

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, MAY 15, 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 MAY 1, 2008 REGULAR MEETING [1]

Council is requested to approve the Minutes of the May 1, 2008 regular meeting of County Council.

VI. PUBLIC HEARINGS: [13]

Council will hold public hearings on the following items to receive public comment:

A. ORDINANCE NO. 30-2007/08

An Ordinance To Repeal The Appendices Of The 2003 International Building Code, The 2003 International Plumbing Code, The 2003 International Mechanical Code, The 2003 International Fire Code, The 2003 International Energy Conservation Code, The 2002 National Electrical Code, The 2003 International Residential Code, And The 2003 International Fuel Gas Code And To Adopt Chapter I – Administration Of The 2006 International Building Code Of Chapter 7 – Article II, Division 1 Of The Code Of Ordinances Of Florence County.

B. ORDINANCE NO. 31-2007/08

An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Gateway, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes And Other Matters Related Thereto.

C. ORDINANCE NO. 32-2007/08

An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Williamsburg County, Such Industrial/Business Park To Be Geographically Located In Florence County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended; To Provide For A Written Agreement With Williamsburg County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto.

D. ORDINANCE NO. 01-2008/09

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2008 And Ending June 30, 2009; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; To Establish And Collect A Local Hospitality Tax In Florence County; And To Provide For Other Matters Related Thereto.

VII. APPEARANCES:

A. MURRAY JORDAN

[14]

Murray Jordan requests to appear before Council to discuss matters relating to the reduction of the \$30.00 Road Maintenance Fee to \$15.00.

B. JIM LYLES ON BEHALF OF THE J. W. PARKER FAMILY

[16]

Jim Lyles on behalf of the J. W. Parker Family requests to appear before Council for the purpose of presenting for approval a proposed modification to one of the medians planned for the Pine Needles Road Project.

C. SHARON M. & JERRY D. TAYLOR, SR.

[18]

Sharon M. & Jerry D. Taylor Sr. request to appear before Council concerning map amendment #2008-28 to change the zoning district designation for property located at 3465 James Turner Road, Effingham shown on Florence County Tax Map No. 127, Block 1, Parcel 273 from R-1, Single Family Residential District to R-3, Single Family Residential District.
(Ordinance No. 32-2007/08)

D. SOUTHSIDE MIDDLE SCHOOL 7TH GRADE WORLD HISTORY CLASS [20]

Brian S. Harvey, Gifted and Talented Education, requests that the Southside Middle School 7th Grade World History Class appear before Council to discuss Breed Specific Legislation.

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)

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. RESOLUTIONS:

RESOLUTION NO. 27-2007/08 [22]

A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding By and Among Project Gateway, Florence County, and Other Signatories Thereto Which Outlines Certain Economic Incentives That Will Be Made Available to Project Gateway Under Certain Situations; and Authorizing the Execution and Delivery of an Inducement and Millage Rate Agreement By and Between Project Gateway and Florence County.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 20-2007/08 [42]

An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.

2. ORDINANCE NO. 28-2007/08 [57]

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.

3. ORDINANCE NO. 29-2007/08 [59]

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.

B. SECOND READING

1. ORDINANCE NO. 30-2007/08 (Public Hearing) [44]

An Ordinance To Repeal The Appendices of the 2003 International Building Code, The 2003 International Plumbing Code, The 2003 International Mechanical Code, The International Fire Code, The 2003 International Energy Conservation Code, The 2002 National Electrical Code, The 2003 International Residential Code, And The 2003 International Fuel Gas Code And To Adopt Chapter I – Administration Of The 2006 International Building Code Of Chapter 7 - Article II, Division 1 Of The Code Of Ordinances Of Florence County.

2. **ORDINANCE NO. 31-2007/08** (Public Hearing) [69]
An Ordinance Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement By and Between Florence County, South Carolina, and Project Gateway, with Respect to Certain Economic Development Property, Whereby such Property Will be Subject to Certain Payments in Lieu of Taxes and Other Matters Related Thereto.

3. **ORDINANCE NO. 32-2007/08** (*Amended Title*) (Public Hearing) [74]
An Ordinance To Amend The Agreement For Development Of A Multi-County Industrial And Business Park By And Between Florence County And Williamsburg County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park So As To Include Additional Property In Florence County As Part Of The Joint County Industrial Park, And Other Matters Relating Thereto.

4. **ORDINANCE NO. 01-2008/09** (Public Hearing) [56]
An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2008 And Ending June 30, 2009; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; To Establish and Collect a Local Hospitality Tax In Florence County; And To Provide For Other Matters Related Thereto.

C. **INTRODUCTION**

1. **ORDINANCE NO. 33-2007/08** [93]
An Ordinance To Rezone Properties Owned By Pinewood Village Located Off Second Loop, Florence From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 90-080, Block 1, Parcel 31.
(*Planning Commission approved 8 – 1.*) (*Council District 8*)

2. **ORDINANCE NO. 34-2007/08** [107]
An Ordinance To Rezone Property Owned By Sharon M. & Jerry D. Taylor Sr. Located At 3465 James Turner Road, Florence From R-1, Single-Family Residential District To R-3, Single-Family Residential District, Limited Shown On Florence County Tax Map No. 127, Block 1, Parcel 273 Consisting Of 1.56 Acres.
(*Planning Commission denied 9 – 0.*) (*Council District 7*)

3. **ORDINANCE NO. 35-2007/08** [118]
An Ordinance To Adopt A New Housing 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.
(Planning Commission approved 9 – 0.)

4. **ORDINANCE NO. 36-2007/08** [153]
An Ordinance To Ratify FY08 Budget and Grant Resolutions Previously Authorized By Council and Other Matters Related Thereto.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

- BOARDS AND COMMISSIONS LIST** [157]
A list of current and approaching vacancies for 2008 on Boards and Commissions was previously provided to Council.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. **MONTHLY FINANCIAL REPORTS** [158]
(Item for the Record Only)
Monthly financial reports were provided to Council for fiscal year 2008 through March 31, 2008.
2. **SLED LEASE** [163]
Approve a Lease Renewal Agreement with South Carolina Law Enforcement Division located at 1021 Justice Way, Effingham, SC and authorize the County Administrator to execute.
3. **STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY** [180]
Consent to the State-Issued Certificate of Franchise Authority submitted by Time Warner Entertainment-Advance/Newhouse Partnership and authorize the County Administrator to complete and execute the Notice of Application for State-Issued Certificate of Franchise Authority.

B. EMERGENCY MANAGEMENT

SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION GRANT AWARD [185]

Accept the grant from the South Carolina Emergency Management Division for GIS, computer, and security upgrades in the amount of \$42,111 and authorize the designation of appropriate general ledger accounts within the Grant Fund to appropriately account for the LEMPG08 grant.

C. PARKS AND RECREATION

1. **AWARD BID #22-07/08** [187]
Accept the lowest compliant bid from Henley's Construction Co., for the Willow Creek Field Backstop in the amount of \$17,975.00; and authorize the County Administrator to execute all associated documents. (3 compliant bids received)

2. **GRANT AWARD E. L. & THEO WINDHAM CHARITABLE TRUST** [190]
Accept the grant award from the E. L. & Theo Windham Charitable Trust in the amount of \$500 to partially fund the cost of retaining The Scrap Exchange, a business providing "Events by the Truckload," (a children's recycling program) at the Florence County Parks & Recreation Fall Frenzy.

XIII. OTHER BUSINESS:

INFRASTRUCTURE FUND

1. **TRAFFIC SIGNAL – BELLEVUE DRIVE & SECOND LOOP ROAD** [191]
Approve the expenditure of funds from Council District 8 Infrastructure funding allocation in an amount up to \$8,700.00 for engineering costs to provide plans and specifications as to the feasibility of installing a traffic signal and appurtenances at the intersection of Bellevue Drive and Second Loop Road.

2. **EBENEZER PARK** [194]
Approve the expenditure of funds from Council District 9 Infrastructure funding allocation in an amount up to \$2,500.00 for layout planning work for the recently leased property adjacent to Ebenezer Park, to be designed by Kenneth B. Simmons Landscape Architecture and Planning.

XIV. EXECUTIVE SESSION:

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

XV. INACTIVE AGENDA:

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.)*

XVI. ADJOURN: