and shall read as follows:

D. Lots.

Each lot may contain only one (1) single family residence. Lots that have access to public utilities (water and/or sewer) are required to have a written statement from the appropriate utility. If lots will utilize a septic tank and drinking water well, permits must be secured from the South Carolina Department of Health and Environmental Control. The SCDHEC permit requirement shall not be applicable to subdivisions of land as a result of the probate of an estate and life estates made within an immediate family (i.e. parent to child, grandparent to grandchild.). Other life estates may be considered for exemption by the Planning Commission. All plats where this exemption has been used and no satisfactory percolation test has occurred will be stamped "No Perk Test has been performed on this property." The plat may be resubmitted for removal of the stamp if and when a successful percolation test has been completed. The exemption does not apply for permits for the construction of a building requiring a sewer system or the placement of mobile/manufactured homes on the property.



2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
K. G. Rusty Smith, Jr., Chairman

\_\_\_\_\_  
Approved as to Form and Content  
James C. Rushton, III, County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Introduction - Ordinance No. 28-2007/08

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

(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.)

**OPTIONS:**

1. *(Recommended)* Approve Introduction of Ordinance No. 28-2007/08.
2. Provide an alternate directive.

**ATTACHMENTS:**

1. Ordinance No. 28-2007/08.
2. Correspondence from Gary Pace, Chairman, Windy Hill/Olanta Rural Volunteer Fire District dated February 29, 2008.

Sponsor(s) : County Council  
 First Reading/Introduction : April 17, 2008  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Public Hearing :  
 Second Reading :  
 Third Reading :  
 Effective Date : Immediately

I, \_\_\_\_\_,  
 Council Clerk, certify that this  
 Ordinance was advertised for  
 Public Hearing on \_\_\_\_\_.

**ORDINANCE NO. 28-2007/08**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(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.)**

**WHEREAS:**

1. Florence County Council approved Ordinance No. 31-2006/07, which created the Board of Fire Control for the Windy Hill/Olanta Rural Volunteer Fire District and the West Florence Rural Volunteer Fire Department; and
2. Pursuant to Ordinance No. 31-2006/07, members of the Board for the Windy Hill/Olanta Rural Volunteer Fire District and the West Florence Rural Volunteer Fire Department shall serve without pay; and
3. The Board for the Windy Hill/Olanta Rural Volunteer Fire District desires to amend Ordinance No. 31-2006/07 to allow for compensation of Board members.

**NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:**

1. Ordinance No. 31-2006/07 is hereby amended to provide for the compensation of the Board members of a Rural Volunteer Fire District in an amount up to \$150.00 per month, to be approved by vote of the Board. Amounts greater than \$150.00 per month approved by the Board must be submitted and approved by County Council.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
 Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
 K. G. Rusty Smith, Jr., Chairman

\_\_\_\_\_  
 Approved as to Form and Content  
 James C. Rushton, III, County Attorney

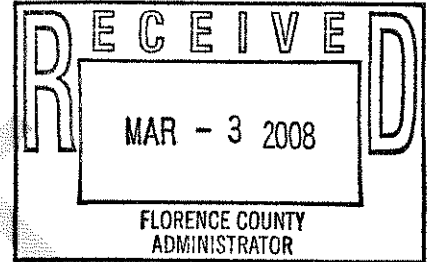
COUNCIL VOTE:  
 OPPOSED:  
 ABSENT:

**WINDY HILL/OLANTA FIRE  
DISTRICT**

Representing  
Windy Hill Volunteer Fire Department  
Olanta Rural Fire Department

February 28, 2008

Mr. Richard Starks  
Florence County Administrator  
180 N. Irby St., Box MSC-G  
Florence, SC 29501



Re: Ordinance No. 31-2006/07

Dear Mr. Starks:

We would like to ask that Florence County amend the above referenced Ordinance to allow for Board Commission Fees to be paid. The Board Members of the Windy Hill/Olanta Fire District currently receive a quarterly Board Commission Fee payment, which is in no way considered pay or compensation for services.

If you have any questions, please do not hesitate to call me on cell phone # (843) 495-0400.

