

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, SEPTEMBER 17, 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. MINUTES:

MINUTES OF THE AUGUST 20, 2009 REGULAR MEETING [1]
Council Is Requested To Approve The Minutes Of The August 20, 2009
Regular Meeting Of County Council.

VI. PUBLIC HEARINGS: [13]

Council will hold public hearing on the following item:

ORDINANCE NO. 07-2009/10

An Ordinance To Adopt A New Land Use Element For The Florence County
Comprehensive Plan In Accordance With The 1976 South Carolina Code Of
Laws, As Amended, Title 6, Chapter 29, Section 510.

VII. APPEARANCES:

- A. JILL HEIDEN – FLORENCE-DARLINGTON TECHNICAL COLLEGE** [14]
Ms. Heiden Requests To Appear Before Council To Provide A Very Short Presentation Of Nuclear Energy Initiative, A Short Discussion Of The Department Of Defense Partnership, And Results And Request For Discover Manufacturing Camp Sponsor, Emphasis On Science And Math For The Year 2010.
- B. ED LOVE, CHAIR – FLORENCE COUNTY LEGISLATIVE DAY COMMITTEE** [16]
Mr. Love Requests To Appear Before Council To Brief Council On The Plans For The 2010 Florence County Legislative Day Event.
- C. KEVIN YOKIM, FINANCE DIRECTOR** [18]
The County Administrator Requested Mr. Yokim Appear Before Council To Discuss Proposed Resolution No. 05-2009/10 Regarding Florence County’s Participation In The South Carolina Procurement Card Program.

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)

June 18, 2009 *Ordinance No.35-2008/09 (Revisions to Procurement Section of County Code)*

Public Services & County Planning

(Council members James T. Schofield/Chair, Mitchell Kirby, and Ken Ard)

January 17, 2008 *Zoning Ordinance Amendment (Was Ordinance No. 18-2007/08)*
February 5, 2009 *Voter Registration/Election Office Building*
April 2, 2009 *Enforcement Of The Portable Sign Regulation Section 30-202 and 30-205, Including Table VII*
June 4, 2009 *Ordinance No. 31-2008/09 (Definitions for Incidental Signs)*

Justice & Public Safety

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

April 16, 2009

Ordinance No. 25-2008/09 (Ambulance Services)

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.)

City-County Conference Committee

(Council members Alphonso Bradley/Co-Chair, Russell W. Culberson, and Johnnie D. Rodgers, Jr.)

IX. RESOLUTIONS:

A. RESOLUTION NO. 05-2009/10

[20]

A Resolution To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto.

B. RESOLUTION NO. 06-2009/10

[35]

A Resolution To Establish The Florence County Identity Theft Prevention Policy In Order To Comply With The South Carolina Financial Identity Fraud And Identity Theft Protection Act Of 2008 And The Federal Trade Commission Identity Theft Rules.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. **ORDINANCE NO. 31-2008/09** [41]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs On Private Property, Tables VII And VIII And Article X, Definitions, Section 30-311, Definitions.
(Planning Commission approved 9 – 0.)

2. **ORDINANCE NO. 03-2009/10** [50]
An Ordinance To Rezone Property Owned By Young Brothers Properties Located At I-95, Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres.
(Planning Commission approved 9 – 0.) (Council District 9)

3. **ORDINANCE NO. 04-2009/10** [62]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations And Sections 30-29, 30-111 And 30-311 For Minor Text Corrections.
(Planning Commission approved 6 – 0.)

B. SECOND READING

1. **ORDINANCE NO. 05-2009/10** [71]
An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297. Administrative Procedures, Action.
(Planning Commission approved 11 – 0.)

2. **ORDINANCE NO. 06-2009/10** [80]
An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Sections 30-91, 30-95, and 30-292 For Text Corrections; And Sections 30-294 And 30-295 For Minor Text Updates.
(Planning Commission approved 11 – 0.)

3. **ORDINANCE NO. 07-2009/10** [85]
An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.
(Planning Commission approved 6 – 0.)

4. **ORDINANCE NO. 08-2009/10** [91]
 An Ordinance To Amend Florence County Code, Chapter 9.5 Drainage And Stormwater Management Ordinance, Section 9.5-16, Regarding Requirements For Land Disturbing Activity And Section 9.5-72, Regarding Clarification Of Close Out Processes For Commercial And Residential Projects.
(Planning Commission approved 6 – 0.)

5. **ORDINANCE NO. 10-2009/10** [98]
(Deferred Pending Planning Commission Recommendation)
 An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table I: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.

6. **ORDINANCE NO. 11-2009/10** [100]
 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.

7. **ORDINANCE NO. 12-2009/10** [101]
 An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And Project Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.

C. **INTRODUCTION**

1. **ORDINANCE NO. 13-2009/10** [102]
 An Ordinance To Establish Policies And Procedures Related To The Abatement Of Unsafe Structures As Florence County Code, Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto.
(Planning Commission approved 6 – 0.)

2. **ORDINANCE NO. 14-2009/10** [119]
 An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting Of 19.32 Acres.
(Planning Commission approved 9 – 0.) (Council District 4)

3. **ORDINANCE NO. 15-2009/10** [131]
 An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St., Olanta To R-1, Single Family Residential District Shown On Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres.
(Planning Commission approved 9 – 0.) (Council District 5)

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

- BOARDS AND COMMISSIONS LIST** [143]
 A List Of Current And Approaching Vacancies For Calendar Year 2009 On Boards And Commissions Was Previously Provided To Council.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

- FLORENCE REGIONAL ARTS ALLIANCE** [144]
 Approve The Temporary Use Of The Former Library By The Arts Alliance For HolidayFest 2009 And Authorize The County Administrator To Execute A Temporary Letter-Form, Lease Agreement, Subject To Review By The County Attorney.

B. LIBRARY

1. **AWARD BID #01-09/10** [146]
 Award Bid #01-09/10 For Landscaping And Maintenance At The Olanta And Timmons ville Branch Libraries To Cut-M-Up Landscape, Columbia, SC, In The Amount Of \$29,626.00. *(17 Compliant Bids Received)*

2. **GRANT AWARD – INSTITUTE OF MUSEUM AND LIBRARY SERVICES** [151]
Accept An Award From The Institute Of Museum And Library Services (IMLS) As A Congressionally Directed Grant, Log Number CL-00-09-0004, In The Amount Of \$48,000 For Enhancements At The New Johnsonville Library.

C. PARKS & RECREATION DEPARTMENT

1. **AWARD BID #03-09/10** [153]
Award Bid #03-09/10 For Fencing Of The Dixie Boys Field At Greenwood Athletic Park To Seegars Fence Company, Inc., Fayetteville, NC, In The Amount Of \$28,664.00. (*4 compliant bids*)
2. **AWARD BID #04-09/10** [156]
Authorize The County Administrator To Award Bid #04-09/10 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. (*2 compliant bids*)

D. PROCUREMENT

1. **APPOINTMENT OF MEMBER** [159]
Appoint A Member Of Council To Serve On The Environmental Services Office Design And Bid/Evaluation Committee.
2. **DECLARATION OF SURPLUS PROPERTY** [160]
Declare (2) Vehicles, (1) Van, (2) Ambulances, (1) Dump Truck, (1) Cat Pan, (1) Lowboy, (1) Trailer, And (1) Four-Wheeler As Surplus Property For Disposal Through Public Internet Auction Via GovDeals.
3. **PRE-QUALIFICATION OF ENGINEERING FIRMS** [162]
Approve The Following Seven (7) Engineering Firms For Pre-Qualification For Future County Projects In The County As Recommended By The Professional Engineering Services Request For Qualifications Review Panel: Alliance Consulting Engineers, Columbia, SC; BP Barber, Columbia, SC; Castles Engineering, Myrtle Beach, SC; Collins Engineers, Inc., Charleston, SC; Davis And Brown, Quinby, SC; Dennis Corp, Columbia, SC; And TranSystems, N. Charleston, SC.

E. SHERIFF OFFICE

GRANT AWARD UNITED STATES DEPARTMENT OF JUSTICE [164]
Accept Grant Award #2009-DJ-BX-0872 In The Amount Of \$66,383 Under The BJA FY09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation From The United States Department Of Justice (USDOJ) For The Florence County Sheriff Office To Assist With Costs Associated With Purchase Of Needed Law Enforcement Equipment.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

1. **CANDLEBERRY ROAD** [166]
Approve The Expenditure Of Up To \$9,375.00 From Council District 1 Infrastructure Funding Allocation To Pay For The Cost Of Putting MBC Stone And Crushed Asphalt On Candleberry Road.

2. **LAKE CITY AIRPORT** [167]
Approve The Expenditure Of Up To \$2,500.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City With The Construction Of An Observation Deck, Consisting Of A 30' x 31' Concrete Slab For A Seating Area For The Public To Observe Incoming And Outgoing Aircraft, At The Lake City Airport.

3. **SOUTH LYNCHES FIRE DEPARTMENT** [169]
Approve The Expenditure Of Up To \$45,000.00 From Council Districts 1, 2, and 5 Infrastructure Funding Allocations (\$15,000 From Each District) To Assist The South Lynchess Fire Department In Replacing Primary "Jaws Of Life" Equipment.

4. **NORWOOD LANE** [171]
Approve The Expenditure Of Up To \$2,500.00 From Council District 3 Infrastructure Funding Allocation To Pay For The Cost Of Replacing A Portion Of Driveway At 1746 Norwood Lane. (*This Estimate Is To Replace Concrete Driveway From Edge Of Asphalt Pavement To The Edge Of Road Right Of Way.*)

5. SPAULDING HEIGHTS COMMUNITY PARK [172]
Approve The Expenditure Of Up To \$400.00 From Council District 7 Infrastructure Funding Allocation To Assist With The Purchase Of A Bicycle Rack At Spaulding Heights Community Park.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF)

1. N. SIMMONS STREET [173]
Approve The Expenditure Of Up To \$17,043.00 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½” Type C Hot Laid Asphalt For N. Simmons Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence).
2. W. WASHINGTON STREET [174]
Approve The Expenditure Of Up To \$14,800.50 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½” Type C Hot Laid Asphalt For W. Washington Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence).
3. ST. ANDREWS ROAD [175]
Approve The Expenditure Of Up To \$31,395.00 From Council District 9 RSMF Funding Allocation To Fund 1 ½” Of Hot Laid Asphalt On St. Andrews Road (S21-1293).

XIV. EXECUTIVE SESSION:

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

- contractual matter concerning an economic development project
- personnel matter concerning the Solicitor Office
- personnel matter concerning the Finance Department
- personnel matter concerning the Chief Magistrate Office
- pending real property contractual matters

XV. INACTIVE AGENDA:

A. ORDINANCE NO. 19-2008/09

At its regular meeting of February 19, 2009 Council deferred second reading of Ordinance No. 19-2008/09: An Ordinance Establishing Regulations For The Securing And Disposition Of Solid Waste, Establishing Procedures For Violations, And Other Matters Relating Thereto.

B. ORDINANCE NO. 25-2008/09

At its regular meeting of April 2, 2009 Council referred this Ordinance to the Committee on Justice & Public Safety: An Ordinance To Amend Florence County Code, Chapter 5, Ambulance Services, In Its Entirety To Establish Procedures Relating To Private Ambulance Services And Other Matters Relating Thereto.

C. ORDINANCE NO. 35-2008/09

At its regular meeting of June 18, 2009, Council referred this Ordinance to the Committee on Administration & Finance: An Ordinance To Re-Establish And Revise Florence County Procurement Policies and Procedures As Chapter 25.5, Procurement, And To Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto.

D. ORDINANCE NO. 02-2009/10

[176]

At its regular meeting of August 20, 2009, Council unanimously denied second reading of this Ordinance: An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off Of E. Macree Terrace And Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres.

(Planning Commission denied 8 – 1.) (Council District 5)

XVI. ADJOURN: