

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 20, 2010
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 15, 2010 REGULAR MEETING [1]
Council Is Requested To Approve The Minutes Of The April 15, 2010
Regular Meeting Of County Council.

VI. PUBLIC HEARINGS: [11]

Council will hold public hearing on the following:

A. RESOLUTION NO. 25-2009/10

A Resolution In Support Of The Reissuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds (Family Y.M.C.A. Of Greater Florence Project) Series 2000, Outstanding In The Principal Amount Of \$1,500,000, Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina, 1976, As Amended.

B. ORDINANCE NO. 31-2009/10

An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 404 East Hampton Street, Olanta, South Carolina And Designated As Tax Map Number 04530-03-029; And To Authorize The Conveyance Or Public Sale Thereof, Including A First Right Of Refusal; And Other Matters Relating Thereto.

C. ORDINANCE NO. 32-2009/10

An Ordinance Authorizing The Execution And Delivery Of Not Exceeding \$215,000,000 Aggregate Principal Amount Hospital Revenue Bonds (McLeod Regional Medical Center Project) Of Florence County, South Carolina, From Time To Time, In One Or More Series, Pursuant To Article 11, Chapter 7, Title 44, Code Of Laws Of South Carolina 1976, As Amended, To Finance The Costs Of Constructing And Equipping An Expansion Of A Hospital Facility Owned And Operated By McLeod Regional Medical Facility Center Of The Pee Dee, Inc., And The Refunding Of Certain Outstanding Revenue Bonds Issued By Florence County On Behalf Of McLeod Regional Medical Center Of The Pee Dee, Inc.; The Entering Into Certain Covenants And Agreements And The Execution And Delivery Of Certain Instruments Relating To The Issuance Of The Aforesaid Bonds Including A Loan Agreement Or Loan Agreements Between Florence County And McLeod Regional Medical Center Of The Pee Dee, Inc., An Assignment By Florence County Of Its Rights Thereunder To The Trustee For Such Bonds, And A Trust Indenture Or Trust Indentures Between Florence County And The Trustee For Such Bonds; And Consenting To The Delivery Of Security Instruments Related To Such Bonds; And Other Matters Relating Thereto.

D. ORDINANCE NO. 33-2009/10

An Ordinance To Ratify FY10 Budget And Grant Resolutions Previously Authorized By Council And Other Matters Related Thereto.

E. ORDINANCE NO. 34-2009/10

An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And McCall Farms, 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.

F. ORDINANCE NO. 35-2009/10

An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 1998 Between Florence County, South Carolina And Williamsburg County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park.

G. ORDINANCE NO. 01-2010/11

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2010 And Ending June 30, 2011; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

VII. APPEARANCES:

A. REGINALD COOPER, DIRECTOR – FLORENCE DJJ [13]

Mr. Cooper Requests To Appear Before Council To Provide An Agency Update.

B. FLORENCE TENNIS ASSOCIATION [15]

A Representative Of The Florence Tennis Association Will Appear Before Council To Present A Request For Funding For A Restroom Facility For The New Tennis Complex Currently Under Construction In Florence.

C. RICK WALDEN – VETERANS AFFAIRS OFFICER [17]

Mr. Walden requests to appear before Council to request additional funds for the VA office to use in conjunction with VA programs.

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

Justice & Public Safety

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

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. 25-2009/10 *(Public Hearing)* [20]

A Resolution In Support Of The Reissuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds (Family Y.M.C.A. Of Greater Florence Project) Series 2000, Outstanding In The Principal Amount Of \$1,500,000, Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina, 1976, As Amended.

B. RESOLUTION NO. 26-2009/10 [23]

A Resolution Expressing The Support And Approval Of The Entry By The Windy Hill Volunteer Fire Company Into A Tax exempt Lease –Purchase Arrangement With Respect To Trucks And Other Fire Fighting Equipment For Use In The Windy Hill Fire District For The Purposes Of Section 147(F) Of The United States Internal Revenue Code Of 1976, As Amended In The Aggregate Principal In The Aggregate Principal Amount Of Not Exceeding \$1,272,588.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 22-2009/10 – DEFERRAL [27]

An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And J.P. Morgan Chase, 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.

2. ORDINANCE NO. 23-2009/10 – DEFERRAL [54]

An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 1998 Between Florence County, South Carolina And Williamsburg County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park.

