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, JANUARY 15, 2009
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. SWEARING-IN OF MEMBERS OF COUNTY COUNCIL:
Judge Ralph King Anderson, Jr., Administering the Oath of Office

(Terms commencing January 1, 2009)

Council District #4	Mitchell Kirby
Council District #5	Johnnie D. Rodgers, Jr.
Council District #2	Ken Ard
Council District #9	H. Morris Anderson

VI. ELECTION OF COUNTY COUNCIL OFFICERS FOR 2009:
County Attorney James C. Rushton, III Presiding Over Elections

Chairman
Vice Chairman
Secretary/Chaplain

IX. RECESS:

Council will have a brief recess to set the dais.

V. MINUTES:

MINUTES OF THE DECEMBER 11, 2008 REGULAR MEETING [1]
Council is requested to approve the Minutes of the December 11, 2008 regular meeting of County Council.

VI. PUBLIC HEARINGS: [11]

Council will hold public hearing on the following Ordinance:

ORDINANCE NO. 16-2008/09
An Ordinance Authorizing The Postponement Of Reassessment For Tax Year 2009 Until Tax Year 2010 And All Other Matters Relating Thereto.

VII. APPEARANCES:

A. BUILDING BRIDGES COMMITTEE [12]
Gerry Madison, Director Small & Minority Business, Greater Florence Chamber of Commerce, requests that the Building Bridges Committee be allowed to address Council regarding participation in the upcoming six-week Building Bridges session which starts Monday, January 26, 2009 at 4 p.m. at POYNER Adult Center.

B. J. MIKE KING [15]
Mr. King requests to appear before Council to discuss the closing of Cain's Landing on the Great Pee Dee River.

C. SHARON TAYLOR [17]
Mrs. Taylor requests to appear before Council to thank Council for its hard work on a rezoning issue. (Ordinance No. 07-2008/09)

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)

	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)

October 16, 2008	*Air Quality*

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:

A. RESOLUTION NO. 09-2008/09 [19]

A Resolution Authorizing The Submission Of An Application By Florence County To The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program For Video Conferencing Systems To Provide Tools For The Courts At The Complex And Law Enforcement Facilities To Operate More Efficiently And Effectively In Prosecution And To Aid Law Enforcement In Freeing Officers For Prevention And Control Of Violent Crime.

B. RESOLUTION NO. 10-2008/09 [21]

A Resolution To Amend The Florence County Personnel Policy Manual To Conform With Recent Mandatory Changes In State And Federal Legislation Pertaining To The Family Medical Leave Act Effective January 16, 2009; To Incorporate A Vehicle Idling Policy Section; And To Address Other Matters Related Thereto.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. **ORDINANCE NO. 07-2008/09** [27]

An Ordinance To Rezone Properties Owned By Cynthia T. Matthews And Jerry D. Taylor, Sr., And Sharon M. Taylor Located At 3434, 3435, 3465, 3501 James Turner Road, Effingham And 3 Parcels Located Off State Hwy. 35, Effingham From R-1, Single-Family Residential District To RU-1, Rural Community District, Shown On Florence County Tax Map No. 127, Block 1, Parcels 10, 11, 46, 72, 162, 273 And 274 Consisting Of 131 Acres.

*(Planning Commission **approved** 8 – 2)(Council District 5)*

2. **ORDINANCE NO. 13-2008/09** [38]

An Ordinance To Rezone Property Owned By Dorothy Ann Arzu Located At 2951 Whippoorwill Road, Florence From R-1, Single-Family Residential District To R-3, Single-Family Residential District Shown On Florence County Tax Map No. 00127, Block 1, Parcel 275 Consisting Of 1.00 Acre.

*(Planning Commission **approved** 9 – 0.)(Council District 5)*

3. **ORDINANCE NO. 14-2008/09** [49]
An Ordinance To Rezone Property Owned By Real Estate Asset Management Located At 1133 East Howe Springs Road, Florence From R-1, Single-Family Residential District To B-3, General Commercial District Shown On Florence County Tax Map No. 00180, Block 1, Parcel 202, Consisting Of 2.9 Acres.
*(Planning Commission **approved** 9 – 0.)(Council District 7)*

B. SECOND READING

1. **ORDINANCE NO. 15-2008/09** [60]
An Ordinance To Rezone Property Owned By Ivan Hanna Located At 362 North Georgetown Highway, City Of Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 00440, Block 5, Parcel 36 Consisting Of .68 ± Acres.
*(Planning Commission **approved** 6 – 0.)(Council District 2)*

2. **ORDINANCE NO. 16-2008/09** [71]
An Ordinance Authorizing The Postponement Of Reassessment For Tax Year 2009 Until Tax Year 2010 And All Other Matters Relating Thereto.

C. INTRODUCTION

1. **ORDINANCE NO. 17-2008/09** [73]
An Ordinance To Rezone Property Owned By Douglas H. Phillips Located At 3654, 3656, 3658, 3660, 3662 And 3664 South Irby Street, Florence From B-5, Office And Light Industrial District To B-3, General Commercial District Shown On Florence County Tax Map No. 00152, Block 1, Parcel 58 Consisting Of 3.79 Acres.
*(Planning Commission **approved** 7 – 0.)(Council District 5)*

2. **ORDINANCE NO. 18-2008/09** [85]
An Ordinance Amending The Florence County Code To Remove Outdated Sections And Other Matters Relating Thereto.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

BOARDS AND COMMISSIONS LIST [87]
A list of current and approaching vacancies for 2009 on Boards and Commissions was previously provided to Council.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. **MONTHLY FINANCIAL REPORTS** [88]
Monthly Financial Reports Are Provided To Council For Fiscal Year 2009 Through November 30, 2008 As An Item For The Record.

2. **SOLID WASTE MANAGEMENT PLAN** [93]
Approve The January 15, 2009 Florence County Solid Waste Management Plan Update To The December 7, 2006 Plan.

3. **CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES** [96]
Accept The Proposal For Professional Engineering Services For The Infrastructure Improvements At The Britton-Bostic-Winona Site In Preparation For Industrial Park Certification From Alliance Consulting Engineers In The Amount Of $75,000 To Be Funded From Progress Energy Carolinas, Inc. Rural Development Act (RDA) Funding; And Authorize The County Administrator To Execute All Associated Documents To Proceed.

B. EMERGENCY MANAGEMENT

RE-BANDING FUNDS SPRINT NEXTEL [98]
Accept The Funds From Sprint Nextel In The Amount Of $1,884.88 To Offset Costs Associated With Re-Banding For The 800 MHz Radio System For The Florence County Emergency Management Department.

C. FINANCE

FISCAL YEAR 2008 AUDIT PRESENTATION [100]
Accept The Fiscal Year 2008 Audit As Presented By The Firm Of Baird & Company, CPA's, LLC.

D. GEOGRAPHICAL INFORMATION SYSTEMS

2009 SC LIGHT DETECTION & RANGING STATEWIDE CONSORTIUM [101]
Approve Florence County's Participation In The 2009 South Carolina Light Detection And Ranging (LiDAR) Statewide Consortium Organized To Gather Elevation And Terrain Data Using Remote Sensing During A Flyover Of The County To Be Used For Flood Plain Data, Storm Water Drainage Planning, And Economic Development In The Amount Of $96,000; And Authorize The County Administrator To Execute All Associated Documents To Proceed.

E. LIBRARY

GRANT AWARD – MARY AC INGRAM CHARITABLE LEAD UNITRUST [102]

Accept The Grant From The Mary AC Ingram Charitable Lead Unitrust In The Amount Of $5,000 To Be Used To Purchase Books For Use In The Florence County Library.

F. PROBATE COURT

GRANT APPLICATION – SC DEPARTMENT OF ARCHIVES & HISTORY [103]

Approve The Submission Of The Pre-Grant And Subsequent Grant Application To The South Carolina Department Of Archives & History In The Amount Of $20,000 ($10,000 Grant And $10,000 Match) And Approve Inclusion In The FY2010 Budgetary Process For The Required Match.

G. PROCUREMENT DEPARTMENT

1. **AWARD BID #11-08/09** [105]

Accept Bid #11-08/09 To Construct Olanta And Timmonsville Branch Libraries To FBI Construction Co., Inc. Of Florence, SC In The Amount Of $2,100,884; Approve The Extension Of The Bid Amount By FBI Construction Co., Inc. In The Amount Of $1,050,000 For The Construction Of The Johnsonville Branch Library From Grant And State Funds, And Remaining County Library Construction Funds; And Authorize The County Administrator To Execute All Associated Documents, With Contracts Subject To Review By The County Attorney. (11 *Compliant Bids Received)*

2. **AWARD BID #13-08/09** [110]

Accept The Bid Of The Lowest Responsive Bidder, Boggs Paving, Inc. Of Myrtle Beach, South Carolina For The Bellevue Drive And Second Loop Road Turn Lane Widening And Signal Light Addition Project In The Amount Of $32,991 To Be Funded From Previously Approved Council District 8 Infrastructure Funds; And Authorize The County Administrator To Execute All Associated Documents To Proceed. (*3 Compliant Bids Received)*

3. **AWARD BID #14-08/09** [113]
Accept The Bid Of The Lowest Responsive Bidder, Conder Construction Co., Lugoff, South Carolina For The Storm Drainage Improvements Within Wetlands B, J, And L At The Pee Dee Touchstone Energy Commerce Park In The Amount Of $96,488.25 To Be Funded From Pee Dee Electric Cooperative RDA Funds; And Authorize The County Administrator To Execute All Associated Documents To Proceed. (16 *Compliant and 1 Non-Compliant Bids Received)*

H. TREASURER'S OFFICE

OCTOBER 6, 2008 TAX SALE [119]
Information From The October 6, 2008 Tax Sale Regarding Total Parcels Sold And Amount Received Was Provided To Council As An Item For The Record.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE FUND

1. **BROWNTOWN MUSEUM** [121]
Approve The Expenditure Of Funds From Council Districts 1 And 2 Infrastructure Funding Allocations In An Amount Up To $10,000.00 ($5,000 From Each District) To The Three Rivers Historical Society To Provide Financial Assistance For Renovations And Restoration Projects At The Browntown Museum.

2. **CITY OF LAKE CITY** [125]
Approve The Expenditure Of Funds From Council District 1 Infrastructure Funding Allocation In An Amount Up To $10,000.00 To Provide Financial Assistance To The City Of Lake City For The Purchase Of An HVAC System For The City Of Lake City's Recreational Facility Located On Calhoun Street.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

1. **BRIARCLIFF DRIVE** [128]
Approve The Expenditure Of Funds From Council District 3 RSMF Funding Allocation In An Amount Up To $25,000.00 For 1½" Hot Laid Asphalt To Resurface Briarcliff Drive.

2. **CUBIE ROAD** [130]
Approve The Additional Expenditure Of Funds From Council District 4 RSMF Funding Allocation In An Amount Up To $11,027.56 For MBC Stone And Crushed Asphalt For Cubie Road And Correct The Scope Of The Project To Be From Stage Coach Road To The Top Of The Hill (Total Project Costs $28,313.99).

3. **DELOSH ROAD** [132]
Approve The Expenditure Of Funds From Council District 5 RSMF Funding Allocation In An Amount Up To $23,472.75 For MBC Stone And Crushed Asphalt For A Portion Of Delosh Road.

C. UTILITY SYSTEM FUND

WILSON ROAD SIDEWALK PROJECT [134]
Approve The Expenditure Of Funds From Council District 7 Utility System Funding Allocation In An Amount Up To $54,108.00 For Additional Pipe To Extend The Contract For Wilson Road Sidewalk Project (TV Road To Oakland Avenue).

XIV. EXECUTIVE SESSION:

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

- Contractual matter related to a solid waste contract
- Contractual matters relating to real property transactions
- Contractual matters relating to the Museum.
- Legal briefing on litigation matters

XV. INACTIVE AGENDA:

ORDINANCE NO. 34-2007/08 TABLED
At its regular meeting of June 5, 2008, Council referred this Ordinance to the Committee on Public Service & County Planning, prior to second reading of the Ordinance. **At its regular meeting of December 11, 2008, County Council voted unanimously to table the Ordinance.** 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** 8 – 1.) (Council District 5)*

XVI. ADJOURN: