

VI. PUBLIC HEARINGS:

[15]

Council will hold public hearing on the following:

ORDINANCE NO. 07-2010/11

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.

VII. APPEARANCES:

None Scheduled.

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. PROCLAMATIONS:

ENVIRONMENTAL DISCOVERY CENTER

[16]

A Proclamation Recognizing The Environmental Discovery Center Committee For Being Awarded A 2010 NACo Achievement Award For The Environmental Discovery Center At Lynches River County Park.

X. RESOLUTIONS:

RESOLUTION NO. 02-2010/11

[18]

A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Stallion Trail Located In Effingham.

XI. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 03-2010/11

[22]

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)*

2. ORDINANCE NO. 04-2010/11

[32]

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)*

3. ORDINANCE NO. 06-2010/11

[50]

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.

4. ORDINANCE NO. 08-2010/11

[53]

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 A Ground Lease Agreement And A 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 The Underwriter Of The Refunding Certificates; 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; Authorizing The Proposed Refinancing To Be Effected By Means Of A Refunding Lease-Purchase Financing Directly Between The County And A Financial Institution Or A Modification Of The Existing Lease-Purchase Financing Between The County And Branch Banking And Trust Company In Lieu Of The Issuance Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing.

B. SECOND READING

ORDINANCE NO. 07-2010/11 (*Public Hearing*)

[65]

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.

C. INTRODUCTION

1. ORDINANCE NO. 09-2010/11

[80]

An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Table VII-Regulation Signs By Type, Characteristics And Zoning Districts And Table VIII-Number, Dimension, And Location Of Permitted Signs By Zoning District; Section 30-205, Temporary Signs On Private Property; And Section 30-311, Definitions, Conflict With Other Laws To Revise The Portable Signs Regulations.

*(Planning Commission **approved** 9 – 0.)*

2. ORDINANCE NO. 10-2010/11

[93]

An Ordinance To Rezone Property Owned By William Michael Nexsen Located At 1217 Pheasant Road, Florence County From R-3, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 286 Consisting Of Approximately 1.02 Acres.

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

3. ORDINANCE NO. 11-2010/11 – BY TITLE ONLY

[102]

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

XII. APPOINTMENTS TO BOARDS & COMMISSIONS:

XIII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. MONTHLY FINANCIAL REPORTS

[104]

Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through August 31, 2010 As An Item For The Record.

2. **SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES AGREEMENT** [110]
Approve An Agreement With The South Carolina Department Of Social Services (DSS) For Two Units Of Storage Space At The County-Owned Facility At 181 North Irby Street.

B. EMERGENCY MANAGEMENT DEPARTMENT

1. **AWARD RFP #02-10/11** [114]
Award RFP #02-10/11 For The Stand-By Debris Monitoring And Recovery Services For The Emergency Management Department To O'Brien's Response Management, Maitland, Florida. (4 Compliant Proposals)
2. **AWARD RFP #03-10/11** [117]
Award RFP #03-10/11 For The Stand-By Debris Management And Removal Services As Follows: Primary Award To Phillips And Jordan, Inc., Robbinsville, North Carolina; Secondary Award To Ceres Environmental Services, Inc., Sarasota, Florida And J.B. Coxwell Contracting, Inc., Jacksonville, Florida. (14 Compliant Proposals)

C. EMERGENCY MEDICAL SERVICES

- APPLICATIONS FOR NON-EXCLUSIVE AMBULANCE FRANCHISES** [120]
Award A Non-Exclusive Ambulance Franchise To Vital Care EMS, Inc.

D. GEOGRAPHIC INFORMATION SYSTEMS (GIS) DEPARTMENT

- US DOJ COPS TECHNOLOGY PROGRAM GRANT** [125]
Authorize Participation In A Regional U.S. Department Of Justice COPS Technology Program Grant To Provide Updated Pictometry Images (\$75,460) And To Approve \$20,465 From The General Fund Contingency.

E. PARKS AND RECREATION

- BROOKS MCCALL PARK** [127]
Establish A Rate Structure For Reservation Of Shelter And Enclosed Building At Brooks McCall Community Park.

F. PROCUREMENT

AWARD BID #04-10/11

[132]

Approve The Award Of Bid #04-10/11 For Concrete Improvements At The South Lynches Fire Department To Newman Davis Construction Company, Sumter, South Carolina In The Amount Of \$19,300 To Be Funded From Previously Approved Funds. *(1 Compliant Bid)*

XIV. OTHER BUSINESS:

A. INFRASTRUCTURE

1. SAVANNAH GROVE COMMUNITY PARK – PICNIC SHELTERS

[135]

Approve The Expenditure Of An Amount Up To \$12,500.00 From Council Districts' 3, 4, 5, 6, And 9 Infrastructure Funding Allocations (\$2,500 From Each District) For Services To Design And Construct Two (2) 16' X 16' Picnic Shelters At Savannah Grove Community Park (Athletic Fields Area).

2. SHERIFF OFFICE

[138]

Approve Up To \$3,600.00 From Council District 3 Infrastructure Funding Allocation To Assist The Florence County Sheriff Office With A Replacement Radio.

3. TIMROD ELEMENTARY SCHOOL

[139]

Approve Up To \$3,550.00 From Council District 3 Infrastructure Funding Allocation To Assist Henry Timrod Elementary School With The Removal Of An Old Fence And The Purchase/Installation Of A New Fence For The Playground Area.

4. TIMROD ELEMENTARY SCHOOL

[140]

Approve An Amount Up To \$25,000.00 From Council Districts' 3, 6, And 7 Infrastructure Funding Allocations (\$10,000 From District 3 and \$7,500 Each From Districts 6 and 7) To Assist Timrod Elementary School With The Purchase Of Playground Equipment.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF)

1. WEST WILLIAMS ROAD

[143]

Approve The Expenditure Of Up To \$79,350.00 From Council District 3 RSMF/Utility Funding Allocation To Pay For Resurfacing Of West Williams Road And 6" Reclamation Of 4,500 Square Yards.

2. **EAST WILLIAMS ROAD** [144]
Approve The Expenditure Of Up To \$2,875.00 From Council District 3 RSMF Funding Allocation To Pay For Additional Crushed Asphalt To Be Put On E. Williams Road.

C. UTILITY

1. **WEST CAMERON LANE** [145]
Approve The Expenditure Of Up To \$28,779.00 From Council District 3 Utility Funding Allocation To Pay For Resurfacing Of West Cameron Lane And 80 Square Yards Full Depth Patching.
2. **MARSHALL AVENUE** [146]
Approve The Expenditure Of Up To \$37,548.00 From Council District 3 Utility Funding Allocation To Pay For Resurfacing Of Marshall Avenue And 95 Square Yards Full Depth Patching.
3. **WATER MAIN EXTENSION – WILSON HIGH SCHOOL TO ASHBY ROAD** [147]
Approve An Amount Estimated At \$49,030.00 From Council District 7 Utility Funding Allocation To The City Of Florence For A Water Main Extension From Wilson High School To Ashby Road.
4. **EBENEZER PARK** [152]
Approve An Amount Estimated At \$27,000.00 From Council District 9 Utility Funding Allocation To SCDOT To Pipe A Portion Of The Ditches At Ebenezer Park.

XV. EXECUTIVE SESSION:

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

XVI. INACTIVE AGENDA:

A. ORDINANCE NO. 22-2009/10

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

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)*

XVII. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the September 16, 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, SEPTEMBER 16, 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
H. Morris Anderson, Secretary-Chaplain
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:

Sheriff Kenney Boone
Solicitor Ed Clements
Jim Miles, Solicitor's Office
Ryon Watkins, EMS Director
Kristy Hughes, Natural Hazards Coordinator
Pearl McDaniel, Interim Planning Director
Ray McBride, Library Director

ABSENT:

J. Ken Ard, Council Member

A notice of the regular meeting of the Florence County Council appeared in the September 15, 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. Secretary/Chaplain Anderson provided the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Anderson made a motion Council approve the minutes of the August 19, 2010 regular meeting of County Council. Councilman Rodgers 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. 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.

APPEARANCES:

BUILDING BRIDGES COMMITTEE

Dr. Annie Brown And Pete Sieler Appeared Before Council Regarding The Upcoming Session Of The Building Bridges Program.

MAYOR GENE GAINY, TOWN OF PAMPLICO

Mayor Gainey Appeared Before Council Concerning Zoning/Rezoning Issues (Ordinances No. 03 And 04-2010/11). Mayor Gainey Stated The Ordinances Were Requested By The Town To Correct A Conflicting Zoning Designation That Resulted When The County And The Town Of Pamplico Consolidated Zoning Efforts. The Mayor Requested Council's Reconsideration of the Two Ordinances for Second Reading.

Councilman Culberson Made A Motion That Ordinance No. 03-2010/11 And Ordinance No. 04-2010/11 Be Recalled From The Inactive Agenda For Consideration Of Second Reading At The Appropriate Time. Councilman Rodgers seconded the motion, which was approved unanimously.

JACK NEWSOME, TAX ASSESSOR

Mr. Newsome (At The Request Of The County Administrator) Provided Council With A Brief Summary On The Reassessment Program For Tax Year 2010. The Chairman asked Mr. Newsome to explain how a citizen would file an appeal. Mr. Newsome responded that there were a number of ways an individual could appeal reassessment. A property owner has 90 days from the receipt of the notice to appeal by a written notice sent to the office via US mail or email or completing forms at the Tax Assessor's Office. The appeal must state the reason why the property owner disagrees with the assessment. The Tax Assessor's Office then contacts the individual. In response to a question from Councilman Schofield, Mr. Newsome stated the reassessment does not create an additional tax burden on the property owner as a group.

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 Further Refine The Portable Sign Regulations And An Ordinance Would Be Presented For Introduction At The October Meeting.

RESOLUTIONS:

RESOLUTION NO. 01-2010/11

The Chairman published the title of Resolution No. 01-2010/11: A Resolution To Oppose Performance Rights Royalties In Support Of Local Radio Stations. Councilman Bradley made a motion Council approve the Resolution as presented. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 02-2010/11 – THIRD 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 Title 6, Chapter 29, Section 510 Of The South Carolina Code of Laws, 1976, As Amended. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2010/11 – THIRD 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 Third Reading of the Ordinance. Councilman Mumford seconded the motion. Councilman Anderson stated a citizen wished to speak on the matter. Councilman Schofield stated Ms. Gaye Creedman was unable to attend the previous Council meeting to address this issue and he made a motion she be allowed to

speaking. Councilman Anderson seconded his motion. The Chairman stated the motion on the floor was approval of the Ordinance and discussion was to be held by Council, unless the Council members that made the motions would rescind the motion and second. Councilman Schofield stated he voted for the moratorium related to this issue and he felt like he made a mistake voting for the moratorium and wanted to acknowledge that fact. He said his opinion was that moratoriums were very dangerous things when put on automatically; people in the business market could get hurt in property deals when this occurs. He stated he was not opposed to the Ordinance because the people in the community wanted it, but he would be more careful in the future voting on moratoriums presented to Council. Councilman Bradley stated there were numerous opportunities for the public to speak at public hearings and community meetings on this issue and the general consensus of the community was approval of the Ordinance. He stated he talked with the officials with the City Water Department concerning the deposit paid by Ms. Creedman for utility services on the property and the City has agreed to refund her money if she would contact them. Third reading of the Ordinance 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 Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

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. 600010, 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 Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There was only one signature on the sign-in sheet. Mrs. Martha Bazen spoke with regard to Ordinance No. 06-2010/11. Chairman Smith closed the public hearing.

ORDINANCE NO. 06-2010/11 – SECOND READING

The Clerk published the title of 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. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion. Councilman Culberson stated he would vote in favor of second reading with the understanding that amendments he discussed with Councilman Anderson would be incorporated into the document prior to third and final reading. Second reading was approved unanimously.

ORDINANCE NO. 07-2010/11 - INTRODUCED

The Clerk published the title of Ordinance No. 07-2010/11 and the Chairman declared the Ordinance introduced: 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.

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

The Clerk published the title of Ordinance No. 08-2010/11 and the Chairman declared the Ordinance introduced: 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.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

The following appointments/reappointments were unanimously approved by Council with appropriate expiration terms:

- **West Florence Fire Department** – James Richard Hewitt (replace David Wooten) and Ken Porter (replace Gerald 'Rudy' Hendrix, Jr.)
- **Howe Springs Fire District Board** – Wayne Lawhon (replace Jerry Woodberry) and William Earl Liner
- **Pee Dee Mental Health Center Board of Directors** – At the Request of the Board, Recommend to the Governor the Appointment of Eugene A. Fallon, Jr., Esquire to Seat 6

REPORTS TO COUNCIL:

ADMINISTRATION

CONVEYANCE OF PROPERTY

Councilman Kirby made a motion Council 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. Councilman Rodgers seconded the motion, which was approved unanimously.

FINANCE/TAX ASSESSOR

LATE FARM APPLICATIONS

Councilman Mumford made a motion Council Extend The Deadline For Application Consideration; Authorize Parcels To Be Considered; And Close The Filing Deadline. Councilman Anderson seconded the motion, which was approved unanimously.

PROCUREMENT

AWARD BID #01-10/11

Councilman Rodgers made a motion Council 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. Councilman Culberson seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Kirby made a motion Council Declare Two (2) Vehicles, One (1) Motor Grader And One (1) Mower As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Rodgers seconded the motion, which was approved unanimously.

SURPLUS PROPERTY – CITY OF JOHNSONVILLE

Councilman Rodgers made a motion Council 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. Councilman Culberson seconded the motion, which was approved unanimously.

SURPLUS PROPERTY – TOWN OF OLANTA

Councilman Rodgers made a motion Council 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. Councilman Anderson seconded the motion, which was approved unanimously.

PUBLIC WORKS/ENVIRONMENTAL SERVICES/PROCUREMENT

CONTRACT FOR SPAY AND NEUTER SERVICES

Councilman Mumford made a motion Council 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. Councilman Rodgers seconded the motion, which was approved unanimously.

SHERIFF OFFICE

GRANT AWARD – US DEPARTMENT OF JUSTICE

Councilman Rodgers made a motion Council 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. Councilman Mumford seconded the motion, which was approved unanimously.

SOLICITOR'S OFFICE

ADDITIONAL EMPLOYEES

Councilman Rodgers made a motion Council Authorize Two (2) Full-Time Secretary III Positions In The Solicitor's Worthless Check Unit To Be Funded From Solicitor's Funds On A Recurring Basis. Councilman Culberson seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

ADMINISTRATION

EASEMENTS – MUSEUM PROPERTY

Councilman Schofield made a motion Council Authorize The County Administrator To Execute Easements Related To The New Museum For Ingress/Egress And Required Storm Water Drainage Facility On TMP#90169-02-038. Councilman Culberson seconded the motion, which was approved unanimously.

SHERIFF OFFICE

SC DEPARTMENT OF PUBLIC SAFETY GRANT

Councilman Rodgers made a motion Council Accept A South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program Grant In The Amount Of \$220,660 To Provide Staff And Equipment For A Drug Analysis Laboratory At The Law Enforcement Center. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

FLORENCE SCHOOL DISTRICT 4

Councilman Kirby made a motion Council 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. Councilman Rodgers seconded the motion, which was approved unanimously.

WINDY HILL FIRE STATION

Councilman Culberson made a motion Council 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. Councilman Rodgers seconded the motion, which was approved unanimously.

DORIC ROAD

Councilman Anderson made a motion Council Approve The Expenditure Of \$5,555.00 From Council District 9 Infrastructure Funding Allocation To Pay For MBC Stone For Doric Road. Councilman Rodgers seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

CRIME WATCH SIGNS

Councilman Bradley made a motion Council Approve Estimated Expenditures Of \$600.00 From Council District 3 Infrastructure Funding Allocation To Purchase Crime Watch Signs Through The City Of Florence For Installation In The Williams Heights Community. Councilman Schofield seconded the motion, which was approved unanimously.

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve Estimated Expenditures Of \$33,000.00 From Council District 4 Utility Funding Allocation To Apply MBC Stone On The Town Of Timmonsville's Road In Byrd Cemetery; The Town Of Timmonsville Requested Assistance To Improve The Conditions Of The Town Owned Access Roads. Councilman Mumford seconded the motion, which was approved unanimously.

OCTOBER 21ST REGULAR MEETING OF COUNCIL

Councilman Culberson made a motion Council Approve A Revision To The 2010 Calendar Of Meetings For County Council To Reflect That The October 21st Regular Meeting Would Be Held In Council Chambers, Room 803, City-County Complex, 180 N. Irby Street, Florence, SC And The Time Would Be Changed To 9 A.M. 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 Rodgers seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 10:00 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the October 14, 2010 special called meeting of County Council.

OPTIONS:

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

ATTACHMENTS:

Copy of proposed Minutes.

SPECIAL CALLED MEETING OF THE FLORENCE COUNTY COUNCIL, THURSDAY, OCTOBER 14, 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
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, 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

A notice of the special called meeting of the Florence County Council appeared in the October 13, 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. Secretary/Chaplain Anderson provided the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

PUBLIC HEARINGS:

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

ORDINANCE NO. 08-2010/11

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 A Ground Lease Agreement And A 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 The Underwriter Of The Refunding Certificates; 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; Authorizing The Proposed Refinancing To Be Effected By Means Of A Refunding Lease-Purchase Financing Directly Between The County And A Financial Institution Or A Modification Of The Existing Lease-Purchase Financing Between The County And Branch Banking And Trust Company In Lieu Of The Issuance Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing.

ORDINANCES IN POSITION:

ORDINANCE NO. 08-2010/11 – SECOND READING

The Clerk published the title of Ordinance No. 08-2010/11: 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 A Ground Lease Agreement And A 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 The Underwriter Of The Refunding Certificates; 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; Authorizing The Proposed Refinancing To Be Effected By Means Of A Refunding Lease-Purchase Financing Directly Between The County And A Financial Institution Or A Modification Of The Existing Lease-Purchase Financing Between The County And Branch Banking And Trust Company In Lieu Of The Issuance Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 9:06 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

October 21, 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. 07-2010/11

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.

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Proclamations

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

A Proclamation Recognizing The Environmental Discovery Center Committee For Being Awarded A 2010 NACo Achievement Award By The National Association Of Counties For The Environmental Discovery Center At Lynches River County Park.

ATTACHMENTS:

Copy Of Proposed Proclamation.

Official Proclamation Of Florence County Council

A Proclamation Recognizing The Environmental Discovery Center Committee For Being Awarded A 2010 NACo Achievement Award For The Environmental Discovery Center At Lynches River County Park

WHEREAS, the Environmental Discovery Center at Lynches River County Park provides an exciting venue to promote the unique characteristics of the land; and

WHEREAS, spearheaded by a Commissioner of the Florence Soil and Water Conservation District, who is also a native Florentine and long-time volunteer, the vision for the Environmental Discovery Center (EDC) grew out of a lifelong commitment of working to conserve and develop land, water, forests, wildlife, and related local resources; and

WHEREAS, partnerships were formed with private and public sectors interconnecting a group of individuals with boundless energy and a great love for Florence County, coupled with their respect for nature and its beauty, which culminated in the creation of the Environmental Discovery Center; and

WHEREAS, constructed to help foster a love of nature and respect for natural resources, designed to be a LEED certified building, the mission of the EDC is to develop and reveal the natural resources of the Lynches River County Park for the purpose of advancing education, stewardship, and recreation for residents and visitors of Florence County; and

WHEREAS, the Environmental Discovery Center at Lynches River County Park has been awarded a 2010 NACo Achievement Award, by the National Association of Counties, in recognition of the county's hard work to promote quality, efficient, and responsive management and administration.

NOW, THEREFORE, WE, THE GOVERNING BODY OF Florence County, South Carolina, the Florence County Council do hereby proclaim the Environmental Discovery Center at Lynches River County Park an overwhelming success and commend the members of the Environmental Discovery Center Committee for their service and valuable contributions to Florence County.

Done in meeting duly assembled this 21st day of October, 2010.

THE FLORENCE COUNTY COUNCIL:

K. G. Rusty Smith, Jr., Chairman

Waymon Mumford, Vice-Chairman

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Resolution No. 02-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Stallion Trail Located Effingham.)

OPTIONS:

1. *(Recommended)* Approve Resolution No. 02-2010/11.
2. Provide an alternate directive.

ATTACHMENTS:

1. Resolution No. 02-2010/11.
2. Correspondence from Benjamin D. Lewis dated September 21, 2010.
3. Aerial photo depicting subject road.

Sponsor(s)/Department : County Council
Adopted : October 21, 2010
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 02-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Authorizing The Cessation of Maintenance On and Abandonment of Stallion Trail Located In Effingham.)

WHEREAS:

1. Stallion Trail is located in the Effingham area of the County; and
2. Stallion Trail is maintained by the Public Works Department of Florence County through a prescriptive right of way; and
3. Council is requested to abandon and cease maintenance of Stallion Trail.

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

Stallion Trail is hereby abandoned by Florence County, and its use as a prescriptive right of way and all maintenance thereof by Florence County is hereby discontinued.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Benjamin D. Lewis
3001 Branch Rd.
Florence, SC 29505
843-496-5994

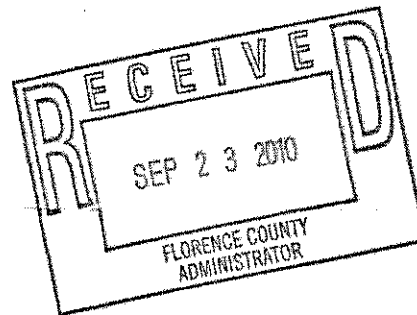
September 21, 2010

Mr. Richard Starks,

I am writing this letter of request to you concerning the maintenance of 1906 Stallion Trail in Effingham, SC 29541, which at this time is being maintained by Florence County. I recently purchased this property on September 17, 2010, and I am planning on building a home there as soon as possible. I am requesting to make this a private driveway because I now own all the property surrounding Stallion Trail and it is actually dead ending in what will be my front yard. Therefore, I am requesting that the county release the maintenance of 1906 Stallion Trail and allow me to take over the maintenance making it a private driveway.

Kindest Regards,

Benjamin D. Lewis





This map is for reference use only

Scale = 1 inch = 92 feet

Notes:

FLORENCE COUNTY COUNCIL MEETING

Thursday, October 21, 2010

AGENDA ITEM: Ordinance No. 03-2010/11
Third 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 Pamlico.

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	: September 16, 2010	
Third Reading	: October 21, 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:

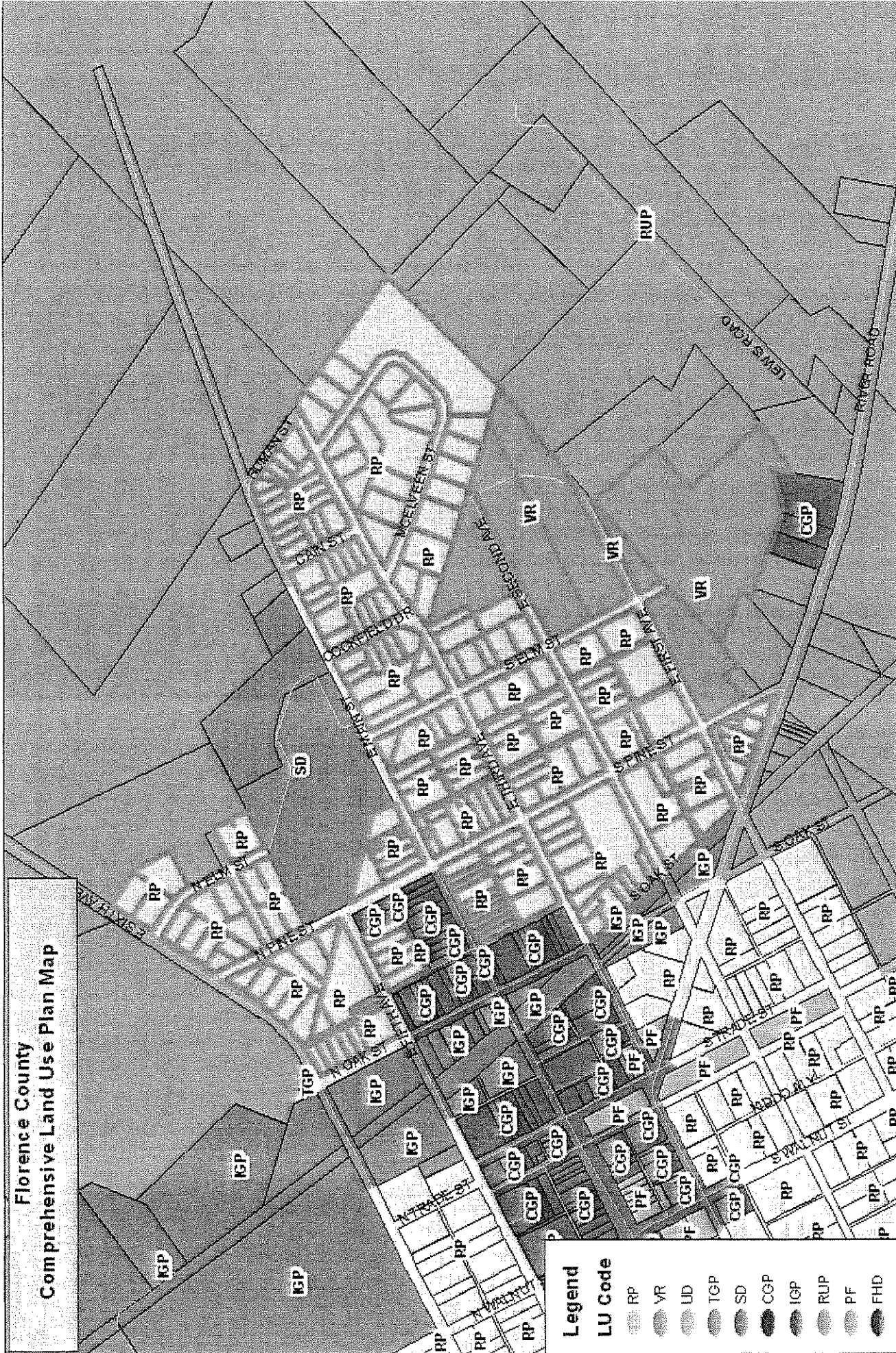
Introduction: Thursday, July 15, 2010 @ 9:00 a.m. in room 803 of the City-County Complex

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

Third Reading: Thursday, October 21, 2010@ 9:00 a.m. in room 803 of the City-County Complex



Florence County Comprehensive Land Use Plan Map



Legend

LU Code	Description
RP	Residential Single-Family
VR	Vacant Residential
UD	Undeveloped
TGP	Township General Purpose
SD	Special District
CGP	Community General Purpose
IGP	Industrial General Purpose
RUP	Regional Urban Planning
PF	Public Facility
FHD	Future High Density

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
Thursday, October 21, 2010

AGENDA ITEM: Ordinance No. 04-2010/11
Third 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

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: June 22, 2010	Council Clerk, certify that this
Planning Commission Public Hearing	: June 22, 2010	Ordinance was advertised for
Planning Commission Recommendation	: June 22, 2010 [Approved 9-1]	Public Hearing on _____
First Reading/Introduction	: July 15, 2010	
Committee Referral	: N/A	
Second Reading	: September 16, 2010	
Third Reading	: October 21, 2010	
Effective Date	: Immediately	

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

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

**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.

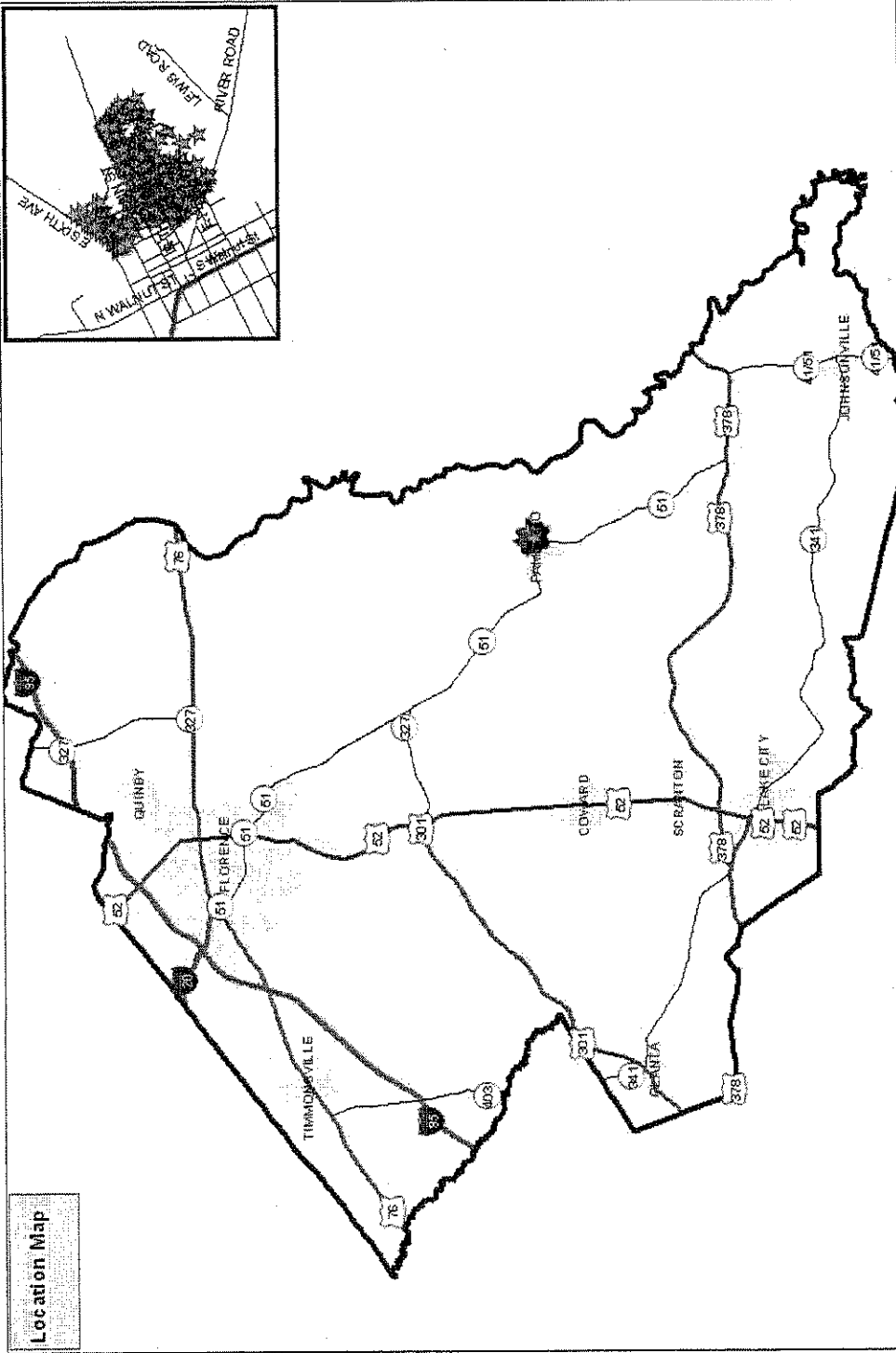
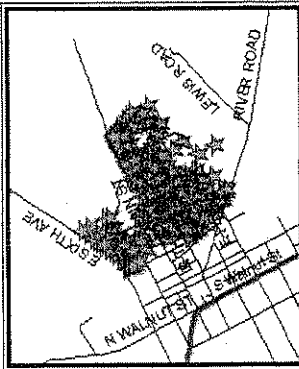
Subsequently, the Pamplico Town Council, by resolution at a special council meeting on May 24, 2010, requested a land use designation change to the comprehensive plan and a zoning amendment from R-5 to RU-1 for the designated areas. This request will allow the continuance of single-wide homes in the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

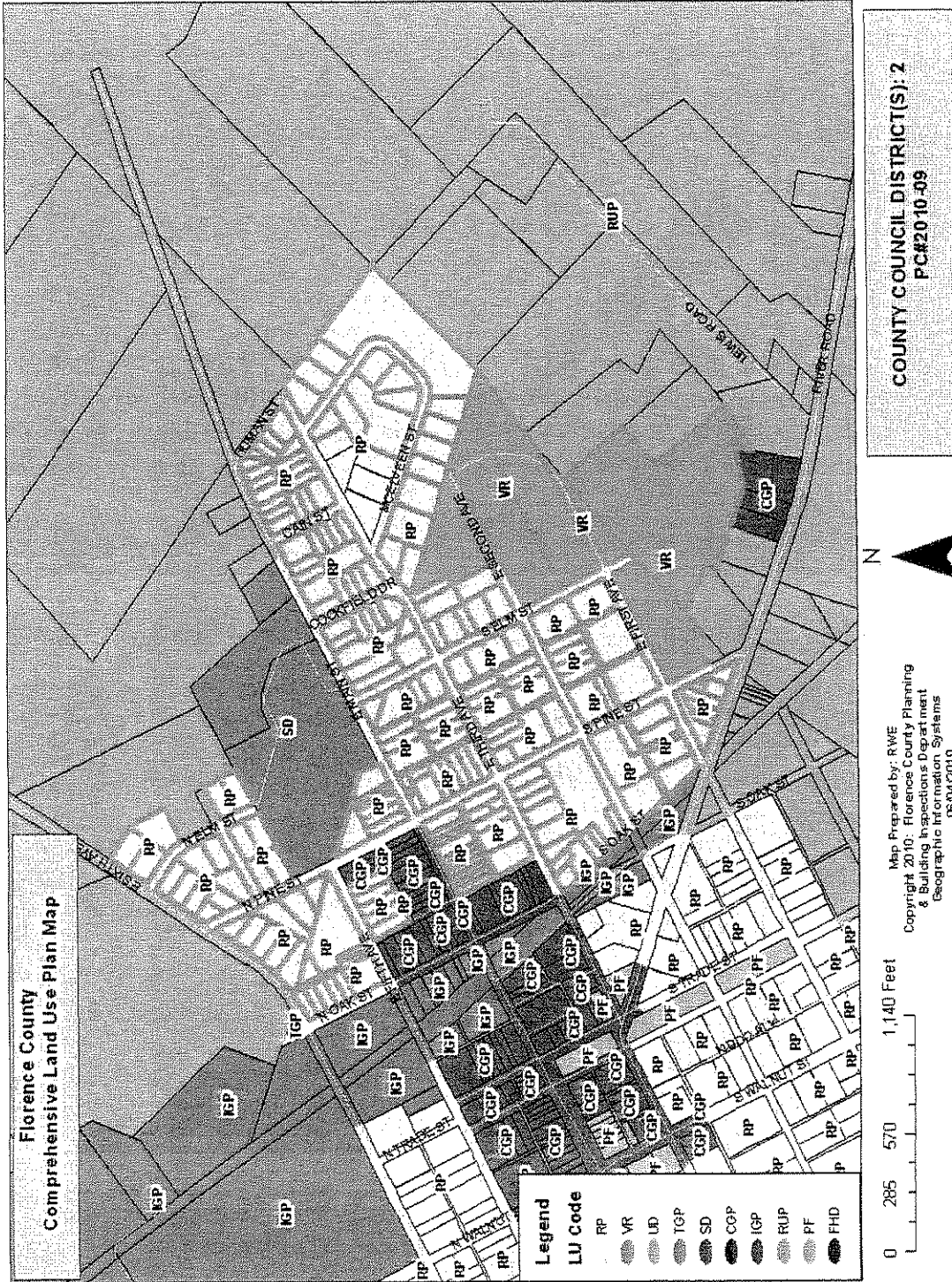


Location Map



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

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





Florence County 2008 Orthophotography Map

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

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

0 150 300 600 900 Feet

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.

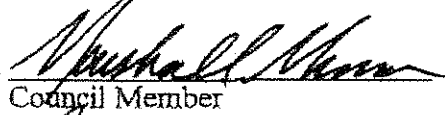
NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PAMPLICO DULY ASSEMBLED THAT:

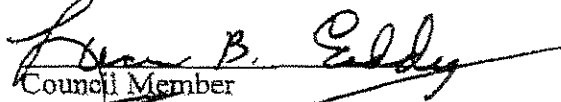
This Resolution is hereby adopted this 24th day of May, 2010 to recommend that the Florence

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

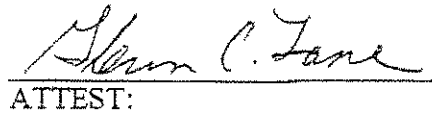
SIGNED:

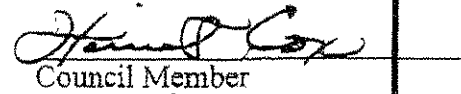

Mayor


Council Member


Council Member


Council Member


ATTEST:


Council Member


Council Member

Council Member

FLORENCE COUNTY COUNCIL MEETING

October 2, 2010

AGENDA ITEM: Third 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 Third 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 : October 21, 2010
 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:

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:

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; 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

October 21, 2010

AGENDA ITEM: Third Reading of Ordinance No. 08-2010/11

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

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 A Ground Lease Agreement And A 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 The Underwriter Of The Refunding Certificates; 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; Authorizing The Proposed Refinancing To Be Effected By Means Of A Refunding Lease-Purchase Financing Directly Between The County And A Financial Institution Or A Modification Of The Existing Lease-Purchase Financing Between The County And Branch Banking And Trust Company In Lieu Of The Issuance 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 Third Reading of Ordinance No. 08-2010/2011.
2. Provide An Alternate Directive.

ATTACHMENTS:

Ordinance No. 08-2010/11

Sponsor(s) : County Council
First Reading : September 16, 2010
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : October 14, 2010
Second Reading : October 14, 2010
Third Reading : October 21, 2010
Effective Date : October 21, 2010

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 A GROUND LEASE AGREEMENT AND A 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 THE UNDERWRITER OF THE REFUNDING CERTIFICATES; 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; AUTHORIZING THE PROPOSED REFINANCING TO BE EFFECTED BY MEANS OF A REFUNDING LEASE-PURCHASE FINANCING DIRECTLY BETWEEN THE COUNTY AND A FINANCIAL INSTITUTION OR A MODIFICATION OF THE EXISTING LEASE-PURCHASE FINANCING BETWEEN THE COUNTY AND BRANCH BANKING AND TRUST COMPANY IN LIEU OF THE ISSUANCE OF THE REFUNDING CERTIFICATES OF PARTICIPATION; AND APPROVING OTHER MATTERS RELATING TO THE FOREGOING.

WHEREAS, the Florence County Council (the "County Council"), the governing body of Florence County, South Carolina (the "County") previously determined that a need existed for (a) the acquisition and construction in the County of a County Law Enforcement Center, including a jail, sheriff's offices and emergency operations center with radio operations (collectively, the "Law Enforcement Center"), and a regional sports, entertainment and exhibition facility (the "Civic Center"), and (b) the acquisition of certain equipment to be utilized for various County purposes (the "Equipment") (the Law Enforcement Center and the Civic Center are hereinafter collectively referred to as the "Projects"); and

WHEREAS, pursuant to the authority contained in Section 4-9-30, Code of Laws of South Carolina 1976, as amended, providing for the power of counties to lease real and personal property, the County determined to finance the acquisition and construction of the Projects through a lease-purchase transaction; and

WHEREAS, in order to accomplish said lease-purchase transaction, the County entered into a Ground Lease Agreement dated as of October 1, 1990 with The Florence County Public Facilities Corporation, a South Carolina nonprofit corporation (the "Corporation"), whereby the real property upon which the Projects were to be constructed was leased by the County to the Corporation (the "Ground Lease"), and, in connection therewith, the Corporation leased such real property back to the County pursuant to a Lease Agreement dated as of October 1, 1990 between the Corporation, as lessor, and the County, as lessee (the "Lease Agreement"), whereby the County agreed to make payments of rent and payment of all costs and expenses of any kind incurred by the Corporation in connection with the leased property and the maintenance thereof; and

WHEREAS, in order to finance the acquisition and construction of the Projects and the acquisition of the Equipment, the Corporation delivered its \$42,545,000 original principal amount Certificates of Participation (Law Enforcement Center Project, Civic Center Project and Equipment), Series 1990, dated October 1, 1990 (the "1990 Certificates"), the primary payment source of which was the payment of rent by the County pursuant to the Lease Agreement; and

WHEREAS, (a) the Projects have since been acquired and constructed and are in use by the County for their intended purposes, and (b) the Equipment has since been acquired and, ultimately, released from the Ground Lease and the Lease Agreement; and

WHEREAS, the County and the Corporation determined in 1992 that a savings in debt service under the 1990 Certificates could be achieved through an advance refunding and defeasance of the 1990 Certificates through the delivery by the Corporation of \$45,880,000 original principal amount Refunding Certificates of Participation (Law Enforcement Center Project, Civic Center Project and Equipment), Series 1992, dated December 1, 1992 (the "1992 Certificates"); and

WHEREAS, the County and the Corporation determined in 2003 that a savings in debt service under the 1992 Certificates could be achieved through a refunding of the 1992 Certificates through the delivery by the Corporation of \$29,515,000 original principal amount Refunding Certificates of Participation (Law Enforcement Center Project, Civic Center Project and Equipment), Series 2003, dated March 3, 2003 (the "2003 Certificates"); and

WHEREAS, the County and the Corporation determined in 2008 that a savings in debt service under the 2003 Certificates could be achieved through a refunding of the 2003 Certificates through the entry by the Corporation into a \$25,000,000 original principal amount Capital Facilities Refunding and

Improvement Lease-Purchase Financing, Series 2008, dated April 30, 2008 (the "2008 Lease-Purchase Financing"); and

WHEREAS, in connection with the delivery of the 1992 Certificates, the 2003 Certificates, and the 2008 Lease-Purchase Financing, the County and/or the Corporation entered into new or amended Ground Leases and Leases with respect to the same property, with the current Ground Lease being that dated April 30, 2008 between the County, as lessor, and Branch Banking and Trust Company (the "Bank"), as lessee (the "2008 Ground Lease"), and the current Lease being that Lease Agreement dated April 30, 2008 between the Bank, as lessor, and the County, as lessee (the "2008 Lease"); and

WHEREAS, in accordance with the above, and in order to achieve a savings in total debt service payments with respect to the 2008 Lease-Purchase Financing, the County Council has determined to approve a refunding at this time of the outstanding principal amount of the 2008 Lease-Purchase Financing through the delivery by the Corporation of not exceeding \$23,000,000 Refunding Certificates of Participation (Law Enforcement Center and Civic Center Projects), Series 2010 (the "Certificates") at a fixed interest rate, to authorize or approve of the delivery of the various instruments necessary to accomplish such refunding, including amendments to or restatements or replacements of the 2008 Ground Lease and the 2008 Lease, and related documents; and

WHEREAS, mindful of changing conditions in financial markets, County Council intends to allow the refinancing of the 2008 Lease-Purchase Financing to be effected by means of a refunding lease-purchase financing directly between the County and a financial institution or a modification of the existing 2008 Lease-Purchase Financing in lieu of issuing the certificates for such purpose; and

WHEREAS, pursuant to the provisions of Section 4-9-130 of the Code of Laws of South Carolina, 1976, as amended, County Council held a public hearing, after giving reasonable notice, with respect to this Ordinance at a special meeting of Council held on October 14, 2010.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Florence County, South Carolina, in meeting duly assembled, as follows:

ARTICLE I

DEFINITIONS

The terms defined in this Article I (except as otherwise expressly provided for or unless the context otherwise requires) for all purposes of this Ordinance shall have the respective meanings set forth in this Article I.

"2008 Lease-Purchase Financing" means the principal amount of the \$25,000,000 original principal amount Capital Facilities Refunding and Improvement Lease-Purchase Financing, Series 2008, dated April 30, 2008.

"Administrator" means the County Administrator of the County.

"Assignment" means the Assignment of Lessor's Interest in Lease, to be dated as of the first day of the month of original delivery of the Series 2010 Certificates, between the Corporation and the Trustee.

"Certificate Purchase Agreement" means the Certificate Purchase Agreement among the Underwriter, the County and the Corporation, relating to the Series 2010 Certificates.

"Certificate Trustee" means the Certificate Trustee chosen by the Administrator pursuant to Section 4.01 of this Ordinance, its successors and assigns.

"Chairman" means the Chairman of County Council, or in his absence for any reason, the Vice-Chairman or acting Chairman of County Council.

"Clerk" means the Clerk of County Council, or in her absence for any reason, the acting Clerk of County Council.

"Code" means the Internal Revenue Code of 1986, as amended, and applicable U.S. Treasury Regulations thereunder.

"Corporation" means the Florence County Public Facilities Corporation, a South Carolina nonprofit corporation, its successors and assigns.

"County" means Florence County, South Carolina, its successors and assigns.

"County Council" means Florence County Council, the governing body of the County and any successor body.

"Facilities" means the land and the improvements thereon, including the Projects, as are subject to and more particularly described in the Lease Agreement.

"Lease Agreement" means the Amended and Restated Lease Agreement, to be dated as of the first day of the month of original delivery of the Series 2010 Certificates, between the Corporation and the County, with respect to the Facilities.

"Ordinance" means this Ordinance of the County Council.

"Projects" means the Law Enforcement Center and the Civic Center, as such terms are defined in the recitals to this Ordinance.

"Series 2010 Certificates" means the not exceeding \$23,000,000 original principal amount Refunding Certificates of Participation (Law Enforcement Center and Civic Center Projects), Series 2010, of the Corporation, to be dated the date of their original delivery, to be issued for the purpose of refunding and defeasing the 2008 Lease-Purchase Financing.

"Trust Agreement" means the Trust Agreement, to be dated as of the first day of the month of original delivery of the Series 2010 Certificates, between the Corporation and the Trustee, pursuant to which the Series 2010 Certificates will be issued.

"Underwriter" means the underwriter of the Certificates selected in conformity with Section 3.01 hereof.

ARTICLE II

AUTHORIZATION OF AND CONSENT TO TRANSACTION AND FINANCING DOCUMENTS

Section 2.01 Approval of Transaction.

The County Council does hereby approve of the refinancing of the 2008 Lease-Purchase Financing through the delivery of the Series 2010 Certificates and the execution and delivery of the Ground Lease and the Lease Agreement in connection therewith; provided, however that such refinancing shall result in a net debt service savings as shall be certified by the County's financial advisor. The 2008 Lease-Purchase Financing shall be prepaid at the first practicable date occurring on or after the date of original delivery of the Series 2010 Certificates (the "Prepayment Date"). In this regard, the County hereby authorizes, and hereby ratifies and confirms to the extent already delivered, the delivery of the requisite conditional notice of the prepayment of the 2008 Lease-Purchase Financing.

Section 2.02 Ground Lease and Lease Agreement.

The forms, terms and provisions of the Ground Lease and the Lease 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 Ground Lease and the Lease Agreement were set out in this Ordinance in their entirety. The Chairman and the County Administrator, or either one of them, and the Clerk are hereby authorized, empowered and directed to execute, acknowledge and deliver the Ground Lease and the Lease Agreement to the Corporation. The Ground Lease and the Lease Agreement are to be in substantially the forms now before this meeting and hereby approved, or with such changes therein as may be deemed necessary by the persons executing the same, upon advice of counsel, to accomplish the purposes of the transaction contemplated therein and in this Ordinance and as shall not be inconsistent with or contrary to such purposes. The execution by such persons of the Ground Lease and the Lease Agreement shall constitute conclusive evidence of their approval of any and all such changes.

Section 2.03 Consent to Assignment and Trust Agreement.

The County Council hereby consents to the form of the Assignment and the Trust Agreement now before this meeting, with such changes as may be hereafter made as shall be in furtherance of the transactions contemplated therein and in this Ordinance and as shall not be inconsistent with or contrary to the matters contemplated herein. The County Council hereby further consents to the execution and delivery of the Assignment and the Trust Agreement by the parties thereto. The County hereby covenants to observe and comply with all provisions pertaining to it in the Trust Agreement, including without limitation provisions concerning the use of proceeds of the Series 2010 Certificates and any investment limitations therein.

Section 2.04 Consent to Series 2010 Certificates.

The County Council hereby consents to the execution and delivery of the Series 2010 Certificates in the aggregate principal amount not to exceed \$23,000,000. It is hereby acknowledged that interest on the Series 2010 Certificates will be payable on the dates provided therein and in the Trust Agreement, that interest will accrue thereon, at such rates as shall be approved by the County Administrator, subject to the net debt service savings requirement set forth in Section 2.01 above, and that principal components of the Series 2010 Certificates shall be payable as provided in the Trust Agreement, with the last principal component thereon to be payable no later than May 1, 2018.

Section 2.05 Escrow Agreement.

Should it be determined by the County Administrator, upon the advice of counsel, that the delivery by the County of an escrow deposit agreement providing for the prepayment of the 2008 Lease-Purchase Financing (an "Escrow Agreement") will be necessary to provide for the defeasance of the 2008 Lease-Purchase Financing and the prepayment of the same on the Prepayment Date, the County shall execute and deliver such an agreement, in form customarily used by South Carolina political subdivisions for transactions of this nature. The Chairman and the County Administrator, or either one of them, is authorized to execute and deliver any such Escrow Agreement on behalf of the County.

Section 2.06 Use of Proceeds of the Series 2010 Certificates.

The proceeds of the Series 2010 Certificates shall be applied, as provided in the Trust Agreement, to (i) fund such account (whether pursuant to the Trust Agreement or the Escrow Agreement) as shall be necessary to provide for the prepayment of the 2008 Lease-Purchase Financing in the manner herein contemplated and (ii) pay costs of issuance of the Series 2010 Certificates.

Section 2.07 Other Financing Documents.

The Chairman and the County Administrator, or either one of them, are hereby authorized and fully empowered, for and on behalf of the County, to take such further action and to execute any and all additional documents, instruments, certificates or other papers as they deem necessary and appropriate, with the advice of counsel, to accomplish the transactions contemplated by this Ordinance.

Section 2.08 Public Hearing.

Pursuant to the provisions of Section 4-9-130 of the Code of Laws of South Carolina, 1976, County Council held a public hearing, after giving reasonable notice, with respect to the adoption of this Ordinance by County Council. The notice was published in the *Morning News* on September 28, 2010 in the form set forth as Exhibit A attached hereto. The form of such Notice and the publication thereof is hereby ratified.

ARTICLE III

CONSENT TO SALE OF THE SERIES 2010 CERTIFICATES

Section 3.01 Certificate Purchase Agreement.

The Chairman and the County Administrator, or either one of them, is hereby authorized, in consultation with the County's Finance Director, to select an underwriter for the Certificates that is determined to offer to purchase the Certificates on terms most favorable to the County, and to execute and deliver, on behalf of the County, the acknowledgment and acceptance of a Certificate Purchase Agreement in such form as shall be agreed to by such executing officer upon the advice of counsel. Such execution and delivery of the Certificate Purchase Agreement shall signify the County's acceptance of the award of sale of the Series 2010 Certificates to the Underwriter under the terms and conditions set forth therein. The execution and delivery of the Certificate Purchase Agreement by such official shall constitute conclusive evidence of his or her approval of such document, including without limitation the establishment of the principal components of the Series 2010 Certificates in conformance with Article II hereof.

Section 3.02 Preliminary Official Statement; Final Official Statement.

The Chairman or the County Administrator, or either one of them, upon receipt of appropriate advice of counsel, is hereby delegated the authority to prepare and cause a Preliminary Official Statement with respect to the 2010 Certificates to be "deemed final," within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, as of the date so indicated by the Chairman. In this connection, the distribution of the final Official Statement, with such changes from the Preliminary Official Statement as are contemplated by said Rule 15c2-12, and the execution of the same by the Chairman or the County Administrator, as the case may be, are hereby approved.

ARTICLE IV

CERTIFICATE TRUSTEE, REGISTRAR AND PAYING AGENT

Section 4.01 Consent to Appointment of Certificate Trustee, Registrar and Paying Agent.

The Administrator is hereby authorized to select a Certificate Trustee, Registrar and Paying Agent with respect to the Series 2010 Certificates under the terms and conditions provided in the Trust Agreement.

ARTICLE V

COMPLIANCE WITH REQUIREMENTS OF THE CODE

Section 5.01 General Covenant.

The County will comply with all requirements of the Code in order to preserve the tax-exempt status of the Series 2010 Certificates, including without limitation, the requirements to (i) timely file information report Form 8038-G with the Internal Revenue Service, and (ii) rebate certain arbitrage earnings to the United States Government pursuant to Section 148(f) of the Code. In this connection, the County covenants to execute any and all agreements or other documentation as it may be advised by Special Counsel as will enable it to comply with this Section.

Section 5.02 Tax Representations and Covenants.

The County hereby further represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause the interest component of the Series 2010 Certificates to become includable in the gross income of the holders thereof for federal income tax purposes pursuant to the provisions of the Code and applicable regulations promulgated thereunder. Without limiting the generality of the foregoing, the County represents and covenants that:

(A) The Projects will be leased by the County pursuant to the Lease Agreement or owned by the County in accordance with the rules governing the ownership of property for federal income tax purposes.

(B) The County shall not permit the proceeds of the Series 2010 Certificates, or the Projects or any portion thereof, to be used in any manner that would result in (a) ten percent (10%) or more of such proceeds being considered as having been used directly or indirectly in any trade or business carried on by any natural person or in any activity carried on by a person other than a natural person other than a

governmental unit as provided in Section 141(b) of the Code, or five percent (5%) or more of such proceeds being considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.

(C) The County is not a party to nor will it enter into any contracts with any person for the use or management of any of the Projects that do not conform to the guidelines set forth in U.S. Treasury Rev. Proc. 97-13.

(D) Except with respect to the Ground Lease and the Lease Agreement and the rights therein, the County will not sell or lease the Projects or any portion thereof to any person unless it obtains the opinion of nationally recognized special tax counsel that such lease or sale will not affect the tax exemption of the Series 2010 Certificates.

(E) The Series 2010 Certificates will not be federally guaranteed within the meaning of Section 149(b) of the Code. The County shall not enter into any leases or sales or service contracts with any federal government agency with respect to the Projects unless it obtains the opinion of nationally recognized special tax counsel that such action will not affect the tax exemption of the Series 2010 Certificates.

ARTICLE VI

REFUNDING OF 2008 LEASE-PURCHASE FINANCING BY MEANS OF 2010 REFUNDING LEASE-PURCHASE FINANCING OR MODIFICATION OF 2008 LEASE-PURCHASE FINANCING

Section 6.01 2010 Refunding Lease-Purchase Financing.

In the event the Administrator determines it is in the best interests of the County to refund the 2008 Lease-Purchase Financing by means of a refunding lease-purchase financing directly between the County and a lending institution (the "2010 Lease-Purchase Financing"), such refunding may be undertaken by the County in lieu of the 2010 Certificates, and each of the Chairman and the Administrator are authorized to execute and deliver such documents as may be required in connection with such 2010 Lease-Purchase Financing, including without limitation a ground lease and a lease, with the execution and delivery thereof and taking of such actions by such officers constituting approval thereof by the County pursuant to this Ordinance.

Section 6.02 Modification of 2008 Lease-Purchase Financing.

In addition to the alternative method of refunding the 2008 Lease-Purchase Financing set forth in Section 6.01 of this Ordinance, the Administrator is further authorized, if he determines that such action is in the best interests of the County, to approve such refunding by means of necessary modifications to the documents relating to the 2008 Lease-Purchase Financing, including without limitation replacement of Exhibit B to the Lease Agreement between the County and Branch Banking & Trust Company dated April 30, 2008, and each of the Chairman and Administrator are authorized to execute and deliver any such documents required to effect such modifications and to take any other actions relating thereto, the execution and delivery of such documents and taking of such actions by such officers constituting approval thereof by the County pursuant to this Ordinance.

Section 6.03 Requirements and References to Conform.

In the event that the County determines to avail itself of either of the refinancing structures provided for in Section 6.01 and 6.02 hereof, all requirements and references contained in this Ordinance, including without limitation the establishment of the principal amount of the refunding obligation, selection of a financial institution (if any) with whom the County shall enter into such arrangement, and all covenants relating to compliance with the Code, shall conform to such structures.

ARTICLE VII

MISCELLANEOUS

Section 7.01 Severability.

The provisions of this Ordinance are hereby declared to be separable and if any section, phrase or provision 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 hereof.

Section 7.02 Repeal of Conflicting Ordinances and Resolutions.

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 from and after its passage.

Section 7.03 Effective Date.

This Ordinance shall become effective upon receiving approval on third reading by Council.

FLORENCE COUNTY COUNCIL

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

(SEAL)

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

I, the undersigned, Clerk to Florence County Council **DO HEREBY CERTIFY:**

That the foregoing constitutes a true, correct and verbatim copy of Ordinance No. 08-2010/11 duly enacted by the Florence County Council (the "Council") pursuant to readings of the same held at meetings of the Council duly held on September 16, 2010, October 14, 2010, and October 21, 2010, the original of which ordinance is duly entered in the permanent records of minutes of meetings of the Council, in my custody as such Clerk.

That said meetings were duly called, and all members of Council were notified of the same, and all/a majority of the members were present at each of said meetings and remained throughout the proceedings incident to the readings of said ordinance.

IN WITNESS WHEREOF, I have hereunto set my Hand this ____ day of October, 2010.

Clerk to Florence County Council

Exhibit A

NOTICE OF A PUBLIC HEARING PRIOR TO FINAL ACTION BY THE COUNTY COUNCIL OF FLORENCE COUNTY TO ENTER INTO AN ORDINANCE.

Notice is hereby given by the Florence County Council (the "County Council") that a public hearing for the below referenced Ordinance will be held in County Council Chambers, located on the 8th Floor, Room 803 in the City/County Complex at 180 North Irby Street, Florence, South Carolina at 9:00 a.m. on October 14, 2010 in conjunction with a special called meeting of County Council. Such Ordinance is titled as follows: **Ordinance No. 08-2010/11: 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 THE UNDERWRITER OF THE REFUNDING CERTIFICATES; 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; AUTHORIZING THE PROPOSED REFINANCING TO BE EFFECTED BY MEANS OF A REFUNDING LEASE-PURCHASE FINANCING DIRECTLY BETWEEN THE COUNTY AND A FINANCIAL INSTITUTION OR A MODIFICATION OF THE EXISTING LEASE-PURCHASE FINANCING BETWEEN THE COUNTY AND BRANCH BANKING AND TRUST COMPANY IN LIEU OF THE ISSUANCE OF THE REFUNDING CERTIFICATES OF PARTICIPATION; AND APPROVING OTHER MATTERS RELATING TO THE FOREGOING.**

Subject to the normal rules of County Council regarding appearances, members of the public are invited to attend and make comment concerning the proposed Ordinance.

Connie Y. Haselden
Clerk to Council

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Second Reading - 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)* Approve Second Reading of 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 : October 21, 2010
 Public Hearing : October 21, 2010
 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:

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:

DRAFT

SCHEDULE I

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

DRAFT

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)
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

Thursday, October 21, 2010

AGENDA ITEM: Ordinance No. 09-2010/11
Introduction

DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Table VII-Regulation Signs By Type, Characteristics And Zoning Districts And Table VIII-Number, Dimension, And Location Of Permitted Signs By Zoning District; Section 30-205, Temporary Signs On Private Property; And Section 30-311, Definitions, Conflict With Other Laws To Revise The Portable Signs Regulations.] *(Planning Commission approved 9-0: All Council Districts)*

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts.
2. Florence County Council placed a moratorium on the enforcement of portable signs in April 2009 for one year in an effort to further study the existing development standards required by the Zoning Ordinance.
3. The moratorium was extended for an additional year in May 2010.
4. The Committee on Public Service and County Planning met on September 16, 2010 and reported out the ordinance for introduction at the October 21, 2010 Council meeting.
5. Amendments to Section 30-202, Section 30-205, Section 30-311 have been drafted to provide regulations for portable signs.

OPTIONS:

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

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 09-2010/11
2. Staff report for PC#2009-39
3. Current information from Chapter 30-Zoning Ordinance

Sponsor(s)	: Planning Commission
Planning Commission Consideration	: January 26, 2010
Planning Commission Public Hearing	: April 27, 2010
Planning Commission Recommendation	: April 27, 2010
First Reading/Introduction	: October 21, 2010
Committee Referral	: September 17, 2009
Second Reading	: November 18, 2010
Third Reading	: December 9, 2010
Effective Date	: July 1, 2011

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

ORDINANCE NO. 09-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Table VII-Regulation Signs By Type, Characteristics And Zoning Districts And Table VIII-Number, Dimension, And Location Of Permitted Signs By Zoning District; Section 30-205, Temporary Signs On Private Property; And Section 30-311, Definitions, Conflict With Other Laws To Revise The Portable Signs Regulations.]

WHEREAS:

1. Florence County Council extended a moratorium on the enforcement of portable signs in May 2010 for one year; and
2. Florence County wishes to reestablish development standards for portable signs to clarify and make more practical the regulations regarding their use; and
3. It is the desire of Council to have rules and regulations established in such a manner as to be as efficient, accurate and customer-service friendly in an ongoing effort to meet the needs of the citizens of Florence County.

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

1. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VII, Regulation of Signs by Type, Characteristics and Zoning Districts and its Notes are amended in its entirety as follows:

[CONTINUED ON NEXT PAGE]

Sec. 30-202. Table VII: Regulation of Signs By Type, Characteristics, and Zoning Districts

Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/ B-6	RU-1	RU-2	INS(3)	UZ(5)
Permanent										
Freestanding										
Billboards(4)	N	N	N	P	N	P	P	N	N	P
Other	P(1)	P(1)	P	P	P	P	P	P(1)	P	P
Directional(6)	N	A	A	A	A	A	A	A	A	P
Building										
Canopy	N	P	P	P	P	P	P	P	N	P
Identification	A	A	A	A	A	A	A	A	A	A
Directional(6)	N	A	A	A	A	A	A	A	A	A
Marquee	N	N	P	P	P	P	P	N	N	P
Projecting	N	N	P	P	P	P	P	N	N	P
Roof	N	N	P	P	P	P	P	N	N	P
Roof, integral	N	N	P	P	P	P	P	N	N	P
Wall	N	P	P	P	P	P	P	P	N	P
Window	N	A	A	A	A	A	A	A	A	A
Temporary(2)										
A-frame	N	N	A	A	A	A	A	N	N	A
Banner	N	N	P	P	P	P	P	N	N	A
Posters	A	A	A	A	A	A	A	A	A	A
Portable	N	N	N	P	N	N	P	P	N	A
Inflatable	N	N	P	P	N	N	P	N	N	A
Pennant	N	N	P	P	N	P	P	N	N	A
Identification	A	A	A	A	A	A	A	A	A	A
Real estate	A	A	A	A	A	A	A	A	A	A
Political	A	A	A	A	A	A	A	A	A	A
Sign characteristics										
Animated	N	N	P	P	P	P	P	N	N	P
Changeable copy	N	A	A	A	A	A	A	A	A	A
Illumination indirect	A	A	A	A	A	A	A	A	A	A
Illumination internal	A	A	A	A	A	A	A	A	A	A
Illumination, exposed bulbs or neon	N	N	N	N	N	N	N	N	N	N
Color, fluorescent(7)	N	N	N	N	N	N	N	N	N	N

Table VII

- 1) Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.
- 2) See section 30-205.
- 3) This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.
- 4) Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.
- 5) Unzoned area of county.
- 6) Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII. Directional signs are allowed for conforming, nonresidential uses in residential zones.
- 7) Color, fluorescent – allowed only on portable signs where permitted.

[CONTINUED ON NEXT PAGE]

2. Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-202, Signs on Private Property, Table VIII: Number, Dimension and Location of Permitted Signs by Zoning District and all narrative below Table VIII are hereby amended in their entirety to read as follows:

Sec. 30-202. Table VIII: Number, Dimension, and Location of Permitted Signs, By Zoning District

Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS(B)	UZ(1)
Freestanding										
Number permitted per lot(E)										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other(J)	1(A)	1	1	1	1	1	1	1(A)	1	NA
Per feet of st. frontage										
Billboards(C)	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum sign area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage(G)	80	80	32	20	20	(G)
Minimum setback from property line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	5'
Maximum height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building signs										
Number permitted	1	1	2	2	2	2	2	1	1	NA
Maximum sign area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum wall area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary signs(2)	See Section 30-205									

Table VIII Notes: NA - Not applicable N - Not allowed s.f.- Square feet

- A) One-use identification sign, not exceeding 20 s.f. each, is permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B) This column does not represent a zoning district. It applies to institutional and other nonresidential uses permitted under the Zoning Ordinance in a residential zoning district, i.e. churches, schools, parks, etc.
- C) Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D) One per lot or one for each 300 linear feet of street frontage.
- E) Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F) 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G) Not to exceed 3 square feet for 1 foot of street frontage up to a maximum of 160 square feet for a single business on a parcel with changeable copy and/or digital reader board portions as a part of the total sign size not to exceed 50 square

feet. On parcels with multiple businesses, total sign size up to a maximum of 260 square feet with changeable copy and/or reader board portions as a part of the total sign size not to exceed 50 square feet.

- H) Maximum height of billboards shall not exceed 100 feet where located within 600 feet of Interstate Highway as defined above (measured from the average roadway grade level); maximum height of other signs and billboards not on Interstate ROW shall not exceed 40 feet.
- I) Unzoned areas - Billboards must be within 600 feet of business in operation for 12 months, with at least one employee available to public at least 36 hours per week for four days. Business to be equipped with all utilities, including restroom and permanent floor.
- J) Directional signs shall meet the following conditional criteria:
 - 1. The display surface area of directional signs shall not exceed three square feet per sign.
 - 2. A limit of three signs stacked may be utilized and shall not exceed nine square feet total.
 - 3. The height of a directional sign shall not exceed five feet in height measured from the ground up.
 - 4. The sign cannot intrude into the required site triangle.
 - 5. Company colors and/or logo may be used but no commercial message may be displayed.

3. Florence County Code, Chapter 30, Zoning Ordinance, Section 30-205, Temporary Signs On Private Property, Section 30-211 And Section 30-212 are hereby amended in their entirety to read as follows:

Sec. 30-205. Temporary signs on private property.

Sign Type	Display Period	Display Intervals	Dimensions	Conditions
A-frame	daylight hours only	off-hours	12 sq. ft.	A
Banner	30 days	6 months	None	B
Posters	30 days	None	6 sq. ft.	C
Portable	6 months	12 months	60 sq. ft.	D,H,I,J,K
Inflatable	30 days	1 year	None	E
Pennants	30 days	6 months	None	B
Identification	90 days, or project completion	None	200 sq. ft.	F
Real estate	Unlimited	Not applicable	32 sq. ft.	C
Political*	Unlimited	Not Applicable	32 sq. ft.	C/G

- A) A-Frame signs, where located on sidewalks, shall be located in such a manner as not to obstruct pedestrian movement.
- B) Banners and pennants shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement.
- C) Posters shall not be allowed on any telephone or power poles or any public right-of-way, and shall be placed no closer than five feet from a street or curb.
- D) Portable signs shall be limited to one per business establishment, in the instance where you have more than one business establishment per parcel, multiple signs may be allowed up to one per business establishment but must maintain a 100-ft spacing between signs along the frontage, signs shall have no colored or flashing lights, shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord), shall not exceed six feet in height, shall be anchored in accord with the building code.
- E) Inflatable signs shall be properly anchored and shall not interfere with airport traffic.
- F) Temporary subdivision and work under construction identification signs shall adhere to the development standards of section 30-207.
- G) Political signs shall be removed within seven days after the election.
- H) Public agencies, tax exempt organizations and 501c3 organizations may display a portable sign for special events with no permit and no fees provided they comply with the remainder of the rules established for portable signs.
- I) The County Administrator may grant exceptions as necessary in 90-day increments for natural disasters (hurricane, tornado, flood, fire, etc.) or individual events (wind, fire, etc.) that have caused the destruction of a permanent sign.
- J) New businesses or businesses that have a new physical location shall be allowed to have a portable sign for up to 12 consecutive months from date that such business becomes open to the public.
- K) Portable signs in unzoned areas may be displayed 12 months out of the year.

4. Florence County Code, Chapter 30, Zoning Ordinance, Article X, Definitions, Section 30-311, is hereby amended to add the following terms:

Sec. 30-311. Definitions.

Sign, Portable – sign or signs which are capable of being moved from one location to another for the purpose of advertisement or announcement for business or other purposes. The term “portable sign” includes, but is not limited to, signs mounted on trailers and signs mounted on frames placed on the surface of any lot which are not permanently attached to the ground.

Sign, Real Estate – sign or signs indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

Color, Fluorescent – highly reflective color or colors with pigments that serve to intensify brightness. Colors which are considered exceptionally bright, reflective, neon, and/or luminescent. These include bright yellow, bright orange, bright pink, and bright green.

5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
6. 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

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

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
JANUARY 26, 2010
PC#2009-39
ORDINANCE NO. 09-2010/11**

SUBJECT: Request for text amendment to the Florence County Code, Chapter 30. Zoning Ordinance, Section 30-205. Temporary Signs on Private Property, Section 30-211 and Section 30-212 for portable signs.

APPLICANT: Florence County Public Services and Planning Committee

PORTABLE SIGN POLICY COMMITTEE REPORT:

A committee to review portable signs was formed by Planning Commission on December 22, 2009 to address the portable sign elements of the current county sign regulations. The committee was tasked with incorporating the information gathered in the preceding meetings and public input into an ordinance amendment that would address the concerns of the County Council and members of the community about portable signs. This body met on January 7, 2010, at the County Planning Department. Attending were County Planning Commissioners: Chairman Peter Knoller, Bill Lockhart, and Jody Lane as well as staff members Kevin Griffin, Tripp Ward, Scott Park. City of Florence Planning Commission Chairman Glynn Willis and City of Florence staff member Liz Shaw were also in attendance.

The general consensus of the committee was that adjustments were needed in the current portable sign regulations to make them more viable for the current needs of local businesses. The discussion was focused on review of current and proposed ordinances as well as public input from businesses and citizens. The goal of the committee was to reach a consensus on enforcement, timeframe, spacing, size, colors, setbacks, and permitting for portable signs to provide to the full Planning Commission in order to create an amendment to better serve the public on portable sign regulations.

After each item was reviewed fully, the committee came to the following recommendations:

- Timeframe:** Portable signs should be erected for no more than 30 days out of every quarter with at least 2 months between postings. Special events for non-profit and not-for-profit entities should be exempt from this requirement.
- Spacing:** Spacing between signs should be one per parcel; large parcels with multiple businesses a minimum distance of 100 feet must be maintained.
- Size:** Maintain maximum at 32 sq.ft.
- Colors:** The committee suggested having no restrictions on colors.
- Setbacks:** Retain current setbacks as defined in section 30-202 Table VIII for zoned areas and Section 30-111 for Unzoned areas.

Permitting: Provide a visible marker or sticker on the posted sign. Make permit fee annual with planned display intervals clearly outlined by the applicant on the permit. If possible make the sign company responsible for permitting, liable for signage and subject to fines. Determine if this is feasible.

Real Estate: Make it clear within the ordinance that real estate signs are allowed and are separate from portable signs or posters.

Items for Further Discussion:

Highway Corridors

The committee discussed controlling signage in major highway corridors with suggestion that this proposal be deferred to a later date for more in depth study. Zoning overlay districts were discussed as a method to create uniform portable sign regulations along highway corridors that have different levels of zoning or increased need for uniformity. How do we best address them? Zoning Overlay district? Performance standards for primary highways? Other ideas?

Unzoned Areas

The current code has few restrictions on signs in the Unzoned areas. Should sign regulations be enacted in Unzoned districts or should these areas remain without further restrictions to portable signs? Should problem areas in the Unzoned districts be addressed in a zoning overlay district or performance standards for major highway corridors?

ACTION ITEMS FOR PLANNING COMMISSION ON JANUARY 26, 2010:

Approval or disapproval by the Planning Commission of the committee recommendations on timeframe, spacing, size, colors, setbacks, permitting, and real estate signs.

Path forward on major highway corridors and Unzoned areas.

Action of Committee for Public Services and County Planning-Meeting of September 16, 2010:

The Committee met on September 16, 2010 to discuss revisions to the portable sign ordinance with specific references to Section 30-202, Tables VII and VIII, Section 30-205 and 30-311. Definitions.

The Committee reported out of the meeting an ordinance for introduction to appear before Florence County Council on October 21, 2010.

Sec. 30-202. - Signs on private property.

Signs shall be allowed on private property in accord with Table VII. If the letter "A" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning district represented by that column. If the letter "P" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning district represented by that column. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning district represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by an "A" in Table VII shall be allowed only if in compliance with the conditional requirements of Table VIII.

Table VII Regulation of Signs By Type, Characteristics, and Zoning Districts

Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS(3)	UZ(5)
Permanent										
Freestanding										
Billboards(4)	N	N	N	P	N	P	P	N	N	P
Other	P(1)	P(1)	P	P	P	P	P	P(1)	P	NA
Directional(6)	N	A	A	A	A	A	A	A	A	NA
Building										
Canopy	N	P	P	P	P	P	P	P	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
Directional(6)	N	A	A	A	A	A	A	A	A	NA
Marquee	N	N	P	P	P	P	P	N	N	NA
Projecting	N	N	P	P	P	P	P	N	N	NA
Roof	N	N	P	P	P	P	P	N	N	NA
Roof, integral	N	N	P	P	P	P	P	N	N	NA
Wall	N	P	P	P	P	P	P	P	N	NA
Window	N	A	A	A	A	A	A	A	A	NA
Temporary(2)										
A-frame	N	N	A	A	A	A	A	N	N	NA
Banner	N	N	P	P	P	P	P	N	N	NA
Posters	A	A	A	A	A	A	A	A	A	NA
Portable	N	N	N	P	N	N	P	P	N	NA
Inflatable	N	N	P	P	N	N	P	N	N	NA
Pennant	N	N	P	P	N	P	P	N	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
Sign characteristics										
Animated	N	N	P	P	P	P	P	N	N	NA
Changeable copy	N	A	A	A	A	A	A	A	A	NA
Illumination indirect	A	A	A	A	A	A	A	A	A	NA
Illumination internal	A	A	A	A	A	A	A	A	A	NA
Illumination, exposed bulbs or neon	N	N	N	N	N	N	N	N	N	NA

1. Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.

2. See section 30-205.

3. This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.

4. Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.

5. Unzoned area of county.

6. Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII. Directional signs are allowed for conforming, nonresidential uses in residential zones.

NA - Regulation not applicable in unzoned area of county.

Table VIII Number, Dimension, and Location of Permitted Signs, By Zoning District

Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS(B)	UZ(1)
Freestanding										
Number permitted per lot(E)										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other(I)	1(A)	1	1	1	1	1	1	1(A)	1	NA
Per feet of st. frontage										
Billboards(C)	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum sign area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage(G)	80	80	32	20	20	NA
Minimum setback from property line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building signs(J)										
Number permitted	1	1	2	2	2	2	2	1	1	NA
Maximum sign area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum wall area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary signs(2)	See section 30-205									

Table Notes: NA = Not applicable

N= Not allowed

s.f. = Square feet

A. One-use identification sign, not exceeding 20 s.f. each, is permitted for each entrance of a subdivision, residential project, or agricultural operation.

B. This column does not represent a zoning district. It applies to institutional and other nonresidential uses permitted under the Zoning Ordinance in a residential zoning district, i.e. churches, schools, parks, etc.

C. Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.

- D. One per lot or one for each 300 linear feet of street frontage.
- E. Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F. 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G. Not to exceed 160 square feet.
- H. Maximum height of billboards shall not exceed 100 feet where located within 600 feet of Interstate Highway as defined above (measured from the average roadway grade level); maximum height of other signs and billboards not on Interstate ROW shall not exceed 40 feet.
- I. Unzoned areas - Billboards must be within 600 feet of business in operation for 12 months, with at least one employee available to public at least 36 hours per week for four days. Business to be equipped with all utilities, including restroom and permanent floor.
- J. Directional signs shall meet the following conditional criteria:
 - 1. The display surface area of directional signs shall not exceed three square feet per sign.
 - 2. A limit of three signs stacked may be utilized and shall not exceed nine square feet total.
 - 3. The height of a directional sign shall not exceed five feet in height measured from the ground up.
 - 4. The sign cannot intrude into the required site triangle.
 - 5. Company colors and/or logo may be used but no commercial message may be displayed.

Sec. 30-205. - Temporary signs on private property.

Sign Type	Display Period	Display Intervals	Dimensions	Conditions
A-frame	daylight hours only	off-hours	12 sq. ft.	A
Banner	30 days	6 months	None	B
Posters	30 days	None	6 sq. ft.	C
Portable	30 days	11 Months	32 sq. ft.	D
Inflatable	30 days	1 year	None	E
Pennants	30 days	6 months	None	B
Identification	90 days, or project completion	None	200 sq. ft.	F
Political*	Unlimited	Not Applicable	32 sq. ft.	C/G

- A. A-Frame signs, where located on sidewalks, shall be located in such a manner as not to obstruct pedestrian movement.
- B. Banners and pennants shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement.
- C. Posters shall not be allowed on any telephone or power poles or any public right-of-way, and shall be placed no closer than five feet from a street or curb.
- D. Portable signs shall be limited to one per establishment, shall have no colored or flashing lights, shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord), shall not exceed six feet in height, shall be anchored in accord with the building code, and shall not be converted to a permanent sign.
- E. Inflatable signs shall be properly anchored and shall not interfere with airport traffic.
- F. Temporary subdivision and work under construction identification signs shall adhere to the development standards of section 30-207.
- G. Political signs shall be removed within seven days after the election.

Sec. 30-311. - Definitions.

Sign, portable. A sign designed to be transported, but not limited by means of wheels.

FLORENCE COUNTY COUNCIL MEETING
Thursday, October 21, 2010

AGENDA ITEM: Ordinance No. 10-2010/11
Introduction

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By William Michael Nexsen Located At 1217 Pheasant Rd., Florence County From R-3, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 286 Consisting Of Approx. 1.02 Acres.] *(Planning Commission approved 9-0; Council District 5)*

POINTS TO CONSIDER:

1. The property is located in Council District 5.
2. The subject property is currently zoned R-3, Single-Family Residential District.
3. The property is currently occupied by a single-wide mobile home not set up permanently on the property.
4. The property is surrounded by mobile/ manufactured homes and vacant land.
5. The applicant wishes to develop site for a mobile/ manufactured home.
6. The applicant's request to rezone this property to RU-1 is in compliance with the Comprehensive Plan Land Use Map.

OPTIONS:

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

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 10-2010/11
2. Staff report for PC#2010-13
3. Location map
4. Comprehensive Land Use Plan map
5. Zoning map
6. Aerial photograph
7. Site plat

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: Sept. 28, 2010	Council Clerk, certify that this
Planning Commission Public Hearing	: Sept. 28, 2010	Ordinance was advertised for
Planning Commission Recommendation	: Sept. 28, 2010 [Approved 9-0]	Public Hearing on _____
First Reading/Introduction	: Oct. 21, 2010	
Committee Referral	: N/A	
Second Reading	: Nov. 18, 2010	
Third Reading	: Dec. 9, 2010	
Effective Date	: Immediately	

ORDINANCE NO. 10-2010/11

[An Ordinance To Rezone Property Owned By William Michael Nexsen Located At 1217 Pheasant Rd., Florence County From R-3, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 286 Consisting Of Approx. 1.02 Acres.]

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 September 28, 2010.

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

1. Property located at 1217 Pheasant Road bearing Tax Map 00127, Block 01, Parcel 054 is 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:

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:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
September 28, 2010
PC#2010-13
Ordinance No. 10-2010/11**

Subject: Rezoning request from R-3, Single-Family Residential District to RU-1, Rural Community District

Location: Property is located at 1217 Pheasant Road, Florence County

Tax Map Number: 00127, Block 01, Portion of Parcel 054

Council District(s): 5; County Council

Owner of Record: William Michael Nexsen

Applicant: Stephanie Fancote

Land Area: 1.02 acres

Waterways/ Bodies of Water: None

Flood Zone: N/A

Water and Sewer Availability: Provided by the City of Florence. No public sewer at this time.

Transportation Access and Circulation:

Present access to the property is by way of Pheasant Road and Whippoorwill Road.

Existing Land Use and Zoning:

The subject property is currently vacant and zoned R-3, Single-Family Residential District.

Proposed Land Use and Zoning:

The applicant has indicated that the proposed land use for the site will consist of a mobile/ manufactured home. The applicant is proposing to rezone the subject property to RU-1, Rural Community District.

Surrounding Land Use and Zoning:

Surrounding land uses in the subject area include a mixture of single-family residential uses, mobile/manufactured homes and vacant land. Properties to the north and south are currently vacant and zoned R-3 Single-Family Residential District. Properties to the west and east are occupied by mobile/ manufactured homes and zoned R-3 Single-Family Residential District.

Florence County Comprehensive Plan:

The subject property is located in a Rural Preservation area according to the Comprehensive Plan Land Use Map. While the applicant has requested to rezone this property from R-3 to RU-1, this request does comply with the Comprehensive Plan.

The Rural Preservation (RUP) provides 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)

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 applicant is requesting to change the zoning of the property from R-3, Single-Family Residential District to RU-1, Rural Community District. When the application was submitted, parcel 286 had not been subdivided out of parcel 054. Presently, the recently created parcel 286 is requesting to be rezoned to RU-1.

Florence County Planning Commission Action: September 28, 2010

The nine Planning Commission members present approved the rezoning request unanimously 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 by 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

RP	VR	LD	TSP	SD	COP	IGP	RUP	PF	FHD
----	----	----	-----	----	-----	-----	-----	----	-----

RP VR UD TGP SD CGP IGP RUP PF FHD



COUNTY COUNCIL DISTRICT(S): 5
PC#2010-13



Florence County 2008 Orthophotography Map

0 150 300 600 Feet



Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
08/03/2010

COUNTY COUNCIL DISTRICT(S): 5
PC#2010-13

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FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Introduction - Ordinance No. 11-2009/10 Title Only

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 Wellman Plastics Recycling, 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.)

OPTIONS:

1. *(Recommended)* Introduce Ordinance No. 11-2009/10 by title only.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 11-2010/11 title.

Sponsor(s) : Economic Development
First Reading/Introduction : October 21, 2010
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing :
Second Reading :
Third Reading :
Effective Date : Immediately

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

ORDINANCE NO. 11-2010/11

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 Wellman Plastics Recycling, 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.)**

DRAFT

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly financial reports are provided to Council for fiscal year 2011 through August 31, 2010 as an item for the record.

ATTACHMENTS:

Copies of the monthly financial reports.

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY11
7/1/10 TO 08/31/10**

	YEAR-TO-DATE			
	BUDGETED	ACTUAL	REMAINING	PCT
	REVENUE	REVENUE	BALANCE	
REVENUES				
Taxes	33,124,798	661,652	32,463,147	98.00%
Licenses & Permits	1,339,176	184,360	1,154,816	86.23%
Fines & Fees	3,174,264	540,568	2,633,696	82.97%
Intergovernmental	6,287,026	74,587	6,212,439	98.81%
Sales and Other Functional	5,251,906	839,142	4,412,764	84.02%
Miscellaneous	947,942	51,460	896,482	94.57%
Operating Transfers	(2,118,438)	-	(2,118,438)	100.00%
Use of Fund Balance	1,965,390	-	1,965,390	100.00%
TOTAL	49,972,064	2,351,769	47,620,295	95.29%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY11
7/1/10 TO 08/31/10**

		BUDGETED	YEAR-TO-DATE	REMAINING	PCT
		EXPENDITURE	EXPENDITURE	BALANCE	
EXPENDITURES					
10-411-401	County Council	353,921	50,784	303,137	85.65%
10-411-402	Administrator	625,172	79,113	546,059	87.35%
10-411-403	Clerk of Court	1,850,960	274,711	1,576,249	85.16%
10-411-404	Solicitor	1,068,037	143,803	924,234	86.54%
10-411-405	Judge of Probate	510,911	70,812	440,099	86.14%
10-411-406	Public Defender	737,913	111,402	626,511	84.90%
10-411-407	Magistrates	2,155,858	289,696	1,866,162	86.56%
10-411-409	Legal Services	82,150	7,929	74,221	90.35%
10-411-410	Voter Registration & Elections	475,742	72,271	403,471	84.81%
10-411-411	Finance	763,104	95,833	667,271	87.44%
10-411-412	Human Resources	1,258,804	227,572	1,031,232	81.92%
10-411-413	Procurement & Vehicle Maintenance	1,286,586	224,982	1,061,604	82.51%
10-411-414	Administrative Services	390,558	95,921	294,637	75.44%
10-411-415	Treasurer	1,217,704	143,084	1,074,620	88.25%
10-411-416	Auditor	484,877	62,008	422,869	87.21%
10-411-417	Tax Assessor	1,307,903	175,851	1,132,052	86.55%
10-411-418	Planning and Building	2,050,116	262,407	1,787,709	87.20%
10-411-419	Complex	1,222,911	175,194	1,047,717	85.67%
10-411-420	Facilities Management	886,940	134,194	752,746	84.87%
10-411-427	Information Technology	1,266,969	157,731	1,109,238	87.55%
10-411-446	Veteran's Affairs	148,790	20,151	128,639	86.46%
10-411-480	Senior Citizen Centers	336,991	25,014	311,977	92.58%
10-411-485	General Direct Assistance	208,077	23,715	184,362	88.60%
10-411-488	Contingency	706,766	298,919	407,847	57.71%
10-411-489	Employee Tort & Blanket Bond	209,568	208,947	621	0.30%
10-421-421	Sheriff's Office	14,529,022	2,336,180	12,192,842	83.92%
10-421-422	Emergency Management	2,434,657	367,724	2,066,933	84.90%
10-421-481	Rural Fire Departments	14,553	1,034	13,519	92.90%
10-451-423	EMS	4,124,606	764,948	3,359,658	81.45%
10-451-424	Rescue Squads	400,036	20,469	379,567	94.88%
10-451-425	Coroner	261,935	29,620	232,315	88.69%
10-451-441	Health Department	83,438	18,671	64,767	77.62%
10-451-442	Environmental Services	690,989	80,710	610,279	88.32%
10-451-485	Health Direct Assistance	15,428	-	15,428	100.00%
10-461-485	Welfare - MIAP & DSS	454,505	87,870	366,635	80.67%
10-471-451	Recreation	1,729,988	375,276	1,354,712	78.31%
10-471-455	County Library	3,611,074	534,234	3,076,840	85.21%
10-471-485	Museum Commission	9,702	-	9,702	100.00%
10-481-485	Literacy Council	4,803	-	4,803	100.00%
TOTAL		49,972,064	8,048,781	41,923,283	83.89%

Ideal Remaining % = 83.33%

FLORENCE COUNTY
BUDGET REPORT - OTHER FUNDS
CURRENT PERIOD: 7/1/10 TO 08/31/10

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,515,083	227,245	3,287,838	93.54%	3,515,083	57,637	3,457,446	98.36%
112 Economic Development Partnership Fund	446,292	81,234	365,058	81.80%	446,292	45,942	400,351	89.71%
123 Local Accommodations Tax Fund	2,437,793	296,450	2,141,343	87.84%	2,437,793	133,030	2,304,763	94.54%
124 Local Hospitality Tax Fund	696,292	57,952	638,341	91.68%	696,292	125,689	570,603	81.95%
131 District Utility Allocation Fund	2,123,693	60,313	2,063,380	97.16%	2,123,693	1,741,693	382,000	17.99%
132 District Infrastructure Allocation Fund	1,637,634	91,654	1,545,980	94.40%	1,637,634	1,201,044	436,590	26.66%
151 Law Library Fund	87,318	1,927	85,391	97.79%	87,318	50,854	36,464	41.76%
153 Road System Maintenance Fee Fund	3,198,581	484,124	2,714,457	84.86%	3,198,581	500,837	2,697,744	84.34%
154 Victim/Witness Assistance Fund	193,500	42,723	150,777	77.92%	193,500	20,140	173,360	89.59%
421 Landfill Fund	4,057,416	521,974	3,535,442	87.14%	4,057,416	76,235	3,981,181	98.12%
431 E911 System Fund	629,196	30,454	598,742	95.16%	629,196	26,403	602,793	95.80%
TOTALS:	19,022,798	1,896,048	17,126,750	90.03%	19,022,798	3,979,504	15,043,294	79.08%

IDEAL REMAINING PERCENT: 83.33%

331 Capital Project Sales Tax (Florence County Forward road projects) received and interest earned
(See separate attachment for additional details.)

\$ 62,119,836

**Florence County Council
District Allocation Balances
August 31, 2010**

Council District #	Type of Allocation	Beginning Budget FY11	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	215,462.00	26,216.00	189,246.00
	Paving	56,477.00	-	56,477.00
	Utility	242,729.00	-	242,729.00
	In-Kind	19,800.00	-	19,800.00
2	Infrastructure	53,894.00	17,210.00	36,684.00
	Paving	66,744.00	-	66,744.00
	Utility	3,604.00	-	3,604.00
	In-Kind	19,800.00	-	19,800.00
3	Infrastructure	74,397.00	23,145.00	51,252.00
	Paving	73,014.00	-	73,014.00
	Utility	256,532.00	6,217.00	250,315.00
	In-Kind	19,800.00	-	19,800.00
4	Infrastructure	283,090.00	6,217.00	276,873.00
	Paving	186,757.00	-	186,757.00
	Utility	93,297.00	25,380.00	67,917.00
	In-Kind	19,800.00	158.00	19,642.00
5	Infrastructure	72,544.00	8,217.00	64,327.00
	Paving	51,889.00	-	51,889.00
	Utility	131,908.00	8,380.00	123,528.00
	In-Kind	19,800.00	-	19,800.00
6	Infrastructure	284,666.00	31,971.00	252,695.00
	Paving	113,579.00	-	113,579.00
	Utility	270,353.00	-	270,353.00
	In-Kind	19,800.00	-	19,800.00
7	Infrastructure	94,656.00	12,000.00	82,656.00
	Paving	144,780.00	40,662.00	104,118.00
	Utility	308,825.00	6,217.00	302,608.00
	In-Kind	19,800.00	-	19,800.00
8	Infrastructure	123,747.00	8,216.00	115,531.00
	Paving	55,040.00	-	55,040.00
	Utility	147,689.00	-	147,689.00
	In-Kind	19,800.00	-	19,800.00
9	Infrastructure	53,447.00	6,207.00	47,240.00
	Paving	103,089.00	7,032.00	96,057.00
	Utility	260,356.00	-	260,356.00
	In-Kind	19,800.00	-	19,800.00

Infrastructure funds to be used for capital projects or equipment purchases. (See guidelines)
Paving funds to be used for paving or rocking roads. See guidelines in County code.
Utility funds to be used for water, sewer, stormwater, and any infrastructure fund projects.
In-Kind funds to be used for projects completed by the Public Works Department.

FLORENCE COUNTY FORWARD CAPITAL PROJECT SALES TAX

As of July 31, 2010

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Completed to Date	Balance	% Balance Remaining
Pine Needles Road Widening	\$ 17,676,768.00	\$ 679,121.33	\$ 1,224,957.80	\$ 7,574,713.81	\$ 9,478,792.94	\$ 8,197,975.06	46.38%
US 378 Widening	\$ 138,751,620.00	\$ 2,373,972.04	\$ 207,991.67	\$ 74,187.43	\$ 2,656,151.14	\$ 136,095,468.86	98.09%
US 76 Widening	\$ 31,641,621.00	\$ 1,315,287.76	\$ 12,932.28	\$ 2,562.16	\$ 1,330,782.20	\$ 30,310,838.80	95.79%
TV Road Widening	\$ 34,519,290.00	\$ 716,138.77	\$ -	\$ 1,625.53	\$ 717,764.30	\$ 33,801,525.70	97.92%
SC 51 Widening	\$ 151,533,817.00	\$ 601,746.19	\$ -	\$ 38.75	\$ 601,784.94	\$ 150,932,032.06	99.60%
US 301 Bypass Extension	\$ 73,464,146.00	\$ -	\$ -	\$ -	\$ -	\$ 73,464,146.00	100.00%
	\$ 447,587,262.00	\$ 5,686,266.09	\$ 1,445,881.75	\$ 7,653,127.68	\$ 14,785,275.52	\$ 432,801,986.48	96.70%

REVENUES	Project Budget	Received/Earned to Date	Balance	% Balance Remaining
Capital Project Sales Tax	\$ 148,000,000.00	\$ 59,096,926.06	\$ 88,903,073.94	60.07%
Earned State Match	\$ 250,000,000.00	\$ 124,239,671.02	\$ 125,760,328.98	50.30%
Interest Earnings	\$ -	\$ 3,022,909.45		
	\$ 398,000,000.00	\$ 186,359,506.53	\$ 214,663,402.92	

NOTE: Revenue Received/Earned to Date is as of June 30, 2010, since capital project sales tax is received from the state on a quarterly basis.

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

To approve an agreement with the South Carolina Department of Social Services ("DSS") for two units of storage space at the County-owned facility at 181 N. Irby St.

POINTS TO CONSIDER:

1. As a result of state budget cuts, DSS has incurred staff reductions that have resulted in surplus furniture that they would like to move out of their offices in the County Public Service Buildings.
2. DSS has inquired to see if the County has any available storage space. County staff has identified two vacant units at the facility at 181 N. Irby St. that could be made available.

OPTIONS:

1. (*Recommended*) Approve the attached Storage Space Agreement with DSS and authorize the County Administrator to execute the agreement.
2. Provide An Alternate Directive

ATTACHMENTS:

1. Storage Space Agreement

STORAGE SPACE AGREEMENT

- 111

be responsible for any damage to the DSS's property stored on the premises. DSS shall notify the County in writing if DSS has elected not to cover its property with fire and casualty insurance. DSS shall not store on the leased premises property of any extraordinary value such as precious metals, cash, securities, valuable papers, jewelry, furs, antiques, or other precious items without the prior written approval of the County.

5. NOTICES. Notices shall be in writing and shall be deemed to be delivered whether actually received, when deposited in the United States mail postage prepaid, certified mail, return receipt requested, addressed to a party at the following address, which may be changed by written notice from time to time.

The County:

Florence County
180 North Irby Street, MSC-H
Florence, SC 29501

DSS:

South Carolina Department of Social Services
2685 S. Irby St.
Florence, SC 29505

6. ASSIGNMENT OR SUBLETTING. DSS shall not sublet or assign all or any portion of the premises of this agreement, or DSS's interest therein.
7. ATTORNEY'S FEES AND COSTS. In the event of DSS's breach hereunder if, for any reason, the County shall retain an attorney to represent it in connection with such breach, then DSS agrees to pay to the County all reasonable attorney's fees incurred by the County in connection therewith. If the County brings legal action in connection therewith, then DSS shall pay to the County all costs, expenses, and reasonable attorney's fees in connection therewith.
8. PROPERTY DESCRIPTION. The property being leased is located at 181 N. Irby St. Florence, South Carolina, TMS# 90167-01-014, Units A-2 and A-4.

This Agreement has been executed and sealed, and the word SEAL adopted by the parties as their respective seals for the purposes hereof, this _____ day of _____, 2010.

FLORENCE COUNTY
180 NORTH IRBY STREET
MSC-H
FLORENCE, SC 29501

The County

DSS

By: _____(SEAL) _____(SEAL)

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Reports to Council
RFP Award

DEPARTMENT: Emergency Management Department
Procurement Department

ISSUE UNDER CONSIDERATION: Award RFP #02-10/11 For The Stand-By Debris Monitoring And Recovery Services For The Emergency Management Department To O'Brien's Response Management, Maitland Florida. *(4 Compliant Proposals).*

POINTS TO CONSIDER:

- 1) RFP was publicly offered.
- 2) Four (4) compliant proposals were received.
- 3) O'Brien's Response Management, Maitland, Florida was the most responsive and responsible responder.
- 4) Councilman Johnnie Rodgers was appointed to the RFP panel and the panel recommends this award.

FUNDING FACTORS:

- 1) No cost to the County to execute a stand-by contract.
- 2) The actual cost to activate the contract in the event of a natural disaster would be based on the cubic yards of debris and may exceed the FEMA reimbursement rates.

OPTIONS:

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

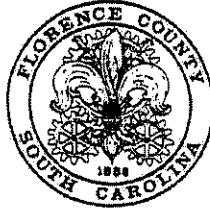
ATTACHMENTS:

RFP Summary of Evaluation Panel Ranking.

**RFP #02-10/11 – STAND-BY DEBRIS MONITORING AND RECOVERY PLANNING
SERVICES**

RFP EVALUATION PANEL SCORING SHEET

<u>RESPONDER</u>	<u>CITY/STATE</u>	<u>RANKING</u>
O'Brien's Response Management	Maitland, Fl	FIRST
Beck Disaster Recovery, Inc.	Maitland, Fl	SECOND
PBS&J	Raleigh, NC	THIRD
Florence and Hutcheson	Greenville, SC	FOURTH



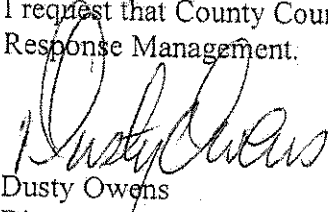
FLORENCE COUNTY
Emergency Management

September 23, 2010

Subject: RFP # 02-10/11 Stand-by Debris Monitoring and Recovery Services Planning

After reviewing all information submitted in response to the above RFP independently, the four review panel members meet on September 16, 2010 to discuss their findings and submit their recommendations based on a weighted review of the bids. The panel recommended that O'Brien's Response Management of Maitland, Florida, be awarded the standby contract.

I request that County Council approve this recommendation and award the stand-by contract to O'Brien's Response Management.


Dusty Owens
Director
Emergency Management Department

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Reports to Council
RFP Award

DEPARTMENT: Emergency Management Department
Procurement Department

ISSUE UNDER CONSIDERATION: Award RFP #03-10/11 For The Stand-By Debris Management And Removal Services As Follows: Primary Award To Phillips And Jordan, Inc., Robbinsville, North Carolina; Secondary Award To Ceres Environmental Services, Inc., Sarasota, Florida And J.B. Coxwell Contracting, Inc., Jacksonville, Florida.

POINTS TO CONSIDER:

- 1) RFP was publicly offered.
- 2) Fourteen (14) compliant proposals were received.
- 3) Phillips and Jordan, Robbinsville, North Carolina was the most responsive and responsible responder.
- 4) Emergency Management would like to award the primary stand-by contract to Phillips and Jordan, Robbinsville, NC and award stand-by secondary contracts to Ceres Environmental Services, Inc., Sarasota, Florida and J.B. Coxwell Contracting, Inc., Jacksonville, Florida, the second and third most responsive and responsible responders, respectively.
- 5) If the second most responsive responder, Ceres Environmental Services, Inc. is unable to perform the required services in the event of a disaster, the secondary contract with J.B. Coxwell Contracting would be activated.
- 6) Councilman Johnnie Rodgers was appointed to the RFP panel and the panel recommends this award.

FUNDING FACTORS:

- 1) No cost to the County to execute a stand-by contract.
- 2) The actual cost to activate the contract in the event of a natural disaster would be based on the cubic yards of debris and may exceed the FEMA reimbursement rates.

OPTIONS:

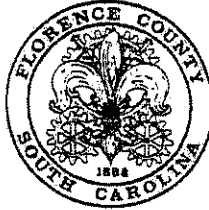
- 1) *(Recommended)* Approve as presented.
- 2) Provide An Alternate Directive.

ATTACHMENTS:

RFP Summary of Evaluation Panel Ranking.

RFP EVALUATION PANEL SCORING SHEET

<u>RESPONDER</u>	<u>CITY/STATE</u>	<u>RANKING</u>
Phillips and Jordan, Inc.	Robbinsville, NC	FIRST
Ceres Environmental Services, Inc.	Sarasota, Fl	SECOND
J.B.Coxwell Contracting, Inc.	Jacksonville, Fl	THIRD
Byrd Brothers Emergency Svcs,	Wilson, NC	FOURTH
Unified Recovery Group	Baton Rouge, La	FIFTH
Storm Reconstruction Svcs, Inc.	Mobile, Al	SIXTH
Bergeron Land Development	Ft. Lauderdale, Fl	SEVENTH
DRC Enterprises, Inc.	Mobile, Al	EIGHTH
D&J Enterprises, Inc.	Auburn, Al	NINTH
Crowder Gulf	Theodore, Al	TENTH
T.F.R. Enterprises, Inc.	Leander, Tx	ELEVENTH
Ashbritt, Inc.	Pompano Beach, Fl	TWELTH
Omni Pinnacle, LLC	Pearl River, La	THIRTEENTH
TAG Grinding Services	Daviston, Al	FOURTEENTH



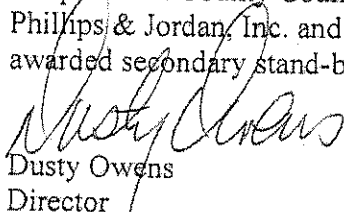
FLORENCE COUNTY
Emergency Management

September 23, 2010

Subject: RFP # 03-10/11 Stand-by Debris Management and Removal Services

After reviewing all information submitted in response to the above RFP independently, the four RFP review panel members meet on September 16, 2010 to discuss their findings and submit their recommendations based on a weighted review of the bids. The panel recommended that Phillips & Jordan, Inc. of Robbinsville, North Carolina be awarded a stand-by contract as the primary vendor and that CERES Environmental Services, Inc. of Sarasota, Florida and J.B. Coxwell Contracting, Inc. of Jacksonville, Florida both be awarded stand-by contracts as secondary vendors.

I request that County Council approve this recommendation and award the primary stand-by contract to Phillips & Jordan, Inc. and that CERES Environmental Services and J.B. Coxwell Contracting, Inc. both be awarded secondary stand-by contracts.


Dusty Owens

Director

Emergency Management Department

FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: October 21, 2010

AGENDA ITEM: Applications for Non-Exclusive, Ambulance Franchises

DEPARTMENT: EMS

ISSUE UNDER CONSIDERATION: Consider awarding a non-exclusive ambulance franchise to Vital Care EMS, Inc.

POINTS TO CONSIDER:

1. Wilson Medical Transport is owned by Dave T. Roberts of Columbia, SC.
2. The applicant has submitted an appropriate application along with required supporting documentation.
3. The EMS Director has reviewed the application packet and determined that it is compliant with Chapter 5 of the Florence County Code.

FUNDING FACTORS:

1. None

OPTIONS:

1. *(Recommended)* Award a non-exclusive, ambulance franchise to Vital Care EMS, Inc.
2. Take No Action or Provide An Alternate Directive

ATTACHMENTS:

1. Letter from the business verifying intent to operate private ambulance service in Florence County.
2. Copy of DHEC Ambulance Provider License.
3. Memo to County Administrator from EMS Director regarding the matter.

Vital Care EMS Inc.

PO Box 51203

Piedmont, SC 29673

Phone: 877-769-8047

Fax: 864-295-8644

To: Ryon A. Watkins,
Florence County EMS Director

From: Johnny B. Rabon,
Vital Care EMS Assistant Director

Subject: Letter of Intent

Mr. Watkins,

Please accept this missive as a formal letter of intent to provide non-emergent ambulance transportation service to facilities within Florence County. Currently we have three areas of operations within South Carolina. Our main service area is Columbia, with supporting offices located in Columbia and Powdersville S.C. Vital Care EMS also supports operations in the Greater Greenville Area and Laurens County Hospital.

We take pride in our work and have been asked by our contracted facilities to extend our service into other parts of the state, Florence being one of those areas. We look forward to a great working relationship between our two organizations.

Sincerely

Johnny B. Rabon AHS, NREMT-Paramedic

Vital Care EMS Assistant Director

Office: 877-769-8047

Fax: 864-295-8644

Cell: 864-356-0776

jrabon@nacems.org

Additional information attached.

*Rec'd
9-7-10
RAW*

Additional Information

1. The name and address of the owners of the ambulance company.

Dave T. Roberts
124 Duck Pond Road
Columbia SC 29223

2. The name under which the applicant is doing business.

Vital Care EMS Inc.

3. A copy of a valid ambulance provider license issued by the South Carolina Department of Health and Environmental Control (DHEC).

Attached

Rec'd
9-7-10
Btw

South Carolina



South Carolina Department of Health and Environmental Control

This is to Certify that a License is hereby granted by the

South Carolina Department of Health and Environmental Control
to VITAL CARE EMS

To conduct and maintain an Ambulance Service in the premises located
at 2611 Forest Dr., Columbia, SC 29204

County of Richland

This License shall expire March 31, 20 12, and is subject to the provisions of The Emergency Medical Services Act Section 44-61-10 et. seq. of the 1976 code, and regulations promulgated thereeto. This license shall not be assignable or transferable and shall be subject to revocation at any time by the S. C. Department of Health and Environmental Control for failure to comply with the laws of the State of South Carolina or the rules and regulations of the South Carolina Department of Health and Environmental Control issued thereunder.

In Witness Whereof, we have hereunto set out hand and seal of the State this 04 day of January, 20 10

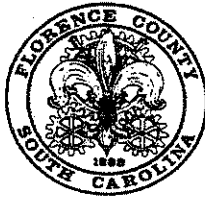


License Number: 262

License Category: Basic

By: Wm W. Hunt

By: C. Earl Hunter



FLORENCE COUNTY
Emergency Medical Services

Ryon A. Watkins
Director

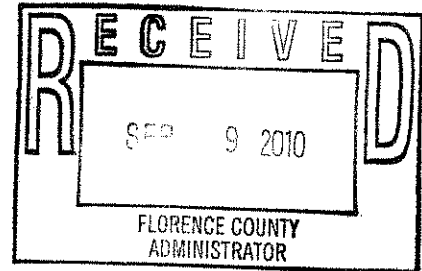
R. David Exum
Operations & Training

To: Richard Starks
County Administrator

From: Ryon Watkins *RW*
EMS Director

Date: September 8, 2010

Subject: Ambulance Franchise Application



Enclosed please find documents from Vital Care EMS, Inc. who is applying for non-exclusive ambulance franchise in Florence County. This company has been operating in the upstate of South Carolina for several years and now desires to expand into Florence County.

I have reviewed the documents and concluded that the request is compliant with the requirements of Chapter 5 of the Florence County Code (Ambulance Service).

As far as I am concerned, the matter is ready for review / approval by the county council.

Please contact me if you have questions regarding this matter.

Enclosures: Letter of intent from Vital Care EMS, Inc. stating intent to operate in Florence County.
Copy of DHEC Ambulance Provider License.
Fact sheet / agenda item for County Council meeting on October 21, 2010

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Geographic Information Systems Department (GIS)

ISSUE UNDER CONSIDERATION:

Authorize Participation In A Regional U.S. Department of Justice COPS Technology Program Grant To Provide Updated Pictometry Images (\$75,460) And To Approve \$20,465 From The General Fund Contingency.

POINTS TO CONSIDER:

1. Sumter County Sheriff Department applied for a COPS Technology Program Grant and received funding in the amount of \$1,000,000 to administer the law enforcement visual intelligence technology project in the region, which included Florence County as one of the fifteen counties applying for the grant.
2. The funding is to be utilized to provide updated pictometry images for the participating counties.
3. Florence County's portion of the grant is approximately \$75,460 and would provide updated pictometry images.
4. Additional funding in the amount of \$20,465 is needed in order to fully fund updated imagery in the municipalities at 4-way resolution standards.
5. The County Administrator will proceed with all required documentation if approved.

FUNDING FACTORS:

1. \$75,460 = Total cost for updating existing pictometry images.
2. \$20,465 = Additional funding needed to provide upgraded pictometry images in the municipalities at 4-way resolution standards.
3. There is no required match for the grant.

OPTIONS:

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

ATTACHMENTS:

Grant Award Notice.



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Office of the Director
1100 Vermont Ave., NW
Washington, DC 20530

September 3, 2010

Sheriff Anthony Dennis
Sumter County Sheriff's Department
107 East Hampton Avenue
Sumter, SC 29150

Re: Technology Program Grant #2010CKWX0157
ORI#: SC04300

Dear Sheriff Dennis:

Congratulations! On behalf of Attorney General Eric Holder, I am pleased to inform you that the COPS Office has approved your agency's request for funding in the amount of \$1,000,000 under the COPS Technology Program. Enclosed in this packet is your grant award. **The award document must be signed and returned to the COPS Office within 90 days from the date of this letter to officially accept your grant.** Beginning on the reverse side of the grant award is a list of conditions that apply to your grant. You should read and familiarize yourself with these conditions. In addition, your Grant Owner's Manual and other important information to assist you with the implementation of your award are available online at <http://www.cops.usdoj.gov/Default.asp?Item=2431>.

The official start date of your grant is December 16, 2009. Therefore, you can be reimbursed for approved expenditures made on or after this date. Please carefully review the Financial Clearance Memorandum included in your award package to determine your approved budget, as some of your requested items may not have been approved by the COPS Office during the budget review process, and grant funds may only be used for approved items. Also, please be aware that any vendor or contractor who participated in drafting your grant application may not receive federal funding for any procurement under this award.

Once again, congratulations on your Technology Program award. If you have any questions about your grant, please do not hesitate to call your Grant Program Specialist through the COPS Office Response Center at 1.800.421.6770.

Sincerely,

Bernard K. Melekian
Director

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Report to Council

DEPARTMENT: Parks and Recreation
Brooks McCall Park

ISSUE UNDER CONSIDERATION:

Establish A Rate Structure For Reservation Of Shelter And Enclosed Building At Brooks McCall Community Park.

POINTS TO CONSIDER:

1. Park development is complete with facilities designed for public use by reservation.
2. The Neighborhood Association recommended a rate structure for reservation of the shelter and enclosed building at Brooks McCall Community Park.
3. In their monthly meeting held August 19, 2010, the Parks and Recreation Commission voted unanimously to accept the recommendation of the Neighborhood Association.

OPTIONS:

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

ATTACHMENTS:

1. Rate structure as presented by Neighborhood Association.
2. Parks and Recreation Commission Meeting Minutes (August 19, 2010).

Brooks McCall Park
Proposed Rate Schedule

Enclosed Area = \$75/4 hours; \$10 each additional hour; \$75 refundable deposit

Open Shelter = \$30/4 hours; \$5 each additional hour

Entire Building - \$100/4 hours; \$10 each additional hour; \$75 refundable deposit

PARKS AND RECREATION COMMISSION

Minutes

Florence County Parks & Recreation

August 19, 2010

PRESENT: Eric Sebnick, Darryl Jackson, John Gilbert, Geer Ward, Robert Sullivan, Paige Skinner, Kenny Lovette, Sam Breeden, Levy Sadler, Joe Eason, Ronnie Pridgen, Laura Driggers, Joe Ross, and Angela Singleton

APPROVAL OF MINUTES:

Motion was made by Kenny Lovette to approve August minutes; seconded by Darryl Jackson; motion carried unanimously.

PUBLIC COMMENTS: Connie Cooper appeared before the Commission requesting complimentary usage of athletic fields at Laverne Ard Park on September 25, 2010 for a Booster Club fundraiser in conjunction with the community's Cypress Festival. All funds raised would support the sports programs at the high and middle schools. The Booster Club would be responsible for all field maintenance and would not need FCPR for any assistance. Last year the tournament raised a little over \$1000.00. Each team supported the festival as well by visiting vendors in between their games. Sam Breeden motioned to grant request; Kenny Lovette seconded; motioned carried unanimously. Robert Sullivan abstained from vote.

OLD BUSINESS:

Endorsement of Recommended Ordinance to Address Player and Spectator Conduct at FCPRD Facilities

The Commission reviewed an Ordinance from the City of Aiken that addresses rules and regulations for public parks and public facilities/ trespassing. Joe Eason stated through this process, staff has discovered that league or County officials have no legal authority to ban spectators from parks. Many communities/recreation departments issue no trespass orders but they are not backed by law if challenged. Discussions followed. Robert Sullivan motioned to support endorsement of a similar ordinance for Florence County; Darryl Jackson seconded; motion carried unanimously.

Timmonsville Football Facility Recommendation

Joe Eason stated to the Commission that the Timmonsville Football League is requesting renovations be made to the former Timmonsville High School field to allow for home games. The league currently plays games at Freedom Florence. Pictures of the field, press box, and fence were viewed by the Commission. Discussions followed. Chairman Eric Sebnick

recommended allowing Councilman Kirby to determine the amount of funding to be spent on the project. Robert Sullivan motioned to accept recommendation; Sam Breeden seconded; motion carried unanimously.

Brooks McCall Park Picnic Shelter Reservation Fees

Joe Eason presented a proposed rental schedule for Brooks McCall Park for review. Ms. Lavonnie Jackson, President of the Neighborhood Association, was present and was introduced to the Commission. Ms. Jackson presented the following fee recommendation from the Neighborhood Association:

- ❖ Enclosed Area -\$ 75/4hours; \$75 refundable deposit
- ❖ Building - \$100/4hours; \$75 refundable deposit

Joe Eason also stated this recommendation will go before County Council for a final vote next month. Darryl Jackson motioned to accept the hourly proposal from the Neighborhood Association; Kenny Lovette seconded; motion carried unanimously.

Review /Revision of Criminal Background Checks Policy; Modification to Volunteer Application

Ronnie Pridgen presented to the Commission a revised copy of the volunteer application which states the criteria for exclusion. The Commission reviewed a list of other agencies that were polled on how Criminal background checks are conducted. Discussions followed. Darryl Jackson motioned to defer until the next month meeting; Paige Skinner seconded; motion carried 7-1 (Robert Sullivan opposed).

Discussion Out-of-County Fee

Ronnie Pridgen presented to the Commission a list of other municipal/county agencies out-of-county fees for review. The Commission also reviewed the pricing tier FCPRD utilizes for senior programs. Discussions followed. Eric Sebnick appointed Sam Breeden, Kenny Lovette, and Darryl Jackson to serve on sub-committee to further research and be prepared to discuss by the next meeting of the Commission.

ISSUE:

Greenwood Audit

Levy Sadler presented to the Commission a copy of letter addressed to Randy Brown, President of the Greenwood Athletic League, which outlined corrective action needed over the course of the next year. Discussions followed. The letter was endorsed by the Commission and the Commission will review the matter next year to ensure compliance with the recommendations.

Program Update

Information in addition to the monthly update presented to the Commission:

Joe Ross

- ❖ *As of August 1st canoe and kayak rentals has exceed 1,700.00.*
- ❖ *The Climbing Wall was closed for 2 months this summer due to staffing, but will re-open August 21.*
- ❖ *The EDC is now on Facebook.*

Adjournment

Darryl Jackson motioned to adjourn; Geer Ward seconded; motion carried unanimously.

FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Approve Award Of Bid # 04-10/11 For Concrete Improvements At The South Lynches Fire Department To Newman Davis Construction Company, Sumter, South Carolina In The Amount Of \$19,300 To Be Funded From Previously Approved Funds. *(1 Compliant Bid)*.

POINTS TO CONSIDER:

- 1) Bid #04-10/11 was publicly offered.
- 2) One (1) bid was received; one (1) bid was compliant.
- 3) Newman Davis Construction, Sumter, SC was the lowest compliant bidder for the concrete improvements.
- 4) The County Engineer recommends the award.
- 5) The bid expires December 15, 2010.

FUNDING FACTORS:

- 1) \$19,300 = Total cost of the concrete improvements at the South Lynches Fire Department to be funded from previously approved infrastructure funds.

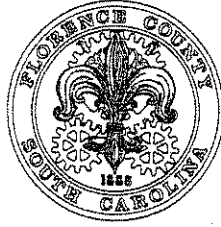
OPTIONS:

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

ATTACHMENTS:

- 1) Bid Tabulation Sheet.
- 2) Memo of recommendation from County Engineer.

[illegible]



FLORENCE COUNTY ENGINEERING

MEMO

Date: September 16, 2010
To: File – Sealed Bid #04-10/11
From: Benjamin Smith, P.E. – County Engineer
RE: Concrete Improvements
South Lynches Fire Department

Florence County Engineering was asked to review the submitted sealed bids for the above referenced project. We find the bids to be in accordance with the project specifications and recommend award of the bid to the low bidder, Newman-Davis Construction, Inc., in the amount of \$19,300.00.

Florence County Council Meeting
October 21, 2010

AGENDA ITEM: Other Business
Infrastructure Project
Requested by Council District 6

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure Of An Amount Up To \$12,500 From Council Districts' Infrastructure Funding Allocations As Indicated Below For Services To Design and Construct Two (2) 16' x 16' Picnic Shelters at Savannah Grove Community Park (Athletic Fields Area).

FUNDING SOURCE:

X _____ Infrastructure _____ Road System Maintenance _____ Utility

Requested by Councilmember: Russell Culberson, District 6

Amount: \$2,500

\$2,500

\$2,500

Signed:


Johnnie Rodgers, Jr.


H. Morris Anderson


Alphonso Bradley

Amount: \$2,500

\$2,500

Signed:


Mitchell Kirby


Russell W. Culberson

Date:

ATTACHMENTS:

1. Budget Estimate from Hinson and Sons Builders
2. Budget Estimate from F.W. Architects

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

EDDIE HINSON
~~843~~ 610-3715

084268

CUSTOMER'S ORDER NO.		DEPARTMENT		DATE	
NAME		9-17-2010			
ADDRESS		Hanson			
CITY, STATE, ZIP		Center			
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE RETD PAID OUT
QUANTITY	DESCRIPTION			PRICE	AMOUNT
1	2 1/2 x 1 1/2				
2					
3	Pavement				
4					
5	29 Gauge Metal Roof				
6	Veneer - 20' x 12' x 1/2"				
7	2 1/2" x 12' x 1/2"				
8	2 1/2" x 12' x 1/2"				
9	6 x 6 Post				
10					
11	# 944D			cc	
12					
13					
14	HINSON & SONS				
15	BUILDERS				
16					
17					
18					
19					
20					
RECEIVED BY					

2000 arline

KEEP THIS CARD FOR REFERENCE



F W ARCHITECTS, INC. AIA
ARCHITECTURE - PLANNING - INTERIORS

Proposal for
Picnic Shelter Design
For
Savannah Grove Community Park
Florence County Parks and Recreation
Florence, South Carolina

October 1, 2010

Scope of Work:

Provide plans and specification for permitting, bidding and construction of the 2 two wood framed picnic shelters located at Savannah Grove Community Park. There will be no plumbing or electrical work involved under this contract.

Services Provided:

1. Provide approved architectural and Structural drawings and specifications for permitting, bidding and construction.
2. Owner will bid project
3. Construction Administration services during construction will be an additional service if requested by the owner. See below for additional information

Proposed Fee Breakdown: Total Cost: not to exceed \$1800.00 for building one.
The cost to reuse the plan for a second or more building shall be \$500.00 per building.

Optional Services: in addition to the fee above.

\$500.00 - Construction Administration

1. Provide up to 3 visits to monitor construction and provide final inspection services and closeout of project.

1550 WEST EVANS STREET FLORENCE, SOUTH CAROLINA 29501
PHONE: (843) 662-9961
FAX: (843) 665-5065

Florence County Council Meeting
October 21, 2010

AGENDA ITEM: Other Business
Infrastructure Project
Council District 3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve Up To \$3,600.00 From Council District 3 Infrastructure Funding Allocation To Assist The Florence County Sheriff Office With A Replacement Radio.

FUNDING SOURCE:

XXX Infrastructure
_____ Road System Maintenance
_____ Utility

Signed: _____

Requested by Councilmember: Alphonso Bradley

Date: _____

ATTACHMENTS:

None

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
October 21, 2010

AGENDA ITEM: Other Business
Infrastructure Project
Council District 3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve Up To \$3,550.00 From Council District 3 Infrastructure Funding Allocation To Assist Henry Timrod Elementary School With The Removal Of An Old Fence And Purchase/Installation Of A New Fence For The Playground Area.

FUNDING SOURCE:

XXX Infrastructure

_____ Road System Maintenance

_____ Utility

Signed: 
Requested by Councilmember: Alphonso Bradley

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
October 21, 2010

AGENDA ITEM: Other Business
Infrastructure Project
Council Districts 3, 6, and 7

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve An Amount Up To \$25,000.00 From Council Districts 3, 6, And 7 Infrastructure Funding Allocations (\$10,000 From District 3 And \$7,500 Each From Districts 6 And 7) To Assist Timrod Elementary School With The Purchase Of Playground Equipment.

FUNDING SOURCE:

XXX Infrastructure _____ Road System Maintenance _____ Utility

Requested by Councilmember:

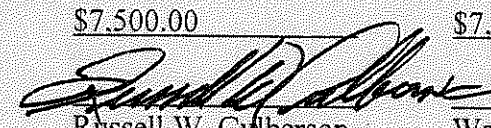
Amount: \$10,000.00


\$7,500.00

\$7,500.00

Signed:


Alphonso Bradley
District 3


Russell W. Culberson
District 6


Waymon Mumford
District 7

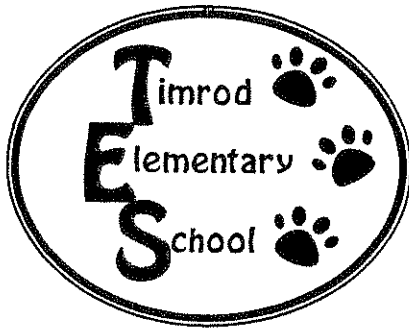
Date: _____

ATTACHMENTS:

1. Letter of Request from Principal Schweitz, Timrod Elementary School.

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



1901 East Old Marion Highway
Florence, South Carolina 29506
Phone (843) 664-8454 □ Fax (843) 664-8180

~
Carol Schweitz, Principal

September 9, 2010

Dear Community Partners,

Timrod Elementary School serves a diverse, rural community in Florence County. We presently have 445 students enrolled. Family income for approximately 78% of our students is below the national poverty level. Due to the generosity of community members we have been able to supplement supplies and instructional materials students needed for classroom activities, and to provide field trip funding for students that could not pay. However, there are other much needed items that we cannot provide for our students without the help and support of our community.

Our school playground is in desperate need of new equipment. The original equipment that was installed in 1968 was removed several years ago, and our district replaced the equipment with only one play structure that will accommodate about 30 children at a time. It is our goal to provide an activity area that is comparable to other schools in the district. The Student Health and Fitness Act requires a weekly minimum of 90 minutes of physical activity opportunities for all students. With our students receiving only 40 minutes of PE each week, a safe place for all children to play is needed where they will strengthen social skills, practice cooperative learning, and demonstrate conflict resolution skills, as well as build strong, healthy bodies. With no public recreational parks in the area, we strongly believe that children need recreational time at school that will provide a safe, healthy environment in order to develop the skills that will make them successful, productive adults.

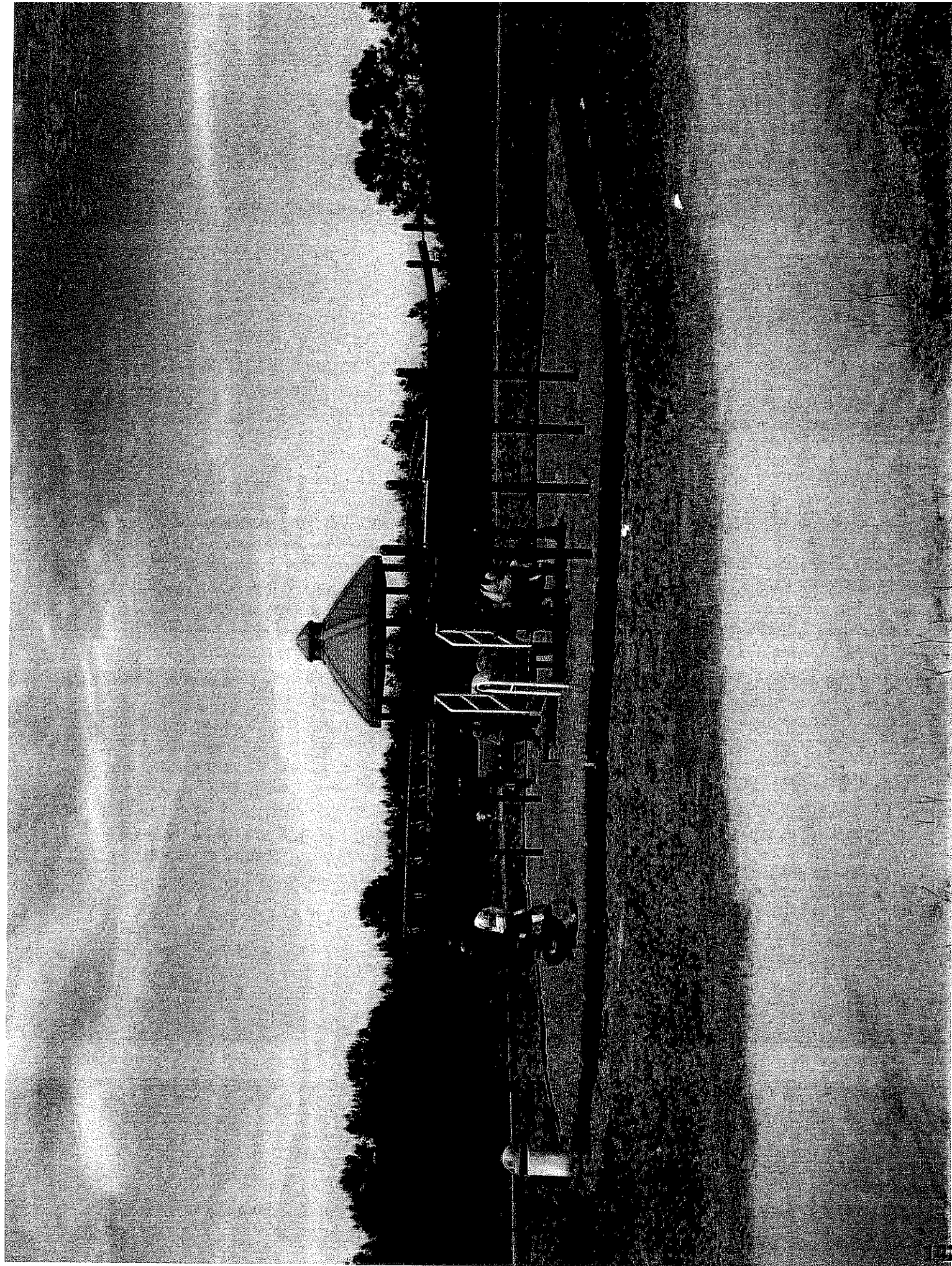
With the students' best interest at heart, I come to you to ask for your support. In order to provide additional equipment for our students, we estimate that we will need approximately \$25,000 to purchase equipment for a playground that will meet the needs of our children. Our only hope of reaching that goal is to appeal to our community members for help. I ask that you please consider making a donation to our playground fund. Your generous gift will help us provide an important learning place for children, where they will develop positive traits we expect in responsible adults.

Thank you for considering our request. We appreciate the support of our community. I look forward to hearing from you soon.

Sincerely,

Carol Schweitz
Principal

CS/jb



FLORENCE COUNTY COUNCIL MEETING

October 21, 2010

AGENDA ITEM: Other Business
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$79,350.00 from Council District #3 funding allocations to pay for resurfacing of W. Williams Road and 6" reclamation of 4,500 SY.

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: Alphonso Bradley

Date: 10-14-10

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

October 21, 2010

AGENDA ITEM: Other Business
Council District #5

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$2,875.00 from Council District #5 funding allocations to pay for additional crushed asphalt to be put on E. Williams 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: Johnnie Rodgers

Date: 9/15/10

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

October 21, 2010

AGENDA ITEM: Other Business
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$28,779.00 from Council District #3 funding allocations to pay for resurfacing of W. Cameron Lane and 80 SY full depth patching.

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: Alphonso Bradley

Date: 10-14-10

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

October 21, 2010

AGENDA ITEM: Other Business
Council District #3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$37,548.00 from Council District #3 funding allocations to pay for resurfacing of Marshall Avenue and 95 SY full depth patching.

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: Alphonso Bradley

Date: 10-14-10

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
October 21, 2010

AGENDA ITEM: Other Business
Utility Project
Council District 7

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve An Amount Estimated At \$49,030.00 From Council District 7 Utility Funding Allocation To The City of Florence For A Water Main Extension From Wilson High School To Ashby Road.

FUNDING SOURCE:

_____ Infrastructure
_____ Road System Maintenance
XXX Utility

Signed: verbally approved – signature pending
Requested by Councilmember: Waymon Mumford
Date: _____

ATTACHMENTS:

Memorandum And Attachments From The City Of Florence

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

CITY OF FLORENCE MEMORANDUM

To: Waymon Mumford, County Councilman
From: Forrest Whittington, Utility Department Manager
Subject: Water Main Extension – Wilson High School to Ashby Road
Date: October 5, 2010

Attached is the project cost estimate and feasibility analysis for the project that we spoke about yesterday. Since there are only four potential customers, a "stand-alone" project is not feasible. Therefore, County Council would need to bridge the funding gap to make it feasible for the City to proceed.

As shown in the analysis, the County would need to provide a commitment of at least \$41,342, assuming all four customers sign up. If only two customers sign up, the required contribution would be \$49,030. Perhaps the way to do it, is to ask your council to provide funding up to a maximum of \$49,030 based on the feasibility analysis and the actual number of customer signups.

I hope this is what you need. If County Council approves, you can let Drew know so that we can move forward on our end. If you have any questions this week while Drew is away, please feel free to call me at 665-3236.

Attachments

OLD MARION HIGHWAY WATER LINE EXTENSION

Old Marion Hwy.-- Wilson H.S. to Ashby Road

(OUTSIDE CITY LIMITS)

ECONOMIC FEASIBILITY ANALYSIS

FOR WATER IMPROVEMENTS COSTS

(USING WATER REVENUE; OUTSIDE, FY11 RATES; WATER "BY CITY")

WATER IMPROVEMENTS COSTS (By City)

$$\frac{\$56,718.00}{\text{OFF-SITE WATER SYSTEM IMPROVEMENTS COSTS}} \times 1.00 = \$56,718$$

$$\text{TOTAL PRESENT WORTH OF COST} = \$56,718$$

WATER REVENUES

TAP FEES:

$$\frac{4}{\text{PAID CUSTOMERS (residences)}} \times \frac{\$2,670}{\text{3/4" METER}} = \$10,680$$

WATER BILLINGS:

$$\frac{4}{\text{PAID CUSTOMERS (residences)}} \times \frac{\$31.40}{\text{FY11 RATE}} \times 12 \times 0.25 \times 12.4622 = \$4,696$$

$$\text{TOTAL PRESENT WORTH OF REVENUES} = \$15,376$$

$$\frac{\$15,376}{\text{TOTAL REVENUES}} \div \frac{\$56,718}{\text{TOTAL COST}} = 0.27 \text{ REVENUE / COST RATIO}$$

IF REVENUE / COST RATIO IS 1.0 OR GREATER, RECOMMEND PROJECT
IF REVENUE / COST RATIO IS LESS THAN 1.0, REJECT PROJECT

NOTE: THE ABOVE ANALYSIS IS DESIGNED TO BE USED ONLY AS A GUIDE
FOR THE STUDY OF ECONOMIC FEASIBILITY IN THE CONSIDERATION
OF THE EXTENSION OF SEWER SERVICE TO A PROSPECTIVE
CUSTOMER (S) IN THE CITY'S SERVICE AREA.

NOTE: THIS ANALYSIS ASSUMES THAT ALL 4 EXISTING RESIDENTS ON OLD MARION HWY. WILL BECOME CUSTOMERS IMMEDIATELY
UPON COMPLETION OF THE NEW LINE. IF NOT ALL RESIDENTS SIGN-UP, THE REVENUE/COST RATIO WILL CHANGE.

\$56,718 - \$15,376 = \$41,342 with four customer signups
\$45,186 with three customer signups
\$49,030 with two customer signups

OLD MARION-HIGHWAY WATER LINE EXTENSION

Old Marion Hwy.-- Wilson H.S. to Ashby Road

(Mostly OUTSIDE CITY LIMITS)

COST ESTIMATE FOR WATER IMPROVEMENTS COSTS

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
1	6" WATER LINE	4,200 LF	\$6.50	\$27,300.00
2	DIRECTIONAL BORE	208 LF	\$40.00	\$8,320.00
3	FIRE HYDRANT	4 EA	\$2,500.00	\$10,000.00
4	WATER SERVICE	4 EA	\$300.00	\$1,200.00
5	SEDIMENT & EROSION CONTROL	1 LS	\$2,500.00	<u>\$2,500.00</u>
CONSTRUCTION COST				\$49,320.00
ENGINEERING & CONTINGENCY				<u>\$7,398.00</u>
TOTAL PROJECT COSTS				<u>\$56,718.00</u>

October 1, 2010

Old Marion Hwy. Water Line Ext.



Florence County Council Meeting
October 21, 2010

AGENDA ITEM: Other Business
Utility Project
Council District 9

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve An Amount Estimated At \$27,000.00 From Council District 9 Utility Funding Allocation To SCDOT To Pipe A Portion Of The Ditches At Ebenezer Park.

FUNDING SOURCE:

_____ Infrastructure

_____ Road System Maintenance

XXX Utility

Signed: verbally approved – signature pending

Requested by Councilmember: H. 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