3. ORDINANCE NO. 30-2009/10 [62]

An Ordinance To Zone Property Owned By KAT-ROX LLC, Located At Pamplico Highway And South Flanders Road, Florence County To PD 2010-01, Planned Development District Shown On Florence County Tax Map No. 90147, Block 03, Parcel 66, Consisting Of Approximately 22.08 Acres.

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

B. SECOND READING

1. ORDINANCE NO. 31-2009/10 (Public Hearing) [74]

An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 404 East Hampton Street, Olanta, South Carolina And Designated As Tax Map Number 04530-03-029; And To Authorize The Conveyance Or Public Sale Thereof, Including A First Right Of Refusal; And Other Matters Relating Thereto.

2. **ORDINANCE NO. 32-2009/10** *(Public Hearing)* **[76]**
An Ordinance Authorizing The Execution And Delivery Of Not Exceeding \$215,000,000 Aggregate Principal Amount Hospital Revenue Bonds (McLeod Regional Medical Center Project) Of Florence County, South Carolina, From Time To Time, In One Or More Series, Pursuant To Article 11, Chapter 7, Title 44, Code Of Laws Of South Carolina 1976, As Amended, To Finance The Costs Of Constructing And Equipping An Expansion Of A Hospital Facility Owned And Operated By McLeod Regional Medical Facility Center Of The Pee Dee, Inc., And The Refunding Of Certain Outstanding Revenue Bonds Issued By Florence County On Behalf Of McLeod Regional Medical Center Of The Pee Dee, Inc.; The Entering Into Certain Covenants And Agreements And The Execution And Delivery Of Certain Instruments Relating To The Issuance Of The Aforesaid Bonds Including A Loan Agreement Or Loan Agreements Between Florence County And McLeod Regional Medical Center Of The Pee Dee, Inc., An Assignment By Florence County Of Its Rights Thereunder To The Trustee For Such Bonds, And A Trust Indenture Or Trust Indentures Between Florence County And The Trustee For Such Bonds; And Consenting To The Delivery Of Security Instruments Related To Such Bonds; And Other Matters Relating Thereto.

3. **ORDINANCE NO. 33-2009/10** *(Public Hearing)* **[353]**
An Ordinance To Ratify FY10 Budget And Grant Resolutions Previously Authorized By Council And Other Matters Related Thereto.

4. **ORDINANCE NO. 34-2009/10** *(Public Hearing)* **[358]**
An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And McCall Farms, 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.

5. **ORDINANCE NO. 35-2009/10** *(Public Hearing)* **[378]**
An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 1998 Between Florence County, South Carolina And Williamsburg County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park.

6. **ORDINANCE NO. 01-2010/11** *(Public Hearing)* [388]
An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2010 And Ending June 30, 2011; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

C. **INTRODUCTION**

- ORDINANCE NO. 36-2009/10** [401]
An Ordinance To Rezone Property Owned By Bryan Gardner Located At 3414 James Turner Road, Florence County From R-1, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 012 Consisting Of Approximately 25 Acres.
(Planning Commission approved 9 – 0.) (Council District 5)

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

XII. **REPORTS TO COUNCIL:**

A. **ADMINISTRATION**

1. **MONTHLY FINANCIAL REPORTS** [411]
Monthly Financial Reports Were Provided To Council For Fiscal Year 2010 Through March 31, 2010 As An Item For The Record.
2. **PINE NEEDLES ROAD PROJECT – C FUNDS PROGRAM** [417]
Accept Allocation From The South Carolina Department Of Transportation (SCDOT) Under The Florence County Transportation Committee (FCTC) C Funds Program, PCN #39980 In The Amount Of \$125,607 For The Continuation Of Sidewalk On Pine Needles Road To St. Andrews Lane.

B. EMERGENCY MEDICAL SERVICES (EMS)

NON-EXCLUSIVE AMBULANCE FRANCHISE APPLICATION

[420]

Award A Non-Exclusive Ambulance Franchise To Lifeline Regional Ambulance, Inc.

C. FINANCE/TAX ASSESSOR

LATE FARM APPLICATIONS

[424]

Extend The Deadline For Late Farm Application Consideration; Authorize Parcels To Be Considered; And, Close The Filing Deadline.

D. PROCUREMENT

1. AWARD BID #22-09/10

[426]

Authorize The Award Of Bid #22-09/10 For An Articulating All Wheel Drive Loader, Bucket And Rake To Dougherty Equipment, Ladson, SC In The Amount Of \$124,268.03 Contingent Upon Dougherty Equipment Providing Acceptable Documentation Of Specifications Of The Bucket And Rake To Procurement Within 15 Days Of This Authorization; And Authorize The County Administrator To Alternatively Award The Bid To The Next Lowest Bidder If Dougherty Equipment Fails To Comply Timely.

2. AWARD BID #26-09/10

[429]

Approve Approximately \$12,500 For Interim Sewage Disposal For The McCall Farms Expansion Project To Allow Compliance With Federal Community Development Block Grant (CDBG) Requirements; And Authorize The County Administrator To Award Bid #26-09/10 For A Sewage Pump Station And Force Main At McCall Farms Being Funded By The Sc Department Of Commerce (CDBG #4-ED-09-004).

E. SHERIFF OFFICE

1. DECLARATION OF SURPLUS PROPERTY

[431]

Declare Four (4) Mini 14 Rifles As Surplus Property In Order To Trade In On Replacements.

2. DECLARATION OF SURPLUS PROPERTY

[433]

Declare Three (3) Glock G-17 9mm Handguns, Serial Numbers CHU397US, CHU422US, And CHU581US, As Surplus Property Of The Florence County Sheriff Office For The Purpose Of Awarding To Retiring Employees.

3. **GRANT AWARD – UNITED STATES DEPARTMENT OF JUSTICE (USDOJ)** [436]
Approve The Submission Of A Grant Application For The FY2010 USDOJ Edward Byrne Memorial Justice Grant (JAG) Program Local Solicitation In The Amount Of \$60,843 To Provide Capital/Replacement Equipment For The Florence County Sheriff Office.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

1. **LAKE CITY FIRE DEPARTMENT** [438]
Declare Vehicle #V0449 A 1999 Ford F250 Extended Cab Pick-up As Surplus; Authorize The Sale Of The Vehicle To The Lake City Fire Department In The Amount Of \$2,175; And Approve The Expenditure Of Up To \$2,175.00 From Council District 1 Infrastructure Funding Allocation For The Purchase Of The Vehicle For The Lake City Fire Department.
2. **N. ELMORE STREET** [440]
Approve The Expenditure Of Up To \$14,800.00 From Council District 3 Infrastructure Funding Allocations To Pay For The Resurfacing Of 775 Feet Of N. Elmore Street.
3. **PEE DEE COMMUNITY ACTION PARTNERSHIP – DAY CARE HOMES PROGRAM** [441]
Approve The Expenditure Of Up To \$12,425.00 From Council Districts' Infrastructure Funding Allocations (From Each District As Indicated On The Approving Form) To Assist The Pee Dee Community Action Partnership With Replacement Of The Roof At The Day Care Homes Administration Site At 1511 Stokes Road, Florence, SC.
4. **TOWN OF TIMMONSVILLE** [443]
Declare Vehicle #V0994 A 2006 Ford Crown Vic As Surplus; Authorize The Sale Of The Vehicle To The Town Of Timmons ville In The Amount Of \$1,000; Approve The Expenditure Of Up To \$1,000.00 From Council District 4 Infrastructure Funding Allocation For The Purchase Of The Vehicle For The Town Of Timmons ville.
5. **TOWN OF OLANTA** [445]
Approve The Expenditure Of An Amount Not To Exceed \$1,500.00 From Council District 5 Infrastructure Funding Allocation To Provide A Safety Barrier Between The New Playground Equipment And North Liberty Street; An Additional Component At A Community Park In Olanta.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF)

ERNEST LANE

[447]

Approve The Expenditure Of Up To \$11,000.00 From Council District 1 RSMF Funding Allocation To Pay For Rock And Crushed Asphalt For Ernest Lane.

C. UTILITY/INFRASTRUCTURE

LOWER FLORENCE COUNTY PUBLIC SERVICE BUILDING

[448]

Discuss The Expenditure Of Approximately \$55,950.00 From Council District' Utility/Infrastructure Funding Allocations (From Each District As Indicated On The Approving Form) For Proposed Upgrades To The Lower Florence County Public Service Building; \$25,500 – 1”X6”X100’ Steel Gutter Plate And \$30,450 – Parking Expansion And Realignment).

XIV. EXECUTIVE SESSION:

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

- contractual matters concerning pending real property transactions
- contractual matters concerning economic development
- legal briefing

XV. INACTIVE AGENDA:

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.

XVI. ADJOURN: