

VII. APPEARANCES:

A. BUILDING BRIDGES COMMITTEE

[10]

A Representative Of The Building Bridges Committee Requests To Appear Before Council Regarding The Upcoming Session Of The Building Bridges Program.

B. MAYOR GENE GAINY, TOWN OF PAMPLICO

[12]

Mayor Gainey Requests To Appear Before Council Concerning Zoning/Rezoning Issues (Ordinances No. 03 And 04-2010/11).

C. JACK NEWSOME, TAX ASSESSOR

[14]

Mr. Newsome (At The Request Of The County Administrator) Requests To Appear Before Council To Brief Council On The Reassessment Program For Tax Year 2010.

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)

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)

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:

RESOLUTION NO. 01-2010/11 [15]
A Resolution To Oppose Performance Rights Royalties In Support Of Local
Radio Stations.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 02-2010/11 [17]
An Ordinance To Adopt A Transportation Element For The Florence
County Comprehensive Plan In Accordance With Title 6, Chapter 29,
Section 510 Of The South Carolina Code Of Laws, 1976, As Amended.
(*Planning Commission approved 10 – 0.*)

2. ORDINANCE NO. 05-2010/11 [21]
An Ordinance To Zone Properties Owned By Property Owners As Shown
On Attachment “A” Located On Harmony Street, West Dixie Street, West
Sumter Street, Carver Circle, West Marion Street, North Hartwell Drive,
North Schofield Street, Dewey Road, Bunch Street, Curry Lane, North
Trinity Street, Cumberland Drive, And North Alexander Street, Florence
County To R-3A, Single-Family Residential District Shown On Florence
County Tax Map No. 90044, Block 02, Parcels 002-011; Tax Map No.
90044, Block 03, Parcels 002, 004-006, 008-010, 012-015; Tax Map No.
90044, Block 04, Parcels 001-003, 005-021; Tax Map No. 90044, Block
06, Parcels 001-003, 005; Tax Map No. 90044, Block 08, Parcels 002-006,
010; Tax Map No. 90044, Block 09, Parcels 001-021, 025, 026; Tax Map
No. 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-
066; Tax Map No. 90045, Block 02, Parcels 004, 007; Tax Map No.
90059, Block 08, Parcels 007, 010; Tax Map No. 90059, Block 09, Parcels
012, 017; Tax Map No. 90060, Block 08, Parcels 001, 002, 007-011; Tax
Map No. 90060, Block 13, Parcels 003, 005, 006; Tax Map No. 00122,
Block 01, Parcel 097 Consisting Of 154 Parcels.
(*Planning Commission denied 6 – 4.*) (*Council District 3*)

B. SECOND READING

ORDINANCE NO. 06-2010/11

[49]

An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.

C. INTRODUCTION

1. ORDINANCE NO. 07-2010/11

[52]

An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Darlington County, Such Industrial/Business Park To Be Geographically Located In Darlington 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 Darlington 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.

2. ORDINANCE NO. 08-2010/11 – BY TITLE ONLY

[67]

An Ordinance Approving The Delivery By The Florence County Public Facilities Corporation Of Refunding Certificates Of Participation (Law Enforcement Center And Civic Center Projects), Series 2010, In The Principal Amount Of Not Exceeding \$23,000,000 In Order To Achieve An Estimated Debt Service Savings Of Approximately \$500,000 Net Of All Costs Of Issuing Said Refunding Certificates Of Participation; Authorizing The Execution And Delivery Of Certain Instruments Relating To Said Refunding Certificates Of Participation, Including An Amended And Restated Ground Lease Agreement And An Amended And Restated Lease Agreement, Both Between The Florence County Public Facilities Corporation And Florence County, A Certificate Purchase Agreement Among The Florence County Public Facilities Corporation, Florence County And Stephens, Inc.; Approving The Delivery Of An Assignment Of Lessor's Interest In Lease By The Florence County Public Facilities Corporation To The Certificate Trustee, A Trust Agreement Between Florence County Public Facilities Corporation And The Certificate Trustee, And A Preliminary Official Statement And Official Statement With Respect To The Sale Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

CONVEYANCE OF PROPERTY

[69]

Authorize The Acceptance Of The Pamplico Theatre Property, Located At 132 East Main Street, Pamplico, Designated As Tax Map Number 60006-03-014, By Deed Of Gift From The Drs. Bruce And Lee Foundation.

B. FINANCE/TAX ASSESSOR

LATE FARM APPLICATIONS

[71]

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

C. PROCUREMENT

1. AWARD BID #01-10/11

[73]

Authorize The County Administrator To Award Bid #01-10/11 For Turning Lane Construction At McCall Farms Being Funded By The SC Department Of Commerce (CDBG #4-ED-09-004) To The Lowest Responsive Bidder.

2. DECLARATION OF SURPLUS PROPERTY

[75]

Declare Two (2) Vehicles, One (1) Motor Grader And One (1) Mower As Surplus Property For Disposal Through Public Internet Auction Via GovDeals.

3. SURPLUS PROPERTY – CITY OF JOHNSONVILLE

[77]

Declare As Surplus And Authorize The Sale Of Vehicle #792, A 2005 Crown Victoria To The City Of Johnsonville In The Amount Of \$1,000.

4. SURPLUS PROPERTY – TOWN OF OLANTA

[79]

Declare As Surplus And Authorize The Sale Of Vehicle #876, A 2003 Crown Victoria To The Town Of Olanda Police Department In The Amount Of \$1,000.

D. PUBLIC WORKS/ENVIRONMENTAL SERVICES/PROCUREMENT

CONTRACT FOR SPAY AND NEUTER SERVICES

[81]

Authorize \$10,000 From General Fund Contingency To Contract For Spay And Neuter Services At The Animal Control Facility At A Rate Of \$100 Or Less Per Animal And Authorize The County Administrator To Contract For The Services As Needed.

E. SHERIFF OFFICE

GRANT AWARD – US DEPARTMENT OF JUSTICE

[82]

Accept A 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.

F. SOLICITOR'S OFFICE

ADDITIONAL EMPLOYEES

[84]

Authorize Two Full-Time Secretary III Positions In The Solicitor's Worthless Check Unit To Be Funded From Solicitor's Funds On A Recurring Basis.

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

1. FLORENCE SCHOOL DISTRICT 4

[87]

Authorize The County Administrator To Execute A Memorandum Of Agreement With Florence District 4 For Seasonal Use And Maintenance Of The Former Timmonsville High School Football Stadium, And Approve \$2,500.00 From Council District 4 Infrastructure Funding Allocation For Startup Repairs And Associated Initial Costs.

2. WINDY HILL FIRE STATION

[90]

Approve The Expenditure Of Up To \$10,920.00 From Council District 6 Infrastructure Funding Allocation To Pay For The Resurfacing Of The Parking Lot And Road At Windy Hill Fire Station On Williamson Road In Florence, SC.

3. DORIC ROAD

[91]

Approve The Expenditure Of \$5,555.00 From Council District 9 Infrastructure Funding Allocation To Pay For MBC Stone For Doric Road.

XIV. EXECUTIVE SESSION:

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

XV. INACTIVE AGENDA:

A. ORDINANCE NO. 22-2009/10

[92]

At its regular meeting of August 19, 2010, Council unanimously approved moving Ordinance No. 22-2009/10 into the Inactive Agenda: 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.

B. ORDINANCE NO. 23-2009/10

[120]

At its regular meeting of August 19, 2010, Council unanimously approved moving Ordinance No. 23-2009/10 into the Inactive Agenda: 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.

C. ORDINANCE NO. 30-2009/10

At its regular meeting of May 20, 2010, County Council remanded this Ordinance to the Planning Commission: 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)*

D. ORDINANCE NO. 03-2010/11

[129]

At the August 19, 2010 regular meeting of County Council, Second Reading of Ordinance No. 03-2010/11 failed: An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By East Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And South Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels

001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels.

*(Planning Commission **approved** 10 – 0.) (Council District 2)*

E. ORDINANCE NO. 04-2010/11

[140]

At the August 19, 2010 regular meeting of County Council, Second Reading of Ordinance No. 04-2010/11 failed: An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment “A” Located On East Sixth Avenue, East Fifth Avenue, East Main Street, East Third Avenue, East Second Avenue, East First Avenue, North And South Oak Street, North And South Pine Street, North And South Elm Street, Allison Alley, Self Alley, Felly’s Alley, Cockfield Drive, Cain Street, McElveen Street And Human Street, Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-0012 Consisting Of 205 Parcels.

*(Planning Commission **approved** 9 – 1.) (Council District 2)*

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the August 19, 2010 regular meeting of County Council.

OPTIONS:

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

ATTACHMENTS:

Copy of proposed Minutes.

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, AUGUST 19, 2010, 9:00 A.M., COUNCIL CHAMBERS
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET,
FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
J. Kevin Griffin, Planning Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

H. Morris Anderson, Secretary-Chaplain
J. Ken Ard, Council Member

A notice of the regular meeting of the Florence County Council appeared in the August 18, 2010 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex, the Doctors Bruce and Lee Foundation Public Library, and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Vice Chairman Mumford provided the invocation and Councilman Kirby led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the July 15, 2010 regular meeting of County Council. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

Chairman Smith opened the public hearing and the Clerk published the title for the following:

ORDINANCE NO. 02-2010/11

An Ordinance To Adopt A Transportation 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.

APPEARANCES:

GARY DAUKSCH

Mr. Dauksch Appeared Before Council To Address The Zoning Request For The West Sumter Street Area (Ordinance No. 05-2010/11).

FLORENCE YOUTH BASKETBALL LEAGUE

Mr. Daniel Ellerbe And Mr. George Washington Appeared Before Council On Behalf Of The Florence Youth Basketball League To Discuss A Request To Build A New Facility To Host Games, Camps, Practices And Tournaments.

TAMMY THOMAS

Ms. Thomas Appeared Before Council In Reference To The Pamplico Rezoning (Ordinance No. 04-2010/11).

SHIRLEY M. TIMMONS

Dr. Timmons Appeared Before Council To Present A Statement Related To PC#2010-09 (Town Of Pamplico) – Zoning Amendment Request (Ordinance No. 04-2010/11).

BARRINGER F. WINGARD, JR. AND TOM MARSCHEL

US Army Colonel (R) Barringer F. Wingard, Jr. And Florence Chamber Of Commerce President Tom Marschel Appeared Before Council Regarding Support For The Events And Activities Surrounding Veterans Day, November 11, 2010. Mr. Wingard Requested \$7,500 In Funding For The 2010 Event And Asked Council To Commit To An On-Going Annual Appropriation Of \$2,000. Chairman Smith Stated The Request Would Be Taken Under Advisement.

RAY MCBRIDE, DIRECTOR – FLORENCE COUNTY LIBRARY SYSTEM

Mr. McBride Provided An Annual Report About The Florence County Library System.

COMMITTEE REPORTS:

PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield Stated The Committee Met At 8 A.M. Prior To The Regular Meeting Of Council To Discuss A Proposed Ordinance For Portable Sign Regulations And Scheduled Another Meeting For September 16th At 8 A.M.

RESOLUTIONS:

RESOLUTION FOR MCLEOD REGIONAL MEDICAL CENTER

The Clerk Published, In Its Entirety, A *Resolution Of Recognition And Appreciation* To McLeod Regional Medical Center In Honor Of Its Meritorious Achievement And Success In Earning The 2010 American Hospital Association – McKesson *Quest For Quality Prize*. Councilman Mumford made a motion Council approve the Resolution. Councilman Schofield seconded the motion, which was approved unanimously. Councilman Culberson presented the framed Resolution to Marie Segars, Administrator – McLeod Health and Dick Tinsley, VP Planning Department for McLeod.

COUNTY ADMINISTRATOR CONTRACT

Councilman Schofield made a motion Council Extend The County Administrator's Contract By A Period Of One Year. Councilman Rodgers seconded the motion, which was approved unanimously. Councilman Culberson stated he was voting by proxy for Councilman Anderson.

ORDINANCES IN POSITION:

ORDINANCE NO. 22-2009/10 – INACTIVE

Councilman Mumford made a motion Council Move Ordinance No. 22-2009/10 to the Inactive Agenda: 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. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 23-2009/10 – INACTIVE

Councilman Kirby made a motion Council Move Ordinance No. 23-2009/10 to the Inactive Agenda: 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. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 37-2009/10 – THIRD READING

The Clerk published the Title of Ordinance No. 37-2009/10: An Ordinance To Provide For The Issuance And Sale Of A Not Exceeding Nine Hundred Thousand Dollar (\$900,000) General Obligation Bond Of Florence County, South Carolina (Windy Hill/Olanta Rural Volunteer Fire District), To Prescribe The Purposes For Which The Proceeds Of Said Bond Shall Be Expended, To Provide For The Payment Of Said Bond, And Other Matters Relating Thereto. Councilman Culberson made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There being no signatures on the sign-in sheet Chairman Smith closed the public hearing.

ORDINANCE NO. 02-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 02-2010/11: An Ordinance To Adopt A Transportation 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. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 03-2010/11: An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By East Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And South Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels. Councilman Schofield made a motion Council approve second reading of the Ordinance. Motion failed due to lack of a second.

ORDINANCE NO. 04-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 04-2010/11: An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment "A" Located On East Sixth Avenue, East Fifth Avenue, East Main Street, East Third Avenue, East Second Avenue, East First Avenue, North And South Oak Street, North And South Pine Street, North And South Elm Street, Allison Alley, Self Alley, Felly's Alley, Cockfield Drive, Cain Street, McElveen Street And Human Street, Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12,

Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-0012 Consisting Of 205 Parcels. Councilman Schofield made a motion Council approve second reading of the Ordinance. Motion failed due to lack of a second.

ORDINANCE NO. 05-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 05-2010/11: An Ordinance To Zone Properties Owned By Property Owners As Shown On Attachment “A” Located On Harmony Street, West Dixie Street, West Sumter Street, Carver Circle, West Marion Street, North Hartwell Drive, North Schofield Street, Dewey Road, Bunch Street, Curry Lane, North Trinity Street, Cumberland Drive, And North Alexander Street, Florence County To R-3A, Single-Family Residential District Shown On Florence County Tax Map No. 90044, Block 02, Parcels 002-011; Tax Map No. 90044, Block 03, Parcels 002, 004-006, 008-010, 012-015; Tax Map No. 90044, Block 04, Parcels 001-003, 005-021; Tax Map No. 90044, Block 06, Parcels 001-003, 005; Tax Map No. 90044, Block 08, Parcels 002-006, 010; Tax Map No. 90044, Block 09, Parcels 001-021, 025, 026; Tax Map No. 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-066; Tax Map No. 90045, Block 02, Parcels 004, 007; Tax Map No. 90059, Block 08, Parcels 007, 010; Tax Map No. 90059, Block 09, Parcels 012, 017; Tax Map No. 90060, Block 08, Parcels 001, 002, 007-011; Tax Map No. 90060, Block 13, Parcels 003, 005, 006; Tax Map No. 00122, Block 01, Parcel 097 Consisting Of 154 Parcels. Councilman Bradley made a motion Council approve Second Reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 06-2010/11 - INTRODUCED

The Clerk published the title of Ordinance No. 06-2010/11 and the Chairman Declared the Ordinance Introduced: An Ordinance To Amend Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.

In response to a question from the Chairman, County Administrator Richard Starks responded that the Ordinances that failed due to lack of a second would move to the ‘Inactive’ portion of the Agenda for the next meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

There were no appointments.

REPORTS TO COUNCIL:

ADMINISTRATION

WASTE MANAGEMENT OF CAROLINAS, INC.

Councilman Culberson made a motion Council Authorize The County Administrator To Execute An Agreement For A Lease Termination Settlement With Waste Management Of Carolinas, Inc. For Property Located On Paper Mill Road. Councilman Mumford seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES (EMS)

AUTHORIZE PURCHASE OF AMBULANCES

Councilman Rodgers made a motion Council Authorize The Use Of Florida Association Of Counties Bid #08-08-0909 Awarded To Wheeled Coach Industries To Purchase Two (2) Ambulances At A Base Bid Of \$116,666 Each With Needed Options In The Amount Of \$7,581 Additional Per Ambulance From Peach State Ambulance, Inc., Tyrone, GA, The Authorized Regional Representative For Wheeled Coach Industries (Total Purchase Of \$248,494) As Funded And Approved In The FY11 Budget. Councilman Culberson seconded the motion, which was approved unanimously.

PROCUREMENT

APPOINTMENT OF RFP PANEL MEMBER

Chairman Smith appointed Councilman Rodgers To Serve On The Stand-By Debris Management And Removal Services And The Stand-By Debris Monitoring And Recovery Planning Services RFP Panel.

SHERIFF OFFICE

AWARD OF BID #28-09/10

Councilman Rodgers made a motion Council Approve Award Of Bid #28-09/10 For The HVAC Duct Work Retrofit At The Florence County Law Enforcement Center To Cayce Company, Florence, SC In The Amount Of \$118,700 To Be Funded From The Energy Efficiency Conservation Block Grant (EECBG) And From The Florence County Detention Center Budgeted Funds. Councilman Culberson seconded the motion, which was approved. Councilman Schofield Abstained From Voting On This Matter, Due To The Fact That Cayce Company Does Business With His Company.

OTHER BUSINESS:

INFRASTRUCTURE

FLORENCE SHOOL DISTRICT ONE

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$11,145.00 From Council District' Infrastructure Funding Allocations As Indicated On The Approving Documentation (\$3,145.00 from District 3, \$2,000.00 from District 5, \$2,000.00 from District 6, \$2,000.00 from District 7 and \$2,000.00 from District 8) To Assist With Surveillance Equipment At The Florence Career Center. Councilman Rodgers seconded the motion, which was approved. Councilman Bradley Abstained From Voting On This Item.

WILLIAMS MIDDLE SCHOOL

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$30,000.00 From Council Districts 3 and 7 Infrastructure Funding Allocations (\$20,000.00 From District 3 and \$10,000 From District 7) To Assist Williams Middle School With Replacement Of The Air Conditioning/HVAC System In The Gymnasium And Upgrades To The Floor In The Gymnasium. Councilman Mumford seconded the motion, which was approved unanimously.

AVENT DRIVE

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$23,184.00 From Council District 6 Infrastructure Funding Allocation To Pay For Resurfacing Of Avent Drive From Hannah Drive To Annelle Drive. Councilman Rodgers seconded the motion, which was approved unanimously.

FRANCIS MARION ROAD

Councilman Culberson made a motion Council Approve The Expenditure Of approximately \$570.00 From Council District 6 Infrastructure Funding Allocation To Assist SCDOT With The Removal Of A Pine Tree Road Hazard From Within The State Right-Of-Way On Francis Marion Road Near The Intersection Of Francis Marion Road/Claussen Road. Councilman Rodgers seconded the motion, which was approved unanimously.

There being no further business to come before Council, Councilman Culberson made a motion to adjourn. Councilman Schofield seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 10:03 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Public Hearings

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council will hold public hearing to receive public comment with regard to the following:

ORDINANCE NO. 06-2010/11

An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Appearances Before Council
 Building Bridges Committee
 (Request Submitted by Gerry Madison)

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

The Building Bridges Committee Requests To Appear Before Council Regarding The Upcoming Session Of The Building Bridges Program.

ATTACHMENT:

Copy of the Request Received Via Email.

Connie Haselden

From: Gerry Madison <gmadison@flochamber.com>
Sent: Monday, August 23, 2010 1:09 PM
To: Connie Haselden
Subject: County Council

I am writing to request that I or someone from our Building Bridges committee address County Council regarding our upcoming session starting Monday, October 18- November 15th @ Poynor Adult Center. We are having a special session on school district consolidation on Monday, November 8th @ 6-8 pm in the auditorium of Poynor and would like to have the Council and employees attend and participate in the 5 sessions of Building Bridges--especially the November 8th session..

Thanking you in advance for your consideration of this request.

Gerry S. Madison, Director
Small & Minority Business
Greater Florence Chamber of Commerce
610 W. Palmetto Street
POB 948
Florence, SC 29503
(843) 665-0515 (work)
(843) 662-2010 (fax)
Email: gmadison@flochamber.com

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Appearances Before Council
 Mayor Gene Gainey
 Town of Pamplico

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Mayor Gainey Requests To Appear Before Council Concerning Zoning/Rezoning Issues
(Ordinances No. 03 And 04-2010/11).

ATTACHMENT:

Copy of the Request Received Via Email.

Connie Haselden

From: Gene Gainey <pamplico-mayor@sc.rr.com>
Sent: Friday, September 03, 2010 2:42 PM
To: Connie Haselden
Cc: kardlic@yahoo.com; Richard Starks
Subject: County Council Mtg 9-16-10

Ms. Haselden,

I request to be placed on the County Council Meeting Agenda for Sept. 16, 2010 @ 9:00 am to speak concerning the Zoning issue for FC Ordinance no. 03/04-2010/11 Pamplico Re-Zoning.

Please confirm back to my E-mail, if this request is approved.

Gene R. Gainey
Mayor

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Appearance Before Council
Jack Newsome, Tax Assessor

DEPARTMENT: Finance
Tax Assessor

ISSUE UNDER CONSIDERATION:

Mr. Newsome Has Been Requested By the County Administrator To Appear Before Council To Brief The Reassessment Program For Tax Year 2010.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Resolution No. 01-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

A Resolution To Oppose Performance Rights Royalties In Support Of Local Radio Stations.

OPTIONS:

1. Approve Resolution as presented.
2. Provide additional directive, should revisions be necessary.

ATTACHMENTS:

Copy of proposed Resolution.

Sponsor(s) : County Council
Adopted: : September 16, 2010
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 01-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

A Resolution to Oppose Performance Rights Royalties In Support Of Local Radio Stations.

WHEREAS:

1. Radio stations are a source of music, news, weather and traffic reports, and entertainment for South Carolina's residents; and
2. Radio stations, as integral parts of the communities in which they broadcast, provide community services and support non-profit organizations by broadcasting free public service announcements; and
3. Terrestrial radio broadcasters already pay royalties for airing musical works through organizations, such as ASCAP, SESAC and BMI, and performance rights royalties would constitute a layer of duplicative, additional charges; and
4. Many local radio stations operate on small budgets and are already suffering from the challenges wrought by the downturn in the economy that threaten the possibility of job layoffs, and, in some cases, bankruptcy; and
5. The Performance Rights Act, or PRA, currently before Congress would stipulate that radio stations with annual revenues of less than \$1.25 million would pay an annual flat fee based on a sliding scale of rates ranging from hundreds of dollars to as much as \$5,000, thus additional royalties would be imposed that could alter operations and stall growth of small stations as well as limit their access to capital; and
6. Stations with revenues topping \$1.25 million per year would pay performance royalty rates determined by the Copyright Royalty Board, or CRB, whose members are unelected and, since they are located in Washington, DC, are unknowledgeable of the local economies in the areas in which these stations operate; and
7. Radio provides benefits to record labels and performance artists in the form of free airplay that translates into marketing for those companies and artists, which, in turn, drives sales of music, merchandise and tickets of performances.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

Florence County Council Opposes The Performance Rights Act That Would Impose An Additional Fee, In The Form Of A Performance Royalty, Which Would Threaten Jobs And Endanger The Business Operations Of Terrestrial Radio Stations That Contribute To Our Local Economies.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

FLORENCE COUNTY COUNCIL MEETING

Thursday, September 16, 2010

AGENDA ITEM: Ordinance No. 02-2010/11
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Adopt A Transportation Element For The Florence County Comprehensive Plan In Accordance With Title 6, Chapter 29, Section 510 Of The South Carolina Code Of Laws, 1976, As Amended.] *(Planning Commission approved 10-0; All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts
2. According to state law, a new Florence County Comprehensive Plan must be developed every ten years.
3. The original Florence County Comprehensive Plan adopted in 1999 included seven elements. The Transportation Element is a new eighth element required by the 2007 amendment to the South Carolina Comprehensive Planning Act entitled the "South Carolina Priority Investment Act" South Carolina Code § 6-29-510(D); 6-29-720(C); 6-29-1110; 6-29-1130(A).
4. Passage of the Transportation Element will fulfill state law requirements and provide goals for County transportation facilities including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of a transportation network. This element has been developed in coordination with the land use element to ensure transportation efficiency for existing and planned development.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide an Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 02-2010/11
2. Resolution for PC#2010-07
3. Staff Report for PC#2010-07
4. Proposed Transportation Element (provided separately)

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: June 22, 2010 [Approved 10-0]	Council Clerk, certify that this
Planning Commission Public Hearing	: May 25, 2010	Ordinance was advertised for
Planning Commission Recommendation	: June 22, 2010	Public Hearing on _____.
First Reading/Introduction	: July 15, 2010	
Committee Referral	: N/A	
Second Reading	: August 19, 2010	
County Council Public Hearing	: August 19, 2010	
Third Reading	: September 16, 2010	
Effective Date	: Immediately	

ORDINANCE NO. 02-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

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

WHEREAS:

1. South Carolina Code § 6-29-510 requires a new Florence County Comprehensive Plan be developed every ten years; and
2. The original Florence County Comprehensive Plan adopted in 1999 included seven elements. The Transportation Element is a new eighth element required by the 2007 amendment to the South Carolina Comprehensive Planning Act entitled the "South Carolina Priority Investment Act" South Carolina Code § 6-29-510(D); 6-29-720(C); 6-29-1110; 6-29-1130(A); and
3. Passage of the Transportation Element will fulfill state law requirements and provide goals for County transportation facilities including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of a transportation network. This element has been developed in coordination with the land use element to ensure transportation efficiency for existing and planned development.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Comprehensive Plan Transportation Element attached hereto, is hereby adopted and implemented, and supersedes all other versions of this Element which were adopted previously.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

RESOLUTION FOR PC#2010-07
FLORENCE COUNTY PLANNING COMMISSION

(A Resolution Recommending The Transportation Element Of The Comprehensive Plan)

WHEREAS:

1. According to state law, a new Florence County Comprehensive Plan must be developed every ten years; and
2. The Transportation Element is a recently legislated addition to the Florence County Comprehensive Plan; and
3. The Transportation Element is the eighth element to be adopted according to the ten-year schedule; and
4. The Planning Commission advertised for and held workshops on December 15, 2009 and May 21, 2010; and
5. Following the passage of this resolution by the majority of the entire membership of the Planning Commission, the Transportation Element must be adopted by ordinance after a public hearing by Florence County.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that Florence County adopt by ordinance the Transportation Element for the Florence County Comprehensive Plan as presented by the Planning Commission.

ATTEST:

Angela Thomas
Angela Thomas, Secretary

SIGNED:

For M. Klee
Chairman

COMMISSION VOTE: *approved 10-0*
OPPOSED: *None*
ABSENT: *C. Cunha*

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
June 22, 2010
PC#2010-07
ORDINANCE #02-2010/11**

Subject: Adoption of a Resolution recommending the **Transportation Element** of the Comprehensive Plan

Staff Analysis:

According to state law, a new comprehensive plan must be developed every ten years. The seven elements of the current plan were passed by all participating jurisdictions on various dates between December 1997 and April of 1999.

The Transportation Element is a recently legislated addition to the Florence County Comprehensive Plan. The Transportation Element is the eighth element to be adopted in accordance with this calendar to meet the ten-year requirement. The Planning Commission advertised for and held workshops on December 15, 2009 and May 21, 2010 to discuss this issue.

Element Information:

The Transportation Element examines the transportation facilities, including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of a transportation network. This element must be developed in coordination with the land use element, to ensure transportation efficiency for existing and planned development.

Florence County Planning Commission Action: May 25, 2010:

Planning Commission deferred action to give members not present at the May 21st workshop additional time to review and comment on the Transportation Element.

Florence County Planning Commission Action: June 22, 2010:

The ten Planning Commission members present voted unanimously to adopt a resolution recommending that County Council adopt the Transportation Element.

Florence County Planning Commission Recommendation:

Florence County Planning Commission recommends approval of the request to Florence County Council to adopt the Transportation Element of the Florence County Comprehensive Plan.

FLORENCE COUNTY COUNCIL MEETING
Thursday, September 16, 2010

AGENDA ITEM: Ordinance No. 05-2010/11
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Properties Owned By Property Owners As Shown On Attachment "A" Located On Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., And N. Alexander St., Florence County To R-3A, Single-Family Residential District Shown On Florence County Tax Map No. 90044, Block 02, Parcels 002-011; Tax Map No. 90044, Block 03, Parcels 002, 004-006, 008-010, 012-015; Tax Map No. 90044, Block 04, Parcels 001-003, 005-021; Tax Map No. 90044, Block 06, Parcels 001-003, 005; Tax Map No. 90044, Block 08, Parcels 002-006, 010; Tax Map No. 90044, Block 09, Parcels 001-021, 025, 026; Tax Map No. 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-066; Tax Map No. 90045, Block 02, Parcels 004, 007; Tax Map No. 90059, Block 08, Parcels 007, 010; Tax Map No. 90059, Block 09, Parcels 012, 017; Tax Map No. 90060, Block 08, Parcels 001, 002, 007-011; Tax Map No. 90060, Block 13, Parcels 003, 005, 006; Tax Map No. 00122, Block 01, Parcel 097 Consisting Of 154 Parcels.] *(Planning Commission denied 6-4; Council District 3)*

POINTS TO CONSIDER:

1. The properties are located in Council District 3.
2. The subject properties are currently unzoned in Florence County.
3. The current land uses are single-family residential uses, duplexes, mobile/manufactured homes, commercial property and vacant land.
4. Surrounding land uses are single-family residential, duplexes, mobile/manufactured homes, school, medical facility, church and vacant land.
5. Adjacent properties within the City of Florence are zoned R-4 (Multi-Family Residential District) and B-1 (Office Commercial District). All other adjacent properties are located in Florence County and are unzoned.
6. On March 23, 2010, Mrs. Teresa Ervin, a representative on behalf of the residents appeared before the Planning Commission to submit a citizens' petition requesting that the Planning Commission sponsor a zoning request to R-3A, Single-Family Residential District on behalf of the West Sumter Street community. The Planning Commission agreed to sponsor the request.
7. The Planning Commission held two community meetings on May 3, 2010 and June 10, 2010 prior to the request being placed on an agenda for public hearing.
8. The R-3A (Single-Family Residential District) zoning is in compliance with the Land Use Element of the Florence County Comprehensive Plan.

OPTIONS:

1. *(Recommended)* Deny as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 05-2010/11
2. Staff report for PC#2010-12
3. Location map
4. Comprehensive Land Use Plan map
5. Zoning map
6. Aerial photograph
7. Petitioners to Planning Commission for zoning amendment request
8. List of property owners-Attachment "A"
9. Public comment sheets from meeting of June 10, 2010

Sponsor(s)	: Planning Commission
Planning Commission Consideration	: June 22, 2010
Planning Commission Public Hearing	: June 22, 2010
Planning Commission Recommendation	: June 22, 2010 [Denied 6-4]
First Reading/Introduction	: July 15, 2010
Committee Referral	: N/A
Second Reading	: August 19, 2010
Third Reading	: September 16, 2010
Effective Date	: Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____

ORDINANCE NO. 05-2010/11

[An Ordinance To Zone Properties Owned By Property Owners As Shown On Attachment "A" Located On Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., And N. Alexander St., Florence County To R-3A, Single-Family Residential District Shown On Florence County Tax Map No. 90044, Block 02, Parcels 002-011; Tax Map No. 90044, Block 03, Parcels 002, 004-006, 008-010, 012-015; Tax Map No. 90044, Block 04, Parcels 001-003, 005-021; Tax Map No. 90044, Block 06, Parcels 001-003, 005; Tax Map No. 90044, Block 08, Parcels 002-006, 010; Tax Map No. 90044, Block 09, Parcels 001-021, 025, 026; Tax Map No. 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-066; Tax Map No. 90045, Block 02, Parcels 004, 007; Tax Map No. 90059, Block 08, Parcels 007, 010; Tax Map No. 90059, Block 09, Parcels 012, 017; Tax Map No. 90060, Block 08, Parcels 001, 002, 007-011; Tax Map No. 90060, Block 13, Parcels 003, 005, 006; Tax Map No. 00122, Block 01, Parcel 097 Consisting Of 154 Parcels.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are not injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Section 30-297 of the Florence County Code republished January 2008, provides a procedure for amending the official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County Planning Commission at a public hearing on June 22, 2010.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Properties located on Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., And N. Alexander St., Florence County bearing Tax Map 90044, Block 02, Parcels 002-011; Tax Map 90-044, Block 03, Parcels 002, 004-006, 008-0010, 012-015; Tax Map 90044, Block 04, Parcels 001-003, 005-021; Tax Map 90044, Block 06, Parcels 001-300, 005; Tax Map 90044, Block 08, Parcels 002-006, 010; Tax Map 90044, Block 09, Parcels 001-021, 025, 026; Tax Map 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-066; Tax Map 90045, Block 0, Parcels 004, 007; Tax Map 90059, Block 08, Parcels 007, 010; Tax Map 90059, Block 09, Parcels 012, 017; Tax Map 90060, Block 08, Parcels 001, 002, 007-011; Tax Map 90060, Block 13, Parcels 003, 005, 006; Tax Map 00122, Block 01, Parcel 097 are hereby zoned to R-3A, Single-Family Residential District.

2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

DRAFT

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
June 22, 2010
PC#2010-12
ORDINANCE NO. 05-2010/11**

Subject: Zoning amendment request to R-3A, Single-Family Residential District.

Location: Properties located on Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., and N. Alexander St., Florence County

Tax Map Number(s): 90044, Block 2, Parcels 2-11
90044, Block 3, Parcels 2, 4-6, 8-10, 12-15
90044, Block 4, Parcels 1-3, 5-21
90044, Block 6, Parcels 1-3, 5
90044, Block 8, Parcels 2-6, 10
90044, Block 9, Parcels 1-21, 25, 26
90044, Block 10, Parcels 1-14, 17, 19, 21, 24, 29-43, 45-66
90045, Block 2, Parcels 4, 7
90059, Block 8, Parcels 7, 10
90059, Block 9, Parcels 12, 17
90060, Block 8, Parcels 1, 2, 7-11
90060, Block 13, Parcels 3, 5, 6
00122, Block 1, Parcel 97

Council District(s): 3; County Council

Owner(s) of Record: See Attachment

Applicant: Florence County Planning Commission

Land Area: 154 parcels

Waterways/Bodies of Water: None

Flood Zone: N/A

Water and Sewer Availability: Provided by the City of Florence

Transportation Access and Circulation:

Present accesses to the subject properties are by way of West Sumter Street, West Darlington Street, N. Rogers Street, N. Schofield Street, Dixie Street, Hartwell Street, Bunch Street, Harmony Street, Cumberland Street, N. Trinity Street, W. Marion Street, N. Alexander Street, Curry Lane and Carver Circle.

Existing Land Use and Zoning

The properties in question contain a mixture of single-family residential uses, duplexes, mobile/manufactured homes, commercial property and vacant land. These properties are all currently unzoned in Florence County.

Proposed Land Use and Zoning:

There have been no proposals submitted for development in the existing uses at this time. The zoning amendment request is to zone the properties to an R-3A, Single-Family Residential Zoning District.

Surrounding Land Uses and Zoning:

Surrounding land uses in the subject area include a mixture of single-family residential, duplexes, mobile/manufactured homes, school, medical facility, church and vacant land. Any zoned properties adjacent to the area in question exist in the City of Florence in an R-4, Multi-Family Residential District. One adjacent zoned parcel to the area exists in the City of Florence in a B-1, Office Commercial District. All other adjacent properties are unzoned.

Florence County Comprehensive Plan:

The properties in question are designated by the Land Use Element of the Comprehensive Plan as existing in a Variable Residential area which is designed to protect and sustain existing higher density single-family, multi-family, or mixed-use residential areas, including property values and amenities, and provide areas for growth of various housing types and their accessory uses in urban and suburban settings.

The zoning amendment request for the zoning of properties in the West Sumter Street Area to an R-3A, Single-Family Residential District does comply with the Land use Element of the Comprehensive Plan.

Chapter 30- Zoning Ordinance:

The R-3A, Single-Family Residential District has all the same permitted and conditional uses and setbacks as the R-3, Single-Family Residential District excluding manufactured homes. Additionally, the intent of the R-3, Single-Family Residential District is to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

Staff Analysis:

Florence County Planning Commission Meeting: March 23, 2010:

Mrs. Ervin appeared before the Planning Commission requesting that they sponsor a zoning request to R-3A on behalf of the West Sumter Street community.

Florence County Planning Commission Action: April 27, 2010:

A summary was presented to the Planning Commission of the status of the zoning request to R-3A for parcels in the West Sumter Street area and that a public meeting had been scheduled for the West Sumter Street area.

West Sumter Street Community Meeting: May 3, 2010:

Residents in the area would like to maintain a single-family residential neighborhood and they believe the construction of any additional duplexes or mobile homes would negatively impact the area. In addition, the residents indicated that they would like to or have attempted to purchase property in the community but were unable to get property information. Residents purchasing the property would ensure the property would be developed in accordance with the surrounding neighborhood. Residents also questioned which zoning district the Planning Commission would sponsor. This was clarified that the petition submitted was for the R-3A zoning district. Questions remained about the difference between R-3 and R-3A districts. Finally, Chairman Knoller informed the citizens that this request would appear on the agenda for public hearing at the May 25th Planning Commission meeting.

Meeting with representatives of the West Sumter Street Community: May 11, 2010:

Staff met with Mrs. Ervin, Ms. Dimery and Mr. Singletary to discuss status of the zoning request and the feedback from the May 3rd public meeting. Based on the meeting, staff planned to coordinate one additional public meeting before the request appears as a public hearing for Planning Commission.

Florence County Planning Commission Meeting: May 25, 2010:

Planning staff presented an update to the Planning Commission on the public meeting held on May 3, 2010 and because of the issues that were brought up at this meeting, at the request of Planning Commission, staff moved forward with scheduling one additional public meeting to be held on June 10th before the public hearing.

West Sumter Street Community Meeting: June 10, 2010:

The public meeting began at 6:15 pm. There were five Planning Commission members in attendance to include Chairman Peter Knoller, Cecil Cunha, King Lowery, Ted Greene and Virginia Talbert. Twenty citizens signed in for the meeting. Chairman Knoller informed the citizens that this meeting was to allow review of maps that were placed on tables around the room and staff members were available at the maps to discuss and answer any questions the citizens might have.

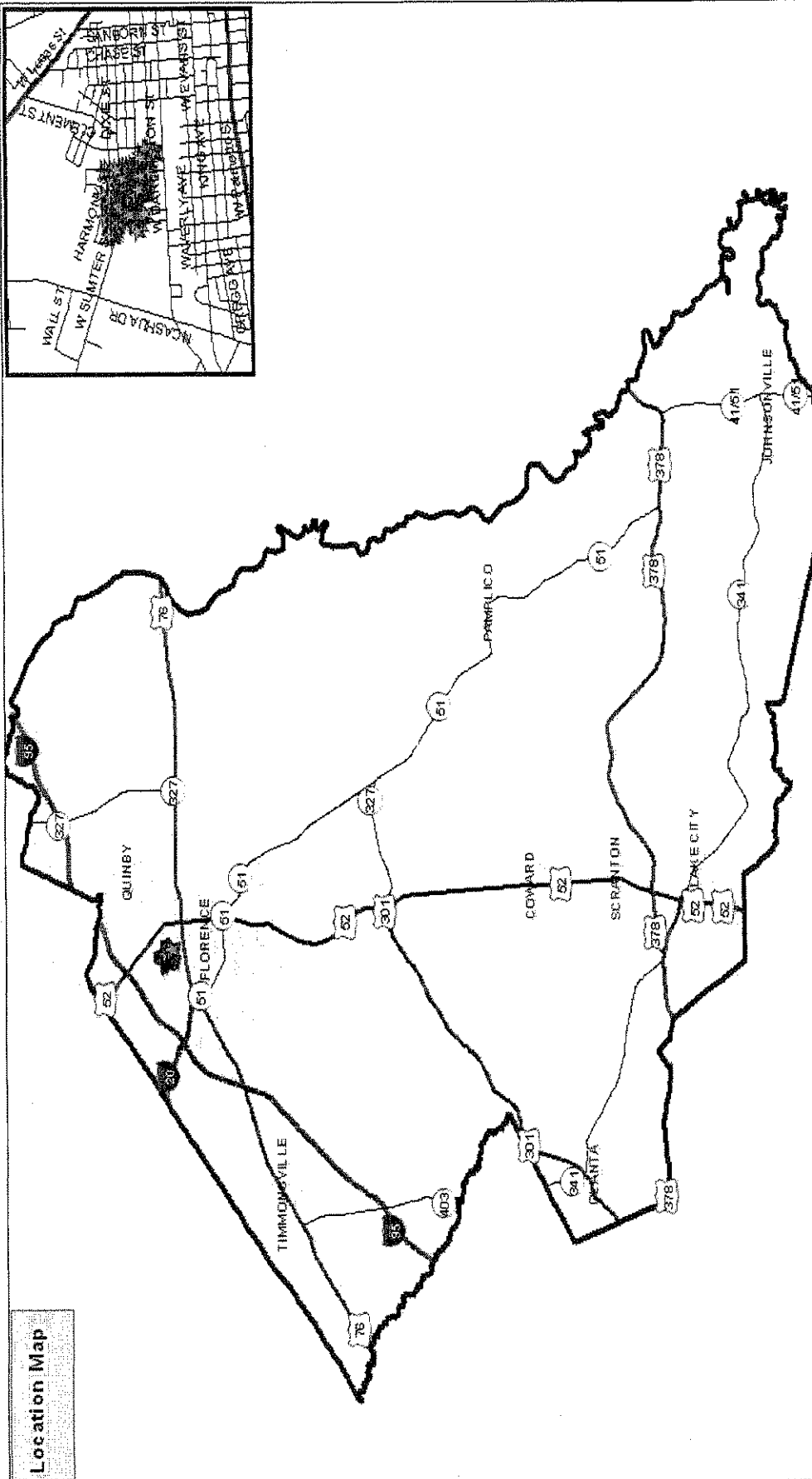
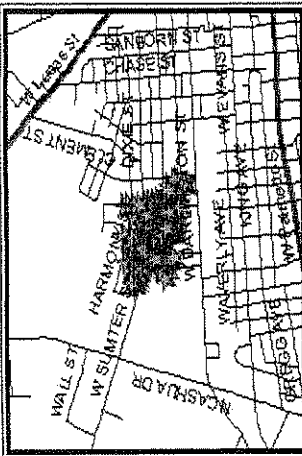
Two information sheets were provided for citizens at the meeting with one document briefly describing the meeting with a citizen's comment section and that the public hearing for the zoning amendment request would be held on June 22, 2010 and the other document contained information on the R-3A zoning district.

Florence County Planning Commission Action: June 22, 2010

The ten Planning Commission members present denied the zoning amendment request by a vote of six to four at the meeting held on June 22, 2010.

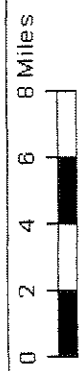
Florence County Planning Commission Recommendation:

The Planning Commission recommends denial of the zoning amendment request to Florence County Council.

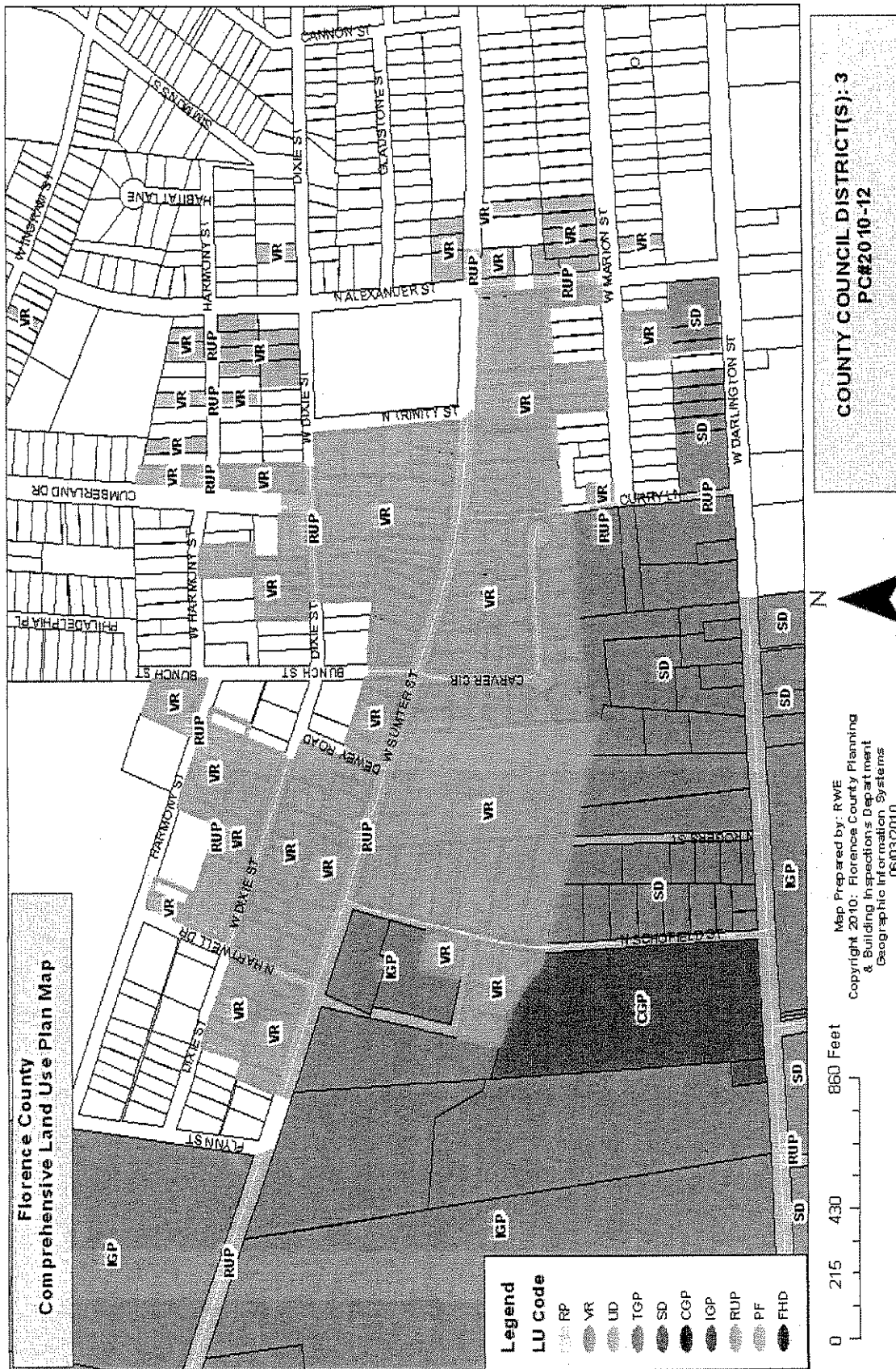


Location Map

COUNTY COUNCIL DISTRICT(S): 3
PC#2010-12



Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
06/03/2010





Florence County 2008 Orthophotography Map

0 150 300 600 Feet



Map Prepared by: RWE
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Geographic Information Systems
06/03/2010

COUNTY COUNCIL DISTRICT(S): 3
PC#2010-12

PARCELS AND MUNICIPAL BOUNDARY OF WEST FLORENCE UNZONED AREA



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- Legend
- Parcels
 - Municipal Boundary
 - Unzoned Area

Printed: County GIS April 9, 2018

A Petition from the residents of the West Sumter Street Community to request the Florence County Planning Commission apply for a Zoning Map change to Zoning District R-3A for all residential unincorporated and unzoned property in the West Sumter Street Community. The West Sumter Street Community is very concerned about the unchecked growth in our neighborhood and requests this zoning change to properly protect the property values and character of our neighborhood.

Please print your name and address below and sign your name in support of this petition

OWNER NAME (Please Print)	ADDRESS	CITY	STATE	DATE	SIGNATURE
1 ROSA Nowlin	1012 W. Sumter	Florence			Rosa Nowlin
2 MAZ Singletary	2728 W. Sumter St	Florence			Maz Singletary
3 Jermaine Nowlin	1012 W. Sumter	Florence			Jermaine Nowlin
4 Betty Gee	1109 W. Sumter	Florence			Betty Gee
5 Cherry Davis	1012 W. Sumter St	Florence			Cherry Davis
6 Sharon Washington	2728 Sumter St	Florence			Sharon Washington
7 Carmen Singletary	2728 Sumter St	Florence			Carmen Singletary
8 Willie Nowlin	1012 W. Sumter St	Florence			Willie Nowlin
9 Janie M. Deas	1255 W. Sumter St	Florence			Janie M. Deas
10 VALARIE M. Deas	1255 W. Sumter St	Florence			Ms. Val Deas
11 Krystal D. Charles	1255 W. Sumter St	Florence			Krystal Charles
12 Tegushia Dobson	1255 W. Sumter	Florence			Tegushia Dobson
13 LaShawn N. Scott	1255 W. Sumter St	Florence			LaShawn N. Scott
14 Fannie Timmons	1261 W. Sumter	Florence			Fannie Timmons
15 James Timmons	1261 W. Sumter	Florence			James Timmons
16 Lurberta Timmons	1261 W. Sumter	Florence			Lurberta Timmons
17 Sheila Timmons	1120 Hammond	Florence			Sheila Timmons
18 Lindeburg	1120 Hammond	Florence			Lindeburg
19 DANIEL HARRISON	901 W. Sumter	Florence			Daniel Harrison
20 Earlene Harrison	901 W. Sumter	Florence			Earlene Harrison
21 Seth Harrison	901 W. Sumter	Florence			Seth Harrison
22 Stephen Harrison	901 W. Sumter	Florence			Stephen Harrison
23 Camie Brackington	1026 1/2 W. Sumter	Florence			Camie Brackington
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OWNER NAME (Please Print)	ADDRESS	CITY	STATE	DATE	SIGNATURE
1 TERESA ERVIN	926 GLADSTONE	FLORENCE	SC	3-4-10	Teresa Ervin
2 LAVON ERVIN	926 Gladstone	Florence	SC	3-4-10	Lavon Ervin
3 Lavon Carlos Ervin II	926 Gladstone	Florence	SC	3-4-10	Lavon Carlos Ervin II
4 ERNEST ADDISON	925 Gladstone	Florence	SC	3-4-10	Ernest Addison
5 Brenda M Addison	925 Gladstone	Florence	SC	3-4-10	Brenda M Addison
6 HERBERT BURGESS	512 Ingomar	Florence	SC	3-4-10	Herbert Burgess
7 Catherine Mays	917 Gladstone St	Florence	SC	3-10-10	Catherine Mays
8 Audrey Brooks	908 Gladstone	Florence	SC	3-10-10	Audrey Brooks
9 Karen Brooks	908 Gladstone	Florence	SC	3-10-10	Karen Brooks
10 ANNIE EMANUEL	906 GLADSTONE	Florence	SC	3-10-10	Annie Emanuel
11 Marcus Copeland	904 Gladstone	Florence	SC	3-10-10	Marcus Copeland
12 JAMEL MORRIS	617 Cannon	Florence	SC	3-10-10	Jamel Morris
13 LEESEAN ROBINSON	907 GLADSTONE	Florence	SC	3-10-10	LeeSean Robinson
14 Willie Mae Hunter	812 Gladstone	Florence	SC	3-11-10	Willie Mae Hunter
15 HENRY ALLEN JR	815 GLADSTONE	FLORENCE	SC	3-10-10	Henry Allen Jr.
16 ORLANDA BETHWA	1308 Harmon St Apt B	Florence	SC	3-10-10	Orlanda Bethwa
17 BETTY WILSON	717 Dixie	Florence	SC	3-11-10	Betty Wilson
18 QUEEN E. ALLEN	815 GLADSTONE	Florence	SC	3-10-10	Queen E. Allen
19 MARGARET WILSON	815 Gladstone	Florence	SC	3-10-10	Margaret Wilson
20 KEVIN DUNN	511A Cannon	Florence	SC	3-10-10	Kevin Dunn
21 WILLIE HAVARSUD	9076 Dixie	FLC		3-10	Willie Havarsud
22 WILLIAM MCDUFFIE	714 W Sumter	Florence		3-10-10	William McDuffie
23 LEO MYERS	807 B GLADSTONE	Florence		3-10-10	Leo Myers
24 BETTIE DIXIE	807A GLADSTONE	Florence		3-10-10	Bettie Dixie
25 RUTH COPELAND	904 Gladstone	Florence		3-10-10	Ruth Copeland
27 ARTHUR DUNN	404 Alexander St	Florence		3-10-10	Arthur Dunn
28 CHARLIE COPELAND	926 Gladstone St	Florence		3-11-10	Charlie Copeland
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3/18/10

A Petition from the residents of the West Sumter Street Community to request the Florence County Planning Commission apply for a Zoning Map change to Zoning District R-3A for all residential unincorporated and unzoned property in the West Sumter Street Community. The West Sumter Street Community is very concerned about the unchecked growth in our neighborhood and requests this zoning change to properly protect the property values and character of our neighborhood.

Please print your name and address below and sign your name in support of this petition

OWNER NAME (Please Print)	ADDRESS	CITY	STATE	DATE	SIGNATURE
1. Queen S. Rhodes	416 Alexander St	Florence	SC		Queen S. Rhodes
2. Janie Mild	705 4th Ave	Florence	SC		Janie Mild
3. Helen Di Dimery	408 N. Alexander St	Flo.	SC		Helen Di Dimery
4. Peter Dimery	408 N. Alexander St	Florence	SC		Peter Dimery
5. Janet Brown	925 Sumter St	Florence	SC		Janet Brown
6. Leroy J. Brown	925 Sumter St	Florence	SC		Leroy J. Brown
7. Alvin Dimery	930 W. Sumter St	Florence	SC		Alvin Dimery
8. Arthur Knowlin	335 W. Main St	Florence	SC		Arthur Knowlin
9. Arthur Knowlin	335 W. Main St	Florence	SC		Arthur Knowlin
10. JEROME NESMITH	1117 Harmony St	Flo.	SC		Jerome Nesmith
11. Mary A. Black	1117 Harmony St	Florence	SC		Mary A. Black
12. Charles Nesmith	928 W. Sumter	Florence	SC		Charles Nesmith
13. Mable L. Adams	1307 W. Sumter St	Florence	SC		Mable L. Adams
14. Dr. Martha J. Hopkins	1307 W. Sumter St	Flo.	SC		Dr. Martha J. Hopkins
15. Mary N. Dimery	408 Alexander St	Florence	SC		Mary N. Dimery
16. Arthur L. Dimery	408 Alexander St	Florence	SC		Arthur L. Dimery
17. Katie Knowlin	335 W. Main St	Florence	SC		Katie Knowlin
18. Van Brantley	930 W. Sumter St	Florence	SC		Van Brantley
19. Martha Brantley	930 W. Sumter	Florence	SC		Martha Brantley
20. Rex Robert Gabriel	911 W. Sumter St	Florence	SC		Rex Robert Gabriel
21. Ella Gabriel	911 W. Sumter St	Florence	SC		Ella Gabriel
22. Robert Gabriel Jr	911 W. Sumter St	Florence	SC		Robert Gabriel Jr.
23. Robert Gabriel	914 W. Sumter St	Flo.	SC		Robert Gabriel
24. Donna Richards	763 W. Sumter St	Florence	SC		Donna Richards
25. M. Rhodes	607 W. Darlington St	Flo.	SC		M. Rhodes
26. James Daniels	805 W. Sumter St	Flo.	SC		James Daniels
27. Diane Alexander	1217 W. Dixie St	Florence	SC		Diane Alexander
28. Lillian Adams	600 W. 4th St	Florence	SC		Lillian Adams
29. David Adams	600 W. 4th St	Florence	SC		David Adams
30. Alfonso Buckner	408 Carmen St	Flo.	SC		Alfonso Buckner
31. Lasoma Cooper	1333 Dixie St	Florence	SC		Lasoma Cooper
32. James Timmons	1261 W. Sumter				James Timmons
33. Mary Timmons	1261 W. Sumter St	Flo.			Mary Timmons
34. Sylvia Timmons	1261 W. Sumter St	Flo.			Sylvia Timmons
35. William V. Casley	1203 W. Sumter St	Flo.			William V. Casley
36. Leon Hartless	1200 W. Sumter St				Leon Hartless
37. Grace Hartless	1200 W. Sumter St				Grace Hartless
38. Grady Ponds	405 Alexander St	Flo.			Grady Ponds
39.					

3/17/10

	Name	Signature	Address	city
87	Charlene Smart	Charlene Smart	1003 West Marion Street	Florence S.C. 29501
88	Martha Grant	Martha Grant	1034 W Marion St	Florence SC 29501
89	Michael Grant	Michael Grant	1003 W Marion St	Florence SC
90	Jana M. Ellis	Jana M. Ellis	1049 W Marion St	Florence SC
91	Delight Davis	Delight Davis	923 Williams St	Florence SC 29501
92	Sandra Moore	Sandra Moore	1007 W Marion St	Florence S.C. 29501
93	Annie Mae Scipio	Annie Mae Scipio	1009-A W Marion St.	Florence S.C. 29501
94	OSIAH McCHART	OSIAH McCHART	1017 W MARION ST	FLORENCE SC 29501
95	THELMA McCHART	THELMA McCHART	1017 W MARION ST	FLORENCE SC 29501
96	ATHANIEL COOPER	ATHANIEL COOPER	1018 W Marion St	Florence S.C. 29501
97	Albert D. Dingle	Albert D. Dingle	1021 W Marion St	Florence SC 29501
98	BUTCH SWINTON	BUTCH SWINTON	1023 W Marion St	FLO SC
99	LESLEY SWINTON	LESLEY SWINTON	1034 W Marion St	FLO SC
100	JERRY L. ASWIND	JERRY L. ASWIND	1044 W Marion St	FLO SC 29501
101	Dorothy Swinner	Dorothy Swinner	1044 W Marion St	FLO SC 29501
102	Willie Pringle	Willie Pringle	1006 W Marion St	29501
103	Leo Smith	Leo Smith	MARION ST	1006 Marion 29501
104	James Dorsey	James Dorsey	1006-C W. Marion St.	Flo. SC
105	Clifford O. Douglas	Clifford O. Douglas	929 W Marion St	FLO 29501
106	Debra Douglas	Debra Douglas	929 W Marion St	Flo. SC 29501
107	Yah Gahie Smart	Yah Gahie Smart	928 W Marion St	Florence SC 29501
108	Shirvonn Grant	Shirvonn Grant	507 North M ^e Queen Street	Florence SC 29501
109	Charnelle Grant	Charnelle Grant	507 North M ^e Queen Street	Florence SC 29501
110	Lamarva Grant	Lamarva Grant	507 North M ^e Queen Street	Florence SC 29501
111	Lamar Grant	Lamar Grant	507 North M ^e Queen Street	Florence SC 29501
112	Charlena Grant	Charlena Grant	507 North M ^e Queen Street	Florence SC 29501
113	Gloria CLARKSON	Gloria CLARKSON	408 B N Alexander St.	Florence, S.C. 29501
114	Hope Clarkson	Hope Clarkson	408-B N Alexander St.	Florence, S.C. 29501
115	BRIANNA (MURPHY)	BRIANNA (MURPHY)	210 W. Marion St	FLORENCE, S.C. 29501
116	WILLIAM (MURPHY)	WILLIAM (MURPHY)	210 W. Marion St	FLORENCE, S.C. 29501
117	Terence Gamble	Terence Gamble	921 B W. Marion St	FLO. 29501 S.C.
118	KATHLEEN KENNEDY	KATHLEEN KENNEDY	2107 E. Marion St	FLO. 29501 S.C.
119	KIARA BELL	KIARA BELL	240 COIT ST	APT 1F FLORENCE SC 29501
120	James Cook	James Cook	928 N. Marion St	Florence S.C. 29501
121	Frances Edwards	Frances Edwards	1012 W Marion St	Florence S.C. 29501
122	Tiffany Wilson	Tiffany Wilson	920 W. Marion St	Florence SC 29501
123	John Richardson	John Richardson	920 Ingram	Florence 29501
124	Chanequa Jones	Chanequa Jones	413 N. Marion St	Florence 29501
125	Rodney Allen	Rodney Allen	1353 Marion St	Florence 29501
126	Aaron Urn	Aaron Urn	2432 W. Marion St	Florence 29501
127	LATONICA McFARLIN	LATONICA McFARLIN	7308 West Sumner St	Florence SC 29501
128	BRIANNA BRUN	BRIANNA BRUN	2212 Pamplico Way Apt B3	Florence S.C. 29501
129	Jesse Mills	Jesse Mills	109 Holloway Lane	Florence SC 29501
130	Donna Timmons	Donna Timmons	925 Shuman Dr	Florence SC 29501
131	Tiguan Bruns	Tiguan Bruns	810 W. Ingram St.	Florence, S.C. 29501
132	Shelia Cockfield	Shelia Cockfield	1009-A W. Marion St.	Florence, S.C. 29501
133	Ms. Ida Davis	Ms. Ida Davis	923 W. Marion St.	Florence, S.C. 29501

3/19

40	Darnell Henderson	Darnell Henderson	Fla.	930 West Marion St
41	John Bruce	John Bruce	Fla.	904 Harmony St
42	Mikeshia Jones	Mikeshia Jones	Fla.	930 W. Marion St.
43	Sharrh Page	Sharrh Page	Fla.	405 N. Alexander St.
44	Sharrh Page McElrean	Sharrh Page McElrean	Fla.	405 N. Alexander St.
45	Sharrh Page	Sharrh Page	Fla.	405 N. Alexander St.
46	Sharrh Johnson	Sharrh Johnson	Fla.	405 N. Alexander St.
47	Reana Johnson	Reana Johnson	Fla.	405 N. Alexander St.
48	Sharrh Page	Sharrh Page	Fla.	405 N. Alexander St.
49	Darnell McCrae	Darnell McCrae	Fla.	1009 W. Darlington St.
50	Lynnisha Watson	Lynnisha Watson		930 W. Marion St
51	Anissa Watson	Anissa Watson	Fla.	930 W. Marion St
52	Joan Johnson	Joan Johnson	Fla.	405 N. Alexander St.
53	Michele Watson	Michele Watson	Fla.	930 W. Marion St.
54	Jazzeana McElrean	Jazzeana McElrean	Fla.	930 W. Marion St.
55	Michael Smart	Michael Smart	Fla.	1003 W. Marion St.
56	DeAndre McCallister	DeAndre McCallister	Fla.	1003 W. Marion St.
57	Charlie Davis	Charlie Davis	Fla.	923 W. Marion St.
58	Joan Johnson	Joan Johnson	Fla.	519 West Darlington St.
59	Gladys Fowler	Gladys Fowler		405 N. Alexander St.
60	Emma James	Emma James	Fla.	1326 A Harmony St.
61	Idamae Davis	Idamae Davis	Fla.	930 W. Marion St.
62	Robert Harding Jr.	Robert Harding Jr.	Fla.	930 W. Marion St.
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3/17

name	Signature	Address
#1 Kendrick Hickson	Kendrick Hickson	1156 Heatherwood Cir. Flo
5 Greg Keith	Gregory Keith	1135 4135 Meadows Rd. Flo
2 Partee Bell	Partee Bell	603 Chase St. Flo
7 Niki Allen	Niki Allen	108 KUKER Mt. Flo
8 Aaron Cade	A. Cade	1414 Willow trace. Dr. Flo
9 Paris Jones	Paris Jones	1211 Queen St. Flo
10 Margaret McQueen	Margaret McQueen	1007 CW Marion St. Flo.
4 Joannete Hayes	Joannete Hayes	1023 W. Marion St. Florence
12 Tyra Leaf	Tyra Leaf	1025 W. Marion St. Florence
13 Stephen Leaf	Stephen Leaf	1025 W. Marion St. Florence
14 Markita Leaf	Markita Leaf	1025 W. Marion St. Florence
15 Gerald Smith	Gerald Smith	1006 W. Marion St. 29501
16 Anne Coleman	Anne Coleman	925 W. Marion St. Florence
17 Jason Beard	Jason Beard	1007 BW Marion St. Florence
18 Bonnie Coleman	Bonnie Coleman	925 W. Marion St. Florence
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UniquidID	TMS	OWNER NAME	OWNER NAME2	MAILING ADDRESS	CITY STATE	PHYSICAL ADDRESS	CITY	ZIP CODE
1	00122-01-097	GOBOIT J C JR & J C III		1201 HARMONY ST	FLORENCE	1201 HARMONY ST	Florence	29501
2	90044-10-013	HUDSON JAMES C JR		1504 S MAIN ST	DARLINGTON	0 HN SCHOFIELD ST	Florence	29501
3	90044-10-014	STREET INVESTMENT LLC		PO BOX 2232	MURRELLS INLET	505 N SCHOFIELD ST	Florence	29501
4	90044-10-035	TAYLOR GEORGE M JR &	SANDERS NEDRA MAE	1116 W SUMTER ST	FLORENCE	1116 W SUMTER ST	Florence	29501
5	90044-10-036	BREWER HAROLD EDWARD &	MARY MADGE LINE	4745 MEADORS RD	FLORENCE	408 CURRY LN	Florence	29501
6	90044-10-063	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1130 A CARVER CIR	Florence	29501
7	90044-10-064	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1134 B CARVER CIR	Florence	29501
8	90044-10-065	BREWER HOWARD EDWARD &	MARY MAGDELINE	4745 MEADORS RD	FLORENCE	408 CURRY LN	Florence	29501
9	90044-10-061	HUDSON JAMES C JR		1504 S MAIN ST	DARLINGTON	501 N SCHOFIELD ST	Florence	29501
10	90044-10-029	MC ELVEEN THOMAS J SR THOMAS	J JR & JOE NATHAN	3817 W PERCY DR	FLORENCE	1118 W SUMTER ST	Florence	29501
11	90044-10-045	HOWARD LOIS L		512 N SCHOFIELD ST	FLORENCE	512 N SCHOFIELD ST	Florence	29501
12	90044-10-047	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1108 B CARVER CIR	Florence	29501
13	90044-10-062	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1117 A CARVER CIR	Florence	29501
14	90044-10-064	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1109 A CARVER CIR	Florence	29501
15	90044-10-004	WRIGHT MAMIE		2302 W SUMTER ST	FLORENCE	1024 W SUMTER ST	Florence	29501
16	90044-10-065	BROWN ANNE SHERILL		1110 W SUMTER ST	FLORENCE	417 A N SCHOFIELD ST	Florence	29501
17	90044-10-024	HUDSON JAMES C JR		1504 S MAIN ST	DARLINGTON	1200 W SUMTER ST	Florence	29501
18	90044-10-030	HARKLESS LEO & GLORIA		1200 W SUMTER ST	00000	0	Florence	29501
19	90044-10-043	CITY OF FLORENCE SC THE		PO BOX 95	OLANTA	414 N SCHOFIELD ST	Florence	29501
20	90044-10-011	HYMAN LOSSIE JACKSON JR &	NANCY H	410 N SCHOFIELD DR	FLORENCE	410 N SCHOFIELD ST	Florence	29501
21	90044-10-012	MCCRAE DENISE		1120 W SUMTER ST	FLORENCE	1120 W SUMTER ST	Florence	29501
22	90044-10-012	SINGLETON TIMOTHY O &	DEBORAH D	504 N SCHOFIELD ST	FLORENCE	500 N SCHOFIELD ST	Florence	29501
23	90044-10-036	MCCLUTCHON DALLAS &	MARILYN M	PO BOX 5090	FLORENCE	1138 B CARVER CIR	Florence	29501
24	90044-10-037	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1142 A CARVER CIR	Florence	29501
25	90044-10-055	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1143 W DARLINGTON ST	Florence	29501
26	90044-10-056	NEEL WILLIAM HAL III		2401 DAVID H MCLEOD BLVD	FLORENCE	1102 B CARVER CIR	Florence	29501
27	90045-01-004	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1110 B CARVER CIR	Florence	29501
28	90044-10-046	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1121 A CARVER CIR	Florence	29501
29	90044-10-048	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1113 B CARVER CIR	Florence	29501
30	90044-10-061	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1260 W SUMTER ST	Florence	29501
31	90044-10-063	PRIME PROPERTIES OF FLORENCE	LLC	2031 WEBSTER AVE APT 24	BRONX	417 F N SCHOFIELD ST	Florence	29501
32	90044-10-029	GREEN CHARLES E		1504 S MAIN ST	DARLINGTON	1114 A CARVER CIR	Florence	29501
33	90044-10-019	HUDSON JAMES C JR		PO BOX 5090	FLORENCE	1122 B CARVER CIR	Florence	29501
34	90044-10-048	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1127 A CARVER CIR	Florence	29501
35	90044-10-051	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1250 1/2 W SUMTER ST	Florence	29501
36	90044-10-060	PRIME PROPERTIES OF FLORENCE	LLC	1250 W SUMTER ST	FLORENCE	1122 W SUMTER ST	Florence	29501
37	90044-10-060	JACKSON OLGA KATHERINE		1620 HARRIS CT	HARTSVILLE	510 N SCHOFIELD ST	Florence	29501
38	90044-10-068	PARROTT JULIUS N & SARAH		145 W HOME	FLORENCE	1126 B CARVER CIR	Florence	29501
39	90044-10-033	CARRAWAY JOHNNIE		PO BOX 5090	FLORENCE	1146 B CARVER CIR	Florence	29501
40	90044-10-040	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1143 B CARVER CIR	Florence	29501
41	90044-10-052	PRIME PROPERTIES OF FLORENCE	LLC	PO BOX 5090	FLORENCE	1112 W SUMTER ST	Florence	29501
42	90044-10-059	PRIME PROPERTIES OF FLORENCE	LLC	307 E NOBLE ST	DARLINGTON	1116 W SUMTER ST	Florence	29501
43	90044-10-066	PRIME PROPERTIES OF FLORENCE	LLC	HEIRS C/O DOROTHY BAKER	FLORENCE	505 N SCHOFIELD ST	Florence	29501
44	90044-10-032	HARKLESS DOCK & ANNETTIE R		PO BOX 1075	FLORENCE	514 N SCHOFIELD ST	Florence	29501
45	90044-10-034	CURTIS SAMUEL C		506 N SCHOFIELD ST	FLORENCE	1105 B CARVER CIR	Florence	29501
46	90044-10-038	HINES MARVIN & EUNICE		512 N SCHOFIELD ST	FLORENCE	1308 DIXIE ST	Florence	29501
47	90044-10-041	CRUSADE FOR CHRIST MISSION	THE	PO BOX 5090	FLORENCE	1308 DIXIE ST	Florence	29501
48	90044-10-065	PRIME PROPERTIES OF FLORENCE	LLC	1308 DIXIE ST	FLORENCE	1308 DIXIE ST	Florence	29501
49	90044-02-009	MC DANIEL DONNA		864 MARGUERITE LOOP	ALASKA	AK99705	Florence	29501
50	90044-02-011	MC DANIEL TOM JR		545 CHESTNUT AVE UNIT 110	LONG BEACH	CA90802	Florence	29501
51	90044-02-011	ALEXANDER DEXTER M		3073 PISCATAWAY RD	FLORENCE	SC29501	Florence	29501
52	90044-02-004	HUDSON E G		1228 DIXIE ST	FLORENCE	SC29501	Florence	29501
53	90044-03-010	LUCKEY FLORENCE M ETAL						

56	90044-04-014	CAPRICORN INC	1171 S WALLACE RD	FLORENCE	SC29506	1232 W DIXIE ST	Florence	29501
57	90044-08-005	ROBINSON JAMES H JR	1103 DIXIE ST	FLORENCE	SC29501	1103 W DIXIE ST	Florence	29501
58	90044-09-003	WILLIAMS JAMES &	PO BOX 29	COWARD	SC29530	1119 W SUMTER ST	Florence	29501
59	90044-09-005	POWERS CHARLES H	PO BOX 6525	FLORENCE	SC29502	1115 W SUMTER ST	Florence	29501
60	90044-09-020	HUDSON E G	3073 PISGAH RD	FLORENCE	SC29501	0	Florence	29501
61	90045-01-012	JAMES CLASSIE ETAL	1655 WSTSEH003	WASHINGTON	DC20002	0	Florence	29501
62	90045-01-030	DICKSON C C CO	PO BOX 13591	ROCK HILL	SC29731	1303 W DARLINGTON ST	Florence	29501
63	90045-01-033	ELUM BEATRICE P	PO BOX 4326	FLORENCE	SC29502	1405 A W DARLINGTON ST	Florence	29501
64	90044-04-005	HUDSON EARNEST G	3073 PISGAH RD	FLORENCE	SC29501	1259 W SUMTER ST	Florence	29501
65	90044-04-006	RICHARDSON BETTY R &	1253 W SUMTER ST	FLORENCE	SC29501	1253 W SUMTER ST	Florence	29501
66	90044-04-020	HUDSON ERNEST G	3073 PISGAH RD	FLORENCE	SC29501	1212 W DIXIE ST	Florence	29501
67	90044-08-012	KELLY DELORES A ETAL	407 WASHINGTON ST	FLORENCE	SC29506	1021 W SUMTER ST	Florence	29501
68	90044-09-015	JETT LARRY &	112 E WESTFORD RD	FLORENCE	SC29506	0	Florence	29501
69	90044-09-015	BREWER HAROLD E & MARY E	4745 MEADOWS RD	FLORENCE	SC29501	1020 B W SUMTER ST	Florence	29501
70	90044-10-003	JACKSON SHELBY J &	318 N SCHOFIELD ST	FLORENCE	SC29501	318 N SCHOFIELD ST	Florence	29501
71	90045-01-022	ALTMAN CYPHUS WOODROW &	1419 W DARLINGTON ST	FLORENCE	SC29501	1419 W DARLINGTON ST	Florence	29501
72	90045-01-023	ROBINSON MADALINE H REIRS &	PO BOX 971	FLORENCE	SC29501	1300 DIXIE ST	Florence	29501
73	90044-03-006	HUDSON E G	3073 PISGAH RD	FLORENCE	SC29501	1210 HARMONY ST	Florence	29501
74	90044-03-014	PEOPLES YVONNE E &	1253 W SUMTER ST	FLORENCE	SC29501	1209 W SUMTER ST	Florence	29501
75	90044-04-007	TRAMONS JAMES JR & FANNIE D	1261 W SUMTER ST	FLORENCE	SC29501	1209 W SUMTER ST	Florence	29501
76	90044-04-018	ISAIAH ROOSEVELT	4322 ISAIAH ST	FLORENCE	SC29505	1109 W DIXIE ST	Florence	29501
77	90044-08-002	EADY ROBERT LEE	1171 S WALLACE RD	FLORENCE	SC29506	1105 B W SUMTER ST	Florence	29501
78	90044-09-010	NEAL OF FLORENCE INC	1310 W EVANS ST	FLORENCE	SC29501	1303 W DARLINGTON ST	Florence	29501
79	90045-01-010	HUDSON EARNEST G	3073 PISGAH RD	FLORENCE	SC29501	1208 HARMONY ST	Florence	29501
80	90044-04-015	CHARLES GLADYS E	1121 W BROOKGREEN DR	FLORENCE	SC29501	1234 W DIXIE ST	Florence	29501
81	90044-04-017	DEAS JOE JR & JANICE W	2711 LUJAS CT	FLORENCE	SC29501	1255 W SUMTER ST	Florence	29501
82	90044-04-019	HUDSON E G	3073 PISGAH RD	FLORENCE	SC29501	1216 W DIXIE ST	Florence	29501
83	90044-06-003	BRADDOCK CAROL L	PO BOX 12603	FLORENCE	SC29504	1201 W SUMTER ST	Florence	29501
84	90044-06-010	MCLEOD JANIE	1106 HARMONY ST	FLORENCE	SC29501	1106 W HARMONY ST	Florence	29501
85	90044-09-002	BURCH-SIMS G PAMELA	PO BOX 28	COWARD	SC29530	1121 W SUMTER ST	Florence	29501
86	90045-01-008	LITTLE MAURICE M	PO BOX 30023	NASHVILLE	1181203	500 BUNCH ST	Florence	29501
87	90045-02-007	BELIN ELLEN M	1308 W DARLINGTON ST	FLORENCE	SC29501	1311 W DARLINGTON ST	Florence	29501
88	90045-03-001	HARLEY LAWRENCE (LE) &	PO BOX 170	DARLINGTON	SC29540	1027 MARION ST	Florence	29501
89	90044-03-015	HUDSON EARNEST G	700 S CASHUA	FLORENCE	SC29501	1017 W DARLINGTON ST	Florence	29501
90	90044-04-010	HUDSON EARNEST G	1301 W SUMTER ST	FLORENCE	SC29501	1301 W SUMTER ST	Florence	29501
91	90044-06-003	HUDSON E G	3073 PISGAH RD	FLORENCE	SC29501	1221 W DIXIE ST	Florence	29501
92	90044-08-007	NIXON NELSON L & CORAM	3073 PISGAH RD	FLORENCE	SC29501	1218 W DIXIE ST	Florence	29501
93	90044-09-009	EADY ROBERT L	PO BOX 893	FLORENCE	SC29501	1107 W DIXIE ST	Florence	29501
94	90044-09-011	HUDSON E G	1171 S WALLACE RD	AMITYVILLE	NY11701	1111 W SUMTER ST	Florence	29501
95	90044-09-018	BROWER BESSIE	3073 PISGAH RD	FLORENCE	SC29506	1107 W SUMTER ST	Florence	29501
96	90045-01-016	KNOTTS CHARLES ALLEN	1022 DIXIE ST	FLORENCE	SC29501	1023 SUMTER ST	Florence	29501
97	90045-01-018	NEEL WILLIAM HAL II	304 N SCHOFIELD DR	FLORENCE	SC29501	1022 W DIXIE ST	Florence	29501
98	90045-01-025	ADAMS WABLE LUSTON	312 N SCHOFIELD RD	FLORENCE	SC29501	304 N SCHOFIELD ST	Florence	29501
99	90044-02-002	LOCKETT SHIRLEY A &	2704 N WILLISTON RD	FLORENCE	SC29506	400 N SCHOFIELD ST	Florence	29501
100	90044-03-002	HUDSON E G	1307 W SUMTER ST	FLORENCE	SC29501	327 N ROGERS ST	Florence	29501
101	90044-04-002	MCLEOD DAVID	1305 W SUMTER ST EX1	FLORENCE	SC29501	1307 W SUMTER ST	Florence	29501
102	90044-04-003	PEOPLES YVONNE E	638 S DANIEL S ST	FLORENCE	SC29506	1305 W SUMTER ST	Florence	29501
103	90044-04-021		721 SUNNYSIDE RD	FLORENCE	SC29501	1213 W DIXIE ST	Florence	29501
104	90044-04-021		1257 W SUMTER ST	FLORENCE	SC29501	1255 W SUMTER ST	Florence	29501
105	90044-04-021			FLORENCE	SC29501	1253 W SUMTER ST	Florence	29501
106	90044-04-021			FLORENCE	SC29501	1257 W SUMTER ST	Florence	29501

124	90044-09-013	FLOWEN ALBERTA &	ETAL	905 E PINE ST	FLORENCE	SC29506	1019 W SUMTER ST	Florence	29501
125	90044-09-014	ECKLES GEORGE PHILIP		147 LIONS GATE RD	SAVANNAH	GA31419	1017 W SUMTER ST	Florence	29501
126	90044-10-002	SWINNEY BOYKIN		1014 W MARION ST	FLORENCE	SC29501	1018 W SUMTER ST	Florence	29501
127	90045-01-006	ELUM BEATRICE P		PO BOX 4326	FLORENCE	SC29502	1405 W DARLINGTON ST	Florence	29501
128	90045-01-007	ALTMAN C WOODROW JR		5336 CHINA BERRY RD	FLORENCE	SC29506	1315 W DARLINGTON ST	Florence	29501
129	90045-01-020	ALTMAN CARRIE GAYMON		308 N SCHOFIELD ST	FLORENCE	SC29501	0	Florence	29501
131	90044-03-009	QUINNINGS TROY		1214 HARMONY ST	FLORENCE	SC29501	0	Florence	29501
132	90044-03-012	HUDSON E G		3073 PISGAH RD	FLORENCE	SC29501	1214 HARMONY ST	Florence	29501
133	90044-04-011	SANDERS MARGARET		1324 REVERA DR	SACRAMENTO	CA95638	1224 W DIXIE ST	Florence	29501
134	90044-04-013	NEW PARK ASSOCIATES INC		850 PARK AVE	FLORENCE	SC29501	1230 W DIXIE ST	Florence	29501
135	90044-06-005	DOWD PROPERTIES LLC		1931 OSPREY DR	FLORENCE	SC29501	1233 W SUMTER ST	Florence	29501
136	90044-08-004	MACK LEE MANUEL ETAL		1540 MCKENNEY CRT	FLORENCE	SC29501	1109 W DIXIE ST	Florence	29501
137	90044-08-006	ROBINSON JAMES H JR ETAL		1103 DIXIE ST	FLORENCE	SC29501	600 CUMBERLAND DR	Florence	29501
138	90044-08-004	COLEMAN ANN H &		925 W MARION ST	FLORENCE	SC29501	0	Florence	29501
140	90044-09-021	BROWN CHARLES		651 BLANCH ST	FLORENCE	SC29501	1108 W DIXIE ST	Florence	29501
141	90045-01-021	MARLOWE LILLIAN		408 N SCHOFIELD ST	FLORENCE	SC29501	408 N SCHOFIELD ST	Florence	29501
142	90045-02-004	MCCLEIN JOSIAH JR &		1017 W MARION ST	FLORENCE	SC29501	1015 MARION ST	Florence	29501
143	90045-01-013	ALLISON RALPH JR &		3101 E SAMMYS LN	FLORENCE	SC29506	1417 W DARLINGTON ST	Florence	29501
147	90045-01-034	WASHINGTON HATTIE P		64 MELROSE AVE	EAST LANSDOWNE	PA19050	0 W DARLINGTON ST	Florence	29501
148	90045-03-003	MARIN PROPERTIES		PO BOX 3931	FLORENCE	SC29502	1013 W DARLINGTON ST	Florence	29501
149	90045-03-005	GRAHAM MARGARET P		1007 W DARLINGTON ST	FLORENCE	SC29501	1013 W DARLINGTON ST	Florence	29501
150	90050-08-002	MCELVEEN MARY S		1560 METROPOLITAN AVE #2 A	BRONX	NY10472	1007 MARION ST	Florence	29501
151	90059-09-017	COOKS SARAH LEE		1021 DIXIE ST	FLORENCE	SC29501	1021 W DIXIE ST	Florence	29501
153	90060-13-005	SISNETT FRANCES		1008 W MARION ST	FLORENCE	SC29501	1008 W MARION ST	Florence	29501
154	90060-08-009	BIBLEWAY CHURCH OF FLORENCE		FLORENCE SC	FLORENCE	29501	405 N ALEXANDER ST	Florence	29501
155	90060-08-010	NOWLIN ROSA LEE		1021 W HARMONY ST	FLORENCE	SC29502	1012 W SUMTER ST	Florence	29501
157	90059-08-010	FORD CATHERINE		708 CUMBERLAND DR	FLORENCE	SC29501	1021 W HARMONY ST	Florence	29501
158	90059-08-007	BIBLEWAY CHURCH OF FLORENCE		PO BOX 3045	FLORENCE	SC29501	704 HARMONY ST	Florence	29501
160	90060-08-007	RAINWATER LEILA D		1001 WENTWORTH DR	FLORENCE	SC29506	1001 W MARION ST	Florence	29501
166	90044-10-031	EADY ROBERT TRUSTEE		1171 S WALLACE RD	FLORENCE	SC29161	417 N SCHOFIELD ST	Florence	29501
167	90044-10-042	MCINVILLE WALLACE		3413 TWIN CHURCH RD	FLORENCE	SC29502	1206 W SUMTER ST	Florence	29501
168	90044-10-050	PRIME PROPERTIES OF FLORENCE	ILLC	PO BOX 5090	FLORENCE	SC29502	408 N SCHOFIELD ST	Florence	29501
169	90044-10-057	PRIME PROPERTIES OF FLORENCE		PO BOX 5090	FLORENCE	SC29502	1118 B CARVER CIR	Florence	29501
170	90045-01-002	DRIGGERS MACK T JR &		320 N SCHOFIELD ST	FLORENCE	SC 29501	1146 B CARVER CIR	Florence	29501
171	90044-02-008	GRANT DORETHA		1908 DIXIE ST	FLORENCE	SC29501	320 N SCHOFIELD ST	Florence	29501
172	90044-03-004	HUDSON E G		3073 PISGAH RD	FLORENCE	SC29501	1206 HARMONY ST	Florence	29501
174	90044-04-009	HUDSON E G		3073 PISGAH RD	FLORENCE	SC29501	1214 W DIXIE ST	Florence	29501
175	90044-04-016	WILLIAMS CHARIS S ETAL		PO BOX 495	NORWALK	CT06852	1267 W SUMTER ST	Florence	29501
176	90044-08-001	MCLEOD JANE W		PO BOX 29	COWARD	SC29530	1123 W SUMTER ST	Florence	29501
177	90044-08-008	GEE PERTIE		1108 W SUMTER ST	FLORENCE	SC29501	1111 B SUMTER ST	Florence	29501
178	90044-09-019	BURNETT WINFRED MORRIS &	MAMIE	1100 DIXIE ST	FLORENCE	SC29501	1100 W DIXIE ST	Florence	29501
179	90044-09-026	SPEIGHTS JOHN HENRY &	LUCILLE	620 AIRE ACRES RD	TIMMONSVILLE	SC29161	1102 W DIXIE ST	Florence	29501
180	90045-01-008	MOSS WELING & IRON WORKS	INC	1311 W DARLINGTON ST	FLORENCE	SC29501	1311 W DARLINGTON ST	Florence	29501
181	90045-01-019	ALTMAN MARY J		312 N SCHOFIELD RD	FLORENCE	SC29501	312 N SCHOFIELD ST	Florence	29501
182	90045-01-027	JACKSON DANIEL CARL JR		2790 KINTYRE RD	FLORENCE	SC29501	1401 W DARLINGTON ST	Florence	29501
183	90045-01-035	BAKER HARRY		1938 WESLEY CRT	FLORENCE	SC29501	401 N CURRY LN	Florence	29501
185	90045-03-016	KELLY BURNELINA A		1015 W DARLINGTON ST	FLORENCE	SC29501	1015 W DARLINGTON ST	Florence	29501

Public Meeting for the West Sumter Street Community
R.N. Beck Learning Center
1001 West Sumter Street
Florence, S.C. 29501
Thursday, June 10, 2010
6:00PM

This public meeting is being held regarding the request by the community that the Florence County Planning Commission sponsor the zoning amendment request to the R-3A Zoning District for properties within the West Sumter Street area. As this is not a public hearing, there will be no formal presentation. However, maps have been placed in areas around the room for your review. Staff members will be available to answer any questions you might have on the zoning amendment request and/or the map.

THE PUBLIC HEARING FOR THIS ZONING AMENDMENT REQUEST WILL BE HELD BY THE FLORENCE COUNTY PLANNING COMMISSION ON TUESDAY JUNE 22, 2010 AT 6:30 P.M. AT THE CITY/COUNTY COMPLEX, ROOM 803.

There is a comment section below that you may use to make comments, use the back of the page if needed. Please be sure that one of the staff members receives your comments before you leave.

GARY DRAUSCH P.O. BOX 4541 FLORENCE SC 29502
Name Address

COMMENTS:

I OWN THE PROPERTY LOCATED AT THE CORNER OF
SUMTER ST. AND N. ALEXANDER - 10009 W. SUMTER ST. I
BOUGHT THE PROPERTY IN JUNE OF 2009 WITH THE INTENT OF
PUTTING SOME RENTAL PROPERTY ON IT. IN AUGUST OF 2009, COUNTY
COUNCIL PLACED A 1YR MORATORIUM ON BUILDING ON THIS PROPERTY.
I HAD INVESTED TIME AND MONEY IN PLANNING FOR THIS APPROX
\$500K PROJECT, THERE WAS A BUILDER READY TO GO WHEN THE
MORATORIUM WAS PUT IN PLACE. I FEEL THAT THE MORATORIUM
AND FORCED RE-ZONING OF THIS PROPERTY IS UN-FAIR AND
IS UN-PRODUCTIVE FOR THE FOLLOWING REASONS:

(OVER)

#1 - IT DEVALUES PROPERTY FOR THE PROPERTY OWNER BY RESTRICTING USES.

#2 - IT TAKES AWAY OWNERS PROPERTY RIGHTS.

#3 - IT STIFLES GROWTH IN THE AREA BY LIMITING CONSTRUCTION.

#4 - BY FORCING OUT NEW CONSTRUCTION, THE COUNTY WILL LOSE TAX REVENUE AND INCOME FROM BUILDING PERMITS, WATER/SEWER TAPS, BUSINESS LICENSES ETC.

#5 - IT SETS A BAD PRECEDENT WHEN THE GOVT. CAN PLACE A MORATORIUM ON AN AREA WITHOUT PRIOR NOTICE, IF AN OUT OF TOWN INVESTOR BOUGHT SOME PROPERTY IN THIS AREA AND THEN WAS STOPPED FROM DOING A PROJECT, THEY WOULD SUFFER DAMAGES AND MIGHT SEEK LEGAL DAMAGES AGAINST THE PEOPLE WHO SOLD THE PROPERTY TO THEM & THE COUNTY.

I SUPPORT EFFORTS TO ZONE UN-ZONED PROPERTY, BUT I THINK EACH TRACT SHOULD BE LOOKED AT INDEPENDENTLY & THE PROPERTY OWNER'S INTERESTS SHOULD BE CONSIDERED.

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Lillian S. MARLOWE 406 N. Schofield ST
Name Address

COMMENTS:

Thank you

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Mary Altman 312 N. Schafeld St Florence, S.C.
Name Address

COMMENTS:

Thank you for explaining everything

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Name

Address

Geraldine J. Simmons 1209 W. Dixie St. Flo. S.C.

COMMENTS:

Code enforcement for Rodents in the City is ^{needed}. We live next to the county line.

Public Meeting for the West Sumter Street Community
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JAMES STIMMONS 1261 W SUMTER STREET FLORENCE SC
Name Address

COMMENTS:

WE WON'T THE LOTS CLEAN UP
AND DON'T WANT THE DUPLEX HOUSE IN THE
AREA

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Second Reading - Ordinance No. 06-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.)

POINTS TO CONSIDER:

Ordinance is amended to include the requirement that a tethering device must employ a swivel on at least one end to minimize tangling.

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 06-2010/11.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 06-2010-11.

Sponsor(s) : County Council
First Reading/Introduction : August 19, 2010
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : September 16, 2010
Second Reading : September 16, 2010
Third Reading :
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 06-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.)

WHEREAS:

1. Section 47-3-20 of the Code of Laws of South Carolina, 1976, as amended, grants authority to Florence County to enact an ordinance for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and
2. Florence County recognizes the need for regulations to provide for the humane treatment of dogs that are tethered and/or chained.

NOW, THEREFORE BE IT ORDAINED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED, THAT:

1. Florence County Code, Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, is hereby amended with the insertion of language attached hereto and incorporated by reference.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application and to this end, the provisions of this Ordinance is severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

Sec. 6-2. Animal Cruelty.

(n) Tethering of Dogs.

"Tethered" or "tethering" means attaching an animal to a stationary object by means of a chain, cable, rope, running line, harness or similar device. Tethering shall not include the use of an appropriate leash to walk a dog.

(1) It shall be unlawful for any person to tether, fasten, chain, tie, restrain or otherwise cause a dog to be fastened, chained, tied or restrained, without limitation to houses, trees, garages, or other stationary or immobile objects by means of a chain, cable, rope, running line, harness or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are met:

- (a) The tether must be attached to a properly fitting harness or collar and not directly to the dog's neck. The tether must be at least twelve (12) feet in length; and positioned so that at its greatest length it prevents injury, strangulation or entanglement with any obstruction, man-made or natural; and employ a swivel on at least one end of the tether to minimize tangling.
- (b) The tether, assembly or attachments shall not exceed one-tenth (1/10) of the dog's body weight so as to inhibit the free movement of a dog within the area tethered.
- (c) Tethering of dogs for more than one (1) hour at a time and more than three (3) total hours in any twenty-four (24) hour period is prohibited. Dogs must be taken off of a tether for at least three (3) continuous hours between tethering periods.
- (d) A dog is not to be tethered outside during extreme weather, including, but not limited to extreme heat or near-freezing temperatures, thunderstorms or floods.
- (e) A tethered dog must have access to adequate shade, shelter, food and water.
- (f) The dog must be at least fifteen (15) feet from the edge of any public road or sidewalk and not in an area open to teasing or attacks, or where the ground becomes wet or muddy. The dog must be tethered in a manner that will prevent the animal from leaving any part of the owner's property.
- (g) The dog must be six (6) months of age or older
- (h) The dog must not be sick or injured.
- (i) If there are multiple dogs, each dog must be tethered separately.

(2) Any person in violation of this section shall be subject to a civil fine in accordance with Section 6.2(j) of this chapter.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Introduction - Ordinance No. 07-2010-11

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:

(An Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Darlington County, Such Industrial/Business Park to be Geographically Located in Darlington County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Darlington 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.)

OPTIONS:

1. ***(Recommended)*** Introduce Ordinance No. 07-2010-11.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 07-2010-11.

Sponsor(s) : Economic Development
 First Reading/Introduction : September 16, 2010
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading :
 Public Hearing :
 Third Reading :
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 07-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Darlington County, Such Industrial/Business Park to be Geographically Located in Darlington County and Established Pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as Amended; to Provide for a Written Agreement with Darlington 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.)

BE IT ORDAINED BY THE COUNTY COUNCIL OF FLORENCE COUNTY, SOUTH CAROLINA:

SECTION I: Florence County is hereby authorized to jointly develop an industrial and business park with Darlington County (the "Park"). The Park shall be located initially on lands located in Darlington County only as authorized by Sec. 4-1-170 of the South Carolina Code of Laws 1976, as amended.

SECTION II: Florence County will enter into a written agreement to develop the Park jointly with Darlington County in substantially the form attached hereto as Schedule I and incorporated herein by reference (the "Park Agreement"). The Chairman of Florence County Council is hereby authorized to execute the Park Agreement on behalf of Florence County, with such changes thereto as the Chairman shall deem, upon advice of counsel, necessary and do not materially change the import of the matters contained in the form of agreement set forth in Schedule I.

SECTION III: The businesses or industries located in the Park will pay a fee in lieu of ad valorem taxes as provided for in the Park Agreement. With respect to properties located in the Florence County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Florence County. That portion of such fee allocated pursuant to the Park Agreement to Darlington County shall be thereafter paid by the Treasurer of Florence County to the Treasurer of Darlington County within ten (10) business days of receipt for distribution in accordance with the terms of the agreement. With respect to properties located in the Darlington County portion of the Park, the fee paid in lieu of ad valorem taxes shall be paid to the Treasurer of Darlington County. That portion of such fee allocated pursuant to the Park Agreement to Florence County shall thereafter be paid by the Treasurer of Darlington County to the Treasurer of Florence County within ten (10) business days of receipt for distribution in accordance with the terms of the Park Agreement. Payments of fees in lieu of taxes will be made on or before the due date for taxes for a particular year.

Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. The counties, acting by and through the Treasurers of Florence County and Darlington County, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of ad valorem taxes.

SECTION IV: Any ordinances of Florence County and Darlington County concerning zoning, health and safety regulations, and building code requirements will apply for the respective portions of the Park in Florence County and Darlington County.

SECTION V: The Sheriff's Departments of Florence County and Darlington County will have jurisdiction to make arrests and exercise all authority and power within the boundaries of the respective portions of the Park in Florence County and Darlington County.

SECTION VI: Revenues generated from industries or businesses located in the Florence County portion of the Park and to be retained by Florence County pursuant to the Park Agreement shall be distributed within Florence County in the following manner:

First, unless Florence County elects to pay or credit the same from only those revenues which Florence County would otherwise be entitled to receive as provided under "Third" below, to pay annual debt service on any special source revenue bonds issued by Florence County pursuant to, or to be utilized as a credit in the manner provided in the second paragraph of, Section 4-1-175, Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, payable in whole or in part by or from revenues generated from any properties in the Park; and

Second, at the option of Florence County, to reimburse Florence County for any expenses incurred by it in the development, operation, maintenance and promotion of the Park or the businesses located therein;

Third, to those taxing districts which overlap the applicable properties within Florence County's portion of the Park, in a pro-rata fashion based on comparative millage rates for the year in question of such taxing districts;

provided, that (i) all taxing districts which overlap the applicable properties within the Park shall receive some portion of the revenues generated from such properties; and (ii) all revenues receivable by a taxing entity in a fiscal year shall be allocated to operations and maintenance and to debt service as determined by the governing body of such taxing entity; and (iii) the County may, by ordinance, from time to time, amend the distribution of the fee in lieu of tax payments to all taxing entities.

SECTION VII: This Ordinance shall supersede and amend in its entirety any other ordinances or resolutions of Florence County Council pertaining to the Park.

SECTION VIII: Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION IX: This Ordinance shall be effective after third and final reading thereof.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

DRAFT

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

I, the undersigned, Clerk to County Council of Florence, South Carolina ("County Council") DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted by the County Council. The Ordinance was read and received a favorable vote at three public meetings of the County Council on _____, _____, and _____. At least one day passed between first and second reading, and at least seven days passed between second and third readings. A public hearing was held on _____, and notice of the public hearing was published in the _____ on _____. At each meeting, a quorum of County Council was present and remained present throughout the meeting.

Attached hereto are excerpts of the minutes of the meetings of the County Council. The County Council complied with the Freedom of Information Act, Chapter 4, Title 30 of the S.C. Code of Laws, 1976, in connection with said meetings of County Council.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the Florence County Council, South Carolina, as of this _____ day of _____, 2010.

Clerk to Florence County Council
Florence, South Carolina

SCHEDULE I

**AGREEMENT FOR THE DEVELOPMENT OF A
JOINT INDUSTRIAL/BUSINESS PARK**

DRAFT

STATE OF SOUTH CAROLINA) AGREEMENT FOR THE DEVELOPMENT
) OF A JOINT INDUSTRIAL
COUNTY OF DARLINGTON) AND BUSINESS PARK
COUNTY OF FLORENCE) (Darlington and Florence Counties)

THIS AGREEMENT for the development of a joint industrial and business park to be located within Darlington County and Florence County is made and entered into as of this ____ day of _____, 2010, by and between Darlington County and Florence County.

WITNESSETH:

WHEREAS, Darlington County, South Carolina ("Darlington County") and Florence County, South Carolina ("Florence County"), are contiguous counties which, pursuant to ordinance no. 06-2010/11 adopted by Florence County Council on _____, 2010, and ordinance no. _____ adopted by Darlington County Council on _____, 2010 (collectively, the "Enabling Ordinances"), have each determined that, in order to promote economic development and thus provide additional employment opportunities within both of said counties, there should be established, initially in Darlington County, a Joint County Industrial and Business Park (the "Park"), to be located upon property described in Exhibit A hereto; and

WHEREAS, as a consequence of the establishment of the Park, property comprising the Park and all property having a situs therein shall be exempt from ad valorem taxation pursuant to Article VIII, Section 13 of the South Carolina Constitution, but the owners or lessees of such property shall pay annual fees in an amount equal to that amount for which such owner or lessee would be liable except for such exemption;

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Binding Agreement. This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on Darlington County and Florence County, and their successors and assigns.

2. Authorization. Article VIII, Section 13(D) of the Constitution of South Carolina provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a manner in which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability pursuant to any provision of law which measures the relative fiscal capacity of a school district to support its schools based on the assessed valuation of taxable property in the district as compared to the assessed valuation of taxable property in all school districts in South Carolina. Section 4-1-170, Code of Laws of South Carolina, 1976, as amended (the "Code") satisfied the conditions imposed by Article VIII, Section 13(D) of the Constitution and provides the statutory vehicle whereby a joint county industrial or business park may be created.

3. Location of the Park.

(A) As of the date of this Agreement, the Park consists of properties located in Darlington County only, as further identified in Exhibit A (Darlington) hereto. It is specifically recognized that the Park may, from time to time, consist of non-contiguous properties within each county. The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinances of the County Councils of both Darlington County and Florence

County. If the Park encompasses all or a portion of a municipality, the counties must obtain the consent of the municipality prior to creation of the Park.

(B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit A (Darlington County Properties) or Exhibit B (Florence County Properties), as the case may be, which shall contain a legal description of the boundaries of the Park, as enlarged or diminished, together with a copy of the ordinances of Darlington County Council and Florence County Council pursuant to which such enlargement or diminution was authorized.

(C) Prior to the adoption by Darlington County Council and by Florence County Council of ordinances authorizing the diminution of the boundaries of the Park, separate public hearings shall first be held by Darlington County Council and by Florence County Council. Notice of such public hearings shall be published in newspapers of general circulation in Darlington County and Florence County, respectively, at least once and not less than fifteen (15) days prior to such hearing. Notice of such public hearings shall also be served in the manner of service of process at least fifteen (15) days prior to such public hearing upon the owner and, if applicable, the lessee of any real property which would be excluded from the Park by virtue of the diminution.

(D) The owner, or, if applicable, lessee of any property located within the Park, may remove personal property from the Park at any time, unless specifically prohibited otherwise.

4. Fee in Lieu of Taxes. Pursuant to Article VIII, Section 13(D), South Carolina Constitution, property located in the Park shall be exempt from ad valorem taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of ad valorem property taxes) equivalent to the ad valorem

property taxes that would have been due and payable but for the location of such property within the Park, provided that this paragraph shall not prohibit Darlington or Florence from entering into a negotiated fee in lieu of tax incentive agreement applicable to any property located within the park..

5. Allocation of Expenses. Darlington County and Florence County shall bear expenses, including, but not limited to, development, operation, maintenance and promotion of the Park and the cost of providing public services, in the following proportions:

If property is in Darlington County portion of the Park:

(1)	Darlington County	100%
(2)	Florence County	0%

If property is in Florence County portion of the Park:

A.	Darlington County	0%
B.	Florence County	100%

6. Allocation of Revenues. Darlington County and Florence County shall receive an allocation of all revenue generated by the Park through payment of fees in lieu of ad valorem property taxes or from any other source in the following proportions:

If property is in Darlington County portion of the Park:

A.	Darlington County	99%
B.	Florence County	1%

If property is in Florence County portion of the Park:

A.	Darlington County	1%
B.	Florence County	99%

7. Revenue Allocation Within Each County.

(A) Revenues generated by the Park through the payment of fees in lieu of ad valorem property taxes shall be distributed to Darlington County and to Florence County, as the case may be, according to the proportions established by Paragraph 6 herein. With respect to revenues allocable to Darlington County or Florence County by way of fees in lieu of taxes generated within its own County (the "Host County"), such revenue shall be distributed within the Host County in the manner provided by ordinance of the county council of the Host County; provided, that (i) all taxing districts which overlap the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such portion, and (ii) with respect to amounts receivable in any fiscal year by a taxing entity, the governing body of such taxing entity shall allocate the revenues received to operations and/or debt service of such entity. Each Host County is hereby specifically authorized to use a portion of revenue for economic development purposes as permitted by law and as established by ordinance of the County Council of the Host County.

(B) Revenues allocable to Darlington County by way of fees in lieu of taxes generated within Florence County shall be distributed solely to Darlington County. Revenues allocated to Florence County by way of fees in lieu of taxes generated within Darlington County shall be distributed solely to Florence County.

8. Fees In Lieu of Taxes Pursuant to Title 4 or Title 12 of the Code of Laws of South Carolina. It is hereby agreed that the entry by Darlington County into any one or more fee in lieu of tax agreements pursuant to Title 4 or Title 12 of the Code with respect to property located within the Darlington County portion of the Park and the terms of such agreements shall be at the sole discretion of Darlington County. Likewise, entry by Florence County into any one or more

fee in lieu of tax agreements pursuant to Title 4 or Title 12, of the Code as amended, with respect to property located within the Florence County portion of the Park and the terms of such agreements shall be at the sole discretion of Florence County.

9. Assessed Valuation. For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to Darlington County and Florence County and to each of the taxing entities within the participating counties shall be identical to the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to Paragraph 6 and 7 herein.

10. Severability. In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision or part of a provision of this Agreement.

11. Termination. Notwithstanding any provision of this Agreement to the contrary, Darlington County and Florence County agree that this Agreement may not be terminated by either party for a period of 30 years commencing with the effective date hereof.

WITNESS our hands and seals as of the date first above written.

**DARLINGTON COUNTY,
SOUTH CAROLINA**

Signature: _____
Name: Thomas W. Edwards
Title: Interim County Administrator

ATTEST:

Signature: _____
Name: J. JaNet Bishop
Title: Clerk to County Council

**FLORENCE COUNTY,
SOUTH CAROLINA**

Signature: _____
Name: Richard A. Starks
Title: County Administrator

ATTEST:

Signature: _____
Name: Connie Y. Haselden
Title: Clerk to County Council

EXHIBIT A

DARLINGTON COUNTY PROPERTIES

All that certain piece, parcel or tract of land, with the improvements thereon, in the County of Darlington, State of South Carolina, described as Tract 1 and shown to contain 10.00 acres on the Plat of a Survey by Nesbitt Surveying Co., Inc. dated March 8, 2005, a copy of which Plat is recorded in the office of the Clerk of Court for Darlington County in Plat Book 198 at page 789. By reference to said Plat the property is bounded on the north by State Road S-16-177 (Mineral Springs Road), on which it fronts and measures 400 feet; on the east by the right of way of South Carolina Central Railroad, on which it measures 1126.22 feet; on the south by Tract 2, on which it measures 400 feet; and on the west by Tract 2, on which it measures 1126.24 feet.

The property was conveyed to the Mortgagor by Deeds of W.W. Kirven recorded April 4, 2003, and May 21, 2003, in the office of the Clerk of Court for Darlington County in Book 1026 at page 6194 and Book 1027 at page 4974.

ALSO: All that certain piece, parcel or tract of land, with the improvements thereon, in the County of Darlington, State of South Carolina, described as Tract 2 and shown to contain 6.15 acres on the Plat of a Survey by Nesbitt Surveying Co., Inc. dated March 26, 2003 and revised April 14, 2003, a copy of which is recorded in the office of the Clerk of Court for Darlington County in Plat Book 198 at page 205. By reference to said Plat the property is bounded on the north by State Road S-16-177 (Mineral Springs Road), on which it fronts and measures 200 feet; on the east by Tract 1, on which it measures 1526.24 feet and right of way of South Carolina Central Railroad, on which it measures 93.15 feet; on the south by land of W. W. Kirven and William Kirven, on which it measures 596.72 feet; and on the west by land of W. W. Kirven, on which it measures 1206.01 feet.

The property was conveyed to the mortgagor by Deed of W. W. Kirven recorded May 5, 2005, in the office of the Clerk of Court for Darlington County in Deed Book 1038 at page 4430.

Both above properties are shown on the Plat of a survey by Nesbitt Surveying Co., Inc. dated November 2, 2007, a copy of which is recorded in the office of the Clerk of Court for Darlington County in Plat Book 201 at page 681.

ALSO: All that certain piece, parcel or tract of land in the County of Darlington, State of South Carolina, shown to contain 7.73 acres on the Plat of a Survey by J. E. Tucker, Jr., Reg. Surveyor, dated March 23, 2005, a copy of which is recorded in the office of the Clerk of Court for Darlington County in Plat Book 198 at page 851. By reference to said Plat the property is bounded on the north by State Road S-16-177 (Mineral Springs Road), on which it fronts and measures 468.09 feet; on the east by Tract 2 described hereinabove, on which it measures 1206.01 feet; on the south by land of W. W. Kirven, Jr. and W. W. Kirven, III, on which it measures 203.89 feet; and on the west by a ditch, the center of the ditch being the line, on which it measures 1176.92 feet.

The property was conveyed to the mortgagor by Deed of W. W. Kirven recorded May 5, 2005, in the office of the Clerk of Court for Darlington County in Deed Book 1038 at page 4430.

Together with any property in Darlington County that is subsequently added to the 2010 Fee Agreement between Darlington County and Polyquest, Inc.

EXHIBIT B

FLORENCE COUNTY PROPERTIES

None as of ____/____/2010

DRAFT

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Introduction of Ordinance No. 08-2010/11 by title only

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

[An Ordinance Approving The Delivery By The Florence County Public Facilities Corporation Of Refunding Certificates Of Participation (Law Enforcement Center And Civic Center Projects), Series 2010, In The Principal Amount Of Not Exceeding \$23,000,000 In Order To Achieve An Estimated Debt Service Savings Of Approximately \$500,000 Net Of All Costs Of Issuing Said Refunding Certificates Of Participation; Authorizing The Execution And Delivery Of Certain Instruments Relating To Said Refunding Certificates Of Participation, Including An Amended And Restated Ground Lease Agreement And An Amended And Restated Lease Agreement, Both Between The Florence County Public Facilities Corporation And Florence County, A Certificate Purchase Agreement Among The Florence County Public Facilities Corporation, Florence County And Stephens, Inc.; Approving The Delivery Of An Assignment Of Lessor's Interest In Lease By The Florence County Public Facilities Corporation To The Certificate Trustee, A Trust Agreement Between The Florence County Public Facilities Corporation And The Certificate Trustee, And A Preliminary Official Statement And Official Statement With Respect To The Sale Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing.]

POINTS TO CONSIDER:

1. Ordinance No. 08-2010/11 is an ordinance to refund the existing certificates of participation (COPs) used to finance the jail and the civic center by the issuance of new certificates of participation.
2. This bond will be paid by the County-wide debt service millage currently being levied.
3. The interest rate for the existing COPs is 3.52% and the estimated average interest rate for the new COPs is 2.25%, resulting in estimated savings in excess of \$600,000.

FUNDING FACTORS:

NONE

OPTIONS:

1. *(Recommended)* Approve Introduction of Ordinance No. 08-2010/11 by title only.
2. Provide An Alternate Directive.

ATTACHMENTS:

1. Ordinance No. 08-2010/11 (title only)

Sponsor(s) :
First Reading :
Committee Referral :
Committee Consideration Date :
Committee Recommendation :
Second Reading :
Public Hearing :
Third Reading :
Effective Date :

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 08-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

AN ORDINANCE

APPROVING THE DELIVERY BY THE FLORENCE COUNTY PUBLIC FACILITIES CORPORATION OF REFUNDING CERTIFICATES OF PARTICIPATION (LAW ENFORCEMENT CENTER AND CIVIC CENTER PROJECTS), SERIES 2010, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$23,000,000 IN ORDER TO ACHIEVE AN ESTIMATED DEBT SERVICE SAVINGS OF APPROXIMATELY \$500,000 NET OF ALL COSTS OF ISSUING SAID REFUNDING CERTIFICATES OF PARTICIPATION; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO SAID REFUNDING CERTIFICATES OF PARTICIPATION, INCLUDING AN AMENDED AND RESTATED GROUND LEASE AGREEMENT AND AN AMENDED AND RESTATED LEASE AGREEMENT, BOTH BETWEEN THE FLORENCE COUNTY PUBLIC FACILITIES CORPORATION AND FLORENCE COUNTY, A CERTIFICATE PURCHASE AGREEMENT AMONG THE FLORENCE COUNTY PUBLIC FACILITIES CORPORATION, FLORENCE COUNTY, AND STEPHENS INC.; APPROVING THE DELIVERY OF AN ASSIGNMENT OF LESSOR'S INTEREST IN LEASE BY THE FLORENCE COUNTY PUBLIC FACILITIES CORPORATION TO THE CERTIFICATE TRUSTEE, A TRUST AGREEMENT BETWEEN THE FLORENCE COUNTY PUBLIC FACILITIES CORPORATION AND THE CERTIFICATE TRUSTEE, AND A PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT WITH RESPECT TO THE SALE OF THE REFUNDING CERTIFICATES OF PARTICIPATION; AND APPROVING OTHER MATTERS RELATING TO THE FOREGOING.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Authorize the acceptance of the Pamplico Theatre property, located at 132 East Main Street, Pamplico, designated as Tax Map Number 60006-03-014, by Deed of Gift from the Drs. Bruce and Lee Foundation.

POINTS TO CONSIDER:

1. The County currently leases the property from the Drs. Bruce and Lee Foundation.
2. The Foundation desires to convey the property to Florence County.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide an alternate directive.

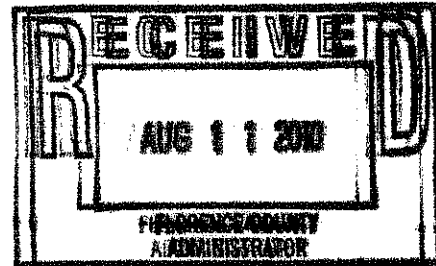
ATTACHMENTS:

Copy of correspondence from L. Bradley Callicott, Executive Director, Drs. Bruce and Lee Foundation dated August 10, 2010.

Drs
Bruce & Lee
FOUNDATION

181 East Evans Street, BTC Box 022
Florence, South Carolina 29506
Phone (843) 664-2870
Fax (843) 664-2815
e-mail blfound@bellsouth.net

August 10, 2010



Mr. Richard Starks, County Administrator
Florence County
180 North Irby Street MSC-G
Florence, SC 29501

Re: Pamplico Theatre Property


Dear Richard:

Further to your email of August 6, 2010, this will confirm that the Foundation is interested in conveying the subject property to Florence County prior to the end of this year.

As discussed, please place the matter on the agenda for the County Council at its next meeting.

Thanks in advance for your assistance.

Yours sincerely,


L. Bradley Callicott
Executive Director

/mmb

FLORENCE COUNTY COUNCIL MEETING
September 16, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Finance
Tax Assessor

ISSUE UNDER CONSIDERATION:

To authorize the Tax Assessor's Office to accept late farm applications on parcels to determine if they qualify for farm use assessments.

POINTS TO CONSIDER:

1. Historically, County Council has generally granted extensions when requests were initiated.
2. S. C. Code of Laws states that the governing body may extend the time for filing upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date.

OPTIONS:

1. (*Recommended*) Extend the deadline for application consideration; authorize these parcels to be considered; and close the filing deadline.
2. Provide An Alternate Directive

ATTACHMENTS:

1. List of Late Farm Application Requests.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Authorize The County Administrator To Award Bid #01-10/11 For Turning Lane Construction At McCall Farms Being Funded By The SC Department Of Commerce (CDBG #4-ED-09-004) To The Lowest Responsive Bidder.

POINTS TO CONSIDER:

- 1) McCall Farms has been awarded a South Carolina Department of Commerce Community Development Block (CDBG) Grant, 34-ED-09-004 which includes funding to construct a turning lane.
- 2) If authorized, the County Administrator will award the bid to the lowest responsive bidder meeting all requirements, in order to expedite the project as McCall Farms has requested, and complete all documents necessary for completion of the project.

OPTIONS:

- 1) *(Recommended)* Approve as presented.
- 2) Provide An Alternate Directive.

ATTACHMENTS:

Bid Tabulation Sheet.

Dept: Florence County McCall Farms Turning Lanes Invitation-to-Bid #01-10/11		Bid Opening Date: August 31, 2010 Time: 2:00pm Advertised Date: Morn News 7/25/10 Invitations to Bids Distributed: 6 Bid Expiration Date: 12/29/2010				
Name of Bidder	Total Bid		Bid Security	Meets Bid Req	Total Bid Amount	Total Non-Local (+2%)
Boggs Paving, Inc. Monroe, NC	\$284,590.25		Yes	Yes	\$284,590.25	
C R Jackson Darlington, SC	\$285,812.80		Yes	Yes	\$285,812.80	
Palmetto Corp. of Conway Conway, SC	\$295,515.94		Yes	Yes	\$295,515.94	
Cherokee, Inc. Columbia, SC	\$306,023.50		Yes	Yes	\$306,023.50	
Kirven Construction, Inc. Darlington, SC	\$339,977.17		Yes	Yes	\$339,977.17	
Plowden Construction Co. Sumter, SC	\$341,412.75		Yes	Yes	\$341,412.75	

Notes:

2% Local Preference Florence County Code, Section 11-62

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Report to Council
Declaration of Surplus Property

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Declaration of (2) vehicles, one (1) motor grader and one (1) mower as surplus property for disposal through public internet auction via GovDeals.

POINTS TO CONSIDER:

1. Attached listing of vehicles is recommended to be declared surplus by the using department.
2. The vehicles have little value or are obsolete to the using department.
3. Disposal will not impact on-going operations.
4. Florence County Code requires County Council approval for disposal of surplus property.
5. The vehicles have been offered to all county fire departments, rescue squads, municipalities, and school districts.
6. Disposal by internet auction is efficient and requires significantly less staff time/coordination than other public offer methods.

FUNDING FACTORS:

\$0=Cost of disposal by internet auction via GovDeals is 7% of highest winning bid paid.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide Alternate Directive.

ATTACHMENTS:

List of vehicles.

<u>UNIT</u>	<u>MAKE</u>	<u>MODEL</u>	<u>YEAR</u>	<u>MILEAGE</u>	<u>COMMENTS</u>	<u>VIN #'S</u>
V0802	GMC	2500HD 4 DOOR	2002	158609	GOOD CONDITION, WHITE	1GTHC23U52F194156
V0793	FORD	CROWN VIC	2005	133416	BAD TRANSMISSION	2FAFP71W05X141599
V2019	CAT	12H MOTORGRADER	1999	8581	ENG LOSE WATER, UNIT GOOD	4XM02232
V8079	JOHNDEERE	6215 WITH S/MOWER	2004	4549	TRACTOR GOOD / MOWER BAD	LOTFG26356987

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Reports to Council
Surplus Property

DEPARTMENT: Procurement

ISSUE UNDER CONSIDERATION:

Declare Surplus And Authorize The Sale Of Vehicle #792, a 2005 Crown Victoria to City of Johnsonville In The Amount Of \$1,000.

POINTS TO CONSIDER:

1. City of Johnsonville has requested the purchase of vehicle #792, a 2005 Crown Victoria.
2. Disposal will not impact on-going operations.
3. Florence County Code requires County Council approval for disposal of surplus property.

OPTIONS:

- 1) *(Recommended)* Approve as presented.
- 2) Provide Alternate Directive.

ATTACHMENTS:

Florence County Surplus Property Request Form.

FLORENCE COUNTY
SURPLUS PROPERTY REQUEST

IDENTIFICATION OF VEHICLE OR MOTORIZED PROPERTY ON SURPLUS LIST BEING REQUESTED:

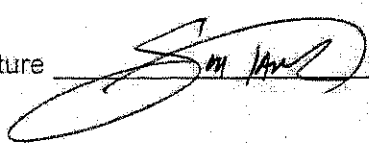
Property Identification Number: 10792 2FAFP71WSSX141601

Year: 2005

Make: FORD

Model: CROWN VIC

Mileage: 83852

Signature  / City of JOHNSONVILLE 9-1-2010
Date

FLORENCE COUNTY
SURPLUS PROPERTY REQUEST

IDENTIFICATION OF VEHICLE OR MOTORIZED PROPERTY ON SURPLUS LIST BEING REQUESTED:

Property Identification Number: ~~00000~~ V0876

Year: 2003

Make: Ford

Model: Crown Vic

Mileage: 85469

Signature J.R. Chamblain Chief OLANTA P.D. 9-1-10

Date

VIN# 2FAFP71W83X202176

Town of OLANTA POLICE Department

Thank you

843-373-3433

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Reports to Council

DEPARTMENT: Public Works Department (Environmental Services Division)
Procurement Department

ISSUE UNDER CONSIDERATION:

Authorize \$10,000 From General Fund Contingency To Contract For Spay And Neuter Services At The Animal Control Facility At A Rate Of \$100 Or Less Per Animal And Authorize The County Administrator To Contract For The Services As Needed.

POINTS TO CONSIDER:

- 1) Florence County solicited bids for veterinary services in June 2010 and no responses were received.
- 2) This will represent a very limited pilot program that may later be expanded based on results if adoption rates improve during the test period.
- 3) The County Administrator will be authorized to contract with veterinarians for very limited spay and neuter services as needed and as most advantageous to the County.

OPTIONS:

- 1) *(Recommended)* Approve as presented.
- 2) Provide an Alternate Directive.

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Grant Award
United States Department of Justice

DEPARTMENT: Florence County Sheriff's Office
Grants Department

ISSUE UNDER CONSIDERATION:

Accept A FY 2010 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.

POINTS TO CONSIDER:

1. Florence County Sheriff's Office will utilize the Fiscal Year 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation grant appropriation to cover capital / replacement equipment for the Florence County Sheriff's Office.
2. This equipment includes scanners, digital video recorders, laptops and computers.
3. The grant does not require matching funds.
4. Acceptance of the grant includes the authorization of appropriate general ledger accounts within the Grant Fund.

FUNDING FACTORS:

1. \$60,843 = Total costs for the Fiscal Year 2010 USDOJ Edward Byrne Memorial Justice Grant (JAG) Program Local Solicitation to be used for capital replacement costs for the Florence County Sheriff's Office.
2. \$0 = no matching funds required.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Provide An Alternate Directive

ATTACHMENTS:

U.S. Department of Justice Award Notification.



Department of Justice

Office of Justice Programs

Office of Communications

Washington, D.C. 20531

GRANT NOTIFICATION		Grant Number: 2010-DJ-BX-0908	
Name & Address of Recipient:		Florence County 180 N. Irby Street, Misc-H	
City, State & ZIP:		Florence, South Carolina 29501-3456	
Recipient Project Director/Contact: Richard Starks County Administrator			
Phone: (843) 292-1603			
Title of Program:		FY 10 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation	
Title of Project:		FY 10 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation	
Amount of Award: \$ 60,843		Date of Award: 08/24/2010	
Awarding Agency:		Bureau of Justice Assistance Tamara White	
Supplement:		No	
Statutory Authority for Program: FY10 (BJA - JAG) 42 USC 3750, et seq.			
Impact/Focus: Formula		CFDA Number: 16.738	
<p>Project Description:</p> <p>The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following purpose areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).</p> <p>Florence County will use JAG funds towards law enforcement initiatives for the sheriff's office. Specific purchases include scanners, digital video recorders, laptops, and computers. The goal of this project is to provide enhanced law enforcement services to the citizens of Florence County. NCA/NCF</p>			
For more information about this grant, contact the Office of Justice Programs' Office of Communications at 202/307-0703.			

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Solicitor's Office
(Human Resources Department)

ISSUE UNDER CONSIDERATION:

Authorize two full-time Secretary III positions in the Solicitor's Worthless Check Unit to be funded from Solicitor's Funds on a recurring basis.

FUNDING FACTORS:

1. All related costs will be funded entirely by the Worthless Check Unit.
2. The Solicitor will fund continuing costs in future fiscal years.
3. If funding becomes unavailable, the personnel will be removed from the County payroll.

OPTIONS:

1. Approve as presented.
2. Provide an alternate directive.

ATTACHMENTS:

1. Correspondence from the Solicitor's Office dated August 31, 2010.
2. Spreadsheet detailing related costs.

The State of South Carolina

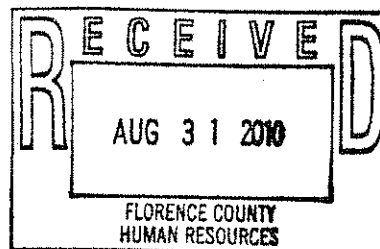


OFFICE OF SOLICITOR

Twelfth Judicial Circuit
City-County Complex, Room 1101
180 North Irby Street, MSC-Q
Florence, South Carolina 29501

E.L. Clements, III
Solicitor

Telephone (843) 665-3091
Fax (843) 669-3947
solicitor@florenceco.org



MEMO TO: Bonnita Andrews
Director, Florence County Human Resources

FROM: Jim Miles

DATE: August 31, 2010

RE: Check Unit Positions

We are requesting two new positions be added in our Worthless Check Unit. The funding will be from account 155 and are budget free.

This budget, of our funds, is set-up through the County Finance Department and can be monitored at any time.

Please find two PAR forms attached. Advertise these positions as quickly and briefly as possible.

Contact me if you need anything further.

CC: Richard Starks
Kevin Yokim

Florence County Council Meeting
September 16, 2010

Job Title	Grade	PROP ANN	PROP Fringes	PROP Ins	PROP Total
Secretary III	11	25,595	4,361	4,427	34,383
Secretary III	11	25,595	4,361	8,151	38,107
					<u>72,491</u>

Solicitor's Office Personnel Request - 9-16 County Council Meeting.xls

Florence County Council Meeting
September 16, 2010

AGENDA ITEM: Other Business
Infrastructure Project
Council District

DEPARTMENT: County Council/Recreation

ISSUE UNDER CONSIDERATION:

Authorize The County Administrator To Execute A Memorandum Of Agreement With Florence District 4 For Seasonal Use And Maintenance Of The Former Timmonsville High School Football Stadium, And Approve \$2,500.00 From Council District 4 Infrastructure Funding Allocation For Startup Repairs And Associated Initial Costs.

FUNDING SOURCE:

☒ Infrastructure
☐ Road System Maintenance Fee
☐ Utility

Signed: VERBALLY APPROVED
Requested by Councilmember Kirby

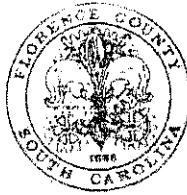
Date: _____

ATTACHMENTS:

Memorandum From Parks And Recreation Director

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

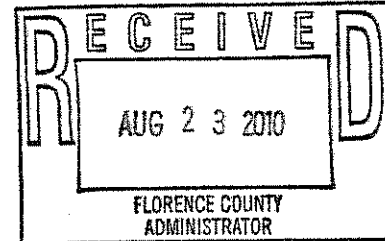


FLORENCE COUNTY

Recreation

Memorandum

To: Richard A. Starks, County Administrator
From: Joe Eason, Parks and Recreation Director
Date: 8/20/2010
Re: Timmons ville Football



At its monthly meeting on August 19, 2010 the Parks and Recreation Commission reviewed a request from the Timmons ville Youth Football League to renovate the football facilities at the former high school in Timmons ville. The League currently practices at Lynches River Athletic Park and plays at Freedom Florence (City of Florence). While the exact number is not known at this time, it is believed that the League would be allowed to schedule some home games if the facility were upgraded.

Because the facility has been abandoned for over ten (10) years, considerable work is necessary to return the facility to a safe playing environment:

1. The former press box is in a state of disrepair and needs to be demolished and debris removed (estimated \$6,000 in-kind labor).
2. The fence lines and buildings have become overgrown with weeds which need to be treated (estimated \$200 for chemicals; \$300 in-kind labor).
3. There are no functioning restrooms on site. Initially, portable restrooms are recommended until the future of the facility is known (estimated \$400 for 3 months).
4. The field is in relatively good condition but is not under contract for regular maintenance. Initial maintenance would be significant (mowing multiple times and sweeping); weekly maintenance recommended thereafter through October (estimated \$1,600).

August 20, 2010

Additional amenities – bleachers, lighting, and concessions – could be considered if funding were available but would not be required to host home contests.

After lengthy discussion, the Commission voted unanimously to support the League in their efforts to improve the facility contingent upon funding by County Council above the Parks and Recreation Department's FY10/11 appropriation.

FLORENCE COUNTY COUNCIL MEETING
September 16, 2010

AGENDA ITEM: Other Business
Council District #6

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$10,920.00 from Council District #6 funding allocations to pay for the resurfacing of the parking lot and road at Windy Hill Fire Station on Williamson Road in Florence, SC.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Dept.

FUNDING SOURCE:

☒ Infrastructure
☐ Road System Maintenance
☐ Utility

SIGNED:


Requested by Councilmember: Russell Culberson

Date: 9/3/10

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

FLORENCE COUNTY COUNCIL MEETING

August 19, 2010

AGENDA ITEM: Other Business
Council District #9

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of \$5,555.00 from Council District #9 funding allocations to pay for MBC stone for Doric Road.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Department.

FUNDING SOURCE:

☒ Infrastructure
☐ Road System Maintenance
☐ Utility

SIGNED: 
Requested by Councilmember: Dr. Morris Anderson

Date: _____

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Inactive Agenda
Ordinance No. 22-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At its regular meeting of August 19, 2010 Council Unanimously Approved Moving the following Ordinance to the Inactive Agenda:

Ordinance No. 22-2009/10: [An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And 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.]

ATTACHMENTS:

Copies of the information provided in the August 19, 2010 agenda package.

FLORENCE COUNTY COUNCIL MEETING

August 19, 2010

AGENDA ITEM: Ordinance No. 22-2009/10 – Request To Move Item To Inactive Agenda

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:

(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.)

POINTS TO CONSIDER:

Representatives of J. P. Morgan Chase have requested that this item be deferred.

OPTIONS:

1. *(Recommended)* Move Ordinance No. 22-2009/10 to Inactive Agenda.
2. Provide an Alternate Directive

ATTACHMENTS:

Ordinance No. 22-2009/10.

Sponsor(s) : Economic Development
 First Reading/Introduction : November 19, 2009
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : December 10, 2009
 Public Hearing : December 10, 2009
 Third Reading :
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 22-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(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.)

WHEREAS:

1. Florence County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44, of the Code of Laws of South Carolina 1976, as amended (the "PILOT Act"), to enter into agreements with any industry or business whereby the industry or business would pay fees-in-lieu-of-taxes with respect to certain properties which constitute "economic development properties" as defined in the Act; through which powers the industrial development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; and
2. The County is authorized and empowered, pursuant to Title 4, Chapter 1, of the Code of Laws of South Carolina 1976, as amended, to include property upon which a project is located in a multi-county park, with the appropriate consents and approvals of a partnering county, and by separate ordinance, the County has taken action to place the Project in a multi-county park in cooperation with Williamsburg County; and
3. Pursuant to the Act, and in order to induce certain investment in the County, the County did previously adopt Resolution No. 12-2009/10 dated as of November 19, 2009, authorizing an inducement and millage rate agreement (the "Inducement Agreement") for the benefit of the company identified as J. P. Morgan Chase, with respect to the acquisition of certain land, the construction of certain buildings and improvements thereon, and installation of fixtures, machinery, equipment, and furnishings therein (collectively, the "Project") to constitute a manufacturing facility; and
4. The Project is anticipated to result in a taxable investment of at least \$2,500,000 and in the creation of at least 250 additional fulltime jobs within five years, thereby providing significant economic benefits to the County and surrounding areas; and
5. The County has determined on the basis of the information supplied to it by J. P. Morgan Chase that the Project is a "project" as defined in the Act and is eligible to become "economic development property" as

that term is defined in the Act and that the Project would serve the purposes of the Act; and

6. Pursuant to the Inducement Agreement, the County has agreed to enter into a fee in lieu of tax agreement with J. P. Morgan Chase, whereby the County would provide therein for a payment of fee in lieu of taxes by J. P. Morgan Chase with respect to the Project pursuant to the FILOT Act (collectively, the "Fee Agreement"); and
7. J. P. Morgan Chase has caused to be prepared and presented to this meeting the form of the Fee Agreement which contains the provision for a payment in lieu of taxes which the County proposes to execute and deliver; and
8. It appears that the Fee Agreement, now before this meeting, is in appropriate form and is an appropriate instrument to be approved, executed, and delivered by the County for the purposes intended.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

Section 1. It is hereby found, determined and declared by the County Council as follows:

- (a) The Project constitutes a "project" as defined in the FILOT Act and will constitute "economic development property" as said term is referred to and defined in the FILOT Act, and the County's actions herein will subserve the purposes and in all respects conform to the provisions and requirements of the FILOT Act;
- (b) The terms and provision of the Inducement Agreement are hereby ratified and approved and incorporated herein and made a part hereof;
- (c) The Project will benefit the general public welfare of the County by providing services, employment, and other public benefits not otherwise provided locally;
- (d) The Project will give rise to no pecuniary liability of the county or any incorporated municipality or a charge against the general credit or taxing power of either;
- (e) The inducement of the location of the Project within the County and the State is of paramount importance;
- (f) The purposes to be accomplished by the Project, i.e., economic development, retention of jobs, and addition to the tax base of the County, are proper governmental and public purposes and the benefits of the Project are greater than the costs; and
- (g) Having evaluated the purposes to be accomplished by the Project as proper governmental and public purposes, the anticipated dollar amount and nature of the investment to be made, and the anticipated costs and benefits to the County, the County has determined that the Project is properly classified as economic development property.

Section 2. The forms, terms and provisions of the Fee Agreement presented to this meeting are hereby approved and all of the terms and provisions thereof are hereby incorporated herein by reference as if the Fee Agreement were set out in this Ordinance in its entirety. The Chairman of the County Council is hereby authorized, empowered and directed to execute, acknowledge and deliver the Fee Agreement in the name of and on behalf of the County, and thereupon to cause the Fee Agreement to be delivered to J. P. Morgan Chase and cause a copy of the Fee Agreement to be delivered to the Florence County Auditor and Assessor. The Fee

Agreement is to be in substantially the form now before this meeting and hereby approved, or with such minor changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Fee Agreement now before this meeting.

Section 3. The Chairman of the County Council, the County Administrator, and the Clerk to County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to effect the execution and delivery of the Fee Agreement and the performance of all obligations of the County under and pursuant to the Fee Agreement.

Section 4. The provision of this Ordinance are hereby declared to be separable and if any section, phrase or provisions shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. All ordinances, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This ordinance shall take effect and be in full force from and after its passage by the County Council.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

FEE AGREEMENT

Between

FLORENCE COUNTY, SOUTH CAROLINA

and

J. P. MORGAN CHASE

Dated as of _____

RECAPITULATION OF CONTENTS OF
FEE AGREEMENT PURSUANT TO S.C. CODE §12-44-55(A)

The parties have agreed to waive this requirement pursuant to S.C. Code Ann. § 12-44-55(B).

DRAFT

FEE AGREEMENT

THIS FEE AGREEMENT (the "Fee Agreement") is made and entered into as of _____, by and between FLORENCE COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), acting by and through the Florence County Council (the "County Council") as the governing body of the County, and J. P. MORGAN CHASE, a limited liability company organized and existing under the laws of the State of South Carolina (the "Company").

RECITALS

1. Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the "Act") authorizes the County (i) to induce industries to locate in the State; (ii) to encourage industries now located in the State to expand their investments and thus make use of and employ manpower, products, and other resources of the State; and (iii) to enter into a fee agreement with entities meeting the requirements of such Act, which identifies certain property of such entities as economic development property.

2. Pursuant to Section 12-44-40(H)(1) of the Act, the County finds that: (a) the Project (as defined herein) is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally; (b) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against its general credit or taxing power; (c) the purposes to be accomplished by the Project are proper governmental and public purposes; and (d) the benefits of the Project are greater than the costs.

3. The County Council has evaluated the Project based on all relevant criteria that include, but are not limited to, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment, and the anticipated costs and benefits to the County.

4. An Ordinance that the County Council adopted contemporaneously with the date of this Agreement (the "Fee Ordinance") authorizes the County and the Company to enter into a Fee Agreement that classifies the Project as Economic Development Property under the Act and provides for the payment of fees in lieu of taxes, all as further described herein.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the respective representations and agreements hereinafter contained, the parties hereto agree as follows:

ARTICLE I

DEFINITIONS

Section 1.1 The terms that this Article defines shall for all purposes of this Fee Agreement have the meanings herein specified, unless the context clearly requires otherwise:

"Act" shall mean Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, and all future acts successor or supplemental thereto or amendatory thereof.

"Act Minimum Investment Requirement" shall mean an investment of at least \$2,500,000 by the Company and any Sponsors and Sponsor Affiliates of property eligible as economic development property under the Act, provided, however, that in the event of a reduction of the minimum investment level in Section 12-44-30(14) or any successor section by legislative action, then the Act Minimum Investment Requirement shall equal such reduced amount.

"Commencement Date" shall mean the last day of the property tax year during which the Project or the first Phase thereof is placed in service, which date must not be later than the last day of the property tax year which is three years from the year in which the County and the Company enter into this Fee Agreement.

"Company" shall mean J. P. Morgan Chase and any surviving, resulting, or transferee entity in any merger, consolidation, or transfer of assets; or any other person or entity which may succeed to the rights and duties of the Company.

"County" shall mean Florence County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, its successors and assigns, acting by and through the County Council as the governing body of the County.

"County Council" shall mean the Florence County Council, the governing body of the County.

"Department" shall mean the South Carolina Department of Revenue.

"Diminution in Value" in respect of the Project or any Phase of the Project shall mean any reduction in the value using the original fair market value (without regard to depreciation) as determined in Step 1 of Section 4.1(a) of this Fee Agreement, of the items which constitute a part of the Project or such Phase and which are subject to FILOT payments which may be caused by (i) the Company's removal and/or disposal of equipment pursuant to Section 4.6 of this Fee Agreement; (ii) a casualty to the Project, such Phase of the Project, or any part thereof, described in Section 4.7 of this Fee Agreement; or (iii) a condemnation of the Project, such Phase of the Project, or any part thereof, described in Section 4.8 of this Fee Agreement.

"Economic Development Property" shall mean those items of real and tangible personal property of the Project which are eligible for inclusion as economic development property under the Act, selected and identified by the Company in its annual filing of a SCDOR PT-300S or comparable form with the Department (as such filing may be amended from time to time) for each year within the Investment Period.

"Equipment" shall mean all of the machinery, equipment, furniture, office equipment, and fixtures, together with any and all additions, accessions, replacements, and substitutions thereto or therefor used or to be used in the County by the Company for the purposes described in Section 2.2(b) hereof, provided, however, that repairs, alterations, or modifications to personal property which is not economic development property or property subject to a fee in lieu of taxes prior to this Fee Agreement, are not eligible to become Economic Development Property, except for modifications which constitute an expansion of existing real property improvements.

"Event of Default" shall mean any event of default specified in Section 5.1 of this Fee Agreement.

"Exemption Period" shall mean the period beginning on the first day of the property tax year after the property tax year in which an applicable piece of Economic Development Property is placed in service and ending on the Termination Date. In case there are Phases of the Project, the Exemption Period applies to each year's investment made during the Investment Period.

"Fee," "Fee in Lieu of Taxes," "FILOT," or "Payments in Lieu of Taxes" shall mean the amount paid or to be paid in lieu of *ad valorem* property taxes as provided herein.

"Fee Agreement" shall mean this Fee Agreement.

"Fee Term" shall mean the period from the date of this Fee Agreement until the Termination Date.

"Improvements" shall mean all improvements to the Real Property, including buildings, building additions, roads, sewer lines, and infrastructure, together with any and all additions, fixtures, accessions, replacements, and substitutions thereto or therefor used or to be used in the County for the purposes described in Section 2.2(b) hereof; provided, however, that repairs, alterations, or modifications to real property which is not economic development property or property subject to a fee in lieu of taxes prior to this Fee Agreement, are not eligible to become Economic Development Property, except for modifications which constitute an expansion of existing real property improvements.

"Industrial Development Park" shall mean the industrial or business park developed by two or more counties as defined in Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended.

"Investment Period" shall mean the period beginning with the first day of any purchase or acquisition of Economic Development Property and ending five years after the Commencement Date, provided that the Company and the County may agree to a later date pursuant to Section 12-44-30(13) of the Act.

"MCIP Act" shall mean Title 4, Chapter 1, Sections 170 et seq. of the Code of Laws of South Carolina, 1976, as amended.

"Phase" or "Phases" in respect of the Project shall mean that the Equipment, Improvements, and/or Real Property of the Project are placed in service during more than one year in the Investment Period, and the word "Phase" shall therefore refer to the applicable portion of the Project placed in service in a given year in the Investment Period.

"Project" shall mean all the Equipment, Improvements, and/or Real Property located on the Real Property in the County and that the Company determines to be necessary, suitable, or useful for the purposes that Section 2.2(b) describes, and first placed in service in calendar year 2009 or thereafter. The Project shall not include any property which is ineligible for FILOT treatment pursuant to Section 12-44-110 of the Act.

"Real Property" shall mean real property that the Company uses or will use in the County for the purposes that Section 2.2(b) describes, and generally located on the land identified on Exhibit A hereto, together with all and singular the rights, members, hereditaments, and appurtenances belonging or in any way incident or appertaining thereto.

"Removed Components" shall mean the following types of components or Phases of the Project or portions thereof which are subject to FILOT payments, all of which the Company shall be entitled to remove from the Project with the result that the same shall no longer be subject to the terms of the Fee Agreement: (a) components or Phases of the Project or portions thereof which the Company, in its sole discretion, determines to be inadequate, obsolete, worn-out, uneconomic, damaged, unsuitable, undesirable, or unnecessary pursuant to Section 4.6 hereof or otherwise; or (b) components or Phases of the Project or portions thereof which the Company in its sole discretion, elects to be treated as removed pursuant to Section 4.7(c) or Section 4.8(b)(iii) of this Fee Agreement.

"Replacement Property" shall mean any property which is placed in service as a replacement for any item of Equipment, any Improvement, or any Real Property previously subject to this Fee Agreement regardless of whether such property serves the same functions as the property it is replacing and regardless of whether more than one piece of property replaces any item of Equipment, any Improvement, or any Real Property, to the fullest extent that the Act permits.

"Sponsor" shall mean an entity that joins with or is an affiliate of, the Company and that participates in the investment in, or financing of, the Project and which meets the requirements under the Act to be entitled to the benefits of this Agreement with respect to its participation in the Project.

"Termination Date" shall mean in case the entire Project is placed in service in one year, the end of the last day of the property tax year which is the 19th year following the first property tax year in which the entire Project is placed in service, or in case there are Phases of the Project, the Termination Date shall mean with respect to each Phase of the Project the end of the last day of the property tax year which is the 19th year following the first property tax year in which such Phase of the Project is placed in service, provided, that the intention of the parties is that the Company will make at least 20 annual FILOT payments under Article IV hereof with respect to each Phase of the Project and provided further, that if this Fee Agreement is terminated earlier in accordance with the terms hereof, the Termination Date is the date of such termination.

Any reference to any agreement or document in this Article I or otherwise in this Fee Agreement shall include any and all amendments, supplements, addenda, and modifications to such agreement or document.

The term "investment" or "invest" as used herein shall include not only investments made by the Company, but also to the fullest extent permitted by law, those investments made by or for the benefit of the Company in connection with the Project through federal, state, or local grants, to the extent such investments are subject to *ad valorem* taxes or FILOT payments by the Company.

ARTICLE II

REPRESENTATIONS, WARRANTIES, AND AGREEMENTS

Section 2.1 Representations, Warranties, and Agreements of the County. The County hereby represents, warrants, and agrees as follows:

(a) The County is a body politic and corporate and a political subdivision of the State and acts through the County Council as its governing body. The Act authorizes and empowers the County to enter into the transactions that this Fee Agreement contemplates and to carry out its obligations hereunder. The County has duly authorized the execution and delivery of this Fee Agreement and any and all other agreements described herein or therein and has obtained all consents from third parties and taken all actions necessary or that the law requires to fulfill its obligations hereunder.

(b) Based upon representations by the Company, the Project constitutes a "project" within the meaning of the Act, and the County is a County that the Act authorizes to enter into fee in lieu of tax agreements with companies that satisfy the Act Minimum Investment Requirement within the County.

(c) The County has agreed that each item of real and tangible personal property comprising the Project which is eligible to be economic development property under the Act and that the Company selects shall be considered Economic Development Property and is thereby exempt from *ad valorem* taxation in South Carolina.

(d) The millage rate in Section 4.1 hereof is 272.5 mills, the millage rate in effect with respect to the location of the proposed Project on June 30, 2009, as provided under Section 12-44-50(A)(1)(d) of the Act.

(e) The County will not be in default in any of its obligations (contractual or otherwise), including any violation of its statutory debt limit, as a result of entering into and performing under this Fee Agreement and/or as a result of creating an Industrial Development Park encompassing the Project.

(f) The County will take all reasonable action to include the Project in an Industrial Development Park.

Section 2.2 Representations, Warranties, and Agreements of the Company. The Company hereby represents, warrants, and agrees as follows:

(a) The Company is in good standing under the laws of the State of South Carolina, is duly authorized to transact business in the State of South Carolina, has power to enter into this Fee Agreement, and has duly authorized the execution and delivery of this Fee Agreement.

(b) The Company intends to operate the Project as a "project" within the meaning of the Act as in effect on the date hereof. The Company intends to operate the Project

as a molding facility, and for such other purposes that the Act permits as the Company may deem appropriate.

(c) The Company will use commercially reasonable efforts to ensure that its investment in Economic Development Property of the Project will exceed the Act Minimum Investment Requirement.

ARTICLE III

COMMENCEMENT AND COMPLETION OF THE PROJECT

Section 3.1 The Project. The Company intends to invest in Equipment, Improvements, and/or Real Property, which together comprise the Project and which are anticipated to create at least the Act Minimum Investment Requirement in eligible Economic Development Property investment subject to Payments in Lieu of Taxes in the County.

The parties hereto agree that, to the extent that applicable law allows or is revised or construed to allow the benefits of the Act, in the form of Payments-in-Lieu-of-Taxes to be made under Article IV hereof, to be applicable to leased assets including, but not limited to a building and/or personal property to be installed in the buildings and leased to but not purchased by the Company from one or more Sponsors under any form of lease, then such property shall, at the election of the Company, be subject to Payments-in-Lieu-of-Taxes to the same extent as the Company's assets covered by this Fee Agreement, subject, at all times, to the requirement of such applicable law. The parties hereto further agree that this Fee Agreement may be interpreted or modified as may be necessary or appropriate in order to give proper application of this Fee Agreement to such tangible property without such construction or modification constituting an amendment to this Fee Agreement, and thus not requiring any additional action by the County Council. The County Administrator, after consulting with the County Attorney, shall be and hereby is authorized to make such modifications, if any, as may be necessary or appropriate in connection therewith. Such leased property shall constitute a part of the Project for all purposes of this Agreement, including removal, replacement, and termination, and such Sponsor shall be deemed to be a party to this Agreement provided, however, that no Sponsor shall be liable for any payments pursuant to Section 4.2(b) hereof, which shall remain the Company's liability. To the extent the provisions of the Act are held to be inapplicable to the property owned by the County (as improved by Tenant), the County hereby agrees that this Agreement shall be construed to provide for a fees in lieu of taxes pursuant to Section 4-12-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (the "Little Fee Statute") upon the same terms as described in this Agreement, and the inducement agreement and inducement resolution adopted in connection with this Agreement shall constitute the inducement documents pursuant to the Little Fee Statute.

Pursuant to the Act and subject to Section 4.2 hereof, the Company and the County hereby agree that the Company shall identify annually those assets which are eligible for FILOT payments under the Act and which the Company selects for such treatment by listing such assets in its annual PT-300S form (or comparable form) to be filed with the Department (as such may be amended from time to time) and that by listing such assets, such assets shall automatically become Economic Development Property and therefore be exempt from all *ad valorem* taxation during the Exemption Period. Anything contained in this Fee Agreement to the contrary

notwithstanding, the Company shall not be obligated to complete the acquisition of the Project. However, if the Company does not meet the Act Minimum Investment Requirement, this Fee Agreement shall be terminated as provided in Section 4.2 hereof.

Section 3.2 Diligent Completion. The Company agrees to use its reasonable efforts to cause the completion of the Project as soon as practicable, but in any event on or prior to the end of the Investment Period.

Section 3.3 Filings and Reports.

(a) Each year during the term of the Fee Agreement, the Company shall deliver to the County, the County Auditor, the County Assessor, and the County Treasurer, a copy of its most recent annual filings with the Department with respect to the Project, not later than 30 days following delivery thereof to the Department.

(b) The Company shall cause the filing of a copy of this Fee Agreement, as well as a copy of the completed Form PT-443 of the Department, to be filed with the County Auditor and the County Assessor of the County and any partner county, when the Project is placed in a joint county industrial and business park, and the Department within 30 days after the date of execution and delivery hereof by all parties hereto.

ARTICLE IV

PAYMENTS IN LIEU OF TAXES

Section 4.1 Negotiated Payments.

(a) Pursuant to Section 12-44-50 of the Act, the Company is required to make payments in lieu of *ad valorem* taxes to the County with respect to the Economic Development Property. Inasmuch as the Company anticipates an initial investment of sums sufficient for the Project to qualify for a fee in lieu of tax arrangement under Section 12-44-50(A)(1) of the Act, the County and the Company have negotiated the amount of the Payments in Lieu of Taxes in accordance therewith. The Company shall make payments in lieu of *ad valorem* taxes on all Economic Development Property which comprises the Project and is placed in service, as follows: the Company shall make payments in lieu of *ad valorem* taxes during the Exemption Period with respect to the Economic Development Property or, if there are Phases of the Economic Development Property, with respect to each Phase of the Economic Development Property, said payments to be made annually and to be due and payable and subject to penalty assessments on the same dates and in the same manner as prescribed by the County for *ad valorem* taxes. The determination of the amount of such annual Payments in Lieu of Taxes shall be in accordance with the following procedure (subject, in any event, to the procedures that the Act requires):

- Step 1: Determine the fair market value of the Economic Development Property (or Phase of the Economic Development Property) placed in service during the Exemption Period using original income tax basis for State income tax purposes for any Real Property and Improvements without regard to depreciation (provided, the fair market value of real

property, as the Act defines such term, that the Company obtains by construction or purchase in an arms length transaction is equal to the original income tax basis, and otherwise, the determination of the fair market value is by appraisal) and original income tax basis for State income tax purposes for any personal property less depreciation for each year allowable for property tax purposes, except that no extraordinary obsolescence shall be allowable. The fair market value of the Real Property for the first year of the Fee Term remains the fair market value of the Real Property for the life of the Fee Term. The determination of these values shall take into account all applicable property tax exemptions that State law would allow to the Company if the property were taxable, except those exemptions that Section 12-44-50(A)(2) of the Act specifically disallows.

Step 2: Apply an assessment ratio of six percent (6%) to the fair market value in Step 1 to establish the taxable value of the Economic Development Property (or each Phase of the Economic Development Property) in the year it is placed in service and in each of the 19 years thereafter or such longer period of years in which the Act permits the Company to make annual fee payments.

Step 3: Use a fixed millage rate equal to the millage rate in effect on June 30, 2009, which is 272.5 mills, as Section 12-44-50(A)(1)(d) of the Act provides, during the Exemption Period against the taxable value to determine the amount of the Payments in Lieu of Taxes due during the Exemption Period on the payment dates that the County prescribes for such payments or such longer period of years in which the Act permits the Company to make annual fee payments.

(b) In the event that a final order of a court of competent jurisdiction or an agreement of the parties determines that the calculation of the minimum Payment in Lieu of Taxes applicable to this transaction is to be other than by the procedure herein, the payment shall be reset at the minimum permitted level so determined.

In the event that a final order of a court of competent jurisdiction from which no further appeal is allowable declares the Act and/or the herein-described Payments in Lieu of Taxes invalid or unenforceable, in whole or in part, for any reason, the parties express their intentions to reform such payments so as to effectuate most closely the intent thereof and so as to afford the Company with the benefits to be derived herefrom, the intention of the County being to offer the Company a strong inducement to locate the Project in the County. If the Economic Development Property is deemed to be subject to *ad valorem* taxation, this Fee Agreement shall terminate, and the Company shall pay the County regular *ad valorem* taxes from the date of termination, but with appropriate reductions equivalent to all tax exemptions which are afforded to the Company. Any amount determined to be due and owing to the County from the Company, with respect to a year or years for which the Company previously remitted Payments in Lieu of Taxes to the County hereunder, shall (i) take into account all applicable tax exemptions to which the Company would be entitled if the Economic Development Property was not and had not been

Economic Development Property under the Act; and (ii) be reduced by the total amount of Payments in Lieu of Taxes the Company had made with respect to the Project pursuant to the terms hereof. Notwithstanding anything contained herein to the contrary, neither the Company nor any successor in title or interest shall be required to pay FILOT payments and *ad valorem* taxes for the same property over the same period in question.

Section 4.2 Failure to Achieve Act Minimum Investment Requirement.

(a) In the event that the cost of the Economic Development Property (without regard to depreciation) that the Company acquires does not reach the Act Minimum Investment Requirement by the end of the Investment Period, this Fee Agreement shall terminate as to such entity failing to meet the minimum investment level. In such event, the Company shall pay the County an amount (the "Additional Payment") pursuant to the Act which is equal to the excess, if any, of (i) the total amount of *ad valorem* taxes as would result from taxes levied on the Project by the County, municipality or municipalities, school district or school districts, and other political units as if the items of property comprising the Economic Development Property were not Economic Development Property, but with appropriate reductions equivalent to all tax exemptions and abatements to which the Company would be entitled in such a case, through and including the end of the Investment Period, over (ii) the total amount of FILOT payments the Company has made with respect to the Economic Development Property through and including the end of the Investment Period. Any amounts determined to be owing pursuant to the foregoing sentence shall be subject to the minimum amount of interest that the Act may require.

(b) The remedies stated herein shall be the County's sole remedies for the Company's failure to meet any required investment or job creation level.

Section 4.3 Payments in Lieu of Taxes on Replacement Property. If the Company elects to replace any Removed Components and to substitute such Removed Components with Replacement Property as a part of the Economic Development Property, or the Company otherwise utilizes Replacement Property, then, pursuant and subject to Section 12-44-60 of the Act, the Company shall make statutory payments in lieu of *ad valorem* taxes with regard to such Replacement Property in accordance with the following:

(i) Replacement Property does not have to serve the same function as the Economic Development Property it is replacing. Replacement Property is deemed to replace the oldest Economic Development Property subject to the Fee, whether real or personal, which is disposed of in the same property tax year in which the Replacement Property is placed in service. Replacement Property qualifies as Economic Development Property only to the extent of the original income tax basis of Economic Development Property which is being disposed of in the same property tax year. More than one piece of property can replace a single piece of Economic Development Property. To the extent that the income tax basis of the Replacement Property exceeds the original income tax basis of the Economic Development Property which it is replacing, the excess amount is subject to annual payments calculated as if the exemption for Economic Development Property were not allowable. Replacement Property is

entitled to treatment under the Fee Agreement for the period of time remaining during the Exemption Period for the Economic Development Property which it is replacing; and

(ii) The new Replacement Property which qualifies for the Fee shall be recorded using its income tax basis, and the calculation of the Fee shall utilize the millage rate and assessment ratio in effect with regard to the original property subject to the Fee.

Section 4.4 Reductions in Payments of Taxes Upon Removal, Condemnation, or Casualty. In the event of a Diminution in Value of the Economic Development Property or any Phase of the Economic Development Property, the Payment in Lieu of Taxes with regard to the Economic Development Property or that Phase of the Economic Development Property shall be reduced in the same proportion as the amount of such Diminution in Value bears to the original fair market value of the Economic Development Property or that Phase of the Economic Development Property as determined pursuant to Step 1 of Section 4.1(a) hereof; *provided, however*, that if at any time subsequent to the end of the Investment Period, the total value of the Project based on the original income tax basis of the Equipment, Real Property, and Improvements contained therein, without deduction for depreciation, is less than the Act Minimum Investment Requirement, beginning with the first payment thereafter due hereunder and continuing until the end of the Fee Term, the Company shall no longer be entitled to the incentive provided in Section 4.1, and the Company shall therefore commence to pay regular *ad valorem* taxes on the Economic Development Property part of the Project. However, the Company will not be required to make any retroactive payment.

Section 4.5 Place and Allocation of Payments in Lieu of Taxes. The Company shall make the above-described Payments in Lieu of Taxes directly to the County in accordance with applicable law.

Section 4.6 Removal of Equipment. Subject, always, to the other terms and provisions hereof, the Company shall be entitled to remove and dispose of components or Phases of the Project from the Project in its sole discretion with the result that said components or Phases shall no longer be considered a part of the Project and, to the extent such constitute Economic Development Property, shall no longer be subject to the terms of this Fee Agreement to the fullest extent allowed by the Act, as amended. Economic Development Property is disposed of only when it is scrapped or sold or it is removed from the Project. If it is removed from the Project, it is subject to *ad valorem* property taxes to the extent the Property remains in the State and is otherwise subject to *ad valorem* property taxes.

Section 4.7 Damage or Destruction of Economic Development Property.

(a) Election to Terminate. In the event the Economic Development Property is damaged by fire, explosion, or any other casualty, the Company shall be entitled to terminate this Fee Agreement. The Company shall only be required to make FILOT payments as to all or any part of the tax year in which the damage or casualty occurs to the extent property subject to *ad valorem* taxes would otherwise have been subject to such taxes under the same circumstances for the period in question.

(b) Election to Rebuild. In the event the Economic Development Property is damaged by fire, explosion, or any other casualty, and if the Company does not elect to terminate this Fee Agreement, the Company may commence to restore the Economic Development Property with such reductions or enlargements in the scope of the Economic Development Property, changes, alterations, and modifications (including the substitution and addition of other property) as may be desired by the Company. All such restorations and replacements shall be considered, to the fullest extent permitted by law and this Fee Agreement, substitutions of the destroyed portions of the Economic Development Property and shall be considered part of the Economic Development Property for all purposes hereof, including, but not limited to, any amounts due by the Company to the County under Section 4.1 hereof.

(c) Election to Remove. In the event the Company elects not to terminate this Fee Agreement pursuant to subsection (a) and elects not to rebuild pursuant to subsection (b), the damaged portions of the Economic Development Property shall be treated as Removed Components.

Section 4.8 Condemnation.

(a) Complete Taking. If at any time during the Fee Term title to or temporary use of the Economic Development Property should become vested in a public or quasi-public authority by virtue of the exercise of a taking by condemnation, inverse condemnation, or the right of eminent domain; by voluntary transfer under threat of such taking; or by a taking of title to a portion of the Economic Development Property which renders continued use or occupancy of the Economic Development Property commercially unfeasible in the judgment of the Company, the Company shall have the option to terminate this Fee Agreement by sending written notice to the County within a reasonable period of time following such vesting. The Company shall only be required to make FILOT payments as to all or any part of the tax year in which the taking occurs to the extent property subject to *ad valorem* taxes would otherwise have been subject to such taxes under the same circumstances for the period in question.

(b) Partial Taking. In the event of a partial taking of the Economic Development Property or a transfer in lieu thereof, the Company may elect: (i) to terminate this Fee Agreement; (ii) subject to the Act and the terms and provisions of this Fee Agreement, to repair and restore the Economic Development Property, with such reductions or enlargements in the scope of the Economic Development Property, changes, alterations, and modifications (including the substitution and addition of other property) as the Company may desire, and all such changes, alterations, and modifications shall be considered as substitutions of the taken parts of the Economic Development Property; or (iii) to treat the portions of the Economic Development Property so taken as Removed Components.

(c) The Company shall only be required to make FILOT payments as to all or any part of the tax year in which the taking occurs to the extent property subject to *ad valorem* taxes would otherwise have been subject to such taxes under the same circumstances for the period in question.

Section 4.9 Confidentiality/Limitation on Access to Project. The County acknowledges and understands that the Company utilizes confidential and proprietary processes

and materials, services, equipment, trade secrets, and techniques (herein "Confidential Information") and that any disclosure of Confidential Information concerning the Company's operations may result in substantial harm to the Company and could thereby have a significant detrimental impact on the Company's employees and also upon the County. The Company acknowledges that the County is subject to the Freedom of Information Act, and, as a result, must disclose certain documents and information on request absent an exemption. For these reasons, the Company shall clearly label all Confidential Information it delivers to the County "Confidential Information." Therefore, the County agrees that, except as required by law, neither the County nor any employee, agent, or contractor of the County shall (i) request or be entitled to receive any such Confidential Information, or (ii) disclose or otherwise divulge any such Confidential Information to any other person, firm, governmental body or agency, or any other entity unless specifically required to do so by law; provided, however, that the County shall have no less rights concerning information relating to the Project and the Company than concerning any other property or property taxpayer in the County, and, provided further, that the confidentiality of such confidential or proprietary information is clearly disclosed to the County in writing as previously described. Prior to disclosing any Confidential Information, subject to the requirements of law, the Company may require the execution of reasonable, individual, confidentiality and non-disclosure agreements by any officers, employees, or agents of the County or any supporting or cooperating governmental agencies who would gather, receive, or review such information. In the event that the County is required to disclose any Confidential Information obtained from the Company to any third party, the County agrees to provide the Company with as much advance notice as possible of such requirement before making such disclosure, and to cooperate reasonably with any attempts by the Company to obtain judicial or other relief from such disclosure requirement.

Section 4.10 Assignment. With the prior written consent of the County or a subsequent written ratification by the County, which consent or ratification the County will not unreasonably withhold unless Section 12-44-120 of the Act or any successor provision expressly does not require consent, and in accordance with the Act, the Company may assign this Fee Agreement in whole or in part. The Company agrees to notify the County and the Department of the identity of such transferee within 60 days of the transfer. In case of a transfer, the transferee assumes the transferor's basis in the Project for purposes of calculating the Fee. No approval is required for transfers to sponsor affiliates or other financing related transfers, as defined in the Act.

Section 4.11 No Double Payment: Future Changes in Legislation.

(a) Notwithstanding anything contained herein to the contrary, and except as expressly required by law, neither the Company nor any Sponsor shall ever be required to make a Payment in Lieu of Taxes in addition to a regular property tax payment in the same year over the same piece of property, nor shall the Company or any Sponsor be required to make a Payment in Lieu of Taxes on property in cases where, absent this Fee Agreement, property taxes would otherwise not be due on such property.

In case there is any legislation enacted which provides for more favorable treatment for property to qualify as, or for the calculation of the fee related to, Economic Development Property under Sections 4.4, 4.6, 4.7, 4.8, or the calculation of the Investment Period, the County

agrees to give expedient and full consideration to such legislation, with a view to allow for such more favorable treatment or calculation.

Section 4.12 Administration Expenses.

(a) Each party shall be responsible for its own attorneys' fees incurred in connection with this Agreement and any other agreements or instruments entered into pursuant to the matters detailed herein.

ARTICLE V

DEFAULT

Section 5.1 Events of Default. The following shall be "Events of Default" under this Fee Agreement, and the term "Events of Default" shall mean, whenever used with reference to this Fee Agreement, any one or more of the following occurrences:

(a) Failure by the Company to make the Payments in Lieu of Taxes described in Section 4.1 hereof, which failure shall not have been cured within 30 days following receipt of written notice thereof from the County; *provided, however*, that the Company shall be entitled to all redemption rights granted by applicable statutes; or

(b) A representation or warranty made by the Company which is deemed materially incorrect when deemed made; or

(c) Failure by the Company to perform any of the terms, conditions, obligations, or covenants hereunder (other than those under (a) above), which failure shall continue for a period of 30 days after written notice from the County to the Company specifying such failure and requesting that it be remedied, unless the Company shall have instituted corrective action within such time period and is diligently pursuing such action until the default is corrected, in which case the 30-day period shall be extended to cover such additional period during which the Company is diligently pursuing corrective action; or

(d) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(e) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure shall continue for a period of 30 days after written notice from the Company to the County specifying such failure and requesting that it be remedied, unless the County shall have instituted corrective action within such time period and is diligently pursuing such action until the default is corrected, in which case the 30-day period shall be extended to cover such additional period during which the County is diligently pursuing corrective action.

Section 5.2 Remedies on Default.

(a) Whenever any Event of Default by the Company shall have occurred and shall be continuing, the County may take any one or more of the following remedial actions:

- (i) terminate the Fee Agreement; or
- (ii) take whatever action at law or in equity may appear necessary or desirable to collect the amounts due hereunder. In no event shall the Company be liable to the County or otherwise for monetary damages resulting from the Company's failure to meet the Act Minimum Investment Requirement, other than as expressly set forth herein.
- (iii) other actions afforded by law.

(b) Whenever any Event of Default by the County shall have occurred or shall be continuing, the Company may take one or more of the following actions:

- (i) bring an action for specific enforcement;
- (ii) terminate the Fee Agreement;
- (iii) withhold so much of the payment as is in dispute with the County until such dispute is fully and finally resolved; or
- (iv) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

Section 5.3 Reimbursement of Legal Fees and Expenses and Other Expenses. Upon the occurrence of an Event of Default hereunder, should a party be required to employ attorneys or incur other reasonable expenses for the collection of payments due hereunder or for the enforcement of performance or observance of any obligation or agreement, the successful party shall be entitled, within 30 days of demand therefor, to reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

Section 5.4 No Waiver. No failure or delay on the part of any party hereto in exercising any right, power, or remedy hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any such right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy hereunder. No waiver of any provision hereof shall be effective unless the same shall be in writing and signed by the waiving party hereto.

ARTICLE VI

MISCELLANEOUS

Section 6.1 Notices. Any notice, election, demand, request, or other communication to be provided under this Fee Agreement shall be effective when delivered to the party named below or when deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, addressed as follows (or addressed to such other address as any party shall have previously furnished in writing to the other party), except where the terms hereof require receipt rather than sending of any notice, in which case such provision shall control:

IF TO THE COMPANY:

J. P. MORGAN CHASE

WITH A COPY TO:

IF TO THE COUNTY:

Florence County, South Carolina
Attn: County Administrator
180 N. Irby Street
MSC-G
Florence, SC 29501

Section 6.2 Binding Effect. This Fee Agreement and each document contemplated hereby or related hereto shall be binding upon and inure to the benefit of the Company, the County, and their respective successors and assigns. In the event of the dissolution of the County or the consolidation of any part of the County with any other political subdivision or the transfer of any rights of the County to any other such political subdivision, all of the covenants, stipulations, promises, and agreements of this Fee Agreement shall bind and inure to the benefit of the successors of the County from time to time and any entity, officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County has been transferred.

Section 6.3 Counterparts. This Fee Agreement may be executed in any number of counterparts, and all of the counterparts taken together shall be deemed to constitute one and the same instrument.

Section 6.4 Governing Law. This Fee Agreement and all documents executed in connection herewith shall be construed in accordance with and governed by the laws of the State of South Carolina.

Section 6.5 Headings. The headings of the articles and sections of this Fee Agreement are inserted for convenience only and shall not be deemed to constitute a part of this Fee Agreement.

Section 6.6 Amendments. The provisions of this Fee Agreement may only be modified or amended in writing by any agreement or agreements entered into between the parties.

Section 6.7 Further Assurance. From time to time, and at the expense of the Company, to the extent any expense is incurred, the County agrees to execute and deliver to the Company such additional instruments as the Company may reasonably request and as are authorized by law and reasonably within the purposes and scope of the Act and Fee Agreement to effectuate the purposes of this Fee Agreement.

Section 6.8 Invalidity; Change in Laws. In the event that the inclusion of property as Economic Development Property or any other issue is unclear under this Fee Agreement, the County hereby expresses its intention that the interpretation of this Fee Agreement shall be in a manner that provides for the broadest inclusion of property under the terms of this Fee Agreement and the maximum incentive permissible under the Act, to the extent not inconsistent with any of the explicit terms hereof. If any provision of this Fee Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions hereof shall be unimpaired, and such illegal, invalid, or unenforceable provision shall be reformed to effectuate most closely the legal, valid, and enforceable intent thereof and so as to afford the Company with the maximum benefits to be derived herefrom, it being the intention of the County to offer the Company the strongest inducement possible, within the provisions of the Act, to locate the Project in the County. In case a change in the Act or South Carolina laws eliminates or reduces any of the restrictions or limitations applicable to the Company and the Fee incentive, the parties agree that the County will give expedient and full consideration to reformation of this Fee Agreement, with a view toward providing the Company with the benefits of such change in the Act or South Carolina laws.

The County agrees that in case the FILOT incentive described herein is found to be invalid or otherwise does not provide the Company with the economic benefit it is intended to receive from the County as an inducement to locate in the County, the savings lost as a result of such invalidity will be considered a special source revenue credit or infrastructure improvement credit to the Company to the maximum extent permitted by law, and the County will provide a special source revenue credit or infrastructure improvement credit against all FILOT payments or fee payments made or to be made by the Company equal to the amount that the Company would have saved if the FILOT had been valid, to the maximum extent permitted by law.

Section 6.9 Force Majeure. The Company shall not be responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, fires, floods, inability to obtain materials, conditions arising from governmental

orders or regulations, war or national emergency, acts of God, and any other cause, similar or dissimilar, beyond the Company's reasonable control.

Section 6.10 Termination by Company. The Company is authorized to terminate this Fee Agreement at any time with respect to all or part of the Project upon providing the County with 30 days' notice; *provided, however*, that (i) any monetary obligations existing hereunder and due and owing at the time of termination to a party hereto; and (ii) any provisions which are intended to survive termination shall survive such termination. In the year following such termination, all property shall be subject to ad valorem taxation or such other taxation or fee in lieu of taxation that would apply absent this agreement. The Company's obligation to make fee in lieu of tax payments under this Fee Agreement shall terminate in the year following the year of such termination pursuant to this section.

Section 6.11 Entire Understanding. This Fee Agreement expresses the entire understanding and all agreements of the parties hereto with each other, and neither party hereto has made or shall be bound by any agreement or any representation to the other party which is not expressly set forth in this Fee Agreement or in certificates delivered in connection with the execution and delivery hereof.

Section 6.12 Waiver. Either party may waive compliance by the other party with any term or condition of this Fee Agreement only in a writing signed by the waiving party.

Section 6.13 Business Day. In the event that any action, payment, or notice is, by the terms of this Fee Agreement, required to be taken, made, or given on any day which is a Saturday, Sunday, or legal holiday in the jurisdiction in which the person obligated to act is domiciled, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if given as required hereby, and no interest shall accrue in the interim.

Section 6.14 Limitation of Liability. Anything herein to the contrary notwithstanding, any financial obligation the County may incur hereunder, including for the payment of money shall not be deemed to constitute a pecuniary liability or a debt or general obligation of the County; provided, however, that nothing herein shall prevent the Company from enforcing its rights hereunder by suit for *mandamus* or specific performance.

(Signature Page Follows)

IN WITNESS WHEREOF, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and behalf by the County Council Chairman and to be attested by the Clerk of the County Council; and the Company has caused this Fee Agreement to be executed by its duly authorized officer, all as of the day and year first above written.

FLORENCE COUNTY, SOUTH CAROLINA

Signature: _____
Name: K.G. Rusty Smith, Jr.
Title: Chairman of County Council

ATTEST:

Signature: _____
Name: Connie Y. Haselden
Title: Clerk to County Council

J. P. MORGAN CHASE

Signature: _____
Name: _____
Title: _____

EXHIBIT A
LEGAL DESCRIPTION

DRAFT

DESCRIPTION OF PREMISES

That certain tract of land in Florence County, South Carolina, being shown and designated as 16.528 acres at 2210 Enterprise Drive, Florence, SC on a Survey prepared for Holmes Smith, LLC, Lepercq Corporate Income Fund, L.P. and First American Title Insurance Company by Power Engineering Company, Inc. dated June 15, 1998, last revised June 25, 1998 (the "Plat"), said Plat being incorporated herein by reference, said property being more particularly described as follows:

Commencing at a 5/8" rod found at the intersection of the southern right of way of Range Way and the eastern right of way of Enterprise Drive, said rod being the point of beginning; thence run along southern right of way of Range Way S54°52'49"E for a distance of 325.18 feet to an iron pin set; thence continuing along said right of way along a curve to the left, having a length of 363.28 feet, a radius of 996.63 feet and being subtended by a chord of S65°19'22"E for a distance of 361.27 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. for the following 12 courses: 1) S21°34'56"W, 574.44 feet to an iron pin found; 2) S68°18'50"E, 10.25 feet to an iron pin found; 3) S36°53'00"W, 381.14 feet to an iron pin found; 4) N64°42'26"W, 394.89 feet to an iron pin set; 5) N36°52'45"E, 67.24 feet to an iron pin set; 6) N69°54'00"W, 131.15 feet to an iron pin set; 7) N64°42'26"W, 97.90 feet to an iron pin set; 8) N31°10'21"W, 12.41 feet to an iron pin set; 9) N53°07'22"W, 59.80 feet to an iron pin set; 10) N20°29'15"W, 121.84 feet to an iron pin set; 11) N43°07'22"W, 38.66 feet to an iron pin set; 12) N08°07'23"W, 28.67 feet to an iron pin set; thence turn and run along the eastern right of way of Enterprise Drive, along a curve to the left, having a length of 762.23 feet, a radius of 10057.33 feet and being subtended by a chord of N37°06'03"E for a distance of 762.05 feet to an iron pin set; thence continuing along said right of way N34°55'47"W for a distance of 56.47 feet to the point of beginning.

TOGETHER WITH non-exclusive perpetual storm drainage easements over and across Drainage Retention Easement area as hereinafter described and a strip of land 36 feet in width bounded on the north by Range Way, extending in a southeastern direction from the aforesaid 16.528 acres to the Drainage Retention Easement area, the Drainage Retention Easement area being more particularly described as follows:

Commencing at a 5/8" rod found on the southern right of way of Range Way, approximately 1083 feet southeast of the intersection of Range Way and Enterprise Drive, said rod being the point of beginning. Thence continuing along the southern right of way of Range Way N82°48'56"E for a distance of 234.94 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. and the western edge of a 40-foot wide South Carolina Pipeline Gas Easement for the following 3 courses: 1) S06°49'30"W, 88.82 feet to an iron pin set; 2) S00°48'33"E, 97.49 feet to an iron pin set; 3) S18°44'20"W, 74.43 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. for the following 2 courses: 1) S82°50'40"W, 169.75 feet to an iron pin found; 2) N07°15'33"W, 249.92 feet to the point of beginning, containing 1.192 acres more or less.

TOGETHER WITH a non-exclusive perpetual easement for ingress and egress over and across the Access Easement area shown on the Plat and being more particularly described as follows:

Commencing at a #5 rebar set on the eastern right of way of Enterprise Drive, approximately 818 feet southwest of the intersection of Enterprise Drive and Range Way, said rebar being the point of beginning. Thence turn and run along property now or formerly Holmes Smith LLC for the following 8 courses: 1) S08°07'23"E, 28.67 feet to an iron pin set; 2) S43°07'22"E, 38.66 feet to an iron pin set; 3) S20°29'15"E, 121.84 feet to an iron pin set; 4) S53°07'22"E, 59.80 feet to an iron pin set; 5) S31°10'21"E, 12.41 feet to an iron pin set; 6) S64°42'26"E, 97.90 feet to an iron pin set; 7) S69°54'00"E, 131.15 feet to an iron pin set; 8) S36°52'45"E, 67.24 feet to an iron pin set; thence turn and run along property now or formerly Fleet Mortgage for the following 3 courses: 1) N62°42'26"W, 237.74 feet to an iron pin found; 2) N53°09'10"W, 182.20 feet to an iron pin found; 3) N08°26'22"W, 61.76 feet to an iron pin set. Thence turn and run along the eastern right of way of Enterprise Drive along a curve to the left, having a length of 111.59 feet, a radius of 10057.33 feet and being subtended by a chord of N39°35'24"E for a distance of 111.59 feet to the point of beginning, containing 0.794 acres more or less.

DERIVATION: This being the same property conveyed to R. Solomon Florence Interest, LLC by Lexington Florence LLC by deed dated January 22, 2002, recorded in the Office of the Register of Deeds for Florence County on January 28, 2002, in Book A-666 at page 126.

TMS #00120-01-082

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Inactive Agenda
Ordinance No. 23-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At its regular meeting of August 19, 2010 Council Unanimously Approved Moving the following Ordinance to the Inactive Agenda:

Ordinance No. 23-2009/10: [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.]

ATTACHMENTS:

Copies of the information provided in the August 19, 2010 agenda package.

FLORENCE COUNTY COUNCIL MEETING

August 19, 2010

AGENDA ITEM: Ordinance No. 23-2009/10 – Request To Move Item To Inactive Agenda

DEPARTMENT: Economic Development

ISSUE UNDER CONSIDERATION:

(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.)

OPTIONS:

1. *(Recommended)* Move Ordinance No. 23-2009/10 to Inactive Agenda.
2. Provide an Alternate Directive

ATTACHMENTS:

Ordinance No. 23-2009/10.

Sponsor(s) : Economic Development
 First Reading/Introduction : November 19, 2009
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : December 10, 2009
 Public Hearing : December 10, 2009
 Third Reading :
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 23-2009/10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(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.)

WHEREAS:

1. Florence County, South Carolina, a political subdivision of the State of South Carolina (the "County"), acting by and through its County Council (the "Council"), and Williamsburg County, South Carolina, a political subdivision of the State of South Carolina ("Williamsburg County"), acting by and through its County Council, are authorized pursuant to Article VIII, Section 13 of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended, (the "Code"), specifically Section 4-1-170 thereof, to develop jointly an industrial or business park with other counties within the geographical boundaries of one or more member counties; and
2. The County and Williamsburg County entered into that certain Agreement for Development for Joint County Industrial Park dated as of December 1, 1998, (the "Agreement"); and
3. The County and Williamsburg County, having determined that an enlargement of the boundaries of the Joint County Industrial Park would promote economic development and thus provide additional employment and investment within said counties, have agreed to enter into an Amendment of the Agreement for Development for Multi-County Industrial or Business Park (the "Amendment") to enlarge the boundaries of the Joint County Industrial Park by including certain properties located in the County.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The provisions, terms, and conditions of the Amendment presented to this meeting and filed with the Clerk to the Council are hereby approved, and all of the provisions, terms and conditions thereof are hereby incorporate herein by reference as if the Amendment were set out in this Ordinance in its entirety. The Chairman of the Council is hereby authorized, empowered, and directed to execute and deliver the Amendment in the name and on behalf of the County; the Clerk to the Council is hereby

authorized, empowered, and directed to attest the same; and the Chairman of the Council is further authorized, empowered, and directed to deliver the Amendment to Williamsburg County. The Amendment is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of the County thereunder and as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of Amendment now before this meeting.

2. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force immediately upon public hearing and third reading of the Council.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

FIFTH AMENDMENT TO AGREEMENT FOR DEVELOPMENT
FOR JOINT COUNTY INDUSTRIAL PARK

This Fifth Amendment to Agreement for Development for Joint Industrial Park dated December 1, 1998, between Florence County, South Carolina ("Florence County") and Williamsburg County, South Carolina ("Williamsburg County"), each a body politic and political subdivisions of the State of South Carolina (collectively the "Counties").

WITNESSETH:

WHEREAS, under the authorization of the Counties pursuant to Article VIII, Section 13 of the Constitution of the State of South Carolina and Title 4, Chapter 1 of the Code of Laws of the State of South Carolina 1976, as amended (the "Code"), specifically Section 4-1-170 thereof; and, pursuant to that certain Agreement for Development for Joint County Industrial Park (the "Agreement") dated as of December 1, 1998, the Counties agreed to develop a multi-county industrial or business park (the "Park"), a portion of which is located in Florence County as described in Exhibit A to that Agreement (the "Florence Property"), and a portion of which is located in Williamsburg County as described in Exhibit B to that Agreement (the "Williamsburg Property"); and

WHEREAS, an Amendment to Agreement for Development for Joint County Industrial Park (the "First Amendment to Agreement") dated September 28, 2006, amended Exhibit A to the Agreement by adding additional property as described in Exhibit A-1 to the First Amendment to Agreement enlarged the boundaries of the Park; and

WHEREAS, pursuant to Ordinance No. 23-2009/10 adopted by Florence County Council on _____, and Ordinance No. _____ adopted by Williamsburg County Council on _____ (collectively, the "Enabling Ordinances"), the Counties have determined that it is in the best interest of the Counties to enlarge the boundaries of the Park as authorized by Section 3 of the Agreement in order to promote economic development and thus provide additional employment opportunities within said Counties.

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

Section 1. Exhibit A to the Agreement which describes the boundaries of the Park with regard to the Florence Property, is amended by adding additional property described on Exhibit A-5 attached hereto.

Section 2. The Agreement as to the property set forth in Exhibit A-5 attached hereto, may not be terminated by either Party for a period of twenty (20) years following the effective date of this Amendment.

Section 3. Except as expressly amended or modified herein, the remaining terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto, each after due authorization, have executed this Fifth Amendment to Agreement for Development for Joint County Industrial Park to be effective as of _____.

FLORENCE COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, Florence County Council

ATTEST:

By: _____
Clerk to County Council
Florence County, South Carolina

WILLIAMSBURG COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, Williamsburg County Council

ATTEST:

By: _____
Clerk to County Council
Williamsburg County, South Carolina

DRAFT

LAND DESCRIPTION
FLORENCE COUNTY

DRAFT

Exhibit A-5 to MCP Agreement and Fifth Amended MCP Agreement

DESCRIPTION OF PREMISES

That certain tract of land in Florence County, South Carolina, being shown and designated as 16.528 acres at 2210 Enterprise Drive, Florence, SC on a Survey prepared for Holmes Smith, LLC, Lepercq Corporate Income Fund, L.P. and First American Title Insurance Company by Power Engineering Company, Inc. dated June 15, 1998, last revised June 25, 1998 (the "Plat"), said Plat being incorporated herein by reference, said property being more particularly described as follows:

Commencing at a 5/8" rod found at the intersection of the southern right of way of Range Way and the eastern right of way of Enterprise Drive, said rod being the point of beginning; thence run along southern right of way of Range Way S54°52'49"E for a distance of 325.18 feet to an iron pin set; thence continuing along said right of way along a curve to the left, having a length of 363.28 feet, a radius of 996.63 feet and being subtended by a chord of S65°19'22"E for a distance of 361.27 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. for the following 12 courses: 1) S21°34'56"W, 574.44 feet to an iron pin found; 2) S68°18'50"E, 10.25 feet to an iron pin found; 3) S36°53'00"W, 381.14 feet to an iron pin found; 4) N64°42'26"W, 394.89 feet to an iron pin set; 5) N36°52'45"E, 67.24 feet to an iron pin set; 6) N69°54'00"W, 131.15 feet to an iron pin set; 7) N64°42'26"W, 97.90 feet to an iron pin set; 8) N31°10'21"W, 12.41 feet to an iron pin set; 9) N53°07'22"W, 59.80 feet to an iron pin set; 10) N20°29'15"W, 121.84 feet to an iron pin set; 11) N43°07'22"W, 38.66 feet to an iron pin set; 12) N08°07'23"W, 28.67 feet to an iron pin set; thence turn and run along the eastern right of way of Enterprise Drive, along a curve to the left, having a length of 762.23 feet, a radius of 10057.33 feet and being subtended by a chord of N37°06'03"E for a distance of 762.05 feet to an iron pin set; thence continuing along said right of way N34°55'47"W for a distance of 56.47 feet to the point of beginning.

TOGETHER WITH non-exclusive perpetual storm drainage easements over and across Drainage Retention Easement area as hereinafter described and a strip of land 36 feet in width bounded on the north by Range Way, extending in a southeastern direction from the aforesaid 16.528 acres to the Drainage Retention Easement area, the Drainage Retention Easement area being more particularly described as follows:

Commencing at a 5/8" rod found on the southern right of way of Range Way, approximately 1083 feet southeast of the intersection of Range Way and Enterprise Drive, said rod being the point of beginning. Thence continuing along the southern right of way of Range Way N82°48'56"E for a distance of 234.94 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. and the western edge of a 40 foot wide South Carolina Pipeline Gas Easement for the following 3 courses: 1) S06°49'30"W, 88.82 feet to an iron pin set; 2) S00°48'33"E, 97.49 feet to an iron pin set; 3) S18°44'20"W, 74.43 feet to an iron pin found; thence turn and run along property now or formerly Fleet Mortgage Co. for the following 2 courses: 1) S82°50'40"W, 169.75 feet to an iron pin found; 2) N07°15'33"W, 249.92 feet to the point of beginning, containing 1.192 acres more or less.

TOGETHER WITH a non-exclusive perpetual easement for ingress and egress over and across the Access Easement area shown on the Plat and being more particularly described as follows:

Commencing at a #5 rebar set on the eastern right of way of Enterprise Drive, approximately 818 feet southwest of the intersection of Enterprise Drive and Range Way, said rebar being the point of beginning. Thence turn and run along property now or formerly Holmes Smith LLC for the following 8 courses: 1) S08°07'23"E, 28.67 feet to an iron pin set; 2) S43°07'22"E, 38.66 feet to an iron pin set; 3) S20°29'15"E, 121.84 feet to an iron pin set; 4) S53°07'22"E, 59.80 feet to an iron pin set; 5) S31°10'21"E, 12.41 feet to an iron pin set; 6) S64°42'26"E, 97.90 feet to an iron pin set; 7) S69°54'00"E, 131.15 feet to an iron pin set; 8) S36°52'45"E, 67.24 feet to an iron pin set; thence turn and run along property now or formerly Fleet Mortgage for the following 3 courses: 1) N62°42'26"W, 237.74 feet to an iron pin found; 2) N53°09'10"W, 182.20 feet to an iron pin found; 3) N08°26'22"W, 61.76 feet to an iron pin set. Thence turn and run along the eastern right of way of Enterprise Drive along a curve to the left, having a length of 111.59 feet, a radius of 10057.33 feet and being subtended by a chord of N39°35'24"E for a distance of 111.59 feet to the point of beginning, containing 0.794 acres more or less.

DERIVATION: This being the same property conveyed to E. Solomon Florence Interest, LLC by Lexington Florence LLC by deed dated January 22, 2002, recorded in the Office of the Register of Deeds for Florence County on January 28, 2002, in Book A-666 at page 126.

TMS #00120-01-082

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Inactive Agenda
Ordinance No. 03-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At Its Regular Meeting Of August 19, 2010 The Following Ordinance Failed On Second Reading:

Ordinance No. 03-2009/10: [An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By East Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And South Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels.]

ATTACHMENTS:

Copies of the information provided in the August 19, 2010 agenda package.

FLORENCE COUNTY COUNCIL MEETING

Thursday, August 19, 2010

AGENDA ITEM: Ordinance No. 03-2010/11
Second Reading



DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By E. Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And S. Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels.] *(Planning Commission approved 10-0; Council District 2)*

POINTS TO CONSIDER:

1. The subject properties are located in Council District 2.
2. The subject properties are currently in a Residential Preservation and/or Variable Residential according to the Florence County Comprehensive Plan Land Use Element map.
3. The Town of Pamplico consolidated planning and building services with the Florence County Planning and Building Inspection Department in September 2009. Once the consolidation became effective, the zoning designations for the Town of Pamplico were converted to the most similar Florence County land use.
4. The area in question allowed singlewide manufactured homes prior to consolidation as established by the Comprehensive Plan for the Town of Pamplico. Under the consolidation, this area was established as Residential Preservation and/or Variable Residential by the Comprehensive Plan for Florence County, which would not allow singlewide manufactured homes. This was an oversight when the Land Uses were converted. Single-wide mobile and manufactured homes remain prevalent in the community and in addition requests have been presented for placement or replacement of single-wide homes in the area.
5. Subsequently, the Pamplico Town Council, by resolution at a special council meeting on May 24, 2010, requested a land use designation change to Suburban Development to the

comprehensive plan and a zoning amendment for the designated areas. This request will allow the continuance of single-wide homes in the area as previously permitted by the Land Use of the Town of Pamplico.

6. The justification for the proposed amendment is to correct an original mistake or manifest error for the vision of future growth in this area.

OPTIONS:

1. (*Recommended*) Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 03-2010/11
2. Resolution for PC#2010-08
3. Staff report for PC#2010-08
4. Aerial map
5. Comprehensive Plan Land Use Element map
6. Comprehensive Plan Land Use designations

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: June 22, 2010 [Approved 10-0]	Council Clerk, certify that this
Planning Commission Public Hearing	: June 22, 2010	Ordinance was advertised for
Planning Commission Recommendation	: June 22, 2010	Public Hearing on _____.
First Reading/Introduction	: July 15, 2010	
Committee Referral	: N/A	
Second Reading	: August 19, 2010	
Third Reading	: September 16, 2010	
Effective Date	: Immediately	

ORDINANCE NO. 03-2010/11

[An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By E. Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And S. Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are not injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. The Administrative Procedures for the Florence County Comprehensive Plan were adopted by Florence County Council on December 10, 2009; and
3. The amendment procedure has been followed by the Florence County Planning Commission at a public hearing on June 22, 2010.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Comprehensive Plan Land Use Element is amended to change the designation for properties in Florence County bounded on the west by Oak Street, north by E. Sixth Avenue, east by Human Street, and south by the intersection of River Road and S. Pine Street, Pamplico, SC from Residential Preservation and/or Variable Residential to Suburban Development bearing Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels

001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels.

2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the validity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

RESOLUTION FOR PC#2010-08
FLORENCE COUNTY PLANNING COMMISSION

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Properties In Florence County Located In The Area Bounded On The West By Oak Street, North By E. Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And S. Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Referenced On The Agenda Map.]

WHEREAS:

1. The subject properties' designations as established by the Land Use Map of the Florence County Comprehensive Plan are Residential Preservation and/or Variable Residential.
2. The applicant is proposing to change the designations to Suburban Development to correct an original mistake or manifest error for the vision of future growth in these areas.
3. Therefore, a change to the Comprehensive Plan Map Land Use Designation for these properties is hereby recommended.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designation for Properties in Florence County Located in the area bounded on the west by Oak Street, North by E. Sixth Avenue, east by Human Street, and south by the intersection of River Road and S. Pine Street Pamplico, SC measuring approximately 100 Acres that are currently Residential Preservation and/or Variable Residential to Suburban Development as referenced on the agenda map.

ATTEST:

Angela Thomas
Angela Thomas, Secretary

SIGNED:

Peter M. Knoller
Peter M. Knoller, Chairman

COMMISSION VOTE: approved 10-0
OPPOSED: None
ABSENT: C. Cunha

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
June 22, 2010
PC#2010-08
ORDINANCE NO. 03-2010/11**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for properties in Florence County from Residential Preservation and/or Variable Residential to Suburban Development.

Locations: Areas bounded on the west by Oak Street, north by E. Sixth Avenue, east by Human Street, and south by the intersection of River Road and S. Pine Street, Pamplico, SC.

Tax Map Numbers 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097;
00377, Block 02, Parcel 003;
60006, Block 09, Parcels 002-005, 007-015, 027-030;
60006, Block 10, Parcels 011-014, 026;
60006, Block 11, Parcels 001-003, 005-010, 012;
60006, Block 12, Parcels 001-007;
60006, Block 13, Parcels 001-010;
60007, Block 12, Parcels 001-003, 005-009, 014-018;
60007, Block 13, Parcels 001-006, 008, 011;
60007, Block 17, Parcels 001-004, 006-008;
60007, Block 18, Parcel 001;
60007, Block 19, Parcels 001-009, 012, 013;
60007, Block 20, Parcels 001-012;
60010, Block 02, Parcels 001-023;
60010, Block 03, Parcels 001-011, 013-015;
60010, Block 04, Parcels 001, 003-012, 014, 016-021;
60010, Block 05, Parcels 001-004;
60010, Block 06, Parcels 002-007, 009-012

Council District(s): 2; County Council

Applicant: Florence County Planning Commission for the Town of Pamplico

Land Area: 215 parcels, approximately 100 acres

Staff Analysis:

The Town of Pamplico consolidated planning and building services with the Florence County Planning and Building Inspection Department in September 2009. Once the consolidation

became effective, the zoning designations for the Town of Pamplico were converted to the most similar Florence County land use.

The area in question allowed singlewide manufactured homes prior to consolidation as established by the Comprehensive Plan for the Town of Pamplico. Under the consolidation, this area was established as Residential Preservation and/or Variable Residential by the Comprehensive Plan for Florence County.

Singlewide manufactured homes are not allowed in Residential Preservation or Variable Residential areas of the Florence County Comprehensive Plan. This was an oversight when the Land Uses were converted. Single-wide mobile and manufactured homes remain prevalent in the community and in addition requests have been presented for placement or replacement of single-wide homes in the area.

Subsequently, the Pamplico Town Council, by resolution at a special council meeting on May 24, 2010, requested a land use designation change to the comprehensive plan and a zoning amendment for the designated areas. This request will allow the continuance of single-wide homes in the area as previously permitted by the Zoning Ordinance of the Town of Pamplico.

The applicant is proposing to change the land use designations for this area to Suburban Development.

The justification for the proposed amendment is to correct an original mistake or manifest error for the vision of future growth in this area.

Florence County Planning Commission Action: June 22, 2010:

The ten Planning Commission members present voted unanimously to adopt a resolution recommending that County Council amend the Comprehensive Plan Land Use Map.

Florence County Planning Commission Recommendation:

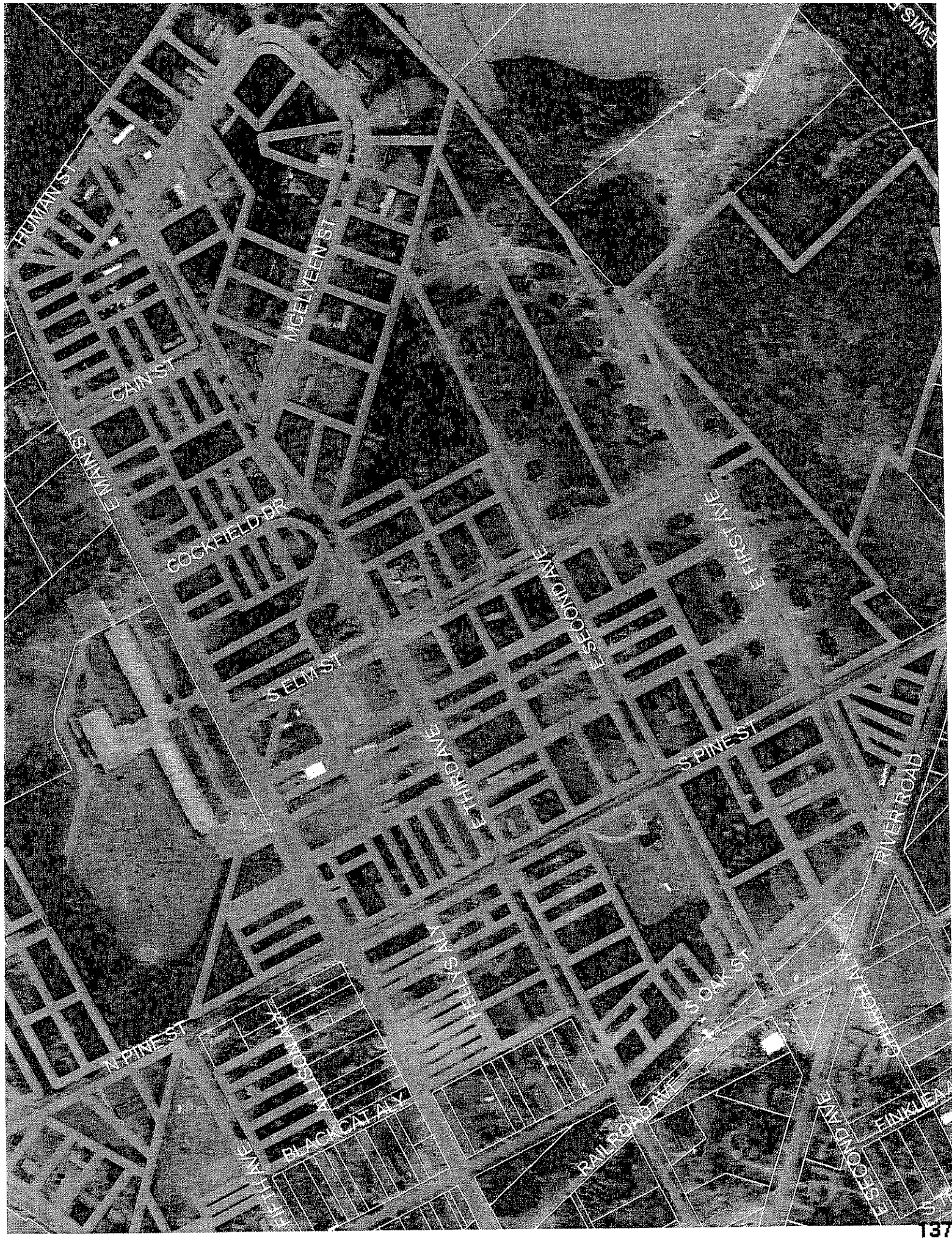
Florence County Planning Commission recommends approval of the request to Florence County Council based on a Suburban Development land use designation would better coordinate with the existing land uses surrounding this area.

Florence County Council Meeting Schedule:

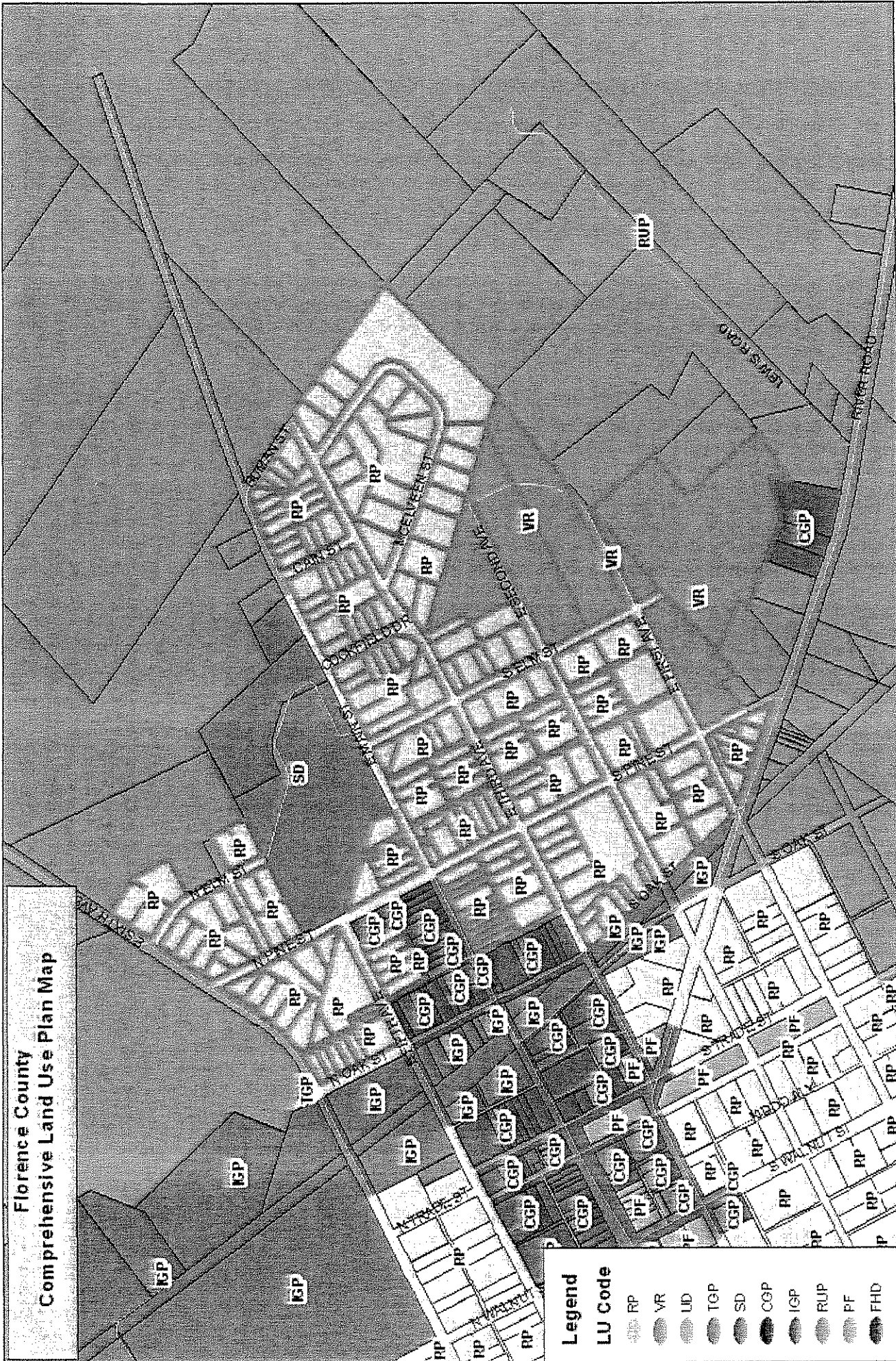
Introduction: Thursday, July 15, 2010 @ 9:00 a.m. in room 803 of the City-County Complex

Second Reading/Public Hearing: Thursday, August 19, 2010@ 9:00 a.m. in room 803 of the City-County Complex

Third Reading: Thursday, September 16, 2010@ 9:00 a.m. in room 803 of the City-County Complex



Florence County Comprehensive Land Use Plan Map



Legend

LU Code

- RP
- VR
- UD
- TGP
- SD
- CGP
- IGP
- RUP
- PF
- FHD

0 280 560 1,120 Feet



Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
06/15/2010

COUNTY COUNCIL DISTRICT(S): 2
PC#2010-08

Comprehensive Land Use Plan Map Designations

1. **Residential Preservation (RP)** - Protect and sustain existing low density single-family residential areas, including property values and amenities, and provide for the growth of suburban or developing rural areas consisting of single-family homes and their accessory uses.
(Zoning Districts Permitted: R-1, R-2, PD)
2. **Variable Residential (VR)** - Protect and sustain existing higher density single-family, multi-family, or mixed-use residential areas, including property values and amenities, and provide areas for growth of various housing types and their accessory uses in urban and suburban settings.
(Zoning Districts Permitted: R-3, R-4, R-5, PD)
3. **Rural Preservation (RUP)** - Provide areas for rural uses, including single-family homes and corresponding accessory uses, as well as agrarian uses, typically in an undeveloped and/or agricultural setting. (Zoning Districts Permitted: RU-1, RU-2, PD)
4. **Transitional Growth and Preservation (TGP)** - Protect and sustain existing commercial areas, including property values and amenities, and provide areas along important corridors or at key community points that are expected to have increasing economic significance.
(Zoning Districts Permitted: B-1, B-2, RU-1, PD)
5. **Commercial Growth and Preservation (CGP)** - Protect and sustain existing commercial areas, including property values and amenities, and provide areas along important corridors or at key community points that are expected to have increasing economic significance.
(Zoning Districts Permitted: B-3, B-4, PD)
6. **Industrial Growth and Preservation (IGP)** - Protect and sustain existing industrial areas, including property values and amenities, and provide areas along important corridors or in emerging industrial locations that are targeted for major economic development.
(Zoning Districts Permitted: B-5, B-6, PD)
7. **Suburban Development (SD)** - Provide areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole. (Zoning Districts Permitted: R-2, R-3, R-4, B-1, B-2, RU-1, PD)
8. **Urban Development (UD)** - Provide areas in urban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole. (Zoning Districts Permitted: B-4, PD)
9. **Public Facilities (PF)** - Provide areas that local, state, or federal government maintain for public interest uses including, but not limited to, offices, recreation facilities, law enforcement and emergency response facilities, and schools. (Zoning District Permitted: All Districts)
10. **Flood Hazard District (FHD)** - This is the 100-year Flood Zone area as established by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) and is pursuant to compliance with the National Flood Insurance Program (NFIP) and to maintain a Community Rating System (CRS). (Zoning Districts Permitted: All zoning types pending special review pursuant to Florence County Code of Ordinance: Chapter 30, Article II, Division 4)

FLORENCE COUNTY COUNCIL MEETING

September 16, 2010

AGENDA ITEM: Inactive Agenda
Ordinance No. 04-2009/10

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At Its Regular Meeting Of August 19, 2010 The Following Ordinance Failed On Second Reading:

Ordinance No. 04-2009/10: [An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment "A" Located On East Sixth Avenue, East Fifth Avenue, East Main Street, East Third Avenue, East Second Avenue, East First Avenue, North And South Oak Street, North And South Pine Street, North And South Elm Street, Allison Alley, Self Alley, Felly's Alley, Cockfield Drive, Cain Street, McElveen Street And Human Street, Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-0012 Consisting Of 205 Parcels.]

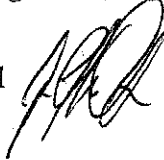
ATTACHMENTS:

Copies of the information provided in the August 19, 2010 agenda package.

FLORENCE COUNTY COUNCIL MEETING

Thursday, August 19, 2010

AGENDA ITEM: Ordinance No. 04-2010/11
Second Reading



DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment "A" Located On E. Sixth Ave., E. Fifth Ave., E. Main St., E. Third Ave., E. Second Ave., E. First Ave., N. And S. Oak St., N. And S. Pine St., N. And S. Elm St., Allison Alley, Self Alley, Felly's Alley, Cockfield Dr., Cain St., McElveen St. And Human St., Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 205 Parcels.]

(Planning Commission approved 9-1; Council District 2)

POINTS TO CONSIDER:

1. The properties are located in Council District 2.
2. The subject properties are currently zoned R-5, Multi-Family Residential District.
3. The properties are currently mixtures of single-family residential uses, mobile and manufactured home uses, commercial uses and vacant land.
4. Adjacent uses to the subject properties consist of single-family residential, mobile and manufactured homes, commercial uses, institutional and vacant land.
5. The Town of Pamplico consolidated planning and building services with the Florence County Planning and Building Inspection Department in September 2009. The zoning designation of R-3 for the Town of Pamplico was converted to the most similar Florence County zoning district of R-5.
6. Singlewide manufactured homes are not allowed in the R-5 Florence County zoning district. The exclusion of singlewide manufactured homes was an oversight when the zoning districts were converted. Single-wide mobile and manufactured homes remain prevalent in the

community and in addition multiple requests have been presented for placement or replacement of single-wide homes in the area.

7. The Pamplico Town Council held a special meeting on May 24, 2010 to approve a resolution requesting that the Planning Commission sponsor a land use designation change to the Comprehensive Plan and a zoning amendment from R-5 to RU-1 for the designated areas.
8. This request will allow the continuance of single-wide homes in the area as previously permitted by the Zoning Ordinance of the Town of Pamplico.
9. The land use amendment of Residential Preservation and/or Variable Residential to Suburban Development of the subject properties will allow the zoning amendment request of RU-1 be in compliance with the Land Use Element of the Comprehensive Plan.

OPTIONS:

1. (*Recommended*) Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 04-2010/11
2. Staff report for PC#2010-09
3. Location map
4. Comprehensive Land Use Plan map
5. Zoning map
6. Aerial photograph
7. List of property owners-Attachment "A"
8. Resolution from the Pamplico Town Council
9. Minutes of June 22, 2010 Planning Commission Meeting (Draft)

Sponsor(s) : Planning Commission
 Planning Commission Consideration : June 22, 2010
 Planning Commission Public Hearing : June 22, 2010
 Planning Commission Recommendation : June 22, 2010[Approved 9-1]
 First Reading/Introduction : July 15, 2010
 Committee Referral : N/A
 Second Reading : August 19, 2010
 Third Reading : September 16, 2010
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____

ORDINANCE NO. 04-2010/11

[An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment "A" Located On E. Sixth Ave., E. Fifth Ave., E. Main St., E. Third Ave., E. Second Ave., E. First Ave., N. And S. Oak St., N. And S. Pine St., N. And S. Elm St., Allison Alley, Self Alley, Felly's Alley, Cockfield Dr., Cain St., McElveen St. And Human St., Town Of Pamplico From R-5, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 205 Parcels.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are not injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Section 30-297 of the Florence County Code republished January 2008, provides a procedure for amending the official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County Planning Commission at a public hearing on June 22, 2010.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Properties located on E. Sixth Ave., E. Fifth Ave., E. Main St., E. Third Ave., E. Second Ave., E. First Ave., N. And S. Oak St., N. And S. Pine St., N. And S. Elm St., Allison Alley, Self Alley, Felly's Alley, Cockfield Dr., Cain St., McElveen St. And Human St. bearing Tax Map 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map 00377, Block 02, Parcel 003; Tax Map 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map 60006, Block 10, Parcels 011-014, 026; Tax Map 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map 60006, Block 12, Parcels

001-007; Tax Map 60006, Block 13, Parcels 001-004; Tax Map 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map 60007, Block 13, Parcels 001-006, 008, 011; Tax Map 60007, Block 17, Parcels 001-004, 006-008; Tax Map 60007, Block 18, Parcel 001; Tax Map 60007, Block 19, Parcels 001-009, 012, 013; Tax Map 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map 60010, Block 03, Parcels 01-011, 013-015; Tax Map 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004 and Tax Map 60010, Block 06, Parcels 002-007, 009-012 are hereby rezoned to RU-1, Rural Community District.

2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
June 22, 2010
PC#2010-09
ORDINANCE NO. 04-2010/11**

Subject: Zoning amendment request from R-5, Multi-Family Residential District to RU-1, Rural Community District.

Location: Properties located on Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St., Pamplico

Tax Map Number(s): 00376, Block 2, Parcels 8, 14, 15, 17-19, 22-25, 27-34, 39-41, 56, 58-60, 63, 64, 66, 72-77, 79, 81-86, 95-97
00377, Block 2, Parcel 3
60006, Block 9, Parcels 2-5, 7-15, 27-30
60006, Block 10, Parcels 11-14, 26
60006, Block 11, Parcels 1-3, 5-10, 12
60006, Block 12, Parcels 1-7
60006, Block 13, Parcels 1-4
60007, Block 12, Parcels 1-3, 5-9, 14-18
60007, Block 13, Parcels 1-6, 8, 11
60007, Block 17, Parcels 1-4, 6-8
60007, Block 18, Parcel 1
60007, Block 19, Parcels 1-9, 12, 13
60007, Block 20, Parcels 1-12
60010, Block 2, Parcels 1-11, 16-19, 21, 23
60010, Block 3, Parcels 1-11, 13-15
60010, Block 4, Parcels 1, 3-12, 14, 16-21
60010, Block 5, Parcels 1-4
60010, Block 6, Parcels 2-7, 9-12

Council District(s): 2; County Council

Owner(s) of Record: See Attachment

Applicant: Florence County Planning Commission for the Town of Pamplico

Land Area: 205 parcels

Waterways/Bodies of Water: None

Flood Zone: N/A

Water and Sewer Availability: Provided by the Town of Pamplico

Transportation Access and Circulation:

Present accesses to the subject properties are by way of Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St. and any streets lying within these street boundaries.

Existing Land Use and Zoning

The properties designated on the map contain a mixture of single-family residential uses, mobile and manufactured home uses and vacant land. These properties are all currently in the town limits of Pamplico.

Proposed Land Use and Zoning:

There have been applicants wishing to place manufactured homes on properties within the subject area currently zoned R-5, Multi-Family Residential District.

The zoning amendment request is to change the current zoning of the subject properties from R-5, Multi-Family Residential District to RU-1, Rural Community District due to recent requests for uses of land and the potential for future requests that are not permitted uses within the R-5 zoning district.

Surrounding Land Uses and Zoning:

Surrounding land uses in the subject area include a mixture of single-family residential uses, mobile/manufactured home uses, commercial uses, institutional uses and vacant land. Properties to the north are currently RU-2, Rural Resource District and unzoned. Properties to the south and west are currently zoned R-2, Single-Family Residential District and B-5, Industrial District.

Florence County Comprehensive Plan:

The amended Land Use for this property per Ord. No. 3-2010/11 is Suburban Development. According to the Land Use Element of Comprehensive Plan, the intent of the Suburban Development designation is to provide areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole. (Zoning Districts Permitted: R-2, R-3, R-4, B-1, B-2, RU-1, PD)

Chapter 30 - Zoning Ordinance:

The intent of the RU-1, Rural Community District is to sustain and support rural community centers as an integral part of the rural environment, serving the commercial, service, social and agricultural needs of nearby rural residents.

Staff Analysis:

The Town of Pamplico consolidated planning and building services with the Florence County Planning and Building Inspection Department in September 2009. Once the consolidation became effective, the zoning designations for the Town of Pamplico were converted to the most similar Florence County zoning district.

The area in question was an R-3 zoning district prior to consolidation as established by the Zoning Ordinance for the Town of Pamplico. Under the consolidation, this area was established as an R-5 zoning district by the Zoning Ordinance for Florence County.

Singlewide manufactured homes are not allowed in the R-5 Florence County zoning district. The exclusion of singlewide manufactured homes was an oversight when the zoning districts were converted. Single-wide mobile and manufactured homes remain prevalent in the community and in addition multiple requests have been presented for placement or replacement of single-wide homes in the area.

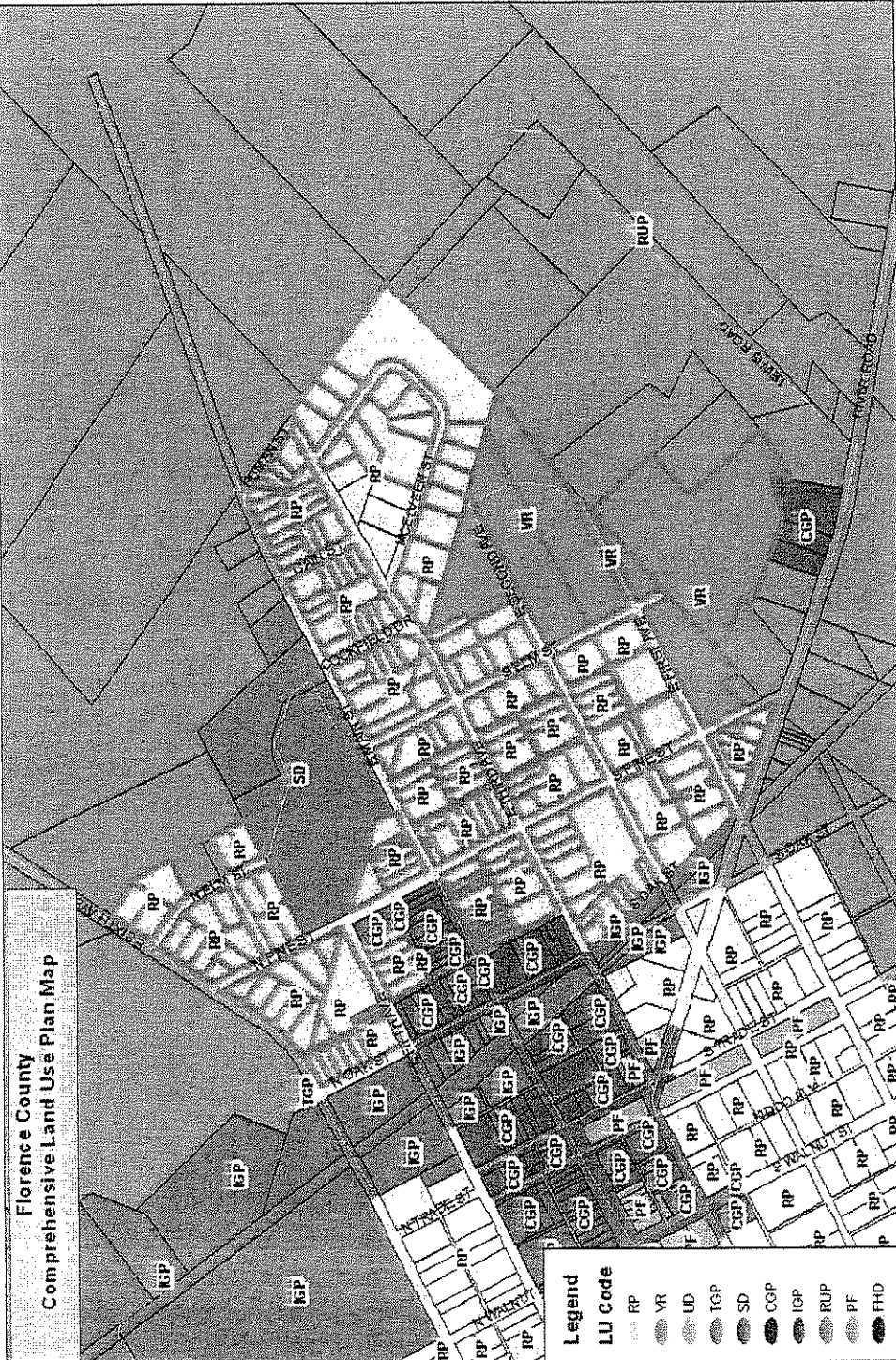
Subsequently, the Pamplico Town Council, by resolution at a special council meeting on May 24, 2010, requested a land use designation change to the comprehensive plan and a zoning amendment from R-5 to RU-1 for the designated areas. This request will allow the continuance of single-wide homes in the area as previously permitted by the Zoning Ordinance of the Town of Pamplico.

Florence County Planning Commission Action: June 22, 2010

The ten Florence County Planning Commission members present approved the zoning amendment request with a vote of nine to one based on the request being in compliance with the Land Use Element of the Comprehensive Plan.

Florence County Planning Commission Recommendation:

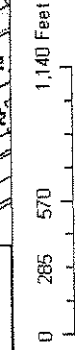
The Florence County Planning Commission recommends approval of the zoning amendment request to Florence County Council based on the request being in compliance with the Land Use Element of the Comprehensive Plan.



Florence County
Comprehensive Land Use Plan Map

Legend

LU Code	Description
RP	Residential Single-Family
VR	Vacant Land
UD	Urban Dense
TGP	Transportation/Growth Promoting
SD	Special District
CGP	Community Growth Promoting
IGP	Industrial Growth Promoting
RUP	Residential Urban
PF	Public Facility
FHD	Flood Hazard



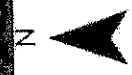
Map Prepared by: RWE
 Copyright 2010: Florence County Planning
 & Building Inspection's Department
 Geographic Information Systems
 06/04/2010

COUNTY COUNCIL DISTRICT(S): 2
PC#2010-09



Florence County 2008 Orthophotography Map

COUNTY COUNCIL DISTRICT(S): 2
PC#2010-09



Map Prepared by: RWIE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
06/04/2010



ATTACHMENT "A"
Town of Pamplico - Zoning Amendment Parcels

TMS	OWNERNAME
00376-02-008	MYERS RUBY HUGEE
00376-02-008	MYERS RUBY HUGEE
00376-02-008	MYERS RUBY HUGEE
00376-02-008	MYERS RUBY HUGEE
00376-02-014	DAVIS ELMER LEE
00376-02-015	ROBINSON SARAH L MS ETAL
00376-02-017	HYMAN ETHPHINE E
00376-02-018	DAVIS ALFORD R
00376-02-019	SELF EDITH MAE
00376-02-022	ELLISON ETAPHENE L
00376-02-023	ROBERTS RENTALS LP
00376-02-024	COCKFIELD FREDDIE L & VENICE
00376-02-025	MCKNIGHT RICHARD A & DELORIS
00376-02-027	DAVIS ALFORD RALPH
00376-02-028	BOSTIC DOROTHY W
00376-02-029	THE ELM STREET TRUST
00376-02-030	DAVIS JIMMY
00376-02-031	TIMMONS EARL LEE & MARY M
00376-02-032	MCKNIGHT RICHARD A &
00376-02-033	COCKFIELD FREDDIE
00376-02-034	ROBINSON SARAH L MS ETAL
00376-02-039	TRAPIER MOSES L & JACKIE M
00376-02-040	ROBINSON TABITHA
00376-02-041	CLOUDY ADDIE (LE)
00376-02-056	SALMONS HOSELLA
00376-02-058	DAVIS RALPH
00376-02-059	GRAHAM ROSALYN
00376-02-060	TIMMONS MAJOR A &
00376-02-063	LEWIS HARRY & ESTELLE
00376-02-064	ROBINSON H BARR EVANGELIST
00376-02-066	TIMMONS ROBERTA
00376-02-072	BAILEY HARRIETTE G
00376-02-073	MYERS RUBY HUGEE
00376-02-074	MYERS RUBY HUGEE
00376-02-075	MYERS RUBY HUGEE
00376-02-076	SOLMON HOSELLO
00376-02-077	THOMAS TAMMY A
00376-02-079	DAVIS VERONICA E JOHNSON
00376-02-081	MYERS ROBERT A &

00376-02-082	WILLIAMS DANIEL SR ETAL
00376-02-083	ORR HATTIE M & EUGENE D
00376-02-084	MCKNIGHT RICHARD A SR &
00376-02-085	MCKNIGHT RICHARD A & DELORIS
00376-02-086	EADDY LUBERTA
00376-02-095	BOSTIC DOROTHY W
00376-02-096	SPRINGS THURMOND
00376-02-097	ELLISON ETHPHINE L
00377-02-003	BELL BETTY JEAN F JONES ETAL
60006-09-002	SMITH ETHEL
60006-09-003	SMITH NATHANIEL HEIRS
60006-09-004	NOWLIN THELMA
60006-09-005	REESE VERNETTE B A/K/A
60006-09-007	ANDREWS KATRENA S &
60006-09-008	JONES DIANNE
60006-09-009	BARR ALMA LEE
60006-09-010	COX DEBASHA TABREEZE
60006-09-011	ELLIS HENRY L
60006-09-012	THOMAS ROOSEVELT
60006-09-013	MULDROW SARAH R
60006-09-014	HUGEE DELOIS ETAL
60006-09-015	HUGEE KATHERINE
60006-09-027	ELLIS CORNELIA P
60006-09-028	SMITH ETHEL B
60006-09-029	THOMAS ROSEVELT & SARAH
60006-09-030	340 E MAIN ST TRUST
60006-10-011	ALLISON LESSIE MAE
60006-10-012	MUNNERLYN HABWORD
60006-10-013	HARRISON ALINE
60006-10-014	HARRISON ALENE
60006-10-026	ROBERT'S RENTALS LP
60006-11-001	GREGORY MARY M ETAL
60006-11-002	TOWN OF PAMPLICO
60006-11-003	TOWN OF PAMPLICO
60006-11-005	HYMAN LOSSIE JACKSON &
60006-11-006	MCKENZIE MAZIE C ETAL
60006-11-007	R W F CONSTRUCTION
60006-11-008	MCNEAL RICHARD HEIRS
60006-11-009	CAIN LULA MAE
60006-11-010	SMOOT ANNETTE ETAL
60006-11-012	HUDSON LINDA SELF
60006-12-001	JONES PEGGY
60006-12-002	JONES PEGGY
60006-12-003	DAVIS WARD & BERTHA

60006-12-004	STONE BERTHA C
60006-12-005	WOODSIDE CEMETERY
60006-12-006	R W F CONSTRUCTON LLC
60006-12-007	FOXWORTH LULA MAE
60006-13-001	HYMAN LOSSIE JACKSON &
60006-13-002	BOATWRIGHT GERTRUDE
60006-13-003	TIMMONS SHIRLEY E (LE)
60006-13-004	JONES CLAYTON P
60007-12-001	SMOOT ANNETTE ETAL
60007-12-002	ROBINSON ALPHONSO & PATRICIA
60007-12-003	PARKS CYNTHIA
60007-12-005	HYMAN ROSA LEE
60007-12-006	CAROLINA EASTERN OF PAMPLICO
60007-12-007	GIBBS HERMAN
60007-12-008	GASGUE MODENA HEIRS
60007-12-009	BROWN LUCILLE ETAL
60007-12-014	GRAHAM BETTY JEAN
60007-12-015	DAVIS DOROTHY LEE
60007-12-016	DAVIS DOROTHY LEE
60007-12-017	HENRY JAMES A
60007-12-018	BARR ALMA T
60007-13-001	BARR ALMA L & ANTHONY W
60007-13-002	HUGEE MOLLY HEIRS
60007-13-003	HYMAN MASONIC LODGE 138
60007-13-004	WATTS DAVID E JR
60007-13-005	CAIN ROOSEVELT
60007-13-006	PARTIN MARY ELIZABETH F &
60007-13-008	AL-PERT FARMS
60007-13-011	WILLIAMS FLORA NELL JACKSON
60007-17-001	TIMMONS BOYD & SUNNE (LE)
60007-17-002	BROOKS JACQUILINE MITCHELL
60007-17-003	MCELVEEN LAMETTRIE ETAL
60007-17-004	WILLIAMS DANIEL C &
60007-17-006	BURCH GEORGIA GREEN
60007-17-007	CUSACK JOHN
60007-17-008	BROOKS EARL
60007-18-001	BROOKS EARL & JACQUELINE
60007-18-001	HOUSING AUTHORITY OF
60007-18-001	HOUSING AUTHORITY OF
60007-19-001	HOUSING AUTHORITY OF
60007-19-002	HOUSING AUTHORITY OF
60007-19-003	HOUSING AUTHORITY OF
60007-19-004	HOUSING AUTHORITY OF
60007-19-005	HOUSING AUTHORITY OF

60007-19-006	R W F CONSTRUCTION LLC
60007-19-007	AL PERT FARMS INC
60007-19-008	ELLIS ROY J
60007-19-009	GRAHAM JOHN & OZELLA C
60007-19-012	GREEN ORIUM & MAGGIE H
60007-19-013	SMITH KAREN LAFAYE &
60007-20-001	ROBINSON LILLIAN M
60007-20-002	WADE ESTHER LEE
60007-20-003	HUGEE WENDON C & CYNTHIA J
60007-20-004	WOODBERRY EVELYN A
60007-20-005	HICKSON LEROY
60007-20-006	MYERS THEOLA ETAL
60007-20-007	MCCRAY MARSHALL & JESSIE MAE
60007-20-008	MCLEOD JAMES ETAL
60007-20-009	MCCRAY MARSHALL & JESSIE MAE
60007-20-010	WADE ESTHER
60007-20-011	MCELVEEN SARAH ETAL
60007-20-012	MCKOY FANNIE C &
60010-02-001	CHANDLER RUBY C &
60010-02-002	DAVIS SMILEY HEIRS
60010-02-003	GRAHAM LEMAR
60010-02-004	PEE DEE BAPTIST CHURCH
60010-02-005	GREEN LETHIA MAE N/K/A
60010-02-006	PIERCE LETHA MAE GREEN
60010-02-007	NEW DELIVERANCE OUTREACH
60010-02-008	MCHENRY JESSIE ANN
60010-02-009	MCELVEEN WILLIAM
60010-02-010	GREEN HAZEL R HEIRS
60010-02-011	COCKFIELD JOYCE
60010-02-016	SONS & DAUGHTERS OF MOSES
60010-02-017	MCELVEEN WILSON
60010-02-018	SMITH LIZZIE G
60010-02-019	MYERS RUBY HUGEE
60010-02-021	HOUSE OF GOD THE
60010-02-023	HOUSE OF GOD THE
60010-03-001	MYERS RUBY H
60010-03-002	TIMMONS SHIRLEY MAE ETAL
60010-03-003	RAINEY PATRICIA ANN
60010-03-004	GAMBLE ROBERT
60010-03-005	BELIN ETHEL
60010-03-006	GRAHAM LOIS S
60010-03-007	HYMAN MATTIE D
60010-03-008	COCKFIELD BURNETTE ETAL
60010-03-009	GAMBLE SAMUEL (LE)

60010-03-010	ELLIS ANNIE RUTH (LE)
60010-03-011	WILLIAMS JACKIE M &
60010-03-013	TIMMONS IRA HEIRS
60010-03-014	DAVIS MAGALEAN
60010-03-015	FRIER RENELL DAVIS
60010-04-001	FELDER OLEAN & ARTHUR
60010-04-003	GUILES JOHN A & LILLIE C
60010-04-004	WOODBERRY MARY C (LE)
60010-04-005	STUCKEY PATSY
60010-04-006	MENTION NETTIE B ETAL
60010-04-007	MCKNIGHT RICHARD A &
60010-04-008	HYMAN LOSSIE JACKSON JR &
60010-04-009	ELLISON GRACE ANNA
60010-04-010	WINSTON ALMA MAE
60010-04-011	ELLISON GRACE ANNA
60010-04-012	ALLISON ANNIE MAE
60010-04-014	MCWHITE IRENE
60010-04-016	WINSTON ALMA MAE MCELVEEN
60010-04-017	ALLISON ANNIE MAE
60010-04-018	GRAHAM LEMAR
60010-04-019	STUCKEY PATSY ETAL
60010-04-020	BROWN DIANNE ALLISON
60010-04-021	GREGG JOAN
60010-05-001	SALMON HOZELLA
60010-05-002	DAVIS MILTON
60010-05-003	PINCKNEY KATIE F & DORIS A
60010-05-004	MCNEIL MANSY
60010-06-002	CAIN ROOSEVELT
60010-06-003	EADDY DORA L & JAMES D SR
60010-06-004	HUGEE DARPHINE ETAL
60010-06-005	SOLOMON MARY M
60010-06-006	SELF CHARLIE BOYD
60010-06-007	FIRST MORTGAGE OF NC INC
60010-06-009	MCKNIGHT JESSE & MARIE
60010-06-010	SELF BERNARD
60010-06-011	HARDWICK JAMES T &
60010-06-012	AL PERT FARMS INC
	HOUSING AUTHORITY OF

**RESOLUTION FOR COMPREHENSIVE PLAN LAND USE AMENDMENT AND
ZONING AMENDMENT APPROVAL TOWN COUNCIL OF THE TOWN OF
PAMPLICO**

[A Resolution By The Town of Pamplico To Request And Support A Land Use Designation Change To The Comprehensive Plan of Florence County And Zoning Amendment Of Certain Parcels Within The Town Limits Of Pamplico.]

WHEREAS:

The Town of Pamplico requests that Florence County moves forward with a land use designation change in the Land Use Element of the Florence County Comprehensive Plan from Residential Preservation and/or Variable Residential to Suburban Development and a Zoning Amendment request from an R-5, Multi-Family Residential District to an RU-1, Rural Community District for parcels within the following described boundaries within the Town of Pamplico.

WHEREAS:

The parcels to be included within the request are described as follows:

An approximate 100-acre area bounded on the west by South Oak Street, on the north by East Sixth Avenue, on the east by Human Street and on the south by the intersection of River Road and South Pine Street in the Town Limits of the Town of Pamplico.

WHEREAS:

The Town of Pamplico supports this request in an effort to bring the zoning and permitted uses back in line with the previous zoning prior to the zoning district change by Ordinance dated September 17, 2009 as a result of the consolidation of zoning, planning and building services with the County of Florence.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
PAMPLICO DULY ASSEMBLED THAT:**

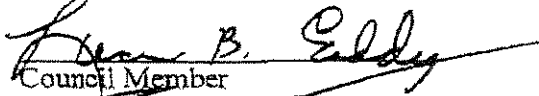
This Resolution is hereby adopted this 24th day of May, 2010 to recommend that the Florence

County Planning Commission and Florence County Council approve the land use designation changes and zoning amendment request for the aforesaid property boundaries.

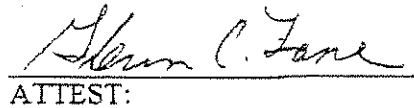
SIGNED:


Mayor


Council Member

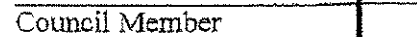

Council Member


Council Member


ATTEST:


Council Member


Council Member


Council Member

Minutes
Florence County Planning Commission Meeting
Tuesday, June 22, 2010 at 6:30 p.m.
City-County Complex, Room 803
180 N. Irby St., Florence, South Carolina

The Florence County Planning Department staff posted the agenda for the meeting on the information boards at the main entrance and the back entrance of the City-County Complex and at the entrance of the Planning, Zoning and Building Inspections Department building.

The agenda was also mailed to the media.

I. Call to Order:

Chairman Knoller called the meeting to order at 6:30 p.m. and declared a quorum of members present.

Chairman Knoller explained to those present the procedures for the public hearing portion of the meeting.

II. Attendance:

Commissioners Present: Peter M. Knoller, Chairman
Bill Lockhart, Vice-Chairman
Linda Borgman
Ted Greene
David Hobbs
Roger Kirby
Jody Lane
Doris Lockhart
King Lowery
Virginia Talbert

Commissioners Absent: Cecil Cunha

Staff Present: J. Kevin Griffin, Planning Director
Pearlie D. McDaniel, Development and Zoning Services Officer
Scott Park, Planning Services Officer
Tripp Ward, Planner II
Derrick Singletary, Planner II
Angela C. Thomas, Secretary

Public Attendance: See sign-in sheet on file with the Florence County Planning Department.

III. Review and Motion of Minutes:

Comm. Kirby made a motion to approve the minutes of the May 25, 2010 meeting. Comm. Lowery seconded the motion. The vote carried unanimously.

IV. Public Hearings:

Comprehensive Plan Map Amendments/Zoning Map Amendments:

PC#2010-08 **Comprehensive Plan Map Amendment to change the Land Use Map designation for properties in Florence County located on Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St., Pamplico shown more specifically on Tax Map No. 376, Block 2, Parcels 8, 14, 15, 17-19, 22-25, 27-34, 39-41, 56, 58-60, 63, 64, 66, 72-77, 79, 81-86, 95-97; Tax Map No. 377, Block 2, Parcel 3; Tax Map No. 60006, Block 9, Parcels 2-5, 7-15, 27-30; Tax Map No. 60006, Block 10, Parcels 11-14, 26; Tax Map No. 60006, Block 11, Parcels 1-3, 5-10, 12; Tax Map No. 60006, Block 12, Parcels 1-7; Tax Map No. 60006, Block 13, Parcels 1-10; Tax Map No. 60007, Block 12, Parcels 1-3, 5-9, 14-18; Tax Map No. 60007, Block 13, Parcels 1-6, 8, 11; Tax Map No. 60007, Block 17, Parcels 1-4, 6-8; Tax Map No. 60007, Block 18, Parcel 1; Tax Map No. 60007, Block 19, Parcels 1-9, 12, 13; Tax Map No. 60007, Block 20, Parcels 1-12; Tax Map No. 60010, Block 2, Parcels 1-23; Tax Map No. 60010, Block 3, Parcels 1-11, 13-15; Tax Map No. 60010, Block 4, Parcels 1, 3-12, 14, 16-21; Tax Map No. 60010, Block 5, Parcels 1-4; and Tax Map No. 60010, Block 6, Parcels 2-7, 9-12 from Residential Preservation and/or Variable Residential to Suburban Development.**

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Chairman Knoller opened the floor for public comments.

Mayor of Pamplico, Gene Gainey, came forward and made the following comments:

- Pamplico had zoned R-3 for the area that we just talked about and it had been in place for many years; when Florence County took over, their codes were different than ours and we didn't realize that and we had some complications with several folks that wanted to put singlewide trailer homes in and Florence County codes would not allow it.
- Pamplico Town Council approved this request for the Florence County Planning Commission to take a look at it and return back to the R-3 codes that we had; this would be the same thing that we've been doing for many years; there will actually be no change.
- We've never really had any major complaints; we've had some over the years and I was on the council for about 22 or 23 years and have been the mayor now for five years.
- All we're asking is to go back to the previous zoning.

Ms. Sharon Graham came forward and made the following comments:

- My house is located on Oak Street.
- I want to know if you have a house and these trailers come in, does it lower the value of your house.

Chairman Knoller responded it depends on the houses in the area; it depends on many things; if somebody is a good property owner and looks after their property everything is fine; it mainly depends on if there is a house next door to you and they don't keep it up and its falling apart, your house will then have lower value.

Comm. Lane made a motion to approve the request. Comm. Kirby seconded the motion. The vote carried unanimously.

PC#2010-09 Zoning Map Amendment requested by the Town of Pamplico to amend the zoning district designation for properties located on Oak St., E. Sixth Ave., Human St., River Rd., and S. Pine St., Pamplico shown more specifically on Florence County Tax Map No. 376, Block 2, Parcels 8, 14, 15, 17-19, 22-25, 27-34, 39-41, 56, 58-60, 63, 64, 66, 72-77, 79, 81-86, 95-97; Tax Map No. 377, Block 2, Parcel 3; Tax Map No. 60006, Block 9, Parcels 2-5, 7-15, 27-30; Tax Map No. 60006, Block 10, Parcels 11-14, 26; Tax Map No. 60006, Block 11, Parcels 1-3, 5-10, 12; Tax Map No. 60006, Block 12, Parcels 1-7; Tax Map No. 60006, Block 13, Parcels 1-4; Tax Map No. 60007, Block 12, Parcels 1-3, 5-9, 14-18; Tax Map No. 60007, Block 13, Parcels 1-6, 8, 11; Tax Map No. 60007, Block 17, Parcels 1-4, 6-8; Tax Map No. 60007, Block 18, Parcel 1; Tax Map No. 60007, Block 19, Parcels 1-9, 12, 13; Tax Map No. 60007, Block 20, Parcels 1-12; Tax Map No. 60010, Block 2, Parcels 1-11, 16-19, 21, 23; Tax Map No. 60010, Block 3, Parcels 1-11, 13-15; Tax Map No. 60010, Block 4, Parcels 1, 3-12, 14, 16-21; Tax Map No. 60010, Block 5, Parcels 1-4; and Tax Map No. 60010, Block 6, Parcels 2-7, 9-12 from R-5, Multi-Family Residential District to RU-1, Rural Community District.

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Comm. Borgman stated remind me again when this took place with the Town of Pamplico.

Mr. Griffin responded September of 2009.

Comm. Hobbs asked you mentioned one group of commercial property, do you know what block that's in?

Mr. Griffin responded it's on Main Street.

Comm. Hobbs stated the reason I'm asking is there are two differences in the first one we did and this one; block 13 and block 2 as far as on the parcels.

Mr. Griffin stated we'll double check that to make sure it's correct.

Chairman Knoller opened the floor for public comments.

Mayor Gene Gainey came forward and made the following comments:

- I'd just like to say on behalf of Town Council and myself that we recommend this change be made.

Mr. Griffin stated I want to clarify Mr. Hobbs question; the prior land use change, the land use does change on the commercial parcels but it still allows the same commercial zoning district and it's commercial zoning will remain.

Ms. Shirley Timmons came forward and made the following comments:

- Based upon your preamble I commend the zoning department for formally addressing this issue.
- I rely upon your knowledge and insight regarding the implications of rezoning a historically African American community from an R-5, Multi-Family Residential District to a RU-1, Rural Community District.
- I oppose this rezoning plan; my rationale for the opposition is based in part upon the following four primary factors.
- One, the intent of zone R-5 is incompatible with that of RU-1, there are no identified commercial, service, social or agricultural needs of nearby rural residents that would be met and that would benefit the current residents of this area.
- Two, compared to site built homes, mobile homes allowed by a RU-1 designation typically depreciate in value at a relatively accelerated rate; this depreciation directly affects property values of all homes within the district.
- Specifically, Pamplico has a total population of approximately 1,139 residents; of this total, over ½ is African American; African Americans in Pamplico experience poverty at levels almost five times greater than Caucasian residents; ironically, the majority of African Americans in the Town of Pamplico reside in the area planned for rezoning; these factors alone can only facilitate increased poverty related to deflated property values and further social and political segregation that are also known to promote financial disadvantage.
- Three, mobile home settlements that are situated within mobile home parks where the resident does not own the land on which the home sits depreciates surrounding home values even more drastically.
- Four, mobile homes are not taxed as equitably on their value as traditional site built homes.

Mr. John Graham came forward and made the following comments:

- I have a house in Pamplico in the area that they're talking about.
- Why do they have to go and place trailer houses in this area because I do know for a fact that it's going to lower the value of my property?
- They can look at other areas besides that area.

Ms. Rosalyn Graham came forward and made the following comments:

- I am a property owner on Sixth Ave. in the area in which they are speaking.
- I am opposed to the change in zoning.

Comm. Lane asked can you clarify the difference between RU-1 and R-5?

Mr. Griffin responded basically the RU-1 is a bit broader in its uses; the R-5 does allow mobile homes but it currently only allows doublewide manufactured homes, it does not allow singlewide manufactured homes; the primary difference is that in itself; with the exception of the properties to the south, most manufactured homes are on the interior.

Comm. Lane asked what is the lot size?

Mr. Griffin responded R-5 is actually 6,000 and RU-1 would allow 15,000; it's a more rural zoning so it's a larger lot size.

Comm. Lane responded this seems to be a move in the right direction, more restrictive; wouldn't that actually help property values.

Mr. Griffin responded it would be more restrictive on the lot size.

Comm. Lane responded it would essentially take out multi-family houses and small properties and increase it for the neighborhoods and lot sizes.

Mr. Griffin responded that is possible.

Comm. Borgman asked in RU-1 are mobile home parks not allowed?

Mr. Griffin responded R-5 allows manufactured home parks and RU-1 would not.

Chairman Knoller asked how many singlewides are there already in that area?

Mr. Griffin responded 64 according to the assessor's records.

Chairman Knoller asked and there are approximately 140 lots?

Mr. Griffin responded 205.

Chairman Knoller responded at least 30% with mobile homes on them.

Mr. Griffin responded yes sir.

Comm. D. Lockhart asked Mayor Gainey, in your deliberation and recommendation coming from the Town of Pamplico Council, was there opposition to this extent when you recommended changing the zoning to RU-1?

Mayor Gainey responded there was no opposition; we were trying to get it back to where it was before the consolidation; the RU-1 was the only way we could go to better suit the whole situation to give everybody the opportunity to put singlewides or houses.

Comm. Kirby made a motion to approve the request. Comm. Borgman seconded the motion. The vote was 9 to 1 with Comm. D. Lockhart voting in opposition to the request.

PC#2010-10 Withdrawn per note on following agenda item.

PC#2010-11 Withdrawn per County Attorney opinion and State Law Section 6-29-1145.

Chairman Knoller stated that both of these requests have been withdrawn.

Mr. Griffin stated it was a case on Redbud Lane that had applied for a rezoning and land use change; as part of the discovery process it was brought to staff's attention that there were restrictive covenants on the property; state enabling legislation does not allow us to proceed if there are known restrictive covenants that would not allow the use that's being requested; we forwarded this to the county attorney, Mr. Jim Rushton who concurred the applicant must resolve the civil issue with the restrictive covenants; once remedied, then they may go through due process with the rezoning and the land use amendment request.

Zoning Map Amendment requested by the Florence County Planning Commission on behalf of the West Sumter Street Community to amend the zoning district designation for properties located on Harmony St., W. Dixie St., W. Sumter St., Carver Circle, W. Marion St., N. Hartwell Dr., N. Schofield St., Dewey Rd., Bunch St., Curry Lane, N. Trinity St., Cumberland Dr., and N. Alexander St., Florence shown on Florence County Tax Map No. 90044, Block 2, Parcels 2-11; Tax Map No. 90044, Block 3, Parcels 2, 4-6, 8-10, 12-15; Tax Map No. 90044, Block 4, Parcels 1-3, 5-21; Tax Map No. 90044, Block 6, Parcels 1-3, 5; Tax Map No. 90044, Block 8, Parcels 2-6, 10; Tax Map No. 90044, Block 9, Parcels 1-21, 25, 26; Tax Map No. 90044, Block 10, Parcels 1-14, 17, 19, 21, 24, 29-43, 45-66; Tax Map No. 90045, Block 2, Parcels 4, 7; Tax Map No. 90059, Block 8, Parcels 7, 10; Tax Map No. 90059, Block 9, Parcels 12, 17; Tax Map No. 90060, Block 8, Parcels 1, 2, 7-11; Tax Map No. 90060, Block 13, Parcels 3, 5, 6; and Tax Map No. 122, Block 1, Parcel 97 to R-3A, Single-Family Residential District.

Mr. Kevin Griffin presented the staff report to the Commission. Staff recommends approval of the request.

(copy available at the Florence County Planning Department)

Chairman Knoller opened the floor for public comments.

Mr. Wallace McInville came forward with the following question:

- I own a lot in that area and it presently has a singlewide mobile home; if they annex it in, what's going to happen if the mobile home burns or if I want to upgrade?

Chairman Knoller responded it was not an annexation; we are designating a zoning district; if you have a mobile home there and you are replacing it, you have six months to replace with a like mobile home.

Mr. McInville asked so I can replace it?

Chairman Knoller responded so long as you do it within a six month period.

Mr. Gary Dauksch came forward and made the following comments:

- I'm a real estate broker and I'm also a property owner in this area.
- I bought a piece of property that's on the corner of Sumter St. and Alexander St. in June of 2009.
- All the property around my property is either zoned R-4, it's unzoned or it's being used as commercial; there is a funeral home across from my property.
- I bought the property specifically because it was unzoned and it would give me the flexibility to do what I wanted to do; my intent was to put a multi-family property on there.
- I had a builder lined up, I had financing lined up, I had plans, I had a survey done and two months after I purchased the property a moratorium was put on the whole area; I had not heard about it coming so it kind of caught me blind.
- It stopped about a half a million dollar investment in the local community; it stopped us from doing an investment that would generate tax dollars, water tap fees, sewer fees and provide local contractors with work; it does have an economic impact.

- As a property owner, obviously I oppose this measure because its costing me money, its costing me a delay; economic conditions have changed and I don't know if the financing that I had been able to secure last year is going to be as good whenever this issue is worked out or if this issue is zoned R-3A, I may not be able to do anything with the property and so I've wasted my money investing in it.
- I feel it's a little unfair that a group of people can get together and dictate how my property is used if they don't own or even live in the area.
- As a real estate agent I also have issues with this type of moratorium and rezoning a blanket area; it devalues the property for the property owners; it infringes upon the property rights of the owners; it stifles growth and development in the area.
- I don't think it's a marketable area for a developer to go in and build single-family homes and sell them.
- I think this will set a bad precedence going forward; I think it will give Florence the image of being unfriendly to developers or investors.
- As a realtor I'm going to have to say, "Well, I'd like to sell you this property, its unzoned, but I can't guarantee you that County Council won't just come in and put a block on what you want to do."; for me it kind of puts a bad taste in the mouth of the investor when they are looking at Florence as a possible place to do a project.
- I'm opposed to this proposal but I'm not opposed to making Florence a better area or the West Sumter St. area a better area.
- I would never build anything that was going to be a nuisance property or bring down the value of the properties around me.

Chairman Knoller stated we had two public hearings at R.N. Beck Learning Center.

Mr. Dauksch responded I went to one.

Chairman Knoller asked did you say anything?

Mr. Dauksch responded I spoke to two gentlemen and I wrote a letter which I turned in to the lady that was working; I went to the one on June 10th; you were tied up talking to some other people so I couldn't talk to you.

Comm. Lane asked Mr. Dauksch, I have read over your letter and everything concerning this packet but I didn't see in here which zoning would let you use the property for the intent that you had purchased the property for?

Mr. Dauksch responded R-4 would allow me to do what I want to do and it would match everything that's around where my property is.

Comm. Talbert asked where is your lot again?

Mr. Dauksch responded it's on the corner of Sumter and Alexander St.

Chairman Knoller responded it should be right across the street from the R.N. Beck Learning Center.

Comm. Lane asked Mr. Dauksch, could you point to your property please?

Mr. Dauksch referenced it on the map.

Comm. D. Lockhart asked would it be unreasonable to aggregate that part out of the request and allow the other properties to be R-3A because it is adjacent to the property that is already R-4 on that corner; also, you mentioned that you were looking at putting a duplex on that property, how many units?

Mr. Dauksch responded eight to twelve; I don't think twelve would work so probably eight units or four duplexes; the property is over an acre.

Comm. D. Lockhart asked Mr. Griffin, could you answer that first question for staff?

Mr. Griffin responded this request is sponsored by the Planning Commission so there is some leeway to change the assignments if you deem necessary.

Comm. D. Lockhart responded and let the other ones be R-3A and aggregate that since it's adjacent to the other ones that are R-4 in the city.

Chairman Knoller responded the reason we are sponsoring this, when we got the petition, someone had to do it; we can leave that one out as its going to be comparable to all the surrounding area.

Comm. Borgman asked what if we have another one that's in the middle?

Chairman Knoller responded not in the middle; that would be spot zoning.

Comm. D. Lockhart responded it needs to be adjacent.

Chairman Knoller asked it's within our jurisdiction that we can do this right?

Mr. Griffin responded yes sir.

Mr. Steve Creedman came forward and made the following comments:

- I need to know the distinction between R-3A and R-4; we bought this property with the idea of putting a mobile home in that area; our plans were stopped with the moratorium.
- I understand that this R-3A would not allow mobile homes.

Chairman Knoller responded that is correct.

Mr. Creedman responded in that regard, I would have to oppose it; I think on the adjoining lots, there is a mobile home on one side of me and an abandoned property with an empty concrete structure on the other side; I think to exclude mobile homes is wrong because you can have nice mobile homes that can help people out; the lot is a narrow lot, I don't know what size of a site or stick built structure would fit on it; the design of a mobile home would fit perfectly on that lot.

Ms. Debbie Eaddy came forward and made the following comments:

- If I own property and pay taxes in that area, I think I ought to have as much voice as anyone who lives in that area.
- I am 100% opposed to this rezoning.

Mr. Bryan Dowd came forward and made the following comments:

- I own a substantial amount of property in this area; more than any one individual that lives in that area.
- I am very much opposed to this; seeing the map up here with everything around it being R-4 leads me to believe that if you want congruency in your zoning, then R-4 should be the correct zoning.
- Also, I attended one of those meetings; one of the major complaints from people in that area is they think crime comes out of these duplexes; I can promise you that is not the case; I welcome for you to check with the Sheriff's Department with all the properties that I own to see how many times they have to go; out of the five years that I've owned property there, I can only remember one time.

Ms. Geraldine Timmons came forward and made the following comments:

- I live in West Florence and we have a lot of crime; it's right from Carver St., Ingram St., Alexander St., Dixie St. and Sumter St.
- They're packing so many people on these small lots that the crime has grown.
- I live at 1200 Dixie St.; I can sit and look out my window; the police stay over there because of fighting, crime and drugs.
- You're talking about putting a duplex on the corner of Alexander and Sumter St.; that's piling in more people; West Florence really needs building up but build some decent homes where people can buy them from you.
- They're not putting anything but apartments in there; the people move in and only stay two or three months.
- On the 1100 block of Dixie St. there is about 50 apartment houses; just take a ride and look; every other month people are being put out of the houses.
- You said there is no crime; you need to check with the police department and find out what's going on because they're selling drugs like candy.
- Don't push all these homes in there.

Ms. Teresa Ervin came forward and made the following comments:

- If you live in the community you would understand that when you come down Alexander St. you have part of the area that's actually in the city; the city has a problem with the present R-4 being zoned that way and that's why we're fighting in the city trying to get the zoning changed there.
- The R.N. Beck Center is the original Carver school, it's historical; this is a precious site in the community; then you've got Dimery Rogers Funeral Home that's been there since I was a little girl; that's a part of the historical part of the community.
- When you go down Sumter St., you say the people don't own the property but they are paying the money to live there; some of these homes are single-family homes that are being rented.
- I firmly do not want to drive down Alexander and see eight houses packed on a corner; when you go down Sumter St. now, turn over to your left; you've got a development right now that has duplexes in it; when it comes to crime, you may not see it in the city but you'll see it on the part of the Sheriff's having to come out and they have to come out so regular that you have people moving in and then they want to get out; there is a big problem with crime.
- I own my home there, I don't plan to move and I don't want to be chased out by somebody who's going to come rent a home for a short time.
- These duplexes will bring down the property value.

Mr. Joey McMillan came forward and made the following comments:

- I'm the immediate past chair of the Pee Dee Realtors Association.
- The concern that I have with this is a blanket moratorium where if a broker sells a piece of property to somebody and says it is zoned for this and you can do this with it and all of the sudden there is a moratorium and he can't do with the property what he bought it for.
- This is a great concern to our brokers because if we have somebody coming in from out of town and they buy a piece of property that is zoned to do a certain thing and we sell it to them and the next day its not and they can't do it and then we have to wait for the moratorium; they're going to come back to us or the commission and say that you told us we could do this and now we can't do it; are they going to sue us; its not right to sell somebody a piece of property and say you can do one thing with it and the next day you can't do something with it.
- If it's okay with the Chairman, can the people that are opposed stand up?

Chairman Knoller responded in the affirmative.

Approximately eight people stood up in opposition to the request.

Comm. Borgman stated I went to the first Sumter St. meeting and there were many homeowners or people that live in that area that asked why don't they have an opportunity to buy the property; they said that they don't even know property is for sale and all the sudden its sold; I'm wondering how that could be.

Mr. McMillan responded I'm wondering how that could be myself because I spend about \$2,000 a month letting people know that property is for sale.

Comm. Borgman responded I heard that more than once.

Chairman Knoller responded we heard that several times from several people and I know you realtors like to put signs out there but they have obviously never seen a sign.

Mr. McMillan responded I just get the sense that you think the realtors are out there to bring down communities and I can tell you that is not the case; we want Florence to raise up and be the city it can be; we're not going to get people to come in from other areas to buy property to improve it if they're not sure what they're going to get.

Comm. Hobbs stated it is true that you possibly sold something to somebody and told them you can do this, that and the other with that property but it was never zoned; none of these properties were zoned and we're changing the zoning.

Mr. McMillan responded but you put a moratorium where they couldn't do anything to it until it was zoned.

Comm. Hobbs responded I understand that but when you bought it and you told anybody anything about the property, it has never been zoned.

Comm. Lane made a motion for a continuance until we can get the property owners to identify their property and what they would like to see their current unzoned property zoned to and to see if we can get a consensus of people being satisfied with property they currently own; maybe it would be

adjacent to and we could suffice everyone; this has gone on long enough and its important enough to the community that we do it right and I think if you own property that you need to have that say so.

Vice-Chairman Lockhart asked if you own property in that unzoned district, can you option out of the new zoning?

Mr. Griffin responded that's up to Planning Commission for recommendation.

Comm. Talbert asked what are the setbacks on R-3A?

Mr. Griffin responded it's the same as R-3; lot width would be 50 feet, front yard setbacks 25, side yard would be 5, the rear yard is 25 and then 50 for non-residential in that area.

Chairman Knoller asked I have a motion, do I have a second?

Comm. Greene seconded the motion.

Chairman Knoller stated the motion is made that we take a continuance on this and we ask staff to get in touch with all of the property owners in this area.

Comm. Borgman asked about what we discussed with the one property owner who is on that corner, is that going to be any consideration at all?

Comm. Hobbs responded he'll be on that list.

Chairman Knoller responded he could say I don't want to be in there, which is perfectly legal.

Vice-Chairman Lockhart asked anybody can do that?

Chairman Knoller asked if we option to let that one property owner opposite of the R.N. Beck Center get out of this, can any other property owner get out of it if they don't want to be zoned?

Mr. Griffin responded that would be up to Planning Commission; this is the scope of the request that we had earlier and if we do adjustments to the map, the way we'll likely do it is to notify that the property has been proposed for zoning to an R-3A and if you would like to make comments or propose a different district then you can come in and do such.

Chairman Knoller asked if half a dozen property owners say they don't want to be zoned, are we allowed to approve that because that's almost like spot zoning isn't it?

Mr. Griffin responded Planning Commission is sponsoring this zoning assignment, this is actually not a rezoning but a zoning assignment because there currently is not a zoning on the property so you have broad deference there as to how you want to handle this request.

Vice-Chairman Lockhart asked so you're going to defer it anyway?

Mr. Griffin responded with the current motion we would have to.

Comm. Hobbs responded I agree with Jody, I know what the residents and property owners are trying to accomplish; maximize the money for the owners of the property and of course the people that live

there, they don't want certain things to go on in that area; two differences in the properties that we're talking about, that biggest piece of property, I don't see anybody that would buy that piece of property and put one house on it; the smaller properties, they probably can't do anything else with the property; what Jody's proposing I think is the best alternative; not that we would necessarily agree with all of them but just to throw a blanket over that one area, it doesn't fit.

Comm. Kirby asked in the notification process that was done for this public hearing and for the previous public meetings, were the property owners not notified?

Mr. Griffin responded each one was notified within the community and the petitioners; signs were also placed in the community.

Comm. Kirby asked what are we proposing to do now?

Chairman Knoller responded we're now proposing to actually send letters to the people asking them to please tell us what they want.

Comm. Kirby responded I have several concerns; many of my concerns have to do with precedent; this is obviously a very emotional issue for a lot of people; we have certain sets of protocol we follow through all of our planning and zoning requests; based on what our staff reports have been, those have been followed to this point; it doesn't make it a less emotional issue; we've got two sides, both pitting against each other and really everybody wants the same thing; everybody wants a better community; we are trying to handle law enforcement issues with zoning; that in my opinion is misguided; we take community issues in this case that are obviously very heartfelt from both sides and put a moratorium on development; I don't really understand that process; it takes away the public hearing side of peoples opinions and arguments; this is a very complicated issue that everybody has chosen to draw a line in the sand on and we have an opportunity to either move forward with what's been placed in front of us or walk away from it; I don't see us as a commission, taking this or any other situation and creating special circumstances for ourselves in order to resolve it; every volatile issue we'll have going forward we would say "well, we've had our public hearings and now we're going to write letters to people that some did or didn't respond"; I just think we're setting a very bad precedent to do that.

Comm. D. Lockhart responded obviously the opposition came up and said no we do not want it and I will go along with the recommendation of staff with that regard.

Comm. Talbert asked when was the moratorium put on building and who approves that?

Mr. Griffin responded the Planning Commission cannot place a moratorium on property; that was done August of this past year; County Council put a moratorium on the property for one year and remanded it to the Planning Commission to study for a zoning assignment; primarily from my understanding was because of complaints of the type development that was being proposed in the community.

Vice-Chairman Lockhart stated I don't see having a third meeting when we've already gone through this twice and if they don't show up for the third meeting are we going to have another meeting.

The vote was four yeas and six nays, with Commissioners Jody Lane, Ted Greene, David Hobbs and King Lowery voting in favor of the motion. Chairman Peter Knoller, Vice-Chairman Bill Lockhart,

Commissioners Linda Borgman, Doris Lockhart, Roger Kirby and Virginia Talbert voted against the motion. Motion failed.

Comm. D. Lockhart made a motion to approve the request.

Comm. Borgman seconded the motion.

Comm. Lane stated I just don't see how we can move forward zoning it as staff has proposed it with the opposition that we've seen and not truly knowing what the property owners want to do with their property; I understand we need to move forward, I just think we're not moving forward with the consensus of the property owners.

Comm. Hobbs stated I believe we're going to be right back in here again with the ones that do oppose it if we do it that way, so either way you're going to be spending time on this in my opinion.

Comm. D. Lockhart stated I think that we have allowed staff to do due diligence in providing enough forum for opposition as well as support over the course of the moratorium; if we ask staff again, will we still be at a limbo stage without making a decision; at this point we need to move forward; if we look at the list of who showed up in opposition and staff did say that everybody was notified, so what do we do, we ask them to notify them again and we still don't get a balance.

Comm. Talbert asked the petition that initiated all of this, are they the ones that requested the R-3A or did you recommend the R-3A?

Mr. Griffin responded the original petition requested the R-3A.

The vote was four yeas and six nays, with Chairman Peter Knoller, Commissioners Doris Lockhart, King Lowery and Linda Borgman voting in favor of the motion. Vice-Chairman Bill Lockhart, Commissioners David Hobbs, Roger Kirby, Jody Lane, Ted Greene and Virginia Talbert voted against the motion. Motion failed.

Chairman Knoller stated that the request would go forward to County Council with a recommendation of disapproval.

Text Amendments:

None

V. Requests for Plat/Plan Approval:

None

VI. Other Business:

PC#2010-07 Adoption of a Resolution recommending the new Transportation Element of the Comprehensive Plan.

Mr. Scott Park stated nothing has changed since the last presentation; I received a list of grammatical updates from Vice-Chairman Lockhart; other than that, there have been no additional comments. Staff recommends approval of the request.
(copy available at the Florence County Planning Department)

Comm. Borgman made a motion to approve the request. Comm. Lane seconded the motion. The vote carried unanimously.

VII. Director's Report:

Mr. Griffin's comments were as follows:

➤ Summary Plats

We had a total number of 27 plats for the month of May; total number of lots was 42; total acreage was 119.

➤ Building Report

Permits have been steady; we have a few rather large commercial projects on the horizon.

➤ Priority Investment Element

We will begin review on this element shortly.

➤ Portable Sign Meeting

The Public Services and County Planning Committee will have a meeting on July 20th.

VIII. Adjournment:

Comm. Lane made a motion to adjourn the meeting. Comm. Hobbs seconded the motion. The vote carried unanimously. Chairman Knoller declared the meeting adjourned at 8:12 p.m.

Respectfully submitted,

Angela C. Thomas
Secretary

Approved by:

J. Kevin Griffin
Planning Director

Approved by:

Peter M. Knoller
Chairman, Florence County Planning Commission

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.