AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
CITY-COUNTY COMPLEX
180 N. IRBY STREET
COUNCIL CHAMBERS, ROOM 803
FLORENCE, SOUTH CAROLINA
THURSDAY, APRIL 21, 2011
9:00 A. M.

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

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

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

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

V. MINUTES:

MINUTES OF THE MARCH 17, 2011 REGULAR MEETING
Council Is Requested To Approve The Minutes Of The March 17, 2011
Regular Meeting Of County Council.

VI. PUBLIC HEARINGS:

No Public Hearings Required Or Scheduled For This Meeting.
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 and Mitchell Kirby)

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

*January 20, 2011*  Litter

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 and Morris Anderson)

Ad Hoc Water Study Committee
(Council members Mitchell Kirby, Russell W. Culberson, and Johnnie D. Rodgers, Jr.)

City-County Conference Committee
(Council members Alphonso Bradley/Co-Chair, Waymon Mumford, and James Schofield.)

Ad Hoc Search Committee
(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr., H. Morris Anderson, and Alphonso Bradley.)
IX. RESOLUTIONS:

A. RESOLUTION OF APPRECIATION
   A Resolution Of Appreciation Honoring The Late Marion A. ‘Tony’
   Saverance For His Many Contributions And Years Of Dedicated Service To
   The Citizens of Florence County.

B. RESOLUTION OF RECOGNITION
   A Resolution Of Recognition For Pearl Moore For Her Outstanding
   Achievements And Commending Her For Joining The Elite Group Of
   Inductees Into The Women’s Basketball Hall Of Fame In Knoxville,
   Tennessee In 2011.

C. RESOLUTION OF RECOGNITION
   A Resolution Of Recognition For Michael AR Muhammad For His
   Meritorious Achievements As An Outstanding Athlete.

D. RESOLUTION NO. 14-2010/11
   A Resolution Designating April 2011 As Fair Housing Month In Florence
   County.

E. RESOLUTION NO. 15-2010/11
   A Resolution Authorizing The Cessation Of Maintenance On And
   Abandonment Of Nelson Road Located In Olanta.

F. RESOLUTION NO. 16-2010/11
   A Resolution Authorizing The Cessation Of Maintenance On And
   Abandonment Of Eulon Lane Located In Johnsonville.

G. RESOLUTION NO. 17-2010/11
   A Resolution Approving Existing Multi-Jurisdictional Agreements Requested
   By The Florence County Sheriff And Authorizing The County Administrator
   To Execute Said Agreements.
X. ORDINANCES IN POSITION:

A. THIRD READING

1. **ORDINANCE NO. 16-2010/11**
   An Ordinance Amending Florence County Code, Chapter 11, Finance And Revenue, To Remove Outdated Sections And Other Matters Relating Thereto.

2. **ORDINANCE NO. 17-2010/11 – DEFERRAL**

3. **ORDINANCE NO. 18-2010/11 – DEFERRAL**
   An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.

B. SECOND READING

None.

C. INTRODUCTION

1. **ORDINANCE NO. 19-2010/11**
   An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.
   *(Planning Commission approved 8 – 0.)* (Council District 2)
2. **ORDINANCE NO. 20-2010/11**
An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approximately 0.297 Acres.
*(Planning Commission approved 8 – 0.)(Council District 2)*

3. **ORDINANCE NO. 21-2010/11**
An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.

4. **ORDINANCE NO. 22-2010/11**
An Ordinance To Ratify FY11 Budget And Grant Council Actions Authorized By Council And Other Matters Related Thereto.

5. **ORDINANCE NO. 23-2010/11 – BY TITLE ONLY**
An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.

6. **ORDINANCE NO. 01-2011/12**
An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

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

A. **CITY-COUNTY MEMORIAL STADIUM COMMISSION**

B. **PEE DEE WORKFORCE INVESTMENT BOARD**
The Pee Dee Workforce Investment Board Requests Council’s Approval Of The Following Individuals for Re-Appointment: Taft Guiles (CBO), Thelma Carney-Kennedy (Economic Development), Richard Harrington (Private Sector), and Bill Sebnick (Private Sector) With Terms Expiring July 1, 2014.
XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. **MONTHLY FINANCIAL REPORTS**
   Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through February 28, 2011 As An Item For The Record.

2. **PEE DEE TOURISM**
   Approve Funding To Pee Dee Tourism For The Dillon Welcome Center In The Amount Of $12,500 From Previously Appropriated Funds ($5,000 From Line 123-411-413-300-6100 And $7,500 From 124-471-486-640-8900).

B. DETENTION CENTER

**CONTRACT APPROVAL**
Approve A One-Year Trial Contract With IHS Pharmacy To Provide A Packaged Medication System For Inmates At The Florence County Detention Center.

C. PROCUREMENT

1. **AWARD OF BID #13-10/11**
   Approve The Award Of Bid #13-10/11 For The Construction Of A New EMS Facility In Pamplico To Mimms Construction, Inc., Hartsville, SC In The Amount Of $498,395 From Previously Allocated Bond Funds. (10 Compliant Bids)

2. **AWARD OF BID #17-10/11**
   Approve The Award Of Bid #17-10/11 For A Gas Chromatograph/Mass Spectrometer (GC/MS) System For The Florence County Law Enforcement Center Drug Lab To Agilent Technologies, Wilmington, DE In The Amount Of $80,796.43 To Be Funded From A South Carolina Department Of Public Safety Grant. (1 Compliant Bid)

3. **AWARD OF BID #18-10/11**
   Approve The Award Of Bid #18-10/11 For A Fourier Transform Infrared Spectrometer (FT/IR) System For The Florence County Law Enforcement Center Drug Lab To Thermo Fisher Scientific, Madison, WI In The Amount Of $45,258.36 To Be Funded From A South Carolina Department Of Public Safety Grant. (1 Compliant Bid)
XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

1. **BROOKS MCCALL PARK**
   Approve The Expenditure Of Up To $2,000 From Council District 3 Infrastructure Funding Allocation To Install Electrical Service At The Outdoor Stage At Brooks McCall Park.

2. **LYNCHES RIVER BASEBALL LEAGUE**
   Approve The Expenditure Of Up To $14,000 From Council District 4 Infrastructure Funding Allocation For Facility Improvements And Equipment For The Lynches River Baseball League.

3. **TIMMONSVILLE RESCUE SQUAD**
   Approve The Expenditure Of Up To $16,000 From Council District 4 Infrastructure Funding Allocation To Assist The Timmonsville Rescue Squad With The Purchase Of A Power Stretcher.

4. **NEIGHBORHOOD CRIME WATCH SIGNS**
   Approve The Expenditure Of Up To $150 From Council District 8 Infrastructure Funding Allocation To Purchase Neighborhood Crime Watch Signs.

5. **SCRANTON DIXIE YOUTH BASEBALL LEAGUE**
   Approve The Expenditure Of Up To $6,500 From Council Districts 1 and 5 Infrastructure Funding Allocations ($3,250 From Each District) For Facility Improvements And Equipment For The Scranton Dixie Youth Baseball League.

6. **FRANCIS MARION RECREATION**
   Approve The Expenditure Of Up To $1,500 From Council Districts 6 and 7 Infrastructure Funding Allocations ($750 From Each District) For The Purchase Of Equipment For The Francis Marion Recreation Baseball League.

B. UTILITY

1. **CITADEL STREET**
   Approve The Expenditure Of Up To $36,960 From Council District 8 Utility Funding Allocation To pay For Resurfacing Citadel Street From Mars Hill Road To Sweetbriar Street.
2. **MARS HILL ROAD**

   Approve The Expenditure Of Up To $38,676 From Council District 8 Utility Funding Allocation To Pay For Resurfacing Mars Hill Road (S-21-1347) From Bellevue Drive To Longwood Drive, Pending Encroachment Permits Being Obtained From The SC DOT.

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**XIV. EXECUTIVE SESSION:**

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

- Contractual matter re: Pending Civic Center contract
- Legal Briefing

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**XV. INACTIVE AGENDA:**

**A. 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)*

**B. ORDINANCE NO. 13-2010/11**

At Its Regular Meeting Of December 9, 2010, Council Voted Unanimously To Move Ordinance No. 13-2010/11 To The Inactive Agenda: An Ordinance To Amend The Agreement For Development Of A Multi-County Industrial And Business Park Dated As Of February 6, 2006, By And Between Florence County And Williamsburg County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park So As To Include Additional Property In Florence County As Part Of The Joint County Industrial/Business Park, And Other Matters Relating Thereto.

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**XVI. ADJOURN:**
AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Council is requested to approve the minutes of the March 17, 2011 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, MARCH 17, 2011, 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
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
Malloy McEachin, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:
Kevin Yokim, Finance Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Barbara Coker, Sheriff's Office
Chuck Tomlinson, Morning News

ABSENT:
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member

A notice of the regular meeting of the Florence County Council appeared in the March 16, 2011 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 February 17, 2011 regular meeting of County Council. Councilman Kirby seconded the motion, which was approved unanimously.
PUBLIC HEARINGS:
The Clerk published the titles and Chairman Smith opened Public Hearing for the following Ordinances:

ORDINANCE NO. 16-2010/11
An Ordinance Amending Florence County Code, Chapter 11, Finance And Revenue, To Remove Outdated Sections And Other Matters Relating Thereto.

ORDINANCE NO. 17-2010/11

ORDINANCE NO. 18-2010/11
An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Related Thereto.

APPEARANCES:

ANDREW STOUT, DIRECTOR – FLORENCE MUSEUM
Mr. Stout Appeared Before Council To Request Council Declare Friday, March 18th As William H. Johnson Day In Honor And Celebration Of What Would Be His 110th Birthday. Councilman Mumford made a motion Council approve a Proclamation Declaring Friday, March 18th As William H. Johnson Day In Florence County. Councilman Bradley seconded the motion, which was approved unanimously. The Clerk published the Proclamation in its entirety and Councilman Mumford presented the framed Proclamation to the family and friends of the late William H. Johnson.

CRYSTINE M. RATHBURN, GISP – FLORENCE COUNTY GIS
Ms. Rathburn Appeared Before Council To Inform Council Of the SCARC GIS Achievement Award Presented To Florence County GIS At The Annual SC GIS Conference In February For The Mobile Damage Assessment Tool (DART) In Recognition Of Outstanding Vision, Dedication And Commitment To Excellence In The Field Of GIS In The State Of South Carolina. Ms. Rathburn recognized Robbie Ervin and Caroline Dunlap with the GIS Department and Kristy Hughes with the Emergency Management Department as the key personnel in developing the DART program.
ENVIRONMENTAL DISCOVERY CENTER COMMITTEE
Sterling Sadler, on behalf of the Environmental Discovery Center Committee, Appeared Before Council To Present The Certificate For The LEED Certification For The Environmental Discovery Center.

FLORENCE COUNTY DSN BOARD
Glenda Hyman Singletary With The Florence County DSN Board Appeared Before Council In Regard To March Being ‘Disabilities Awareness Month.’ Chaqueta Stuckey Spoke On The 2011 Campaign. Councilman Mumford made a motion Council approve a Proclamation Declaring March 2011 As Disabilities Awareness Month In Florence County. Councilman Kirby seconded the motion, which was approved unanimously. The Clerk published the Proclamation in its entirety and Councilman Bradley presented the framed Proclamation to the group.

FRAN PLYLER – WASTE MANAGEMENT
Ms. Plyler Appeared Before Council To Provide A Brief Summary Of The E-Scrap Recycling Day To Be Held March 19th At The Florence Civic Center. As of July 1, 2011, consumers will no longer be allowed to dispose of electronics in a trash receptacle for pickup or at the manned convenience centers.

PEE DEE VETERANS ADVISORY COUNCIL (PDVAC)
Lloyd Flores, Sr., On Behalf Of PDVAC, American Legion Post 1 and Eastern Carolina Homelessness Organization (ECHO), Along With C. B. Anderson and Dr. Ron Murphy, Appeared Before Council To Present The “Stand Down” Event For Homeless Veterans For Florence And Request Funding For The Event Scheduled To Be Held June 8 – 11, 2011. In response to a question uncil Mumford, Mr. Flores responded that it was estimated that there were 125 homeless veterans in Florence County. Councilman Kirby made a motion Council Approve Funding In An Amount Up To $2,500 From Contingency. Councilman Mumford seconded the motion. Councilman Anderson made a motion to Amend The Motion To Approve Funding In An Amount Up To $5,000. Councilman Bradley seconded the motion to amend, which was approved unanimously. Council approved the motion as amended unanimously.

COMMITTEE REPORTS:

PUBLIC SERVICES & COUNTY PLANNING
Committee Chairman Schofield Provided An Update On The Status Of The Construction Of The Voter Registration/Elections Building.

CITY-COUNTY CONFERENCE COMMITTEE
Committee Chairman Bradley Informed The Members That He Received Letters Of Appreciation From Students At Timrod Elementary School For The Funding Council Provided To Assist The School With Updated And Enhancement Playground Equipment And Fencing For Safety Of The Students.
RESOLUTIONS:

RESOLUTION NO. 13-2010/11
The Chairman published the title of Resolution No. 13-2010/11: A Resolution to Amend The Florence County Personnel Policy Manual To Modify Vehicle Collision Review Board Penalties For Driving Violations, And Rehire Rates Of Pay Beginning July 1, 2011. Councilman Anderson made a motion Council approve the Resolution. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 15-2010/11 – THIRD READING
The Clerk published the title of Ordinance No. 15-2010/11: An Ordinance To Rezone Property Owned By Jack R. Chamberlain Located At 716 Cooktown Road, Lake City From R-4, Multi-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00142, Block 31, Parcel 217 Consisting Of Approximately 3.18 Acres. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:
There being no signatures on the sign-in sheets, Chairman Smith declared the Public Hearing closed.

ORDINANCE NO. 16-2010/11 – SECOND READING
The Clerk published the title of Ordinance No. 16-2010/11: An Ordinance Amending Florence County Code, Chapter 11, Finance And Revenue, To Remove Outdated Sections And Other Matters Relating Thereto. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 17-2010/11 – SECOND READING
ORDINANCE NO. 18-2010/11 – SECOND READING
The Clerk published the title of Ordinance No. 18-2010/11: An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS:
There were no appointments.

REPORTS TO COUNCIL:
ADMINISTRATION
MONTHLY FINANCIAL REPORTS
Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through January 31, 2011 As An Item For The Record.

LIBRARY/PROCUREMENT
DECLARATION OF SURPLUS PROPERTY
Councilman Mumford made a motion Council Declare Various Computer Equipment As Surplus Property And Authorize Disposal By Global Investment Recovery, Inc. In An Amount of $350 To Be Funded From Previously Budgeted Funds. Councilman Anderson seconded the motion, which was approved unanimously.

PUBLIC WORKS/PROCUREMENT
PEE DEE ENVIRONMENTAL SERVICES, INC. CONTRACT
Councilman Schofield made a motion Council Approve A Contract Renewal With Pee Dee Environmental Services, Inc. For Waste Disposal Services In The Amount Of Fifty-Five ($55) Dollars Per Load For DHEC Class II Appendix I Material. Councilman Mumford seconded the motion, which was approved unanimously.

RECREATION/PROCUREMENT
AWARD BID #15-10/11
Councilman Kirby made a motion Council Authorize The County Administrator To Award Bid #15-10/11 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met (No Cost To The County). Councilman Mumford seconded the motion, which was approved unanimously.
SHERIFF OFFICE/PROCUREMENT

AWARD BID #11-10/11
Councilman Anderson made a motion Council Approve The Award Of Bid #11-10/11 For The Sale Of Confiscated Firearms As A Credit Against The Purchase Of Ammunition To Fludd’s Pawn And Gun, LLC, Florence, South Carolina. Councilman Schofield seconded the motion, which was approved unanimously.

TREASURER – DELINQUENT TAX DIVISION

REPORTS
Pursuant To The Policies Approved September 17, 1998 And Amended June 5, 2003, The Florence County Treasurer’s Office, Delinquent Tax Division Provided Council With Quarterly Reports On Properties Coded “I” For Investigation And Tax Notices Processed As Nulla Bona, As Well As Information From The October 4, 2010 Tax Sale As An Item For The Record.

OTHER BUSINESS:

INFRASTRUCTURE

TOWN OF TIMMONSVILLE
Councilman Kirby made a motion Council Approve The Expenditure Of $49.68 From Council District 4 Infrastructure Funding Allocation To Pay For Street Sign (Harkless Court), Hardware, And Post For The Town Of Timmonsville. Councilman Mumford seconded the motion, which was approved unanimously.

OLANTA RECREATION PROGRAM
Councilman Anderson made a motion Council Approve The Expenditure Of Up To $2,000.00 From Council District 5 Infrastructure Funding Allocation To Assist The Olanta Recreation Program With The Purchase Of New Athletic Equipment. Councilman Mumford seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF)

MARS HILL DRIVE
Councilman Schofield made a motion Council Approve The Expenditure Of Up To $35,260.00 From Council District 8 RSMF Funding Allocation To Pay For Resurfacing Mars Hill Drive (S-21-1357) From Bellevue Drive To Converse Drive; Pending Encroachment Permit Being Obtained From SC DOT. Councilman Anderson seconded the motion, which was approved unanimously.
UTILITY

CITY OF LAKE CITY – WASTEWATER TREATMENT PLANT
Councilman Mumford made a motion Council Approve The Expenditure Of Up To $30,000.00 From Council Districts 1 And 5 Utility Funding Allocations ($15,000.00 From Each District) To Assist The City Of Lake City In Securing The Matching Monies For A CDBG Grant For An Upgrade Of The City’s Wastewater Treatment Plant. Councilman Kirby seconded the motion, which was approved unanimously.

COWARD ATHLETIC PARK
Councilman Anderson made a motion Council Approve The Expenditure Of Up To $60,000.00 From Council District 5 Utility Funding Allocation To Pay For 6” MBC Stone And 2” Crushed Asphalt For 1 Acre Parking Lot At Coward Athletic Park. Councilman Kirby seconded the motion, which was approved unanimously.

CITY OF FLORENCE – WATER LINE EXTENSION
Councilman Mumford made a motion Council Approve The Expenditure Of Up To $9,405.00 From Council Districts 6 And 7 Utility Funding Allocations ($4,702.50 From Each District) To Assist The City Of Florence With A 6” Water Line Extension Along A Portion Of Becky’s Parkway. Councilman Bradley seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

REPORTS TO COUNCIL:

ADMINISTRATION

PURCHASE OF REAL PROPERTY
Councilman Anderson made a motion Council Authorize The Execution Of An Option To Purchase Real Estate And The Subsequent Purchase Of Real Property Owned By Kenneth E. Merriman, Tax Map No. 90167-01-020, In The Amount Of $155,000 From Previously Allocated Funds. Councilman Mumford seconded the motion, which was approved unanimously.

OTHER BUSINESS:

ROAD SYSTEM MAINTENANCE FEE (RSMF)/UTILITY

HAMPTON DRIVE
Councilman Schofield made a motion Council Approve An Amount Up To $32,032.00 From Council District 8 RSMF/Utility Funding Allocations To Pay For The Resurfacing Of Hampton Drive From 2nd Loop Road To Pinckney Avenue, Pending Encroachment Permits From SC DOT. Councilman Anderson seconded the motion, which was approved unanimously.
UTILITY

EBENEZER PARK
Councilman Anderson made a motion Council Approve The Expenditure Of Up To $10,000.00 From Council District 9 Utility Funding Allocation To Design And Monitor Construction Of A Water Feature At Ebenezer Park. Councilman Mumford seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 10:04 A.M.
AGENDA ITEM: Presentation of A Resolution of Appreciation
Family of Marion A. ‘Tony’ Saverance

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
A Resolution Of Appreciation Honoring The Late Marion A. ‘Tony’ Saverance For His Many Contributions And Years Of Dedicated Service To The Citizens of Florence County.

ATTACHMENTS:
Copy Of Proposed Resolution.
RESOLUTION OF APPRECIATION

WHEREAS, Florence County Council wishes to recognize those individuals who unselfishly give of their time, efforts, wisdom, and talents to serve the citizens of Florence County; and,

WHEREAS, the late Marion A. "Tony" Saverance was an exceptional individual who began his journey with Florence County in 1990 as an Environmental Services Officer; and,

WHEREAS, Tony served the citizens of Florence County through many different functions, but was most passionate about the appearance of the County and diligently pursued litter control; he successfully prosecuted 97.5 percent of the citations written; coordinated, supervised and actively participated in the removal of over 3 million pounds of litter and 76,341 tires; and, spent numerous hours educating the public on the importance of litter prevention and removal as well as coordinating volunteer groups and creating/maintaining a large inmate work crew; sometimes working 7 days a week in an effort to keep our roadways clean; and,

WHEREAS, on February 24, 2011 the South Carolina Litter Control Association awarded Mr. Saverance the President’s Award for outstanding services rendered to his county, the state and the South Carolina Litter Control Association; and,

WHEREAS, Mr. Saverance was one of the first members of the Timmonsville Rescue Squad and was instrumental in the development of the Sardis/Timmonsville Rural Fire Department, remaining faithful and dedicated in his service on the board until his health would no longer allow him to actively serve; and,

WHEREAS, Florence County Council fully realizes the standard of excellence set by Mr. Saverance in his service to the public and recognizes his dauntless efforts throughout his career to make Florence County a more beautiful place to live, work and play.

NOW THEREFORE, BE IT RESOLVED, by the Florence County Council, the governing body of Florence County, that the late MARION A. "TONY" SAVERANCE richly deserves both Council's recognition and appreciation for his many contributions and years of dedicated service.

Presented to the Saverance Family this 21st day of April 2011.

THE FLORENCE COUNTY COUNCIL:

K.G. Rusty Smith, Jr., Chairman
Waymon Mumford, Vice Chairman
H. Morris Anderson, Secretary/Chaplain
Mitchell Kirby, Member
Russell W. Culberson, Member
Johnnie D. Rodgers, Jr., Member
Alphonso Bradley, Member
James T. Schofield, Member
AGENDA ITEM: Presentation of A Resolution of Recognition
Pearl Moore

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
A Resolution Of Recognition For Pearl Moore For Her Outstanding Achievements And Commending Her For Joining The Elite Group Of Inductees Into The Women's Basketball Hall Of Fame In Knoxville, Tennessee In 2011.

ATTACHMENTS:
Copy Of Proposed Resolution.
WHEREAS, Florence County Council wishes to take this opportunity to recognize the exemplary standard set by Pearl Moore in the area of individual success through the exercise of determination, perseverance and self-motivation; and,

WHEREAS, Ms. Moore, refusing to accept limitation in achievement, created a pathway to success for herself and blazed a trail for others to follow; and

WHEREAS, the Women’s Basketball Hall of Fame in Knoxville, Tennessee has announced that Pearl Moore will join the elite group of inductees into the Hall of Fame in 2011; and

WHEREAS, Ms. Moore is to be commended for her many achievements, such as the all-time career-scoring leader for women’s college basketball, four-time All-American, averaging 30.6 points per game over her four seasons (127 games) at Francis Marion, three national tournament appearances, 1270 rebounds and a 45.9 percent shot average from the field, set a new school-record with 70.0 percent shot success from the free throw line, played two seasons in Women’s Pro Basketball League, earning All-Star status in 1981 and played one season in Venezuela; and

WHEREAS, the Florence County Council wishes to congratulate Ms. Moore on her many accomplishments and encourages future leaders across Florence County to emulate her example; and

WHEREAS, Ms. Moore’s presence here today is further validation that in America opportunities abound for all those who will work hard to earn them, seize them, and focus on succeeding in them and that that anything is indeed possible for those who have vision, and act with purpose on their vision.

NOW THEREFORE BE IT RESOLVED, by the governing body of Florence County, South Carolina, the Florence County Council that this RESOLUTION OF RECOGNITION is presented to MS. PEARL MOORE for her outstanding achievements.

Presented in meeting duly assembled this 21st day of April 2011.

THE FLORENCE COUNTY COUNCIL

K. G. Rusty Smith, Jr. Chairman

Waymon Mumford, Vice Chairman

Alphonso Bradley, Council District 3
AGENDA ITEM: Presentation of A Resolution of Recognition
Michael AR Muhammad

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
A Resolution Of Recognition For Michael AR Muhammad For His Meritorious Achievements As An Outstanding Athlete.

ATTACHMENTS:
Copy Of Proposed Resolution.
WHEREAS, Florence County Council seeks to publicly recognize young student athletes who achieve success and bring honor to their family, friends, school and community; and,

WHEREAS, Michael AR Muhammad, a Senior at South Florence High School, is a multi-talented athlete playing wide receiver, defensive back, corner back, and quarterback in spread offense; and,

WHEREAS, Mr. Muhammad experienced an exceptional 2010 season and broke the school single season records with 915 receiving yards; and,

WHEREAS, Mr. Muhammad has been the recipient of the following awards: 2010 Most Athletic Award, 2010 All Region Player Position Athlete Award, 2010 North & South Award, 2010 Chevy End Zone Wide Receiver Award, 2010 Team Captain Award; and

WHEREAS, In addition to his success as a member of the South Florence Football team, he is an honor student with a 3.734 GPA and is an exceptional example for our youth to emulate; and,

WHEREAS, Florence County Council fully realizes the standard of excellence set by Mr. Muhammad in his football career to date and wishes to publicly acknowledge his meritorious achievements.

NOW THEREFORE, BE IT RESOLVED, by the Florence County Council, the governing body of Florence County, that Michael AR Muhammad richly deserves both Council's recognition and appreciation for his success.

   Congratulations Mr. Muhammad on a job well done!
   We wish you continued success.

DONE in meeting duly assembled this 21st day of April 2011.

THE FLORENCE COUNTY COUNCIL:

K. G. RUSTY SMITH, JR., CHAIR

MITCHELL KIRBY, MEMBER
AGENDA ITEM: Resolution No. 14-2010/11

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:
A Resolution Designating April 2011 As Fair Housing Month In Florence County.

OPTIONS:
1. (Recommended) Approve as presented.

ATTACHMENTS:
A copy of proposed Resolution No. 14-2010/11.
COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

RESOLUTION NO. 14-2010/11

(Designating April 2011 As Fair Housing Month.)

WHEREAS:

1. Florence County desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

2. Florence County rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental, or provision of other housing services; and

3. The State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

4. April is recognized nationally as Fair Housing Month.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THIS 21\textsuperscript{th} DAY OF APRIL, 2011 THAT:

April 2011 is hereby designated as Fair Housing Month in Florence County. Notification of the Resolution adoption to be published in the Morning News April 23, 2011.

ATTEST: 

Connie Y. Haselden, Council Clerk

SIGNED: 

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:
AGENDA ITEM:  Resolution No. 15-2010/11

DEPARTMENT:  County Council

ISSUE UNDER CONSIDERATION:
(A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Nelson Road Located Olanta.)

OPTIONS:
1. (Recommended) Approve Resolution No. 15-2010/11.
2. Provide an alternate directive.

ATTACHMENTS:
1. Resolution No. 15-2010/11.
2. Correspondence from property owners approving abandonment of the road.
3. Aerial photo depicting subject road.
RESOLUTION NO. 15-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Authorizing The Cessation of Maintenance On and Abandonment of Nelson Road Located In Olanta.)

WHEREAS:

1. Nelson Road is located in the Olanta area of the County; and

2. Nelson Road 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 Nelson Road.

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

Nelson Road 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:CONNIE Y. HASELDEN, COUNCIL CLERK

SIGNED:K. G. RUSTY SMITH, JR., CHAIRMAN

COUNCIL VOTE:
OPPOSED:
ABSENT:
January 28, 2010

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

I agree with the abandonment of Nelson Road by Florence County.

I understand that there are no avenues to re-establish maintenance on Nelson Road once this action is taken.

Map  Block  Parcel
45    03    069

Sincerely,

[Signature]
Alex R. Kelley
1442 N. Jones Road
Olanta, SC 29114

WITNESSED BY:

[Signature]
Vonda D. Womell
Nelson Road - Dist. #5

6746 Friendfield Road • Post Office Box 38 • Effingham, South Carolina 29941
Phone: (843) 665-3022 • Fax: (843) 676-8625
January 28, 2010

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

I agree with the abandonment of Nelson Road by Florence County.

I understand that there are no avenues to re-establish maintenance on Nelson Road once this action is taken.

Map Block Parcel
45  03  110

Sincerely,

Edward D. Woodrow
16813 Blenheim Drive
Lutz, FL 33549

WITNESSED BY:

Nelson Road - Dist. 95

6746 Friendfield Road • Post Office Box 38 • Effingham, South Carolina 29541
Phone: (843) 665-3022 • Fax: (843) 676-8625
February 24, 2010

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

I agree with the abandonment of Nelson Road by Florence County.

I understand that there are no avenues to re-establish maintenance on Nelson Road once this action is taken.

<table>
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Sincerely,

John H. Schnibben III
Randolph K. Schnibben
261 Conway Street
Carlisle, PA 17013

WITNESSED BY:

6746 Friendfield Road • Post Office Box 38 • Effingham, South Carolina 29541
Phone: (843) 665-3022 • Fax: (843) 676-8625
February 1, 2011

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

I agree with the abandonment of Nelson Road by Florence County.

I understand that there are no avenues to re-establish maintenance on Nelson Road once this action is taken.

Map  Block  Parcel
    45       03   012

Sincerely,

Fred A. Crawford, Jr.
135 Chicco Lane
Mt Pleasant, SC 29464

WITNESSED BY:

[Signature]
Nelson Road - Dist. #5

6746 Friendfield Road • Post Office Box 38 • Effingham, South Carolina 29541
Phone: (843) 665-3022 • Fax: (843) 676-8625
AGENDA ITEM: Resolution No. 16-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
(A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Eulon Lane Located Johnsonville.)

OPTIONS:
1. (Recommended) Approve Resolution No. 16-2010/11.
2. Provide an alternate directive.

ATTACHMENTS:
1. Resolution No. 16-2010/11.
2. Correspondence from property owners approving abandonment of the road.
3. Aerial photo depicting subject road.
RESOLUTION NO. 16-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Authorizing The Cessation of Maintenance On and Abandonment of Eulon Lane Located In Johnsonville.)

WHEREAS:

1. Eulon Lane is located in the Johnsonville area of the County; and
2. Eulon Lane 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 Eulon Lane.

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

Eulon Lane 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:
March 1, 2011

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

I agree with the abandonment of Eulon Road by Florence County.

I understand that there are no avenues to re-establish maintenance on Eulon Road once this action is taken.

Map   Block   Parcel
291    02     05

Sincerely,

[Signature]

Jimmy D. Poston - Triple P Properties, LLC
Tommy A. Poston - Triple P Properties, LLC
Archie Powell - Triple P Properties, LLC
4448 Mill House Road
Johnsonville, SC 29555

WITNESSED BY:

Eulon Road - District #2

6746 Friendfield Road • Post Office Box 38 • Effingham, South Carolina 29541
Phone: (843) 665-3022 • Fax: (843) 676-8625
AGENDA ITEM: Resolution No. 17-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
(A Resolution Approving Existing Multi-Jurisdictional Agreements Requested By The Florence County Sheriff And Authorizing The County Administrator To Execute Said Agreements.)

POINTS TO CONSIDER:
1. South Carolina Code § 23-20-30 authorizes a law enforcement agency to enter into contractual agreements with other law enforcement providers.
2. South Carolina Code § 23-20-50 requires all such agreements to be approved by the governing body of each jurisdiction.
3. The Florence County Sheriff recommends such agreements with other law enforcement agencies throughout the State.
4. County Administrator is authorized to execute materially equivalent multi-jurisdictional agreements.

OPTIONS:
1. (Recommended) Approve Resolution No. 17-2010/11.
2. Provide an alternate directive.

ATTACHMENTS:
1. Resolution No. 17-2010/11.
2. Example attached of a materially equivalent multi-jurisdictional agreement executed with Charleston County Sheriff’s Office.
RESOLUTION NO. 17-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(A Resolution Approving Existing Multi-Jurisdictional Agreements Requested By The Florence County Sheriff And Authorizing The County Administrator To Execute Said Agreements.)

WHEREAS:

1. South Carolina Code §23-20-30 authorizes a law enforcement agency to enter into contractual agreements with other law enforcement providers; and

2. South Carolina Code §23-20-50 requires all such agreements to be approved by the governing body of each jurisdiction; and

3. The Florence County Sheriff recommends such agreements with other law enforcement agencies throughout the State.

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

1. Council approves all existing multi-jurisdictional agreements with other law enforcement agencies listed as follows: Aiken County Sheriff’s Office, Andrews Police Department, Berkeley County Sheriff’s Office, Charleston County Sheriff’s Office, Chesterfield County Sheriff’s Office, Clarendon County Sheriff’s Office, Colleton County Sheriff’s Office, Columbia Police Department, Darlington County Sheriff’s Office, USDOJ Drug Enforcement Administration, Dillon County Sheriff’s Office, Dillon Police Department, Dorchester County Sheriff’s Office, Federal Bureau of Investigation, Florence Police Department, Francis Marion University, Georgetown County Sheriff’s Office, Greenville County Sheriff’s Office, Hartsville Police Department, Horry County Police Department, Kershaw County Sheriff’s Office, Lamar Police Department, Lee County Sheriff’s Office, Lexington County Sheriff’s Office, Marion Police Department, Marion County Sheriff’s Office, Marlboro County Sheriff’s Office, Oconee County Sheriff’s Office, Richland County Sheriff’s Office, Saluda County Sheriff’s Office, Spartanburg County Sheriff’s Office, Sumter City Police Department, Sumter County Sheriff’s Office, United States Marshall Service, Williamsburg County Sheriff’s Office, and York County Sheriff’s Office; and

2. Authorizes the County Administrator to execute materially equivalent multi-jurisdictional agreements.

ATTEST: SIGNED:

Connie Y. Haselden, Council Clerk K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:
Criminal Patrol Transfer Agreement

This agreement is made and entered into this 8th day of February, 2008 by and between Florence County Sheriff's Office and the Charleston County Sheriff's Office.

WHEREAS, it is the desire and intent of the parties to evidence their joint undertaking for the provision of mutual assistance in criminal patrol investigations by the temporary assignment of officers, deputies, and agents between jurisdictions to the fullest extent as is allowed by law;

WHEREAS, the parties as set out above, by and through their representatives affixing their signatures below, consent and agree to span the geopolitical boundaries to the fullest extent allowed under South Carolina law for the express purpose of criminal patrol and interdiction efforts and related crimes by this sharing of personnel and resources;

WHEREAS, South Carolina Code Ann. § 23-1-210 provides for the temporary transfer of law enforcement officers pursuant to written agreement;

WHEREAS, South Carolina Code Ann. § 23-1-215 provides for agreements between multiple law enforcement jurisdictions for the purpose of criminal investigation;

WHEREAS, Article VIII, Section 13 of the South Carolina Constitution authorizes counties and municipalities to provide by agreement for the joint administration of any function, the exercise of powers, and the sharing of the costs thereof; and
WHEREAS, Florence County Sheriff’s Office and Charleston County Sheriff’s Office are each requesting assistance for investigation and the temporary transfer of deputies each from the other.

NOW THEREFORE, it is the intent of the parties to share jurisdiction under this written agreement to the fullest extent permitted under South Carolina law and it is further agreed as follows:

1. SCOPE OF SERVICES
   It is agreed that each law enforcement agency parties shall assign, on a temporary basis, officers, deputies, and/or agents to assist the other jurisdiction in criminal patrol and interdiction efforts.

2. TERM AND RENEWAL
   This agreement and subsequent amendments are effective as to each party at the date and time of signing and will automatically renew each year on the anniversary date and continue year to year and term to term unless a party exercises its right to terminate as further described in the original agreement.

3. VESTING OF AUTHORITY AND JURISDICTION
   To the fullest extent permitted by the Constitution and statutes of this State, officers, deputies, and agents assigned under this agreement and so transferred shall be vested with authority, jurisdiction, rights, immunities, and privileges to include the authority to execute criminal process and the power of arrest as any other duly commissioned officer, deputy, or agent of the other party.

   However, local ordinances adopted by a sending jurisdiction shall not be deemed extended into areas of operation that are located outside the geopolitical territorial limits of the sending jurisdiction.

4. COSTS
   Each party shall bear its own costs incurred in the performance of its obligations hereunder except as otherwise provided herein.
5. **HOLD HARMLESS, INDEMNIFICATION, NO THIRD PARTY RIGHTS**

It is agreed by and between the parties that each will hold each other harmless for any acts or omissions of their respective officers working or transferred pursuant to this agreement. The parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provision of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any party or entity not a party to this agreement.

6. **INSURANCE**

Each jurisdiction shall maintain its own insurance coverage for general liability, workers' compensation, and any other such coverage as may be required by law or deemed advisable by individual parties.

7. **COMPENSATION, BOND, AND RELATED MATTERS**

This agreement shall in no manner effect or reduce the compensation, pension or retirement rights of any officers acting under its authority and such officers shall continue to be paid by the county or the municipality where they are permanently employed, with the sending county or municipality being compensated for their services by the county or municipality to which they are transferred as further setout herein. The bond for any officers operating under this agreement shall include coverage for their activity in the county or municipality covered by this agreement in the same manner and to the same extent provide by bonds of regularly employed officers of that county or municipality.

8. **REIMBURSEMENT AND ANCILLARY BENEFITS**

The parties to this agreement hereby expressly agree that compensation and/or reimbursement for services provided hereunder shall be limited to the reciprocal provision of services of like kind between the agencies involved to include the ancillary benefits of increased investigation and prosecution of crimes related to criminal patrol efforts in their respective jurisdictions. Any other agreement for reimbursement between the parties must be written and executed in the same manner as this agreement.
9. TERMINATION AND RIGHT TO RESCIND

The agreement may be terminated at the discretion of the chief law enforcement officer by providing written notice to the other party. Any such rescission or termination will become effective upon receipt by the other parties.

10. RESPONSIBILITY TO RESPECTIVE GOVERNING BODIES

Each party is responsible for any notice, reporting, or approval requirements to their respective governing body as may be required under South Carolina law.

11. OFFICERS ASSIGNED AND AUTHORITY

Each party agrees to notify the other party, or their duly appointed representative, and seek assistance before commencing any criminal investigative action that relies upon the expanded or shared jurisdiction as contemplated under this agreement. This is in no way intended to limit an officer acting in his original jurisdiction.

12. ASSET FORFEITURE

The parties agree to divide the proceeds of any seizure and resultant asset forfeiture as provided by equity and law. Such division will be set out in a court order as prepared by the proper Circuit Solicitor and/or United States Attorney based upon the facts of the individual seizure.

13. SEVERABILITY

Should any part of this agreement be found to be unenforceable by any court or other competent authority, the rest shall remain in full force and effect.

14. AMENDMENTS AND BINDING SUCCESSORS IN OFFICE

This agreement may be amended by the written agreement of all parties. Each party agrees that any and all successors in interest to their office will be similarly bound by the terms of this agreement without necessitating execution of any amendment.
I, with competent authority, hereby consent to the terms of and agree to be bound by this Agreement.

Sheriff Kenney Boone
Florence County Sheriff's Office

J. Al Cannon, Jr.
Charleston County Sheriff's Office

Witness

Witness
AGENDA ITEM: Third Reading - Ordinance No. 16-2010/11

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:
(An Ordinance Amending Florence County Code, Chapter 11, Finance and Revenue, To Remove Outdated Sections And Other Matters Relating Thereto.)

POINTS TO CONSIDER:
1. The sections requested to be removed are either outdated or have been superseded by other procedures.
2. The removal of these sections of the code will not affect the operations of the Procurement Department

OPTIONS:
1. *(Recommended)* Approve Third Reading of Ordinance No. 16-2010/11.

ATTACHMENTS:
1. Ordinance No.16-2010/11.
2. Excerpt of Code Sections Recommended To Be Deleted.
ORDINANCE NO. 16-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Amending Florence County Code, Chapter 11, Finance and Revenue, To Remove Outdated Sections And Other Matters Relating Thereto.)

WHEREAS:

The Florence County Code contains sections which are no longer applicable, and/or have been superseded by other official actions of Council that may be deleted from the Code.

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

1. The Florence County Code is hereby amended by deletion of the following sections:
   - Chapter 11, Article II, Sections 11-30 (2), (3), (4), (5), (6), (7).
   - Chapter 11, Article II, Sections 11-34 (14), (17), and (21).
   - Chapter 11, Article II, Sections 11-35 (1), (2), (3) and (4).
   - Chapter 11, Article II, Section 11-38.
   - Chapter 11, Article II, Section 11-90 through 11-98.

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
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:
county's principal public procurement official. The director of general services shall serve as the director of procurement unless designated otherwise by the county administrator.

(2) Appointment. The county administrator shall appoint the director of procurement.
(Ord. No. 14-83/84, § 1(2-101), 8-21-84)

Sec. 11-28. Same—Authority and duties.

(1) Principal public procurement official. The director of procurement shall serve as the principal public procurement official of the county, and shall be responsible for the procurement of supplies, services, and construction in accordance with this article, as well as the management and disposal of supplies.

(2) Duties. In accordance with this article, the director of procurement shall:

(a) Procure or supervise the procurement of all supplies, services, and construction needed by the county;

(b) Exercise general supervision and control over all inventories and supplies belonging to the county;

(c) Sell, trade, or otherwise dispose of surplus supplies belonging to the county; and

(d) Establish and maintain programs for the receiving, inspection, testing, and acceptance of supplies, services, and construction.

(3) Operational procedures. Consistent with this article, the director of procurement shall recommend to the county administrator the promulgation of operating procedures relating to the aforesaid duties. These shall be issued to departments for inclusion in the "Operational Policies and Procedures Manual."
(Ord. No. 14-83/84, § 1(2-102), 8-21-84)

Sec. 11-29. Delegation of authority by the director of procurement.

The director of procurement may delegate authority to designees of the office of the director of procurement.
(Ord. No. 14-83/84, § 1(2-103), 8-21-84)

Sec. 11-30. Policies.

The following policies are established and will be adhered to in the administration of the provisions of this article:

(1) All requests for prices and/or services, and all purchases shall be made by the procurement director. In certain instances, authority to request prices and secure items of small monetary value may be delegated to others as designated by the procurement director and approved by the county administrator.

(2) The procurement director shall have full authority to question the quality, quantity and kind of materials requisitioned in order that the best interests of the county may be served.

(3) The procurement director shall not receive any benefit or profit from any contract or purchase made by the county.

(4) The general services director shall buy for the needs of the county and designated agencies only.

(5) Acceptance of gifts at any time, other than advertising novelties, shall be prohibited. Employees shall not become obligated to any vendor and must not conclude any county transaction from which they may personally benefit.

(6) The procurement director shall strive to maintain strong and enduring relationships with vendors of proven ability and with those who have a desire to meet the needs of the county. To accomplish this, purchasing activities shall be conducted so that vendors will value our business and will make every effort to furnish our requirements on the basis of quality, service and price.

(7) The county shall buy only from vendors who have adequate financial strength, high ethical standards and a record of adhering to specifications, maintaining shipping promises and giving a full measure of service. New vendors will be given
(10) **Cancellation of orders.** All cancellations of orders must be made by the procurement officer. An order would most likely be canceled when advised of an unusual price increase, that the firm can no longer supply the item, or if there is an unacceptable delay in delivery. All order cancellations will be made in writing to the vendor.

(11) **Interviewing vendors.** All vendors who wish to do business with the county should first contact the procurement officer to make their products and/or services known. If the procurement officers finds that a vendor has something to offer, arrangements can be made with a department head or supervisor to meet the vendor and discuss his product.

(12) **Informal bids.**

(a) Single purchase orders under $2,500.00 shall be awarded by the general services director after receiving a minimum of three written quotes.

(b) Single purchase orders of more than $2,500.00, but equal to or less than $10,000.00, shall be awarded by the general services director using the informal bid process.

(13) **Purchase contracts.** All purchase contracts shall originate in the procurement director’s office, and upon completion are filed with the finance director. For every annual contract or price agreement there is a contract sheet showing the vendor, contract items, prices, terms and other provisions furnished to each department concerned.

(14) **Confirming purchase orders.** Confirming purchase orders are those where verbal orders are placed with a vendor and the order is confirmed by a purchase order marked "confirmation." Such orders must be limited and be given prior approval only by the director of procurement.

(15) **Checking of funds.** Before making a requisition, the department head shall check his budget to insure that sufficient funds are available. The signature of the department head on the requisition in the "approved by" section, is a certification that the funds are available for the anticipated purchase. The procurement officer shall have no authority to request or approve funds for purchases not provided for in the budget. In addition, the procurement officer, before granting any requisition for, or contracting for, or accepting any bids, or purchasing any such supplies, merchandise, or articles, shall inform himself as to whether or not there is an appropriation out of which payment can be made, and if there is not, then he shall refuse to grant such requisition or to contract or issue a purchase for, or accept such bids or to purchase such supplies, merchandise or articles, unless directed by the county administrator to do otherwise.

(16) **Equipment repairs.** For repairs to equipment, submit a requisition to the procurement officer. He will issue a purchase order for repairs, except as noted herein. The county administrator may authorize purchase in advance of up to $10,000.00, using informal bid procedures, if warranted. The county administrator may also waive the bid requirement on equipment repairs with county council’s approval, where there exists no possibility of a competitive bid, as in the case of only one source of supply, when it is to the advantage of the county to acquire goods and/or services on the basis of a previously awarded bid; or in the case of emergency purchases.

(17) **Purchase of equipment not budgeted.** To purchase equipment which is not budgeted, funds must be approved and transferred to a capital account. The following steps should be taken:

1. Submit a request in writing to the finance director stating reasons for the request along with a completed budget revision form indicating where funds are available for transferring to a capital account.

2. The finance director will review all requests and coordinate them with the county administrator for his approval.

3. If request is approved, upon notification, send a requisition to the procurement officer. (Failure to follow these steps will only delay your request.)

(18) **Service agreements.** Service agreements are yearly maintenance agreements on office machines such as typewriters, adding machines, dictating equipment, and heavy equipment. All service agreements, other than heavy equipment,
shall be consolidated under the director of procurement. The present policy is to carry service agreements on all office machines which are used on a regular basis. When new equipment is purchased, most of the time it carries a one-year warranty. For this reason, a service agreement is usually not carried the first year, but begun the second year. A record is maintained by the procurement officer on all equipment under service. The record shows the type machine, location, amount of service agreement, and expiration date. When invoices are received from vendors, the items are checked against the list of machines under agreement and then a purchase order is prepared to pay the renewal cost. A periodic check is conducted to determine if all machines under agreement are being used and if, not, they are removed from the service agreement. It is the county's policy to carry service agreements with the company who sells the equipment. For manual typewriters, bids are obtained from local service firms for service on an annual basis. All equipment procured under the total cost bid concept shall have the service contract administered by the central maintenance director.

(19) **Excess, obsolete and/or junk materials, or other items.**

(a) County-owned property will be disposed of through public auction or through taking publicly advertised sealed bids with approval of county council where feasible. The director of procurement shall be responsible for all disposal of junk materials, such as furniture, automobiles, trucks, tractors, lawn mowers, scrap, etc. Books and other items shall be listed by the appropriate department head and submitted to the director of procurement.

(b) The director of procurement shall prepare a listing of all excess, obsolete, and/or junk materials for presentation to county council for the resolution declaring the material excess, obsolete, or junk.

(c) Such excess material may be traded in for a replacement item of the same type, if approved in the annual budget or by specific action of county council.

(20) **Taxes.** The county is exempt from federal excise taxes, but not state sales taxes. Exemption certificates will be furnished to vendors supplying the county with items that normally carry federal excise tax.

(21) **Tests.** The procurement officer shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the procurement officer shall have the authority to make use of laboratory facilities of any agency of the county or any outside laboratories.

Sec. 11-35. Forms.

(1) **Requisitions.** Requisitions are used for ordering apparatus, supplies, materials and equipment. The county uses one type of requisition form: the regular requisition, which is used for placing requests through purchasing.

(a) The regular requisition is prepared in two copies:

1. Original or purchasing copy (white copy);
2. Department copy (yellow copy).

(b) Fill out the regular requisition giving the following:

1. Date;
2. Delivery location;
3. Information contact and telephone number;
4. Billing address;
5. Give equipment/vehicle number (if applicable);
6. Quantity desired;
7. Complete description of item(s) desired;
8. Indicate when item is needed;
9. Suggested and/or recommended sources (vendors);
10. Department;
11. Account number (enter appropriate fund code);
12. Requesting individual;
13. Signature and title of person authorized to approve requisitions.

(c) How regular requisitions are processed;
1. Original or white copy is sent to the procurement officer, and the yellow copy is kept in the requesting department's file;
2. Upon receiving the requisition, the procurement officer shops for prices either by telephone or sealed bids. When supplier is found, a purchase order is written;
3. Once the purchase order has been written, the requisition is filed in the purchasing files, along with the appropriate order.

(2) Bid spread sheets. Bid spread sheets are used by the procurement officer tabulating all formal or informal bids received.

(3) The purchase order. After requesting bids and selecting a qualified vendor, the purchase order is written. The purchase order, which is written only by the procurement officer, serves as authorization to the vendor to furnish specific products and/or services to the county.

(a) The purchase order is prepared in five copies:
1. Vendor's copy (white);
2. Requesting department's file copy (yellow);
3. Receiving copy (pink);
4. Voucher copy (gold);
5. Purchasing department copy (blue).

(b) Type the purchase order giving the following:
1. Name of vendor;
2. "Ship to" address;
3. Date;
4. Requesting department;
5. Account to be charged;
6. Terms as shown on quotation;
7. Quantity ordered;
8. Description of what is ordered (including references to bids in this column);
9. Unit price;
10. Total price or extension;
11. Delivery time;
12. Address for invoices;
13. Signature of the director of procurement.

(c) How purchase orders are processed:
1. The director of procurement distributes copies of each purchase order as follows:
   a. White copy (1), vendor's copy, is mailed to vendor;
   b. Yellow copy (2) requesting department's file copy, and
   c. Pink copy (3), receiving copy, is assigned to the respective centralized receiving authority;
   d. Gold copy (4), voucher copy, is forwarded to the finance department along with the approved requisition;
   e. Blue copy (5), purchasing copy, is retained by the purchasing department and filed in numerical order.
2. When delivery has been completed through the centralized receiving authority, the department head then will sign the pink receiving copy with the invoice (bill) attached if it was not mailed directly to the finance department, and forward it to the finance department. If unit and total prices on the invoice (bill) and purchase order match and the merchandise has been received, the invoice is cleared for payment.
after review by the finance director and county administrator and then paid. If the invoiced prices do not match the purchase order or if all the correct merchandise has not been received, the invoice and pink receiving copy of the purchase order are forwarded to the director of procurement for investigation and needed administrative action.

(4) Request for quotations. The request for quotations form is used for obtaining informal bids on purchases where advertising is not required. (This pertains to purchases under $5,000.00.

(a) The request for quotations form is prepared in sufficient quantities to allow one copy for bidder, one for file and a few extra copies for unsolicited bidders.

(b) Type the request for quotations form giving the following:
1. Current date;
2. Reply to;
3. Reply due by;
4. Delivery required;
5. Item numbers;
6. Quantity;
7. Detailed description of article(s) desired;
8. Requisition number/bid number: bids are numbered consecutively by year (for instance 72-4, 73-2, etc.);
9. Signature of procurement officer and telephone number.

(c) Quotations form is returned by bidder giving the following:
1. Unit price;
2. Extension;
3. Delivery time;
4. F.O.B. point;
5. Terms;
6. Date;
7. Company name;
8. Official signature of bidder.

(d) Director of procurement shall tabulate all quotations received and select a vendor.

(5) Annual contracts/blanket agreements. It shall be the director or procurement's policy to establish annual contracts and price agreements whenever possible, running concurrent with the fiscal year. By consolidating requirements and requesting bids for a specific time period, the county can obtain lower prices, as well as eliminate the need for requesting bids several times a year. The following are examples of items normally under contract:

1. Concrete;
2. Copper tubing/plastic pipe;
3. Fitting, cast-iron pipe;
4. Garbage containers;
5. Petroleum products;
6. Pipe, cast-iron soil;
7. Pipe, cast-iron water;
8. Tapping sleeves and valves;
9. Uniforms;
10. Repair parts for equipment and vehicles;
11. Janitorial contracts;

(a) The director of procurement prepares and sends out in duplicate to the successful bidder for execution.

(b) Prior to the execution of contracts, the general services director shall verify fund availability using the budget automated management system. The specific fund, account and dollar balance certification will be obtained from the finance office.

(c) The general services director shall send all contracts to the county attorney for verification of legal requirements prior to offering said contracts to vendors.

(d) The county administrator executes the contracts after all review steps have been
completed with a positive recommendation from each step to include the director of procurement.

(e) The county administrator forwards the executed contracts to the director of procurement. One copy is filed and the other mailed to the successful bidder.

(Ord. No. 14-83/84, § 1(2-302), 8-21-84; Ord. No. 16-93/94, §§ 11-12, 1-20-94)

Sec. 11-36. Procurement advisory groups.

The county administrator may appoint procurement advisory groups to assist with respect to specifications or procurement in specific areas and with respect to any other matters within the authority of the director of procurement.

(Ord. No. 14-83/84, § 1(2-401), 8-21-84)

Sec. 11-37. Procurement training.

The director of procurement shall establish and maintain a procurement training program for procurement personnel of the office of the director of procurement. The general services director and buyers in the procurement area shall attain certification by the appropriate national level procurement organization as a requirement for employment after they are eligible to apply for such certification.

(Ord. No. 14-83/84, § 1(2-402), 8-21-84; Ord. No. 16-93/94, § 14, 1-20-94)

Sec. 11-38. Duties of the county attorney.

The county attorney, or such officer as the county attorney may designate, shall serve as legal counsel and provide necessary legal services to the director of procurement upon direction of the county administrator.

(Ord. No. 14-83/84, § 1(2-501), 8-21-84)

Secs. 11-39—11-44. Reserved.

DIVISION 3. SOURCE SELECTION AND CONTRACT FORMATION

Sec. 11-45. Definitions.

As used in this division, the following words and terms shall be as defined below:

(1) Cost-reimbursement contract (also known as cost plus fixed fee). A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract and the provisions of this division up to a specific ceiling, and a fixed dollar fee or profit, if any.

(2) Established catalogue price. The price included in a catalogue, price list, schedule, or other form that:

(a) Is regularly maintained by a manufacturer or contractor;

(b) Is either published or otherwise available for inspection by customers; and

(c) States prices at which sales are currently or were last made to a significant number of any category of buyers or buyers constituting the general buying public for the supplies or services involved.

(3) Invitation for bids. All documents, whether attached or incorporated by reference, utilized for soliciting bids.

(4) Purchase description. The words used in a solicitation to describe the supplies, services, or construction to be purchased, and includes specifications attached to, or made a part of, the solicitation.

(5) Request for proposals. All documents whether attached or incorporated by reference, utilized for soliciting proposals.

(6) Responsible bidder or offeror. A person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.

(7) Responsive bidder. A person who has submitted a bid or request for proposals which conforms in all material respects to the invitation for bids.

(Ord. No. 14-83/84, § 1(3-101), 8-21-84; Ord. No. 16-93/94, § 15, 1-20-94)
required services within a reasonable time, (iv) past performance, and (v) ability to meet project budget requirements.

(b) Maximum fees payable to one person or firm. Contracts under this section shall be approved in advance through the requisition process and documented by the issuance of a purchase order for each job or project. To the extent feasible, such purchase orders shall reflect the hourly rates and total billable hours for each job or project for use in verifying billing information on invoices which shall document the hours and charges for the job or project. Fees paid for such small contracts to any one architectural-engineering or land surveying firm shall not exceed $18,000.00 in any one fiscal year. (Ord. No. 14-83/84, § 1(5-501), 8-21-84; Ord. No. 16-87/88, §§ 5, 6, 10-15-87)

Secs. 11-85—11-89. Reserved.

DIVISION 6. SUPPLY MANAGEMENT

Sec. 11-90. Inventory control procedures generally.

Where stock levels are maintained, only the storekeeper and/or inventory clerk(s) designated will perform physical handling of perpetual inventory including receiving, issuing, and stocking. No items will be issued or received by other than authorized personnel. The office of the director of procurement is responsible for the central store and inventory of all vehicle and equipment parts. Responsibility for other specialized inventory items, such as for utility system, shall be as determined by the county administrator. (Ord. No. 14-83/84, § 1(6-101), 8-21-84; Ord. No. 19-85/86, § 1, 5-15-86)

Sec. 11-91. Stock records.

Stock records shall be maintained as part of the automated data base and adjusted to reflect current stockage levels. (Ord. No. 14-83/84, § 1(6-102), 8-21-84; Ord. No. 16-93/94, § 26, 1-20-94)

Sec. 11-92. Inventory control.

(a) All requests for materials and supplies normally carried in stock, shall be submitted to the storekeeper or inventory clerk(s) for the determination of the availability of materials on hand. If the storekeeper or inventory clerk is unable to fill the request, a properly completed requisition form will be forwarded to the purchasing director for action. Thus, conflicting purchases can be controlled and substitute materials carried in stock, which might otherwise become obsolete, can be fully utilized.

(b) Proper functioning of an inventory accounting system demands that all materials and supplies received, issued, and on hand, be accounted for both in quantities and values, and that periodically the inventory records and accounts be verified by actual physical inventory. As of June 30 of each year, the finance director shall request the auditor to assist him in taking said inventory. (Ord. No. 14-83/84, § 1(6-103), 8-21-84)

Sec. 11-93. Storage facilities.

All materials of a similar character will be properly segregated and assigned permanent space and definite location. It is very important that materials be segregated by sizes, kinds and grades for ease in locating them when needed and in taking inventory. When assigning materials to a specific place in the storeroom or yard, consideration shall be given to the fact that there will be a greater number of withdrawals of some materials than others. (Ord. No. 14-83/84, § 1(6-104), 8-21-84)

Sec. 11-94. Perpetual inventory record.

(a) A perpetual inventory of stock shall be part of the automated data base. It will be adjusted as transactions are made.

(b) Quantity balance shall be verified at frequent intervals by actual count and inspection (inventory) of the item in stock. (Ord. No. 14-83/84, § 1(6-105), 8-21-84; Ord. No. 16-93/94, § 27, 1-20-94)
Sec. 11-95. Materials received at storeroom.

The storekeeper and/or inventory clerk(s) will be responsible for receiving and issuing all goods at a storeroom. Purchase order numbers should appear on all delivery tickets.

(Ord. No. 14-83/84, § 1(6-106), 8-21-84)

Sec. 11-96. Material returned to stock.

(a) When a job is completed, all unused materials should be returned to stock immediately, so that they will be available for other jobs. Excess materials may include materials requisitioned and not used and materials which have been salvaged on the job. Such items as broken fire hydrants and valves, may be required and made useful. All such items returned to stock, shall be recorded on a storeroom form as deemed necessary.

(b) The storekeeper and/or inventory clerk(s) shall prepare a report at the time the material is returned to the storeroom. This shall indicate the quantity and description of the material, and the department returning it; the storekeeper and/or inventory clerk, in cooperation with the procurement director, shall determine the condition of the goods.

(Ord. No. 14-83/84, § 1(6-107), 8-21-84)

Sec. 11-97. Determination of maximum and minimum stock.

(a) The minimum stock is the smallest quantity that should be in store at any time, and should be the quantity needed for normal requirements during the time to replenish the supply.

(b) The maximum stock is the largest quantity permitted to be on hand at any time. Generally, the amount of stock to be carried should be based on current needs, length of time necessary to replace stock, amount of storage space, and quantities at which favorable prices may be secured. At times when market conditions are favorable, increased maximum quantities may be justified.

(Ord. No. 14-83/84, § 1(6-108), 8-21-84)

Sec. 11-98. Inspection.

Before they are accepted and taken into stock, all materials received shall be examined to determine that the specifications of the purchase order have been fulfilled. The condition of many items can be determined by the storekeeper and/or inventory clerk(s). He should indicate the quantity so that proper credit will be taken on payment of the invoices or claim filed with the common carrier.

(Ord. No. 14-83/84, § 1(6-109), 8-21-84)

Sec. 11-99. Inventory of fixed assets—Required.

The finance director shall maintain an inventory of county fixed assets for these reasons:

1) To safeguard a sizable investment;
2) To fix responsibility for the custody of equipment;
3) To assist in formulation of acquisition and retirement policies through accumulation of data regarding prices, sources of supply and useful life;
4) To provide data for financial reports.

Each department head is fully responsible for the control of fixed assets recorded to his/her department.

(Ord. No. 14-83/84, § 1(6-110), 8-21-84)

Sec. 11-100. Same—Definitions.

The definitions below shall be reviewed carefully prior to taking of the inventory of fixed assets:

(a) **Fixed assets.** Fixed assets are tangible assets of significant value having a useful life that extends beyond one year. The fixed assets included in this accounting system are land, buildings, other improvements, and equipment as further defined.

(b) **Land.** Land includes the investment, held in fee simple in real estate other than buildings and/or other improvements. All land, as defined above, should be capitalized without regard for the significance of costs.

(c) **Buildings.** Buildings include all county government owned buildings except those whose condition prevents their serving any present or future useful purpose. Per-
AGENDA ITEM: Third Reading - Ordinance No. 17-2010/11 - Deferral

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.)

POINTS TO CONSIDER:

Request to defer Third Reading of Ordinance 17-2010/11 until May 19, 2011 meeting.

OPTIONS:

1. (Recommended) Defer Ordinance No. 17-2010/11.

ATTACHMENTS:

Ordinance No. 17-2010/11.
ORDINANCE NO. 17-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.)

WHEREAS:

1. Pursuant to the authorizations contained in Section 4-9-30 of the Code of Laws of South Carolina, 1976, as amended (the “Code”), Florence County, South Carolina (the “County”), acting by and through its County Council (“Council”), created the Johnsonville Rural Fire District (the “District”) by ordinance enacted on December 10, 1981 (the “1981 Ordinance”) for the provision of fire service within an unincorporated area of the County designated in the Ordinance; and

2. Subsequent to the creation of the District pursuant to Section 4-9-30 of the Code, the South Carolina General Assembly enacted Section 4-19-10, et seq. of the Code, which specifically allows Counties to create Special Tax Fire Districts without holding a referendum, which districts are operated under the authority and taxing power of the County and

3. Since the enactment of said section 4-19-10, et seq. of the Code, all other County fire districts have been created and are administered under its provisions; and

4. The proceedings for the creation of the District under Section 4-9-30 of the Code impose certain limitations on the taxing power of the County with respect to the administration of the District that are inconsistent with South Carolina law and the administration of the County’s other fire districts, and that impose barriers to the provision of effective fire protection service by the District; and
5. Section 4-9-30(5)(e) of the Code provides that a special tax district created pursuant to the provisions of Section 4-9-30 of the Code may be dissolved by ordinance of County Council after a duly noticed public hearing; and

6. The District has requested that the County simultaneously dissolve the District as it is presently constituted under Section 4-9-30(5)(e) of the Code and reconstitute the District as a special tax fire district under 4-19-10, et seq. of the Code; and

7. Pursuant to said request, Council has duly noticed by publication in the Morning News a public hearing which was held on March 17, 2011 concerning the dissolution of the District pursuant to Section 4-9-20(5)(e) of the Code.

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

Section 1.01

Pursuant to said 4-9-30(5)(e) of the Code, the District is dissolved as a Special Tax Fire District created pursuant to Section 4-9-30(5) of the Code, such dissolution to become effective upon the creation and reestablishment of the District by Ordinance of Council pursuant to Chapter 19 of Title 4 of the Code.

Section 1.02

All orders and resolutions 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 the creation and reestablishment of the District by ordinance of Council pursuant to Chapter 19 of Title 4 of the Code.

ATTEST: SIGNED:

Connie Y. Haselden, Council Clerk K. G. Rusty Smith, Jr., Chairman
D. Malloy McEachin, Jr., County Attorney

Approved as to Form and Content

COUNCIL VOTE:
OPPOSED:
ABSENT:
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

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

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by County Council on April 21, 2011. The Ordinance was read at three public meetings of County Council on three separate days, February 17, 2011, March 17, 2011, and April 21, 2011. An interval of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of County Council was present and remained present throughout the meeting.

The meetings held on February 17, 2011, March 17, 2011, and April 21, 2011 were regular meetings of County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County, South Carolina, this ___ day of April, 2011.

(SEAL)

______________________________
Clerk to Florence County Council,
South Carolina

First Reading: February 17, 2011
Second Reading: March 17, 2011
Public Hearing: March 17, 2011
Third Reading: April 21, 2011
AGENDA ITEM: Third Reading - Ordinance No. 18-2010/11 - Deferral

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.)

POINTS TO CONSIDER:

Request to defer Third Reading of Ordinance No. 18-2010/11 until May 19, 2011 meeting.

OPTIONS:

1. (Recommended) Defer Ordinance No. 18-2010/11.

ATTACHMENTS:

Ordinance No. 18-2010/11.
ORDINANCE NO. 18-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.)

BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

As an incident to the adoption of this Ordinance, and the creation and reestablishment of the Johnsonville Rural Fire District, the Florence County Council, finds that the facts set forth in this Article exist, and the statements with respect thereto herein made, are true and correct.

Section 1.01

Pursuant to the provisions of Chapter 19 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the “Enabling Act”), the Florence County Council (the “Council”), the governing body of Florence County, South Carolina (the “County”), is empowered to establish, operate and maintain a system of fire protection facilities within designated areas of the County in order to provide the residents and property owners who reside and own property located within the designated areas with fire protection services.

Section 1.02

An area of the County surrounding the City of Johnsonville and contiguous with the area of Florence County School District No. 5 less and except the area within the municipal limits of the City of Johnsonville (the “Johnsonville Rural Area”) has been previously designated as a special tax fire district by the County under Chapter 9 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the “Code”) and known as the Johnsonville Rural Fire District (the “Prior District”). The County has
determined to dissolve the Prior District pursuant to Section 4-9-30(5)(e) contingent upon its creation and reestablishment as a special tax fire district under the Enabling Act in order to ensure the structure and administration is consistent with general law and the structure and administration of other special tax fire districts in the County.

Section 1.03

Council has therefore found that it is in the best interests of the County and the Johnsonville Rural Area to create and reestablish the Johnsonville Rural Fire District as created and reestablished under the Enabling Act (the “District”), to approve the continuation of the annual levy and collection of ad valorem taxes for the operation and maintenance of the District, and to continue the authorization of the County to issue, from time to time by ordinance subsequent hereto, general obligations bonds of the County to finance capital improvements within the District.

Section 1.04

Prior to the designation of an area as a service area or district as authorized by the provisions of the Enabling Act, the Council is required to conduct a public hearing after notice of such hearing has been published in a newspaper of general circulation in the County for three successive weeks prior to the date of the public hearing. In accordance with such requirement, the Council adopted a resolution on February 17, 2011, the provisions of which ordered that a public hearing be held on March 17, 2011 upon the question of the creation of the District. Notice of this hearing was published in the Morning News once a week during each of the three weeks prior to the public hearing and included the time, date and location of the hearing as well as a description of the proposed areas (1) within which fire protection services will be rendered and (2) within which ad valorem taxes will be levied in order that sufficient moneys may be raised to defray the cost of operation and maintenance with regard to such services; and (3) within which ad valorem taxes will be levied to pay general obligation bonds of the County payable from an ad valorem tax levied therein for the purpose of providing fire protection.

Section 1.05

The Council specifically finds that the establishment of the District satisfies the requirements and conditions of §§4-19-10 and 4-19-20 of the Enabling Act and is now minded, in accordance with the specific authorization of §4-19-10(b) of the Enabling Act, to create and reestablish the District to include the Johnsonville Rural Area so that the District will comprise, embrace, and consist of the area contained within the boundaries of Florence County School District No. 5, less and except the area within the municipal boundaries of the City of Johnsonville.

ARTICLE II

CREATION AND REESTABLISHMENT OF JOHNSONVILLE RURAL FIRE DISTRICT

Section 2.01

There is hereby created the Johnsonville Rural Fire District, which shall comprise, embrace, and consist of the area contained within the boundaries of Florence County School District No. 5, less and except the area within the municipal boundaries of the City of Johnsonville. Reference is made to the
Florence County Tax Map maintained by the Florence County Tax Assessor for a metes and bounds description of each such Tax Map Block.

**ARTICLE III**

**REAUTHORIZATION TO**

**LEVY AND COLLECT AD VALOREM TAXES AND TO IMPOSE RATES AND CHARGES FOR**

**OPERATION AND MAINTENANCE**

**Section 3.01**

In order to provide for the operation and maintenance of the function of the District, there is hereby reauthorized an annual levy by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the District. Pursuant to this Ordinance, for fiscal year 2012 said levy within the District for operation and maintenance of the District shall be 25 mills plus any additional millage amount by which such millage may be increased using the formula prescribed in 6-1-3-20 of the Code of Laws of South Carolina 1976, as amended. For all fiscal years subsequent to fiscal year 2012, the levy within the District for the operation and maintenance of the District shall be as prescribed in the County’s annual budget.

**Section 3.02**

In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and maintenance of the District.

**ARTICLE IV**

**AUTHORIZATION TO**

**ISSUE GENERAL OBLIGATION BONDS ON BEHALF OF THE DISTRICT**

**Section 4.01**

In order to provide for the facilities of the District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the District, such bonds to be payable from ad valorem taxes collected within the District.

**ARTICLE V**

**ADMINISTRATION OF THE DISTRICT**

**Section 5.01**

The affairs of the District shall be administered by a Board of Commissioners consisting of 5 members appointed by Council. Appointments to the Board of Commissioners shall be made by Council upon the recommendation of the members of Council whose Council districts are contained wholly or in
part within the District. Each member of the Board of Commissioners must reside within the District. The initial Board of Commissioners of the District shall be the Board of Commissioners of the Prior District serving at the time of the dissolution of the Prior District, with such terms as were in effect at such time. The Board of Commissioners shall meet not less than four times each year, and shall report to Council not less than once each year. The Board of Commissioners shall annually elect such officers as it deems necessary. The members of the Board of Commissioners of the District shall serve without pay.

Section 5.02

The Board of Commissioners shall have authority over the operation and function of the District, subject to the authority of Council.

Section 5.03

The Board of Commissioners shall submit to the County the District's budget for the upcoming fiscal year no later than April 30th of each year.

Section 5.04

Council may by appropriate action subsequently provide for a different form of administration of the District, including the operation of the District as an administrative division of the County as provided for in Section 4-19-20(4) of the Enabling Act.

ARTICLE VI
PUBLIC HEARING

Section 6.01

In accordance with Section 4-19-20 of the Enabling Act, a public hearing was held prior to the third and final reading of this Ordinance.

ARTICLE VII
NOTICE OF ACTION TAKEN

Section 7.01

In accordance with Section 4-19-20 of the Enabling Act, there shall be provided a notice of the action of the Council in adopting this Ordinance, which notice shall be published for two successive weeks in the Morning News. The form of this notice is attached hereto as “Exhibit A.”
ARTICLE VIII
SAVING PROVISION

Section 8.01

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

ARTICLE IX
DIRECTION TO INDEX

Section 9.01

This Ordinance shall be forthwith codified in the Code of Florence County Ordinances as required by law and the same shall be indexed under the heading “Florence County, Johnsonville Rural Fire District.”

ATTEST:                                  SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:

Approved as to Form and Content:
D. Malloy McEachin, Jr., County Attorney
NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL
CONCERNING THE CREATION AND REESTABLISHMENT
OF THE JOHNSONVILLE RURAL FIRE DISTRICT

Pursuant to the provisions of Sections 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence County, South Carolina, on __________, 2011 at _______ on the question of the creation and reestablishment of the Johnsonville Rural Fire District.

Following the aforesaid public hearing, Council did on the ___ day of ______, 2011 give third and final reading to an Ordinance entitled "TO CREATE AND REESTABLISH THE JOHNSONVILLE RURAL FIRE DISTRICT IN FLORENCE COUNTY, SOUTH CAROLINA, TO APPROVE THE CONTINUANCE OF THE ANNUAL LEVY AND COLLECTION OF AD VALOREM TAXES AND THE IMPOSITION OF RATES AND CHARGES FOR THE OPERATION AND MAINTENANCE THEREOF, TO REAUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS ON BEHALF OF THE DISTRICT FROM TIME TO TIME, AND OTHER MATTERS RELATING THERETO" (the "Ordinance").

The Ordinance authorizes the creation and reestablishment of the Johnsonville Rural Fire District which shall comprise, embrace, and consist of the area contained within the boundaries of Florence County School District No. 5, less and except the area within the municipal limits of the City of Johnsonville.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District to the extent necessary to defray the cost of constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. The County Council shall be further authorized to issue general obligation bonds of the County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

Notice of this Action is being published once a week for two successive weeks in the Morning News.

Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL
STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

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

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by County Council on April 21, 2011. The Ordinance was read at three public meetings of County Council on three separate days, February 17, 2011, March 17, 2011, and April 21, 2011. An interval of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of County Council was present and remained present throughout the meeting.

The meetings held on February 17, 2011, March 17, 2011, and April 21, 2011 were regular meetings of County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina, 1976, as amended (the "Freedom of Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County, South Carolina, this ___ day of April, 2011.

(SEAL)

Clerk to Florence County Council,
South Carolina

First Reading: February 17, 2011
Second Reading: March 17, 2011
Public Hearing: March 17, 2011
Third Reading: April 21, 2011
AGENDA ITEM: Ordinance No. 19-2010/11
Introduction

DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:
[An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.] (Planning Commission approved 8-0; Council District 2)

POINTS TO CONSIDER:
1. The subject property is located in Council District 2.
2. The subject property is currently designated as Transitional Growth and Preservation according to the Florence County Comprehensive Plan Land Use Element map.
3. The applicant has requested a land use designation amendment for the subject property to Commercial Growth and Preservation.
4. Staff's justification for the proposed amendment is to recognize change and technology, the style of living, or manner of doing business.
5. This land use designation would better coordinate with the existing land uses surrounding this area.

OPTIONS:
1. (Recommended) Approve as Presented.

ATTACHMENTS:
Copies of the following are attached:
1. Ordinance No. 19-2010/11
2. Resolution for PC#2011-02
3. Staff report for PC#2011-02
4. Aerial map
5. Comprehensive Plan Land Use Element map
ORDINANCE NO. 19-2010/11

[An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 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. 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 March 22, 2011.

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

1. The Florence County Comprehensive Plan Land Use Map is hereby amended to change the designation for property in Florence County located at 122 South Georgetown Highway, Johnsonville, SC from Transitional Growth and Preservation to Commercial Growth and Preservation as shown on Florence County Tax Map No. 50007, Block 05, Parcel 002 consisting of .297 acres.

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

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:
RESOLUTION FOR PC#2011-02
FLORENCE COUNTY PLANNING COMMISSION

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located at 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth and Preservation To Commercial Growth and Preservation As Referenced On The Agenda Map.]

WHEREAS:
1. The subject property designation as established by the Land Use Map of the Florence County Comprehensive Plan is Transitional Growth and Preservation.
2. The applicant is proposing to change the designation to Commercial Growth and Preservation to recognize change in technology, the style of living, or manner of doing business.
3. Therefore, a change to the Comprehensive Plan Map Land Use Designation for this property 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 property in Florence County located at 122 South Georgetown Highway, Johnsonville, SC measuring approximately .297 of an acre that is currently Transitional Growth and Preservation to Commercial Growth and Preservation as referenced on the agenda map.

ATTEST:
Angie Thomas, Secretary II

SIGNED:
Peter M. Knoller, Chairman

COMMISSION VOTE: 8-0
OPPOSED: None
ABSENT: D. Hobbs
       D. Lockhart
       K. Lowery
STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
March 22, 2011
PC#2011-02
ORDINANCE NO. 19-2010/11

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for property in Florence County located at 122 South Georgetown Highway, Johnsonville from Transitional Growth and Preservation to Commercial Growth and Preservation.

Location: 122 South Georgetown Highway, Johnsonville

Tax Map Numbers 50007, Block 05, Parcel 002

Council District(s): 2; County Council

Applicant: Glenn Badger Bazen

Land Area: Approximately 0.297 acres

Staff Analysis:
The property is currently designated as Transitional Growth and Preservation according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation to Commercial Growth and Preservation.

Staff's Justification/Reason for proposed amendment is to recognize change and technology, the style of living, or manner of doing business.

Comprehensive Land Use Plan Map Designation:
The proposal is to change the designation to Commercial Growth and Preservation which protects and sustains existing commercial areas, including property values and amenities, and provides areas along important corridors or at key community points that are expected to have increasing economic significance.

Florence County Planning Commission Action: March 22, 2011:
The eight 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 commercial growth and preservation land use designation would better coordinate with the existing land uses surrounding this area.

Florence County Council Meeting Schedule:
Introduction: Thursday, April 21, 2011 @ 9:00 a.m. in room 803 of the City-County Complex
Second Reading/Public Hearing: Thursday, May 19, 2011 @ 9:00 a.m. in room 803 of the City-County Complex
Third Reading: Thursday, June 16, 2011 @ 9:00 a.m. in room 803 of the City-County Complex
FLORENCE COUNTY COUNCIL MEETING
Thursday, April 21, 2011

AGENDA ITEM: Ordinance No. 20-2010/11
Introduction

DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:
[An Ordinance To Rezone Property Owned By Glenn Badger Bazan Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approx. 0.297 Acres.] (Planning Commission approved 8-0; Council District 2)

POINTS TO CONSIDER:
1. The subject property is located in Council District 2.
2. The subject property is currently zoned B-2, Convenience Business District and is currently vacant rental property.
3. The applicant is requesting to rezone the property to B-3, General Commercial District for a used car lot.
4. The property is surrounded by existing commercial, single-family residential and vacant commercial uses.
5. The request for the zoning amendment to a B-3 does not presently comply with the Land Use Element’s designation for the subject property.
6. However, staff is moving forward with the request to amend the current land use designation to Commercial Growth and Preservation to comply with the Comprehensive Plan Land Use Map.
7. The zoning amendment of the subject property from B-2 to B-3 will be in compliance with the Comprehensive Plan Land Use Map pending the land use designation amendment approval.

OPTIONS:
1. (Recommended) Approve as Presented.

ATTACHMENTS:
Copies of the following are attached:
1. Ordinance No. 20-2010/11
2. Staff report for PC#2011-03
3. Location map
4. Comprehensive Land Use Plan map
5. Zoning map
6. Aerial photograph
ORDINANCE NO. 20-2010/11

[An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approx. 0.297 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 March 22, 2011.

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

1. Property located at 122 South Georgetown Hwy. bearing Tax Map 50007, Block 05, Parcel 002 is hereby rezoned to B-3, General Commercial 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
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

8-0
STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
March 22, 2011
PC#2011-03
ORDINANCE NO. 20-2010/11

Subject: Rezoning request from B-2, Convenience Business District to B-3, General Commercial District

Location: Property is located at 122 South Georgetown Hwy., Johnsonville

Tax Map Number: 50007, Block 05, Parcel 002

Council District(s): 2, County Council

Owner of Record: Glenn Badger Bazen

Applicant: Glenn Badger Bazen

Land Area: Approximately 0.297 acres

Waterways/ Bodies of Water: None

Flood Zone: N/A

Water and Sewer Availability: Provided by the City of Johnsonville

Transportation Access and Circulation:
Present access to the property by way of South Georgetown Hwy. and Chapman Drive.

Existing Land Use and Zoning:
The subject property is currently vacant rental property and zoned B-2, Convenience Business District.

Proposed Land Use and Zoning:
The applicant is proposing to rezone the subject property to B-3, General Commercial District for purpose of used car lot.

Surrounding Land Use and Zoning:
North: Commercial/B-2/City of Johnsonville
South: Vacant/B-2/City of Johnsonville
East: Vacant/B-2/City of Johnsonville
West: Commercial/R-3/City of Johnsonville
Single-Family Residential/B-2/ City of Johnsonville
**Florence County Comprehensive Plan:**
Currently, the subject property is located in a Transitional Growth and Preservation area according to the Comprehensive Plan Land Use Map.

The applicant has requested to rezone this property from B-2 to B-3.

The request for the zoning amendment to a B-3 does not presently comply with the Land Use Element's designation for the subject property.

However, staff is moving forward with the request to amend the current land use designation to Commercial Growth and Preservation to comply with the Comprehensive Plan Land Use Map as the designation would coordinate with the existing land uses surrounding this area.

When the amendment is approved for the land use designation change, the zoning amendment of the subject properties from B-2 to B-3 will be in compliance.

**Chapter 30-Zoning Ordinance:**
The intent of the B-3, General Commercial District is to provide for the development and maintenance of commercial and business uses strategically located to serve the community and the larger region in which it holds a central position.

**Staff Analysis:**
The applicant is requesting to change the zoning of the property from B-2, Convenience Business District to B-3, General Commercial District for purpose of a used car lot.

**Florence County Planning Commission Action: March 21, 2011**
The eight Planning Commission members present approved the rezoning request unanimously at the meeting held on March 22, 2011.

**Florence County Planning Commission Recommendation:**
The Planning Commission recommends approval of this request by the Florence County Council due to rezoning request is located in a Transitional Growth and Preservation area according to the Comprehensive Plan Use Map, however staff is moving forward with the request to amend the current land use designation to comply with the Comprehensive Plan Land Use Map.
Florence County Comprehensive Land Use Plan Map

Legend
LU Code
- RP
- VR
- UD
- TOP
- SD
- CGP
- IQP
- RUP
- PF
- FHD

Map Prepared by: RWE
Copyright 2010: Florence County Planning & Building Inspections Department Geographic Information Systems 03/01/2011

COUNTY COUNCIL DISTRICT(S): 2
PC#2011-03
AGENDA ITEM: Introduction - Ordinance No. 21-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
(An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.)

OPTIONS:
1. (Recommended) Introduce Ordinance No. 21-2010/11.

ATTACHMENTS:
1. Ordinance No. 21-2010/11.
2. Correspondence from Mayor Gene Gainey, Town of Pamplico, dated February 7, 2011.
3. Proposed Lease Agreement.
ORDINANCE NO. 21-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.)

WHEREAS:

1. Florence County currently owns property designated as Tax Map Number 60006-03-014, and situated on said property is the former Pamplico Theater; and

2. The County has received a letter of interest from the Town of Pamplico to enter into a long term lease of the property.

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

1. The County Administrator is authorized to execute a Lease Agreement between Florence County and the Town of Pamplico for property designated as Tax Map Number 60006-03-014, known generally as the former Pamplico Theater for a term of twenty-five years.

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

D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:
February 7, 2011

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

Re: Proposed Uses - Pamplico Theater Building

Dear Mr. Starks:

We have reviewed your January 18, 2011 request for more details on the proposed use of the Pamplico Theater building. We understand that only non-taxable uses would be permitted as provided in the gift/grant/deeding to Florence County from the Drs. Bruce and Lee Foundation.

The Town's plans for the facility include the following activities: museum, community education classes by Police Department, Public Works Department, and Parks/Recreation/Tourism Department. Small registration fees could possibly be charged to participants to assist with building utility and maintenance expenses. Additionally, the Town would make the building available for use by the public for such activities as plays and recitals, birthday parties, senior activities such as bingo, and family and high school reunions. We propose to charge a rental fee to assist with facility operating expenses. We do not plan to use nor allow the facility to be used for any for-profit or other taxable use, nor for any use that would detract from the Dozier M. Munn Pamplico Public Library.

We request either a long term lease (20 years or greater) or gift/grant/deeding to the Town of Pamplico from Florence County. Either option would be acceptable to the town.

Please let us know if you have questions, and thank you for your assistance.

Sincerely,

Gene R. Gainey
Mayor

cc: Anne B. Miles, Town Clerk
    Glenn C. Lane, Administrator
STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE  

LEASE

This Lease is made and entered into this 21st day of March, 2011 by and between FLORENCE COUNTY, SOUTH CAROLINA, A Body Politic And Corporate And A Political Subdivision Of The State of South Carolina (hereinafter referred to as "Lessor"), and the TOWN OF PAMPLICO (hereinafter referred to as “Lessee”).

1. LEASED PREMISES. Subject to the terms and conditions set forth hereinafter, the Lessor hereby leases to the Lessee and the Lessee hereby rents from the Lessor that portion of the property of the Lessor which is described more particularly as follows:

Commonly known as: 132 East Main Street, Pamplico, SC 29583
Tax Map No.: 60006-03-014

2. TERM OF LEASE. The term of the Lease shall commence upon execution of this Lease and shall continue for a period of twenty-five (25) years thereafter.

3. IMPROVEMENTS TO THE PREMISES. The Lessee shall make no improvements to the premises of the Lessor without the permission of the Lessor, which approval shall not be unreasonably withheld. Any improvements constructed on the premises by the Lessee shall remain the property of the Lessor at the termination of this Lease with the exception that furnishings and fixtures owned by or installed by the Lessee may be removed.

4. RENT. The rent shall be One ($1.00) Dollar per year for the twenty-five (25) year term of the Lease. Receipt of all rent payments due hereunder is hereby acknowledged and accepted by Lessor, and no further payments are due.

5. OPTION TO RENEW. At the termination of the initial twenty-five (25) year period, this Lease may be renewed for a period of twenty-five (25) years, upon mutual consent of the parties, with the rentals based on the provisions of Paragraph 4 above.

6. USE OF LEASED PREMISES. The Lessee is leasing this property solely for use as a multipurpose building for community activities. If the property is used for any non-compatible use which detracts from the Dozier M. Munn Pamplico Library, the County Council, at its sole discretion, shall terminate this Lease by thirty (30) days written notice to the Lessee. The Lessee will observe and comply with all applicable laws, ordinances, orders and regulations prescribed by lawful authority having jurisdiction over the leased premises. No taxable uses of the property will be allowed at any time. In addition to the provisions contained in Paragraph 10 herein, Lessee agrees to indemnify and hold harmless the Lessor from any liability or claim from any public taxing entity and the Drs. Bruce and Lee Foundation as the result of any taxable use of the property. Upon such event, this Lease agreement shall be immediately terminated.
7. **REPAIRS AND ALTERATIONS.** The Lessee will be responsible for any repairs necessary to maintain the grounds and the outside fixtures (i.e. paint) roof, plumbing, HVAC, electrical utilities and structural integrity of the building. The Lessee will provide for necessary maintenance and repairs on the premises and grounds, and all other improvements which become necessary as a result of Lessee’s uses of the facility. Lessee is hereby granted permission to make minor modifications in compliance with SC and Florence County building codes to improve safety, building codes, and Americans with Disabilities Act compliance of the building.

8. **UTILITIES.** The Lessor shall not be obligated to furnish electricity, water, sewer, janitor service or any other utility or service necessary for Lessee. All utilities consumed on the leased premises shall be paid for by Lessee. Lessee is specifically prohibited from granting any permanent easement or ROW to any entity for any purpose, other than a temporary easement which must include provisions to terminate immediately whenever this Lease terminates for any reason.

9. **SIGNS.** The Lessee shall have the right to erect and maintain such sign or signs on the premises as may be permitted by applicable law.

10. **INDEMNIFICATION.** This Lease is made upon the express condition that the Lessor shall be free from all liabilities and claims for damages and suits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, whether the person or property of Lessee, its agents or employees, assigns, or third persons, from any cause or causes whatsoever while in or upon the Property or any part thereof during the term of this Lease or occasioned by any occupancy or use of the Property or any activity carried on by Lessee in connection therewith, and Lessee hereby covenants and agrees, to indemnify and save harmless the Lessor from all liabilities, charges, expenses, including attorney's fees and any all costs associated on account of or by reason of any such injuries, liabilities, claims, suits or losses however occurring or damages arising out of the Lessee's use and occupancy of the Property. The Lessee agrees hereby to indemnify and hold the lessor, its officials, employees, assigns, and agents harmless from any and all actions, demands, liabilities, claims, losses or litigation arising out of or connected with the lessee's occupancy or use of the premises to the extent allowed by the South Carolina Tort Claims Act and the lessee's coverage under its policy of insurance with the Insurance Reserve Fund.

11. **INSURANCE.** Lessee shall, during the entire term of this Lease, keep in full force and effect, policies of comprehensive liability insurance and fire and property damage at full replacement value. The Lessee shall secure and keep in force at its own expense during the term of this Lease tort liability insurance coverage as provided in the South Carolina Tort Claims Act in the amount of no less than $300,000.00 per person from a single occurrence and a limit of $600,000.00 as the total sum recovered arising out of a single occurrence regardless of the number of agencies or political subdivisions involved. The policy will defend and name Lessor as an additional insured on a primary basis for the operations under or incidental to this Lease. The insurance shall be with a company duly authorized to write and issue insurance policies in the State of South Carolina. A copy of the declaration page of the Policy or Certificate of Insurance shall be provided to the Lessor before the commencement of this Lease Agreement and annually thereafter.
12. **EMINENT DOMAIN.** In the event any condemnation by power of eminent domain is to such an extent that it is impracticable for Lessee to continue the operation of its business on the leased premises and Lessee elects to terminate the Lease, Lessee shall notify Lessor of its election to terminate within ten (10) days after the official notice of condemnation is given to Lessee.

13. **DEFAULT.** As used in this Lease, the term, “event of default” shall mean any one of the following:

   (a) the failure of the Lessee after receipt of demand from the Lessor to fulfill any duty or obligation imposed on the Lessee by this Lease;
   
   (b) the failure of Lessee to provide to a Certificate of Insurance or the declaration page of the policy in a timely manner.

   Upon the happening of any “event of default,” the Lessor may, at its option, terminate this Lease and expel the Lessee; provided, however, that before the exercise of such option for failure to perform any condition imposed herein upon the Lessee, the Lessor shall give written notice of such event of default to the Lessee, which thereafter shall have thirty (30) days within which to remedy or correct such default. Lessor shall retain all remedies available to Lessor by law and through this Lease in any event of default.

14. **IDENTITY OF INTEREST.** The execution of this Lease or the performance of any act pursuant to the provisions hereof shall not be deemed or construed to have the effect of creating between Lessor and Lessee the relationship of principal and agent or of a partnership or of a joint venture and the relationship between them shall be and remain only that of Lessor and Lessee.

15. **NOTICES AND REPORTS.** Any notice, report, statement, approval, consent, designation, demand or request to be given and any option or election to be exercised by a party under the provisions of this Lease shall be effective only when made in writing and delivered (or mailed by registered or certified mail with postage prepaid) to the other party at the address given below, provided however that either party may designate a different address from time to time by giving the other party notice in writing of the change.

   As to Lessor: Florence County Administrator
   Drawer G, City-County Complex
   Florence, SC 29501

   As to Lessee: Mayor
   Town of Pamplico
   Post Office Box 296
   Pamplico, SC 29583
16. **REMOVAL OF EQUIPMENT AND FIXTURES.** All trade, furniture, fixtures and equipment on the leased premises are recognized to be the sole property of the Lessee and shall remain the Lessee's property. During the term of the Lease and at the end of the Lease term, the Lessee may remove these items.

17. **ENTIRE AGREEMENT.** The Lease contains all of the understanding by and between the parties hereto relative to the leasing of the premises herein described, which may be amended, modified, altered, changed, revoked or rescinded in whole or in part only by like instrument signed by the parties hereto.

18. **ASSIGNMENT AND SUBLETTING.** The Lessee shall not assign this Lease or sublet the leased premises or any portion thereof, or otherwise transfer any right or interest hereunder without the prior written consent of the Lessor which consent shall not be unreasonably withheld. If the Lessor consents to the assignment, subletting or other transfer of any right or interest hereunder by the Lessee, such approval shall be limited to the particular instance specified in the consent and the Lessee shall not be relieved of any duty, obligation or liability under the provision of its Lease.

19. **BINDING EFFECT.** The terms and conditions of this Lease shall be binding on the parties hereto and their respective heirs, successors, assigns and personal representatives.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date and year first above written.

IN THE PRESENCE OF:

Florence County, South Carolina
LESSEOR

By: ____________________________
Richard A. Starks
County Administrator

IN THE PRESENCE OF:

Town of Pamplico, South Carolina
LESSEE

By: ____________________________
Gene R. Geiney
Mayor
AGENDA ITEM: Introduction of Ordinance No. 22-2010/11

DEPARTMENT: Finance

ISSUE UNDER CONSIDERATION:
(An Ordinance To Ratify FY11 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.)

POINTS TO CONSIDER:
1. There have been grants received during the year that need to be formally appropriated by Council.
2. Reimbursement from the State of South Carolina for poll worker expenditures for the November 2010 election was greater than anticipated, requiring an additional appropriation of $140,000 above the original FY11 budget.
3. Receipt of inmate per diem revenue from the US Marshals Service is greater than anticipated, requiring an additional appropriation of $200,000 above the original FY11 budget.
4. The cost and number of state law required autopsies has increased, requiring an additional appropriation of $20,000 above the original FY11 budget.
5. The acquisition of various properties has resulted in increased utilities costs, requiring an additional appropriation of $20,000 above the original FY11 budget.
6. At its regular meeting on February 17, 2011, Florence County Council committed to provide additional funding for magistrate personnel. An amount not to exceed $20,000 is being appropriated to fund this cost.
7. Additional funding is needed for funding personnel costs of the Public Defender, requiring an additional appropriation of $40,000 above the original FY11 budget.
8. Contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 in the amount of $50,399 require the unexpended balances of the purchase orders to be added to General Fund fund balance.
9. At its regular meeting on May 20, 2010, Florence County Council committed to purchase various properties on North Irby Street in an amount not to exceed $2,000,000. An amount of $586,621 is being appropriated to carryover the remaining amount of this funding into FY11.

FUNDING FACTORS:
1. County Council has previously accepted the various grant agreements. This Ordinance approves the formal appropriation for the related grant expenditures.
2. The appropriation to the Voter Registration and Election Commission in the amount of $140,000 is being funded from a reimbursement from the State of South Carolina.
3. The appropriation to the Sheriff’s Office in the amount of $200,000 is being funded from the increased revenue being received from the US Marshals Service.
4. The appropriation to the Coroner’s Office in the amount of $20,000 is being funded from General Fund fund balance.
5. The appropriation to the Facilities Management Division in the amount of $20,000 is being funded from General Fund fund balance.
6. The appropriation to the Magistrates Office in the amount of $20,000 is being funded from General Fund fund balance.
7. The appropriation to the Public Defender in the amount of $40,000 is being funded from General Fund fund balance.

8. The allocation for contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 in the amount of $50,399 is being funded from General Fund fund balance, since savings in this amount was realized in FY10.

9. The appropriation to carryover the remaining funding for the purchase of various properties on North Irby Street and other associated costs in the amount of $586,621 is being funded from General Fund fund balance.

OPTIONS:
1. *(Recommended)* Introduce Ordinance No. 22-2010/11.
2. Provide An Alternate Directive

ATTACHMENT:
1. Ordinance No. 22-2010/11
ORDINANCE NO. 22-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Ratify FY11 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.]

WHEREAS:

1. The previous adoption of various resolutions by County Council requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and

2. As a result of these resolutions, the County Council will adopt a final budget amendment ordinance ratifying budget resolutions authorized by Council during the fiscal year, as well as grants, any other supplemental appropriation actions, and other non-recurring allocations in accordance with the 1976 South Carolina Code of Laws, as amended.

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

1. The Florence County Council hereby amends the FY11 budgetary appropriations and directs the allocation of the receipt of nonrecurring revenue as detailed hereinafter, and authorizes and directs the Florence County Administrator to make the following changes to the FY11 appropriated budgets:

   a. GENERAL FUND (FUND #10)

      1) Based on the fact that the reimbursement from the State of South Carolina for poll worker expenditures for the November 2010 election was greater than was anticipated, Florence County Council hereby directs that budgeted revenue and expenditures be increased accordingly as follows:

         Revenue 10-341-335-085-0000 $140,000
         Expenditures 10-411-410-200-8952 $140,000

      2) Based on the fact that the inmate per diem revenue being received from the US Marshals Service is greater than was anticipated, Florence County Council hereby directs that budgeted revenue and expenditures be increased accordingly as follows:

         Revenue 10-351-342-101-0000 $200,000
         Expenditures 10-421-421-200-0100 $200,000
3) As a result of a state law requirement governing the performance of autopsies, the increased cost of these legally required autopsies, and the impact on the Coroner’s office budget, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>10-451-425-000-0400</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

4) The acquisition of various properties has increased the expenditures for utilities costs in the Facilities Management budget; therefore Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for their funding:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>10-411-420-000-6100</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

5) Based on the commitment by Florence County Council at its regular scheduled meeting on February 11, 2011 to provide additional funding for magistrate personnel in an amount up to $20,000, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>10-411-407-100-0100</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

6) Based on the need to provide additional funding for personnel costs in the Public Defender budget, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>10-411-406-000-0100</td>
<td>$40,000</td>
</tr>
</tbody>
</table>

7) Contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 require the unexpended balances of the purchase orders to be added to General Fund fund balance. These unexpended balances are in need of being carried over into FY11. Based on various FY10 uncompleted contracts and purchase orders being carried over into FY11, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>10-411-418-100-1200</td>
<td>$50,399</td>
</tr>
<tr>
<td>10-399-999-999-9500</td>
<td>10-411-488-000-8800</td>
<td>$6,531</td>
</tr>
<tr>
<td>10-399-999-999-9500</td>
<td>10-421-421-200-9500</td>
<td>$18,434</td>
</tr>
<tr>
<td>10-399-999-999-9500</td>
<td>10-421-423-000-4700</td>
<td>$11,200</td>
</tr>
<tr>
<td>10-399-999-999-9500</td>
<td>10-451-423-000-8600</td>
<td>$2,741</td>
</tr>
<tr>
<td>10-399-999-999-9500</td>
<td>10-451-424-800-9298</td>
<td>$7,301</td>
</tr>
</tbody>
</table>
8) Based on the commitment by Florence County Council at its regular scheduled meeting on May 20, 2010 to purchase various properties on North Irby Street, Florence County Council directed the appropriation of up to $2,000,000 for the purchase of these properties and other associated costs, the use of fund balance for its funding, and the carryover of any unexpended funds from this action to FY11:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-399-999-999-9500</td>
<td>$586,621</td>
</tr>
<tr>
<td>10-411-488-000-8800</td>
<td>$586,621</td>
</tr>
</tbody>
</table>

b. **GRANT FUND (FUND #141)**

The FY11 Budget is hereby amended to increase revenue and expenditures for various grants awarded during the fiscal year. The grants, grant numbers, and amounts are as follows:

- Solicitor’s Arbitrator: 4399, $84,083
- Solicitor’s Salary Supplement: 4400, $241,681
- Solicitor’s Pre-trial Intervention: 4401, $219,816
- Juvenile Drug Court: 4402, $60,497
- Sheriff - CSE-DSS: 4452, $40,000
- School Dist #1 SRO: 4201, $256,394
- School Dist #2 SRO: 4201, $73,795
- School Dist #3 SRO: 4201, $98,105
- School Dist #5 SRO: 4201, $34,654
- Used Oil contract: 4222, $12,028
- Public Defender: 4248, $71,095
- Recreation EDC Programs: 4250, $250
- DUI Prosecutor: 4253, $64,703
- SCEMD Radio Support: 4271, $792
- DSS Incentives: 4277, $85,680
- DSS Unit Cost: 4278, $297,385
- CDV – Solicitor: 4294, $112,263
- Johnsonville Library donations: 4327, $1,387
- Sheriff Gang Training: 4334, $2,000
- SCEMD 10EMP-01: 4336, $120,024
- State Library – Florence Families Read: 4337, $12,539
- Library – Grandfamilies Resource: 4338, $1,500
- Drs. Bruce & Lee Foundation - Library: 4339, $50,000
- Waste Tires - 21-wt-11: 4340, $37,317
- Waste Oil - 21-wo-11: 4341, $11,085
- State Library – ALSC Conference: 4342, $794
- SCDOT – VREC Paving: 4343, $100,000
- Sheriff - SCDPS – SCLEN FY11: 4344, $26,000
- State Library - Stimulus: 4345, $36,760
- State Library - Stabilization: 4345, $36,760
- Sheriff Drug Lab: 4346, $232,274
- Sheriff USDOJ JAG Grant: 4347, $60,843
- State Library – LSTA Conference: 4349, $1,048
- SCPRST - CVB – TMPP Grant: 4351, $129,840
- Drs. Bruce & Lee Foundation – Econ Dev: 4352, $5,000
- Pearl Kyle Foundation – EDC Exhibits: 4353, $2,000
- SCCCED – Economic Development: 4354, $100,000
2. This Ordinance includes the ratification of all grant and budget related resolutions and actions previously approved by Florence County Council for the fiscal year ending 06/30/11.

3. All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.

4. If any provision of this Ordinance or the application thereof to any person or circumstances 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
Clerk to Council

SIGNED:

K.G. Rusty Smith, Jr., Chairman
Florence County Council

COUNCIL VOTE:
OPPOSED:
ABSENT:

Approved as to Form & Content
D. Malloy McEachin, Jr., County Attorney
AGENDA ITEM: Introduction - Ordinance No. 23-2010/11- Title Only

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.)

OPTIONS:

1. (Recommended) Introduce Ordinance No. 23-2010/11 by title only.

ATTACHMENTS:

Ordinance No. 23-2010/11 Title.
ORDINANCE NO. 23-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.)
AGENDA ITEM: Introduction of Ordinance No. 01-2011/12

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To provide For Revenues For The Payment Thereof; And To provide For Other Matters Related Thereto.)

POINTS TO CONSIDER:

1. Ordinance No. 01-2011/12 is the budget ordinance for next fiscal year.
2. Decisions at the State level have cut the State Local Government Fund revenue to the Florence County General Fund by another $1,000,000, in addition to the $3,000,000 negative impact from the same measures in prior years.
3. Ordinance No. 1-2011/12 addresses this negative impact by cutting the expenditure portion of the budget by 3% from FY11 amended budget levels.

FUNDING FACTORS:
NONE

OPTIONS:

1. (Recommended) Introduce Ordinance No. 01-2011/2012.

ATTACHMENTS:

1. Ordinance No. 01-2011/12
ORDINANCE NO. 01-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Council, pursuant to state statutes, is authorized and required to adopt an annual budget for all departments, offices, and agencies (hereinafter collectively termed offices or departments) of the County Government; and

2. Pursuant to state statutes, total funds appropriated in fiscal year 2011-2012 for the above purposes do not exceed estimated revenues and funds available for expenditure in fiscal year 2011-2012.

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

SECTION 1. APPROPRIATIONS

a. Procedures Compliance: The fiscal year 2011-2012 County Budget for Florence County, South Carolina is hereby adopted and detailed budget appropriation documentation attached hereto is incorporated herein by reference. The Florence County Council certifies that it has complied with all state laws and regulations regarding readings, notices, and public hearings for mills levied herein, and that it will comply in the case of mill levies which may be adjusted by resolution based on more current information at the time of final issuance of the levies and after the adoption of this ordinance.

b. Levy Process: In all cases, all property shall be taxed unless otherwise exempt from taxation pursuant to the South Carolina Code of Laws, 1976, as amended. The taxes are due and payable and shall be collected in the manner as provided for collection of taxes the South Carolina Code of Laws, 1976, as amended, and in accordance with procedures established in County enacting ordinances.

(1) Motor Vehicle Taxes: Taxes levied on motor vehicles shall be collected pursuant to the schedules and procedures as established by State Statute and nothing herein shall be deemed to extend or defer the time of payment for such motor vehicle taxes.

iii
(2) Motor Vehicle Owner Responsibility for Taxes: No motor vehicle registered in the State of South Carolina and property of a person, a resident of the County, shall be operated on the streets and public ways of the County unless all the motor vehicle taxes and fees duly assessed against such vehicle shall have first been paid. In the event that any person violates the provisions of this Section, he shall be guilty of a misdemeanor and subject to the penalties prescribed in Title 46, 1976 South Carolina Code of Laws, as amended. Nothing in this section shall preclude the collection of taxes and fees upon such motor vehicle after the prosecution of the offender for failure to pay such tax.

c. Appropriation Management:

(1) Reallocation: Unless otherwise restricted by state law or specific limitation of accounting standards, all of the appropriations hereinafter and those in the budgetary detail incorporated herein by reference are subject to adjustment and reallocation by County Council by voice motion or resolution. Any amount appropriated in this Ordinance may be discontinued at any time by appropriate action of a majority of the County Council. Expenditures from the General Fund contingency are generally done by resolution or voice motion.

(2) Duplication: If any of the items, or portions thereof, for which funds are herein appropriated is taken over by the State or Federal government and appropriations therefrom be made by either or paid by either directly to a County Office, or if the same shall become available in any manner, then the amounts for said Office herein appropriated shall be reduced in the amount of said appropriation, direct payment, or other available funds or support, unless otherwise restricted by law.

(3) Direct Assistance: All agencies receiving direct assistance payments from the County shall be funded quarterly in arrears no more than twenty-five (25%) percent of their direct assistance line item or on an alternate schedule at the discretion of the County Administrator in the case of emergencies. The quarterly allotments shall be paid around the 15th of the month following the end of each quarter. The final 4th quarter funding may be withheld by the Finance Director pending the reconciliation of outstanding obligations between the County and the Agency receiving funding or in the case of grant irregularities. Agencies, boards, and commissions, which are partially funded by Florence County Government, must provide annual audited financial statements to include a copy of the management letter and a copy of the Audit report, if applicable. State funded agencies must provide an annual report or a summary of local office specific funding. Quarterly funding may be withheld pending the County's receipt of an agency's annual audited financial statements.

d. Mill Levy: The following mills are levied to provide the property tax revenues to fund a portion of the appropriated expenditures noted directly below in Section e, which shall be reflected on tax bills:

<table>
<thead>
<tr>
<th></th>
<th>FY11</th>
<th>FY12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florence County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Service</td>
<td>67.9</td>
<td>68.9</td>
</tr>
<tr>
<td></td>
<td>9.0</td>
<td>8.0</td>
</tr>
</tbody>
</table>

Additionally, the following mill levies for the operation of the special purpose fire districts and the mill levy for Florence-Darlington Technical College are hereby approved: (Estimated FY12 debt service millages are shown for informational purposes and may be subject to adjustment by the County Auditor.)

<table>
<thead>
<tr>
<th>Fire District</th>
<th>Operating Mills FY11</th>
<th>Operating Mills FY12</th>
<th>Debt Mills FY11</th>
<th>Debt Mills FY12</th>
<th>Total FY11</th>
<th>Total FY12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Johnsonville Rural Fire District</td>
<td>24.0</td>
<td>24.5</td>
<td>7.6</td>
<td>7.6</td>
<td>31.6</td>
<td>31.6</td>
</tr>
<tr>
<td>Sardis-Timmonsville Rural Fire District</td>
<td>15.0</td>
<td>15.0</td>
<td>0.0</td>
<td>0.0</td>
<td>15.0</td>
<td>15.0</td>
</tr>
<tr>
<td>Howe Springs Fire District</td>
<td>19.4</td>
<td>19.4</td>
<td>6.6</td>
<td>6.6</td>
<td>26.0</td>
<td>26.0</td>
</tr>
<tr>
<td>Hannah-Salem-Friendfield Fire District</td>
<td>18.1</td>
<td>18.1</td>
<td>9.3</td>
<td>9.3</td>
<td>27.4</td>
<td>27.4</td>
</tr>
<tr>
<td>West Florence Rural Fire District</td>
<td>8.0</td>
<td>8.0</td>
<td>0.0</td>
<td>0.0</td>
<td>8.0</td>
<td>8.0</td>
</tr>
<tr>
<td>Windy Hill/Olanta Rural Fire District</td>
<td>24.5</td>
<td>24.5</td>
<td>3.2</td>
<td>3.2</td>
<td>27.7</td>
<td>27.7</td>
</tr>
<tr>
<td>Florence-Darlington Technical College</td>
<td>4.9</td>
<td>4.9</td>
<td>0.0</td>
<td>0.0</td>
<td>4.9</td>
<td>4.9</td>
</tr>
</tbody>
</table>
Any millage adopted by this ordinance can be lowered by resolution of County Council prior to issuance of the tax notices.

Any fire district debt service millage will remain in effect for the entire fire district in which it was levied until the associated debt has been completely paid, regardless if a portion of the fire district is annexed by a municipality.

e. Funds: The following funds are hereby established for the purposes set forth with appropriations/budgeted amounts where applicable. Other funds may be delineated elsewhere:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Fund Name</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>County General Fund</td>
<td>$48,229,841</td>
</tr>
<tr>
<td>45</td>
<td>Debt Service Fund*</td>
<td>$3,817,770</td>
</tr>
<tr>
<td>111</td>
<td>Economic Development Capital Project Fund*</td>
<td>$1,625,000</td>
</tr>
<tr>
<td>112</td>
<td>Economic Development Partnership Fund*</td>
<td>$434,253</td>
</tr>
<tr>
<td>121</td>
<td>65% State Accommodations Tax (2%) Fund*</td>
<td>$250,000</td>
</tr>
<tr>
<td>122</td>
<td>30% State Accommodations Tax (2%) Fund*</td>
<td>$120,000</td>
</tr>
<tr>
<td>123</td>
<td>Local Accommodations Tax (3%) Fund*</td>
<td>$2,473,875</td>
</tr>
<tr>
<td>124</td>
<td>Local Hospitality Tax Fund*</td>
<td>$655,16</td>
</tr>
<tr>
<td>131</td>
<td>District Utility Allocation Fund*</td>
<td>$2,409,871</td>
</tr>
<tr>
<td>132</td>
<td>District Infrastructure Allocation Fund*</td>
<td>$1,719,884</td>
</tr>
<tr>
<td>133</td>
<td>District Rocking and Paving Fund*</td>
<td>$1,290,493</td>
</tr>
<tr>
<td>145</td>
<td>Sheriff Camps Fund*</td>
<td>$54,000</td>
</tr>
<tr>
<td>146</td>
<td>Sex Offender Registry Fund*</td>
<td>$54,000</td>
</tr>
<tr>
<td>147</td>
<td>Seized Auction Proceeds Fund*</td>
<td>$40,000</td>
</tr>
<tr>
<td>151</td>
<td>Law Library Fund*</td>
<td>$82,548</td>
</tr>
<tr>
<td>153</td>
<td>Road Maintenance Fund*</td>
<td>$3,081,973</td>
</tr>
<tr>
<td>154</td>
<td>Victim/Witness Fund*</td>
<td>$187,594</td>
</tr>
<tr>
<td>155</td>
<td>Solicitor Check Law Fund*</td>
<td>$175,000</td>
</tr>
<tr>
<td>421</td>
<td>Solid Waste Management Fund*</td>
<td>$4,114,470</td>
</tr>
<tr>
<td>431</td>
<td>E-911 System Fund*</td>
<td>$453,632</td>
</tr>
</tbody>
</table>

* At the close of the fiscal year, any unexpended budgeted monies within these funds and within all capital project funds shall be carried forward with their respective fund balance for the continued established use of that fund subject to appropriations, unless specifically authorized otherwise by ordinance or directed by State law.

f. County General & Debt Service Funds: The Florence County Auditor is authorized and directed to levy upon all taxable property in Florence County, South Carolina, and the Florence County Treasurer is directed to collect taxes sufficient to meet all County General Fund appropriations directed by this Ordinance, except as provided for by other revenue sources for the operation of the County Government for the Fiscal Year beginning July 1, 2011 through June 30, 2012. The Florence County Auditor is authorized and directed to levy upon taxable property in Florence County, South Carolina and the Florence County Treasurer is directed to collect taxes sufficient to meet the appropriation of $3,817,770 for Debt Service provided by this Ordinance.

g. Major Funds Determination: In accordance with Governmental Accounting Standards Board (GASB) Statement No. 34 and other appropriate regulations requiring Government-wide Financial Statements, major funds will be determined annually at the end of the fiscal year during the audit process.
h. Grants Management:

(1) Grant Fund Balances: Notwithstanding any other provisions of this ordinance, all unexpended balances from previous appropriations of state and federal grant funds, any State Accommodations Tax Funds not committed to the County General Fund, and capital improvement or special project appropriations outstanding as of June 30th in the calendar year in which this budget ordinance is effective, shall be carried forward into the subsequent fiscal year budget appropriations. All grants are to be budgeted and accounted for in a special revenue fund, and authorized local match transfers will be completed by the County Finance Director based on County Council’s acceptance of the grant.

(2) County Acceptance: The expenditure of funds for grant programs included in this budget shall not be authorized unless evidence that the respective grants have been approved by the grantor agency is provided to the County Administrator, who is authorized to accept grants. The County Administrator may require that the grant be accepted and funded by proper action of County Council. In all cases, total program expenditures shall be limited to the lesser of the total grant award(s), or the amount(s) designated in the current budget appropriations, as amended, or as approved by County Council. The County Finance Director must be listed as a contact on all grant applications and awards; all correspondence must be copied to the County Grants Coordinator.

(3) Budgeting: Grant funds requiring matching County funds not budgeted shall be authorized by County Council approving the grant application and identifying matching expenditure funds from other previously appropriated funds. Grants requiring no new local match appropriation may be approved by the County Administrator or County Council, and the budget amended accordingly. The Finance Director is authorized to create the necessary general ledger accounts; the opening of bank accounts, when necessary, shall be executed by the County Treasurer in coordination with the Finance Director. When grant award payments are received, the Treasurer’s Office or County Offices shall provide the Grants Coordinator with copies of all checks received for the reimbursement of grant expenditures and any other related documentation determined by the Finance Director as necessary to ensure audit compliance. All grant revenues shall be credited to the appropriate revenue line item as established by the Finance Director. Grant revenues will not be applied directly to expenditure line items. All grant disbursements shall be authorized only through the Finance Office unless State or Federal law specifically provides otherwise and the County is exempt from financial reporting on those funds at both the State and Federal levels.

(4) Federal Reporting: In accordance with Federal A-133 Audit Requirements related to Federal grants, all County offices and Component Units must report the expenditures and provide copies of grant awards and any other grant related reports to the County Grants Manager. All offices must present all voucher requests for payments related to grants to Procurement for purchase and the Finance Office before the disbursement of grant related funds, as well as coordinating with the County Grants Manager. County offices that do not comply with this ordinance and any other published administrative procedures necessary for complete and timely reporting of grants such that the County incurs additional independent audit costs or loses grants funds will have these costs deducted from the Office or Component Unit’s budget appropriations annually until any unfunded expenditures are fully recouped.

SECTION 2. FUND BALANCE MANAGEMENT

a. Compliant Fund Balance Policy: Florence County Council utilizes a compliant fund balance methodology based on the cash-flow needs of the County to maintain sufficient reserves in order to maintain County operations. End of year fund balance estimations and associated cash flow projections for all cash-discrete funds are developed annually in the budget process to maintain a minimum of annualized appropriations in operational funds to ensure routine operations remain uninterrupted and in sinking funds (debt service fund) balances as required to timely service all scheduled debt.

Should any individual fund balance fall below the required minimum balance, inter-fund cash transfers are hereby authorized, provided that the allocation of interest is accounted for appropriately no less than once per fiscal year.
b. Tax Anticipation Note Authority: The County is hereby empowered to borrow in anticipation of tax or other revenues for County purposes any sum not exceeding the amount anticipated to be received from taxes and other revenues during the current or following fiscal year, and not only to pledge the taxes or other revenues anticipated in the current or succeeding fiscal year, but to pledge, also, the full faith and credit of Florence County for the repayment of any sums so borrowed. Such sums shall be borrowed from any banking institution or lending agency and shall be payable at such time, upon such terms, and in such sums as may be negotiated between the County and the lender.

SECTION 3. BUDGET YEAR END

a. Purchase Authority Cutoff: The budget year shall expire on June 30 of this fiscal year. No monies shall be disbursed pursuant to this Ordinance unless such funds have been obligated (i.e. an order has been placed or a contract signed for the delivery of goods or services in accordance with County procurement procedures) prior to the close of the fiscal year, which is June 30. The County Administrator will take action to preclude all purchase order activity except business required for expedient operations and emergencies after June 15 of the fiscal year; no capital purchases other than emergencies will be initiated after May 31 of the fiscal year without the express written approval of the County Administrator. In addition, all items must be received and invoiced June 30th or earlier, or the items will be deducted from the originating office’s subsequent fiscal year budget.

b. Purchase Order Liquidation: All offices are responsible for providing documentation regarding outstanding obligations for this fiscal year to the Finance Department on or before June 15th to facilitate the proper accrual of outstanding obligations of the County or the obligation(s) may be deducted from the office’s budget for the subsequent fiscal year.

c. No Roll-Forward: Budget line item balances shall under no circumstances roll forward at the end of this fiscal year into the next fiscal year’s budget, except for bond funds and grants crossing the fiscal year or as otherwise specified or appropriated within this budget ordinance.

SECTION 4. NATURE OF REVENUES, EXPENDITURES, AND CHART OF ACCOUNTS

a. Transfers Prohibited: Unbudgeted transfers are prohibited except as approved herein and in accordance with generally accepted accounting principles.

b. Overspending: Any office which overspends its straight-line spending levels for two consecutive months shall be reviewed by the County Administrator, who may freeze position vacancies, capital expenditures, and funds transfers, and remove sufficient personnel from the County payroll to offset fully the impending budget overrun prior to the close of the fiscal year. The County Administrator is authorized to transfer County Government functions and allocated appropriations among the various County divisions and offices in order to combine compatible employee positions and functions, eliminate duplicate work, gain performance efficiencies, or reduce overall operating costs of the County Government.

c. Intra-departmental Transfers by Finance Department: In order to process claims for payment submitted to the Finance Department, the Finance Director, or his designee, is hereby authorized to make intra-departmental transfers between line items in any department’s budget in order to ensure that no line item is over-spent by the processing of these claims.
d. **Budget Reduction Absorption**: In order to absorb the three percent (3%) budget reduction from the FY11 amended budget levels, in the event a department does not submit its detailed department budget reduction proposal, the Finance Director is hereby authorized to make line item budget reductions in any department's budget in order to ensure that each department's detail budget agrees with the respective budgets appropriated herein. The County Administrator or his designee will consult with these particular department heads to absorb this budget reduction in a manner that will have the least impact on operations. Personnel can be removed from payroll in accordance with Section 4b above, as necessary to achieve the absorption of this 3% budget reduction.

**SECTION 5. FIXED ASSETS**

a. **Reporting**: The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend the useful life of the asset are not capitalized. The threshold for determining if an item is considered to be a fixed or capital asset is the value or the purchase price (whichever is higher) of $5,000 or greater and the item must have a useful life of more than one year. Appropriate depreciation schedules are maintained on the straight-line basis over the estimated useful life of each asset in accordance with Generally Accepted Accounting Principles (GAAP). The estimated useful life is determined by guidelines developed by the State of South Carolina Office of Comptroller General, and in some cases, applicable Federal IRS regulations and/or Governmental Accounting Standards Board (GASB) 34 implementation guidelines.

b. **Inventory Control**: Each Office is responsible for verification of all of its items required to be listed in the Fixed Asset System maintained by County Finance and for providing documentation of the annual inventory review to Finance on or before the third week in June annually. Finance will distribute forms for the inventory verification process and will provide current inventory listings to County Offices for verification of inventory on hand by May 30th annually.

c. **Insurance Proceeds**: In order to comply with GASB 42 regulations, all insurance payments will be processed by the County Finance Office.

**SECTION 6. RECEIPT, MANAGEMENT, AND REPORTING OF CASH**

a. **Timely Deposit**: All service charges, fees, fines, reimbursements, grant funds etc. received by County Offices shall be deposited with the County Treasurer or directly to the bank that serves as checking depository as soon as possible after collection. All County Offices that collect funds on a daily basis shall reconcile receipts to funds received and submit funds to the Treasurer's Office by the following business day in the format as prescribed by the County Treasurer. Offices collecting less than $200 on any single day may delay one business day. This policy does not apply where State law specifically provides authority for other actions to a specific official.

b. **Bank Reconciliation**: The Treasurer is responsible for reconciling bank accounts maintained in the Treasurer's Office in order to properly record revenues to the books of the County in accordance with the County's chart of accounts and properly allocating interest and all other funds to various funds and bank accounts as required by SC Law.

c. **Cash Accounting**: The County Treasurer's Office is responsible for annual external audit reporting of revenues to the State Comptroller's Office and for providing the Finance Office and External Auditors with sufficient data to convert revenues from the cash basis of accounting to the modified accrual basis of accounting in order to ensure legal and annual audit compliance with Governmental Accounting Standards Board (GASB) regulations, in particular GASB Statement No. 34 which requires revenue reporting on the modified accrual basis of accounting during the fiscal year and year-end conversion to accrual basis to produce Government-Wide Financial Statements.
SECTION 7. ANNUAL FISCAL REPORTING REQUIREMENTS

Boards, Commissions, Agencies, and Institutions: All boards, commissions, agencies, and institutions receiving County funds shall make a full detailed annual fiscal report to the County Council at the end of the fiscal year. Agencies receiving less than $5,000 annually in direct assistance from the County may submit internally prepared financial statements in lieu of an audited statement. The County governing body, the County Administrator, or the Finance Office may require reports, estimates, and statistics from any County office as may be necessary in the preparation of annual budgets or supplemental appropriations. Prior year audits are required for acceptance of annual budget requests.

SECTION 8. COMPENSATION AND CLASSIFICATION PLAN AND PERSONNEL

a. Solicitor and Public Defender Funding Supplement Commitments: Salary supplements are included for various employees in the Solicitor’s and Public Defender’s departments’ budgets. Disbursement of these supplements is contingent upon available funding received from these offices. The Solicitor and Public Defender shall reimburse Florence County for the cost of these supplements, including applicable fringe benefits, on a monthly basis. Should this funding become unavailable, the supplements shall be removed from the payroll system of Florence County and the salaries reduced accordingly.

b. FY11 Christmas Bonus: A Christmas bonus is hereby included in the budget in the amount of $100 per employee, to be paid between the first and second pay dates in December 2011, if authorized by the County Council by motion. All full-time and regular part-time employees who are in pay status during the first pay period in December are eligible to receive this bonus. In addition, all PRN employees who have worked at least 1,000 hours in each of the last two fiscal years and who are also in pay status during the first pay period in December are eligible to receive this bonus.

c. Travel: When employees are required to travel on official business, the County pays reasonable amounts for transportation, meals, and lodging in accordance with the County’s Personnel Policies, Administrative Directives, and this ordinance. When an office has County Vehicles assigned to it, employees in that particular office should utilize a County Vehicle if this use does not impede County Operations. If the employee’s personal vehicle is utilized, the employee shall be reimbursed at the same rate per mile traveled as is paid to state employees. This includes use of an employee’s personal vehicle for travel within Florence County as required by their supervisor. Meal expenses will be $40.00 for a twenty-four hour period and will be $25.00 for periods less than twenty-four hours. Per diem is not provided for meals related to meetings inside Florence County, unless the meeting is an official, required function. Per diem is provided for in-state, one-day meetings for which an employee leaves the county and returns to the county in the same day. However, if lunch is provided for this meeting, then per diem will not be provided. Travel advances for meals shall not include per diem for the day of departure or the day of return. For a Law Enforcement employee transporting a prisoner, the employee will be reimbursed at per diem rates for his own meal at any food stop mandated by statute on behalf of the prisoner. In all other cases, Law Enforcement employees shall be required to follow the regular requirements for reimbursement of meal expenses provided for other County employees. There is no provision for advance per diems to the individual for Hotel Reservations, Airline Tickets, Conference/Seminar registration costs or all other costs related to travel; all Hotel Reservations, Airline Tickets, Conference/Seminar registration costs or other costs related to travel will normally be paid directly to the vendor providing the service. Original, dated, detailed receipts must accompany all travel reimbursement requests. County Departments and Elected Officials Offices shall have no authority to waive the requirement for receipt of original, dated, detailed receipts under this section. Under no circumstances shall the County reimburse any persons eligible for travel reimbursement by the County for alcoholic beverages, personal purchases of any kind not specifically authorized in the personnel policy, or any amounts for which appropriated funds are not available or which are a violation of the State Ethics Laws and regulations.
d. Credit Cards and Accounts: Credit cards which obligate Florence County directly are not permitted unless specifically authorized by written resolution of County Council. Requests for establishing credit accounts in the name of the County must be forwarded to the County Finance Office which is responsible for establishing credit accounts with vendors upon written approval by the County Administrator or the Finance Director. The County Finance Department is also responsible for the control and monitoring of all credit accounts in the County’s name, verification of goods received and reconciling of such credit purchases to invoices received. Accounts not established in accordance with this ordinance are the sole responsibility of the initiating person, and the County shall not be liable or obligated to make payment on behalf of the initiator or the person using the account.

e. Tuition Assistance Program: An amount of $8,510 has been appropriated in Department 412, Division 900 of the General Fund to assist County employees who wish to further their education in a field of study beneficial to their employment with Florence County. Tuition will be reimbursed for courses only at accredited colleges and for which college credit can be obtained toward a two-year or higher degree. This assistance will be available based on the recommendation of the department head and the approval of the County Administrator. The Human Resources Director is authorized and directed to establish the administrative procedures necessary to operate this program, including but not limited to the establishment of an annual credit hour and dollar reimbursement per employee caps. All expenditures under this program will be for tuition and/or book and supply fees and will not include such other charges such as application fees, matriculation fees, or late fees. In addition, all expenditures will be reimbursement-based according to the grade received. Employees will be reimbursed 100% of the costs noted above for a grade of “A”, 75% for a grade of “B”, 50% for a grade of “C”, and nothing for any grade lower. If the employee receives any other funding such as state or federal grant or any other allocation, the reimbursement percentages above apply only to the remaining unpaid portion of tuition. If the funding for this program becomes exhausted, the program will be suspended until it is funded further.

f. Continuation Of County Employment Following TERI (Teachers and Employee Retirement Incentive): County employees enrolled in the TERI program, who wish to extend County employment following the TERI period, may apply for continuation in their current position and pay rate after satisfying the minimum timeframes set by the South Carolina Retirement System. The employee must make a written request to his Department Head and copies of approved requests must be provided to the Human Resources Department at least 30 days prior to the end of the employee’s TERI period. The Department Head must recommend the request in writing and the County Administrator must approve the request in writing.

g. Retirees’ Health Insurance Assistance: All post-retirement health insurance assistance available to eligible retirees, including any established by the Florence County Personnel Policy Manual, is subject to annual appropriation by County Council each fiscal year. For any employee commencing full time employment after June 30, 2011, the baseline financial assistance is as follows: 20 years of continuous full-time County employment service – 50%, over 25 years of continuous full-time County employment service – 75%. Financial assistance is a percentage of the current retiree only premium which is based on continuous years of employment service attained with Florence County. All financial assistance ceases when the employee first becomes Medicare eligible.

h. Blood Borne Pathogens Standards: Emergency Medical Services, Sheriff’s Office, and Detention Center are to provide a copy of the department’s current Infection Control Plan to the Human Resources Director annually to demonstrate conformance with Federal and other guidelines.

i. Victim/Witness Fund: The Solicitor agrees to sign a Memorandum of Understanding with the County stating that he will reimburse Florence County for any payments made from his portion of the Victim/Witness Fund that the State of South Carolina may find to be ineligible expenditures of Victim/Witness funds.

j. Defunded Slots: Any and all personnel slots noted as being defunded on the detail departmental budget pages are hereby removed from the County’s plan.
k. **Beginning Of Fiscal Year Payroll Changes:** Payroll changes made as a result of the FY11 budget will become effective on the first day of the first full payroll period of the fiscal year.

l. **Budget-Neutral Wage/Salary Adjustments:** The County Administrator is hereby authorized to approve budget-neutral wage/salary adjustments which are funded by sustainable budget reductions, primarily in the same department’s personnel budget.

m. **Liability for Unemployment Claims:** Effective July 1, 2011, unemployment claims are to be paid from the budget of the respective County department incurring the claim. Claims may be charged to the department’s personnel or other funds.

n. **Workers’ Compensation Benefit:** Upon adoption of the budget ordinance, all General Fund budgeted workers compensation amounts included in line 0112 in various departmental/divisional budgets will be transferred to Division 010-411-489-300 – Employee Non-Departmental. As workers compensation claims are incurred, twenty percent (20%) of each claim will be paid from the respective department/division, up to a maximum total per claim of $2,000. In addition, with the exception of 24/7 shift workers, while an employee is on workers compensation leave, the budgeted salary or wages for this employee during the workers compensation leave period will be transferred from the respective department/division salary and wage budget line (account 0100) to the Employee Non-Departmental Division.

**SECTION 9. INDEPENDENT AUDIT**

An independent annual audit of all financial records and transactions of the County shall be made by a Certified Public Accountant or firm of public accountants with no personal interest, direct or indirect in the fiscal affairs of the County government of Florence County or any of its officers. The County Council may, without requiring competitive bids, designate such accountant or firm. Unless included in the annual County audit, an annual audit of each county agency, board, bureau, or commission of Florence County, funded in whole or in part by County funds, shall be made. Copies of the annual County audit shall be filed in the office of the Clerk of Court for Florence County and provided for the Florence County Administrator.

The County Administrator is hereby authorized to continue work with the County’s existing software programming vendor, Strawn & Neil, for the purpose of providing automation efficiencies at the departmental level to the extent budgeted funds are available.

**SECTION 10. FEES AND CHARGES**

a. **Disposition of Collections:** All taxes, fees, charges, and assessments not otherwise allocated specifically by this ordinance with the supporting detail incorporated herein by reference or by law shall be deposited in the Florence County General Fund with other general fund revenues. All such taxes, fees, charges, and assessments shall be appropriated and allocated by the Florence County Council in the same manner as other general revenues. No such taxes, fees, charges, or assessments shall be paid to or shall accrue to the personal benefit of any officer or employee of Florence County. Use of fees, fines, and charges to reimburse expenditure budget line items through deposit credits is prohibited.

b. **Manned Convenience Centers:** Commercial use and non-County residential use of the Florence County manned convenience centers (MCCs) is prohibited, subject to a fine of up to $500 per incident plus court costs, which is hereby established. Law enforcement officers with appropriate jurisdiction and Florence County environmental services officers are hereby authorized to write tickets and the Florence County Magistrate’s Office is hereby authorized to try the cases. The County Administrator is hereby authorized to amend the manned convenience center contract with Waste Management to reduce hours of operation in accordance with appropriations.
c. Outstanding EMS Bills: Outstanding EMS bills totaling $617,261.09 posted from the period of January 2000 through December 2006 on which no payment has been made for a period in excess of three years, and which are uncollectible under the three year statute of limitations provision of South Carolina Code of Laws Section 12-54-85, are hereby written off as uncollectible.

SECTION 11. DEBT COLLECTION

Setoff Debt: Florence County is hereby authorized to participate in the Setoff Debt Program through the South Carolina Association of Counties on an annual basis as approved by the Florence County Administrator, who is authorized to execute all documentation and direct all designations of personnel participating as necessary.

SECTION 12. CONTRACTING AND FUNDS OR OTHER COMMITMENTS

a. Contract Execution: The County Administrator or County Administrator's designee is the sole authority who can obligate the county and any county funds in any manner through signature of contracts, purchase orders, or other such agreements or documents as an authorized agent. Any purchase made or contract executed without appropriate authorization is hereby deemed to be a personal obligation of the party making the purchase or executing the contract and is not an obligation of Florence County.

b. Check Enforcement Unit: The County Administrator is authorized to execute annual agreements between Florence County and the 12th Circuit Solicitor's Office for the operation of the Solicitor's check enforcement unit.

c. Title IV-D Contracts: The County Administrator, Clerk of Court, and Sheriff are authorized to enter jointly into agreements with the South Carolina Department of Social Services for receipt of Title IV-D (Child Support Enforcement) Federal Funds.

d. School Resource Officer Contracts: The County Administrator is authorized to execute contracts at the request of the Florence County Sheriff with the various school districts in Florence County for School Resource Officers, provided that Florence County's share of the funding for each of the contracts does not exceed the amount available in the General Fund for the Florence County Sheriff's Office grant match/contract match line item. If the contracts for FY12 are not signed prior to June 30, 2011, or if County Council does not approve the Sheriff's portion of the contract's budget, the school districts will be required to provide 100% of the funding for these contracts. If the school districts are unwilling to provide 100% of this funding, then the positions funded by these contracts will be discontinued in FY12.

e. Lease Renewals: The County Administrator is authorized to execute renewals of any existing leases for real or personal property for the terms and conditions included in the various leases as the existing lease periods expire and the leases therefore come up for renewal and for which funds are available through appropriation in this year's budget.

f. SCDOC Agreements: The County Administrator is authorized to execute annual agreements between Florence County and the South Carolina Department of Corrections for the use of pre-release inmates by the Recreation Department. In addition, the County Administrator is authorized and required to execute any contracts between the Florence County Detention Center and the South Carolina Department of Corrections.

g. DSN Resolution: The Chairman of County Council is authorized to execute a resolution designating the Florence County Disabilities and Special Needs Board as an entity in Florence County to provide transportation to persons with disabilities.

h. EMS Medical Control Physician: The County Administrator is authorized to renew the EMS Medical Control Physician contractual arrangement provided funds are appropriated herein.
i. Independent Contractor's Contracts Or Agreements For Various Services At The Florence County Detention Center: The County Administrator is authorized to execute independent contractor's contracts and/or agreements which are in the best interests of the citizens of Florence County for the provision of medical, mental health, psychological, polygraph, commissary, and clergy services at the Florence County Detention Center at the written recommendation of the Sheriff.

j. Planning and Building Inspection Agreements with Municipalities: The County Administrator is authorized to enter into agreements for the provision and enforcement of planning and building inspection services by the County for various municipalities within Florence County.

k. Council Allocation Expenditure: Should an expenditure of Council Infrastructure allocation balances and/or Council Utility Fund allocation balances result in an available balance being exhausted, any remaining project expenditures may be funded from available Council Road Maintenance allocation balances, in accordance with guidelines and any other legal restrictions.

I. Municipal Loan Agreements: The County Administrator is authorized to enter into loan agreements with any Florence County municipality whereby such agreement permits any municipal inmate per diem balance outstanding for more than 30 days may be collected from Florence County Treasurer distributions to that municipality.

m. SCDJJ Agreements: The County Administrator is authorized to execute contracts between the Florence County Detention Center and the South Carolina Department of Juvenile Justice.

n. Florence School District One Agreements: The County Administrator is authorized to execute contracts between the Florence County Detention Center and Florence School District One for inmate adult education services at the Poynor/Adult Education Center.

o. Funding For Attorney Fees: Funds for attorney fees for County officials acting as primary plaintiffs and bringing suit against the County cannot be transferred to the appropriate budgetary line item or paid without prior approval by County Council.

SECTION 13. AGRICULTURAL ASSESSMENT EXTENSION PROCESS – PRIVATE CITIZENS

A fixed Agricultural Assessment Extension Policy for private citizens is hereby authorized. Any private citizen may apply for agricultural assessment for no more than two tax years prior to the then current tax year. Businesses, including partnerships, corporations, etc., are not eligible to receive consideration under this fixed policy, but must continue to make applications to Council demonstrating to Council's satisfaction that the business had reasonable cause for not filing timely.

SECTION 14. VEHICLES – OFFICIAL COUNTY FLEET

a. The approval by resolution of County Council or authorization as provided in annual budget ordinances shall be required to permanently place any additional vehicles in the County fleet. Without such authorization, no vehicle shall be added to the fleet or to the County's insurance policies except where a currently insured vehicle is being removed from same. Vehicles removed from the fleet and the insurance policies must be surplused, through Council resolution, and disposed of in accordance with County procedures.

b. If the County Administrator deems it in the best financial interests of the County, the County Administrator is hereby authorized to approve the trade-in of certain County-owned surplus vehicles against the cost of replacing said vehicles, rather than holding surplus vehicles for auction, and to dispose of motorized equipment in accordance with policies approved by County Council.
c. The County Administrator is hereby authorized to allow departments to select alternate vehicles from those approved in the FY12 budget if the change is budget neutral for the same number of vehicles, the alternates are more fuel efficient, and the alternate will perform the functions for which the original vehicle was funded.

SECTION 15. DESIGNATION OF AGENCIES FOR SPECIFIC ACCOMMODATIONS TAX FUNDS

Pursuant to the requirements of South Carolina Law with regard to administration of State Accommodations Tax Funds (Fund 122), the Florence Convention and Visitors Bureau and the Lake City Chamber of Commerce are hereby designated as the tourism bodies in Florence County. These organizations shall be responsible for administering and reporting expenses for these State Accommodations Tax Funds (Fund 122) to County Finance. Total amount of funds shall be adjusted annually based on actual funds the County receives from the State related to the promotion of tourism. County Council reserves the right to designate alternate agencies by voice motion at its discretion.

SECTION 16. All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 17. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect any 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  
Clerk to Council

K.G. Rusty Smith, Jr., Chairman  
Florence County Council

Approved as to Form & Content  

COUNCIL VOTE:

D. Malloy McEachin, Jr., County Attorney  
OPPOSED:

ABSENT:
AGENDA ITEM:  Boards & Commissions  
Florence City-County Memorial Stadium Commission

DEPARTMENT:  County Council

ISSUE UNDER CONSIDERATION:

ATTACHMENTS:
1. A copy of the letter of notification from the City of Florence.
2. A copy of the current list of the Florence City-County Memorial Stadium Commission.
March 17, 2011

Mr. Chappel Jones
811 Mohawk Drive
Florence, SC 29505

Dear Mr. Jones:

At the City Council meeting of March 14, 2011 Councilman Glynn F. Willis reappointed you to serve on the City-County Memorial Stadium Commission. The term for this reappointment will be July 1, 2010 until June 30, 2015.

In order to have your acceptance of this appointment in our files, as required by the City of Florence Code of Ordinances, please check the appropriate blank below and return this letter to our office in the enclosed stamped envelope. I have enclosed a copy of this letter for your files.

The City of Florence appreciates your service on this Commission. If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

[Signature]

David N. Williams
City Manager

I will ___ X ___ will not ___ serve on the City-County Memorial Stadium Commission.

[Signature]

Mr. Chappel Jones
FLORENCE CITY-COUNTY MEMORIAL STADIUM COMMISSION

AUTHORITY: Ordinance #04-80/81 AND #08-84/85

APPOINTED BY: County Council

MEMBERSHIP ROSTER

Eight (8) members appointed by the Florence County Council, upon the recommendation of: two (2) members by the City Council of Florence, two (2) members by the Florence County Council, two (2) members by Florence Public School District No. 1, and two (2) members by the Fred H. Sexton Post No. One of the American Legion. The terms shall be for five years.

<table>
<thead>
<tr>
<th>SEAT</th>
<th>APPOINTEE</th>
<th>APPOINTING AUTHORITY</th>
<th>TERM TO EXPIRE</th>
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<tr>
<td>1</td>
<td>Chappell Jones</td>
<td>City Council</td>
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<tr>
<td></td>
<td>811 Mohawk Drive</td>
<td>669-5000</td>
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<td>Rob Cooksey</td>
<td>City Council</td>
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<td></td>
<td>700 S. Cashua, Suite 21-B</td>
<td>229-2244</td>
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<td>3</td>
<td>Vacant</td>
<td>School District #1</td>
<td>11-2011</td>
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<td>(Gerald Holley notified the Clerk to Council that the individual serving in this seat was deceased – he will notify school district to replace.)</td>
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<td>4</td>
<td>Gerald D. Holley</td>
<td>School District #1</td>
<td>11-2012</td>
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<tr>
<td></td>
<td>612 Grove Park Drive</td>
<td>662-7783 - H</td>
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<td>Florence, SC 29501</td>
<td>669-4141 - O</td>
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<td>5</td>
<td>Michael W. Richey</td>
<td>American Legion</td>
<td>11-2012</td>
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<td></td>
<td>Post Office Box 5331 (American Legion address)</td>
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<td>Florence, SC 29501</td>
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<td>6</td>
<td>George Rigby</td>
<td>American Legion</td>
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<tr>
<td></td>
<td>712 Briarleigh Road</td>
<td>206-5677</td>
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<td></td>
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</table>
Mail general correspondence to:
Mr. Gerald D. Holley, Chairman
Florence City-County Stadium Commission
P O Box 13863
Florence, SC 29504-3863
AGENDA ITEM: Boards & Commissions
Pee Dee Workforce Investment Board

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
The Pee Dee Workforce Investment Board Requests Council’s Approval Of The Following Individuals for Re-Appointment: Taft Guiles (CBO), Thelma Carney-Kennedy (Economic Development), Richard Harrington (Private Sector), and Bill Sebnick (Private Sector) With Terms Expiring July 1, 2014.

ATTACHMENTS:
1. A copy of the letter from Vickie P. Tyner, Workforce Development Director.
2. A copy of the current list of the Pee Dee Workforce Investment Board.
April 5, 2011

Mr. K.G. Smith, Jr., Chairman
Florence County Council
180 North Irby Street, MSC-G
Florence, SC 29501

Dear Mr. Smith:

As you may recall, every year appointments must be made by Florence County Council to the Pee Dee Workforce Investment Board (WIB).

The terms of service for Florence County representatives, Taft Guiles (CBO); Thelma Carney-Kennedy (Economic Development); Richard Harrington (Private) and Bill Sebnick (Private), will expire July 1, 2011. All have expressed a desire to be reappointed for a three-year term.

If it is your pleasure to reappoint these individuals, please place the reappointments on the agenda for the next Council meeting. A written response as to the disposition of this matter would be appreciated for our records.

If there are any questions regarding this matter you may call me at (843) 669-3138.

Sincerely,

Vickie P. Tyner
Workforce Development Director
WORKFORCE INVESTMENT BOARD

FLORENCE COUNTY: 11 MEMBERS

RESPONSIBILITY: Administer The Jobs Training Partnership Act (JTPA).

The majority of the members must represent the private sector. Labor, Vocational Rehabilitation and Employment Service must be represented also. Three-year terms.

<table>
<thead>
<tr>
<th>Appointee</th>
<th>Expiration Date</th>
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<tbody>
<tr>
<td>Joyce Hill, Staff Administrator of Training</td>
<td>6/30/2012</td>
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<tr>
<td>Honda</td>
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<tr>
<td>1111 Honda Way</td>
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<td>Timmonsville, SC 29161</td>
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<td>Jill Heiden</td>
<td>6/30/2013</td>
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<td>Florence-Darlington Technical College</td>
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<td>Post Office Drawer 100548</td>
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<tr>
<td>Ms. Cindy Bryant</td>
<td>6/30/2012</td>
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<td>Human Resource Manager</td>
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<td>Precision Tools</td>
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<td>100 Perfection Way</td>
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<td>Timmonsville, SC 29161</td>
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<td>Carole Anderson</td>
<td>6/30/2012</td>
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<td>South Carolina Vocational Rehabilitation Dept.</td>
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<td>1947 W. Darlington Street</td>
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<td>Cynthia Rogers</td>
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<td>Area Director</td>
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<td>Florence ESC Workforce Center</td>
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<td>1558 West Evans Street</td>
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<tr>
<td>669-4271 ext. 133</td>
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<tr>
<td>Mr. Robby Hill, President/CEO</td>
<td>6/30/2012</td>
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<tr>
<td>HillSouth</td>
<td></td>
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<tr>
<td>1327 W. Evans St.</td>
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<tr>
<td>P O Box 3949</td>
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<td>Florence, SC 29502</td>
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</tbody>
</table>
Richard Harrington  
American Specialty  
Post Office Box 6647  
Florence, SC 29502  
664-1114 (W)  
662-5498 (H)  
6/30/2011

Ron Reynolds  
5316 Reynolds Road  
Effingham, SC 29541  
843 615-3155  
(retired Communications Workers of America (CWA) Member Local 3708; labor rep.)  
6/30/2013

Judge Taft Guile  
City of Florence  
1904 Grant Road  
Pamplico, SC 29583  
665-0031  
6/30/2011

Thelma Carney-Kennedy  
Florence County Economic Development Partnership  
P O Box 100549  
Florence, SC 29502  
676-8796  
6/30/2011

Bill Sebnick  
Mid-South Metal Specialties Inc.  
Post Office Box 508  
Lake City, SC 29560  
6/30/2011
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 February 28, 2011 as an item for the record.

ATTACHMENTS:
Copies of the monthly financial reports.
<table>
<thead>
<tr>
<th>Category</th>
<th>Budgeted Revenue</th>
<th>Year-to-Date Revenue</th>
<th>Remaining Balance</th>
<th>PCT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>33,124,798</td>
<td>27,097,913</td>
<td>6,026,885</td>
<td>18.19%</td>
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<tr>
<td>Licenses &amp; Permits</td>
<td>1,339,176</td>
<td>504,773</td>
<td>834,403</td>
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<td>Fines &amp; Fees</td>
<td>3,174,264</td>
<td>2,155,313</td>
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<td>Intergovernmental</td>
<td>6,287,026</td>
<td>3,223,872</td>
<td>3,063,154</td>
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<td>Sales and Other Functional</td>
<td>5,251,906</td>
<td>3,342,473</td>
<td>1,909,433</td>
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<td>Miscellaneous</td>
<td>947,942</td>
<td>224,262</td>
<td>723,680</td>
<td>76.34%</td>
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<td>Operating Transfers</td>
<td>(2,118,438)</td>
<td>-</td>
<td>(2,118,438)</td>
<td>100.00%</td>
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<tr>
<td>Use of Fund Balance</td>
<td>1,965,390</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
<td>49,972,064</td>
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<td>13,423,459</td>
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<td>EXPENDITURE</td>
<td>BUDGETED EXPENDITURE</td>
<td>ACTUAL EXPENDITURE</td>
<td>REMAINING BALANCE</td>
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<td>-------------</td>
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<tr>
<td>10-411-401</td>
<td>County Council</td>
<td>356,421</td>
<td>218,186</td>
<td>138,235</td>
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<tr>
<td>10-411-402</td>
<td>Administrator</td>
<td>625,172</td>
<td>370,156</td>
<td>255,016</td>
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<td>Clerk of Court</td>
<td>1,850,960</td>
<td>1,243,388</td>
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<td>Public Defender</td>
<td>737,913</td>
<td>482,781</td>
<td>255,132</td>
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<td>Magistrates</td>
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<td>1,361,720</td>
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<td>Legal Services</td>
<td>132,150</td>
<td>74,087</td>
<td>58,063</td>
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<td>Voter Registration &amp; Elections</td>
<td>475,742</td>
<td>353,334</td>
<td>122,408</td>
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<td>Finance</td>
<td>762,827</td>
<td>495,398</td>
<td>267,429</td>
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<td>10-411-412</td>
<td>Human Resources</td>
<td>1,258,804</td>
<td>971,454</td>
<td>287,350</td>
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<td>10-411-413</td>
<td>Procurement &amp; Vehicle Maintenance</td>
<td>1,286,566</td>
<td>775,413</td>
<td>511,173</td>
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<td>10-411-414</td>
<td>Administrative Services</td>
<td>390,556</td>
<td>255,890</td>
<td>134,668</td>
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<td>Treasurer</td>
<td>1,217,704</td>
<td>743,858</td>
<td>473,846</td>
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<td>302,856</td>
<td>182,021</td>
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<td>Tax Assessor</td>
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<td>891,223</td>
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<td>744,796</td>
<td>478,115</td>
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<td>309,985</td>
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<td>804,915</td>
<td>459,332</td>
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<td>10-411-446</td>
<td>Veteran's Affairs</td>
<td>148,760</td>
<td>97,078</td>
<td>51,712</td>
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<td>Senior Citizen Centers</td>
<td>336,991</td>
<td>170,880</td>
<td>166,111</td>
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<td>10-411-485</td>
<td>General Direct Assistance</td>
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<td>120,501</td>
<td>87,576</td>
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<td>Contingency</td>
<td>710,894</td>
<td>349,755</td>
<td>361,138</td>
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<td>Employee Tort &amp; Blanket Bond</td>
<td>208,966</td>
<td>208,947</td>
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<td>10-421-421</td>
<td>Sheriff's Office</td>
<td>14,540,222</td>
<td>9,664,584</td>
<td>4,875,638</td>
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<td>10-421-422</td>
<td>Emergency Management</td>
<td>2,434,657</td>
<td>1,519,031</td>
<td>915,626</td>
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<td>10-421-481</td>
<td>Rural Fire Departments</td>
<td>14,553</td>
<td>2,357</td>
<td>12,196</td>
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<td>10-451-423</td>
<td>EMS</td>
<td>4,134,648</td>
<td>2,630,480</td>
<td>1,504,167</td>
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<td>10-451-424</td>
<td>Rescue Squads</td>
<td>404,228</td>
<td>219,772</td>
<td>184,466</td>
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<tr>
<td>10-451-425</td>
<td>Coroner</td>
<td>262,212</td>
<td>185,584</td>
<td>76,628</td>
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<td>10-451-441</td>
<td>Health Department</td>
<td>85,438</td>
<td>64,824</td>
<td>18,614</td>
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<td>10-451-442</td>
<td>Environmental Services</td>
<td>890,898</td>
<td>416,340</td>
<td>274,649</td>
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<tr>
<td>10-451-485</td>
<td>Health Direct Assistance</td>
<td>15,428</td>
<td>3,129</td>
<td>12,299</td>
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<td>10-461-485</td>
<td>Welfare - MIAP &amp; DSS</td>
<td>454,505</td>
<td>301,838</td>
<td>152,667</td>
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<tr>
<td>10-471-451</td>
<td>Recreation</td>
<td>1,729,988</td>
<td>1,132,831</td>
<td>597,157</td>
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<td>10-471-455</td>
<td>County Library</td>
<td>3,563,652</td>
<td>2,477,197</td>
<td>1,086,455</td>
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<td>10-471-485</td>
<td>Museum Commission</td>
<td>9,702</td>
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<td>10-481-485</td>
<td>Literacy Council</td>
<td>4,803</td>
<td>2,402</td>
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</table>

**Total** 49,959,913 32,243,484 17,716,429 35.46%

Percent of Fiscal Year Remaining = 33.33%
<table>
<thead>
<tr>
<th></th>
<th>Budgeted Expenditure</th>
<th>Year to Date Current</th>
<th>Remaining Balance</th>
<th>Pct</th>
<th>Budgeted Revenue</th>
<th>Year to Date Current</th>
<th>Remaining Balance</th>
<th>Pct</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 County Debt Service Fund</td>
<td>3,515,083</td>
<td>1,026,109</td>
<td>2,488,974</td>
<td>70.81%</td>
<td>3,515,083</td>
<td>3,853,008</td>
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<tr>
<td>112 Economic Development Partnership Fund</td>
<td>446,292</td>
<td>259,278</td>
<td>187,014</td>
<td>41.90%</td>
<td>446,292</td>
<td>46,687</td>
<td>399,605</td>
<td>89.54%</td>
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<tr>
<td>123 Local Accommodations Tax Fund</td>
<td>2,437,793</td>
<td>1,242,172</td>
<td>1,195,621</td>
<td>49.06%</td>
<td>2,437,793</td>
<td>723,463</td>
<td>1,714,330</td>
<td>70.32%</td>
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<tr>
<td>124 Local Hospitality Tax Fund</td>
<td>696,292</td>
<td>352,490</td>
<td>343,802</td>
<td>49.38%</td>
<td>696,292</td>
<td>747,823</td>
<td></td>
<td></td>
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<tr>
<td>131 District Utility Allocation Fund</td>
<td>2,123,693</td>
<td>355,131</td>
<td>1,757,562</td>
<td>83.23%</td>
<td>2,123,693</td>
<td>1,770,523</td>
<td>353,170</td>
<td>16.63%</td>
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<tr>
<td>132 District Infrastructure Allocation Fund</td>
<td>1,637,634</td>
<td>319,097</td>
<td>1,318,537</td>
<td>80.51%</td>
<td>1,637,634</td>
<td>1,201,044</td>
<td>436,590</td>
<td>26.66%</td>
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<tr>
<td>151 Law Library Fund</td>
<td>87,318</td>
<td>13,075</td>
<td>73,343</td>
<td>84.00%</td>
<td>87,318</td>
<td>60,543</td>
<td>26,775</td>
<td>30.66%</td>
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<tr>
<td>153 Road System Maintenance Fee Fund</td>
<td>3,198,581</td>
<td>2,090,254</td>
<td>1,108,327</td>
<td>34.65%</td>
<td>3,198,581</td>
<td>1,902,715</td>
<td>1,295,866</td>
<td>40.51%</td>
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<tr>
<td>154 Victim/Witness Assistance Fund</td>
<td>193,500</td>
<td>117,256</td>
<td>76,244</td>
<td>39.40%</td>
<td>193,500</td>
<td>107,410</td>
<td>86,090</td>
<td>44.49%</td>
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<tr>
<td>421 Landfill Fund</td>
<td>4,057,416</td>
<td>2,239,845</td>
<td>1,817,571</td>
<td>44.80%</td>
<td>4,057,416</td>
<td>2,285,718</td>
<td>1,771,698</td>
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<td>431 E911 System Fund</td>
<td>629,106</td>
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<td>404,677</td>
<td>64.33%</td>
<td>629,106</td>
<td>335,929</td>
<td>293,267</td>
<td>46.61%</td>
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<tr>
<td><strong>Totals:</strong></td>
<td>19,022,798</td>
<td>8,241,035</td>
<td>10,781,763</td>
<td>56.68%</td>
<td>19,022,798</td>
<td>13,034,863</td>
<td>6,377,931</td>
<td>33.52%</td>
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</tbody>
</table>

Percent of Fiscal Year Remaining: 33.33%

331 Capital Project Sales Tax (Florence County Forward road projects) received and interest earned

(See separate attachment for additional details.)

$72,835,572
<table>
<thead>
<tr>
<th>Council District #</th>
<th>Type of Allocation</th>
<th>Beginning Budget FY11</th>
<th>Commitments &amp; Current Year Expenditures</th>
<th>Current Available Balances</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Infrastructure</td>
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<td>53,630.00</td>
<td>161,822.00</td>
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<td>Paving</td>
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<td>926.00</td>
<td>55,551.00</td>
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<td>73,014.00</td>
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<td>19,800.00</td>
<td>-</td>
<td>19,800.00</td>
</tr>
</tbody>
</table>

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 February 28, 2011

<table>
<thead>
<tr>
<th>EXPENDITURES</th>
<th>Project Budget</th>
<th>Design or Engineering</th>
<th>Right of Way</th>
<th>Construction</th>
<th>Total Completed to Date</th>
<th>Balance</th>
<th>% Balance Remaining</th>
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</thead>
<tbody>
<tr>
<td>Pine Needles Road Widening</td>
<td>$17,676,768.00</td>
<td>$681,629.99</td>
<td>$1,223,779.18</td>
<td>$9,790,868.34</td>
<td>$11,696,267.51</td>
<td>$9,790,858.34</td>
<td>99.52%</td>
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<tr>
<td>US 378 Widening</td>
<td>$138,751,620.00</td>
<td>$3,224,837.11</td>
<td>$1,472,547.77</td>
<td>$244,141.04</td>
<td>$4,941,525.92</td>
<td>$133,810,094.08</td>
<td>95.64%</td>
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<td>US 76 Widening</td>
<td>$31,641,621.00</td>
<td>$1,546,173.20</td>
<td>$19,396.55</td>
<td>$2,562.16</td>
<td>$1,566,131.91</td>
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<td>TV Road Widening</td>
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<td>$1,152,053.78</td>
<td>$271.64</td>
<td>$1,625.53</td>
<td>$1,153,950.95</td>
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<td>95.51%</td>
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<td>SC 51 Widening</td>
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<td>$730,803.72</td>
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<td>$2,394.71</td>
<td>$733,198.43</td>
<td>$150,800,618.57</td>
<td>99.52%</td>
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<tr>
<td>US 301 Bypass Extension</td>
<td>$73,464,146.00</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td>$73,464,146.00</td>
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<tr>
<td><strong>Total</strong></td>
<td>$447,587,262.00</td>
<td>$7,335,497.80</td>
<td>$2,715,995.14</td>
<td>$10,041,581.78</td>
<td>$20,093,074.72</td>
<td>$427,494,187.28</td>
<td>95.51%</td>
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</table>

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>Project Budget</th>
<th>Received/Earned to Date</th>
<th>Balance</th>
<th>% Balance Remaining</th>
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</thead>
<tbody>
<tr>
<td>Capital Project Sales Tax</td>
<td>$148,000,000.00</td>
<td>$68,822,777.04</td>
<td>$79,177,222.96</td>
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<td>Earned State Match</td>
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<td>Interest Earnings</td>
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<tr>
<td><strong>Total</strong></td>
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<td>$218,506,715.34</td>
<td>$183,506,789.40</td>
<td>53.50%</td>
</tr>
</tbody>
</table>

NOTE: Revenue Received/Earned to Date is as of December 31, 2010, since capital project sales tax is received from the state on a quarterly basis.
AGENDA ITEM: Report to Council

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

Approve funding to Pee Dee Tourism for the Dillon Welcome Center in the amount of $12,500 from previously appropriated funds ($5,000 from line 123-411-413-300-6100 and $7,500 from 124-471-486-640-8900).

POINTS TO CONSIDER:

1. The South Carolina Department of Parks, Recreation, and Tourism has decided to close many of the interstate welcome centers and has offered other organizations the opportunity to assume the operation of these centers.
2. Pee Dee Tourism has moved its offices to the Dillon welcome center and is requesting $12,500 in funding from Florence County for a portion of the operating costs of this welcome center for the months of March – June 2011, the remainder of this fiscal year.
3. Limited funding is available in previously appropriated funds in the Local Accommodations Tax Fund and the Local Hospitality Tax Fund.
4. The City of Florence has committed $12,500 in funding and has already paid $6,600 of this amount to Pee Dee Tourism.
5. The annual operating cost for FY11/12 will be $80,000. Pee Dee Tourism has received the following additional commitments toward this amount: Marlboro County - $10,000, Lee County - $7,500, Williamsburg County - $3,500, City of Dillon - $4,000, and a pending request from Marion County of $3,500. In addition, Pee Dee Tourism has submitted an application to Florence County for $20,000 of state accommodations tax funding for FY11/12. The remaining amount will be funded by the City of Florence and State funds received by Pee Dee Tourism.

FUNDING FACTORS:
The $12,500 can be funded from a combination of Local Accommodations Tax funds and Local Hospitality Tax funds that have already been appropriated by County Council.

OPTIONS:

1. (Recommended) Approve funding to Pee Dee Tourism for the Dillon Welcome Center in the amount of $12,500 ($5,000 from line 123-411-413-300-6100 and $7,500 from 124-471-486-640-8900).

ATTACHMENTS:

[NONE]
AGENDA ITEM: Reports to Council
Contract Approval

DEPARTMENT: Florence County Detention Center

ISSUE UNDER CONSIDERATION:
Approval Of A One-year Trial Contract With IHS Pharmacy To Provide A Packaged Medication System For Inmates At The Florence County Detention Center.

POINTS TO CONSIDER:
1. Florence County Detention Center Inmate medications are currently hand sorted and packaged for distribution. IHS Pharmacy specializes in inmate specific packaging of medication by registered pharmacists, which will reduce preparation time for staff while providing additional inmate identifiers and medication descriptions.
2. IHS Pharmacy’s automated packaging system fills meds in unit-of-use packages and is the only non-retail pharmacy in the Southeast using this system.
3. A price comparison was performed by Detention Center personnel and found IHS Pharmacy to be more cost effective in prescription medications, as well as over-the-counter medications.
4. The County currently pays a $3.95 restocking fee per prescription; however, IHS Pharmacy does not charge restocking fees.
5. IHS Pharmacy currently serves 237 jails and prisons in the Southeast.
6. A one-year trial contract would be executed for the period June 1, 2011 through May 31, 2012, with a three (3) year option to extend provided compliance to all standards and cost efficiency remains stable.
7. Approval would include authorization for the County Administrator to execute all associated documents.
8. The Sheriff recommends the contract.

FUNDING FACTORS:
1. There is no additional charge to the County.
2. Funds are budgeted annually in the Detention Center’s departmental budget.

OPTIONS:
1. (Recommended) Approve as presented.

ATTACHMENTS:
Letter of Recommendation from the Florence County Sheriff.
April 6, 2011

Richard Starks
Florence County Administrator
180 North Irby Street
Florence, South Carolina 29501

Dear Mr. Starks:

In review of Pharmaceutical Services provided to the Florence County Detention Center, it is my recommendation that Council approve for our department to procure services from IHS Pharmacy, Independent Health Services, Inc. as a provider of inmate specific packaging. They are experienced in serving correctional facilities and will partner with us to provide a packaged medication system that is efficient and cost-effective.

Thank you for your assistance in this matter.

Sincerely,

Kenney Boone
Florence County Sheriff
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:
Approve Award Of Bid # 13-10/11 For The Construction Of A New EMS Facility In Pamplico To Mimms Construction, Inc., Hartsville, SC In The Amount Of $498,395 From Previously Allocated Bond Funds (10 Compliant Bids).

POINTS TO CONSIDER:
1) Bid #13-10/11 was publicly offered.
2) Ten (10) bids were received; ten (10) bids were compliant.
3) Mimms Construction, Inc., Hartsville, SC was the lowest compliant bidder for the construction of a new EMS facility in Pamplico.
4) The total cost of the project is $498,395 and includes the base bid plus alternates 1-5.
5) The cost of the base bid is $425,000; alternates to the base bid are as follows:
   - Alt. 1: shingled roof in lieu of a metal roof ($9,400) reduction
   - Alt. 2: stud walls in lieu of masonry walls ($29,000) reduction
   - Alt. 3: rough site work $33,495
   - Alt 4: site utilities $46,000
   - Alt 5: finished grading and paving $32,300.
6) Goforth Brown & Associates Architects and the EMS Director recommend this award.

FUNDING FACTORS:
1) $498,395 = Total cost of the construction of a new EMS facility in Pamplico to be funded from Fund 311-451-423-000-8600.

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

ATTACHMENTS:
1) Bid Tabulation Sheet.
3) Memo of recommendation from EMS Director.
## Florence County
### New EMS Facility, Pamplico
#### Invitation-to-Bid #13-1011

- **Bid Opening Date:** March 24, 2011
- **Time:** 11:00 AM
- **Advertised Date:** MN-2/2011 SCBO-2/21/11
- **Invitations to Bids Distributed:** 15
- **Bid Expiration Date:** 6/23/2011

### Names of Bidders

<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Base Bid</th>
<th>Alt. 1</th>
<th>Alt. 2</th>
<th>Alt. 3</th>
<th>Alt. 4</th>
<th>Alt. 5</th>
<th>Bid Security</th>
<th>Meeting Bid Requirements</th>
<th>Total Bid</th>
<th>Total Non-Local (+2%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mimms Construction, Inc. Hartsville, SC</td>
<td>$425,000.00</td>
<td>($9,400.00)</td>
<td>($29,000.00)</td>
<td>$33,495.00</td>
<td>$45,000.00</td>
<td>$32,300.00</td>
<td>Yes</td>
<td>Yes</td>
<td>$498,395.00</td>
<td>$508,362.90</td>
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<td>Coastal Structures Corporation Georgetown, SC</td>
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<td>($11,000.00)</td>
<td>($17,300.00)</td>
<td>$37,000.00</td>
<td>$49,500.00</td>
<td>$42,400.00</td>
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<td>Yes</td>
<td>$527,600.00</td>
<td>$536,152.00</td>
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<td>FBI Construction Florence, SC</td>
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<td>($12,000.00)</td>
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<td>$49,000.00</td>
<td>$44,000.00</td>
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<td>Yes</td>
<td>$541,000.00</td>
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<tr>
<td>ACEL Construction, Inc. Lake City, SC</td>
<td>$465,113.00</td>
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<td>($24,970.00)</td>
<td>$36,377.00</td>
<td>$48,672.00</td>
<td>$37,954.00</td>
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<td>Yes</td>
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<td>Wasteive Construction Co., Inc. Sumter, SC</td>
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<td>Yes</td>
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<td>All Quality Construction Co, LLC Lake City, SC</td>
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<td>$47,000.00</td>
<td>$55,000.00</td>
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<td>Yes</td>
<td>$564,600.00</td>
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<td>S. D. Clifton Construction, Inc. Martinez, Ga.,</td>
<td>$415,500.00</td>
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<td>($10,000.00)</td>
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<td>$69,400.00</td>
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<td>Yes</td>
<td>$557,700.00</td>
<td>$579,054.00</td>
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<td>Jones &amp; McIntosh, LLC Sumter, SC</td>
<td>$468,568.00</td>
<td>($10,859.00)</td>
<td>$7,383.00</td>
<td>$38,110.00</td>
<td>$48,691.00</td>
<td>$35,530.00</td>
<td>Yes</td>
<td>Yes</td>
<td>$587,423.00</td>
<td>$599,171.46</td>
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<tr>
<td>Hanco, Inc. Myrtle Beach, SC</td>
<td>$430,000.00</td>
<td>($5,000.00)</td>
<td>$3,900.00</td>
<td>$60,000.00</td>
<td>$48,000.00</td>
<td>$60,000.00</td>
<td>Yes</td>
<td>Yes</td>
<td>$596,000.00</td>
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<td>Carolina Construction, Inc. Cheraw, SC</td>
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<td>Yes</td>
<td>$627,750.00</td>
<td>$640,305.00</td>
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</table>

### Notes:

2% Local Preference Florence County Code, Section 11-62
Alternate #5 was not recommended by the Architect and therefore not included on this bid tab.
March 28, 2011

Mr. Kevin V. Yokim, CPA, CGFO
Florence County Finance Director
180 N. Irby Street, MSC-H
Florence, South Carolina 29501

Re: A New EMS Facility For Florence County, Pamlico Station

Mr. Yokim:

We have reviewed the bids received on the above reference project and considered input we received on Florence Counties preferences on alternates.

We recommend, the project be awarded to Mims Construction, Inc out of Hartsville, South Carolina accepting the base bid and alternates 1 - 5 (base bid - $425,000.00, alternate # 1 - ($9,400.00), alternate # 2 - ($29,000.00), alternate # 3 - $33,495.00, alternate # 4 - $46,000.00 and alternates # 5 - $32,300.00) for a total contract amount of $498,395.00.

Should you have any questions or comments, please do not hesitate to give me a call.

Gary W. Brown, AIA/LEED, AP
FLORENCE COUNTY
Emergency Medical Services

Ryon A. Watkins
Director

R. David Exum
Operations Manager

March 31, 2011

Mazie Abraham, Interim Director
Florence County Procurement Department
180 North Irby Street
Florence, SC 29501

Re: Florence County Sealed Bid #13-10/11 (A New EMS Station – Pamplico, SC)

Ms. Abraham,

I have received and reviewed the bids submitted pursuant to Florence County Sealed Bid #13 – 10/11 for the construction of a new EMS station in Pamplico. I have also reviewed a letter from the project architect, Gary Brown, regarding same.

I concur with Mr. Brown and recommend that the bid be awarded to Mimms Construction, Inc.

Please contact me if you have questions regarding the matter.

Yours very truly,

Ryon A. Watkins
EMS Director
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:
Approve Award Of Bid # 17-10/11 For A Gas Chromatograph/Mass Spectrometer (GC/MS) System For The Florence County Law Enforcement Center Drug Lab To Agilent Technologies, Wilmington, DE In The Amount Of $80,796.43 To Be Funded From A South Carolina Department Of Public Safety Grant (1 Compliant Bid).

POINTS TO CONSIDER:
1) Bid #17-10/11 was publicly offered.
2) One (1) bid was received; one (1) bid was compliant.
3) Agilent Technologies, Wilmington, DE was the lowest compliant bidder for the Gas Chromatograph/Mass Spectrometer in the amount of $80,796.43.
4) Florence County Sheriff recommends this award.

FUNDING FACTORS:
1) $80,796.43 = Total cost of the GS/MS System to be funded from a South Carolina Department of Public Safety Grant.

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

ATTACHMENTS:
1) Bid Tabulation Sheet.
2) Memo of recommendation from Sheriff.
<table>
<thead>
<tr>
<th>Name of Bidder</th>
<th>Base Bid</th>
<th>Mfg/Model</th>
<th>Bid Security</th>
<th>Meets Bid Requirements</th>
<th>Total Bid</th>
<th>Total Non-Local (+2%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agilent Technologies</td>
<td>$80,796.43</td>
<td>7890/5975</td>
<td>Yes</td>
<td>Yes</td>
<td>$80,796.43</td>
<td></td>
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<tr>
<td>Wilmington, DE</td>
<td></td>
<td>GC/MS System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
2% Local Preference Florence County Code, Section 11-62
April 6, 2011

Richard Starks
Florence County Administrator
180 North Irby Street
Florence, South Carolina 29501

Re: Bid # 17-10/11

Dear Mr. Starks:

It is my recommendation that Florence County Council award the bid for a Gas Chromatograph/Mass Spectrometer System for the Florence County Sheriff's Office to the lowest compliant bidder, Agilent Technologies in the amount of $80,796.43 to be paid from a South Carolina Department of Public Safety Grant.

Thank you for your assistance in this matter.

Sincerely,

Kenney Boone
Florence County Sheriff

6719 Friendfield Road • Effingham, South Carolina 29541
Sheriff (843) 665-2121 • Detention Center (843) 665-9944
AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:
Approve Award Of Bid # 18-10/11 For A Fourier Transform Infrared Spectrometer (FT/IR) System For The Florence County Law Enforcement Center Drug Lab To Thermo Fisher Scientific, Madison, WI In The Amount Of $45,258.36 To Be Funded From A South Carolina Department Of Public Safety Grant (1 Compliant Bid).

POINTS TO CONSIDER:
1) Bid #18-10/11 was publicly offered.
2) Two (2) bids were received; one (1) bid was compliant.
3) Thermo Fisher Scientific, Madison, WI was the lowest compliant bidder for the Fourier Transform Infrared Spectrometer System in the amount of $45,258.36.
4) Florence County Sheriff recommends this award.

FUNDING FACTORS:
1) $45,258.36 = Total cost of the FT/IR System to be funded from a South Carolina Department of Public Safety Grant.

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

ATTACHMENTS:
1) Bid Tabulation Sheet.
2) Memo of recommendation from Sheriff.
Florence County Sheriff's Office  
Fourier Transform Infrared Spectrometer System  
Invitation-to-Bid #18-10/11

Bid Opening Date: April 5, 2011  
Time: 11:15 AM  
Advertised Date: MN-3/20/11 SCBO-3/21/11  
Invitations to Bids Distributed: 2  
Bid Expiration Date: 7/5/2011

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<thead>
<tr>
<th>Name of Bidder</th>
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<th>Meets Bid Requirements</th>
<th>Total Bid</th>
<th>Total Non-Local (+2%)</th>
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<tbody>
<tr>
<td>Thermo Fisher Scientific</td>
<td>$45,258.36</td>
<td>Nicolet 6700</td>
<td>Yes</td>
<td>Yes</td>
<td>$45,258.36</td>
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<tr>
<td>Madison, WI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>Agilent Technologies</td>
<td>$39,352.41</td>
<td>Agilent 660-IR</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Wilmington, DE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:  
2% Local Preference Florence County Code, Section 11-62
April 6, 2011

Richard Starks
Florence County Administrator
180 North Irby Street
Florence, South Carolina 29501

Re: Bid # 18-10/11

Dear Mr. Starks:

It is my recommendation that Florence County Council award the bid for a Fourier Transform Infrared Spectrometer System to Thermo Fisher Scientific in the amount of $45,258.36 to be paid from a South Carolina Department of Public Safety Grant.

Thank you for your assistance in this matter.

Sincerely,

Kenney Boone
Florence County Sheriff
Florence County Council Meeting  
April 21, 2011

AGENDA ITEM:  Other Business  
Infrastructure Project  
Requested by Council District 3

DEPARTMENT:  County Council

ISSUE UNDER CONSIDERATION:  
Approve The Expenditure Of Up To $2,000 From Council District 3 Infrastructure Funding Allocation To Install Electrical Service At The Outdoor Stage At Brooks McCall Park.

FUNDING SOURCE:  
XXX Infrastructure  
_____ Road System Maintenance  
_____ Utility

Requested by Councilmember:  
Signed: verbally approved – signature pending  
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
April 21, 2011

AGENDA ITEM: Other Business
Infrastructure Project
Council District 4

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approve The Expenditure Of Up To $14,000.00 From Council District 4 Infrastructure Funding Allocation For Facility Improvements And Equipment For The Lynches River Baseball League.

FUNDING SOURCE:
XXX Infrastructure
_____ Road System Maintenance
_____ Utility

Requested by Councilmember:

Signed: verbally approved - signature pending
Councilman Mitchell Kirby

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
AGENDA ITEM: Other Business
Infrastructure Project
Council District 4

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approve The Expenditure Of Up To $16,000.00 From Council District 4 Infrastructure Funding Allocation To Assist The Timmonsville Rescue Squad With The Purchase Of A Power Stretcher.

FUNDING SOURCE:

- [ ] Infrastructure
- [ ] Road System Maintenance Fee
- [ ] Utility

Signed: Mitchell Kirby
Requested by Councilman Mitchell Kirby
Date: 04/11/11

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
AGENDA ITEM: Other Business
Infrastructure Project
Council District 8

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approve The Expenditure Of Up To $150.00 From Council District 8 Infrastructure Funding Allocation To Purchase Neighborhood Crime Watch Signs.

FUNDING SOURCE:
XXX Infrastructure _____ Road System Maintenance _____ Utility

Requested by Councilmember:
Signed: [Signature]
Councilman James T. Schofield
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
AGENDA ITEM: Other Business
Infrastructure Project
Council Districts 1 and 5

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approve the Expenditure of Up To $6,500.00 From Council Districts 1 And 5 Infrastructure Funding Allocations ($3,250.00 From Each District) For Facility Improvements And Equipment For The Scranton Dixie Youth Baseball League.

FUNDING SOURCE:

XXX Infrastructure

_____ Road System Maintenance

_____ Utility

Requested by Councilmember:

Signed: verbally approved – signature pending
Councilman K. G. Rusty Smith, Jr.

Councilman Johnnie D. Rodgers, Jr.

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
April 21, 2011

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

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approve The Expenditure Of Up To $1,500.00 From Council Districts 6 And 7 Infrastructure Funding Allocations ($750.00 From Each District) For The Purchase Of Equipment For The Francis Marion Recreation Baseball League.

FUNDING SOURCE:
XXX Infrastructure _____ Road System Maintenance _____ Utility

Requested by Councilmember:
Signed: verbally approved – signature pending
Councilman Russell W. Culberson

verbally approved – signature pending
Councilman Waymon Mumford

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
AGENDA ITEM: Council District #8

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:
Approval of the expenditure of up to $36,960.00 from Council District #8 funding allocations to pay for resurfacing Citadel Street from Mars Hill Road to Sweetbriar Street.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Dept.

FUNDING SOURCE:

- Infrastructure
- Road System Maintenance
- Utility

SIGNED: James Schofield

Requested by Councilmember: James Schofield

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
AGENDA ITEM: Other Business
Council District #8

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to $38,676.00 from Council District #8 funding allocations to pay for resurfacing Mars Hill Road (S-21-1357) from Bellevue Drive to Longwood Drive. Mars Hill Road is in the SCDOT Road System. Encroachment Permit will have to be obtained from the SCDOT.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Dept.

FUNDING SOURCE:

Infrastructure
Road System Maintenance
Utility

SIGNED: James Schofield
Requested by Councilmember: James Schofield
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