Thank you,

A handwritten signature in black ink, appearing to read "Gary Pace".

Gary Pace  
Chairman

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Introduction by Title Only - Ordinance No. 29-2007/08

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

(An Ordinance To Establish The Florence County Cultural Commission; To Provide For The Composition And Appointment Of The Commission; To Establish The Effective Date For Such Appointments; And Other Matters Relating Thereto.)

**OPTIONS:**

1. *(Recommended)* Introduce Ordinance No. 29-2007/08 by Title Only.
2. Provide an alternate directive.

**ATTACHMENTS:**

Correspondence dated March 11, 2008 from Townsend V. Holt, President, Florence Museum Board.

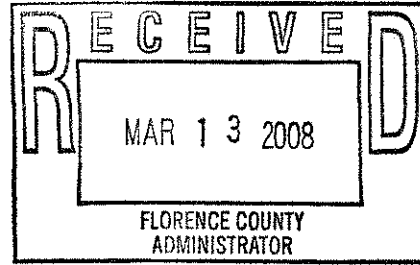


# FLORENCE MUSEUM

• ART • SCIENCE • HISTORY •

March 11, 2008

K.G. Smith  
Chairman, County Council  
Florence County  
180 N Irby Street  
Florence, South Carolina 29501




Dear Chairman:

This letter is written on behalf of the Florence Museum Board of Directors. After considerable discussion regarding the best method of acquiring the \$3.9M in state match monies to build a new museum, we have decided to ask Florence County to assume the lead in acquiring this match and to provide a governance structure for this museum and any other such facilities created within the county. Accordingly, we are respectfully requesting that Florence County Council take formal action to accomplish the following:

- 1) Create a Florence County Museum (or Cultural Affairs) Commission;
- 2) Provide sufficient money for the annual operation of this museum (and any other such museums or cultural facilities created within the county);
- 3) Allow the current Museum Board to become an advisory board to the Commission, with the President of the Board having an ex officio seat on the Commission; and
- 4) Provide the current Museum Director, Andrew Stout, the opportunity to become an employee of the county and serve the newly formed Commission.

We would expect that the value of our existing artifacts and equipment would be applied in securing the state match to the new museum upon the request of the Commission.

Finally, permit me to say how pleased I am that Florence County is willing to consider establishing its leadership in this area. Quite frankly, this effort couldn't be completed without the type of governmental sponsorship that Florence County Council can provide.

Sincerely, 

Townsend V. Holt  
President, Florence Museum Board

cc: Richard Starks

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Boards & Commissions

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Filling vacancies on Boards and Commissions.

**POINTS TO CONSIDER:**

1. Citizen involvement on boards, commissions and committees of Florence County is extremely important.
2. Many boards/commissions/committees currently have vacancies or have approaching vacancies.

**OPTIONS:**

1. Make appropriate appointments.
2. Take no action.

(A copy of the list of current and approaching vacancies for 2008 was previously provided to Council. Additional copies are available upon request.)

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Reports to Council  
Bid Award

**DEPARTMENT:** Florence County Parks and Recreation  
(Purchasing and Facilities Management Department)

**ISSUE UNDER CONSIDERATION:** Award Bid #21-07/08 for the rubberized playground surface for the Lynches River Park

## **POINTS TO CONSIDER:**

- 1) Bid #21-07/08 was publicly offered.
- 2) Four (4) compliant bids were received.
- 3) Bliss Products and Services, Columbia, SC, was the lowest bidder at \$17,280.
- 4) The Parks and Recreation Director recommends this award.
- 5) The bid expires July 2, 2008.

## **FUNDING FACTORS:**

- 1) \$17,280 = Total cost to be funded from FY08 funds budgeted in Fund 10, Department 464 Lynches River Park.
- 2) \$0 = Estimated total recurring cost in the next complete fiscal year and subsequent fiscal years incurred directly as a result of this action, which approximates .00 of a mil.

## **OPTIONS:**

- 1) (*Recommended*) 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 associated documents to proceed. (4 Compliant Bids Received)
- 2) Decline

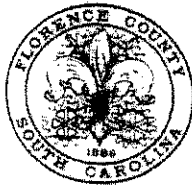
## **ATTACHMENTS:**

- 1) Bid Tabulation
- 2) April 4, 2008, Recommendation Letter from Parks and Recreation Director



Dept: Florence County Rubberized Playground Surface Invitation-to-Bid #21-07/08		Bid Opening Date: April 2, 2008 Time: 11:15 AM		Advertised Date: Morn News 3/9/08 Invitations to Bids Distributed: 13 Bid Expiration Date: 7/2/2008		SCBO 3/13/08	
Name of Bidder	Base Bid	Alternates	Bid Security	Meets Specs	Total Bid	Total Non-Local (+2%)	
Bliss Products & Services Columbia, SC	\$17,280.00			Yes	\$17,280.00		
Cunningham Associates, Inc. Charlotte, NC	\$17,470.74			Yes	\$17,470.74		
Leisure Lines, Inc. Morrow, Ga.	\$20,614.02			Yes	\$20,614.02		
Playgrounds of the Carolinas Morrisville, NC	\$24,750.00			Yes	\$24,750.00		

Notes:  
2% Local Preference Florence County Code, Section 11-62



## FLORENCE COUNTY

Recreation

# Memorandum

To: Mazie Abraham, Florence County Procurement

From: Joe Eason, Parks and Recreation Director

Date: 4/4/2008

Re: Award of Bid for Playground Fall Surface

---

I have reviewed the bids for the playground fall surface at Lynches River County Park and recommend award to Bliss Products for \$17,280.00. Please note that we are opting for a crushed stone subsurface, choosing not to accept either of the alternates (asphalt or concrete). Your assistance in processing this bid is greatly appreciated.

1

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Other Business  
Infrastructure Fund  
Council District 8

**DEPARTMENT:** County Council

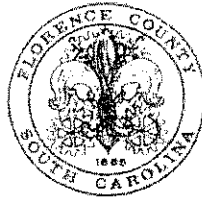
**ISSUE UNDER CONSIDERATION:**

Approve the expenditure of funds from Council District 8 Infrastructure funding allocation 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.

**ATTACHMENTS:**

1. A copy of the Memorandum indicating the approval of Councilman Schofield.

DRAFT



FLORENCE COUNTY  
Public Works Department

Arthur C. Gregg, Jr.  
Public Works Director

TO: James T. Schofield, Council Member, District # 8  
FROM: Arthur C. Gregg, Jr., Florence County Public Works Director *ACG*  
DATE: March 26, 2008  
SUBJECT: Converse Drive / Moses Davis Driveway

Estimated cost for 200 feet of double wall black plastic pipe to deviate run-off from Converse Drive to swamp area is \$1,800.00. Run-off from Converse Drive causes erosion to driveway utilized by two residents.

If you accept this project as stated above, please give your approval by signing below.

**VERBALLY APPROVED - SIGNATURE PENDING**

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Date

Payment to be made from the funding source indicated below:

\_\_\_\_\_ Infrastructure Fund

ACG, Jr./ig

# FLORENCE COUNTY COUNCIL MEETING

April 17, 2008

**AGENDA ITEM:** Other Business  
Road System Maintenance Fee (RSMF) Fund  
Council District 4

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve the expenditure of funds from Council District 4 RSMF funding allocation in an amount up to \$12,195.75 for crushed asphalt for Vanda Drive.

**ATTACHMENTS:**

1. A copy of the Memorandum indicating the approval of Councilman Kirby.

DRAFT



FLORENCE COUNTY  
Public Works Department

Arthur C. Gregg, Jr.  
Public Works Director

To: Mitchell Kirby, Council Member, District #4

From: Arthur C. Gregg, Jr., Public Works Director *AKG*

Date: April 1, 2008

Re: Crushed Asphalt for Vanda Drive

---

The estimated cost for crushed asphalt for Vanda Drive is \$12,195.75.

If you accept this project as stated above, please give your approval by signing below.

---

Crushed Asphalt – Vanda Drive

Council Member

Payment to be made from the Funding source indicated below:

\_\_\_\_\_ Date

\$ 30 Resurfacing Fee

Infrastructure Fund

ACG,JR./ig