

K. G. "Rusty" Smith, Jr.
District #1

Ken Ard
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Johnnie D. Rodgers, Jr.
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

H. Morris Anderson
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
COUNTY COUNCIL CHAMBERS, ROOM 803
180 NORTH IRBY STREET
FLORENCE, SOUTH CAROLINA
THURSDAY, SEPTEMBER 16, 2010
9:00 A. M.

I. CALL TO ORDER: K. G. RUSTY SMITH, JR., CHAIRMAN

II. INVOCATION: H. MORRIS ANDERSON, SECRETARY/CHAPLAIN

III. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:
WAYMON MUMFORD, VICE CHAIRMAN

IV. WELCOME: K. G. RUSTY SMITH, JR., CHAIRMAN

V. MINUTES:

MINUTES OF THE AUGUST 19, 2010 REGULAR MEETING [1]
Council Is Requested To Approve The Minutes Of The August 19, 2010
Regular Meeting Of County Council.

VI. PUBLIC HEARINGS: [9]

Council will hold public hearing on 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.

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 GAINNEY, 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: