

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

Roger M. Poston
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Johnnie D. Rodgers, Jr.
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

H. Morris Anderson
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
LYNCHES RIVER COUNTY PARK
1110 BEN GAUSE ROAD
COWARD, SOUTH CAROLINA
THURSDAY, DECEMBER 8, 2011
10:00 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 NOVEMBER 17, 2011 REGULAR MEETING [1]

Council Is Requested To Approve The Minutes Of The November 17, 2011
Regular Meeting Of County Council.

VI. **PUBLIC HEARINGS:** [11]

Council will hold public hearing on the following:

A. ORDINANCE NO. 15-2011/12

An Ordinance To Amend The Florence County Comprehensive Plan Land Use
Map For Property In Florence County Located At 900 E. Julep Lane, Florence,
SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001
Consisting Of 7.80 Acres From Public Facility To Residential Preservation;
And Other Matters Related Thereto.

B. ORDINANCE NO. 17-2011/12

An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 31, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.

VII. APPEARANCES:

None Requested At The Time Of Publication Of The Agenda.

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)

November 17, 2011 Howe Springs Fire District GO Bond Issue
November 17, 2011 Voter Registration/Elections Personnel Matter

Public Services & County Planning

(Council members James T. Schofield/Chair, Mitchell Kirby, and Roger M. Poston)

November 17, 2011 Ordinance No. 16-2011/12 – Amend Chapter 30, Zoning Ordinance, Section 30-311

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.)

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

Ad Hoc Search Committee
(Council members Waymon Mumford/Chair, Mitchell Kirby, Russell W. Culberson, Johnnie D. Rodgers, Jr., H. Morris Anderson, Alphonso Bradley, James T. Schofield, Roger M. Poston.)

IX. RESOLUTIONS:

RESOLUTION NO. 13-2011/12

[12]

A Resolution Approving Tax-Advantaged Bond Compliance Policies And Procedures For Florence County As Required By The Internal Revenue Service And Other Matters Related Thereto.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 13-2011/12

[23]

An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance.

2. ORDINANCE NO. 14-2011/12

[27]

An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto.

B. SECOND READING

1. ORDINANCE NO. 15-2011/12 (*Public Hearing*) [29]

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julep Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting Of 7.80 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.

*(Planning Commission **Approved 8 – 0.**) (Council District 7)*

2. ORDINANCE NO. 17-2011/12 (*Public Hearing*) [35]

An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 31, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.

*(Planning Commission **Approved 8 – 0.**) (Council District 1)*

C. INTRODUCTION

No Ordinances were presented for Introduction at the time of publication of the Agenda.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

1. MONTHLY FINANCIAL REPORTS [48]

Monthly Financial Reports Were Provided To Council For Fiscal Year 2012 Through October 31, 2011 As An Item For The Record.

2. **2012 CALENDAR OF MEETING DATES AND HOLIDAYS**
Approve The 2012 Calendar Of Meeting Dates And Holidays.

[54]

B. ADMINISTRATION/FINANCE

LAKE CITY MANNED CONVENIENCE CENTER

[56]

Authorize The County Administrator To Contract With Waste Management For The Relocation And Construction Of The Lake City Manned Convenience Center; And To Accept The Donation Of Approximately Three (3) Acres Of Land From The City Of Lake City (A Portion Of Tax Map Parcel #00230-31-010); And To Fund The Project From Previously Allocated Bond Funds (Account Number 314-471-451-100-8600).

C. FINANCE/FACILITIES

ASSESSOR'S OFFICE/AUDITOR'S OFFICE RENOVATIONS

[57]

Authorize The Construction Of Two Walls By The Building Commission At A Cost Not To Exceed \$500 To Physically Separate The Assessor's Office And The Auditor's Office In Order To Comply With Federal And State Red Flag Rules, To Be Funded From Existing Funds In The Assessor's Office Budget.

D. PROCUREMENT

AWARD BID #08-11/12

[59]

Award Bid #08-11/12 For One (1) 12 Yard Dump Body To Double A Body Builders, Pamplico, SC In The Amount Of \$11,502 From FY12 Public Works Departmental Funds. (2 *Compliant Bids*)

XIII. OTHER BUSINESS:

A. INFRASTRUCTURE

EBENEZER PARK TENNIS COURTS

[62]

Approve The Expenditure Of Up To \$20,000 From Council District 9 Infrastructure Funding Allocation To Resurface The Tennis Courts At Ebenezer Park.

B. ROAD SYSTEM MAINTENANCE FEE (RSMF)

1. EAST OLD MIDDLE ROAD

[63]

Approve The Expenditure Of Up To \$71,977 From Council District 4 RSMF Funding Allocation To Pay For Rock And Crushed Asphalt For A Section Of E. Old Middle Road (2,650 Feet From Hill Road).

2. SANDSPUR ROAD

[65]

Approve The Expenditure Of Up To \$22,329 From Council District 4 RSMF Funding Allocation To Pay For Crushed Asphalt For A Portion Of Sandspur Road (2,145 Feet From Cale Yarborough Road).

3. ATTWOOD AVENUE

[67]

Approve The Expenditure Of Up To \$23,870 From Council District 8 RSMF Funding Allocation To Pay For Reclamation And Resurfacing Of A Portion (330 Feet From Irby Street) Of Attwood Avenue; Pending Receipt Of The Encroachment Permit From SCDOT.

XIV. EXECUTIVE SESSION:

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

- Legal Brief

XV. EMPLOYEE RECOGNITION:

EMPLOYEE RECOGNITION

[69]

Florence County Council will recognize County Employees who have completed from five to thirty-five years of service with the County as of December 31, 2011.

XVI. INACTIVE AGENDA:

A. 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.

B. ORDINANCE NO. 02-2011/12

At the August 18, 2011 regular meeting of County Council, Chairman Smith deferred second reading of this item: An Ordinance To Rezone Property Owned By Katie Barnhill Cook Located At 2214 Alligator Road, Effingham, From R-3, Single-Family Residential District To R-4, Multi-Family Residential District Limited Shown On Florence County Tax Map No. 00126, Block 01, Parcel 401 Consisting Of 0.22 Acres.

*(Planning Commission **Denied 6 – 1.**) (Council District 5)*

C. ORDINANCE NO. 16-2011/12

[74]

At its regular meeting of November 17, 2011, Council referred this Ordinance to the Committee on Public Service & County Planning: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto.

*(Planning Commission **Approved 8 – 0.**)*

XVII. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the November 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, NOVEMBER 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
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Roger M. Poston, Council Member
Richard A. Starks, County Administrator
Fitz Lee McEachin, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
Ray McBride, Library Director
Sheriff Kenney Boone
Thomas B. Robinson
John Sweeney, Morning News

Copies of the Meeting 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 all branch libraries, 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 Kirby made a motion Council Approve The Minutes Of The October 13, 2011 Special Called Meeting Of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council Approve The Minutes Of The October 20, 2011 Regular Meeting Of County Council. Councilman Kirby seconded the motion, which was approved unanimously.

Councilman Mumford made a motion Council Approve The Minutes Of The October 27, 2011 Special Called Meeting Of County Council. Councilman Anderson seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council Approve The Minutes Of The November 3, 2011 Special Called Meeting Of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Clerk published the titles and the Chairman opened public hearing for the following:

ORDINANCE NO. 08-2011/12

An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 129 And 135 S. Fifth Street, Timmonsville, SC As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 100; Consisting Of 1.69 Acres From Residential Preservation To Rural Preservation And Other Matters Related Thereto.

ORDINANCE NO. 13-2011/12

An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance.

ORDINANCE NO. 14-2011/12

An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto.

APPEARANCES:

2011 CHRISTMAS CARD CONTEST WINNER ANNOUNCED

Council recognized Miss Sidonie Gillier, 11 year old daughter of Ines and Frédéric Gillier and a 5th grade student at Royall Elementary School, for submitting the winning entry for the 2011 Florence County Christmas Card Contest. Vice Chairman Mumford presented Miss Gillier with a framed copy of her artwork and a certificate for a \$100 US Savings Bond. Miss Gillier thanked Council.

JOHN FARMER, 2012 LEGISLATIVE DAY COMMITTEE CHAIR

Mr. Farmer Requested To Appear Before Council To Brief Council On The Plans For The 10th Annual Florence County Legislative Day, Scheduled For March 20, 2012. Mr. Farmer was unable to attend the meeting. Ms. Denise Godwin was present and thanked Council for its support of the Legislative Day Event and briefed Council on plans for the 2012 event.

**JONATHAN E. STURKIE, PRESIDENT – HOWE SPRINGS VOLUNTEER
FIRE COMPANY**

Mr. Sturkie Stated He Initially Requested To Appear Before Council To Discuss The Open Position On The Howe Springs Fire District Board And The Recommendation From The Howe Springs Volunteer Fire Company To Fill The Seat, However He Was Of The Understanding That Would No Longer Be Necessary So He Wanted To Thank Council For Its Support Of The Howe Springs Volunteer Fire Company.

**PETE SIELER, WFXMB AND BRUCE SMITH, RETIREE – BUILDING
BRIDGES PROGRAM**

Mr. Sieler And Mr. Smith Appeared Before Council To Speak On Behalf Of The Building Bridges Program.

COMMITTEE REPORTS:

ADMINISTRATION & FINANCE

Chairman Smith stated the Administration & Finance Committee would review the request for bond issue consideration requested by the Howe Springs Fire District.

PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield stated the Committee met early that morning to discuss the item concerning the Public Service Building Space Allocation. Councilman Schofield made a motion Council Approve The Recommendation Of The Space Allocation Change Of The Florence County Public Service Building As Indicated On The Plan Provided By The Committee (Copy Of Plan Attached And Incorporated By Reference). Councilman Kirby seconded the motion, which was approved unanimously.

JUSTICE & PUBLIC SAFETY

In response to comments from Councilman Anderson, Committee Chairman Mumford stated the Committee would schedule a meeting to continue discussion on litter enforcement prior to the next regular meeting of Council.

RESOLUTIONS:

RESOLUTION NO. 11-2011/12

Chairman Smith published the title of Resolution No. 11-2011/12: A Resolution To Amend Section 4 Of Resolution No. 5-2009/10 In Order To Authorize The Inclusion Of Additional Participants In The South Carolina Procurement Card Program And To Increase One Daily And Monthly Limit. Councilman Schofield made a motion Council approve the Resolution. Councilman Anderson seconded the motion, which was approved unanimously.

RESOLUTION NO. 12-2011/12

Chairman Smith published the title of Resolution No. 12-2011/12: A Resolution To Amend *The Rules of the Florence County Council*. Councilman Anderson made a motion Council approve the Resolution. Councilman Poston seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

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

ORDINANCES IN POSITION:

ORDINANCE NO. 08-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 08-2011/12: An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 129 And 135 S. Fifth Street, Timmons ville, SC As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 100; Consisting Of 1.69 Acres From Residential Preservation To Rural Preservation And Other Matters Related Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 09-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 09-2011/12: An Ordinance To Rezone Property Owned By Viola A. Garner Located At 129 And 135 South Fifth Street, Timmons ville, As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 100; Consisting Of 1.69 Acres From R-3, Single-Family Residential District To RU-1, Rural Community District And Other Matters Related Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 10-2011/12 – THIRD READING

The Clerk published the title Of Ordinance No. 10-2011/12: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-210, Relocation Of Billboard Due To Governmental Land Acquisition; And Other Matters Related Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 11-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 11-2011/12: An Ordinance To Amend Florence County Code, Chapter 27, Public Roads And Ways, Article II, Street Naming And Property Numbering, Section 27-21, Street Naming, And Other Matters Related Thereto. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 12-2011/12 – THIRD READING

The Clerk published the title of Ordinance No. 12-2011/12: An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 90167-01-020 To The City Of Florence And Other Matters Related Thereto. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 13-2011/12 – SECOND READING

The Clerk published the title of Ordinance No. 13-2011/12: An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 14-2011/12 – SECOND READING

The Clerk published the title of Ordinance No. 14-2011/12: An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 15-2011/12 – INTRODUCED

The Clerk published the title of Ordinance No. 15-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julep Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting Of 7.8 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.

ORDINANCE NO. 16-2011/12 – INTRODUCED

The Clerk published the title of Ordinance No. 16-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto. Councilman Schofield requested this item be referred to the Committee on Public Service & County Planning. There being no objections, the Chairman referred the Ordinance to Committee.

ORDINANCE NO. 17-2011/12 – INTRODUCED

The Clerk published the title of Ordinance No. 17-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 31, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

HOWE SPRINGS BOARD OF FIRE CONTROL

Council Unanimously Approved The Recommendation Of Howe Springs Volunteer Fire Company For The Appointment Of William Hopkin Dillon For Seat 1 On The Howe Springs Board Of Fire Control, With Appropriate Expiration Term.

COMMISSION ON ALCOHOL & DRUG ABUSE

Council unanimously approved the following reappointments to the Commission on Alcohol & Drug Abuse, with appropriate expiration terms: Bishop Oscar Hardman, Seat 2 - District 1, and James R. "Randy" McDonald – At-Large Business Law Seat.

PEE DEE WORKFORCE INVESTMENT BOARD

Council unanimously approved the recommendation of the Pee Dee Workforce Investment Board for the appointment of Max Welch to fill the seat on the board left vacant by the resignation of Jill Heiden.

SENIOR CENTER COMMISSION

Council unanimously approved the following appointments to the Senior Center Commission, with appropriate expiration terms: Andrew Wilson – District 2, Jean P. McPherson – District 5, and Ruth Sandifer – District 9.

HANNAH/SALEM/FRIENDFIELD BOARD OF FIRE CONTROL

Council unanimously approved the re-appointment of Theodore Allison to serve on the Hannah/Salem/Friendfield Board of Fire Control, with appropriate expiration term.

ECONOMIC DEVELOPMENT PARTNERSHIP BOARD

Council unanimously approved the appointment of John D. Bankson, Jr. to serve on the Economic Development Partnership Board, representing District 9, with appropriate expiration term.

BOARD OF ZONING APPEALS

Council unanimously approved the re-appointment of Daniel Jackson to serve on the Board of Zoning Appeals, representing District 9, with appropriate expiration term.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2012 Through September 30, 2011 As An Item For The Record.

ADMINISTRATION/FINANCE

CITY OF JOHNSONVILLE – SOLID WASTE HOUSEHOLD FEES

Councilman Poston made a motion Council Authorize The Remittance Of All Solid Waste Household Fees Collected On The 2011 Tax Notices From The Residential Parcels Located Inside The City Of Johnsonville Directly To The City Of Johnsonville, To Be Used For Residential Solid Waste Household Service Provision Only, And Direct The Cessation Of Charging The Solid Waste Household Fee To Residential Parcels Located Inside The City Of Johnsonville Beginning In Tax Year 2012. Councilman Rodgers seconded the motion, which was approved unanimously.

CIVIC CENTER

SCDA DENTAL ACCESS DAYS EVENT

Councilman Rodgers made a motion Council Approve \$3,665.62 For The Florence Civic Center For Excess Costs Incurred By The SC Dental Association's (SCDA) Free Adult Dental Clinic Recently Held At The Civic Center; Funding To Come From Line Item 010-411-488-000-8800, General Fund Contingency. Councilman Mumford seconded the motion, which was approved unanimously.

FINANCE/FACILITIES

ACCEPTANCE OF PROPERTY

Councilman Rodgers made a motion Council Authorize The Acceptance Of Property Located At 419 South Dargan Street, Designated As Tax Map No. 90088-02-008 By Deed Of Gift From The Drs. Bruce And Lee Foundation. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC WORKS

CUSAAC MANNED CONVENIENCE CENTER

Councilman Kirby made a motion Council Approve \$4,570 For A Tap Fee, Water Meter, And Installation Of Connector Water Line For The Cusaac Manned Convenience Center (MCC) Property From Line Item 421-441-432-100-6426, And Authorize The County Administrator To Enter Into A Formal Agreement For Use And Owner Payment Of The Water Service. Councilman Rodgers seconded the motion, which was approved unanimously.

OTHER BUSINESS:

UTILITY

RENEE CIRCLE

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$6,000 From Council District 6 Utility Funding Allocation For A Water Line Extension On Renee Circle. Councilman Rodgers seconded the motion, which was approved unanimously.

WILSON ROAD

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$14,500 From Council District 7 Utility Funding For A Sewer Line Extension Along The 200 Block Of Wilson Road. Councilman Culberson seconded the motion, which was approved unanimously.

MANDEVILLE DRIVE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$27,600 From Council Districts 3 and 7 RSMF Funding Allocations (\$13,800 From Each District) To Pay For Variable Milling And Leveling Of Mandeville Drive. Councilman Mumford seconded the motion, which was approved unanimously.

SARDIS-TIMMONSVILLE FIRE DEPARTMENT

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$8,500 From Council District 4 Infrastructure Funding Allocation For The Purchase Of Two Infrared Cameras For The Sardis-Timmons ville Fire Department. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTIONS:

RESOLUTION OF APPRECIATION AND RECOGNITION

Councilman Anderson made a motion Council Approve A Resolution Of Appreciation And Recognition For Richard A. Starks In Honor Of His Outstanding Service To Florence County. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Anderson published the Resolution in its entirety and presented Mr. Starks with the framed Resolution. Mr. Starks expressed his appreciation for the recognition and the opportunity to serve Florence County.

EXECUTIVE SESSION:

Councilman Anderson made a motion Council Enter Executive Session, Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended, To Discuss The Following: Legal Briefing, Contractual Matter Regarding Real Property Transaction, Personnel Matters Concerning Voter Registration/Elections, Senior Center, And Chief Magistrate's Office. Councilman Culberson seconded the motion, which was approved unanimously.

Council entered executive session at 9:38 a.m. Council reconvened at 11:00 a.m.

Subsequent to Executive Session, Council took the following actions:

MAGISTRATE'S OFFICE

Councilman Mumford made a motion Council Authorize The Effingham Magistrate (Slot 006) Position To Be Increased Permanently To 30 Hours Per Week With Benefits, To Be Funded From The General Fund Contingency For The Balance Of FY12. Councilman Culberson seconded the motion, which was approved unanimously.

VOTER REGISTRATION/ELECTIONS

Chairman Smith stated the matter regarding the Voter Registration/Elections Office would be referred to the Committee on Administration & Finance for further review.

AGREEMENT TO PURCHASE REAL ESTATE

Councilman Schofield made a motion Council Authorize The Execution Of An Agreement To Purchase Real Estate Owned By White Hawk, LLC, Tax Map No. 90167-01-018, From General Obligation Proceeds Received Into Fund 317. Councilman Culberson seconded the motion, which was approved unanimously.

CHRISTMAS BONUS & HOLIDAY

Councilman Mumford made a motion Council Approve A \$300 Christmas Bonus For County Employees For 2011 And That The Following Days Be Granted To Employees To Observe The Christmas Holiday: Friday - December 23, Monday - December 26, And Tuesday - December 27. Councilman Schofield seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 11:02 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL

December 8, 2011

AGENDA ITEM: Public Hearings

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

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

A. ORDINANCE NO. 15-2011/12

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julep Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting Of 7.80 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.

B. ORDINANCE NO. 17-2011/12

An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 31, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Approval of Resolution No.13-2011/12

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(Approving Tax-Advantaged Bond Compliance Policies And Procedures For Florence County As Required By The Internal Revenue Service And Other Matters Related Thereto.)

POINTS TO CONSIDER:

1. The Internal Revenue Service has issued new requirements with respect to issuers of tax-exempt bonds. These requirements state that issuers of such bonds maintain written policies and procedures for monitoring compliance with the arbitrage, yield restriction, and rebate requirements of Section 148 of the Internal Revenue Code.
2. IRS Form 8038-G now requires confirmation of such written policies and procedures.
3. Haynsworth, Sinkler, Boyd, bond counsel to Florence County, South Carolina, has developed such policies and procedures, which are attached to Resolution No. 13-2011/12.

OPTIONS:

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

ATTACHMENT:

1. Resolution No. 13-2011/2012

Sponsor(s) : County Council
Adopted: : December 8, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 13-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

Approving Tax-Advantaged Bond Compliance Policies And Procedures For Florence County As Required By The Internal Revenue Service And Other Matters Related Thereto.

WHEREAS:

1. New Internal Revenue Service ("IRS") requirements with respect to issuers of tax-advantaged bonds contemplate that issuers of such bonds maintain written policies and procedures for monitoring compliance with the arbitrage, yield restriction, and rebate requirements of Section 148 of the Internal Revenue Code; and
2. IRS Form 8038-G now requires confirmation of such written policies and procedures; and
3. Bond counsel to Florence County, South Carolina has developed such policies and procedures and submitted them for adoption by Florence County Council, such policies and procedures attached hereto as Exhibit A;

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

Section 1.01

The Tax-Advantaged Bond Compliance Policies and Procedures attached hereto as Exhibit A are approved and adopted.

Section 1.02.

All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption and approval.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:

TAX-ADVANTAGED BOND COMPLIANCE POLICIES AND PROCEDURES

These Tax-Advantaged Bond Compliance Policies and Procedures have been initially approved by the County Council of Florence County, South Carolina (the "**Issuer**"), on December 8, 2011.

Statement of Purpose: Summary

The Issuer may, from time to time, finance its capital improvements and operations through the issuance of debt obligations that are eligible for tax benefits under federal and South Carolina law. Such obligations may include tax exempt bonds and/or bonds eligible for tax credits (direct subsidies to the Issuer or tax credits to bond owners). All such obligations are referred to herein as "**Tax-Advantaged Bonds**," whether in the form of general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes, lease-purchase obligations, installment-purchase obligations, or otherwise.

The purpose of these policies and procedures is to ensure that the requirements of the federal and South Carolina law necessary to preserve the tax advantages of Tax-Advantaged Bonds are continuously complied with for the requisite periods.

This document contains two primary components:

- The Tax-Advantaged Bond Compliance Policies (the "**Policies**"), which are general statements of the goals of the Issuer with respect to compliance with the federal and South Carolina law applicable to Tax-Advantaged Bonds; and
- The Tax-Advantaged Bond Compliance Procedures (the "**Procedures**"), which are specific operational procedures by which the Issuer intends to ensure, on a continuing basis, that its issuance, payment of debt service on, and expenditure and investment of the proceeds of Tax-Advantaged Bonds are and remain in compliance with the federal and South Carolina law applicable to Tax-Advantaged Bonds.

The Policies may be modified, expanded, abridged, or otherwise amended only by official action of the County Council of the Issuer upon consultation with Haynsworth Sinkler Boyd, P.A., the Issuer's bond counsel ("**Bond Counsel**").

The Chief Financial Officer will be responsible for ensuring that Tax-Advantaged Bonds comply with federal and South Carolina law applicable to Tax-Advantaged Bonds and will develop and implement the Procedures. The Procedures may be modified, expanded, abridged, or otherwise amended by the Chief Financial Officer of the Issuer in consultation with Bond Counsel, in order to: (a) ensure efficiency of administration; (b) establish and maintain appropriate assignments of staff responsibility; (c) reflect changes in the Issuer's system of accounting, financial controls, procurement practices, or other internal procedures and practices; (d) respond to changes in law or interpretation that may, from time to time, be reported to the Issuer by Bond Counsel; or (e) otherwise ensure compliance with the Policies in the most efficient and effective manner.

PART I: TAX-ADVANTAGED BOND COMPLIANCE POLICIES

- A. Investment and Expenditure of Bond Proceeds. The Issuer's system of internal controls and accounting shall be capable of tracking the investment and expenditure of proceeds of Tax-Advantaged Bonds and other amounts subject to special requirements, and the allocation of such proceeds and other amounts to Issuer facilities. Appropriate coding shall be developed to identify Issuer facilities (or portions thereof) financed or refinanced by Tax-Advantaged Bonds. Such procedures shall ensure that such proceeds are expended only for the purposes authorized by the ordinance and, as applicable, referendum, pursuant to which such bonds were issued and in compliance with the Arbitrage and Tax Compliance Certificate relating to the Tax-Advantaged Bonds or other instructions of Bond Counsel.
- B. Bond-Financed Facilities. The Issuer will track the use of facilities (or portions thereof) financed or refinanced by Tax-Advantaged Bonds in the private trades or businesses of non-governmental persons. Arrangements for the sale, disposition, lease, management or other use of substantial portions (more than 1%) of facilities financed or refinanced by Tax-Advantaged Bonds with a term of (i) less than 200 days will be subject to prior review and approval by the Chief Financial Officer of the Issuer, and (ii) equal to or greater than 200 days will be subject to prior review and approval by the Chief Financial Officer of the Issuer and Bond Counsel. The Chief Financial Officer of the Issuer will track the aggregate annual private use (if any) of facilities provided by Tax-Advantaged Bonds.
- C. Periodic Review. The Issuer will periodically review compliance with the requirements of the federal and South Carolina law necessary to preserve the tax advantages of such Tax-Advantaged Bonds. Such reviews should include final allocations of proceeds not later than 18 months after completion of bond-financed facilities and annual reviews to ensure private business use of bond financed facilities does not exceed allowable levels. Such annual review should be conducted in connection with the preparation of the Issuer's audited financial statements.
- D. Potential Non-Compliance. Should the Chief Financial Officer, upon any annual review or otherwise, discover non-compliance with any requirements of federal or South Carolina law necessary to preserve the tax advantages of such Tax-Advantaged Bonds, such Procedures shall include steps to be taken, in concert with Bond Counsel, to remedy any such non-compliance.
- E. Retention of Professionals; Rebate Analyst. The Issuer shall engage such professionals or consultants as are necessary, in the judgment of the Chief Financial Officer, to ensure that the requirements of federal and South Carolina law necessary to preserve the tax advantages of such Tax-Advantaged Bonds are timely met, including, without limitation, the requirement to compute and pay rebatable arbitrage to the United States government or to confirm an exception thereto. Chief Financial Officer shall ensure that all information reports or other returns or filings with the United States Department of Treasury or Internal Revenue Service timely shall be filed on behalf of the Issuer.
- F. Purchase of Investments. All investments of the proceeds of Tax-Advantaged Bonds shall be purchased at Fair Market Value, as defined in the federal tax laws, and shall comply with the requirements of federal tax law relating to yield restriction as advised by Bond Counsel.

- G. Credit Enhancement Transactions. The Chief Financial Officer of the Issuer shall consult with Bond Counsel prior to engaging in any post-issuance credit enhancement transactions (i.e., bond insurance or letters of credit) or hedging transactions (i.e., interest rate swaps) relating to any Tax-Advantaged Bonds.
- H. Subsidy Payments. The Chief Financial Officer of the Issuer shall implement proper procedures to ensure that any federal subsidy payable in respect of any direct-pay tax credit bonds is timely transmitted to the appropriate account of the Issuer including the timely filing of any required return or other documentation.
- I. Post-Issuance Modifications. The Chief Financial Officer of the Issuer shall consult with Bond Counsel prior to any modification of the interest rate, maturity date, or other material terms of any outstanding Tax-Advantaged Bonds.
- J. Records Retention. The Issuer will retain records sufficient to demonstrate compliance with the requirements of federal and South Carolina law necessary to preserve the tax advantages of such Tax-Advantaged Bonds for the period required by law, presently understood to be the life of the debt obligations or any succeeding refunding obligations plus 3 years.

DRAFT

TAX-ADVANTAGED BOND PROCEDURES

These Procedures are organized with reference to the applicable lettered paragraphs in the Policies.

Certain of these Procedures assign responsibilities to named officials of the Issuer. The capitalized terms used for such officials are defined as follows:

Chief Executive Officer	County Administrator
Chief Financial Officer	County Finance Director
Facilities Officer	County Finance Director
Purchasing Officer	Procurement Director

The named officials may delegate certain assigned responsibilities but shall remain responsible for compliance with these Procedures. The official with ultimate responsibility for compliance with the Policies and Procedures will be Chief Executive Officer.

A summary of the initial responsibility assignments appears as Exhibit A to these Procedures.

Policy A: Investment and Expenditure of Bond Proceeds.

Implementing Procedures:

1. The Chief Financial Officer shall charge capital expenditures that are financed by debt to the corresponding capital projects fund. Each project shall have a specific fund number used to track that project, and discrete expenditures shall be further categorized by project location (by street address or name of facility) and functional description of financed improvement.
2. The Purchasing Officer shall enter purchase orders and the Chief Financial Officer shall pay and capture such purchase orders in the general ledger by the specific account code.
3. The Chief Financial Officer shall file and retain all purchase orders and invoices by vendor, check number, check date, and purchase order number, if applicable.
4. Until final allocation of bond proceeds, on a monthly basis, at a minimum, the Chief Financial Officer shall analyze each project for expenditures and shall summarize such expenditures on a spreadsheet showing the year-to-date expenditures for that project and shall identify facilities or equipment financed or refinanced by Tax-Advantaged Bonds ("***Bond Financed Facilities***"). A copy of the Issuer's transaction activity report and/or summary report by account code generated from the general ledger shall be used to back up this spreadsheet and filed with that spreadsheet.
5. The Chief Financial Officer shall ensure that the investment of all proceeds of Tax-Advantaged Bonds is tracked by fund or account (e.g., debt service fund, debt service reserve fund, project or construction fund, etc.) and investment yield.

Policy B: Bond-Financed Facilities.

Implementing Procedures:

1. The Facilities Officer will meet at least quarterly and coordinate with the Chief Executive Officer to review and evaluate existing or pending sales, leases, management contracts, research contracts, or other special legal entitlements that relate to the Issuer's real or personal property (collectively, "***Use Arrangements***").
2. The Facilities Officer will be responsible for determining whether any Use Arrangement relates to Bond Financed Facilities. If so, the Facilities Officer will consult with counsel to the Issuer ("***Issuer Counsel***") and solicit advice concerning the Use Arrangement. If the term of the Use Arrangement relating to any Bond Financed Facilities (with any extensions at the sole option of the counterparty) exceeds 200 days, the Facilities Officer and Issuer Counsel shall also consult Bond Counsel for advice prior to execution of the Use Arrangement.
3. The Purchasing Director shall notify the Chief Executive Officer upon receipt of any Use Arrangements submitted for approval for any Bond Financed Facilities.

Policy C: Periodic Review.

Implementing Procedures:

1. Promptly after the adoption of the Policy, the Chief Financial Officer will cause an evaluation of tax compliance to be undertaken for each outstanding issue of Tax-Advantaged Bonds (the "***Initial Evaluation***"). Upon the completion of the Initial Evaluation, the Chief Financial Officer shall prepare a report to the Chief Executive Officer on the results of the Initial Evaluation (the "***Initial Report***") which shall identify all Tax-Advantaged Bonds then outstanding and the Bond Financed Facilities allocable to each such issue of Tax-Advantaged Bonds. The Initial Report shall express the findings of the Chief Financial Officer whether each outstanding issue of Tax-Advantaged Bonds satisfies the requirements of the Policy and shall contain (A) a spreadsheet setting forth any Use Arrangement with respect to any Bond Financed Facilities and the Tax-Advantaged Bonds to which they relate, and (B) a statement that any arbitrage rebate then due has properly been paid or that an exception or exemption from such payment is available.
2. The Chief Financial Officer annually shall cause a follow-up evaluation of tax compliance to be undertaken for each outstanding issue of Tax-Advantaged Bonds (the "***Annual Evaluation***") with the same objectives and scope as the Initial Evaluation and will provide to the Chief Executive Officer a report (the "***Annual Report***") of the findings of the Annual Evaluation and an updated spreadsheet concerning private business use for each issue of Tax-Advantaged Bonds. Such allocation may be conducted in connection with the preparation of the Issuer's audited financial statements for the fiscal year in which the final expenditure was made.

3. Not later than 18 months after completion of any Bond Financed Facilities, the Chief Financial Officer shall make and retain a final allocation of the expenditure of proceeds of Tax-Advantaged Bonds and other amounts used to finance such improvements.

Policy D: Potential Noncompliance.

Implementing Procedures:

1. If the Initial Evaluation or any Annual Evaluation discloses potential non-compliance with the tax requirements applicable to any issue of outstanding Tax-Advantaged Bonds, the Chief Executive Officer will promptly consult with Issuer Counsel and Bond Counsel. Such consultation will consider whether the evaluations were properly performed and whether any amendments to Use Arrangements, adjustments to allocation methodologies, mixed financing sources, or other accounting techniques may avoid non-compliance.
2. If the Issuer determines after consultation with counsel that non-compliance has occurred, the Chief Financial Officer will promptly consult Bond Counsel concerning the ability of the Issuer to remedy the non-compliance under applicable IRS regulations or to seek a voluntary closing agreement.

Policy E: Retention of Professionals; Rebate Analyst.

Implementing Procedures:

1. As needed, the Issuer shall engage an arbitrage rebate computation agent (the "***Rebate Analyst***"). The Chief Financial Officer will ensure that records of investment and expenditure of the proceeds of Tax-Advantaged Bonds are timely delivered to the Rebate Analyst and that the Rebate Analyst prepares annual computation reports that advise the Issuer of any rebatable arbitrage accrued with respect to any such bonds.
2. The Chief Financial Officer will ensure that the Rebate Analyst timely prepares returns relating to payment of arbitrage rebate (currently on IRS Form 8038-T) and that such forms and any rebatable arbitrage are timely paid to the United States as required under Section 148(f)(4) of the Code.

Policy F: Purchase of Investments.

Implementing Procedures:

1. All investments of the proceeds of Tax-Advantaged Bonds shall be made by the Issuer at the direction of the Chief Financial Officer, who shall ensure that such proceeds are invested in compliance with federal tax requirements and that all such investments are made at Fair Market Value. The Chief Financial Officer shall consult with Bond Counsel prior to investing any proceeds of Tax-Advantaged Bonds in

guaranteed investment contracts or certificates of deposit not publicly traded on any investment exchange.

Policy G: Credit Enhancement Transactions.

Implementing Procedures:

1. Prior to bidding for, purchasing, entering into, or otherwise engaging in any post-issuance credit enhancement transactions relating to the proceeds of or debt service on Tax-Advantaged Bonds (including, without limitation, bond insurance policies, letters of credit, guaranteed investment contracts, interest rate swaps, and market hedges), the Chief Financial Officer shall consult with Bond Counsel.

Policies H: Subsidy Payments.

Implementing Procedures:

1. See the implementing procedures of Policy A, above.

Policy I: Post-Issuance Modifications.

Implementing Procedures:

1. Prior to entering into any modification of the terms of any outstanding Tax-Advantaged Bonds (including, without limitation, changes in maturity date, interest rate, call provisions, financial or earnings covenants, or use of proceeds), the Chief Financial Officer shall consult with Bond Counsel.

Policy J: Records Retention.

Implementing Procedures:

1. Retention Period: Records material to Tax-Advantaged Bonds shall be retained by the Issuer for a period equal to the maturity of such Tax-Advantaged Bonds plus 3 years. In the event any Tax-Advantaged Bonds are refunded, records of the original Tax-Advantaged Bonds will be retained until the maturity of the refunding Tax-Advantaged Bonds, plus 3 years.
2. Records to be Retained:
 - A. Records regarding the issuance and sale of the Tax-Advantaged Bonds (bond transcript and closing documents), the investment and expenditure of the original proceeds of the Tax-Advantaged Bonds and any investment earnings, including requisitions, trust or investment statements, bidding certificates for guaranteed investment contracts, rebate computations, credit enhancement contracts, swap or other derivative contracts, certifications relating to any of the foregoing, rebate computations, any filings with the IRS, any

correspondence with the IRS, and architectural or construction drawings and documents of the bond financed or refinanced facilities.

- B. Elections regarding accounting methods, rebate matters, or application of regulatory provisions.
- C. Copies of any Use Arrangements, including, without limitation, the following arrangements involving the use of any facilities financed by the Bonds: leases, naming rights agreements, title retention agreements, management contracts, sponsored research contracts, capacity reservation agreements, agreements regarding rates or charges for use of Bond Financed Facilities, incentive payment service contracts, requirements contracts or "take" contracts or "take or pay" contracts.
- D. The Chief Financial Officer shall be custodian of the foregoing records.

The Foregoing Procedures were last revised on _____, 20____.

Responsible Official

Summary of Responsibility Assignments

Chief Executive Officer

1. Ensure overall compliance with Policies and Procedures; monitor responsibility assignments and periodically review Procedures; periodically revise Procedures as necessary.
2. Meet quarterly with Facilities Officer to evaluate use of bond financed facilities. (Policy B)
3. Ensure preparation of and review Initial Report and Annual Reports. (Policy C)
4. Report potential non-compliance to Bond Counsel. (Policy D)

Chief Financial Officer

1. Monitor, record, and allocate expenditure of bond proceeds by project location and functional description. (Policy A)
2. Scan and file all purchase orders and invoices with respect to Bond Financed Facilities. (Policy A)
3. Until final allocation of bond proceeds, prepare a monthly report of project expenditures. (Policy A)
4. Prepare and retain separate records for investment performance of bond proceeds. (Policy A)
5. Prepare Initial Report and Annual Reports. (Policy C)
6. Make and record final allocations of expenditures of proceeds of Tax-Advantaged Bonds. (Policy A)
7. Retain and manage relationship with Rebate Analyst. (Policy E)
8. Consult with Bond Counsel before (a) purchasing guaranteed investment contracts or non-publicly traded certificates of deposit with proceeds of, (b) entering into credit enhancement transactions with respect to, or (c) modifying the terms of, Tax-Advantaged Bonds. (Policies F and G)
9. Ensure compliance with retention policies and act as custodian of retained records. (Policy J)

Facilities Officer

1. Meet quarterly with Chief Executive Officer to evaluate use of bond financed facilities. (Policy B)
2. Monitor Use Arrangements and consult with counsel prior to entering into new Use Arrangements. (Policy B)

Purchasing Officer

1. Coordinate with Chief Financial Officer on purchase orders and expenditures with respect to Bond Financed Facilities. (Policy A)
2. Notify Chief Executive Officer of any Use Arrangements submitted for approval that relate to Bond Financed Facilities. (Policy A)

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Third Reading - Ordinance No. 13-2011/12

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance.)

OPTIONS:

1. *(Recommended)* Approve Third Reading of Ordinance No. 13-2011/12.
2. Provide An Alternate Directive.

ATTACHMENT:

Ordinance No. 13-2011/12.

Sponsor(s) : County Council
 First Reading/Introduction : October 20, 2011
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Public Hearing : November 17, 2011
 Second Reading : November 17, 2011
 Third Reading : December 8, 2011
 Effective Date : Immediately

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

ORDINANCE NO. 13-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance.)

WHEREAS:

The Florence County Code has been reformatted into the large page format and a recodification of the Code will simplify recordkeeping.

BE IT ORDAINED BY THE COUNTY COUNCIL DULY ASSEMBLED THAT:

Section 1. That the Code of Ordinances, consisting of chapters 1 to 30, each inclusive, is hereby adopted and enacted as the "Code of Ordinances of the County of Florence County, South Carolina," and shall be treated and considered as a new and original comprehensive ordinance which shall supersede the "Code of Ordinances of the County of Florence County, South Carolina", adopted on December 5, 1978, as amended, in its entirety and all other general and permanent ordinances of the county passed on or before August 18, 2011 and, to the extent provided in section 2 hereof.

Section 2. That all provisions of such Code shall be in full force and effect from and after December 8, 2011, and all ordinances of a general and permanent nature of the County of Florence County, enacted on final passage on or before August 18, 2011, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after December 8, 2011, except as hereinafter provided.

Section 3. That the repeal provided for in section 2 hereof shall not affect the following:

- (a) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance;
- (b) Any ordinance or resolution promising or guaranteeing the payment of money for the county,

or authorizing the issuance of any bonds of the county or any evidence of the county's indebtedness, or any contract or obligations assumed by the county;

- (c) The administrative ordinances or any resolutions of the county not in conflict or inconsistent with the provisions of such Code;
- (d) Any appropriation ordinance or resolution;
- (e) Any right or franchise granted by the council to any person, firm or corporation;

Nor shall such repeal be construed to review any ordinance or part of an ordinance that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. That whenever in such Code an act is prohibited, or is made or declared to be unlawful or an offense or a misdemeanor by the council, or whenever in such Code the doing of any act is required or the failure to do any act is declared to be unlawful by the county council, and no specific penalty is provided therefor, the violation of any such provisions of such Code shall be punished by a fine or imprisonment, as provided in section 1-13 of such Code.

Section 5. That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the county council to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances of the County of Florence County, South Carolina," shall be understood and intended to include such additions and amendments.

Section 6. That in case of the amendment by the county council of any section of such Code for which a penalty is not provided, the general penalty as provided in section 1-13 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That a copy of such Code shall be kept on file in the office of the Clerk to Council, preserved in loose leaf form, or in such other form as the Clerk of Council may consider most expedient. It shall be the express duty of the Clerk of Council, or someone authorized by him, to insert in their designated places all amendments, ordinances or resolutions which indicate the intention of the county council to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be repealed from time to time by the county council. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or alter by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the County of Florence County to be misrepresented thereby. Any person violating this section shall be punished as provided in section 1-13 of the Code of Ordinances of the County of Florence County, South Carolina and in section 4 of this ordinance.

Section 9. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed, except as noted elsewhere herein.

Section 10. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Third Reading - Ordinance No. 14-2011/12

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Third Reading of Ordinance No. 14-2011/12.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 14-2011/12.

Sponsor(s) : County Council
First Reading/Introduction : October 20, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : November 17, 2011
Second Reading : November 17, 2011
Third Reading : December 8, 2011
Effective Date : Immediately

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

ORDINANCE NO. 14-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto.)

WHEREAS:

1. Florence County currently leases to MIT-RCF, LLC property designated as Tax Map Parcel No. 00167-031-131 pursuant to a Lease Agreement dated November 9, 2009; and
2. MIT-RCF, LLC desires to enter into a sublease with Progress Energy and associated investors regarding the installation of a commercial solar photovoltaic system.

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

1. MIT-RCF, LLC is authorized to enter into a sublease with Progress Energy and associated investors for the installation of a commercial solar photovoltaic system on property designated as Tax Map No. 00167-031-131 provided that the terms of this Ordinance are included.
2. MIT-RCF, LLC and associated investors, partners, assigns and agents will retain all responsibility for any damage or increased maintenance costs on the property and buildings thereon, associated with or resulting from installation and continued placement of the commercial solar photovoltaic system and all costs for removal and restoration of the property should the panels be removed or abandoned for any reason.
3. MIT-RCF, LLC and associated investors, partners, assigns and agents shall retain the full liabilities noted herein and shall survive the original lease dated November 9, 2009 and any sublease entered.
4. The County Administrator is authorized to provide written approval for a sublease of said property to Progress Energy and associated investors, subject to review by the County Attorney, which shall not be unreasonably withheld.
5. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
6. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman
COUNCIL VOTE:

OPPOSED:

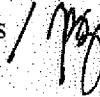
ABSENT:

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

FLORENCE COUNTY COUNCIL MEETING

Thursday, December 08, 2011

AGENDA ITEM: Ordinance No. 15-2011/12
Second Reading

DEPARTMENT: Planning and Building Inspections / 

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julip Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting of 7.80 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.]
(Planning Commission *approved* 8-0; Council District 7)

POINTS TO CONSIDER:

1. The subject property is currently designated as Public Facility.
2. The Planning staff has requested a land use designation amendment to Residential Preservation to correct an original error.
3. This land use designation would better coordinate with the existing land uses surrounding this area.

OPTIONS:

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

ATTACHMENTS:

1. Ordinance No. 15-2011/12
2. Resolution for PC#2011-17
3. Staff report for PC#2011-17
4. Aerial photograph
5. Comprehensive Land Use Plan Map

Sponsor(s)	: Planning Commission	I, _____
Planning Commission Consideration	: October 25, 2011	Council Clerk, certify that
Planning Commission Public Hearing	: October 25, 2011	this Ordinance was
Planning Commission Action	: October 25, 2011 [Approved: 8-0]	advertised for Public Hearing
First Reading/Introduction	: November 17, 2011	on _____.
Committee Referral	: N/A	
County Council Public Hearing	: December 8, 2011	
Second Reading	: December 8, 2011	
Third Reading	:	
Effective Date	: Immediately	

ORDINANCE NO. 15-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julip Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting of 7.80 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Council must be satisfied that this Zoning Atlas amendment will not be 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 amendment procedure established in the Florence County Comprehensive Plan has been followed by the Florence County Planning Commission at a public hearing on October 25, 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 900 E. Julip Lane, Florence, SC, as shown on Florence County Tax Map No. 01812, Block 01, Parcel 001 consisting of 7.80 acres from Public Facility to Residential Preservation.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

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

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

RESOLUTION FOR PC#2011-17
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 900 E. Julip Lane, Florence, SC From Public Facility to Residential 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 Public Facility.
2. The applicant is proposing to change the designation to Residential Preservation.
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 900 E. Julip Lane, Florence, SC measuring approximately 7.80 acres from Public Facility to Residential Preservation as referenced on the agenda map.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED:

Peter M. Knoller
Peter M. Knoller, Chairman

COMMISSION VOTE: 8-0

OPPOSED: None

ABSENT: C. Cunha
T. Greene
K. Lowery

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
OCTOBER 25, 2011
PC#2011-17
ORDINANCE NO. 15-2011/12**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for property in Florence County located at 900 E. Julip Lane, Florence from Public Facility to Residential Preservation.

Location: 900 E. Julip Lane, Florence

Tax Map Number(s): 01812, Block 01, Parcel 001

Council District(s): 7; County Council

Applicant: Florence County Planning

Land Area: Approximately 7.80 Acres

Staff Analysis:

The property is currently designated as Public Facility according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation to Residential Preservation.

Staff's Justification/Reason for proposed amendment is to correct an original mistake or manifest error.

Comprehensive Land Use Plan Map Designation:

The proposal is to change the designation to Residential Preservation which protects and sustains existing low density single-family residential areas, including property values and amenities, and provide for the growth of suburban or developing rural areas consisting of single-family homes and their accessory uses.

Florence County Planning Commission Action-October 25, 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 to correct an original designation error to the Comprehensive Plan Land Use Map.

Florence County 2008 Orthophotography Map



0 150 300 Feet

Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
09/20/2011



COUNTY COUNCIL DISTRICT(S): 7
PC#2011-17

Florence County Comprehensive Land Use Plan Map

PITY PAT DR

TARA DR

JULIP LANE

E SCARLETT LANE

PF

E SCARLETT LANE

RP

MOSS DR

E CANDY LANE

E BUTLER LANE

CLAYTON CT

E MACREE TER

Legend

LU Code

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

0 115 230 460 Feet

Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
09/20/2011

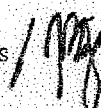
N

COUNTY COUNCIL DISTRICT(S): 7
PC#2011-17

FLORENCE COUNTY COUNCIL MEETING

Thursday, December 08, 2011

AGENDA ITEM: Ordinance No. 17-2011/12
Second Reading

DEPARTMENT: Planning and Building Inspections / 

ISSUE UNDER CONSIDERATION:

[An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 031, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.] *(Planning Commission approved 8-0; All Council Districts)*

POINTS TO CONSIDER:

1. Board of Zoning Appeals approved a use variance for a communications tower to be located at 355N. Country Club Blvd, Lake City on November 1, 2011.
2. State law stipulates that the Board of Zoning Appeals may not approve a variance for a use that would otherwise not be allowed in a zoning district.
3. The Board of Zoning Appeals recommended, by a 9 to 0 vote, that a text amendment be brought forth for appearance before the Planning Commission for review to allow communication towers and antennas conditionally in residential zoning districts.

OPTIONS:

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

ATTACHMENTS:

1. Ordinance 17-2011/12-PropNew-Markup
2. Staff report for PC#2011-21

Sponsor(s)	: Planning Commission	I, _____
Planning Commission Consideration	: November 29, 2011	Council Clerk, certify that
Planning Commission Public Hearing	: November 29, 2011	this Ordinance was
Planning Commission Action	: November 29, 2011 [Approved 8-0]	advertised for Public Hearing
First Reading/Introduction	: November 17, 2011	on _____
Committee Referral	: N/A	
Second Reading	: December 8, 2011	
Third Reading	:	
Effective Date	: Immediately	

ORDINANCE NO. 17-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 031, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Board of Zoning Appeals approved the use variance for a communications tower on November 1, 2011; and
2. State law stipulates that the Board may not grant a variance that would establish a use otherwise not allowed in a zoning district; and
3. The Board of Zoning Appeals has recommended, by a 9 to 0 vote, that a text amendment appear before Planning Commission for review to allow communication towers and antennas conditionally in residential zoning districts.
4. The Planning Commission has recommended, by an 8 to 0 vote, that an ordinance be adopted to allow a use variance and a text amendment be approved to allow communication towers and antennas conditionally in residential zoning districts.

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

1. A use variance for a communications tower for property located at 355 N. Country Club Rd., Lake City bearing Tax Map 00142, Block 031, Parcel 048 and zoned R-1, Single-Family Residential District is hereby approved.
2. Florence County Code, Chapter 30, Zoning Ordinance, Article II, Zoning District Regulations, Section 30-28, Table I, Schedule of permitted and conditional uses and off-street parking requirements for residential districts is amended in its entirety as follows:

Sec. 30-28. - Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential districts.

	NAICS	R-1	R-2	R-3	R-3A	R-4	R-5	R-5A	Off-Street Parking Requirements
Residential uses									
Site built dwellings									
Single-family detached	81411	P	P	P	P	P	P	P	None
Duplex	81411	N	N	N	N	P	P	P	2.0 spaces per unit
Townhouse (section <u>30-91</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Patio home (section <u>30-92</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Triplex	81411	N	N	N	N	N (1)	P	P	2.0 spaces per unit
Quadruplex	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Multi-family	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Rooming & boarding houses	72131	N	N	N	N	N	P	P	1.0 spaces per bedroom
Bed & breakfast inns (section <u>30-93</u>)	72119 1	N	N	C	C	C	C	C	1.0 spaces per bedroom
Manufactured dwellings (footnote)									
Residential designed (section <u>30-94</u>)	81411	N	N	C	N	N	C	N	None

Standard designed (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	None
Mobile home (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	2.0 spaces per unit
Modular home	81411	P	P	P	P	P	P	P	None
Manufactured home park (section <u>30-97</u>)	81411	N	N	N	N	N	C	C	2.0 spaces per unit
Accessory uses (section <u>30-246</u>)									
Bathhouses, cabanas	NA	P	P	P	P	P	P	P	None
Domestic animal shelters	NA	P	P	P	P	P	P	P	None
Child day care services	6244	P	P	P	P	P	P	P	None
Satellite dishes/antenn as	NA	P	P	P	P	P	P	P	None
Accessory apartment (section <u>30-97</u>)	NA	C	C	C	C	C	C	C	None
Coin operated laundries & dry cleaners	81231	N	N	N	N	N	N	N	None
Non- commercial greenhouse	NA	P	P	P	P	P	P	P	None
Private garage & carport	NA	P	P	P	P	P	P	P	None
Storage building	NA	P	P	P	P	P	P	P	None
Swimming pool, tennis courts	NA	P	P	P	P	P	P	P	None

Auxiliary shed, work shop	NA	P	P	P	P	P	P	P	None
Home occupation (section <u>30-98</u>)	NA	C	C	C	C	C	C	C	None
Horticulture, gardening	NA	P	P	P	P	P	P	P	None
Signs—See article V									None
Support uses									
Recreational									
Public parks, playgrounds, & community centers	71394	P	P	P	P	P	P	P	1.0 per 250 GFA activity buildings, 1% land area to parks
Golf courses, public & private	71391	P	P	P	P	P	P	P	5.0 spaces for each hole
Swimming & tennis clubs	71394	P	P	P	P	P	P	P	1.0 space for each 200 s.f. GFA
Educational									

Elementary schools		P	P	P	P	P	P	P	2.0 spaces per classroom, plus 5.0 admin. Spaces
Secondary schools		P	P	P	P	P	P	P	5.0 spaces per classroom, plus 10 admin. spaces
Information									
Libraries	519120	N	N	N	N	P	P	P	1.0 space per 350 s.f. GFA
Social									
Nursing & residential care facilities	623	N	N	N	N	P	P	P	0.4 per bed, plus 1.0 space per 500 s.f. GFA
Day care services	62441	N	N	N	N	P	P	P	1.0 space per 200 s.f. GFA
Religious organizations	81311	P	P	P	P	P	P	P	0.3 spaces per seat, main seating
Utilities									
Communication transmission only, except towers/antennas	5133	P	P	P	P	P	P	P	None
Communication towers & antennas(see 30-101)	51332	<u>CN</u>	<u>CN</u>	<u>CN</u>	<u>CN</u>	<u>CN</u>	<u>CN</u>	<u>CN</u>	None
Electric, gas, transmission only	221121	P	P	P	P	P	P	P	None
Sewerage treatment facilities	22132	P	P	P	P	P	P	P	None
Water supply & irrigation systems	22131	P	P	P	P	P	P	P	None

Public order & safety	9221	P	P	P	P	P	P	P	1.0 space per 350 s.f. GFA
Fire protection	92216	P	P	P	P	P	P	P	4.0 spaces per bay
Temporary uses									
Temporary uses (section 30-99)		C	C	C	C	C	C	C	By individual review

3. Florence County Code, Chapter 30, Zoning Ordinance, Article III, Conditional Use Regulation, Section 30-101, Communication Towers is amended in its entirety as follows:

Sec. 30-101. - Communication towers and antennas.

Where conditionally permitted as a principal use by Table I, communications towers and antennas shall appear before the Board of Zoning Appeals at a public hearing for review and if approved, shall adhere to the following regulations as set forth for the same uses as allowed by Table II.

Where conditionally permitted as a principal use by Table II, communication towers and antennas shall adhere to the following regulations.

- (1) All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- (2) All applicable safety code requirements shall be met.
- (3) Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.
- (4) No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- (5) Towers or antennas shall be exempt from the maximum height requirements of this chapter, except as provided in section 30-242.
- (6) Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:
 - a. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
 - b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
 - c. A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
 - d. Identification of the owners of all antennae and equipment to be located on the site.
 - e. Written authorization from the site owner for the application.
 - f. Evidence that a valid FCC license for the proposed activity has been issued.

- g. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- h. A written agreement to remove the tower and/or antenna within 180 days after cessation of use.
- i. A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the affected government.

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

ATTEST:

Connie Y. Haselden, Council Clerk

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

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
November 29, 2011
PC#2011-21**

SUBJECT: Request for an amendment to Section 30-28. Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential uses and Section 30-101. Communication towers and antennas of the Florence County Code of Ordinances for text amendments.

APPLICANT: Florence County Planning Department Staff

Staff Analysis:

As staff administers the regulations of Chapter 30-Zoning Ordinance of the Florence County Code, periodically amendments need to be made to the Zoning Ordinance in an effort to continue to provide the most efficient and accurate customer service as possible to the citizens of Florence County.

Florence County continues to review the need for permitting certain uses in residential zoning districts in an ongoing effort to facilitate the needs of communities for enhanced communication purposes.

The Board of Zoning Appeals has recommended that a text amendment be brought forth for appearance before the Planning Commission for review to allow communication towers and antennas conditionally in residential zoning districts.

At this time, the amendments to the text of the above-referenced sections to allow communications towers and antennas conditionally and per review by the Board of Zoning Appeals in the R-1, R-2, R-3, R-4 and R-5 zoning districts are being submitted as follows.

NOTE: The requested test amendments are as follows with deletions and replacement of text by strikethrough and in bold and addition of new text in bold only.

1. Sec. 30-28. - Table I: Schedule of permitted and conditional uses and off-street parking requirements for residential districts.

	NAICS	R-1	R-2	R-3	R-3A	R-4	R-5	R-5A	Off-Street Parking Requirements
Residential uses									
Site built dwellings									
Single-family detached	81411	P	P	P	P	P	P	P	None

Duplex	81411	N	N	N	N	P	P	P	2.0 spaces per unit
Townhouse (section <u>30-91</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Patio home (section <u>30-92</u>)	81411	N	N	C	C	C	C	C	2.0 spaces per unit
Triplex	81411	N	N	N	N	N (1)	P	P	2.0 spaces per unit
Quadraplex	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Multi-family	81411	N	N	N	N	N (1)	P	P	1.5 spaces per unit
Rooming & boarding houses	72131	N	N	N	N	N	P	P	1.0 spaces per bedroom
Bed & breakfast inns (section <u>30-93</u>)	721191	N	N	C	C	C	C	C	1.0 spaces per bedroom
Manufactured dwellings (footnote)									
Residential designed (section <u>30-94</u>)	81411	N	N	C	N	N	C	N	None
Standard designed (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	None
Mobile home (section <u>30-94</u>)	81411	N	N	N	N	N	N	N	2.0 spaces per unit
Modular home	81411	P	P	P	P	P	P	P	None
Manufactured home park (section <u>30-97</u>)	81411	N	N	N	N	N	C	C	2.0 spaces per unit
Accessory uses (section <u>30-246</u>)									
Bathhouses, cabanas	NA	P	P	P	P	P	P	P	None
Domestic animal shelters	NA	P	P	P	P	P	P	P	None
Child day care services	6244	P	P	P	P	P	P	P	None

Satellite dishes/antennas	NA	P	P	P	P	P	P	P	None
Accessory apartment (section 30-97)	NA	C	C	C	C	C	C	C	None
Coin operated laundries & dry cleaners	81231	N	N	N	N	N	N	N	None
Non-commercial greenhouse	NA	P	P	P	P	P	P	P	None
Private garage & carport	NA	P	P	P	P	P	P	P	None
Storage building	NA	P	P	P	P	P	P	P	None
Swimming pool, tennis courts	NA	P	P	P	P	P	P	P	None
Auxiliary shed, work shop	NA	P	P	P	P	P	P	P	None
Home occupation (section 30-98)	NA	C	C	C	C	C	C	C	None
Horticulture, gardening	NA	P	P	P	P	P	P	P	None
Signs—See article V									None
Support uses									
Recreational									
Public parks, playgrounds, & community centers	71394	P	P	P	P	P	P	P	1.0 per 250 GFA activity buildings, 1% land area to parks
Golf courses, public & private	71391	P	P	P	P	P	P	P	5.0 spaces for each hole
Swimming & tennis clubs	71394	P	P	P	P	P	P	P	1.0 space for each 200 s.f. GFA
Educational									
Elementary schools	6111	P	P	P	P	P	P	P	2.0 spaces per classroom, plus 5.0 admin. spaces
Secondary schools	6111	P	P	P	P	P	P	P	5.0 spaces per classroom, plus 10 admin. spaces
Information									
Libraries	519120	N	N	N	N	P	P	P	1.0 space per 350 s.f. GFA

Social									
Nursing & residential care facilities	623	N	N	N	N	P	P	P	0.4 per bed, plus 1.0 space per 500 s.f. GFA
Day care services	62441	N	N	N	N	P	P	P	1.0 space per 200 s.f. GFA
Religious organizations	81311	P	P	P	P	P	P	P	0.3 spaces per seat, main seating
Utilities									
Communication transmission only, except towers/antennas	5133	P	P	P	P	P	P	P	None
Communication towers & antennas (section 30-101)	51332	CN	CN	CN	CN	CN	CN	CN	None
Electric, gas, transmission only	221121	P	P	P	P	P	P	P	None
Sewerage treatment facilities	22132	P	P	P	P	P	P	P	None
Water supply & irrigation systems	22131	P	P	P	P	P	P	P	None
Public order & safety	9221	P	P	P	P	P	P	P	1.0 space per 350 s.f. GFA
Fire protection	92216	P	P	P	P	P	P	P	4.0 spaces per bay
Temporary uses									
Temporary uses		C	C	C	C	C	C	C	By individual review

1. The amendment to the text of Section 30-101. - Communication towers and antennas shall add text to the section to read as follows:

Sec. 30-101. - Communication towers and antennas.

Where conditionally permitted as a principal use by Table I, communication towers and antennas shall appear before the Board of Zoning Appeals for review and if approved, shall adhere to the following regulations as set forth for the same uses as allowed by Table II.

Where conditionally permitted as a principal use by Table II, communication towers and antennas shall adhere to the following regulations.

- (1) All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- (2) All applicable safety code requirements shall be met.
- (3) Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.
- (4) No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- (5) Towers or antennas shall be exempt from the maximum height requirements of this chapter, except as provided in section 30-242
- (6) Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:
 - a. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
 - b. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
 - c. A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
 - d. Identification of the owners of all antennae and equipment to be located on the site.
 - e. Written authorization from the site owner for the application.
 - f. Evidence that a valid FCC license for the proposed activity has been issued.
 - g. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
 - h. A written agreement to remove the tower and/or antenna within 180 days after cessation of use.
 - i. A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the affected government.

Florence County Planning Commission Action-November 29, 2011:

Florence County Planning Commission Recommendation:

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly financial reports are provided to Council for fiscal year 2012 through October 31, 2011 as an item for the record.

ATTACHMENTS:

Copies of the monthly financial reports.

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY12
7/1/11 TO 10/31/11**

	YEAR-TO-DATE			
	BUDGETED	ACTUAL	REMAINING	PCT
	REVENUE	REVENUE	BALANCE	
REVENUES				
Taxes	33,750,554	28,386,358	5,364,196	15.89%
Licenses & Permits	1,339,176	139,858	1,199,318	89.56%
Fines & Fees	3,183,380	813,416	2,369,964	74.45%
Intergovernmental	5,047,026	166,506	4,880,520	96.70%
Sales and Other Functional	5,445,906	1,574,254	3,871,652	71.09%
Miscellaneous	947,942	145,106	802,836	84.69%
Operating Transfers	(1,484,343)	-	(1,484,343)	100.00%
Use of Fund Balance	-	-	-	
TOTAL	48,229,641	31,225,497	17,004,144	35.26%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY12
7/1/11 TO 10/31/11**

		YEAR-TO-DATE			
		BUDGETED	ACTUAL	REMAINING	PCT
EXPENDITURES		EXPENDITURE	EXPENDITURE	BALANCE	
10-411-401	County Council	348,800	91,601	257,199	73.74%
10-411-402	Administrator	620,162	178,506	441,656	71.22%
10-411-403	Clerk of Court	1,805,403	554,687	1,250,716	69.28%
10-411-404	Solicitor	1,064,277	291,106	773,171	72.65%
10-411-405	Judge of Probate	499,075	150,712	348,363	69.80%
10-411-406	Public Defender	758,618	218,143	540,475	71.24%
10-411-407	Magistrates	2,158,294	633,567	1,524,727	70.64%
10-411-409	Legal Services	79,650	18,305	61,345	77.02%
10-411-410	Voter Registration & Elections	463,240	123,833	339,407	73.27%
10-411-411	Finance	743,944	214,420	529,524	71.18%
10-411-412	Human Resources	330,297	102,909	227,388	68.84%
10-411-413	Procurement & Vehicle Maintenance	589,575	158,577	430,998	73.10%
10-411-414	Administrative Services	380,624	146,726	233,898	61.45%
10-411-415	Treasurer	1,189,141	366,618	822,523	69.17%
10-411-416	Auditor	473,893	131,640	342,253	72.22%
10-411-417	Tax Assessor	1,280,644	339,946	940,698	73.46%
10-411-418	Planning and Building	2,054,406	519,948	1,534,458	74.69%
10-411-419	Complex	1,186,224	385,483	800,741	67.50%
10-411-420	Facilities Management	730,031	200,211	529,820	72.58%
10-411-427	Information Technology	1,234,124	520,137	713,987	57.85%
10-411-446	Veteran's Affairs	146,090	34,893	111,197	76.12%
10-411-480	Senior Citizen Centers	327,736	48,703	279,033	85.14%
10-411-485	General Direct Assistance	204,648	29,699	174,949	85.49%
10-411-488	Contingency	203,510	7,183	196,327	96.47%
10-411-489	Employee Tort & Blanket Bond	354,665	130,132	224,533	63.31%
10-421-421	Sheriff's Office	15,028,252	4,522,916	10,505,336	69.90%
10-421-422	Emergency Management	2,388,209	763,333	1,624,876	68.04%
10-421-481	Rural Fire Departments	15,140	1,034	14,106	93.17%
10-451-423	EMS	4,371,988	1,346,344	3,025,644	69.21%
10-451-424	Rescue Squads	388,035	37,209	350,826	90.41%
10-451-425	Coroner	278,786	70,920	207,866	74.56%
10-451-441	Health Department	80,934	43,821	37,113	45.86%
10-451-442	Environmental Services	725,508	191,802	533,706	73.56%
10-451-485	Health Direct Assistance	14,502	-	14,502	100.00%
10-461-485	Welfare - MIAP & DSS	439,075	106,077	332,998	75.84%
10-471-451	Recreation	1,738,869	641,758	1,097,111	63.09%
10-471-455	County Library	3,523,757	1,068,669	2,455,088	69.67%
10-471-485	Museum Commission	5,000	-	5,000	100.00%
10-481-485	Literacy Council	4,515	1,129	3,386	75.00%
TOTAL		48,229,641	14,392,695	33,836,946	70.16%

Percent of Fiscal Year Remaining = 66.67%

**FLORENCE COUNTY
BUDGET REPORT - OTHER FUNDS
CURRENT PERIOD: 7/1/11 TO 10/31/11**

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,817,770	279,746	3,538,024	92.67%	3,817,770	3,282,562	535,208	14.02%
112 Economic Development Partnership Fund	434,253	127,348	306,905	70.67%	434,253	50,827	383,427	88.30%
123 Local Accommodations Tax Fund	2,473,875	838,590	1,635,285	66.10%	2,473,875	647,489	1,826,386	73.83%
124 Local Hospitality Tax Fund	655,116	92,771	562,345	85.84%	655,116	347,937	307,179	46.89%
131 District Utility Allocation Fund	2,409,871	122,873	2,286,998	94.90%	2,409,871	2,027,871	382,000	15.85%
132 District Infrastructure Allocation Fund	1,719,884	154,590	1,565,294	91.01%	1,719,884	1,404,884	315,000	18.32%
151 Law Library Fund	82,548	9,252	73,296	88.79%	82,548	68,525	14,023	16.99%
153 Road System Maintenance Fee Fund	3,081,973	920,250	2,161,723	70.14%	3,081,973	1,100,380	1,981,593	64.30%
154 Victim/Witness Assistance Fund	187,594	59,647	127,947	68.20%	187,594	52,629	134,965	71.95%
421 Landfill Fund	4,114,470	977,802	3,136,668	76.24%	4,114,470	410,667	3,703,803	90.02%
431 E911 System Fund	453,632	82,571	371,061	81.80%	453,632	140,311	313,321	69.07%
TOTALS:	19,430,986	3,665,439	15,765,547	81.14%	19,430,986	9,534,082	9,896,904	50.93%

Percent of Fiscal Year Remaining: 66.67%

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

\$ 90,140,608

**Florence County Council
District Allocation Balances
October 31, 2011**

Council District #	Type of Allocation	Beginning Budget FY12	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	160,521.00	17,240.00	143,281.00
	Paving	114,692.00	-	114,692.00
	Utility	230,063.00	6,800.00	223,263.00
	In-Kind	19,800.00	2,748.00	17,052.00
2	Infrastructure	35,946.00	17,441.00	18,505.00
	Paving	149,032.00	-	149,032.00
	Utility	36,883.00	8,800.00	28,083.00
	In-Kind	19,800.00	166.00	19,634.00
3	Infrastructure	47,298.00	47,298.00	-
	Paving	216,473.00	-	216,473.00
	Utility	106,292.00	1,911.00	104,381.00
	In-Kind	19,800.00	72.00	19,728.00
4	Infrastructure	244,251.00	26,688.00	217,563.00
	Paving	250,893.00	1,552.00	249,341.00
	Utility	53,127.00	20,000.00	33,127.00
	In-Kind	19,800.00	916.00	18,884.00
5	Infrastructure	72,073.00	22,132.00	49,941.00
	Paving	107,120.00	-	107,120.00
	Utility	58,356.00	-	58,356.00
	In-Kind	19,800.00	-	19,800.00
6	Infrastructure	257,655.00	12,890.00	244,765.00
	Paving	211,954.00	-	211,954.00
	Utility	307,311.00	-	307,311.00
	In-Kind	19,800.00	1,667.00	18,133.00
7	Infrastructure	98,557.00	5,133.00	93,424.00
	Paving	198,307.00	-	198,307.00
	Utility	289,122.00	11,547.00	277,575.00
	In-Kind	19,800.00	-	19,800.00
8	Infrastructure	193,060.00	40,833.00	152,227.00
	Paving	49,922.00	-	49,922.00
	Utility	61,176.00	60,000.00	1,176.00
	In-Kind	19,800.00	-	19,800.00
9	Infrastructure	113,374.00	39,652.00	73,722.00
	Paving	136,662.00	-	136,662.00
	Utility	266,303.00	20,000.00	246,303.00
	In-Kind	19,800.00	-	19,800.00

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

FLORENCE COUNTY FORWARD CAPITAL PROJECT SALES TAX

As of October 31, 2011

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Expended	Balance Unexpended	Budget % Expended
Pine Needles Road Widening	\$ 17,676,768.00	\$ 707,022.67	\$ 1,223,779.18	\$ 13,139,131.79	\$ 15,069,933.64	\$ 2,606,834.36	85.25%
US 378 Widening	\$ 138,751,620.00	\$ 3,775,968.96	\$ 2,810,954.19	\$ 244,763.76	\$ 6,831,686.91	\$ 131,919,933.09	4.92%
US 76 Widening	\$ 31,641,621.00	\$ 2,050,092.37	\$ 374,846.88	\$ 2,562.16	\$ 2,427,501.41	\$ 29,214,119.59	7.67%
TV Road Widening	\$ 34,519,290.00	\$ 1,597,711.49	\$ 430,353.17	\$ 1,625.53	\$ 2,029,690.19	\$ 32,489,599.81	5.88%
SC 51 Widening	\$ 151,533,817.00	\$ 1,078,078.53	\$ -	\$ 2,394.71	\$ 1,080,473.24	\$ 150,453,343.76	0.71%
US 301 Bypass Extension*	\$ 73,464,146.00	\$ -	\$ -	\$ -	\$ -	\$ 73,464,146.00	100.00%
	\$ 447,587,262.00	\$ 9,208,874.02	\$ 4,839,933.42	\$ 13,390,477.95	\$ 27,439,285.39	\$ 420,147,976.61	6.13%

REVENUES	Revenue Budget				Received/Earned to Date	Balance To Be Rcvd/Earned	Balance % Rcvd/Earned
Capital Project Sales Tax	\$ 148,000,000.00				\$ 84,901,901.47		
Sales Tax Interest Earnings	\$ -				\$ 5,238,706.11	\$ 63,098,098.53	60.91%
Earned State SIB Fund Match	\$ 250,000,000.00				\$ 180,281,215.16	\$ 69,718,784.84	72.11%
	\$ 398,000,000.00				\$ 270,421,822.74	\$ 132,816,883.37	67.95%

NOTE 1: Revenue Received/Earned to Date is as of September 30, 2011, since capital project sales tax is received from the state on a quarterly basis.

NOTE 2: Merchant collection of sales tax will conclude on April 30, 2014, unless total collections, excluding interest, exceed \$148,000,000 prior to that date.

* US 301 is anticipated to be funded only partially.

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Reports to Council

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Approve The 2012 Calendar Of Meeting Dates And Holidays.

ATTACHMENTS:

Copy of proposed Schedule of "County Council Meeting Dates for 2012" and "Official County Holidays for 2012."

COUNTY COUNCIL MEETING DATES FOR 2012

<u>MEETING DATES/TIMES</u>	<u>SCAC & NACo MEETING DATES and OTHER INFORMATION</u>	<u>AGENDA ITEMS DUE [CUTOFF DATES]</u>
JANUARY 19 / 9:00 A.M.		JANUARY 6
FEBRUARY 16 / 9:00 A.M.	SCAC – MID-YEAR CONFERENCE, COLUMBIA, SC FEB 22-23, 2012	FEBRUARY 3
MARCH 15 / 9:00 A.M.	NACo – LEGISLATIVE CONFERENCE WASHINGTON, DC MAR 3 – 7, 2012	MARCH 2
APRIL 19 / 9:00 A.M.		APRIL 5
MAY 17 / 9:00 A.M.		MAY 4
JUNE 21 / 9:00 A.M.		JUNE 8
JULY 19 / 9:00 A.M.	NACo ANNUAL CONFERENCE – ALLEGHENY COUNTY, PITTSBURGH, PA JULY 13-17, 2012	JULY 6
AUGUST 16 / 9:00 A.M.	SCAC ANNUAL CONFERENCE & SC INSTITUTE CLASSES HILTON HEAD MARRIOTT, HILTON HEAD ISLAND, SC: AUGUST 4-8, 2012	AUGUST 3
SEPTEMBER 20 / 6:00 P.M.	HELD AT THE LAKE CITY BEAN MARKET MUSEUM	SEPTEMBER 7
OCTOBER 18 / 9:00 A.M.	SCAC INSTITUTE OF GOVERNMENT AND COUNTY COUNCIL COALITION – COLUMBIA, SC	OCTOBER 5
NOVEMBER 15 / 9:00 A.M.		NOVEMBER 2
DECEMBER 13 / 9:00 A.M.	SCAC LEGISLATIVE CONFERENCE – CHARLESTON, SC	NOVEMBER 30

OFFICIAL COUNTY HOLIDAYS FOR 2012

OBSERVANCE OF DR. MARTIN LUTHER KING, JR.'S BIRTHDAY	MONDAY, JANUARY 16
GOOD FRIDAY	FRIDAY, APRIL 6
MEMORIAL DAY	MONDAY, MAY 28
INDEPENDENCE DAY	WEDNESDAY, JULY 4
LABOR DAY	MONDAY, SEPTEMBER 3
THANKSGIVING DAY AND THE DAY AFTER THANKSGIVING	THURSDAY AND FRIDAY NOVEMBER 22-23
CHRISTMAS	MONDAY THRU WEDNESDAY, DECEMBER 24 – 26
NEW YEAR'S DAY	TUESDAY, JANUARY 1, 2013

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Report to Council

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

Authorize The County Administrator To Contract With Waste Management For The Relocation And Construction Of The Lake City Manned Convenience Center; And To Accept The Donation Of Approximately Three (3) Acres Of Land From The City Of Lake City (A Portion Of Tax Map Parcel #00230-31-010); And To Fund The Project From Previously Allocated Bond Funds (Account Number 314-471-451-100-8600).

POINTS TO CONSIDER:

1. By taking this action, Council is authorizing the use of funds for this project that were previously designated for recreation projects in the Lake City area.
2. This relocation is also in support of Lake City's planned park expansion, which includes the current MCC land area.

FUNDING:

One-time cost estimated at \$250,000.

OPTIONS:

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

ATTACHMENT:

{NONE}

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Report to Council

DEPARTMENT: Finance
Facilities

ISSUE UNDER CONSIDERATION:

Authorize The Construction Of Two Walls By The Building Commission At A Cost Not To Exceed \$500 To Physically Separate The Assessor's Office And The Auditor's Office In Order To Comply With Federal And State Red Flag Rules, To Be Funded From Existing Funds In The Assessor's Office Budget.

POINTS TO CONSIDER:

1. The Assessor's Office collects and retains various documents which contain various personal information which is protected from disclosure by the recently issued Federal and State red flag rules. In addition, there are currently two open passageways between the Assessor's Office and the Auditor's Office which make the Assessor unable to properly secure these documents.
2. In the attached memo, the Auditor is requesting the same physical separation in the Lake City offices; however, the current configuration makes it impractical to construct walls separating these two offices. Very few documents are retained by the Assessor in the Lake City office and can be secured in a locking file cabinet and by the implementation of an access control policy, which can be done concurrently with the construction in the Florence office.
3. Also, the Auditor is requesting one half of the space originally designed as a shared conference room between these two offices. However, this space has been used exclusively by the Assessor's Office for at least the past two decades. In addition, the Auditor's Office currently contains approximately 169 square feet per employee, whereas the Assessor's Office contains only 141 square feet per employee.

FUNDING:

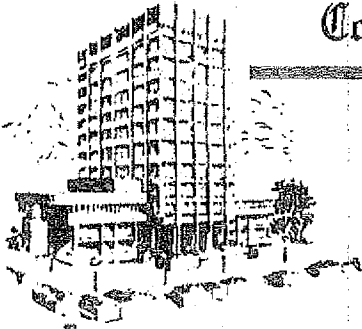
One-time cost estimated at \$500.

OPTIONS:

1. *(Recommended)* Approve as presented.
2. Refer to Public Services and County Planning Committee
3. Provide An Alternate Directive

ATTACHMENT:

1. Memo from Wayne Joye, County Auditor




County of Florence

South Carolina

H. WAYNE JOYE

AUDITOR

To: Kevin Yokim, Finance Director

From: H. Wayne Joye, Florence Co. Auditor 

Date: November 10, 2011

Subject: Joint Conference Room--Formal Request

I am writing in reference to the current Assessor's request to have complete isolation between the Auditor's Office and Assessor's Office. In doing so, it appears that the Assessor would be occupying the conference room that was originally designed to be used jointly by the two offices. It is of my opinion that the Auditor (also needing additional space) would be entitled to one-half of the conference room space.

In review of this situation with the Assessor at the time the Complex was constructed, he clearly indicated to me that there was no question or concerns that the room was designated for use by the two offices. Also in conversation with two of his staff members at the time, they confirmed the use of this room to be the same as the former Assessor stated.

In the prior meeting that we had, it was stated by the current Assessor that maybe he should claim some portion of the Delinquent office (?) that had been taken from the Assessor's office. In review with one of the former employee's from 1972 until the later portion of 1980's she has no recollections of any portion of that office being occupied by the Assessor's office.

I am requesting that this memo be honored as my formal request that one-half of this conference room be allotted to the Auditor's office for use by the Auditor's office. Also, as part of my formal request I feel that if total isolation between the two Florence offices is approved then it would be necessary that isolation between the same two offices in the Lake City Satellite office be done as well.

If the above is perused I request that the isolation be done in the Lake City offices first. Also before any alterations begin, I would need ample time to appear before County Council to review this matter.

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Council Is Requested To Award Bid #08-11/12 One (1) 12 Yard Dump Body To Double A Body Builders, Pamplico, SC In The Amount Of \$11,502. *(2 Compliant Bids.)*

POINTS TO CONSIDER:

- 1) Bid #08-11/12 was publicly offered.
- 2) Two (2) compliant bids were received.
- 3) Double A Body Builders, Pamplico, SC was the lowest compliant bidder for the 12 Yard Dump Body.
- 4) The Public Works Director recommends this award.
- 5) The bid expires January 22, 2012.

FUNDING FACTORS:

\$11,502 = Total cost of One (1) 12 Yard Dump Body to be funded from FY 12 Public Works departmental funds.

OPTIONS:

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

ATTACHMENTS:

1. Bid Tabulation Sheet.
2. November 28, 2011 recommendation letter from Public Works Director.

Dept: Public Works (1) 12 YD-Dump Body Invitation-to-Bid #08-11/12		Bid Opening Date: Time: Advertised Date: Morn News 11/6/11 Invitations to Bids Distributed: Bid Expiration Date:		November 22, 2011 11:00AM SCBO 11/07/11 4 1/22/2012	
Name of Bidder	Base Bid		Meets Specs	Total Bid	Total Non-Local (+2%)
Double A Body Builders Pamplico, SC	\$11,502.00		Yes	\$11,502.00	
W & W Body Builders Columbia, SC	\$13,198.45		Yes	\$13,198.45	\$13,462.42

Notes:

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



FLORENCE COUNTY
Public Works Department

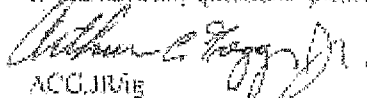
Arthur C. Gregg, Jr.
Public Works Director

MEMORANDUM

TO: Angelia Jackson, Procurement Specialist II
FROM: Arthur C. Gregg, Jr., Public Works Director
DATE: November 28, 2011
RE: Recommendation on Awarding Bid

My recommendation on Bid 008-31112, (1) 12 YD Dump Body is that it be awarded to the lowest bidder - Double A Body Builders, Pamphico, SC.

If you have any questions, please give me a call.


ACG:JRG

Florence County Council Meeting
December 8, 2011

AGENDA ITEM: Other Business
Infrastructure Project
Requested by Council District 9

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approve The Expenditure Of Up To \$20,000 From Council District 9 Infrastructure Funding Allocation To Resurface The Tennis Courts At Ebenezer Park.

FUNDING SOURCE:

XXX Infrastructure _____ Road System Maintenance _____ Utility

Requested by Councilmember:

Signed: verbally approved – signature pending
Dr. Morris Anderson

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

December 8, 2011

AGENDA ITEM: Other Business
Council District #4

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$71,977.00 from Council District #4 funding allocations to pay for rock and crushed asphalt for a section of E. Old Middle Road (2,650 feet from Hill Road)

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

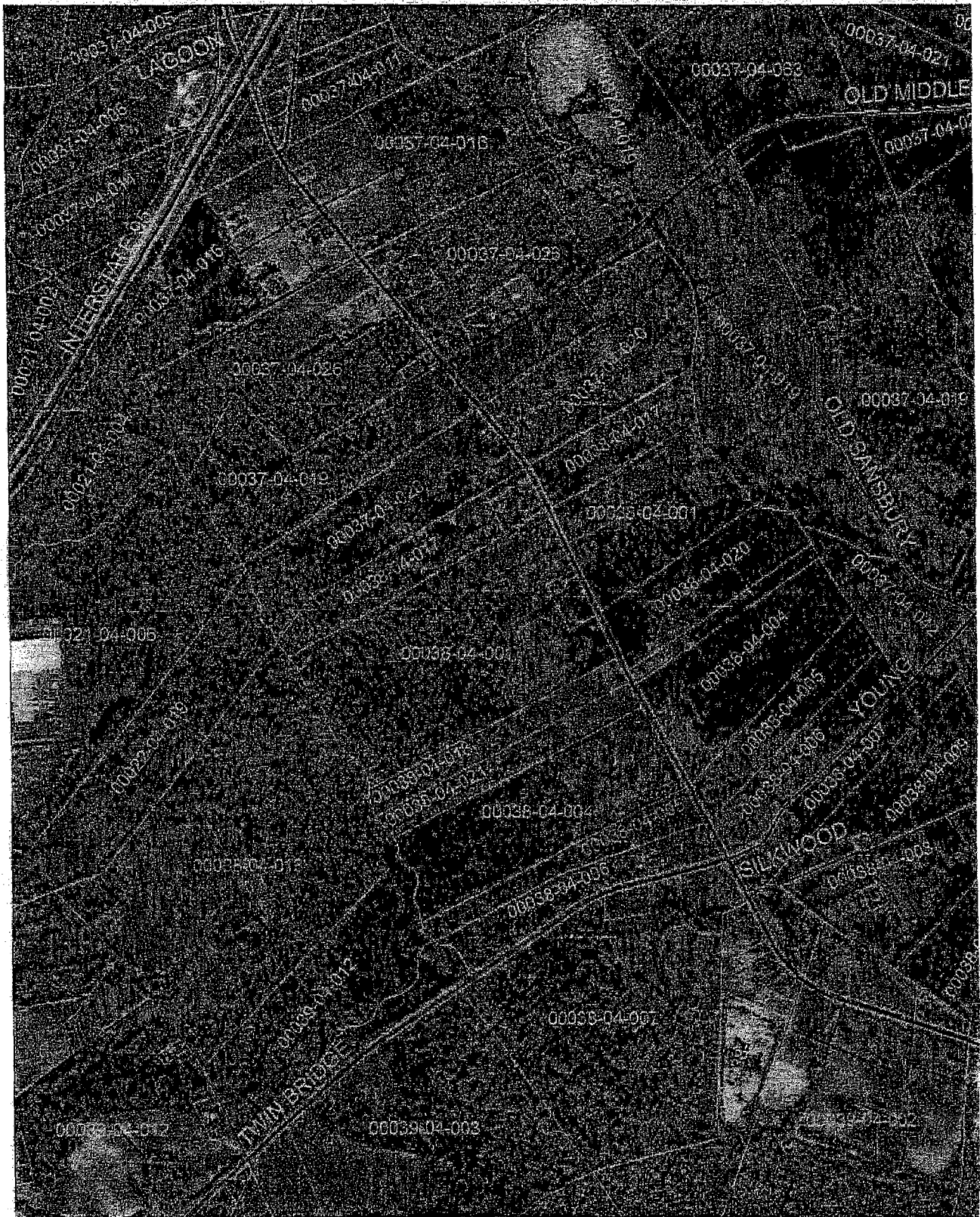
SIGNED: **VERBALLY APPROVED - SIGNATURE PENDING**
Requested by Councilmember: Mitchell Kirby

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



Ryan Sapp
Mapping Assistant
Rsapp@florenceco.org
843-665-3056 ex.54262

This map is for reference us

Scale = 1 inch = 1,302 feet

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM Other Business
Council District #4

DEPARTMENT County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$22,329.00 from Council District #4 funding allocations to pay for crushed asphalt for a portion of Sandspur Road (2,145 feet from Cale Yarborough Road).

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Department.

FUNDING SOURCE:

_____ Infrastructure
_____ Road System Maintenance
_____ Utility

SIGNED: VERBALLY APPROVED -- SIGNATURE PENDING

Requested by Councilmember: 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

FLORENCE COUNTY COUNCIL MEETING

December 8, 2011

AGENDA ITEM: Other Business
Council District #8

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval of the expenditure of up to \$23,870.00 from Council District #8 funding allocations to pay for reclamation and resurfacing of a portion (330 feet from Irby Street) of Attwood Avenue. Attwood Avenue (S-21-541) is in the SCDOT Road Maintenance 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:

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

90080-01-050

LAKOTA DRIVE

90080-01-102

90080-01-003

90081-01-015

W KENZIE AVE

90084-01-004

90094-01-007

90080-01-048

90081-01-077

90081-01-043

90081-01-028

90081-01-014

90094-01-026

90081-01-013

90094-01-018

90081-01-042

90081-01-033

90094-01-014

90081-01-074

90081-01-027

1-012

90081-01-011

90081-01-010

90081-01-009

90081-01-008

90081-01-007

90081-01-006

90081-01-020

90081-01-005

90081-01-021

W CAUDLE AVE

90094-01-032

90094-01-016

90081-01-004

90081-01-032

W ATTWOOD AVE

90081-01-031

90094-01-033

330' x 21'

SIRBY ST

E CAROLYN AVE

90081-01-004

90081-01-003

90081-01-022

90081-01-025

90081-01-029

TOLEDO RD

90095-01-001

90095-01-030

90095-01-072

01505-01-046

505-01-031

00150-01-077

00150-01-058

00150-01-123

00150-01-015

E GRACE DR

90095-01-003

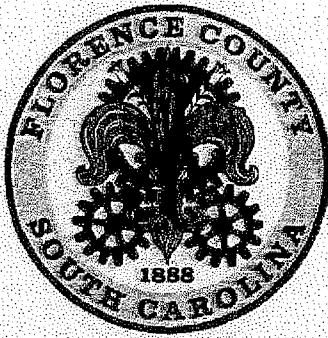
505-01-032

505-01-033

Notes:

use only





Florence County

South Carolina

MEMO

TO: Department Directors, Elected/Appointed Officials

FROM: Richard A. Starks, County Administrator *RAS*

DATE: November 2, 2011

Cc: Florence County Council Members
Connie Y. Haselden, Clerk to Council
Bonnita K. Andrews, Human Resources Director

RE: Employee Service Awards

Florence County Council will hold its regular meeting of December 8, 2011 at Lynches River County Park and will recognize full-time and part-time employees of Florence County who completed from five to thirty-five years of service as of December 31, 2011. Employee recognition will begin at 10:45 a.m. with the employee Christmas luncheon to follow at 11:30 a.m.

Attached is a list of the employees receiving awards. We respectfully ask that you notify the employees within your department eligible to receive an award and allow them to attend the meeting, if at all possible. If you or one of your employees will be unable to attend, please notify the Human Resources Department (665-3054) so that arrangements can be made for the employee(s) to receive this much deserved recognition.

Attachment

"RETIREEES"	
33 YEARS	30 YEARS
WANDA KAY FLOYD	MAZIE ABRAHAM
	BARRY PROSSER

SHERIFF			
25 YEARS	15 YEARS	10 YEARS	5 YEARS
GARY A. LEWIS	HARRY DAMONE BROWN	BRADLEY V. BAZEN	ANDREA L. ABRAHAM
KEITH LUTCKEN	WILLIAM L. NEAL III	DONNA B. BAXLEY	JENNIFER E. FLOYD
TIMOTHY MCFADDEN	DONNA MCDANIEL	SCOTTY L. DANGERFIELD	TONY L. HANNA
	SHANE PRINCE	MARGARET R. JENCO	BRAD STEVEN MCDOWELL
		JASON PATE	KEVIN G. SUMMERSETT

DETENTION CENTER				
25 YEARS	20 YEARS	15 YEARS	10 YEARS	5 YEARS
BRUCE REDDEN	CREOLA S. BROWN	ROBIN A. FLEMMING	LARUE E. COKER	MILTON L. BERT
	L'AMANDA B. SMITH	JOSEPH D. THOMPSON	ANDREW J. MCGEE, III	DERRICK L. EADDY
			FREDDIE PAIGE	SHEILA L. REED
			NATALIE C. SANDERS	FARRAH B. TURNER
			TRACIE R. SINGLETARY	
			AMELIA M. WEBER	

EMS				
25 YEARS	20 YEARS	15 YEARS	10 YEARS	5 YEARS
ROBERT DAVIE EXUM, JR.	HAROLD N. JONES	BARROTT W. DOWDY	BRANTLEY A. BROACH	TAMMY C. AMERSON
			KEVIN D. GWYER	CHARLES B. MCPHERSON

MAGISTRATE (FLORENCE)		
25 YEARS	15 YEARS	5 YEARS
GENEVIEVE EADDY	DETERIA M. CHARLES	JAMES R. HARWELL
		FRANK WHITE
		ROLANDA N. RICHARDSON

MAGISTRATE (LAKE CITY)	
30 YEARS	20 YEARS
SANDRA M. GRIMSLEY	CALVIN V. FRIERSON

MAGISTRATE (TIMMONSVILLE)	
30 YEARS	
WANDA MOUZON	

CLERK OF COURT		
15 YEARS	10 YEARS	5 YEARS
JOYCE C. WILSON	ALLYSON N.D. BETHEA	JENNIFER E. RAGIN
	RUBY CHARLES	CHARLOTTE H. TERRY
	OLIVIA JAMES JOE	
	BARBARA A. PRICE	

SOLICITOR		
15 YEARS	10 YEARS	5 YEARS
ANNA B. MEETZE	LYNNE P. JACKSON	NORWOOD A. GIBSON, JR.
		JANICE H. HURSEY

PUBLIC DEFENDER
5 YEARS
WILLIAM V. MEETZE

PROBATE COURT
5 YEARS
BEVERLY G. CARROWAY

AUDITOR	
25 YEARS	5 YEARS
WAYNE JOYE	FRANCES H. MATTHEWS

TREASURER	
10 YEARS	5 YEARS
DEAN C. FOWLER, JR.	HESSICA K. RIGGINS
SIMON WOODROW POWELL	

TAX ASSESSOR				
25 YEARS	20 YEARS	15 YEARS	10 YEARS	5 YEARS
MICHAEL W. HEWELL	PENNY BAIRD ALTMAN	TERESA ANN HANNER	JULIA ANN CALCUTT	DAVID L. BRUNSON
				LAWRENCE B. ROSCOE

LIBRARY			
30 YEARS	25 YEARS	15 YEARS	5 YEARS
CHERYLE JOYE SMITH	LYNN H. BOLES	TIM PATRICK ANDERSON	REBECCA S. DREFS
			BONITA SUE SMITHEY
			FOLLISE P. WINDHAM

PUBLIC WORKS		
20 YEARS	10 YEARS	5 YEARS
WALTER R. BAXLEY, III	GENE LEE	LEMAR GRAHAM
	JERRY DEAN OWENS	ARCHIE HUNTER
	DANNY SIMMONS	DAVID C. JOHNSON

ENVIRONMENTAL SERVICES
25 YEARS
HERBERT V. CHRISTMAS

EMERGENCY MANAGEMENT - CENTRAL DISPATCH		
15 YEARS	10 YEARS	5 YEARS
MITCHELL FULMORE	GERALD WAYNE YATES	JUDY MILES COLLINS
DANNETTE M. TYLER		MICHELLE LEE HUGGINS
		LAPOCHSA Q. HUGHES
		SOMMER R. WILKES

RECREATION	
25 YEARS	5 YEARS
MICHAEL E. OWENS	LAURA CLARK DRIGGERS

PLANNING & ENGINEERING		
30 YEARS	10 YEARS	5 YEARS
PEARLIE D. MCDANIEL	JIMMY SHAWN BRASHEAR	FREDDIE A. NORTON
		RENEE H. PROCTOR
		RALEIGH O. WARD
		FREDDIE WAILEN WATTS

FINANCE	
15 YEARS	5 YEARS
KEVIN YOKIM	KATHY COKER COKER

VOTERS REGISTRATION
5 YEARS
BERTHA M. SCOTT

ADMINISTRATION
20 YEARS
CONNIE Y. HASELDEN

COUNTY COUNCIL
10 YEARS
JOHNNIE D. RODGERS, JR.

FLORENCE COUNTY COUNCIL MEETING
December 8, 2011

AGENDA ITEM: Inactive Agenda
Ordinance No. 16-2011/12

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At Its Regular Meeting Of November 17, 2011 The Following Ordinance Was Referred To The Committee On Public Service & County Planning:

Ordinance No. 16-2011/12: [An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto.]


ATTACHMENTS:

Copies of the information provided in the November 17, 2011 agenda package.

FLORENCE COUNTY COUNCIL MEETING

Thursday, November 17, 2011

AGENDA ITEM: Ordinance No. 16-2011/12
Introduction

DEPARTMENT: Planning and Building Inspections / 

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto.] *(Planning Commission approved 8-0; Council Districts-All)*

POINTS TO CONSIDER:

1. Periodic amendments need to be made to the Code to maintain accurate references; and
2. To stay abreast of advances in building technologies and systems; and
3. To maintain uniformity with State Laws and regulations.

OPTIONS:

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

ATTACHMENTS:

1. Ordinance No. 16-2011/12-Proposed New
2. Ordinance No. 16-2011/12-Proposed New-Markup
3. Staff report for PC#2011-18

Sponsor(s)	: Planning Commission	I. _____,
Planning Commission Consideration	: October 25, 2011	Council Clerk, certify that this
Planning Commission Public Hearing	: October 25, 2011	Ordinance was advertised for
Planning Commission Action	: October 25, 2011 [Approved: 8-0]	Public Hearing on _____.
First Reading/Introduction	: November 17, 2011	
Committee Referral	: N/A	
Second Reading	: December 8, 2011	
Third Reading	: January 19, 2012	
Effective Date	: Immediately	

ORDINANCE NO. 16-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto.]

WHEREAS:

1. Periodic amendments need to be made to the Code to maintain accurate references; and
2. To stay abreast of advances in building technologies and systems; and
3. To maintain uniformity with State Laws and regulations.

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

1. Florence County Code, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home is hereby amended to read as follows:

Section 30-311. – Definitions.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24, Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over 25 feet (multiple-section);
 - b. Has a minimum of 1100 square feet of enclosed living area;
 - c. Has a minimum 2.3:12 roof pitch; and has a type of shingle commonly used in standard residential construction;
 - d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
 - e. Has a roof overhang of not less than six inches;
 - f. Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby

repealed.

3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

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

DRAFT

Sponsor(s)	:	Planning Commission
Planning Commission Consideration	:	October 25, 2011
Planning Commission Public Hearing	:	October 25, 2011
Planning Commission Action	:	October 25, 2011 [Approved: 8-0]
First Reading/Introduction	:	November 17, 2011
Committee Referral	:	N/A
Second Reading	:	December 8, 2011
Third Reading	:	January 19, 2012
Effective Date	:	Immediately

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

ORDINANCE NO. 16-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto.]

WHEREAS:

1. Periodic amendments need to be made to the Code to maintain accurate references; and
2. To stay abreast of advances in building technologies and systems; and
3. To maintain uniformity with State Laws and regulations.

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

1. Florence County Code, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home is hereby amended to read as follows:

Section 30-311. – Definitions.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24,5 Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over ~~20~~ 25 feet (multiple-section);
- b. Has a minimum of ~~900~~ 1100 square feet of enclosed living area;
- c. Has a minimum ~~32.3~~ 12 roof pitch; and has a type of shingle commonly used in standard residential construction;
- d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
- e. ~~Has a roof overhang of not less than eight~~ Has a roof overhang of not less than six inches;
- ~~e.f.~~ Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.

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:

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
October 25, 2011
PC#2011-18 (All Jurisdictions)
ORDINANCE NO. 16-2011/12**

SUBJECT: Request for text amendment to the Florence County Code of Ordinances, Chapter 30. Zoning Ordinance, Section 30-311. – Definitions. Dwelling, residential designed manufactured home.

APPLICANT: Florence County Planning Department

Staff Analysis:

As staff administers the regulations of the Zoning Ordinance of the Florence County Code and all the participating jurisdictions, periodic amendments need to be made to the Code to maintain accurate references, to stay abreast of advances in technologies and systems and to provide the most efficient and accurate customer service as possible to all the citizens of Florence County.

More than ten years ago, certain requirements were established within the definition of a residential designed manufactured home (doublewide) for placement in R-3 and R-5 zoning districts. Two of the requirements state the home must contain a 3:12 roof pitch and an 8-inch overhang before being placed on property.

Building Officials currently go to location and measure selected homes to assist the potential or current homeowner. The roof pitch of the homes usually measure between 2:12 and 3:12. Often they do not meet the 3:12 roof pitch requirement and require expensive custom modification to conform with the Code. The overhang usually measures between a 6-inch and 8-inch overhang. It has been found that these inconsistencies are driven by SCDOT height and width restrictions on transportation that push the roof pitch to less than the 3:12 pitch and the eight inch overhang requirement of the past.

Construction practices and techniques have significantly improved the final product of residential-designed manufactured homes over the last ten years. In fact, in 2001 the *American Planning Association* stated that “manufactured homes have become safer and more durable since the enactment of the HUD Code in 1976, and their appearance has improved significantly.”

Text Amendment Request:

Planning Department staff requests an amendment to the definition of residential designed manufactured home dwelling by modifying the current requirement from a 3:12 roof pitch to a 2.3:12 roof pitch and the 8-inch overhang to a 6-inch overhang.

The amendment to the text of the above-referenced definition shall read as follows with deletions and replacement of text by strikethrough and in bold.

Dwelling, residential designed manufactured home. A single-family dwelling built according to the Federal Manufactured Housing Construction and Safety Standards (Title 24,5 Code of Federal Regulations [CFR], Part 3280) HUD Code, which:

- a. Has a minimum width over ~~20~~ 25 feet (multiple-section);
- b. Has a minimum of ~~900~~ 1100 square feet of enclosed living area;
- c. Has a minimum ~~32.3~~ 12 roof pitch; and has a type of shingle commonly used in standard residential construction;
- d. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction; and
- e. Has a roof overhang of not less than ~~eight~~ six inches; and
- ~~e.f.~~ Has an entry landing that conforms to the minimum requirement of the current edition of the SC State Residential Building Code.

Florence County Planning Commission Action October 25, 2011:

The eight Planning Commission members present approved the request unanimously at the meeting held on Tuesday, October 25, 2011.

Florence County Planning Commission Recommendation:

The Planning Commission recommends approval of the text amendment to Florence County Council as presented.