

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.

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- 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: