

Vacant  
District #1

Roger M. Poston  
District #2

Alphonso Bradley  
District #3

Mitchell Kirby  
District #4

Kent C. Caudle  
District #5

Russell W. Culberson  
District #6

Waymon Mumford  
District #7

James T. Schofield  
District #8

Willard Dorriety, Jr.  
District #9

AGENDA  
FLORENCE COUNTY COUNCIL  
REGULAR MEETING  
CITY-COUNTY COMPLEX  
180 N. IRBY STREET  
COUNCIL CHAMBERS, ROOM 803  
FLORENCE, SOUTH CAROLINA  
THURSDAY, JANUARY 17, 2013  
9:00 A. M.

- 
- I.     **CALL TO ORDER:**                     WAYMON MUMFORD, CHAIRMAN
- II.    **INVOCATION:**                       MITCHELL KIRBY, MEMBER
- III.   **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**  
  RUSSELL W. CULBERSON, MEMBER
- IV.    **WELCOME:**                           WAYMON MUMFORD, CHAIRMAN
- V.     **ELECTION OF OFFICERS FOR 2013:**  
  COUNTY ATTORNEY D. MALLOY MCEACHIN, JR., PRESIDING

Chairman  
Vice Chairman  
Secretary-Chaplain

VI.    **RECESS:**

Council will have a brief recess to set the dais.

**VII. MINUTES:**

**MINUTES OF THE DECEMBER 13, 2012 REGULAR MEETING**

**[1]**

Council Is Requested To Approve The Minutes Of The December 13, 2012 Regular Meeting Of County Council.

**VIII. PUBLIC HEARINGS:**

**[14]**

Council will hold Public Hearing on the following:

**A. ORDINANCE NO. 18-2012/13**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

**B. ORDINANCE NO. 19-2012/13**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

**C. ORDINANCE NO. 22-2012/13**

An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) And (c); And Other Matters Related Thereto.

**D. ORDINANCE NO. 23-2012/13**

An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.

**E. ORDINANCE NO. 24-2012/13**

An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.

**F. ORDINANCE NO. 25-2012/13**

An Ordinance To Amend Florence County Code Chapter 2 Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Relating Thereto.

**IX. APPEARANCES:**

**TERASA YOUNG, NATURAL RESOURCE AGENT–CLEMSON EXT. [15]**

Ms. Young Requests To Appear Before Council To Provide A Presentation To Thank Council For Contracting With Clemson's Carolina Clear Program, Which Helps Meet The Education And Involvement Requirements Of Stormwater Permit, As Well As Highlight Activities Of The Florence Darlington Stormwater Consortium.

**X. COMMITTEE REPORTS:**

(Items assigned to the Committees in italics. Revisions by Committee Chair requested. New assignments of Council Members serving on the Committees will be made by the Chairman of County Council pending the January 17<sup>th</sup> meeting.)

Administration & Finance

<i>November 17, 2011</i>	<i>Howe Springs Fire District GO Bond Issue</i>
<i>March 22, 2012</i>	<i>Capital Project Sales Tax (CPST)</i>
<i>August 22, 2012</i>	<i>EMS/Countywide Emergency Services Study</i>

Public Services & County Planning

<i>June 2008</i>	<i>Museum</i>
<i>October 2012</i>	<i>Flood Plain Maps</i>

Justice & Public Safety

*Litter*

Education, Recreation, Health & Welfare

<i>April 19, 2012</i>	<i>Ordinance No. 24-2011/12 (Animal Adoption Policies)</i>
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Agriculture, Forestry, Military Affairs & Intergovernmental Relations

Ad Hoc City-County Conference Committee

Ad Hoc Solid Waste Study Committee

## **XI. RESOLUTIONS/PROCLAMATIONS:**

### **RESOLUTION NO. 15-2012/13**

**[17]**

A Resolution Authorizing Acceptance Of A Donation Of Certain Real Property Located In Timmons ville, South Carolina.

## **XII. ORDINANCES IN POSITION:**

### **A. THIRD READING**

#### **1. ORDINANCE NO. 15-2012/13**

**[20]**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located ~~In The Town Of Pamplico On~~ At 191 W. Sixth Avenue, Pamplico, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto.

*(Planning Commission **approved** 8-0)(Council District 2)*

#### **2. ORDINANCE NO. 16-2012/13**

**[28]**

An Ordinance To Rezone Property Owned By Pamplico Rescue And Ambulance Service, Inc. Located At 191 West Sixth Avenue, Pamplico, As Shown On Florence County Tax Map No. 60001, Block 01, Parcel 021; Consisting Of Approximately 3.91 Acres From R-5, Multi-Family Residential District, RU-2, Rural Resource District And R-1, Single-Family Residential District To B-1, Limited Business District; And Other Matters Related Thereto.

*(Planning Commission **approved** 8-0)(Council District 2)*

#### **3. ORDINANCE NO. 17-2012/13 (Deferral)**

**[36]**

An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.



## **B. SECOND READING**

**1. ORDINANCE NO. 18-2012/13 (*Public Hearing*)** **[39]**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)(Council District 8)*

**2. ORDINANCE NO. 19-2012/13 (*Public Hearing*)** **[47]**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)(Council District 8)*

**3. ORDINANCE NO. 20-2012/13** **[55]**

An Ordinance To Rezone Property Owned By Doulaveris Holdings, LLC Located At 306 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 019; Consisting Of Approximately 0.518 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)(Council District 8)*

**4. ORDINANCE NO. 21-2012/13** **[63]**

An Ordinance To Rezone Property Owned By James R. And Karen E. Kelly Located At 222 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 020; Consisting Of Approximately 0.262 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.

*(Planning Commission approved 6-0)(Council District 8)*

**5. ORDINANCE NO. 22-2012/13 (*Public Hearing*)** **[71]**

An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Section 9.5-16. Finding Of Fact., Section (b)(2) And (c); And Other Matters Related Thereto.

*(Planning Commission approved 6-0)*

6. **ORDINANCE NO. 23-2012/13** *(Public Hearing)* **[78]**  
An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.
7. **ORDINANCE NO. 24-2012/13** *(Public Hearing)* **[93]**  
An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.
8. **ORDINANCE NO. 25-2012/13** *(Public Hearing)* **[100]**  
An Ordinance To Amend Florence County Code Chapter 2, Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Relating Thereto.

## **C. INTRODUCTION**

1. **ORDINANCE NO. 26-2012/13** *(By Title Only)* **[103]**  
An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2013, In The Principal Amount Of Not Exceeding \$22,500,000 And Setting Forth The Terms Upon Which Such Financing May Be Undertaken And The Purposes For Which The Proceeds Of Such Financing May Be Used; Authorizing The Execution And Delivery Of Certain Instruments Relating Thereto, Including A Ground Lease Agreement And A Lease Agreement; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2010 Facilities Refunding Lease-Purchase Financing Of Florence County; Approving Such Agreements By The County As May Be Required With Respect To The Redemption Of Said 2010 Facilities Refunding Lease-Purchase Financing, And The Aforesaid Lease-Purchase Financing; And Approving Other Matters Relating To The Foregoing.

2. **ORDINANCE NO. 27-2012/13 (By Title Only)** [107]

An Ordinance Providing For The Issuance And Sale From Time To Time Of Accommodations Fee Revenue Bonds Of Florence County, Providing For The Pledge Of Accommodations Fees For The Payment Of Such Bonds, Prescribing The Terms And Conditions Under Which Such Bonds May Be Issued, Providing For The Payment Thereof, And Other Matters Relating Thereto.

3. **ORDINANCE NO. 28-2012/13 (By Title Only)** [109]

An Ordinance Providing For The Issuance And Sale Of Not Exceeding Six Million Dollars (\$6,000,000) Accommodations Fee Revenue Bonds Of Florence County To Be Designated Series 2013 And Other Matters Relating Thereto.

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

**XIV. REPORTS TO COUNCIL:**

**A. ADMINISTRATION**

**MONTHLY FINANCIAL REPORTS**

[113]

Monthly Financial Reports Were Provided To Council For Fiscal Year 2013 Through November 30, 2012 As An Item For The Record.

**B. FINANCE**

**PRESENTATION OF AUDIT - FISCAL YEAR ENDED JUNE 30, 2012**

[119]

Accept The Audit For The Fiscal Year Ended June 30, 2012.

**C. MAGISTRATES OFFICE**

**RECORDS RETENTION SCHEDULE**

[120]

Approve A Records Retention Schedule Recommended By The South Carolina Department Of Archives And History For The Retention Of Restraining Orders In The Magistrates Office.

#### **D. PROCUREMENT**

##### **1. DECLARATION OF SURPLUS PROPERTY**

**[123]**

Declare Five (5) Vehicles And One (1) Passenger Van As Surplus Property For Disposal Through Public Internet Auction Via GovDeals.

##### **2. REVIEW PANEL APPOINTMENT**

**[125]**

The Chairman Is Requested To Appoint A Member Of Council To Serve On The Review Panel For RFP #13-12/13 Concession Operations At Lynchs River County Park For The Parks And Recreation Department.

#### **E. SHERIFF'S OFFICE/PROCUREMENT**

##### **AWARD OF BID #11-12/13**

**[126]**

Approve The Award Of Bid #11-12/13 For A Portable Desktop Live Scanning System To DataWorks Plus Of Greenville, SC In The Bid Amount Of \$34,400 Plus \$2,752 Sales Tax. *(The following five (5) vendors were directly notified of this bid: DataWorks Plus of Greenville, SC; Morpho Trak Southeast Region of Orlando, FL; Identification International of Blacksburg, VA; L-1 Identity Solutions of Bloomington, MN and Cross Match Technologies, Inc. of Palm Beach Gardens, FL. One (1) Bid Was Received by DataWorks Plus and the submitted bid meets all specifications.)*

#### **F. TAX ASSESSOR'S OFFICE**

##### **LATE FARM APPLICATION**

**[130]**

Extend The Deadline For Late Farm Application Consideration On The Parcel(S) Presented To Enable The Tax Assessor's Office To Accept The Application(S) To Determine If The Parcel(S) Qualify For Farm Use Assessment.

#### **G. TIMMONSVILLE RESCUE SQUAD/PROCUREMENT**

##### **AWARD OF BID**

**[132]**

Authorize The Use Of The Florida Association Of Counties Bid #11-10-1202 Awarded To Emergency, Tactical, Rescue Vehicles, LLC (AEV) To Purchase One (1) Ambulance At A Base Bid Price Of \$112,365, The Needed Additional Options In The Amount Of \$37,642 And The Required SC Vehicle Tax Of \$300 (Total Cost \$150,307), As Funded And Approved In The FY12-13 Budget.

## **XV. OTHER BUSINESS:**

### **A. INFRASTRUCTURE**

#### **TIMMONSVILLE CHURCH OF CHRIST, DARLINGTON STREET [137]**

Approve The Expenditure Of Up To \$1,000 From Council District 4 Infrastructure Funding Allocation To Pay For 40 Feet Of 15” Concrete Pipe To Install An Additional Driveway For The Timmons ville Church Of Christ Cemetery On Darlington Street (S21-145).

### **B. UTILITY**

#### **1. HICKORY STREET GYMNASIUM, PAMPLICO [138]**

Approve The Expenditure Of Up To \$3,000 From Council District 2 Utility Funding Allocation For Facility Improvements At The Hickory Street Gymnasium In Pamplico.

#### **2. HOUSING AUTHORITY OF FLORENCE [139]**

Approve The Expenditure Of Up To \$105,000 From Council Districts 3 and 7 (\$25,000 from District 3 and \$80,000 from District 7) Utility Funding Allocations To Assist The Housing Authority Of Florence With The Purchase/Installation Of Fencing At Its 36 Unit LIHTC Property Located Off Mechanic/Rose Street In Florence.

#### **3. SUMTER STREET WATER LINE EXTENSION [142]**

Approve The Expenditure Of Up To \$42,000 From Council Districts 3 and 8 (\$21,000 From Each District) Utility Funding Allocation To Assist The City Of Florence With An Additional 2,500 LF Of 6” Water Line To Serve Future Customers Along Sumter Street.

## **XVI. EXECUTIVE SESSION:**

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

- Personnel Matters
- Legal Briefing
- Contractual Matter(s)

**XVII. INACTIVE AGENDA:**

**A. ORDINANCE NO. 24-2011/12**

At its regular meeting of April 19, 2012, Council deferred second reading of this item and referred the item to the Committee on Education, Recreation, Health & Welfare For Further Review And Recommendation: An Ordinance To Amend Section 6-8. Animal Rescue Agency Adoption Policies Of The Florence County Code Of Ordinances.

**D. ORDINANCE NO. 21-2011/12**

Council Voted At Its December 13, 2012 Regular Meeting To Move This Item To The Inactive Agenda Pending Further Action By The Florence School District Three Board. An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 124 Epps Street, Lake City, South Carolina And Designated As Tax Map Number 80008-12-008: And To Authorize The Conveyance Thereof To Florence School District Three; And Other Matters Relating Thereto.

**XVIII. ADJOURN:**

# **FLORENCE COUNTY COUNCIL MEETING**

January 17, 2013

**AGENDA ITEM:** Minutes

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

Council is requested to approve the minutes of the December 13, 2012 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, DECEMBER 13, 2012 9:00 A.M., COUNCIL  
CHAMBERS ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY  
STREET, FLORENCE, SOUTH CAROLINA**

**PRESENT:**

Waymon Mumford, Chairman  
H. Morris Anderson, Secretary-Chaplain  
Mitchell Kirby, Council Member  
Russell W. Culberson, Council Member  
Alphonso Bradley, Council Member  
James T. Schofield, Council Member  
Roger M. Poston, Council Member  
K. G. Rusty Smith, Jr., County Administrator  
D. Malloy McEachin, Jr., County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Arthur C. Gregg, Jr., Public Works Director  
Kevin V. Yokim, Finance Director  
Suzanne S. King, Administrative Services Director  
Joe Eason, Director of Parks & Recreation  
Ryon Watkins, EMS Director  
Jonathan B. Graham, III, Planning Director  
Patrick Fletcher, Procurement Director  
Jack Newsome, Tax Assessor  
Sheriff Kenney Boone  
Keith Lutcken, Coroner Elect  
Barbara Coker, Administrative Manager Sheriff's Office  
Ray McBride, Library Director  
David Alford, Voter Registration & Elections Director

A notice of the regular meeting of the Florence County Council appeared in the December 12, 2012 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the Meeting Agenda and Proposed Additions to the Agenda were provided to members of the media, members of the public requesting copies, 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](http://www.florenceco.org)).

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



## **ELECTION OF CHAIRMAN**

Vice Chairman Mumford turned the gavel over to County Attorney Malloy McEachin for the election of the Chairman. Mr. McEachin stated that pursuant to County Code, in the event the seat for Chairman of County Council became vacant during the year, an election must be held to establish a new Council Chair to complete the term. He then presided over the Election of Chairman. Councilman Schofield made a motion Councilman Waymon Mumford serve as Chair. Councilman Culberson seconded the motion, which was approved unanimously.

Councilman Mumford expressed appreciation for being elected as Chair for the remainder of the term, and stated that, for the record, he had no desire to pursue the Chairmanship for calendar year 2013.

## **APPROVAL OF MINUTES:**

Councilman Anderson made a motion Council Approve The Minutes Of The November 15, 2012 Regular Meeting Of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

## **PUBLIC HEARINGS:**

The Chairman Opened The Public Hearings And The Clerk Published The Titles Of The Following:

### **ORDINANCE NO. 14-2012/13**

An Ordinance Authorizing: (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement (The "Incentive Agreement") Between Florence County, South Carolina (The "County") And Honda of South Carolina, Mfg., Inc., Acting For Itself And One Or More Affiliates Or Other Project Sponsors, (The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Expansion Of Certain Manufacturing Facilities Located In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Park To Be Made Available To The Company; And (3) Other Matters Relating Thereto.

### **ORDINANCE NO. 15-2012/13**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Properties In Florence County Located In The Town Of Pamplico On W. Sixth Avenue, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto.

## **APPEARANCES:**

There were no Appearances requested or scheduled.

## **COMMITTEE REPORTS:**

There were no Committee Reports.

## **RESOLUTIONS/PROCLAMATIONS:**

### **RESOLUTION NO. 13-2012/13**

The Clerk published the title of Resolution No. 13-2012/13: A Resolution To Create A Commission Pursuant To The Capital Project Sales Tax Act, South Carolina Code Annotated §4-10-300, Et Seq.: To Provide For The Appointment, Composition, Duties And Responsibilities Of Such Commission And To Provide For Other Matters Relating Thereto. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Schofield seconded the motion, which was approved unanimously. County Administrator Rusty Smith stated the purpose of formulating the Commission was the consideration of the continuation of the Capital Project Sales Tax and the charge of the Commission was for the purpose of considering proposals for funding capital projects within the County and formulation of the referendum question to place on the ballot.

### **RESOLUTION NO. 14-2012/13**

The Clerk published the title of Resolution No. 14-2012/13: A Resolution Consenting To An Extension Of The Investment Period And The Fee Term For QVC, Inc. Under Its Fee Agreement With Florence County Pursuant To Section 12-44-30(13), Code Of Laws Of South Carolina, 1976, As Amended (The "Code"), And Other Matters Related Thereto. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Culberson seconded the motion, which was approved unanimously.

## **ORDINANCES IN POSITION:**

### **ORDINANCE NO. 21-2011/12 – MOVED TO INACTIVE AGENDA**

The Clerk published the title of Ordinance No. 21-2011/12: An Ordinance To Declare As Surplus Real Property Owned By Florence County Located At 124 Epps Street, Lake City, South Carolina And Designated As Tax Map Number 80008-12-008: And To Authorize The Conveyance Thereof To Florence School District Three; And Other Matters Relating Thereto. Councilman Schofield made a motion Council Move Ordinance No. 21-2011/12 To The Inactive Agenda Pending Further Action By The Florence School District Three Board. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 13-2012/13 – THIRD READING**

The Clerk published the title of Ordinance No. 13-2012/13: An Ordinance Authorizing (1) The Re-Documentation Of That Certain Lease Purchase Agreement Dated December 1, 1998, Between Florence County, South Carolina (The “County”) And Honda Of South Carolina Mfg., Inc. (The “Company”) Pertaining To The Company’s Existing Manufacturing Facilities Located Within The County; (2) Extension Of The Period For Payment Of Fees In Lieu Of *Ad Valorem* Taxes With Respect To Assets Under Said Lease Purchase Agreement; And (3) Other Matters Relating Thereto. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **PUBLIC HEARINGS:**

There Being No Signatures On The Sign-In Sheets, The Chairman Closed The Public Hearings.

### **ORDINANCE NO. 14-2012/13 – THIRD READING**

The Clerk published the title of Ordinance No. 14-2012/13: An Ordinance Authorizing: (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement (The “Incentive Agreement”) Between Florence County, South Carolina (The “County”) And Honda Of South Carolina, Mfg., Inc., Acting For Itself And One Or More Affiliates Or Other Project Sponsors, (The “Company”), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Expansion Of Certain Manufacturing Facilities Located In The County (The “Project”); (2) The Benefits Of A Multi-County Industrial Park To Be Made Available To The Company; And (3) Other Matters Relating Thereto. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 15-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 15-2012/13: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For ~~Properties~~ Property In Florence County Located In The Town Of Pamplico On W. Sixth Avenue, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto. Councilman Poston made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 16-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 16-2012/13: An Ordinance To Rezone Property Owned By Pamplico Rescue And Ambulance Service, Inc. Located At 191 West Sixth Avenue, Pamplico As Shown On Florence County Tax Map No. 60001, Block 01, Parcel 021; Consisting Of Approximately 3.91 Acres From R-5, Multi-Family Residential District, RU-2, Rural Resource District And R-1, Single-Family Residential District To B-1, Limited Business District; And Other Matters Related Thereto. Councilman Poston made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 17-2012/13 – SECOND READING**

The Clerk published the title of Ordinance No. 17-2012/13: An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Poston seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 18-2012/13 – INTRODUCED**

The Clerk published the title and the Chairman declared Ordinance No. 18-2012/13 introduced: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

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#### **ORDINANCE NO. 22-2012/13 – INTRODUCED**

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### **ORDINANCE NO. 24-2012/13 – INTRODUCED**

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### **ORDINANCE NO. 25-2012/13 – INTRODUCED**

The Clerk published the title and the Chairman declared Ordinance No. 25-2012/13 introduced: An Ordinance To Amend Florence County Code Chapter 2, Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Relating Thereto.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS:**

There were no appointments.

### **REPORTS TO COUNCIL:**

#### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly Financial Reports Were Provided To Council For Fiscal Year 2013 Through October 31, 2012 As An Item For The Record.

#### **2013 CALENDAR OF MEETING DATES AND HOLIDAYS**

Councilman Schofield made a motion Council Approve The 2013 Calendar Of Meeting Dates And Holidays. Councilman Culberson seconded the motion, which was approved unanimously.

#### **RFQ – CITY-COUNTY COMPLEX**

Chairman Mumford appointed Councilman Schofield to serve on the RFQ Panel for RFQ #12-12/13 Architectural and Space Planning Services for the City-County Complex.

Councilman Schofield made a motion Council Approve A Request For Qualifications For Architectural And Space Planning Services For The City-County Complex Building Renovations And Additional Space Needed For County Functions In The Future To Be Funded By The City-County Building Commission. Councilman Culberson seconded the motion, which was approved unanimously.

## **MUSEUM/GRANTS**

### **GRANT APPLICATION**

Councilman Schofield made a motion Council approve The Submission Of A Grant Application For Funding In The Amount Of \$70,000 Under The Institute Of Museum And Library Services (IMLS) Fiscal Year 2013 Museums For America Grant Program To Provide For Two Interactive Touch Screen Exhibits For The New Florence County Museum. Councilman Anderson seconded the motion, which was approved unanimously.

## **PROCUREMENT**

### **DECLARATION OF SURPLUS PROPERTY - EMS**

Councilman Culberson made a motion Council Declare Various Equipment From The Emergency Medical Services Department As Surplus Property For Disposal Through Public Internet Auction Via GovDeals And/Or Destruction. Councilman Kirby seconded the motion, which was approved unanimously.

### **DECLARATION OF SURPLUS PROPERTY**

Councilman Culberson made a motion Council Declare A 1979 Camelot Mobile Home As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Anderson seconded the motion, which was approved unanimously.

### **REVIEW PANEL APPOINTMENT**

Chairman Mumford Appointed Councilman Schofield To Serve On The Review Panel For RFP #08-12/13 Shelving For Florence County Museum.

## **RECREATION/PROCUREMENT**

### **AWARD OF BID #10-12/13**

Councilman Anderson made a motion Council approve The Award Of Bid #10-12/13 For Resurfacing Of Five (5) Tennis Courts At Ebenezer Park To Tennico Of Columbia, Inc., Columbia, SC In The Amount Of \$19,760 To Be Funded From A United States Tennis Association Grant And Previously Approved Council District 9 Infrastructure Funds. Councilman Bradley seconded the motion, which was approved unanimously.

## **SHERIFF'S OFFICE/GRANTS**

### **SC DEPARTMENT OF PUBLIC SAFETY JUSTICE ASSISTANCE**

Councilman Anderson made a motion Council approve The Submission Of A Grant Application In The Amount Of \$124,400 Under The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program To Provide For The Personnel And Start-Up Costs For A Crime Scene/Forensic Investigator For The Florence County Sheriff's Office. Councilman Culberson seconded the motion, which was approved unanimously. In response to a question from Councilman Kirby, the Sheriff responded that it was a three (3) year grant.

### **SC DEPARTMENT OF PUBLIC SAFETY JUSTICE ASSISTANCE**

Councilman Anderson made a motion Council approve The Submission Of A Grant Application In The Amount Of \$132,234 Under The South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program To Provide For The Personnel And Start-Up Costs For A White Collar Crime/Identity Theft Investigator For The Florence County Sheriff's Office. Councilman Culberson seconded the motion, which was approved unanimously.

### **OTHER BUSINESS:**

#### **INFRASTRUCTURE**

##### **ENVIRONMENTAL DISCOVERY CENTER COMMITTEE**

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$30,000 From Council Districts' Infrastructure/Utility Funding Allocations To Assist The Environmental Discovery Center Committee With The Expansion Of The Environmental Discovery Center At Lynches River County Park. Councilman Culberson seconded the motion, which was approved unanimously.

##### **FRANCIS MARION RECREATION COMPLEX**

Councilman Culberson made a motion Council approve The Expenditure Of Up To \$30,000 From Council Districts 3, 6, And 7 Infrastructure/Utility Funding Allocations For Facility Improvements At Francis Marion Recreation Complex. Councilman Bradley seconded the motion, which was approved unanimously.

#### **UTILITY**

##### **CITY OF JOHNSONVILLE**

Councilman Poston made a motion Council Amend Page ix Item XIV. B. 1. To Reflect The Expenditure Of \$20,000 To Conform To The Agenda Action Item Found On Page 214 Of The Agenda Packet. Councilman Kirby seconded the motion, which was approved unanimously. Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$20,000 From Council District 2 Utility Funding Allocation To Assist The City Of Johnsonville With Its Blue-Field Water Project. Councilman Poston seconded the motion, which was approved unanimously.

##### **W. HASKELL AVENUE**

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$7,500 From Council District 3 Utility Funding Allocation To Pay For 220 Feet Of 24" Concrete Pipe, Concrete Blocks And Concrete For W. Haskell Avenue In Brookgreen Subdivision, Pending SCDOT Encroachment Permit. Councilman Schofield seconded the motion, which was approved unanimously.

**The following were Additions to the Agenda:**

**REPORTS TO COUNCIL: EMS**

Councilman Schofield made a motion Council Authorize The Addition Of Twelve (12) EMT/Paramedic Permanent Positions To Staff Two (2) Full-Time Twenty-Four (24) Hour Medic Units Consistent With The Pay Levels And Certifications Of Current Staff To Be Funded From FY13 Budgeted Funds. Councilman Bradley seconded the motion, which was approved unanimously.

**TOWN OF QUINBY**

Councilman Bradley made a motion Council approve The Expenditure Of Up To \$200 From Council District 3 Infrastructure Funding Allocation To Assist The Town Of Quinby With Replacing The Net On The Tennis Court At The Recreation Complex In Quinby. Councilman Anderson seconded the motion, which was approved unanimously.

**SPECIAL PRESENTATION:**

**RESOLUTION OF APPRECIATION AND RECOGNITION**

The Clerk published in its entirety a Resolution of Appreciation and Recognition For Councilman H. Morris Anderson For His Commendable Service. Council unanimously adopted the Resolution. Members of Council, the County Administrator, the County Attorney, the Sheriff and the Clerk expressed appreciation to Councilman Anderson and commended him for his service and wished him well in future endeavors.

**EXECUTIVE SESSION:**

Councilman Bradley 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 A Personnel Matter, Pending Real Property Contractual Matter(s), And Legal Matters. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:43 a.m. Council reconvened at 10:52 a.m.

Subsequent to Executive Session, Council took the following actions:

**CLASS ACTION LAWSUIT**

Councilman Bradley made a motion Council Approve Florence County To Participate In A Class Action Lawsuit To Recover Filing Fees Of Fannie Mae And Freddie Mac And To Engage The Law Firm Of Kyle Michal, LLC, Strom Law Firm LLC, And Jennings Law Firm, LLC And Authorize The Chairman Of County Council To Execute An Employment Agreement. Councilman Anderson seconded the motion, which was approved unanimously.



**NATIONAL CEMETERY**

Councilman Anderson made a motion Council Approve The Execution Of A Sales Contract For The Purchase Of Thirty (30) Lots Of Land For The Expansion Of The National Cemetery Located In Florence, South Carolina And To Authorize The Chairman Of Florence County Council To Execute Said Contract. Councilman Bradley seconded the motion, which was approved unanimously.

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

**COUNCIL MEETING ADJOURNED AT 10:53 A.M.**

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**SECRETARY-CHAPLAIN**

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**CONNIE Y. HASELDEN  
CLERK TO COUNTY COUNCIL**

# PUBLIC HEARING

December 13, 2012

## ORDINANCE NO. 14-2012/13

An Ordinance Authorizing: (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement (The "Incentive Agreement") Between Florence County, South Carolina (The "County") And Honda Of South Carolina, Mfg., Inc., Acting For Itself And One Or More Affiliates Or Other Project Sponsors, (The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of *Ad Valorem* Taxes With Respect To The Expansion Of Certain Manufacturing Facilities Located In The County (The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company; And (3) Other Matters Relating Thereto.

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12

## PUBLIC HEARING

December 13, 2012

### ORDINANCE NO. 15-2012/13

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Properties In Florence County Located In The Town Of Pamplico On W. Sixth Avenue, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto.

NAME	ADDRESS	PHONE NUMBER
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# FLORENCE COUNTY COUNCIL

January 17, 2013

**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. 18-2012/13**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

**B. ORDINANCE NO. 19-2012/13**

An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.

**C. ORDINANCE NO. 22-2012/13**

An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) And (c); And Other Matters Related Thereto.

**D. ORDINANCE NO. 23-2012/13**

An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.

**E. ORDINANCE NO. 24-2012/13**

An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.

**F. ORDINANCE NO. 25-2012/13**

An Ordinance To Amend Florence County Code Chapter 2 Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Relating Thereto.

## **FLORENCE COUNTY COUNCIL MEETING**

January 17, 2013

**AGENDA ITEM:**     Appearances Before Council  
                             Terasa Young, Natural Resource Agent – Carolina Clear  
                             Clemson Extension

**DEPARTMENT:**     County Council

**ISSUE UNDER CONSIDERATION:**

Ms. Young Requests To Appear Before Council To Provide A Presentation To Thank Council For Contracting With Clemson's Carolina Clear Program, Which Helps Meet The Education And Involvement Requirements Of Stormwater Permit, As Well As Highlight Activities Of The Florence Darlington Stormwater Consortium

**ATTACHMENT:**

A Copy of the Request To Appear.

## Connie Haselden

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**From:** Terasa Young <terasa@clermson.edu>  
**Sent:** Tuesday, December 18, 2012 4:56 PM  
**To:** ClerkToCouncil  
**Subject:** request to appear before Council

Dear Ms. Haselden,

I would like to request to give a 5-10 minute PowerPoint presentation to County Council at the January meeting. The purpose of the presentation is to thank the Council for contracting with Clemson's Carolina Clear Program which helps them to meet the education and involvement requirements of their stormwater permit and highlight the activities of the Florence Darlington Stormwater Consortium.

Thanks,

*Terasa M. Young*

Natural Resource Agent – Carolina Clear  
Clemson Extension  
2685 South Irby Street, Suite K  
Florence, SC 29505  
Office (843) 661-4800 x 113  
Cell (843) 269-5904





# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Resolution No. 15-2012/13

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

A Resolution Authorizing Acceptance Of A Donation Of Certain Real Property Located In Timmons ville, South Carolina.

**OPTIONS:**

1. *(Recommended)* Approve Resolution No. 15-2012/13.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy of Proposed Resolution No. 15-2012/13

Sponsor(s) : County Council  
Adopted : January 17, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A

RESOLUTION NO. 15-2012/13

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Authorizing Acceptance Of A Donation Of Certain Real Property Located In Timmons ville, South Carolina.)

Adopted by the Florence County Council on January 17, 2013 to accept a donation of certain real property described hereinbelow to the County of Florence by Billy A. Small.

**BE IT RESOLVED**, by the County of Florence, South Carolina, by vote of the County Council duly and lawfully assembled on January 17, 2013, that the County supports and accepts the donation of that certain real property described hereinbelow to it by Billy A. Small.

All that certain piece, parcel or lot of land situate, lying and being in the Town of Timmons ville, County of Florence, State of South Carolina, said lot beginning at a point on the southerly side of Main Street 85.8 feet east of the corner of Main and Keith Streets, thence running along Main Street in an easterly direction 79.2 feet to a point, thence running in a southerly direction 271 feet to a point, thence running in a westerly direction 165 feet to a point on the easterly side of Keith Street, thence running in a northerly direction 121 feet to a point, thence running in an easterly direction 84.8 feet to a point, thence running in a northerly direction 150 feet to the point of beginning; being bounded in the north by Main Street, on the east by property of B.C. Moore, on the South buy lot now or formerly of W.H. Rogers and on the West by Keith Street and by lot of J.B. Aiken, et. al.

ALSO:

All that certain piece, parcel or lot of land situated in the Town of Timmons ville, County of Florence, State of South Carolina, at the Southeast corner of Main Street and Keith Street, and said lot measures eighty-five and eight tenths (85.8) feet front on Main Street and one hundred fifty (150) feet in depth and measures across its back or Southern line eighty-four and eight tenths (84.4) feet and said lot is bounded in the North by Main Street; on the East by a brick building formerly of Young and Patterson, now owned by Cleo Young on the South by other property of Cleo Young and on the West by Keith Street. This being know as the old John McSween Home Side, all of which appears on plat made by Ervin Engineering Company on October 23, 1953.

ALSO:

All that certain piece, parcel or lot of land situate, lying and being in the Town of Timmons ville, County of Florence, State of South Carolina, of irregular shape, being more particularly described and bounded as follows: Beginning at a point on the South side of Main Street approximately 165 feet East of Keith Street, the same being the northwest corner of brick store



building, thence in a southerly direction along the west outside wall of said brick store building, following the outside of projections thereof, to the southwest corner of said building, thence in a straight line parallel with Keith Street to a point approximately 271 feet from Main Street, whereon it is bounded by Lot now or formerly of M.H. Purvis; thence in a westerly direct along the southern boundary of Lot now or formerly M.H. Purvis, 84 feet, more or less, to the corner with lot now or formerly of W. H. Rogers whereon it is bounded by Lot now or formerly of M.H. Purvis, thence in a southerly direction along the eastern boundary of Lot now or formerly of W.H. Rogers 167 ½ feet, more or less, to a point on Market Street, whereon it is bounded by Lot now or formerly of W.H. Rogers thence in an easterly direction along the northern margin of Market Street 129 feet, more or less, to the intersection of Market and Orange Streets, whereon it bounded by said Market Street; thence in a northerly direction along the western margin of Orange Street 420 feet, more or less, to the intersection of Orange and Main Streets, whereon it is bounded by the said Orange Street; thence in a westerly direction along the southern margin of Main Street 45 feet, more or less, to the point of beginning, whereon it is bounded by said Main Street. Reference being had to a Plat prepared for Timmons ville Auction & Antique Mall by Lind, Hicks & Assoc. Surveyors, Inc., dated June 27, 2003, and recorded in the Office of the Clerk of Court for Florence County in Plat Book 86 at Page 394. Reference being had to the above mentioned map for a more complete and accurate description.

ATTEST:

SIGNED:

Connie Y. Haselden, Clerk

Florence County Council Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

# FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 15-2012/13  
Third 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 191 W. Sixth Avenue, Pamplico, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; And Other Matters Related Thereto.] *(Planning Commission approved 8-0: Council District 2)*

## **POINTS TO CONSIDER:**

1. The subject property's designations, as established by the Land Use Map of the Florence County Comprehensive Plan, are Residential Preservation and Rural Preservation.
2. The applicant is proposing to change the designation to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.

## **OPTIONS:**

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

## **ATTACHMENTS:**

1. Ordinance No. 15-2012/13
2. Resolution for PC#2012-18
3. Staff report for PC#2012-18
4. Location Map
5. Comprehensive Plan Land Use Map
6. Zoning Map
7. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: October 23, 2012	Council Clerk, certify that this
Planning Commission Public Hearing	: October 23, 2012	Ordinance was advertised for
Planning Commission Action	: October 23, 2012 [Approved 8-0]	Public Hearing on _____.
First Reading/Introduction	: November 15, 2012	
Committee Referral	: N/A	
County Council Public Hearing	: December 13, 2012	
Second Reading	: December 13, 2012	
Third Reading	: January 17, 2013	
Effective Date	: Immediately	

# **ORDINANCE NO. 15-2012/13**

## **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 191 W. Sixth Avenue, Pamplico, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development; 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 23, 2012.

### **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 191 W. Sixth Avenue, Pamplico, more specifically shown on Tax Map Number 60001-01-021, from Residential Preservation and Rural Preservation to Suburban Development. The parcel consists of approximately 3.91 acres.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the 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

\_\_\_\_\_  
Florence County Council, Chairman

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

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

**RESOLUTION FOR PC#2012-18**  
**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 On W. Sixth Avenue In Pamplico, SC, More Specifically Shown On Tax Map Number 60001-01-021, From Residential Preservation And Rural Preservation To Suburban Development As Referenced On The Agenda Map.]**

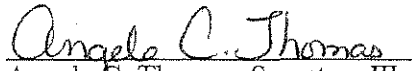
**WHEREAS:**

1. The subject property's designations as established by the Land Use Map of the Florence County Comprehensive Plan are Residential Preservation and Rural Preservation.
2. The applicant is proposing to change the designations to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.
3. Therefore, a change to the Comprehensive Plan Map Land Use Designation for this property is hereby recommended.

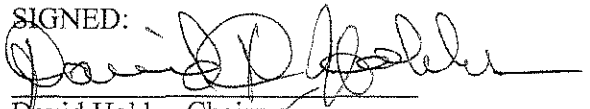
**NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY PLANNING COMMISSION DULY ASSEMBLED THAT:**

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designations for Property in Florence County Located on W. Sixth Avenue in Pamplico, SC, measuring approximately 3.9 acres from Residential Preservation and Rural Preservation to Suburban Development as referenced on the agenda map.

ATTEST:

  
Angela C. Thomas, Secretary III

SIGNED:

  
David Hobbs, Chairman

COMMISSION VOTE: 8-0

OPPOSED: None

ABSENT: C. Cunha

V. Talbert

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
October 23, 2012  
PC#2012-18  
ORDINANCE NO. 15-2012/13**

**Subject:** Comprehensive Plan Map Amendment to change the Land Use Map designations for property in Florence County located in the Town of Pamplico from Residential Preservation and Rural Preservation to Suburban Development

**Locations:** 191 W. Sixth Avenue

**Tax Map Numbers** 60001, Block 01, Parcel 021

**Council District(s):** 2; County Council

**Applicant:** Pamplico Rescue and Ambulance Service, Inc.

**Land Area:** 1 parcel, approximately 3.91 acres

**Staff Analysis:**

The property is currently designated as Residential Preservation and Rural Preservation according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designations to Suburban Development.

Staff's Justification/Reason for the proposed amendment is to recognize substantial change and changing conditions or circumstances in a particular locality.

**Comprehensive Land Use Plan Map Designation:**

The proposal is to change the designation to Suburban Development. Suburban Development provides areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole.

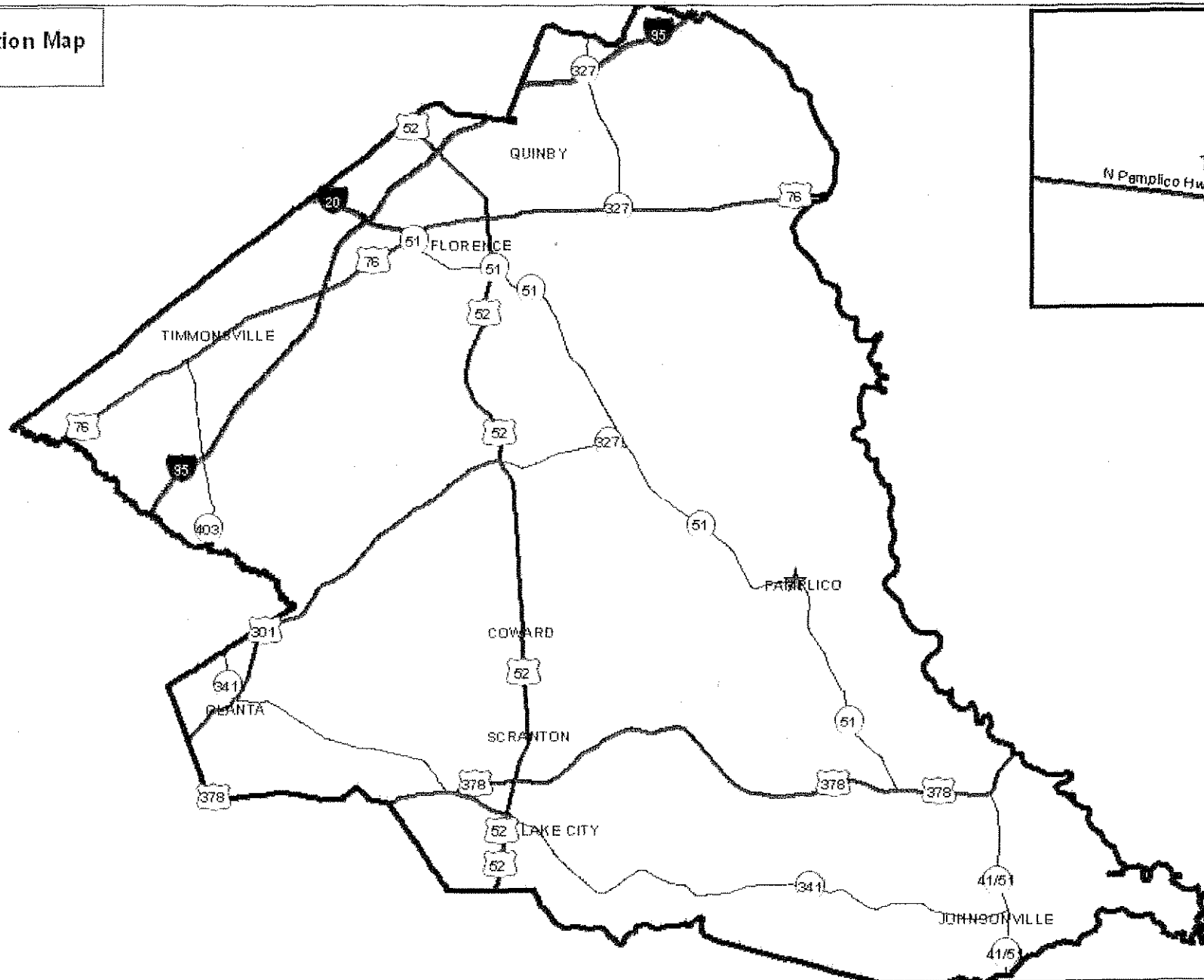
**Florence County Planning Commission Action: October 23, 2012:**

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 the Florence County Council for a Suburban Development land use designation to provide areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and industrial uses that enhance the area as a whole.

Location Map



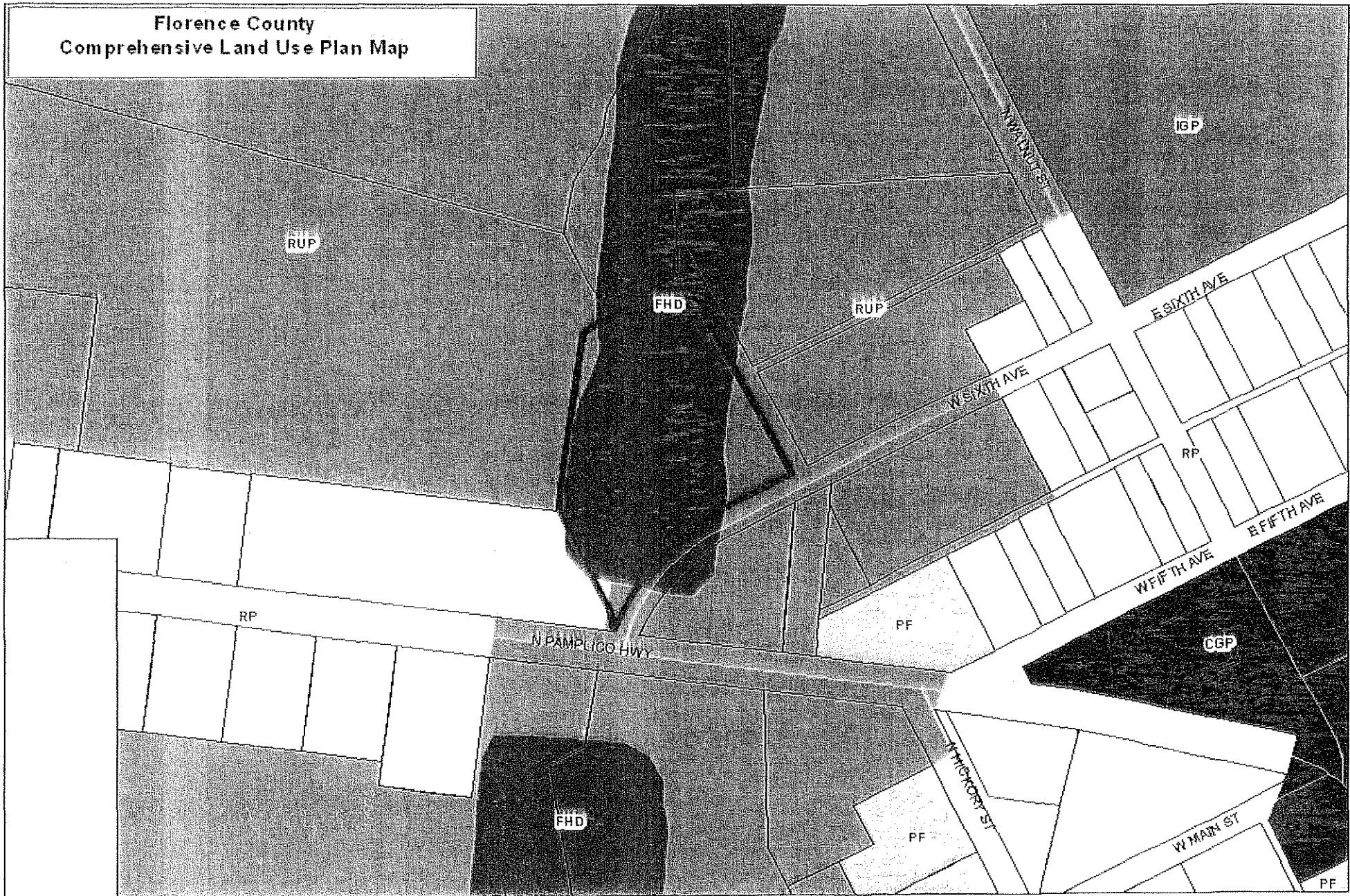
Map Prepared by: RWE  
 Copyright 2010: Florence County Planning  
 & Building Inspections Department  
 Geographic Information Systems  
 09/21/2012



COUNTY COUNCIL DISTRICT(S): 2  
 PC#2012-18



**Florence County  
Comprehensive Land Use Plan Map**



0 170 340

680 Feet

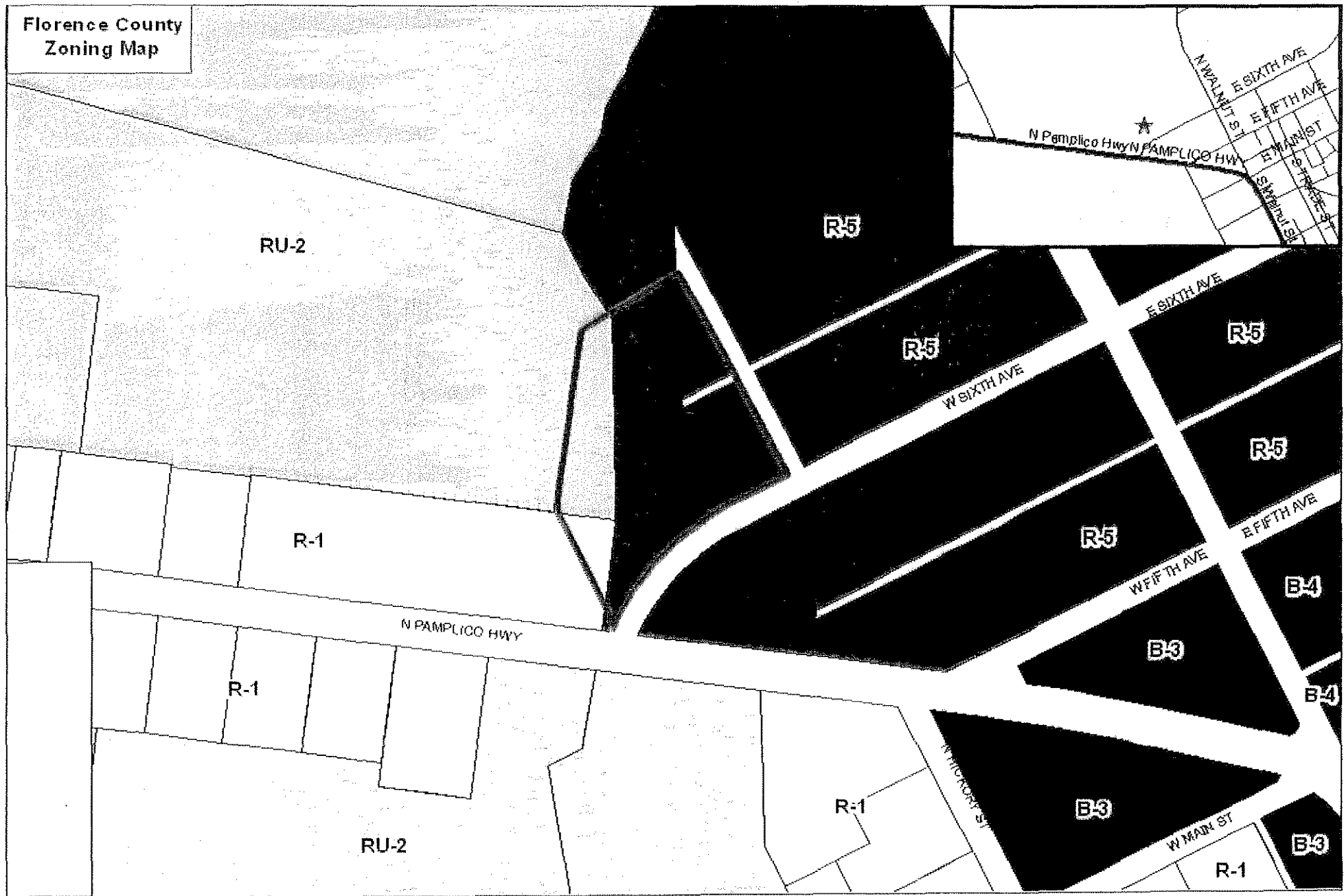
Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
09/21/2012

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**COUNTY COUNCIL DISTRICT(S): 2  
PC#2012-18**

**Florence County  
Zoning Map**



0 185 370

Map prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
09/21/2012

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**COUNTY COUNCIL DISTRICT(S): 2  
PC#2012-18**



Florence County 2011 Orthophotography Map



Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
08/21/2012



COUNTY COUNCIL DISTRICT(S): 2  
PC#2012-18

## FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 16-2012/13  
Third Reading

**DEPARTMENT:** Planning and Building Inspections / 

### **ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property Owned By Pamplico Rescue And Ambulance Service, Inc. Located At 191 West Sixth Avenue, Pamplico, As Shown On Florence County Tax Map No. 60001, Block 01, Parcel 021; Consisting Of Approx. 3.91 Acres From R-5, Multi-Family Residential District, RU-2, Rural Resource District And R-1, Single-Family Residential District To B-1, Limited Business District; And Other Matters Related Thereto.]

*(Planning Commission approved 8 to 0; Council District 2)*

### **POINTS TO CONSIDER:**

1. The subject property is currently zoned R-5, Multi-Family Residential District, RU-2, Rural Resource District and R-1, Single-Family Residential District.
2. Surrounding land uses consist of vacant land and single-family residential zoned R-1, Single-Family Residential District, R-5, Multi-Family Residential District and RU-2, Rural Resource District.
3. The Comprehensive Plan currently designates the subject property as Residential Preservation and Rural Preservation and currently the zoning amendment request does not comply.
4. The zoning designation of B-1, Limited Business District for the subject property will comply with the Comprehensive Plan with the approval of the land use amendment request to Suburban Development.

### **OPTIONS:**

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

### **ATTACHMENTS:**

1. Ordinance No. 16-2012/13
2. Staff report for PC#2012-20
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: October 23, 2012	Council Clerk, certify that
Planning Commission Public Hearing	: October 23, 2012	this Ordinance was
Planning Commission Action	: October 23, 2012 [Approved: 8 to 0]	advertised for Public
First Reading/Introduction	: November 15, 2012	Hearing on _____.
Committee Referral	: N/A	
County Council Public Hearing	: N/A	
Second Reading	: December 13, 2012	
Third Reading	: January 17, 2013	
Effective Date	: Immediately	

## ORDINANCE NO. 16-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Rezone Property Owned By Pamplico Rescue And Ambulance Service, Inc. Located At 191 West Sixth Avenue, Pamplico, As Shown On Florence County Tax Map No. 60001, Block 01, Parcel 021; Consisting Of Approx. 3.91 Acres From R-5, Multi-Family Residential District, RU-2, Rural Resource District And R-1, Single-Family Residential District To B-1, Limited Business District; 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 in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on October 23, 2012.

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

1. Property located at 191 West Sixth Avenue, Pamplico bearing Tax Map 60001, Block 01, Parcel 021 is hereby rezoned to B-1, Limited Business District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
Florence County Council, 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  
Tuesday, October 23, 2012  
PC#2012-20  
ORDINANCE NO. 16-2012/13**

**SUBJECT:** Rezoning request from R-5, Multi-Family Residential District, RU-2, Rural Resource District and R-1, Single-Family Residential District to B-1, Limited Business District.

**LOCATION:** 191 West Sixth Avenue

**TAX MAP NUMBER:** 60001, Block 01, Parcel 021

**COUNCIL DISTRICT(S):** 2; County Council

**OWNER OF RECORD:** Pamplico Rescue and Ambulance Service, Inc.

**APPLICANT:** Laura H. Walkup

**LAND AREA:** Approximately 3.91 acres

**WATER /SEWER AVAILABILITY:** Water and Sewer will be provided by DHEC

**ADJACENT WATERWAYS/  
BODIES OF WATER:** N/A

**FLOOD ZONE:** Yes

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently vacant. The subject property is currently zoned R-5, Multi-Family Residential District, RU-2, Rural Resource District and R-1, Single-Family Residential District and located in the Town of Pamplico.
2. Proposed Land Use and Zoning:  
The applicant wishes to develop the property for an EMS Station. The applicant proposes to rezone the property to B-1, Limited Business District.
3. Surrounding Land Use and Zoning:  
North: Vacant land/R-5/Town of Pamplico  
South: Vacant land/RU-2/Town of Pamplico  
West: Vacant/Single-family home/RU-2 and R-1/Town of Pamplico

East: Vacant land/R-5/Town of Pamplico

4. Transportation Access and Circulation:

Present accesses to the subject properties are by way of Pamplico Highway and West Sixth Avenue.

5. Traffic Review:

The rezoning of this property will not have an effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The subject property is currently located in a Residential and Rural Preservation area according to the Comprehensive Plan Land Use map. The applicant is proposing to rezone this property to B-1. The request for the zoning amendment to B-1 does not presently comply with the Comprehensive Plan Land Use map. However, staff is moving forward with the request to amend the land use designation to Suburban Development. When the amendment is approved for the land use designation change, the zoning amendment of the subject property from R-1, R-5 and RU-2 will be in compliance with the Comprehensive Plan Land Use map.

7. Chapter 30-Zoning Ordinance:

B-1, Limited Business District, This district is intended to accommodate office, institutional, and residential uses in areas whose character is changing, or where such a mix of uses is appropriate. It is designed for principally for use along major streets dominated by older houses in transition.

**STAFF RECOMMENDATION:**

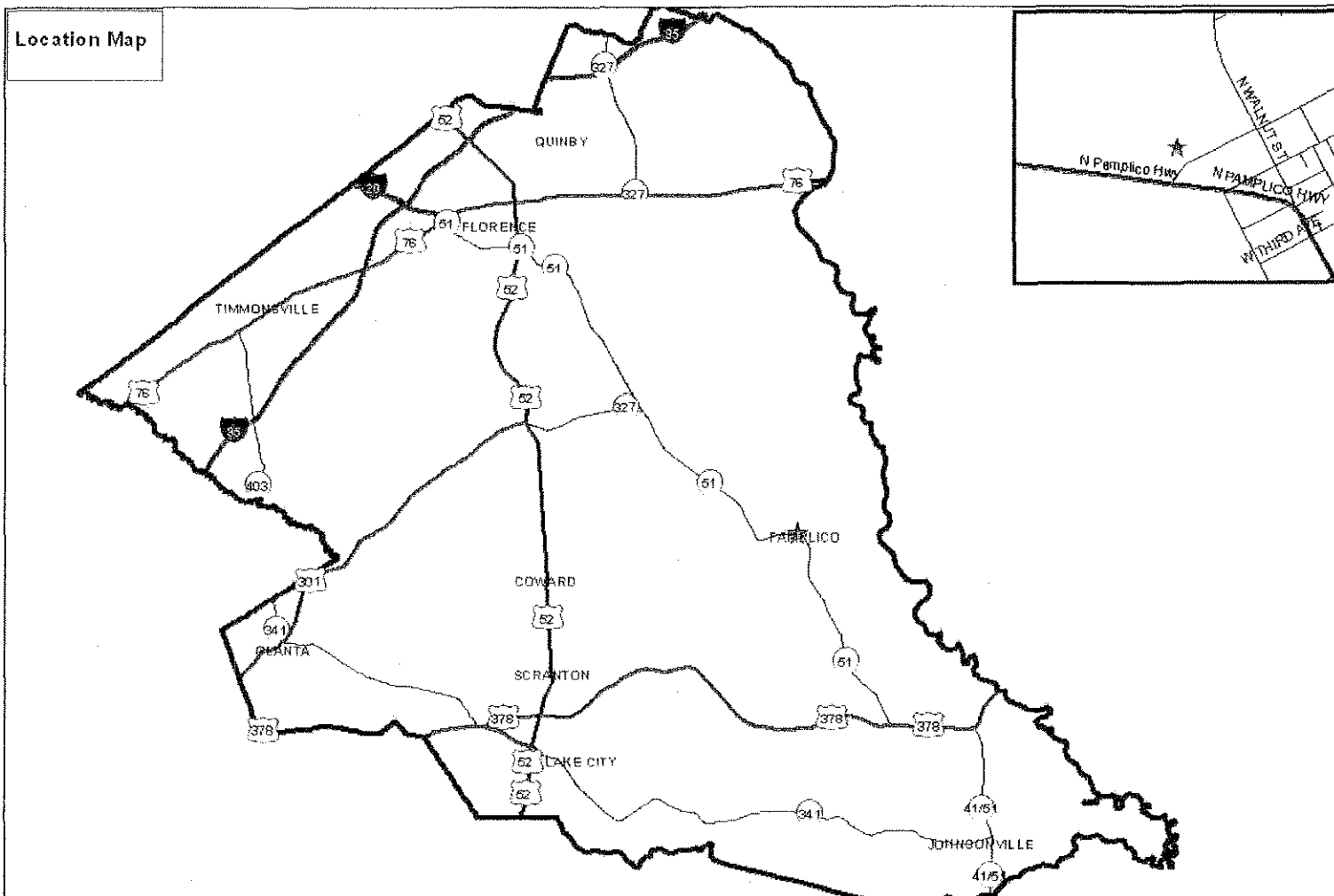
Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the land use amendment request approval.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, OCTOBER 23, 2012:**

The eight Planning Commission members present approved the rezoning request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the approval of the land use amendment request at the meeting held on October 23, 2012.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

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



Location Map

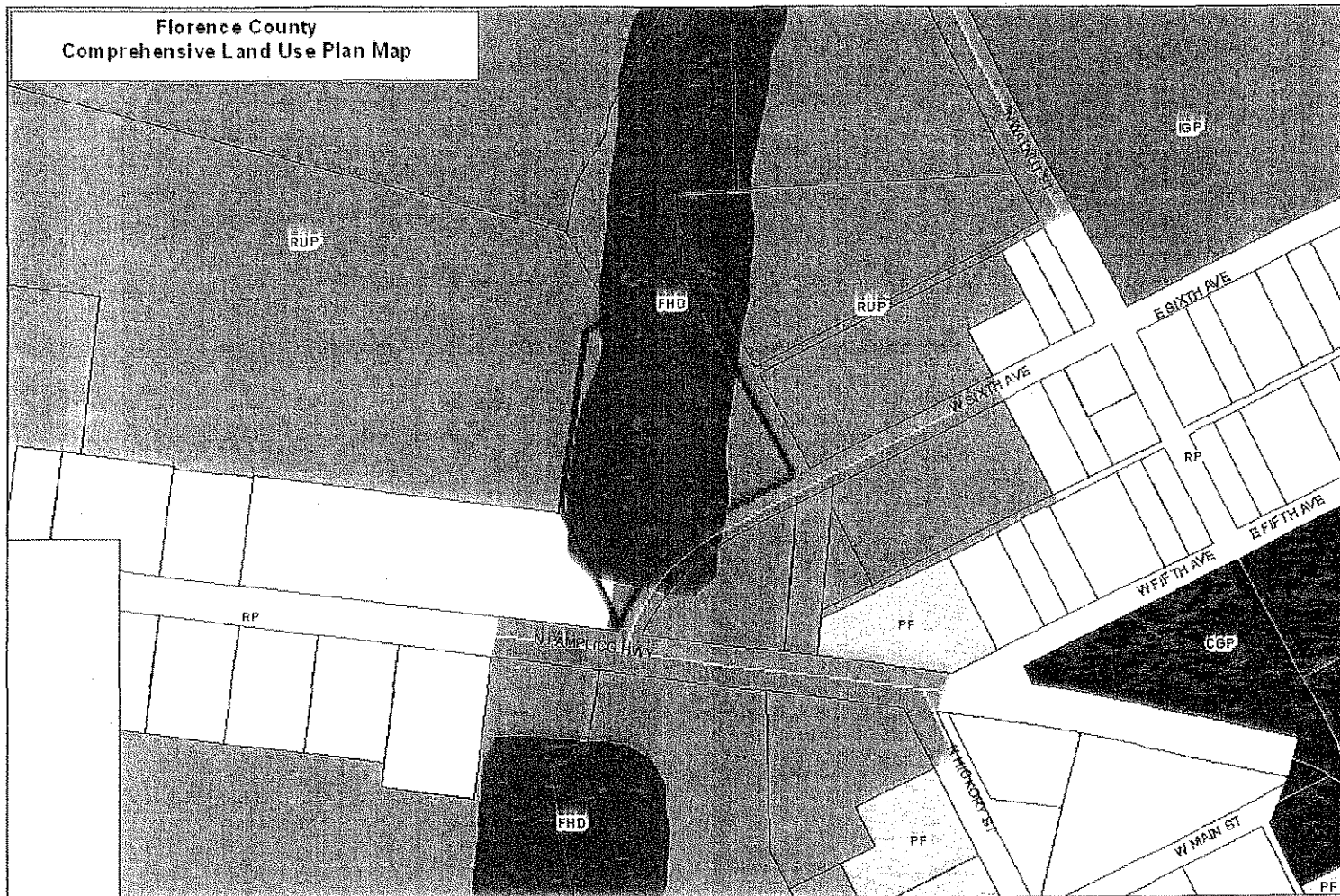
Map Prepared by: RWE  
 Copyright 2010: Florence County Planning  
 & Building Inspections Department  
 Geographic Information Systems  
 09/21/2012



COUNTY COUNCIL DISTRICT(S): 2  
 PC#2012-20



Florence County  
Comprehensive Land Use Plan Map



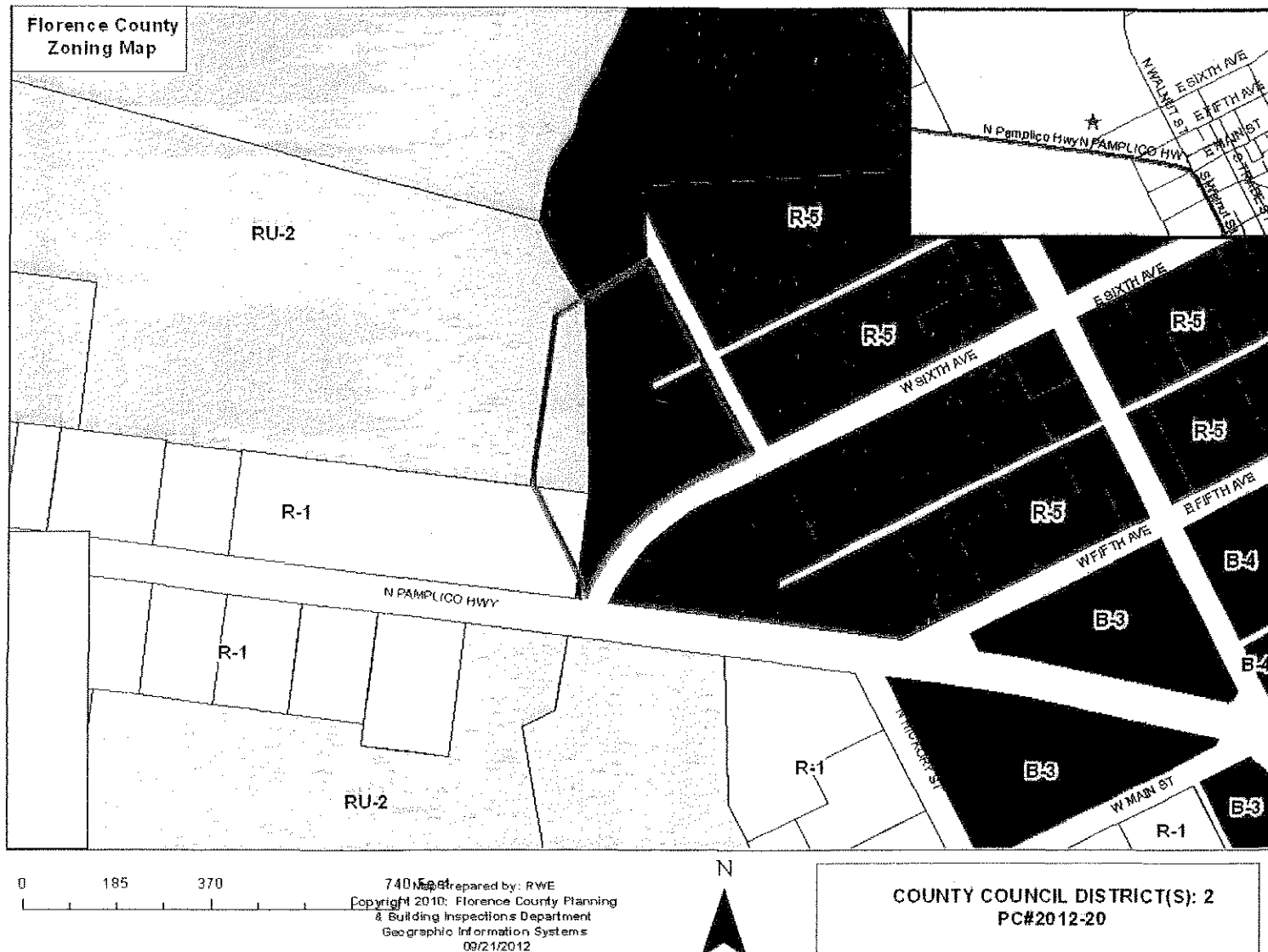
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Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
09/21/2012

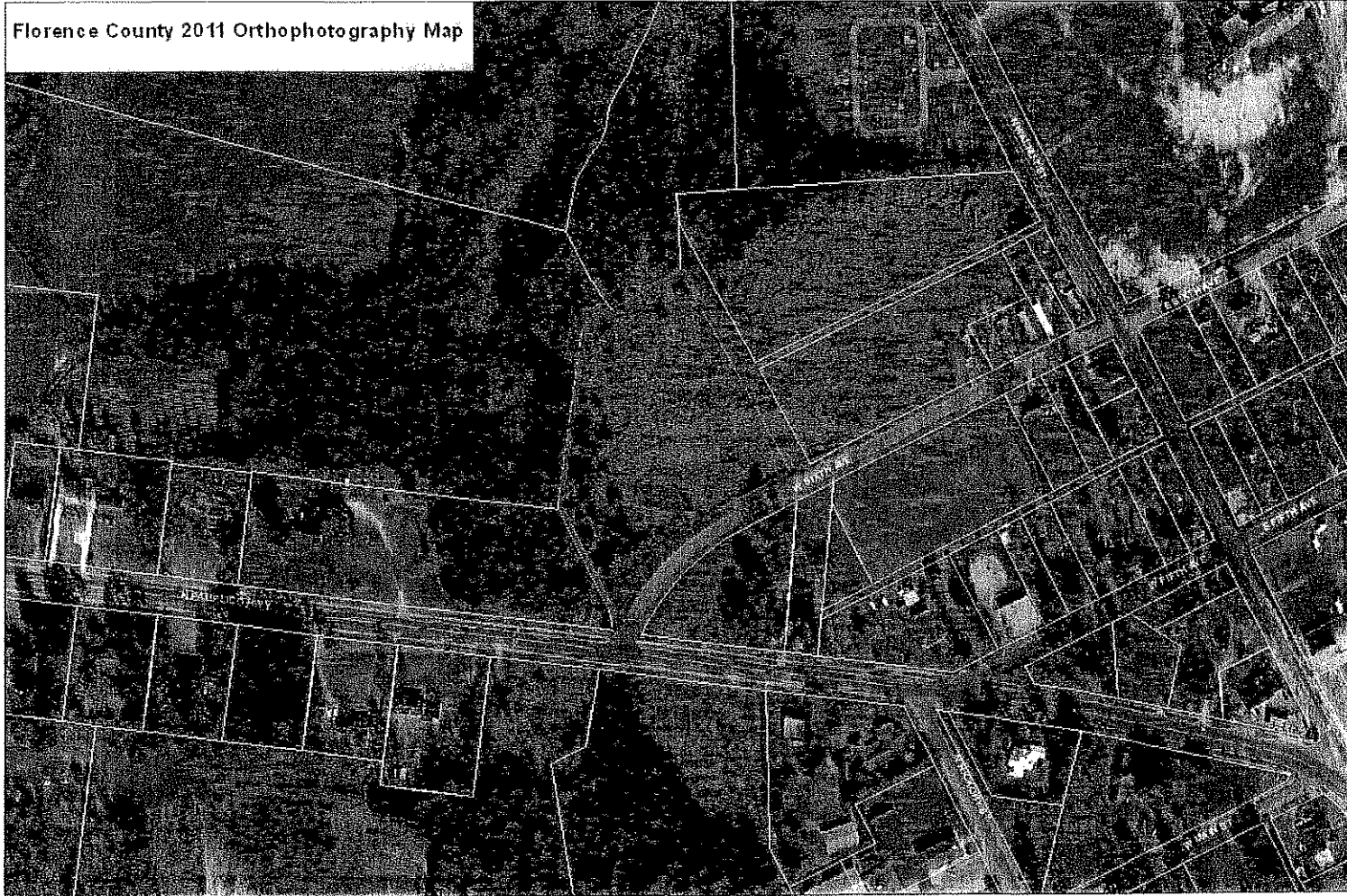


COUNTY COUNCIL DISTRICT(S): 2  
PC#2012-20





Florence County 2011 Orthophotography Map



Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
09/21/2012



COUNTY COUNCIL DISTRICT(S): 2  
PC#2012-20

## FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Third Reading - Ordinance No. 17-2012/13 (*Deferral*)

**DEPARTMENT:** Finance

### **ISSUE UNDER CONSIDERATION:**

(An Ordinance To Authorize The Execution and Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.)

### **POINTS TO CONSIDER:**

1. The Drs. Bruce and Lee Foundation have provided Florence County with a grant in the amount of \$2,500,000 in order to develop a community park in Lake City.
2. The grant terms require Florence County to secure additional funding for the park project in the form of grants.
3. The South Carolina Department of Health and Environmental Control (SCDHEC) is authorized to make loans through the South Carolina Brownfields Cleanup Revolving Fund Loan program to assist with removal actions required when entering into a Voluntary Cleanup Contract with SCDHEC.
4. The County entered into a Voluntary Cleanup Contract earlier this year for the properties which are to be developed for the park in Lake City.
5. The loan funds may be used for removal activities, including demolition and/or site preparation, which are part of the site cleanup.
6. The County will be eligible to have 25% of the amount borrowed, up to a maximum of \$100,000 converted into a grant.
7. The loan carries a 1% interest rate and is amortized over 10 years.

### **OPTIONS:**

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

### **ATTACHMENTS:**

Ordinance #17-2012/13.

Sponsor(s) : Finance  
 First Reading : November 15, 2012  
 Committee Referral : N/A  
 Committee Consideration Date : N/A  
 Committee Recommendation : N/A  
 Second Reading : December 13, 2012  
 Public Hearing :  
 Third Reading :  
 Effective Date :

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

# ORDINANCE NO. 17-2012/13

## COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**(An Ordinance To Authorize The Execution And Delivery Of Various Documents In Order To Fund A Portion Of The Costs Associated With Soil Remediation Of The Lake City Park Project; To Authorize The Execution And Delivery Of These Documents In Connection Therewith; And Other Matters Relating Thereto.)**

### WHEREAS,

1. The County of Florence, South Carolina, a public body corporate and politic and a political subdivision organized and existing under the laws of the State of South Carolina (the "County"), proposes to fund a portion of the costs associated with soil remediation of the Lake City Park Project (the "Project") with a loan in the principal amount of \$500,000; and
2. The South Carolina Department of Health & Environmental Control (the "Lender") acting through its fund manager is authorized to make loans through the Catawba Regional Development Corporation ("CRDC") South Carolina Brownfields Cleanup Revolving Fund Loan (the "Fund"); and
3. CRDC has proposed terms relating to a loan from the Fund to the County which, if it receives final approval from the Lender, CRDC and the County, could provide financing for the Project; and
4. An outline of such proposed terms is attached hereto as Exhibit A; and
5. The security for the proposed borrowing is 2008 Lease Purchase Bond Proceeds and does not constitute a pledge of the full faith, credit and taxing power of the County; and
6. The Project serves a valid corporate and public purpose of the County; and
7. The County expects to receive a final proposal for the financing of the Project on the terms and conditions set forth in Exhibit A; and
8. County Council (the "County") has determined, and hereby determines, that it is in the County's best interest to accept the outline of the proposal of the Lender as shown on Exhibit A hereto; and
9. The County intends to enter into the Promissory Note (the "Note") and a Loan Agreement (the "Loan Agreement") (the Note and the Loan Agreement are hereinafter referred to as the "Loan Documents") between the Lender and the County. The Note and the Loan Agreement are in substantially the forms attached hereto as Exhibits B and C, respectively.

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

1. It is hereby declared that the recitals set forth in the preambles to this Ordinance are in all respects true and correct.
2. The Council hereby authorizes, ratifies, confirms and approves all actions heretofore taken with respect to this transaction.
3. The proposal of the Lender on the proposed terms and conditions attached hereto as Exhibit A is hereby approved and accepted.
4. The Note shall be in the principal amount of \$500,000.00, and shall bear interest and be payable as described in Exhibit A.
5. The County Administrator (the "Administrator") is hereby authorized and directed to execute and deliver the Loan Documents on behalf of the County in such form as he approves, with the advice of counsel, his execution being conclusive evidence of his approval; and the Clerk of Council is hereby authorized and directed to affix the corporate seal of the County to the Loan Documents and to attest the same.
6. The consummation of all transactions contemplated by the Loan Documents is hereby approved.
7. The County Administrator and all other appropriate officials of the County are hereby authorized to execute, deliver, and receive any other agreements and documents as may be required by the County or the Lender or CRDC in order to carry out, give effect to, and consummate the transactions contemplated by the Loan Documents.
8. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.
9. This Ordinance shall become effective immediately upon third reading by the Council.
10. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereunder.
11. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden  
Clerk to Council

\_\_\_\_\_  
Chairman  
Florence County Council

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

\_\_\_\_\_  
Approved as to Form & Content  
D. Malloy McEachin, Jr., County Attorney



# FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 18-2012/13  
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 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.] *(Planning Commission approved 6-0: Council District 8)*

## **POINTS TO CONSIDER:**

1. The subject property's designation, as established by the Land Use Map of the Florence County Comprehensive Plan, is Commercial Growth and Preservation.
2. The applicant is proposing to change the designation to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.

## **OPTIONS:**

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

## **ATTACHMENTS:**

1. Ordinance No. 18-2012/13
2. Resolution for PC#2012-17
3. Staff report for PC#2012-17
4. Location Map
5. Comprehensive Land Use Plan Map
6. Zoning Map
7. Aerial Map

Sponsor(s)	: Planning Commission	I _____
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2012	Ordinance was advertised for
Planning Commission Action	: November 27, 2012 [Approved 6-0]	Public Hearing on _____
First Reading/Introduction	: December 13, 2012	
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

# **ORDINANCE NO. 18-2012/13**

## **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 306 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth And Preservation To Suburban Development; 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 November 27, 2012.

### **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 306 E. Carolyn Avenue Florence, more specifically shown on Tax Map Number 90095-01-019, from Commercial Growth and Preservation to Suburban Development. The parcel consists of approximately .52 acres.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the 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

\_\_\_\_\_  
Florence County Council, Chairman

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

COUNCIL VOTE:  
OPPOSED:  
ABSENT:



**RESOLUTION FOR PC#2012-17**  
**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 306 E. Carolyn Avenue In Florence, SC, More Specifically Shown On Tax Map Number 90095-01-019, From Commercial Growth and Preservation To Suburban Development As Referenced On The Agenda Map.]**

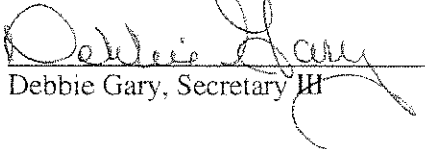
**WHEREAS:**

1. The subject property's designation as established by the Land Use Map of the Florence County Comprehensive Plan is Commercial Growth and Preservation.
2. The applicant is proposing to change the designation to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.
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 on Carolyn Avenue in Florence, SC, measuring approximately .52 acres from Commercial Growth and Preservation to Suburban Development as referenced on the agenda map.

ATTEST:

  
Debbie Gary, Secretary III

SIGNED:

  
David Hobbs, Chairman

COMMISSION VOTE: 6-0

OPPOSED: NONE

ABSENT: C. Cunha

R. Kirby

D. Lockhart

V. Talbert

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
November 27, 2012  
PC#2012-17  
ORDINANCE NO. 18-2012/13**

**Subject:** Comprehensive Plan Map Amendment to change the Land Use Map designations for property in Florence County from Commercial Growth and Preservation to Suburban Development

**Locations:** 306 E. Carolyn Avenue

**Tax Map Numbers** 90095, Block 01, Parcel 019

**Council District(s):** 8; County Council

**Applicant:** Planning Commission

**Land Area:** 1 parcel, approximately .52 acres

**Staff Analysis:**

The property is currently designated Commercial Growth and Preservation according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation to Suburban Development.

Staff's Justification/Reason for the proposed amendment is to recognize substantial change and changing conditions or circumstances in a particular locality.

**Comprehensive Land Use Plan Map Designation:**

The proposal is to change the designation to Suburban Development. Suburban Development provides areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole.

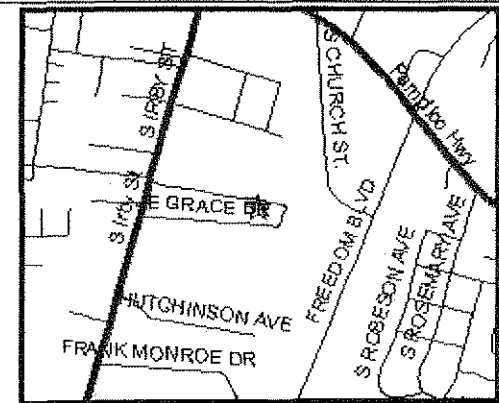
**Florence County Planning Commission Action: November 27, 2012:**

The six 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 the Florence County Council for a Suburban Development land use designation to provide areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and industrial uses that enhance the area as a whole.

### Location Map



N



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-17

# Florence County Comprehensive Land Use Plan Map

SCHURCH ST.

CGP

CGP

## Legend

### LU Code

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

SD

E GRACE DR

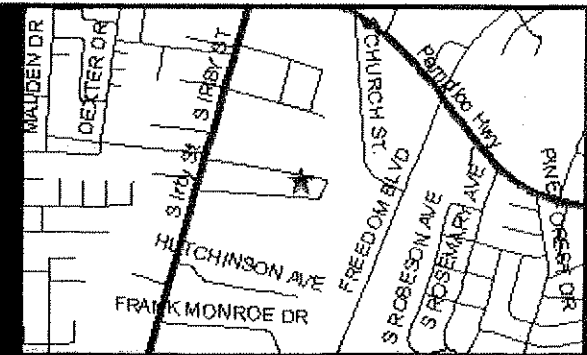
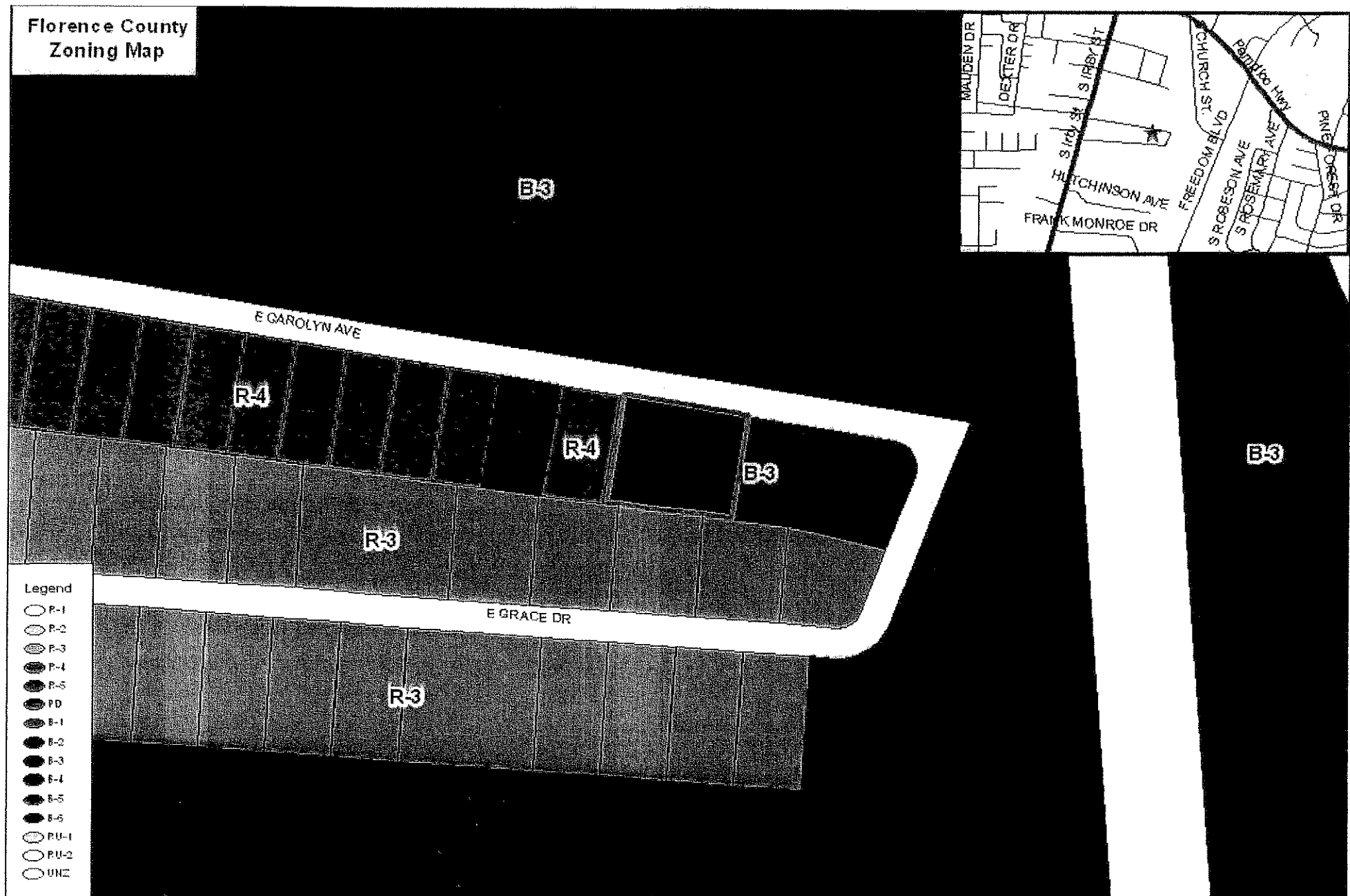
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Map Prepared by JFW  
Copyright 2010, Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012

N

COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-17

# Florence County Zoning Map



## Legend

- R-1
- R-2
- R-3
- R-4
- R-5
- PD
- B-1
- B-2
- B-3
- B-4
- B-5
- B-6
- PU-1
- PU-2
- UNZ

0 185 370

Map Prepared by: RWB 40 Feet  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-17

Florence County 2011 Orthophotography Map



Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012




COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-17



## FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 19-2012/13  
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 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; And Other Matters Related Thereto.] *(Planning Commission approved 6-0; Council District 8)*

### **POINTS TO CONSIDER:**

1. The subject property's designation, as established by the Land Use Map of the Florence County Comprehensive Plan, is Commercial Growth and Preservation.
2. The applicant is proposing to change the designation to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.

### **OPTIONS:**

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

### **ATTACHMENTS:**

1. Ordinance No. 19-2012/13
2. Resolution for PC#2012-21
3. Staff report for PC#2012-21
4. Location Map
5. Comprehensive Land Use Plan Map
6. Zoning Map
7. Aerial Map



Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2012	Ordinance was advertised for
Planning Commission Action	: November 27, 2012	[Approved 6-0] Public Hearing on _____.
First Reading/Introduction	: December 13, 2012	
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

## ORDINANCE NO. 19-2012/13

### 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 222 E. Carolyn Avenue, Florence, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth And Preservation To Suburban Development; 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 November 27, 2012.

**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 222 E. Carolyn Avenue, Florence, more specifically shown on Tax Map Number 90095-01-020, from Commercial Growth and Preservation to Suburban Development. The parcel consists of approximately .25 acres.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the 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

\_\_\_\_\_  
Florence County Council, Chairman

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

COUNCIL VOTE:  
OPPOSED:  
ABSENT:

**RESOLUTION FOR PC#2012-21**  
**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 222 E. Carolyn Avenue In Florence, SC, More Specifically Shown On Tax Map Number 90095-01-020, From Commercial Growth and Preservation To Suburban Development As Referenced On The Agenda Map.]**

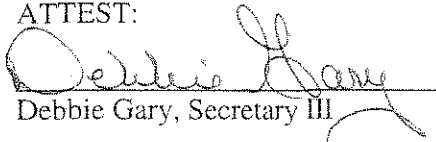
**WHEREAS:**

1. The subject property's designation as established by the Land Use Map of the Florence County Comprehensive Plan is Commercial Growth and Preservation.
2. The applicant is proposing to change the designation to Suburban Development to recognize substantial change and changing conditions or circumstances in a particular locality.
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 on Carolyn Avenue in Florence, SC, measuring approximately .25 acres from Commercial Growth and Preservation to Suburban Development as referenced on the agenda map.

ATTEST:

  
Debbie Gary, Secretary III

SIGNED:

  
David Hobbs, Chairman

COMMISSION VOTE: 6-0

OPPOSED: NONE

ABSENT: C. Cunha

R. Kirby  
D. Lockhart  
V. Talbert

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
October 23, 2012  
PC#2012-21  
ORDINANCE NO. 19-2012/13**

**Subject:** Comprehensive Plan Map Amendment to change the Land Use Map designations for property in Florence County from Commercial Growth and Preservation to Suburban Development

**Locations:** 222 E. Carolyn Avenue

**Tax Map Numbers** 90095, Block 01, Parcel 020

**Council District(s):** 8; County Council

**Applicant:** Planning Commission

**Land Area:** 1 parcel, approximately .25 acres

**Staff Analysis:**

The property is currently designated Commercial Growth and Preservation according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation to Suburban Development.

Staff's Justification/Reason for the proposed amendment is to recognize substantial change and changing conditions or circumstances in a particular locality.

**Comprehensive Land Use Plan Map Designation:**

The proposal is to change the designation to Suburban Development. Suburban Development provides areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and institutional uses that enhance the area as a whole.

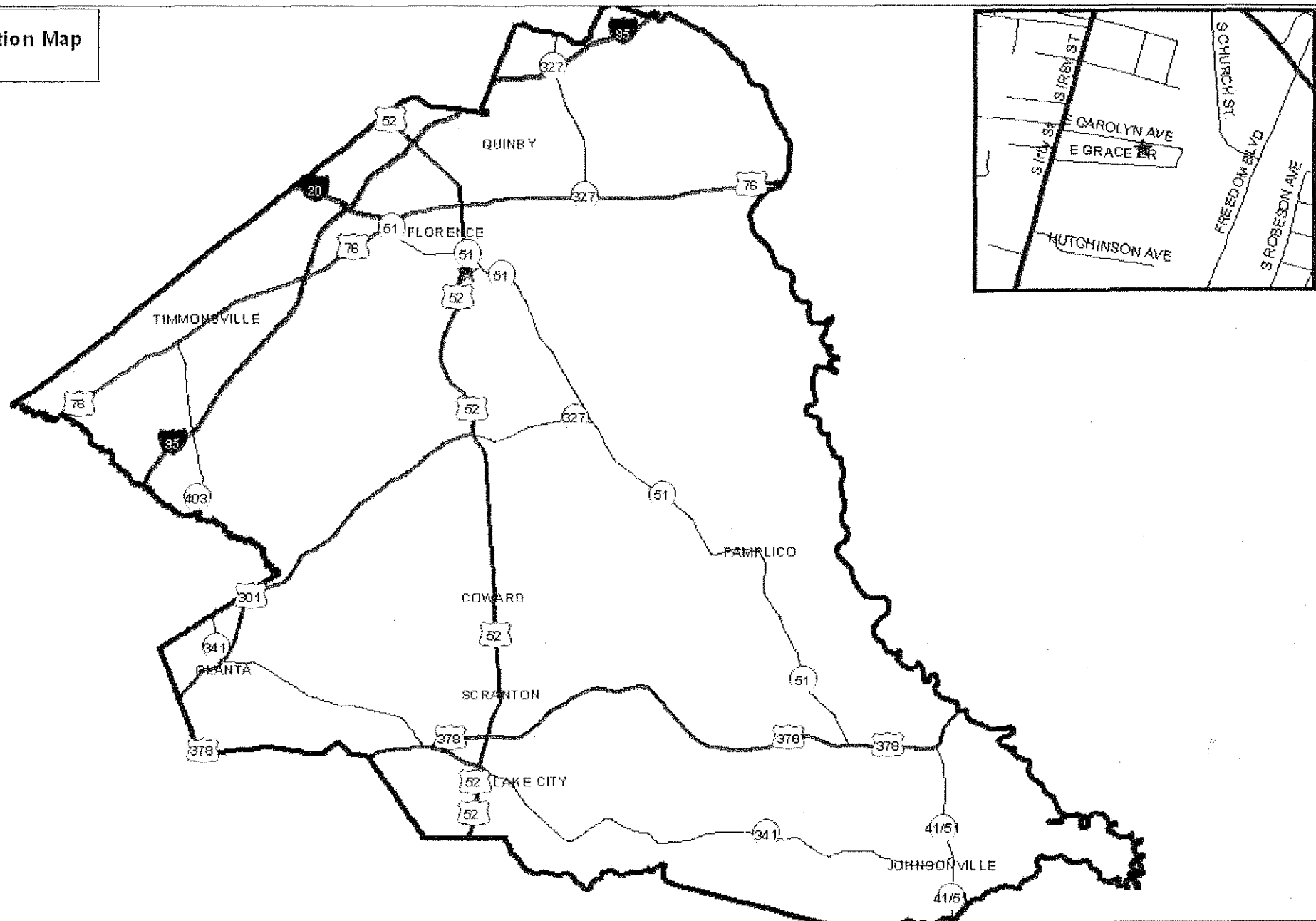
**Florence County Planning Commission Action: November 27, 2012:**

The six 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 the Florence County Council for a Suburban Development land use designation to provide areas in suburban settings that are expected to have increasing community significance with opportunities for residential, commercial, and industrial uses that enhance the area as a whole.

# Location Map



0 1 2 3 4 Miles

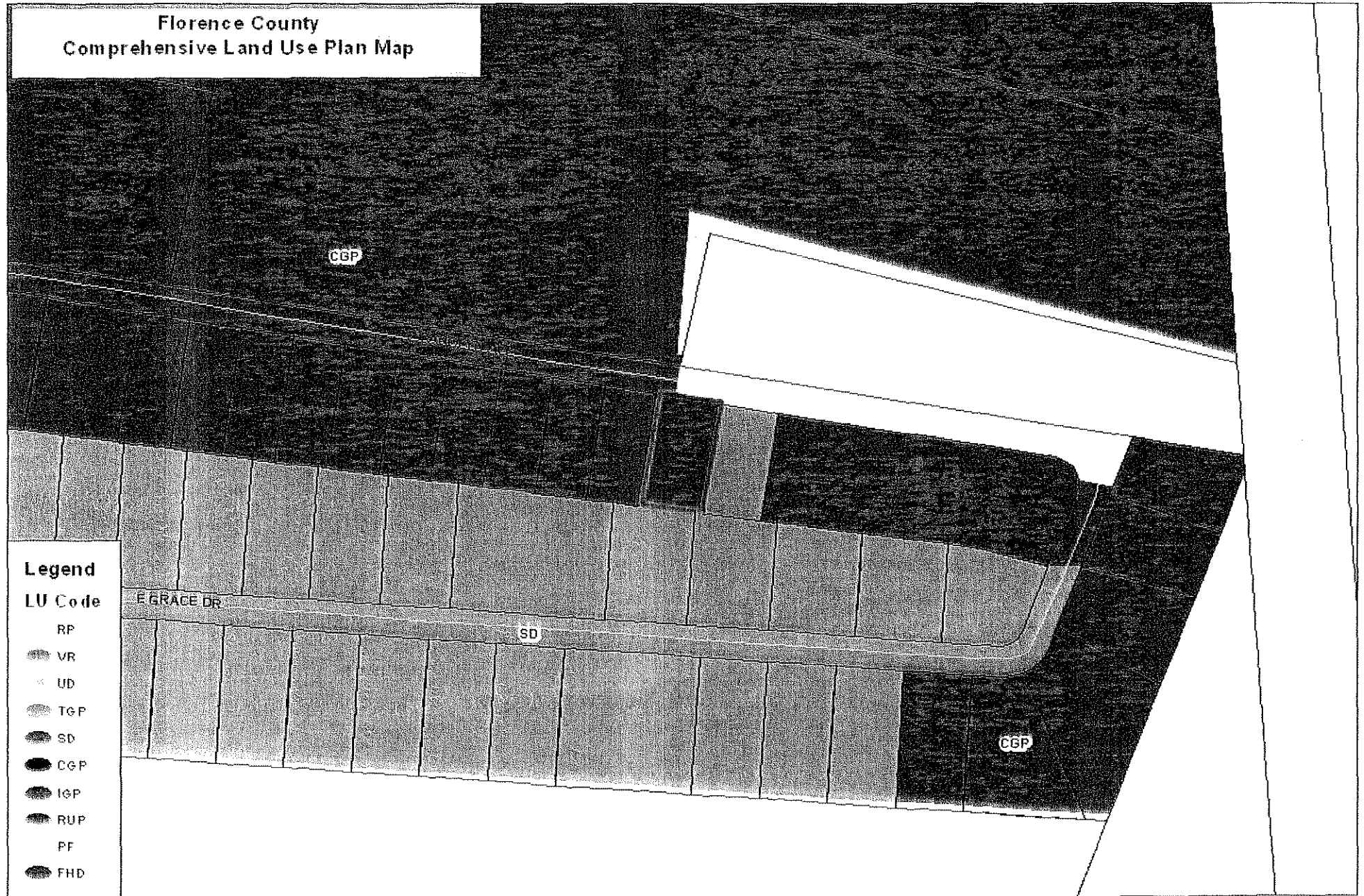


Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-21

# Florence County Comprehensive Land Use Plan Map



## Legend

### LU Code

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

0 170 340

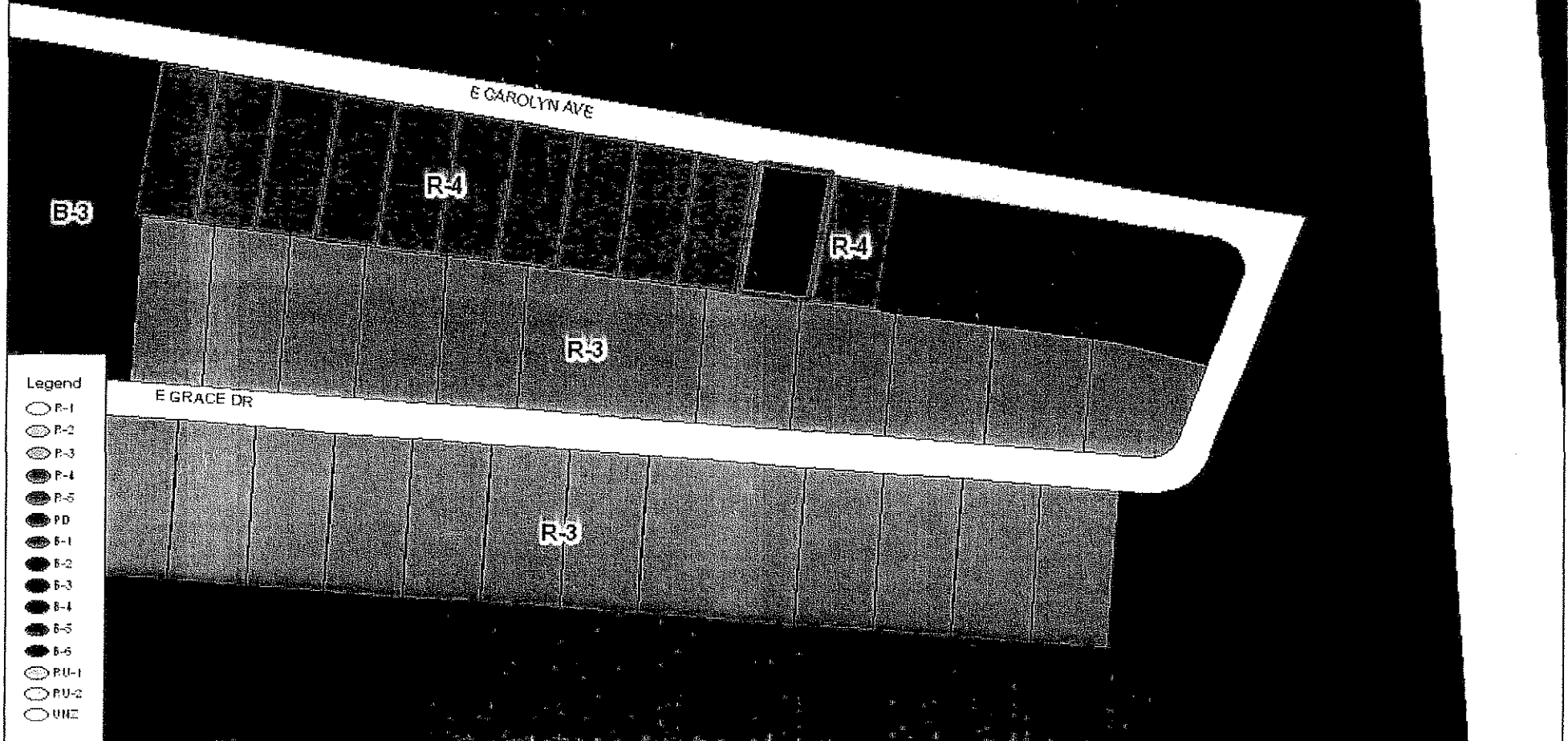
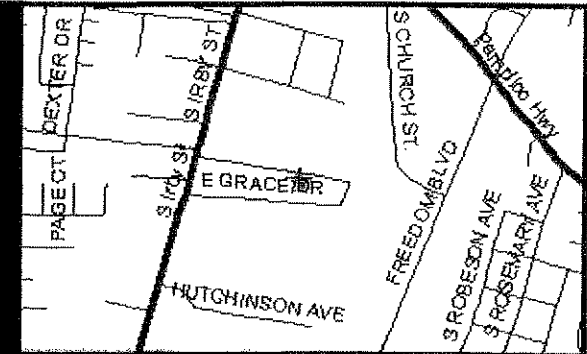
Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012

N



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-21

# Florence County Zoning Map



## Legend

- P-1
- P-2
- P-3
- P-4
- P-5
- PD
- B-1
- B-2
- B-3
- B-4
- B-5
- B-6
- PU-1
- PU-2
- UNZ

0 185 370

Map Prepared by: RWE740 Feet  
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& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-21

Florence County 2011 Orthophotography Map



Map Prepared by: RWE  
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& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-21



## FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 20-2012/13  
Second Reading

**DEPARTMENT:** Planning and Building Inspections / 

### **ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property Owned By Doulaveris Holdings, LLC. Located At 306 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 019; Consisting Of Approx. 0.518 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.]

*(Planning Commission approved 6 to 0; Council District 8)*

### **POINTS TO CONSIDER:**

1. The subject property is currently zoned B-3, General Commercial District.
2. Surrounding land uses consist of a mixture of vacant land and single-family residential zoned B-3, General Commercial District, R-3, Single-Family Residential District and R-4, Multi-Family Residential District, Limited.
3. The Comprehensive Plan currently designates the subject property as Commercial Growth and Preservation and currently the zoning amendment request to R-4 does not comply.
4. The zoning designation of R-4, Multi-Family Residential District, Limited for the subject property will comply with the Comprehensive Plan with the approval of the land use amendment request to Suburban Development.

### **OPTIONS:**

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

### **ATTACHMENTS:**

1. Ordinance No. 20-2012/13
2. Staff report for PC#2012-19
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that
Planning Commission Public Hearing	: November 27, 2012	this Ordinance was
Planning Commission Action	: November 27, 2012 [Approved: 6 to 0]	advertised for Public
First Reading/Introduction	: December 13, 2012	Hearing on _____.
Committee Referral	: N/A	
County Council Public Hearing	: N/A	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

## ORDINANCE NO. 20-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Rezone Property Owned By Doulaveris Holdings, LLC. Located At 306 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 019; Consisting Of Approx. 0.518 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; 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 in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on November 27, 2012.

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

1. Property located at 306 East Carolyn Avenue, Florence, bearing Tax Map 90095, Block 01, Parcel 019 is hereby rezoned to R-4, Multi-Family Residential District, Limited.
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

\_\_\_\_\_  
Florence County Council, 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  
Tuesday, November 27, 2012  
PC#2012-19  
ORDINANCE NO. 20-2012/13**

**SUBJECT:** Rezoning request from B-3, General Commercial District to R-4, Multi-Family Residential District, Limited

**LOCATION:** Property is located at 306 E. Carolyn Avenue, Florence County

**TAX MAP NUMBER:** 90095, Block 01, Parcel 019

**COUNCIL DISTRICT(S):** 8; County Council

**OWNER OF RECORD:** Doulaveris Holdings, LLC.

**APPLICANT:** Doulaveris Holding, LLC.

**LAND AREA:** 0.518 Acres

**WATER /SEWER AVAILABILITY:** These services are provided by the City of Florence.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The property is not located in a flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently single-family residential and zoned B-3, General Commercial District.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject property to R-4, Multi-Family Residential District, Limited.
3. Surrounding Land Use and Zoning:  
North: Vacant/B-3/City of Florence  
South: Single-Family Residential/R-3/Florence County  
West: Single-Family Residential/R-4/Florence County  
East: Single-Family Residential/B-3/Florence County

4. Transportation Access and Circulation:

Present access to the property is by way of Carolyn Avenue.

5. Traffic Review:

The rezoning of this property will not have an effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The subject property is currently located in a Commercial Growth and Preservation area according to the Comprehensive Plan Land Use map. The applicant is proposing to rezone this property to R-4. The request for the zoning amendment to R-4 does not presently comply with the Comprehensive Plan Land Use map. However, staff is moving forward with the request to amend the land use designation to Suburban Development. When the amendment is approved for the land use designation change, the zoning amendment of the subject property from B-3 to R-4 will be in compliance with the Comprehensive Plan Land Use map.

7. Chapter 30-Zoning Ordinance:

The intent of the R-4, Multi-Family Residential District, Limited is intended to promote and accommodate residential development consisting principally of single-family and two-family dwellings and related support uses.

**STAFF RECOMMENDATION:**

Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the land use amendment request approval.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, OCTOBER 23, 2012:**

Planning Commission deferred request until the next regularly scheduled meeting.

**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, NOVEMBER 27, 2012:**

The six Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the approval of the land use amendment request at the meeting held on November 27, 2012.

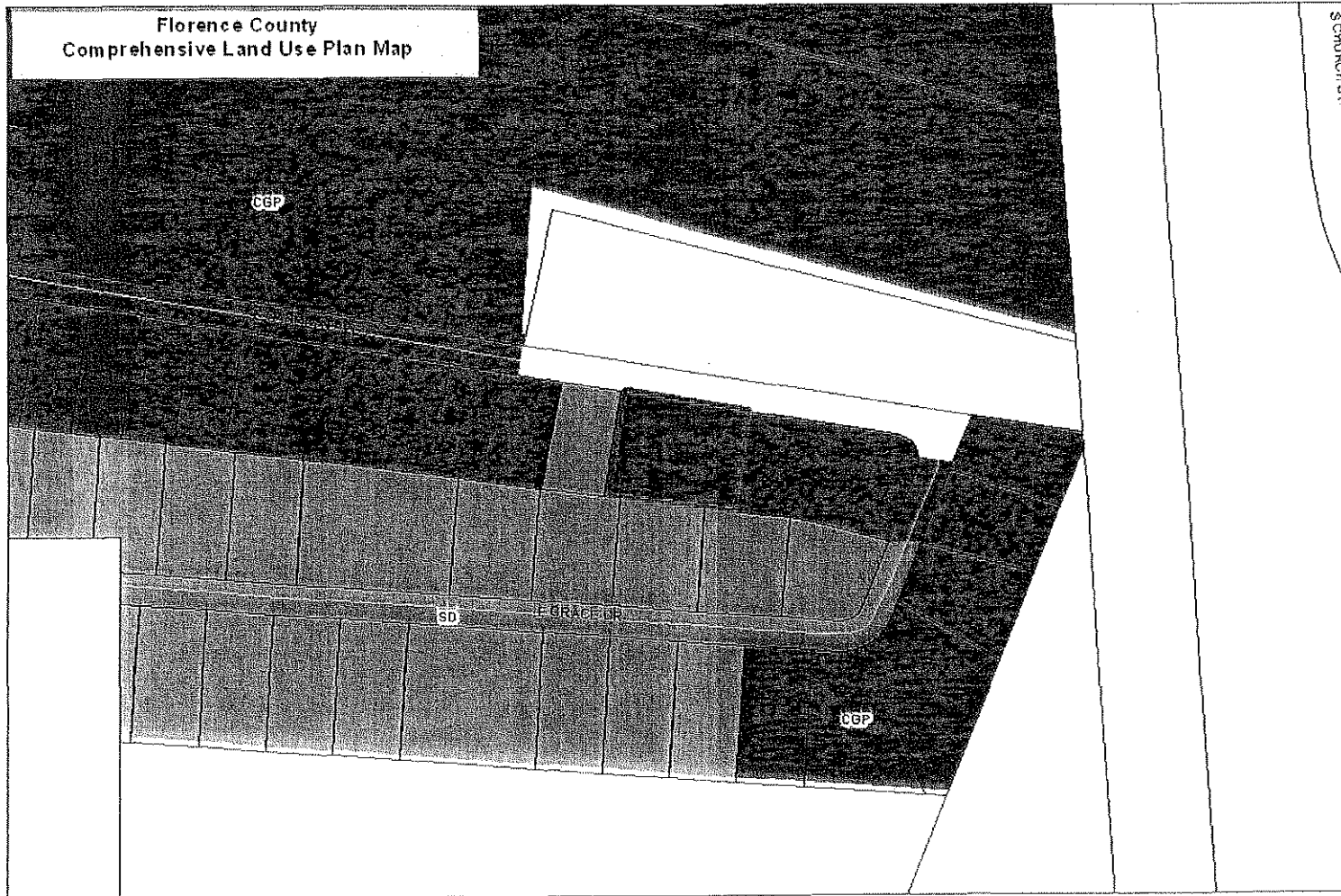
**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

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

N



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-19



Map Prepared by: RWE  
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& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-19



**Florence County  
Zoning Map**

**B-3**

**R-4**

**R-3**

**R-4**

**B-3**

**R-3**

**B-3**

E CAROLYN AVE

E GRACE DR

Map inset labels: MALDEN DR, DECKER DR, S 100 ST, S 100 ST, HUTCHINSON AVE, FRANK MONROE DR, IS NORTH ST, S ROBESON AVE, S ROSEMARY AVE, PINE CREEK DR

N  
▲

9

Florence County 2011 Orthophotography Map



Map Prepared by: RWE  
Copyright 2010: Florence County Planning  
& Building Inspections Department  
Geographic Information Systems  
10/25/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-19

## FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 21-2012/13  
Second Reading

**DEPARTMENT:** Planning and Building Inspections / 

### **ISSUE UNDER CONSIDERATION:**

[An Ordinance To Rezone Property Owned By James R. And Karen E. Kelly Located At 222 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 020; Consisting Of Approx. 0.262 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; And Other Matters Related Thereto.](Planning Commission approved 6 to 0; Council District 8)

### **POINTS TO CONSIDER:**

1. The subject property is currently zoned B-3, General Commercial District.
2. Surrounding land uses consist of vacant land zoned B-3, General Commercial District, R-3, Single-Family Residential District and R-4, Multi-Family Residential District, Limited.
3. The Comprehensive Plan currently designates the subject property as Commercial Growth and Preservation and currently the zoning amendment request to R-4 does not comply.
4. The zoning designation of R-4, Multi-Family Residential District, Limited for the subject property will comply with the Comprehensive Plan with the approval of the land use amendment request to Suburban Development.

### **OPTIONS:**

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

### **ATTACHMENTS:**

1. Ordinance No. 21-2012/13
2. Staff report for PC#2012-22
3. Location Map
4. Comprehensive Plan Land Use Map
5. Zoning Map
6. Aerial Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that
Planning Commission Public Hearing	: November 27, 2012	this Ordinance was
Planning Commission Action	: November 27, 2012 [Approved 6 to 0]	advertised for Public
First Reading/Introduction	: December 13, 2012	Hearing
Committee Referral	: N/A	on _____.
County Council Public Hearing	: N/A	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

## ORDINANCE NO. 21-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Rezone Property Owned By James R. And Karen E. Kelly Located At 222 East Carolyn Avenue, Florence, As Shown On Florence County Tax Map No. 90095, Block 01, Parcel 020; Consisting Of Approx. 0.262 Acres From B-3, General Commercial District To R-4, Multi-Family Residential District, Limited; 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 in general; and
2. The amendment procedure established in the Florence County Code, Chapter 30-Zoning Ordinance has been followed by the Florence County Planning Commission at a public hearing on November 27, 2012.

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

1. Property located at 222 East Carolyn Avenue, Florence, bearing Tax Map 90095, Block 01, Parcel 020 is hereby rezoned to R-4, Multi-Family Residential District, Limited.
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

\_\_\_\_\_  
Florence County Council, 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  
Tuesday, November 27, 2012  
PC#2012-22  
ORDINANCE NO. 21-2012/13**

**SUBJECT:** Rezoning request from B-3, General Commercial District to R-4, Multi-Family Residential District, Limited

**LOCATION:** Property is located at 222 E. Carolyn Avenue, Florence County

**TAX MAP NUMBER:** 90095, Block 01, Parcel 020

**COUNCIL DISTRICT(S):** 8; County Council

**OWNER OF RECORD:** James R. & Karen E. Kelly

**APPLICANT:** Florence County Planning Commission

**LAND AREA:** 0.262 acres

**WATER /SEWER AVAILABILITY:** These services are provided by the City of Florence.

**ADJACENT WATERWAYS/  
BODIES OF WATER:** There does not appear to be any waterway/body of water adjacent to the property.

**FLOOD ZONE:** The property is not located in a flood zone.

**STAFF ANALYSIS:**

1. Existing Land Use and Zoning:  
The subject property is currently single-family residential and zoned B-3, General Commercial District.
2. Proposed Land Use and Zoning:  
The proposal is to rezone the subject property to R-4, Multi-Family Residential District, Limited.
3. Surrounding Land Use and Zoning:  
North: Vacant/B-3/City of Florence  
South: Vacant/R-3/Florence County  
West: Vacant/R-4/Florence County  
East: Vacant/R-4/Florence County

4. Transportation Access and Circulation:

Present access to the property is by way of Carolyn Avenue.

5. Traffic Review:

The rezoning of this property will not have an effect on traffic flow for the area.

6. Florence County Comprehensive Plan:

The subject property is currently located in a Commercial Growth and Preservation area according to the Comprehensive Plan Land Use map. The applicant is proposing to rezone this property to R-4. The request for the zoning amendment to R-4 does not presently comply with the Comprehensive Plan Land Use map. However, staff is moving forward with the request to amend the land use designation to Suburban Development. When the amendment is approved for the land use designation change, the zoning amendment of the subject property from B-3 to R-4 will be in compliance with the Comprehensive Plan Land Use map.

7. Chapter 30-Zoning Ordinance:

The intent of the R-4, Multi-Family Residential District, Limited is intended to promote and accommodate residential development consisting principally of single-family and two-family dwelling, and related support uses.

**STAFF RECOMMENDATION:**

Staff recommends approval of the zoning amendment request based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the land use amendment request approval.

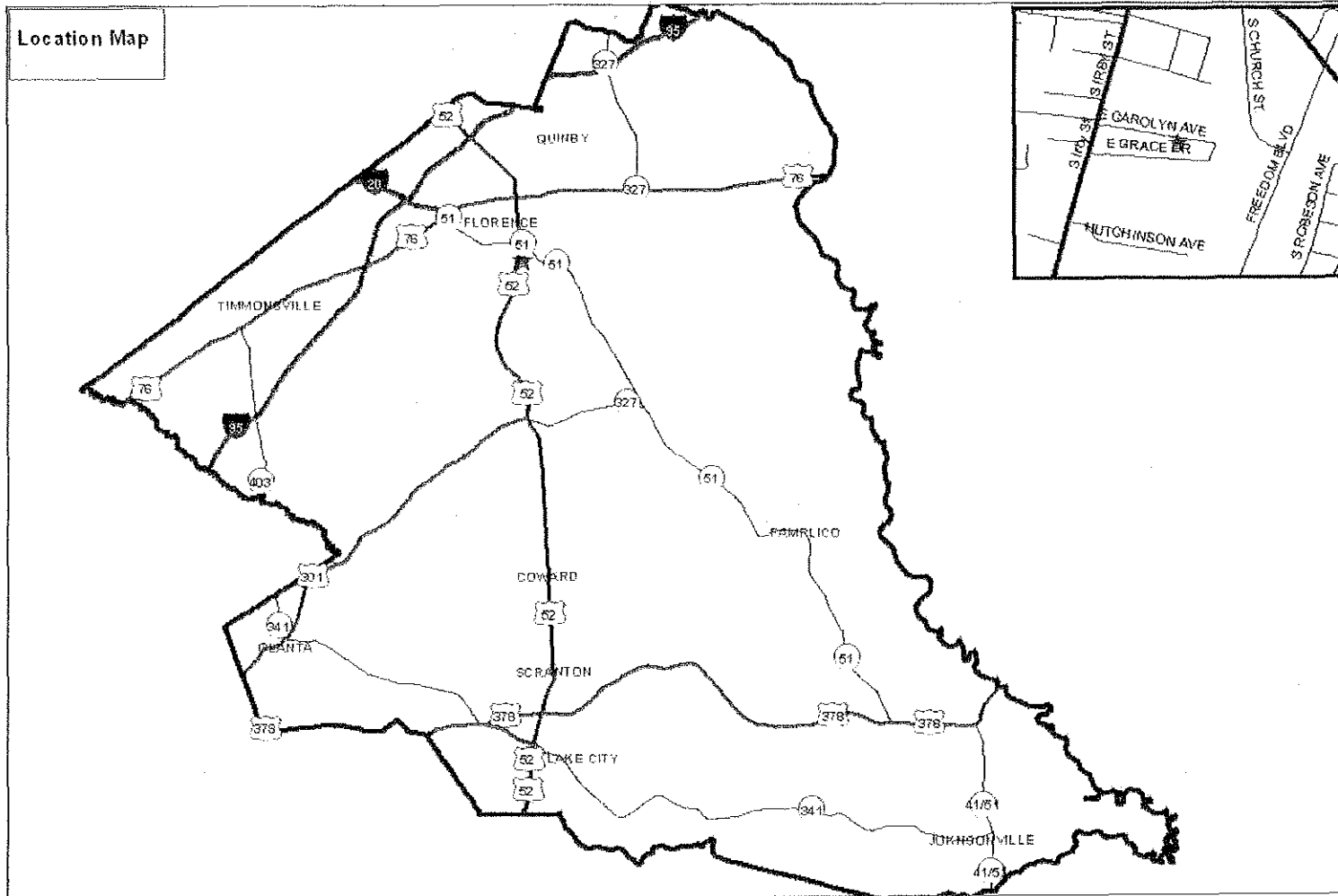
**FLORENCE COUNTY PLANNING COMMISSION ACTION-TUESDAY, NOVEMBER 27, 2012:**

The six Planning Commission members present approved the zoning amendment request unanimously based on the request being in compliance with the Land Use Map and Land Use Element of the Comprehensive Plan with the approval of the land use amendment request at the meeting held on November 27, 2012.

**FLORENCE COUNTY PLANNING COMMISSION RECOMMENDATION:**

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





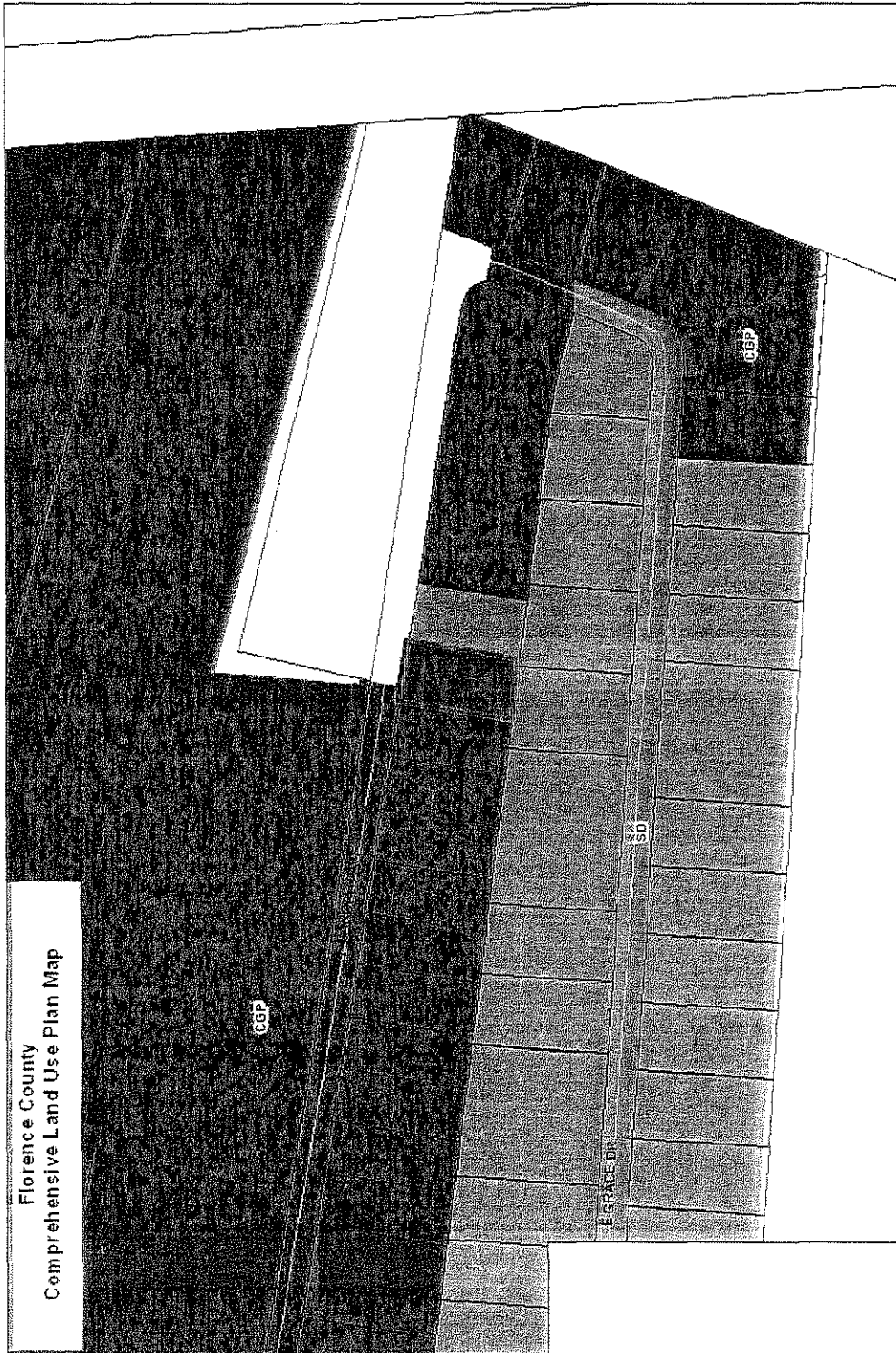
Location Map

Map Prepared by: RWE  
 Copyright 2010: Florence County Planning  
 & Building Inspections Department  
 Geographic Information Systems  
 11/07/2012



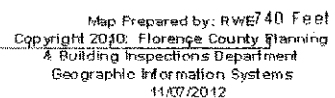
COUNTY COUNCIL DISTRICT(S): 8  
 PC#2012-22

Florence County  
Comprehensive Land Use Plan Map



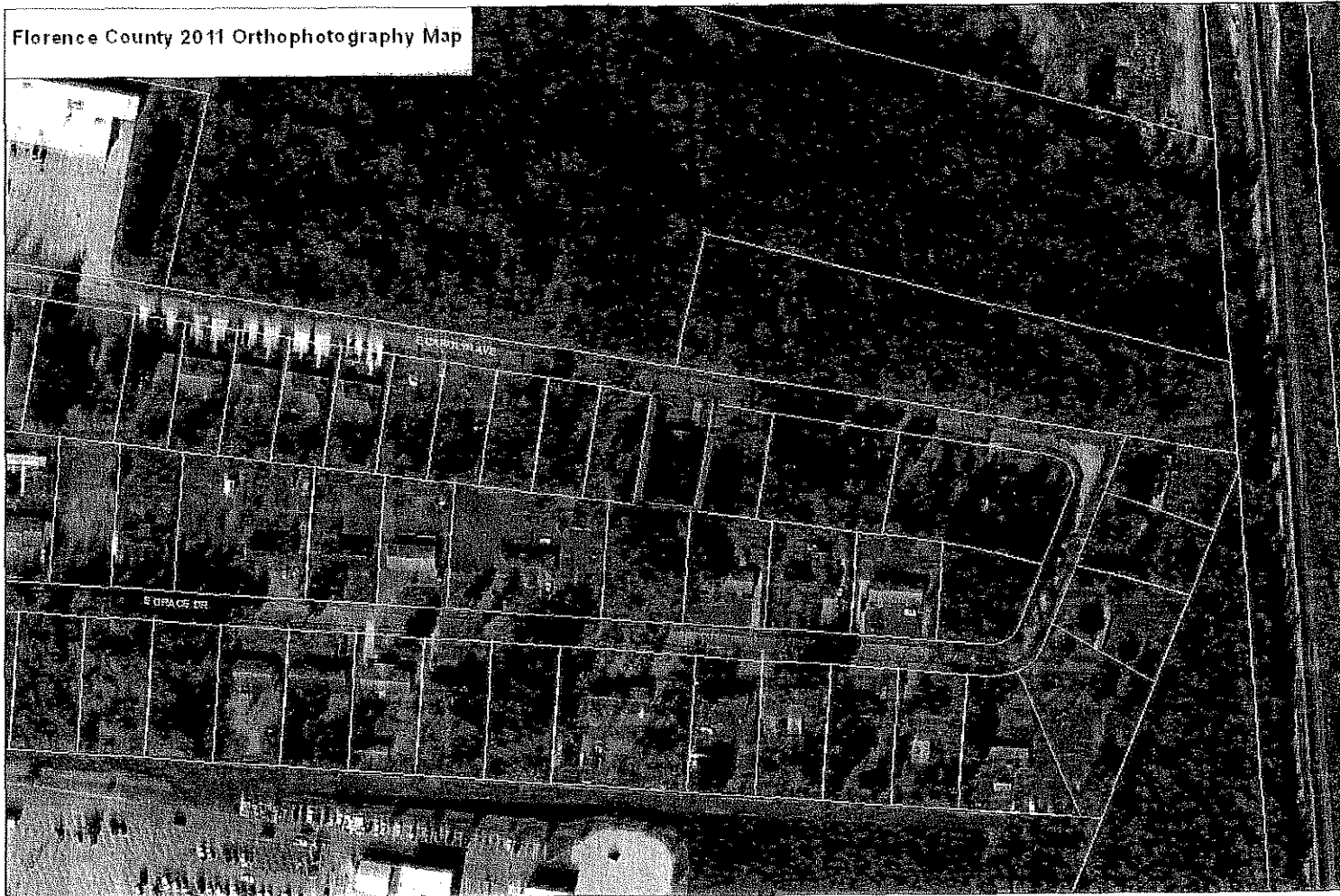
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& Building Inspections Department  
Geographic Information Systems  
11/07/2012

COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-22



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-22

Florence County 2011 Orthophotography Map



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& Building Inspections Department  
Geographic Information Systems  
11/07/2012



COUNTY COUNCIL DISTRICT(S): 8  
PC#2012-22

## FLORENCE COUNTY COUNCIL MEETING

Thursday, January 17, 2013

**AGENDA ITEM:** Ordinance No. 22-2012/13  
Second Reading

**DEPARTMENT:** Engineering Department



**ISSUE UNDER CONSIDERATION:**

[An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) and (c); And Other Matters Related Thereto.] *(Planning Commission approved 6-0: All Council Districts)*

**POINTS TO CONSIDER:**

1. Chapter 9.5 – Drainage and Stormwater Management Ordinance was adopted August 16, 2007.
2. The Planning Commission and Engineering Department staff developed the amendments to make the Ordinance compliant with the new National Pollutant Discharge Elimination System (NPDES) general permit.

**OPTIONS:**

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

**ATTACHMENTS:**

1. Ordinance No. 22-2012/13 Existing w/Markup
2. Ordinance No. 22-2012/13 New Proposed
3. Staff report for PC#2012-23



Sponsor(s)	: Engineering Department	1. _____
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2012	Ordinance was advertised for
Planning Commission Action	: November 27, 2012	[Approved: 6-0] Public Hearing on _____
First Reading/Introduction	: December 13, 2012	
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

## ORDINANCE NO. 22-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) and (c); And Other Matters Related Thereto.]**

#### **WHEREAS:**

1. Chapter 9.5 - Drainage and Stormwater Management was adopted into the Florence County Code of Ordinances on August 16, 2007; and
2. The South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012; and
3. The Florence County Code of Ordinances must be maintained as compliant with the current NPDES permit.

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

1. The Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) and (c) is hereby amended to read as follows:

##### **Sec. 9.5-16. - Finding of fact.**

- (a) The county council finds and declares that the matters set forth in the recitals hereof are in all respects correct.
- (b) The county is required by federal law [33 U.S.C 1342(p) and 40 CFR 122.261] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC) for stormwater discharges from the Florence County Stormwater System. The NPDES permit requires the county to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions that are determined to be appropriate for the control of such pollutants. The permit should be in compliance with the following, except as modified by more stringent requirements of this chapter:



- (1) Standards of Stormwater Management and Sediment Reduction Regulation 72-305 "Permit Application and Approval Process" and 72-307 "Specific Design Criteria, Minimum Standards, and Specifications".
- (2) NPDES General Permit for Stormwater Discharges from ~~Large and Small~~ Construction Activities [Permit No. SCR100000].
- (3) NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) [Permit. No. SCR03000].

(c) Additionally, certain facilities that discharge stormwater associated with an industrial activity, including land-disturbing activities, are required to obtain their own respective NPDES permits. Also, the South Carolina Stormwater Management and Sediment Reduction Act [S.C. Code 48-14-10 et seq.] requires the county to obtain a permit for certain land-disturbing activities.

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:

\_\_\_\_\_  
Florence County Council, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Sponsor(s)	: Engineering Department	I, _____
Planning Commission Consideration	: November 27, 2012	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2012	Ordinance was advertised for
Planning Commission Action	: November 27, 2012	[Approved: 6-0] Public Hearing on _____
First Reading/Introduction	: December 13, 2012	
Committee Referral	: N/A	
County Council Public Hearing	:	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	: Immediately	

## ORDINANCE NO. 22-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

**[An Ordinance To Amend The Florence County Code, Chapter 9.5, Drainage And Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) and (c); And Other Matters Related Thereto.]**

#### **WHEREAS:**

1. Chapter 9.5 - Drainage and Stormwater Management was adopted into the Florence County Code of Ordinances on August 16, 2007; and
2. The South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012; and
3. The Florence County Code of Ordinances must be maintained as compliant with the current NPDES permit.

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

1. The Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Article 1. General, Division 2. General, Sec. 9.5-16. Finding Of Fact., Section (b)(2) and (c) is hereby amended to read as follows:

##### **Sec. 9.5-16. - Finding of fact.**

- (a) The county council finds and declares that the matters set forth in the recitals hereof are in all respects correct.
- (b) The county is required by federal law [33 U.S.C 1342(p) and 40 CFR 122.261] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC) for stormwater discharges from the Florence County Stormwater System. The NPDES permit requires the county to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions that are determined to be appropriate for the control of such pollutants. The permit should be in compliance with the following, except as modified by more stringent requirements of this chapter:

- (1) Standards of Stormwater Management and Sediment Reduction Regulation 72-305 "Permit Application and Approval Process" and 72-307 "Specific Design Criteria, Minimum Standards, and Specifications".
  - (2) NPDES General Permit for Stormwater Discharges from Construction Activities [Permit No. SCR100000].
  - (3) NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) [Permit. No. SCR03000].
- (c) Additionally, certain facilities that discharge stormwater associated with an industrial activity, including land-disturbing activities, are required to obtain their own respective NPDES permits. Also, the South Carolina Stormwater Management and Sediment Reduction Act [S.C. Code 48-14-10 et seq.] requires the county to obtain a permit for certain land-disturbing activities.
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:

\_\_\_\_\_  
Florence County Council, Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT  
TO THE  
FLORENCE COUNTY PLANNING COMMISSION  
Tuesday, November 27, 2012  
PC#2012-23  
ORDINANCE NO. 22-2012/13**

**SUBJECT:** Request for text amendments to the Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Section 9.5-16 (b), Finding of Fact, Purpose of the amendment is to update the current ordinance to be compliant with the new NPDES General permit.

**APPLICANT:** Florence County Engineering Department

**STAFF ANALYSIS:**

South Carolina Department of Health and Environmental Control (SCDHEC) issued an update to the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities on October 15, 2012.

Chapter 9.5 Drainage and Stormwater Management the Florence County Code of Ordinances will need to be amended in order to be in compliance with the revised NPDES permit.

The Florence County Code, Chapter 9.5, Drainage and Stormwater Management, Section 9.5-16 (b), The text amendments shall read as follows:

**Sec. 9.5-16. – Finding of fact.**

- a) The county council finds and declares that the matters set forth in the recitals hereof are in all respects correct.
- b) The county is required by federal law [33 U.S.C 1342(p) and 40 CFR 122.261] to obtain a NPDES permit from the South Carolina Department of Health and Environmental Control (SCDHEC) for stormwater discharges from the Florence County Stormwater System. The NPDES permit requires the county to impose controls to reduce the discharge of pollutants in stormwater to the maximum extent practicable using management practices, control techniques and system, design and engineering methods, and such other provisions that are determined to be appropriate for the control of such pollutants. The permit should be in compliance with the following, except as modified by more stringent requirements of this chapter:
  - 1) Standards of Stormwater Management and Sediment Reduction Regulation 72-305 "Permit Application and Approval Process" and 72-307 "Specific Design Criteria, Minimum Standards, and Specifications".
  - 2) NPDES General Permit for Stormwater Discharges from ~~Large and Small~~ Construction Activities [Permit No. SCR100000].

3) NPDES General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems (MS4s) [Permit. No. SCR03000].

- c) Additionally, certain facilities that discharge stormwater associated with an industrial activity, including land-disturbing activities, are required to obtain their own respective NPDES permits. Also, the South Carolina Stormwater Management and Sediment Reduction Act [S.C. Code 48-14-10 et seq.] requires the county to obtain a permit for certain land-disturbing activities.

**Florence County Planning Commission Action: November 27, 2012:**

The six Planning Commission members present voted unanimously to adopt a resolution recommending that County Council amend the Drainage and Stormwater Management Ordinance.

**Florence County Planning Commission Recommendation:**

Florence County Planning Commission recommends approval of the request to Florence Council in order to keep County Ordinances current and accurate.

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Second Reading - Ordinance No. 23-2012/13

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.

**OPTIONS:**

1. *(Recommended)* Approve Second Reading of Ordinance No. 23-2012/13.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Ordinance No. 23-2012/13 And Associated Agreement



Sponsor(s)	: Economic Development	I, _____,
First Reading	: December 13, 2012	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised on
Committee Consideration Date	: N/A	_____ for Public Hearing.
Committee Recommendation	: N/A	
Public Hearing	: January 17, 2013	
Second Reading	: January 17, 2013	
Third Reading	:	
Effective Date	:	

## ORDINANCE NO. 23-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

#### **(An Ordinance Authorizing The Execution And Delivery Of A Special Source Revenue Credit Agreement Between Florence County, South Carolina And QVC, Inc.)**

Be it ordained by the Council of Florence County, South Carolina:

**Section 1.** (a) The Council finds and determines that:

(1) QVC, Inc., a Delaware corporation ("QVC"), has established a distribution facility in Florence County (the "County"), representing a capital investment in land, buildings, and personal property in a total amount exceeding \$100,000,000 (the "Project");

(2) The Project is currently located in a multi-county business or industrial park pursuant to S.C. Code Ann. 4-1-170 et seq. (the "MCBP Act"); and

(3) QVC and the County entered into a Fee Agreement dated February 2, 2006 (the "Fee Agreement"). Under the Fee Agreement, the County permitted QVC to pay a fee in lieu of taxes on with respect to QVC's qualified investments in the Project made during the five-year Investment Period (as defined in the Fee Agreement). On or about \_\_\_\_\_, 2012, the County extended the Investment Period by an additional five years. QVC may make additional investments in the County from time to time (collectively, the "Expansion Project") during the Investment Period under the Fee Agreement.

(4) In order to encourage QVC to make such additional investments in the County, the County desires to provide QVC with a special source revenue credit pursuant to S.C. Code Ann. Section 4-29-68 and 4-1-175 of the MCBP Act upon the total investment in the Project reaching certain investment thresholds.

(5) The purposes to be accomplished by the inducement of the Expansion Project are proper governmental and public purposes and the inducement of the Expansion Project within the State of South Carolina is of paramount importance and the benefits of the Expansion Project are greater than the cost, and the Project is anticipated to benefit the general public welfare of the County in that the proposed Expansion Project will increase the County's tax base, and will provide and/or maintain services, employment, and other public benefits not otherwise provided locally, and the Expansion Project will give rise to no pecuniary liability of the County,

or a charge against its general credit or taxing power.

(b) It is the purpose of this ordinance to more specifically provide for the inducements offered to QVC by authorizing and approving a Special Source Revenue Credit Agreement which provides for special source revenue credits against fee in lieu of tax payments generated by the Expansion Project.

**Section 2.** The Council Chair and the Council Secretary are authorized, empowered and directed, in the name of and on behalf of Florence County, to execute, acknowledge, and deliver a Special Source Revenue Credit Agreement by and between QVC and Florence County (the "Credit Agreement"). The Clerk to Council is authorized to attest the execution of the Credit Agreement by the County officials. The form of the Credit Agreement is attached to this ordinance as Exhibit A and all terms, provisions and conditions of the Credit Agreement are incorporated into this ordinance as if the Credit Agreement were set out in this ordinance in its entirety. By adoption of this ordinance, County Council approves the Credit Agreement and all of its terms, provisions and conditions. The Credit Agreement is to be in substantially the form as attached to this ordinance and hereby approved, or with such changes therein as the Council Chair and Council Secretary determine, upon advice of counsel, necessary and that do not materially change the matters contained in the form of the Credit Agreement.

**Section 3.** The Council Chair, Council Secretary, Clerk to Council, County Administrator, County Attorney and all other appropriate officials of the County are authorized to execute, deliver and receive any other agreements and documents as may be required in order to carry out, give effect to, and consummate the transactions contemplated by the Credit Agreement.

**Section 4.** To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Florence County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

**Section 5.** If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden  
Clerk to Council

\_\_\_\_\_  
Chairman  
Florence County Council

COUNCIL VOTE:

OPPOSED:

ABSENT:

\_\_\_\_\_  
Approved as to Form & Content  
D. Malloy McEachin, Jr., County Attorney

Exhibit A to Ordinance No. 23-2012/13

**Special Source Revenue Credit Agreement by and between  
QVC, Inc. and Florence County**

See attached.

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DRAFT

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SPECIAL SOURCE REVENUE CREDIT AGREEMENT

between

FLORENCE COUNTY, SOUTH CAROLINA

and

QVC, INC.

Dated as of January 1, 2013

## SPECIAL SOURCE REVENUE CREDIT AGREEMENT

THIS SPECIAL SOURCE REVENUE CREDIT AGREEMENT, dated as of January 1, 2013 (the "Agreement"), between FLORENCE COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (the "County"), and QVC, INC., a corporation organized and existing under the laws of the State of Delaware (the "Company").

### WITNESSETH:

WHEREAS, the County, acting by and through its County Council (the "County Council") is authorized by Sections 4-1-175 and 4-29-68 of the Code of Laws of South Carolina 1976, as amended, to provide special source revenue credits for the purpose of defraying the cost of designing, acquiring, constructing, improving, or expanding the infrastructure serving the County and for improved and unimproved real estate and personal property, including machinery and equipment used in the operation of a manufacturing facility or commercial enterprise in order to enhance the economic development of the County; and

WHEREAS, the Company may invest additional capital over the next five (5) years in its distribution facility ("Facility") located in the County (the "Expansion Project"); and

WHEREAS, the County and Williamsburg County established a joint industrial and business park (the "Park") by entering into an Agreement for the Development of a Joint Industrial and Business Park, dated February 6, 2006, pursuant to the provisions of Article VIII, Section 13 of the South Carolina Constitution (the "Park Agreement"); and

WHEREAS, the Facility is included in the Park Agreement; and

WHEREAS, pursuant to the provisions of the Park Agreement, as amended, the Company's payments in lieu of taxes are distributed to Williamsburg County (the "Williamsburg Fee Payments") and to the County (the "Florence Fee Payments"); and

WHEREAS, the County has agreed to provide special source revenue credits against the Florence Fee Payments as further provided herein, subject to the terms and conditions below; and

WHEREAS, the County Council has duly authorized execution and delivery of this Agreement by ordinance duly enacted by the County Council on \_\_\_\_\_, 2012, following a public hearing held on \_\_\_\_\_, 2012, in compliance with the terms of the Act.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

## ARTICLE I DEFINITIONS

The terms defined in this Article I shall for all purposes of this Agreement have the meanings herein specified, unless the context clearly otherwise requires. Except where the context otherwise requires, words importing the singular number shall include the plural number and *vice versa*.

"*Act*" shall mean, collectively, Title 4, Chapter 29 and Title 4, Chapter 1 of the Code of Laws of South Carolina 1976, as amended, and all future acts amendatory thereof.

"*Agreement*" shall mean this Agreement, as the same may be amended, modified or supplemented in accordance with the terms hereof.

"*Company*" shall mean QVC, Inc. and its successors and assigns.

"*Cost*" or "*Cost of the Infrastructure*" shall mean the cost of acquiring, by construction and purchase, the Infrastructure and shall be deemed to include, whether incurred prior to or after the date of the Agreement: (a) obligations incurred for labor, materials, and other expenses to builders and materialmen in connection with the acquisition, construction, and installation of the Infrastructure; (b) the cost of construction bonds and of insurance of all kinds that may be required or necessary during the course of construction and installation of the Infrastructure, which is not paid by the contractor or contractors or otherwise provided for; (c) the expenses for test borings, surveys, test and pilot operations, estimates, plans and specifications and preliminary investigations therefor, and for supervising construction, as well as for the performance of all other duties required by or reasonably necessary in connection with the acquisition, construction, and installation of the Infrastructure; and (d) all other costs which shall be required under the terms of any contract for the acquisition, construction, and installation of the Infrastructure.

"*County*" shall mean Florence County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina and its successors and assigns.

"*Company*" shall mean QVC, Inc., a Delaware corporation.

"*Event of Default*" shall mean, with reference to this Agreement, any of the occurrences described in Section 5.01 hereof.

"*Florence Fee Payments*" shall mean payments in lieu of taxes allocated to and retained by the County with respect to the Expansion Project as provided by the Park Agreement.

"*Infrastructure*" shall mean the Expansion Project's infrastructure (whether located on or off the Property), and improved and unimproved real estate and personal property including machinery and equipment used in the operation of the Expansion Project, all as defined and permitted under the Act.



"*Ordinance*" shall mean the ordinance enacted by the County Council on \_\_\_\_\_, 2013, authorizing the execution and delivery of this Agreement.

"*Park*" shall mean the Joint Industrial and Business Park established pursuant to the terms of the Park Agreement.

"*Park Agreement*" shall mean the Agreement for the Development of a Joint Industrial and Business Park, dated February 6, 2006, between the County and Williamsburg County, as amended or supplemented.

"*Person*" shall mean an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization, or a government or political subdivision.

"*Special Source Revenue Credits*" or "*Credits*" shall mean the credit to the Company's fee in lieu of tax payments in the amounts set forth in Section 3.02 hereof in accordance with the Act.

## ARTICLE II REPRESENTATIONS AND WARRANTIES

SECTION 2.01. Representations by the County. The County makes the following representations and covenants as the basis for the undertakings on its part herein contained:

(a) The County is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized and empowered by the provisions of the Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder. By proper action by the County Council, the County has been duly authorized to execute and deliver this Agreement, and any and all agreements collateral thereto.

(b) The County desires to provide a special source revenue credit, as more particularly described in Section 3.02, against the fee-in-lieu of tax liability of the Company for the Expansion Project, the effect of which is to reimburse the Company, to the extent of the credit, for the cost to the Company for the acquisition and construction of the Infrastructure, all for the purpose of promoting the economic development of Florence County, South Carolina.

SECTION 2.02. Representations by the Company. The Company makes the following representations and warranties as the basis for the undertakings on its part herein contained:

(a) The Company is a corporation duly organized, validly existing, and in good standing, under the laws of the State of Delaware, has power to enter into this Agreement, and by proper company action has been duly authorized to execute and deliver this Agreement.

(b) The Company has invested in excess of \$100,000,000 in the County at the Facility.

### SECTION 2.03. Covenants of County.

(a) The County covenants that it will at all times maintain its corporate existence and it will comply with all valid acts, rules, regulations, orders, and directions of any legislative, executive, administrative, or judicial body applicable to this Agreement.

(b) The County covenants that it will from time to time and at the expense of the Company execute and deliver such further instruments and take such further action as may be reasonable and as may be required to carry out the purpose of this Agreement; provided, however, that such instruments or actions shall never create or constitute an indebtedness of the County within the meaning of any state constitutional provision (other than the provisions of Article X, Section 14(10) of the South Carolina Constitution) or statutory limitation and shall never constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power or pledge the credit or taxing power of the State, or any other political subdivision of the State.

## ARTICLE III SPECIAL SOURCE REVENUE CREDITS

SECTION 3.01. Payment of Costs of Infrastructure. The Company agrees to pay, or cause to be paid, all costs of the Infrastructure to be financed as and when due. The Company agrees to complete the acquisition and construction of the Infrastructure pursuant to the plans and specifications developed by the Company from time to time during the period commencing with the date hereof and ending on December 31, 2017. The plans and specifications for the Infrastructure may be modified from time to time as deemed necessary by the Company.

### SECTION 3.02. Special Source Revenue Credits.

(a) The County hereby provides a credit equal to a percentage of the fee in lieu of tax payments derived from the Expansion Project commencing at the time that and for as long as the Total Capital Expenditures of the Company (without regard to depreciation) are as follows:

<u>Total Capital Expenditures</u>	<u>Annual SSRC Percentage</u>
Less than \$100,000,000	0%
Over \$100,000,000 up to \$125,000,000	10%
Over \$125,000,000 up to \$150,000,000	15%
Over \$150,000,000 up to \$160,000,000	30%
Over \$160,000,000	45%

"Total Capital Expenditures" shall mean the total gross costs as reported each year on the Company's PT-300 Property Return. The Credits shall be applied against the amount due by the Company to the County by deducting such amount from the property or fee in lieu of tax bill to the Company. For the avoidance of doubt, Total Capital Expenditures include all capital expenditures of the Company commencing with property tax year 2007.

For example, and by way of example only, if the Company's Total Capital Expenditures are \$125,000,000, the Company would be entitled to a credit of 10% against the fee in lieu of tax payments derived from \$25,000,000. If the Company's Total Capital Expenditures subsequently reach \$150,000,000, the Company would be entitled to a 15% credit against the fee in lieu of tax payments derived from \$50,000,000.

The Credits shall continue through December 31, 2036. Should, in any given year, the Total Capital Expenditures drop below \$100,000,000, there shall be no Credit until such time as the Total Capital Expenditures again reach a level where a Credit is applicable.

(b) In case the foregoing paragraph is found to be invalid by a court of competent jurisdiction, the County agrees to provide the Company with a credit in an amount and for a term that is valid pursuant to such court ruling.

(c) THIS AGREEMENT AND THE SPECIAL SOURCE REVENUE CREDITS BECOMING DUE HEREON ARE LIMITED OBLIGATIONS OF THE COUNTY AND ARE PROVIDED BY THE COUNTY SOLELY FROM THE FLORENCE FEE PAYMENTS DERIVED BY THE COUNTY FROM THE COMPANY PURSUANT TO THE PARK AGREEMENT, AND DO NOT AND SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL PROVISION (OTHER THAN THE PROVISIONS OF ARTICLE X, SECTION 14(10) OF THE SOUTH CAROLINA CONSTITUTION) OR STATUTORY LIMITATION AND DO NOT AND SHALL NEVER CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY ARE NOT PLEDGED FOR THE SPECIAL SOURCE REVENUE CREDITS.

(d) No breach by the County of this Agreement shall result in the imposition of any pecuniary liability upon the County or any charge upon its general credit or against its taxing power. The liability of the County under this Agreement or of any warranty herein included or for any breach or default by the County of any of the foregoing shall be limited solely and exclusively to the Florence Fee Payments received from the Company. The County shall not be required to execute or perform any of its duties, obligations, powers, or covenants hereunder except to the extent of the Florence Fee Payments received from the Company.

#### ARTICLE IV CONDITIONS TO DELIVERY OF AGREEMENT; TITLE TO INFRASTRUCTURE

SECTION 4.01. Documents to be Provided by County. (a) Prior to or simultaneously with the execution and delivery of this Agreement, the County shall provide to the Company:

(a) A copy of the Ordinance, duly certified by the Clerk of the County Council under its corporate seal to have been duly enacted by the County and to be in full force and effect on the date of such certification; and

(b) Such additional certificates (including appropriate no-litigation certificates and certified copies of ordinances, resolutions, or other proceedings adopted by the County), instruments or other documents as the Company may reasonably request.

SECTION 4.02. Transfers of Expansion Project. The County hereby acknowledges that the Company may from time to time and in accordance with applicable law, sell, transfer, lease, convey, or grant the right to occupy and use the Expansion Project, in whole or in part, to others. No sale, lease, conveyance, or grant shall relieve the County from the County's obligations to provide Special Source Revenue Credits to the Company, or its assignee of such payments, under this Agreement, as long as the required Total Capital Expenditures are maintained by the Company or its assignee.

SECTION 4.03. Assignment by County. The County shall not attempt to assign, transfer, or convey its obligations to provide Special Source Revenue Credits hereunder to any other Person.

## ARTICLE V DEFAULTS AND REMEDIES

SECTION 5.01. Events of Default. If either party shall fail duly and punctually to perform any material covenant, condition, agreement or provision contained in this Agreement on the part of such party to be performed, which failure shall continue for a period of 30 days after written notice by the other party specifying the failure and requesting that it be remedied is given to the defaulting party by registered mail, return receipt requested, such party shall be in default under this Agreement (an "Event of Default").

SECTION 5.02. Legal Proceedings by Company. Upon the happening and continuance of any Event of Default by the County, then and in every such case the Company in its discretion may:

(a) by mandamus, or other suit, action, or proceeding at law or in equity, enforce all of its rights and require the County to carry out any agreements with or for its benefit and to perform its or their duties under the Act and this Agreement;

(b) bring suit upon this Agreement;

(c) by action or suit in equity require the County to account as if it were the trustee of an express trust for the Company;

(d) exercise any or all rights and remedies in effect in the State of South Carolina, or other applicable law, as well as all other rights and remedies possessed by the Company; or

(e) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of its rights.

SECTION 5.03. Legal Proceedings by the County. Upon the happening and continuance of any Event of Default by the Company, then and in every such case the County in its discretion may

(a) enforce its rights under Section 3.02(a) of this Agreement in case of a failure to meet the

investment requirement; or (b) in case of a failure to pay fee in lieu of tax payments or ad valorem taxes, enforce its rights as are provided by South Carolina law.

SECTION 5.04. Remedies Not Exclusive. No remedy in this Agreement conferred upon or reserved to the Company is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

SECTION 5.05. Nonwaiver. No delay or omission of the Company to exercise any right or power accruing upon any default or Event of Default shall impair any such right or power or shall be construed to be a waiver of any such default or Event of Default, or an acquiescence therein; and every power and remedy given by this Article V to the Company may be exercised from time to time and as often as may be deemed expedient.

## ARTICLE VI MISCELLANEOUS

SECTION 6.01. Successors and Assigns. All the covenants, stipulations, promises, and agreements in this Agreement contained, by or on behalf of, or for the benefit of, the County, shall bind or inure to the benefit of the successors of the County from time to time and any officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County, shall be transferred.

SECTION 6.02. Provisions of Agreement for Sole Benefit of County and Company. Except as in this Agreement otherwise specifically provided, nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any Person other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

SECTION 6.03. Severability. In case any one or more of the provisions of this Agreement shall, for any reason, be held to be illegal or invalid, the illegality or invalidity shall not affect any other provision of this Agreement, and this Agreement and the Credits shall be construed and enforced as if the illegal or invalid provisions had not been contained herein or therein.

SECTION 6.04. No Liability for Personnel of County or Company. No covenant or agreement contained in this Agreement shall be deemed to be the covenant or agreement of any member, agent, or employee of the County or its governing body or the Company or any of its officers, employees, or agents in his individual capacity, and neither the members of the governing body of the County nor any official executing this Agreement shall be liable personally on the Credits or the Agreement or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 6.05. Notices. All notices, certificates, requests, or other communications under this Agreement shall be sufficiently given and shall be deemed given, unless otherwise required by this Agreement, when (i) delivered or (ii) sent by facsimile and confirmed by United States first-class registered mail, postage prepaid, addressed as follows:

(a) if to the County: Florence County, South Carolina  
Attn: Florence County Administrator

\_\_\_\_\_  
\_\_\_\_\_

with a copy to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) if to the Company: QVC, INC.  
Attn: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

with a copy to:

Haynsworth Sinkler Boyd, P.A.  
Attn: Edward G. Kluiters  
1201 Main Street, Suite 2200  
Columbia, South Carolina 29201

The County and the Company may, by notice given under this Section 6.05, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

SECTION 6.06. Applicable Law. The laws of the State of South Carolina shall govern the construction of this Agreement.

SECTION 6.07. Counterparts. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

SECTION 6.08. Amendments. This Agreement may be amended only by written agreement of the parties hereto.

SECTION 6.09. Waiver. Either party may waive compliance by the other party with any term or condition of this Agreement only in a writing signed by the waiving party.

IN WITNESS WHEREOF, Florence County, South Carolina, has caused this Agreement to be executed by the Chairman of its County Council and its corporate seal to be hereunto affixed and attested by the Clerk of its County Council and QVC has caused this Agreement to be executed by its authorized officer, all as of the day and year first above written.



FLORENCE COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
Chair, County Council

(County seal)

ATTEST:

\_\_\_\_\_  
Connie Y. Haselden, Clerk to Council

QVC, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT

EXHIBIT A

LEGAL DESCRIPTION

All those certain pieces, parcels or tracts of land situate, lying and being in the County of Florence, State of South Carolina containing 262.87 acres as shown and set forth on that certain Plat of the same prepared for Alliance Consulting Engineers, Inc. by Nesbitt Surveying Co., Inc. dated December 1, 2005 and recorded December 12, 2005 in Plat Book 88 at Page 47, Florence County Records. This property is shown on the aforementioned Plat to be divided into two Tracts, namely Tract 1 (containing 261.39 acres) and Tract 2 (containing 1.48 acres), both of which are conveyed hereby; and it is bounded generally on the Northwest by the right-of-way of State Road S21-343, also known as TV Road or North Irby Street; on the Northeast by the run of Black Creek; on the Southeast by the run of an unnamed creek; and on the Southwest by the centerline of the old roadbed of State Road S21-358 and the right-of-way of State Road S21-26, also known as East McIver Road, all as shown on the aforementioned Plat, to which further reference is craved for a more complete and accurate description.

This being the same property conveyed to the Grantor by Deed of Nell Montgomery Kuker, having been recorded August 16, 1974 in Deed Book A-142, page 843 in the office of the Clerk of Court for Florence County.

Tax Map Number 00174-01-005

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Second Reading - Ordinance No. 24-2012/13

**DEPARTMENT:** County Council

## **ISSUE UNDER CONSIDERATION:**

(An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.)

## **OPTIONS:**

1. *(Recommended)* Approve Second Reading of Ordinance No. 24-2012/13.
2. Provide An Alternate Directive.

## **ATTACHMENT:**

Ordinance No. 24-2012/13.

Sponsor(s) : County Council  
First Reading/Introduction : December 13, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Public Hearing : January 17, 2013  
Second Reading : January 17, 2013  
Third Reading :  
Effective Date : Immediately

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

**ORDINANCE NO. 24-2012/13**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(An Ordinance To Amend Florence County Code Chapter 27, Public Roads And Ways, To Establish Procedures For The Abandonment And Closure Of Public Roads And Right-Of-Ways, And Other Matters Relating Thereto.)**

**WHEREAS:**

1. Currently, there are no policies and procedures relating to the abandonment and closure of public roads and right-of-ways outlined in the Florence County Code; and
2. To ensure clarity and consistency in the processing of requests for road abandonment and closure, Council seeks to establish the policies and procedures set forth herein.

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

1. Florence County Code, Chapter 27, Public Roads and Ways, is hereby amended with the insertion of the language attached hereto and incorporated by reference.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

**ATTEST:**

**SIGNED:**

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
Chairman, Florence County Council  
**COUNCIL VOTE:**

**OPPOSED:**

**ABSENT:**

\_\_\_\_\_  
Approved as to Form and Content

D. Malloy McEachin, Jr., County Attorney

Chapter 27 – Public Roads and Ways  
Article V – Abandonment and Closure of Public Roads and Right-of-Ways

Sec. 27-65. Purpose

The purpose of this article is to establish policies and procedures relating to the abandonment and or closure of public roads and right-of-ways with the County.

Sec. 27-66. Policies and procedures for road closure.

1. Submission of application for road closure.

- a. An application for proposed road closure shall be submitted to the Florence County Public Works Department. The application must be accompanied by a \$250 non-refundable processing fee, made payable to Florence County Public Works Department and the application must be filled out completely and include:
  - i. Name, address and telephone number of the person making the request for closure.
  - ii. Specific portion of the roadway requested to be closed shown on a tax map or plat.
  - iii. Short statement of the reason why the closure is requested. The application shall be signed by the abutting property owners and owners of all property who use the road as their only means of ingress/egress to their property. **THERE MUST BE 100% PARTICIPATION OF ALL ADJACENT PROPERTY OWNERS.** Property owners who sign the application for road closure acknowledge that their participation will indicate their release and indemnification of the County from any duty to maintain the closed portion of the road.
- b. After receiving the application for road closure, the Public Works Department, with input from the EMS, Planning and Emergency Management Departments, will review the application to verify all property owner signatures, visit the site and conduct a thorough investigation, adequate to determine the following:
  - i. Whether the road in question is or ever has been a county road;
  - ii. Whether the road is still in general public use;
  - iii. Whether the county has any documentation relating to the status of the road, such as a dedication of right-of-way, easement or deed;
  - iv. Whether the road is subject to a prescriptive easement;
  - v. Whether there is any other information that would assist County Council in determining whether the best interests of the county shall be served by consenting to the closure of the road or by not so consenting.
- c. Following the investigation, the Public Works Department will submit to the County Administrator or his designee, copies of all the pertinent information used for the review. If the Public Works Department makes a recommendation to disapprove the application, the application will not be presented for Council consideration. If the Public Works Department

makes a recommendation approving the application for road closure, the County Administrator and/or his designee will further review the matter prior to Council consideration.

2. Decision to approve application for road abandonment and closure.

The County Administrator will determine if the matter should move forward for Council consideration. If the application is approved for Council consideration, the County Administrator will direct the Public Works Department to post, at least fifteen (15) days prior to the next Council meeting, a Notice of Public Hearing sign on the roadway proposed to be closed. Additionally, A Notice of Public Hearing will appear in a newspaper of general circulation at least fifteen (15) days prior to the next Council meeting. The sign and newspaper advertisement will give notice to the fact that, at the next County Council meeting, a public hearing will be held to receive all written and oral presentations in favor and opposition to the road closure.

3. Public hearing, Council vote.

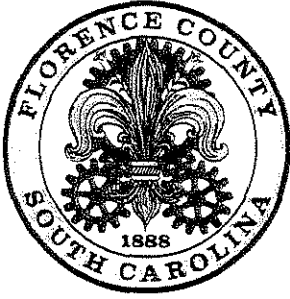
- a. At the Public Hearing, members of the public will have the opportunity to appear and make comments in favor of, or in opposition to the proposed road closure. The person making the application for road closure will be afforded an opportunity to state his/her position. At the close of the public hearing, the County Council will discuss the application and vote on a Resolution to approve or disapprove the application for road abandonment and closure.
- b. If the Council votes to approve the application for road abandonment and closure, the County will cease maintenance of the specific portion of the road requested to be closed and relinquish its prescriptive use of the road. Any road that is closed will not be returned to the county maintenance system without approval by the majority of the County Council.
- c. The individuals requesting the abandonment of maintenance and closure of the road, at no cost to the county, must have a registered land surveyor survey the property to be abandoned. The survey must be prepared and approved and in a recordable form. The applicants shall state that the property owners release and indemnify the county from any duty to maintain the road. At the recommendation of the county engineer, the county administrator shall have the authority to act on an application that involves a dead-end road; County Council shall have the authority to approve the application under all other circumstances. If the application is approved, the county engineer may require the property owners to place an appropriate sign alongside or at the end of the road.
- d. If it is determined by the county's planning department and public works department that the right-of-way will not be utilized by the county for road purposes, county council may approve a quit-claim deed conveying the county's interest to the owners of the adjoining property. Unless the owners of the adjoining property agree to another division, each may acquire that portion of the right-of-way adjacent to his/her property on his/her side of the right-of-way's centerline. The grantee(s) of the quit-claim deed(s) shall be responsible for preparing the deed(s) prior to county council's consideration of the request. Upon approval and execution of the deed(s), the grantee(s) shall be responsible for recording the deed(s) in the office of the register of deeds and for returning a filed copy to the office of the county attorney. The county council may require the grantee(s) to pay up to the fair market value, as determined by the county assessor's office, in exchange for the conveyance of the right-of-way. Upon recordation of the deed, the county assessor's office shall adjust the appraisal of the adjoining parcels to reflect the value of the additional property.



Sec. 27-67.

In the event that County Council resolves not to close a county road any person or organization wishing to close an existing public street, road, or highway in the county to public traffic shall petition a court of competent jurisdiction in accordance with Section 57-9-10, et. seq. of the State Code of Laws. The petition shall name the county as a respondent. It shall be the responsibility of the petitioner to physically close the roadway if a petition is successful.

DRAFT



# FLORENCE COUNTY

## ROAD ABANDONMENT APPLICATION

APPLICANT:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE: (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

APPLICANT'S SIGNATURE \_\_\_\_\_

PROPOSED ROAD ABANDONMENT:

ROAD NAME \_\_\_\_\_

COUNCIL DISTRICT \_\_\_\_\_ ROAD NUMBER \_\_\_\_\_

BRIEFLY DESCRIBE PORTION OF ROADWAY TO BE ABANDONED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REASON FOR ABANDONMENT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(This application must be accompanied by a \$250 non-refundable processing fee - check or money order)

For Office Use Only (To be completed by Public Works Department)

Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Received By: \_\_\_\_\_

Date review completed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Date Sent to Administration: \_\_\_\_\_

**THERE MUST BE 100% PARTICIPATION OF ALL ADJACENT PROPERTY OWNERS AND ALL PROPERTY OWNERS MUST SIGN THE APPLICATION. YOUR PARTICIPATION RELEASES AND INDEMNIFIES THE COUNTY FROM ANY DUTY TO MAINTAIN THE ROAD.**

NAME (print and sign) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

NAME (print and sign) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

NAME (print and sign) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

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NAME (print and sign) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Ordinance No. 25-2012/13

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Related Thereto.

**OPTIONS:**

1. *(Recommended)* Approve Second Reading of Ordinance No. 25-2012/13.
2. Provide an alternate directive.

**ATTACHMENTS:**

Copy Of Proposed Ordinance No. 25-2012/13

Sponsor(s) : County Council  
First Reading/Introduction : December 13, 2012  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Public Hearing : January 17, 2013  
Second Reading : January 17, 2013  
Third Reading :  
Effective Date : Immediately

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

## ORDINANCE NO. 25-2012/13

### COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend Florence County Code Chapter 2, Administration, Article VI, Organization And Rules Of The Florence County Council, Section 2-248. Reading Of Ordinances, Resolutions And Appointments; Section 2-249. Revenue Measures To Be Referred To Committee On County Administration And Finances; And Other Matters Related Thereto.)

#### WHEREAS:

The Florence County Council has determined that sections of the Code which relate to the referring of ordinances to a committee needed some clarification.

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

1. Florence County Code Chapter 2, Administration, Article VI, Organization and Rules of the Florence County Council, Division 2, Meetings of the Council, Section 248, Reading of ordinances, resolutions and appointments, Sub-section 5, Introduction and required readings of ordinances, is hereby deleted in its entirety and replaced with the following language:

(5) *Required readings of ordinances.*

(a) *Introduction of ordinance.* Any member of council may introduce an ordinance for first reading at any regular meeting of the Council, and no advance notice of such introductions shall be required. The introduction of an ordinance shall constitute first reading thereof, and no vote shall be taken, and no debate or amendment shall be in order. The ordinance shall be in order. The ordinance may be introduced by title only, provided that the full text of the ordinance shall be included in the Agenda for second reading thereof. If a majority of Council concurs, an ordinance shall be referred by the Chairman to an appropriate committee.

(b) *Second reading.* On the day of the second reading of an ordinance, complete typewritten or printed copies of the text of the ordinance shall be included in the Agenda. After the proposed ordinance has been published by the Clerk to Council, amendments shall be in order, but shall not be considered unless they are germane to the proposed ordinance. If on first reading an ordinance is referred to a committee, committee reports on a proposed ordinance shall be made at the next consecutive meeting following first reading. Should the committee report be postponed beyond the next consecutive meeting, second reading shall be deferred until the next consecutive

meeting of the council following the committee report unless a majority of council desires to give it a second reading. After all amendments and privileged motions have been disposed of, the question shall be the passage of the ordinance. Upon a decision in the affirmative, the ordinance shall take its place on the Agenda for third reading.

(c) *Third reading.* Full debate and any germane amendments shall be in order on third reading. No ordinance, code or policy shall be passed unless at least a majority of those members of council present shall have voted for its approval or passage.

2. Florence County Code Chapter 2, Administration, Article VI, Organization and Rules of the Florence County Council, Division 2, Meetings of the Council, Section 249, Revenue measures to be referred to committee on county administration and finances is hereby amended to read as follows:

Sec. 2-249. - Revenue measures to be referred to committee on ~~county~~ administration and finances.

All ordinances levying a tax, or incurring indebtedness or otherwise affecting ~~county revenue~~ shall be referred to the committee on ~~county~~ administration and finance, which shall report thereon before the council shall vote for their passage, unless the ordinance originates from the committee on administration and finance.

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

ATTEST:

SIGNED:

\_\_\_\_\_  
Connie Y. Haselden, Council Clerk

\_\_\_\_\_  
Chairman

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

COUNCIL VOTE:  
OPPOSED:  
ABSENT:



# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Introduction of Ordinance No. 26-2012/13 (by title only)

**DEPARTMENT:** Administration  
Finance

## **ISSUE UNDER CONSIDERATION:**

(An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2013, In The Principal Amount Of Not Exceeding \$22,500,000 And Setting Forth The Terms Upon Which Such Financing May Be Undertaken And The Purposes For Which The Proceeds Of Such Financing May Be Used; Authorizing The Execution And Delivery Of Certain Instruments Relating Thereto, Including A Ground Lease Agreement And A Lease Agreement; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2010 Facilities Refunding Lease-Purchase Financing Of Florence County; Approving Such Agreements By The County As May Be Required With Respect To The Redemption Of Said 2010 Facilities Refunding Lease-Purchase Financing, And The Aforesaid Lease-Purchase Financing; And Approving Other Matters Relating To The Foregoing.)

## **POINTS TO CONSIDER:**

1. Ordinance No. 26-2012/13 provides for the refunding of the existing lease for the Jail and the Civic Center, along with the issuance of up to \$6,000,000 in additional funding for necessary major repairs and improvements to the Civic Center.
2. At current interest rates, the refunding of the existing lease will save over \$40,000 per year, for a total savings of over \$200,000.
3. The necessary major repairs and improvements to the Civic Center include roof repairs, HVAC replacement, and lighting replacement, among other items. The facility is approaching twenty years old and many of these major build systems are beyond their useful life. Arena roof leaks impact sold-out events during inclement weather and the lack of a state-of-the-art lighting system may result in the loss of some annual conventions currently being held at the Civic Center.
4. The additional \$6,000,000 in funding will be repaid over 15 years at an estimated interest rate of 3.0%.

## **FUNDING FACTORS:**

1. The jail portion of the existing lease is being repaid from Florence County debt service millage.
2. Florence County is currently paying its portion of the Civic Center operating deficit, debt service, marketing, and capital budget from the 3% local accommodations tax.
3. The annual debt service on the \$6,000,000 in new funding will be approximately \$500,000. The Civic Center's FY2012/13 capital budget is \$690,000. The Civic Center has agreed to reduce this capital budget to \$190,000 beginning in FY2013/14 and in future years. Therefore, this new debt service will require no additional annual funding from the County.

## **OPTIONS:**

1. *(Recommended)* Introduce Ordinance No. 26-2012/2013 (by title only).
2. Provide An Alternate Directive.

## **ATTACHMENTS:**

1. Title of Ordinance No. 26-2012/2013
2. Major Capital Request from Civic Center

Sponsor(s)	: Finance	I, _____,
First Reading	: January 17, 2013	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Public Hearing	: _____, 2013	
Second Reading	: _____, 2013	
Third Reading	: _____, 2013	
Effective Date	: Immediately	

**ORDINANCE NO. 26-2012/13**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

**(An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2013, In The Principal Amount Of Not Exceeding \$22,500,000 And Setting Forth The Terms Upon Which Such Financing May Be Undertaken And The Purposes For Which The Proceeds Of Such Financing May Be Used; Authorizing The Execution And Delivery Of Certain Instruments Relating Thereto, Including A Ground Lease Agreement And A Lease Agreement; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2010 Facilities Refunding Lease-Purchase Financing Of Florence County; Approving Such Agreements By The County As May Be Required With Respect To The Redemption Of Said 2010 Facilities Refunding Lease-Purchase Financing, And The Aforesaid Lease-Purchase Financing; And Approving Other Matters Relating To The Foregoing.)**

DRAFT

**Florence Civic Center  
(Facility Major Projects 2012-13)**

**Priority One:**

**1. Replacement HVAC – Priority One \$1,400,000**

The existing HVAC equipment serving the Arena bowl and the Ballroom consists of (6) six 110-ton gas packs and (1) one 90-ton gas pack for a total of 750 tons. Existing systems are in poor condition needing constant repair and are wasting electricity and gas. The controls on the current units only turn the units off or on with no scheduling feature. Energy consumption would be saved by utilizing a method known as ice storage which would only require (2) two 220-ton ice chillers for a total of 440 tons. Ice is made and stored in underground storage tanks during times when the conditioned space is unoccupied and water is circulated through the tanks to fan cool rooftop units when the building is occupied thus requiring less tonnage and electricity to cool the facility. Computerized controls would be installed on HVAC for scheduling occupied times for events and ice making. Smart controls utilize a range of sensors to determine minimum operating times for added savings and comfort.

**2. Facility Lighting/Lighting package – Priority One \$1,000,000**

Most of the existing lighting is obsolete and replacement parts are hard to find. Many of the fixtures will be removed from the market by federal mandates in the near future. Replacement now will not only save a huge amount in utility costs but will allow the FCC to capture current rebates being given by Progress Energy. Soon these rebates will be replaced by the federal mandates causing a certain increase in wholesale price of lighting.

**3. Arena/Ballroom Roof Replacement – Priority One \$1,500,000**

The current roof is the original one from 1993 and is in constant disrepair causing many safety concerns as well as unhappy promoters and clients. Additional insulation and installation of proper roof materials would also reduce energy load on the facility.

**4. Trussing/Curtain System-Video-Audio – Priority One \$375,000**

Currently the majority of all production and audio/visual systems utilized for events has to be subcontracted out or rented. This keeps us from being competitive when trying to book conventions and concerts. This upgrade would also allow us to do many shows that are currently cost prohibitive such as Broadway, Live Game Shows and theatrical events.

**5. Elevator Upgrade – Priority One \$100,000.**

The current elevators do not meet ADA or OSHA guidelines. Complete refurbishment or replacement of cars and components is necessary.

**6. Ballroom Chairs Priority One \$125,000**

Existing inventory of chairs are worn, stained and in disrepair. Recommend replacing with a higher grade chair for longer life expectancy.

**Priority Two:**

**1. Lower Lobby/Restrooms – Priority Two \$220,000**

Updates are needed for ADA compliance and to enhance customer experience. New lighting will help to reduce utility costs. This is the main entrance for events as well as day-to-day business.

**2. Exterior Painting and Repair – Priority Two \$400,000**

There are many defects in the coating on the exterior of the facility. Many of them are allowing moisture to enter between the walls which will cause long-term structural damage as well as decreasing the insulation value of the insulation. This will save on future major repairs as well as enhance the appearance of the facility and save on utility costs.

**3. Marquee/Digital Signage Priority Two \$300,000**

This would include upgrading our current marquee to full digital color display. Replacement of existing scoreboards is needed. Parts are hard to find and do not meet current NCAA or NBA specifications. An addition of one marquee on Woody Jones Blvd., small directional signage at remaining entrances as well as advertising/informational boards throughout the interior of the facility and exterior of the box office are also needed.

These projects will result in a minimum of 30% to 40% utility savings, a safe and comfortable environment and the ability to bring more events that are more profitable to Florence. There will, of course, be a drastic reduction in repairs and maintenance and annual capital expenditures.



# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Introduction of Ordinance No. 27-2012/13 (by title only)

**DEPARTMENT:** Administration  
Finance

## **ISSUE UNDER CONSIDERATION:**

(An Ordinance Providing For The Issuance And Sale From Time To Time Of Accommodations Fee Revenue Bonds Of Florence County, Providing For The Pledge Of Accommodations Fees For The Payment Of Such Bonds, Prescribing The Terms And Conditions Under Which Such Bonds May Be Issued, Providing For The Payment Thereof, And Other Matters Relating Thereto.)

## **POINTS TO CONSIDER:**

1. Ordinance No. 26-2012/13 provides for the refunding of the existing lease for the Jail and the Civic Center, along with the issuance of up to \$6,000,000 in additional funding for necessary major repairs and improvements to the Civic Center.
2. The \$6,000,000 in additional funding for the Civic Center will be in the form of accommodations tax revenue bonds.
3. Ordinance No. 27-2012/13 is the Master Accommodations Tax Revenue Bond Ordinance that allows the issuance of accommodations tax revenue bonds.

## **FUNDING FACTORS:**

NONE

## **OPTIONS:**

1. *(Recommended)* Introduce Ordinance No. 27-2012/2013 (by title only).
2. Provide An Alternate Directive.

## **ATTACHMENTS:**

1. Title of Ordinance No. 27-2012/2013

Sponsor(s)	: Finance	I, _____,
First Reading	: January 17, 2013	Council Clerk, certify that this
Committee Referral	: N/A	Ordinance was advertised for
Committee Consideration Date	: N/A	Public Hearing on _____.
Committee Recommendation	: N/A	
Public Hearing	: _____, 2013	
Second Reading	: _____, 2013	
Third Reading	: _____, 2013	
Effective Date	: Immediately	

**ORDINANCE NO. 27-2012/13**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

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**GENERAL BOND ORDINANCE**

**(An Ordinance Providing For The Issuance And Sale From Time To Time Of Accommodations Fee Revenue Bonds Of Florence County, Providing For The Pledge Of Accommodations Fees For The Payment Of Such Bonds, Prescribing The Terms And Conditions Under Which Such Bonds May Be Issued, Providing For The Payment Thereof, And Other Matters Relating Thereto.)**

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# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Introduction of Ordinance No. 28-2012/13 (by title only)

**DEPARTMENT:** Administration  
Finance

## **ISSUE UNDER CONSIDERATION:**

(An Ordinance Providing For The Issuance And Sale Of Not Exceeding Six Million Dollars (\$6,000,000) Accommodations Fee Revenue Bonds Of Florence County To Be Designated Series 2013 And Other Matters Relating Thereto.)

## **POINTS TO CONSIDER:**

1. Ordinance No. 26-2012/13 provides for the refunding of the existing lease for the Jail and the Civic Center, along with the issuance of up to \$6,000,000 in additional funding for necessary major repairs and improvements to the Civic Center.
2. At current interest rates, the refunding of the existing lease will save over \$40,000 per year, for a total savings of over \$200,000.
3. **If interest rates increase in the next couple months, no savings would result from the refunding of the existing lease. Therefore, Ordinance No. 26-2012/13 will not be needed and only Ordinance No. 28-2012/13 will be adopted at third reading.**
4. The necessary major repairs and improvements to the Civic Center include roof repairs, HVAC replacement, and lighting replacement, among other items. The facility is approaching twenty years old and many of these major build systems are beyond their useful life. Arena roof leaks impact sold-out events during inclement weather and the lack of a state-of-the-art lighting system may result in the loss of some annual conventions currently being held at the Civic Center.
5. The additional \$6,000,000 in funding will be repaid over 15 years at an estimated interest rate of 3.0%.

## **FUNDING FACTORS:**

1. Florence County is currently paying its portion of the Civic Center operating deficit, debt service, marketing, and capital budget from the 3% local accommodations tax.
2. The annual debt service on the \$6,000,000 in new funding will be approximately \$500,000. The Civic Center's FY2012/13 capital budget is \$690,000. The Civic Center has agreed to reduce this capital budget to \$190,000 beginning in FY2013/14 and in future years. Therefore, this new debt service will require no additional annual funding from the County.

## **OPTIONS:**

1. **(Recommended)** Introduce Ordinance No. 28-2012/2013 (by title only).
2. Provide An Alternate Directive.

## **ATTACHMENTS:**

1. Title of Ordinance No. 28-2012/2013
2. Major Capital Request from Civic Center



Sponsor(s) : Finance  
First Reading : January 17, 2013  
Committee Referral : N/A  
Committee Consideration Date : N/A  
Committee Recommendation : N/A  
Public Hearing : \_\_\_\_\_, 2013  
Second Reading : \_\_\_\_\_, 2013  
Third Reading : \_\_\_\_\_, 2013  
Effective Date : Immediately

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

**ORDINANCE NO. 28-2012/13**

**COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY**

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**SERIES BOND ORDINANCE**

(An Ordinance Providing For The Issuance And Sale Of Not Exceeding Six Million Dollars (\$6,000,000) Accommodations Fee Revenue Bonds Of Florence County To Be Designated Series 2013 And Other Matters Relating Thereto.)

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**Florence Civic Center  
(Facility Major Projects 2012-13)**

**Priority One:**

**1. Replacement HVAC – Priority One \$1,400,000**

The existing HVAC equipment serving the Arena bowl and the Ballroom consists of (6) six 110-ton gas packs and (1) one 90-ton gas pack for a total of 750 tons. Existing systems are in poor condition needing constant repair and are wasting electricity and gas. The controls on the current units only turn the units off or on with no scheduling feature. Energy consumption would be saved by utilizing a method known as ice storage which would only require (2) two 220-ton ice chillers for a total of 440 tons. Ice is made and stored in underground storage tanks during times when the conditioned space is unoccupied and water is circulated through the tanks to fan cool rooftop units when the building is occupied thus requiring less tonnage and electricity to cool the facility. Computerized controls would be installed on HVAC for scheduling occupied times for events and ice making. Smart controls utilize a range of sensors to determine minimum operating times for added savings and comfort.

**2. Facility Lighting/Lighting package – Priority One \$1,000,000**

Most of the existing lighting is obsolete and replacement parts are hard to find. Many of the fixtures will be removed from the market by federal mandates in the near future. Replacement now will not only save a huge amount in utility costs but will allow the FCC to capture current rebates being given by Progress Energy. Soon these rebates will be replaced by the federal mandates causing a certain increase in wholesale price of lighting.

**3. Arena/Ballroom Roof Replacement – Priority One \$1,500,000**

The current roof is the original one from 1993 and is in constant disrepair causing many safety concerns as well as unhappy promoters and clients. Additional insulation and installation of proper roof materials would also reduce energy load on the facility.

**4. Trussing/Curtain System-Video-Audio – Priority One \$375,000**

Currently the majority of all production and audio/visual systems utilized for events has to be subcontracted out or rented. This keeps us from being competitive when trying to book conventions and concerts. This upgrade would also allow us to do many shows that are currently cost prohibitive such as Broadway, Live Game Shows and theatrical events.

**5. Elevator Upgrade – Priority One \$100,000.**

The current elevators do not meet ADA or OSHA guidelines. Complete refurbishment or replacement of cars and components is necessary.

**6. Ballroom Chairs Priority One \$125,000**

Existing inventory of chairs are worn, stained and in disrepair. Recommend replacing with a higher grade chair for longer life expectancy.

## **Priority Two:**

### **1. Lower Lobby/Restrooms – Priority Two \$220,000**

Updates are needed for ADA compliance and to enhance customer experience. New lighting will help to reduce utility costs. This is the main entrance for events as well as day-to-day business.

### **2. Exterior Painting and Repair – Priority Two \$400,000**

There are many defects in the coating on the exterior of the facility. Many of them are allowing moisture to enter between the walls which will cause long-term structural damage as well as decreasing the insulation value of the insulation. This will save on future major repairs as well as enhance the appearance of the facility and save on utility costs.

### **3. Marquee/Digital Signage Priority Two \$300,000**

This would include upgrading our current marquee to full digital color display. Replacement of existing scoreboards is needed. Parts are hard to find and do not meet current NCAA or NBA specifications. An addition of one marquee on Woody Jones Blvd., small directional signage at remaining entrances as well as advertising/informational boards throughout the interior of the facility and exterior of the box office are also needed.

These projects will result in a minimum of 30% to 40% utility savings, a safe and comfortable environment and the ability to bring more events that are more profitable to Florence. There will, of course, be a drastic reduction in repairs and maintenance and annual capital expenditures.

## **FLORENCE COUNTY COUNCIL MEETING**

January 17, 2013

**AGENDA ITEM:** Reports to Council  
Monthly Financial Reports

**DEPARTMENT:** Administration

**ISSUE UNDER CONSIDERATION:**

Monthly Financial Reports Are Provided To Council For Fiscal Year 2013 Through November 30, 2012 As An Item For The Record.

**ATTACHMENTS:**

Copies of the monthly financial reports.

**FLORENCE COUNTY GOVERNMENT  
GENERAL FUND  
REVENUE & EXPENDITURE REPORT FY13  
7/1/12 TO 11/30/12**

	YEAR-TO-DATE			
	BUDGETED REVENUE	ACTUAL REVENUE	REMAINING BALANCE	PCT
<b>REVENUES</b>				
Taxes	35,540,067	30,402,638	5,137,429	14.46%
Licenses & Permits	1,329,750	565,252	764,498	57.49%
Fines & Fees	3,240,000	1,357,838	1,882,162	58.09%
Intergovernmental	5,926,783	2,103,756	3,823,027	64.50%
Sales and Other Functional	5,418,050	1,884,385	3,533,665	65.22%
Miscellaneous	499,000	71,682	427,318	85.63%
Operating Transfers	(1,452,343)	-	(1,452,343)	100.00%
Use of Fund Balance	-	-	-	
<b>TOTAL</b>	<b>50,501,307</b>	<b>36,385,551</b>	<b>14,115,756</b>	<b>27.95%</b>

**FLORENCE COUNTY GOVERNMENT  
GENERAL FUND  
REVENUE & EXPENDITURE REPORT FY13  
7/1/12 TO 11/30/12**

		YEAR-TO-DATE		REMAINING BALANCE	PCT
		BUDGETED EXPENDITURE	ACTUAL EXPENDITURE		
EXPENDITURES					
10-411-401	County Council	352,229	111,589	240,640	68.32%
10-411-402	Administrator	618,172	240,955	377,217	61.02%
10-411-403	Clerk of Court	1,821,092	767,573	1,053,519	57.85%
10-411-404	Solicitor	1,051,131	419,655	631,476	60.08%
10-411-405	Judge of Probate	507,403	209,431	297,972	58.72%
10-411-406	Public Defender	771,702	282,238	489,464	63.43%
10-411-407	Magistrates	2,239,713	910,775	1,328,938	59.34%
10-411-409	Legal Services	79,650	32,055	47,595	59.76%
10-411-410	Voter Registration & Elections	572,617	387,898	184,719	32.26%
10-411-411	Finance	753,545	313,421	440,124	58.41%
10-411-412	Human Resources	345,813	166,840	178,974	51.75%
10-411-413	Procurement & Vehicle Maintenance	589,131	305,907	283,224	48.07%
10-411-414	Administrative Services	399,454	166,706	232,748	58.27%
10-411-415	Treasurer	1,224,670	492,739	731,931	59.77%
10-411-416	Auditor	465,256	187,940	277,316	59.61%
10-411-417	Tax Assessor	1,301,398	499,414	801,984	61.62%
10-411-418	Planning and Building	2,084,547	675,729	1,408,818	67.58%
10-411-419	Complex	1,186,224	487,738	698,486	58.88%
10-411-420	Facilities Management	735,247	273,332	461,915	62.82%
10-411-427	Information Technology	1,560,218	530,415	1,029,803	66.00%
10-411-446	Veteran's Affairs	148,551	60,922	87,629	58.99%
10-411-480	Senior Citizen Centers	327,008	52,625	274,383	83.91%
10-411-485	General Direct Assistance	217,996	136,923	81,074	37.19%
10-411-488	Contingency	999,010	99,750	899,260	90.02%
10-411-489	Employee Non-Departmental	399,502	246,674	152,828	38.25%
10-421-421	Sheriff's Office	15,422,473	6,680,871	8,741,602	56.68%
10-421-422	Emergency Management	2,466,321	967,070	1,499,251	60.79%
10-421-481	Rural Fire Departments	15,140	2,266	12,874	85.03%
10-451-423	EMS	4,411,492	1,763,412	2,648,080	60.03%
10-451-424	Rescue Squads	537,798	131,367	406,431	75.57%
10-451-425	Coroner	282,034	96,689	185,345	65.72%
10-451-441	Health Department	80,934	23,390	57,545	71.10%
10-451-442	Environmental Services	733,706	298,604	435,102	59.30%
10-451-485	Health Direct Assistance	14,502	2,052	12,450	85.85%
10-461-485	Welfare - MIAP & DSS	427,134	188,108	239,026	55.96%
10-471-451	Recreation	1,784,270	837,689	946,601	53.05%
10-471-455	County Library	3,569,732	1,496,542	2,073,190	58.08%
10-481-485	Literacy Council	4,515	1,129	3,386	75.00%
TOTAL		50,501,330	20,548,410	29,952,920	59.31%

Percent of Fiscal Year Remaining = 58.33%

**FLORENCE COUNTY  
BUDGET REPORT - OTHER FUNDS  
CURRENT PERIOD: 7/1/12 TO 11/30/12**

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,723,817	231,137	3,492,680	93.79%	3,723,817	3,345,574	378,243	10.16%
112 Economic Development Partnership Fund	436,079	165,398	270,681	62.07%	436,079	53,853	382,226	87.65%
123 Local Accommodations Tax Fund	2,508,780	989,828	1,518,952	60.55%	2,508,780	636,380	1,872,400	74.63%
124 Local Hospitality Tax Fund	738,955	292,118	446,837	60.47%	738,955	484,025	254,930	34.50%
131 District Utility Allocation Fund	2,000,000	26,772	1,973,228	98.66%	2,000,000	2,000,000	-	0.00%
132 District Infrastructure Allocation Fund	1,315,000	94,001	1,220,999	92.85%	1,315,000	1,000,000	315,000	23.95%
151 Law Library Fund	87,787	7,303	80,484	91.68%	87,787	16,853	70,934	80.80%
153 Road System Maintenance Fee Fund	3,098,767	1,290,586	1,808,181	58.35%	3,098,767	1,174,772	1,923,995	62.09%
154 Victim/Witness Assistance Fund	192,119	77,474	114,645	59.67%	192,119	79,982	112,137	58.37%
421 Landfill Fund	4,131,276	1,380,404	2,750,872	66.59%	4,131,276	1,153,053	2,978,223	72.09%
431 E911 System Fund	486,254	107,732	378,522	77.84%	486,254	302,622	183,632	37.76%
<b>TOTALS:</b>	<b>18,718,834</b>	<b>4,662,753</b>	<b>14,056,081</b>	<b>75.09%</b>	<b>18,718,834</b>	<b>10,247,113</b>	<b>8,471,721</b>	<b>45.26%</b>

Percent of Fiscal Year Remaining: 58.33%

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

\$ 114,845,124



**Florence County Council  
District Allocation Balances  
November 30, 2012**

<b>Council District #</b>	<b>Type of Allocation</b>	<b>Beginning Budget FY12</b>	<b>Commitments &amp; Current Year Expenditures</b>	<b>Current Available Balances</b>
<b>1</b>	Infrastructure	162,165.00	83,233.00	78,932.00
	Paving	167,125.00	112,437.00	54,688.00
	Utility	253,623.00	10,000.00	243,623.00
	In-Kind	19,800.00	2,770.00	17,030.00
<b>2</b>	Infrastructure	35,000.00	16,250.00	18,750.00
	Paving	201,465.00	3,564.00	197,901.00
	Utility	51,364.00	983.00	50,381.00
	In-Kind	19,800.00	4,563.00	15,237.00
<b>3</b>	Infrastructure	35,000.00	31,250.00	3,750.00
	Paving	211,878.00	-	211,878.00
	Utility	106,697.00	35,983.00	70,714.00
	In-Kind	19,800.00	71.00	19,729.00
<b>4</b>	Infrastructure	178,531.00	24,833.00	153,698.00
	Paving	100,998.00	30,180.00	70,818.00
	Utility	75,586.00	25,000.00	50,586.00
	In-Kind	19,800.00	3,697.00	16,103.00
<b>5</b>	Infrastructure	41,128.00	24,983.00	16,145.00
	Paving	99,387.00	-	99,387.00
	Utility	25,549.00	-	25,549.00
	In-Kind	19,800.00	98.00	19,702.00
<b>6</b>	Infrastructure	264,268.00	13,233.00	251,035.00
	Paving	252,910.00	49,896.00	203,014.00
	Utility	343,770.00	24,007.00	319,763.00
	In-Kind	19,800.00	7,168.00	12,632.00
<b>7</b>	Infrastructure	62,347.00	27,883.00	34,464.00
	Paving	211,021.00	-	211,021.00
	Utility	299,978.00	-	299,978.00
	In-Kind	19,800.00	-	19,800.00
<b>8</b>	Infrastructure	178,520.00	26,250.00	152,270.00
	Paving	78,485.00	-	78,485.00
	Utility	38,702.00	(17.00)	38,719.00
	In-Kind	19,800.00	-	19,800.00
<b>9</b>	Infrastructure	75,081.00	35,233.00	39,848.00
	Paving	110,303.00	88,652.00	21,651.00
	Utility	122,962.00	-	122,962.00
	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 November 30, 2012

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Expended	Balance Unexpended	Budget % Expended
Pine Needles Road Widening	\$ 17,676,768.00	\$ 710,297.09	\$ 1,224,967.80	\$ 14,229,979.96	\$ 16,165,244.85	\$ 1,511,523.15	91.45%
US 378 Widening	\$ 138,751,620.00	\$ 4,531,155.16	\$ 3,730,956.07	\$ 244,763.76	\$ 8,506,874.99	\$ 130,244,745.01	6.13%
US 76 Widening	\$ 31,641,621.00	\$ 2,202,688.36	\$ 1,724,219.28	\$ 3,562.16	\$ 3,930,469.80	\$ 27,711,151.20	12.42%
TV Road Widening	\$ 34,519,290.00	\$ 1,957,465.74	\$ 1,847,584.93	\$ 59,704.50	\$ 3,864,755.17	\$ 30,654,534.83	11.20%
SC 51 Widening	\$ 151,533,817.00	\$ 2,251,160.67	\$ 19,256.70	\$ 10,549.24	\$ 2,280,966.55	\$ 149,252,850.45	1.51%
US 301 Bypass Extension	\$ 73,464,146.00	\$ -	\$ -	\$ -	\$ -	\$ 73,464,146.00	0.00%
	\$ 447,587,262.00	\$ 11,652,766.96	\$ 8,546,984.78	\$ 14,548,559.62	\$ 34,748,311.36	\$ 412,838,950.64	7.76%

REVENUES	Revenue Budget				Received/Earned to Date	Balance To Be Rcvd/Earned	Balance % Rcvd/Earned
Capital Project Sales Tax	\$ 148,000,000.00				\$ 107,370,013.41		
Sales Tax Interest Earnings	\$ -				\$ 7,475,110.85	\$ 40,629,986.59	77.60%
Earned State SIB Fund Match	\$ 250,000,000.00				\$ 229,690,248.52	\$ 20,309,751.48	91.88%
	\$ 398,000,000.00				\$ 344,535,372.78	\$ 60,939,738.07	86.57%

NOTE 1: Revenue Received/Earned to Date is as of September 30, 2012, 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.

## FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Report to Council

**DEPARTMENT:** Finance

**ISSUE UNDER CONSIDERATION:** Acceptance of audit for fiscal year ended June 30, 2012

**POINTS TO CONSIDER:**

1. The audit for the year ended June 30, 2012 has been performed by the firm of Elliott Davis, LLC.
2. Council needs to accept the audit or refer it to the administration and finance committee for their review.

**FUNDING FACTORS:** None

**OPTIONS:**

1. *(Recommended)* Vote to accept the audit as presented.
2. Provide an alternate directive

**ATTACHMENT:**

None

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Records Retention Schedule For Restraining Orders

**DEPARTMENT:** Magistrates Office

## **ISSUE UNDER CONSIDERATION:**

Approve Records Retention Schedule Recommended By The South Carolina Department Of Archives And History For The Retention Of Restraining Orders In The Magistrates Office.

## **POINTS TO CONSIDER:**

- 1) The South Carolina Department of Archives and History – Division of Archives and Record Management is required by state law to approve all record retention schedules for county records.
- 2) The Magistrates Office requested that the Department designate the records retention schedule for Restraining Orders in their department. The Department has approved the criminal violation restraining orders be transferred to the case file and all others be retained for a period of ten (10) years after date of judgment, then be destroyed.
- 3) Official and proper destruction of records on a regular basis frees up prime office spaces for current operations, and prevents excessive accumulation of records based on State determinations and appropriateness.

## **OPTIONS:**

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

## **ATTACHMENTS:**

Copy of South Carolina Department of Archives and History Records Retention Schedule Approval.





HISTORY & HERITAGE  
For All Generations

## South Carolina Department of Archives & History Division of Archives and Records Management

# APPROVAL OF RECORDS RETENTION SCHEDULE

In accordance with provisions of Title 30, Code of Laws of South Carolina, 1976, Sections 30-1-10 through 30-1-140, as amended, the attached Records Retention Schedule is submitted for approval. This schedule supersedes any previously approved schedule for these same records series.

### PART I — Office or Department

#### FLORENCE COUNTY

Local Government Subdivision

#### MAGISTRATE

Office or Department

0021

Record Group Number

certify that I am authorized to act for this agency in the disposition of its public records and hereby approve the attached Records Retention Schedule. The schedule meets all legal and audit requirements and the records have no further administrative, fiscal, or legal value to this agency after the expiration of the prescribed retention periods.

Records series included in this approval are numbered: **16096**

11/9/13      Eugene Coyle      Chief Magistrate  
Date      Signature of Approving Authority      Title

### PART II — Governing Body

I am authorized to act for the governing body of this local government subdivision and certify that the governing body has approved the Records Retention Schedule as described in Part I, above.

Date

Signature of Approving Authority

Title

### PART III — Department of Archives and History

The records listed in the attached Records Retention Schedule have been evaluated by this department for their management, research, and permanent value and are approved for retention or disposal as described in the schedule.

Date

Director, Department of Archives and History



FLORENCE COUNTY

RECORD GROUP NUMBER: 0021

MAGISTRATE

16096 RESTRAINING ORDERS

Description:

Orders by the court requiring a person not to make contact with another person. Information includes name of plaintiff(s), name of defendant(s), civil case number, defendant identifiers (sex, race, date of birth, state, weight, eyes, hair, height) minor family members, other, caution (weapon involved, weapon present on defendant's property, access to weapons), court finding and orders, dates effective, warning to defendant, protection of intimate partner or child, law enforcement agencies involved, terms of order, time, magistrate's signature, initials of plaintiff and defendant; National Crime Information Center entry form: order number, case number, date granted, name of issuing judge, issuing court, plaintiff information (name, sex, race, date of birth, social security number, height, weight, eye color, hair color, place of birth, driver's license number, vehicle make and model, vehicle identification number, tag and state), defendant information (name, sex, race, date of birth, social security number, height, weight, eye color, hair color, place of birth, driver's license number, vehicle make and model, vehicle identification number, tag and state)

Retention:

- 1) Criminal Violations: Transfer to the case file.
- 2) All Others: 10 years after date of judgment, then destroy.

## FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Report to Council  
Declaration of Surplus Property

**DEPARTMENT:** Procurement Department

### **ISSUE UNDER CONSIDERATION:**

Declaration of five (5) vehicles and one (1) Passenger van as surplus property for disposal through public internet auction via GovDeals.

### **POINTS TO CONSIDER:**

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

### **FUNDING FACTORS:**

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

### **OPTIONS:**

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

### **ATTACHMENTS:**

List of vehicles/equipment.



<u>UNIT</u>	<u>MAKE</u>	<u>MODEL</u>	<u>YEAR</u>	<u>MILEAGE</u>	<u>COMMENTS</u>	<u>VIN #'S</u>
VS105	FORD	CROWN VIC	2007	189,476	ENG & TRAN GOOD, PAINT BAD ON HOOD-TOP	2FAFP71W97X117854 Magistrate
VS129	FORD	CROWN VIC	2008	143,714	ENG BAD, TRANS GOOD	2FAFP71V58X118959 FCSO
V0787	CHEVY	SILVERADO	2005	195,641	ENG AND TRAN GOOD	1GCEC14V05Z205877 Enviromental
V0880	FORD	E-350 VAN	2004	61,074	ENG AND TRAN GOOD 16 PASSENGER VAN	1FBSS1S84HA09478 FCSO
V0959	FORD	CROWN VIC	2006	151,844	ENG AND TRANS GOOD	2FAFP71W66X119169 Magistrate
V0988	FORD	F-150 EXT CAB	2006	162,923	ENG MISSING AND TRANS GOOD 4X4	1FTPX14V66NB77556 FCSO

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Reports to Council

**DEPARTMENT:** Procurement Department

**ISSUE UNDER CONSIDERATION:**

Request The Appointment Of A Council Member To Serve On The Review Panel For RFP #13-12/13 Concession Operations At Lynches River Co. Park For The Parks And Recreation Department.

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Reports to Council  
Bid Award

**DEPARTMENT:** Florence County Sheriff's Office  
Procurement Department

**ISSUE UNDER CONSIDERATION:** Request to award bid #11-12/13 for a Portable Desktop Live Scanning System to DataWorks Plus of Greenville, SC in the bid amount of \$34,400 plus \$2,752 sales tax. *The following five (5) vendors were directly notified of this bid: DataWorks Plus of Greenville, SC; Morpho Trak Southeast Region of Orlando, FL; Identification International of Blacksburg, VA; L-1 Identity Solutions of Bloomington, MN and Cross Match Technologies, Inc. of Palm Beach Gardens, FL. One (1) bid was received by DataWorks Plus. Their submitted bid meets all specifications.*

## **POINTS TO CONSIDER:**

- 1) Bid #11-12/13 was advertised on the South Carolina Business Opportunities (SCBO) newsletter as well as the Morning News. The Sheriff's Office recommendation is to award.
- 2) The grant has been approved by the South Carolina Department of Public Safety (SCDPS)
- 3) The bid expires March 27, 2013.

## **FUNDING FACTORS:**

- 1) \$37,152 = Total to be funded from the SCDPS Grant under line item 141-421-905-0000-9500.

## **OPTIONS:**

- 1) *(Recommended)* Award Bid #11-12/13.
- 2) Decline.

## **ATTACHMENTS:**

- 1) Bid Tabulation Sheet.
- 2) Recommendation Letter from Sheriff's Office dated January 3, 2013.
- 3) E-mail dated January 2, 2013 from Penny Baskin, Senior Accountant for SCDPS approving the purchase of the Live Scan System from DataWorks Plus.

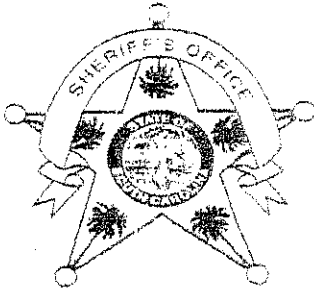
<b>Dept: Florence County Sheriff's Office</b> <b>Portable Desktop Live Scan System</b> <b>Invitation-to-Bid #11-12/13</b>				<b>Bid Opening Date: December 28, 2012</b> <b>Time: 1:00 AM</b> <b>Advertised Date: MN 12/17/12, SCBO 12/13/12</b> <b>Invitations to Bids Distributed: 5</b>		
<b>Name of Bidder</b>	<b>Base Bid</b>	<b>Sales Tax (8%)</b>	<b>Meets Specs</b>	<b>Total Bid</b>	<b>Total Non- Local</b>	<b>Total Non-Local Bid</b>
<b>DataWorks Plus Greenville, SC</b>	<b>\$34,400.00</b>	<b>\$2,752.00</b>	<b>Yes</b>	<b>\$37,152.00</b>	<b>\$688.00</b>	<b>\$35,088.00</b>
<b>Saran Morpo Trak Anaheim, CA</b>	<b>No Bid</b>					

**Notes:**

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

All bids are thoroughly reviewed to ensure that all specifications as required in the bid package have been addressed. A notification of award will not be issued until it has County Council's approval and the expiration period for protest has been met.

It is always the intent of Florence County to award the lowest priced responsible/responsive bidder that best meets the specifications as determined by Florence County. A notice of intent letter will be sent to all bidders only in the case of a bid awarded to another vendor other than the apparent low bidder as stated on the bid results.



## FLORENCE COUNTY SHERIFF'S OFFICE

*Kenney Boone, Sheriff*

January 3, 2013

Suzanne King  
Administrative Services Director  
180 North Irby Street  
Florence, South Carolina 29501

RE: Bid # 11-12/13 Portable Desktop Live Scan System

Dear Mrs. King: *Suzanne*

It is my recommendation that the above referenced bid be awarded to the compliant bidder, DataWorks Plus, in the amount of \$37,152. The granting agency has also provided written approval for the bid to be awarded to this vendor.

Thank you for your assistance in this matter.

Sincerely,

William K. Boone  
Florence County Sheriff

## Barbara Coker

---

**From:** Baskin, Theresa G. (Penny) <PennyBaskin@SCDPS.GOV>  
**Sent:** Wednesday, January 02, 2013 9:47 AM  
**To:** Barbara Coker  
**Cc:** Dukes, (Ginger) Miriam V.  
**Subject:** RE: BID RESULTS OF BID NO. 11-12-13

Hi Barbara,

We have reviewed the bid you submitted from DataWorks. You are approved to proceed with the purchase from the only bidder, DataWorks Plus, in the total amount of \$37,152.00 which includes SC Tax and shipping charges.

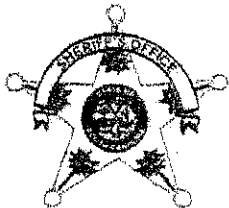
If you have any questions please give me a call.  
Thanks,

*Penny Baskin*  
*Senior Accountant*  
*SCDPS-Grants Accounting*  
*South Carolina Department of Public Safety*  
*P.O. Box 1993*  
*Blythewood, SC 29016*  
*803-896-8412*  
*Fax 803-896-5201*  
*[theresabaskin@scdps.net](mailto:theresabaskin@scdps.net)*  
*[pennybaskin@scdps.gov](mailto:pennybaskin@scdps.gov)*

**From:** Barbara Coker [mailto:BCoker@fcsco.org]  
**Sent:** Friday, December 28, 2012 4:30 PM  
**To:** Baskin, Theresa G. (Penny)  
**Subject:** FW: BID RESULTS OF BID NO. 11-12-13

FYI

*Barbara Coker*  
*Administrative Manager*  
*Florence County Sheriff's Office*  
*843-665-9944 ext 406*



**From:** Patrick Fletcher  
**Sent:** Friday, December 28, 2012 4:29 PM



# **FLORENCE COUNTY COUNCIL MEETING**

January 17, 2013

**AGENDA ITEM:** Reports to Council  
Late Farm Applications

**DEPARTMENT:** Tax Assessor

## **ISSUE UNDER CONSIDERATION:**

Extend The Deadline For Late Farm Application Consideration On The Parcel(s) Presented To Enable The Tax Assessor's Office To Accept The Application(s) To Determine If The Parcel(s) Qualify For Farm Use Assessment.

## **POINTS TO CONSIDER:**

1. Historically, County Council has generally granted extensions when requests were initiated.
2. South Carolina Code of Laws states that the governing body may extend the time for filing upon a showing satisfactory to it that the person had reasonable cause for not filing on or before the first penalty date.
3. It appears that the property owner was unaware of the statute.

## **ATTACHMENTS:**

1. A list of the late farm application requests received.

## FLORENCE COUNTY REAL ESTATE LISTING

TAX YEAR 12 NUMERICAL

1/08/13

PAGE 1

MAP BK PAR	NAME/ADDRESS	DST/DESC.	ACRES	LOTS	LAND VALUE	BLDG VALUE	HE	AGT	MORTG. LOAN NO.	P/C	CLASS	EXEMPT CODE
336-01-005	CANAL LAND & TIMBER LLC	140 RES. FARM										
	PO BOX 3012 FLORENCE	OTHER	334		267200							
		SC29502 HWY 301										

TAX RECEIPT# 9893

## \*ALL PROPERTIES

# PARCELS	ACRES	LOTS	LAND VAL.	BLDG.	BLDG. VAL.
*RESIDENTIAL:					
*FARM:					
*6% MARKET:	1		267200		
*6% USE:					
TOTAL:	1		267200		

## \*EXEMPT PROPERTIES

# PARCELS	ACRES	LOTS	LAND VAL.	BLDG.	BLDG. VAL.
*RESIDENTIAL:					
*FARM:					
*6% MARKET:					
*6% USE:					
TOTAL:					

## \*NON-EXEMPT PROPERTIES

# PARCELS	ACRES	LOTS	LAND VAL.	BLDG.	BLDG. VAL.
*RESIDENTIAL:					
*FARM:					
*6% MARKET:	1		267200		
*6% USE:					
TOTAL:	1		267200		

TOTAL RECORDS: 1

# FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Reports to Council

**DEPARTMENT:** Timmons ville Rescue Squad  
Procurement Department

**ISSUE UNDER CONSIDERATION:** Authorize the use of the Florida Association of Counties Bid # 11-10-1202 awarded to Emergency, Tactical, Rescue Vehicles, LLC (AEV) to purchase one (1) ambulance at a base bid price of \$112,365, the needed additional options in the amount of \$37,642 and the required SC vehicle tax of \$300. The total cost is \$150,307 as funded and approved in the FY12-13 budget.

## **POINTS TO CONSIDER:**

- 1) Florida Association of Counties and the Florida Sheriff's Association publicly offered Bid # 11-10-1202 for fire/rescue vehicles and other fleet equipment.
- 2) Governmental entities located outside the State of Florida are allowed to purchase under the terms and conditions of the contract resulting from the bid.
- 3) Emergency, Tactical, Rescue Vehicles, LLC quote in the total amount of \$150,007 dated December 28, 2012 (SC vehicle tax not included).
- 4) The Timmons ville Rescue Squad Chief's recommendation to award.
- 5) The 1992 Ford E350, Sequence# 5013 that was purchased by Florence County for the Timmons ville Rescue Squad will be returned to the County within thirty (30) days of the deliverance of the new ambulance.

## **FUNDING FACTORS:**

- 1) \$112,365.00 = Total base cost for one (1) ambulance to be funded from the budgeted FY 12-13 Timmons ville Rescue Squad funds under line item 10-451-424-9291.
- 2) \$37,642.00 = Total cost of additional equipment options for one (1) ambulances to be funded from the budgeted FY 12-13 Timmons ville Rescue Squad funds under line item 10-451-424-9291.
- 3) \$300.00 South Carolina Vehicle Tax to be funded under the budgeted FY 12-13 Timmons ville Rescue Squad funds under line item 10-451-424-9291.

## **OPTIONS:**

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

## **ATTACHMENTS:**

- 1) Bid No. 11-10-1202 Award Letter from Florida Sheriffs Association dated January 1, 2012.
- 2) Bid Extension Letter and Quote from Emergency, Tactical, Rescue Vehicles dated December 28, 2012.
- 3) Letter of Recommendation from Chief Donald Windham of the Timmons ville Rescue Squad.

# MEMO



## FLORIDA SHERIFFS ASSOCIATION

P. O. Box 12519 • Tallahassee, FL 32317-2519

PHONE (850) 877-2165 • FAX (850) 878-8665

WEB SITE: [www.flsheriffs.org](http://www.flsheriffs.org)

DATE: January 1, 2012

TO: **ALL PROSPECTIVE PARTICIPANTS**

FROM: Steve Casey                      Lynn Meek                      Peggy Goff  
Executive Director              Vehicle Bid Coordinator              Vehicle Contract Manager

RE: **PARTICIPATING LAW ENFORCEMENT, FIRE/RESCUE &  
LOCAL GOVERNMENTAL AGENCIES OF THE STATE OF FLORIDA  
COOPERATIVE BID FOR FIRE/RESCUE VEHICLES & OTHER FLEET EQUIPMENT  
Bid No. 11-10-1202**

We are pleased to announce that the Florida Fire Chiefs' Association, the Florida Sheriffs Association and the Florida Association of Counties has successfully conducted its tenth statewide competitive bid for fire & rescue vehicles. Bids will be extended and guaranteed to any and all units of local governments/political subdivisions including but not limited to county, local county board of public instruction, municipalities and other local public or public safety agencies or authorities within the State of Florida.

In addition to the eligible users referenced above and with the consent of the successful bidder(s) purchases may be made under the terms and conditions of this contract by governmental entities located outside the State of Florida. Appropriate governmental entities' purchasing laws, rules and regulations shall apply to purchases made under this contract.

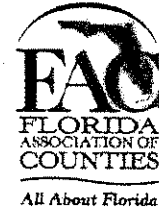
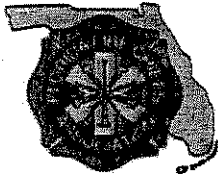
This contract is effective January 1, 2012 thru December 31, 2012.

***All interested parties who wish to purchase from this contract may do so by following these simple procedures:***

### ORDERING INSTRUCTIONS

1. Contact the awarded manufacturer/dealer (see page 29) listed which you wish to purchase and advise them of your interest to purchase from the **Fire Rescue Vehicles & Other Fleet Equipment Bid No. 11-10-1202**. They will assist you with the placement of your order and answer any questions you may have regarding the vehicles purchased through this program.

**IMPORTANT NOTE:** All agencies ordering any FORD, GENERAL MOTORS, or CHRYSLER product, please be advised that you must use the appropriate FIN CODE/FAN CODE for the Florida Sheriffs Association in order to obtain the manufacturer's concessions. Also, you must



**FLORIDA FIRE CHIEFS' ASSOCIATION,  
FLORIDA SHERIFFS ASSOCIATION  
& FLORIDA ASSOCIATION OF COUNTIES**

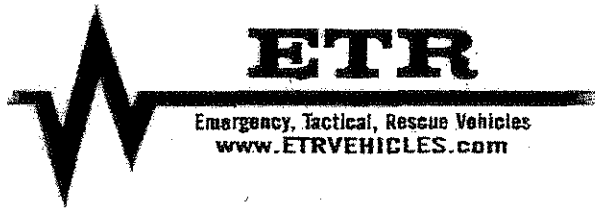
**2012 CHEVY G4500  
Specification #04  
(Type III Ambulance, 4x2)**

The Chevy G4500, Type III Ambulance purchased through this contract comes with all the standard equipment as specified by the manufacturer for this model and FSA's base vehicle specification(s) requirements which are included and made a part of this contract's vehicle base price as awarded by manufacturer by specification.

<b>BASE PRICE:</b>	<b>\$140,531.00</b>	<b>\$112,365.00</b>
<b>MANUFACTURER:</b>	Braun Industries, Inc.	<del>ETR, L.L.C. (AEV)</del>
<b>BASE PRICE:</b>	<b>\$124,339.00</b>	<b>\$156,194.00</b>
<b>MANUFACTURER:</b>	Excellance, Inc.	Hall-Mark Fire Apparatus (Horton)
<b>BASE PRICE:</b>	<b>\$108,156.00</b>	<b>\$120,775.00</b>
<b>MANUFACTURER:</b>	Pierce Manufacturing, Inc. (Medtec)	Quality Emergency Vehicles (Osage)
<b>BASE PRICE:</b>	<b>\$121,500.00</b>	<b>\$109,634.00</b>
<b>MANUFACTURER:</b>	Road Rescue Emergency Vehicles	Stat-Line Industries (McCoy Miller)
<b>BASE PRICE:</b>	<b>\$111,400.00</b>	
<b>MANUFACTURER:</b>	Wheeled Coach Industries, Inc.	

Purchasers are advised that the above referenced vehicle specification comes equipped as a base unit only. The Florida Fire Chiefs' Association, Florida Sheriffs Association and Florida Association of Counties have identified and equipped the base unit with those specifications and equipment items required to meet KKK-A-1822F, or the most current revision for Type III Ambulance. Since equipment needs and preferences are going to vary from agency to agency - any additional options required or changes to the base unit desired by the purchaser shall be made through the manufacturer listed.

**NOTE:** An official listing of all add/delete options and their prices should be obtained from the appropriate vendor.



December 28, 2012

Mr. Donnie Windham, Chief  
Timmonsville Rescue Squad  
401 East Main Street  
Timmonsville, SC.

We are pleased to provide you with the following shop order and pricing for the purchase of New 2013 Chevy G4500 AEV Type III Ambulance. Pricing is base off the Florida Sheriffs Association Contract number 11-10-1202 for Fire Rescue Vehicles & Other Fleet Equipment. "Specification #04-Type III Ambulance (4x2) Chevy G4500".

PRICING:

- FSA Chevy G4500 Type III Ambulance base price .....\$112,365.00
- Optional equipment based on your specification .....\$ 37,642.00
- Total price per unit .....\$150,007.00
- Plus applicable taxes
- Delivered to your location
- Above price does not include any graphic.
- Above price is good to January 25,2013

We look forward to working with you in the future.

Sincerely,

Jerry Michaluk  
CEO/President  
ETR, L.L.C.

212 Hickman Drive Sanford, FL 32771 \* 407.339.6737 \*Fax 407-339.8198  
www.ETRLLC.com



  
! This is an urgent message.

Date: Friday, December 28, 2012 4:33 PM  
From: trescuesqd@sc.m.com  
To: pfletcher@florenceco.org  
Subject: Quote Approval

Dear Patrick,

I have approved the quote for the new Timmonsville Rescue Squad ambulance and request that it be submitted to County Council for approval.

Thank You for your attention to this matter.

Chief Donald Windham  
Timmonsville Rescue Squad



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## FLORENCE COUNTY COUNCIL MEETING

January 17, 2013

**AGENDA ITEM:** Other Business  
Infrastructure Project  
Council District 4

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$1,000.00 From Council District 4 Infrastructure Funding Allocation To Pay For 40 Feet Of 15" Concrete Pipe To Install Driveway For The Timmons ville Church Of Christ Cemetery On Darlington Street (S21-145).

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by the Finance Dept.

Contingent on getting the encroachment permit from the SCDOT.

Contingent on the driveway being located within the Timmons ville Church of Christ property line.

**FUNDING SOURCE:**

XXX 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  
January 17, 2013

**AGENDA ITEM:** Other Business  
Utility Project  
Requested by Council District 2

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$3,000 From Council District 2 Utility Funding Allocation For Facility Improvements At The Hickory Street Gymnasium in Pamplico.

**FUNDING SOURCE:**

\_\_\_\_\_ Infrastructure                      \_\_\_\_\_ Road System Maintenance                      XXX Utility

**Requested by Councilmember:**

**Signed:** verbally approved – signature pending  
Roger Poston

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  
January 17, 2013

**AGENDA ITEM:** Other Business  
Utility Project  
Council Districts 3 and 7

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$105,000 From Council Districts 3 and 7 (\$25,000 From District 3 and \$80,000 From District 7) Utility Funding Allocations To Assist The Housing Authority Of Florence with The Purchase/Installation Of Fencing At Its 36 Unit LIHTC Property Located Off Mechanic/Rose Street In Florence.

**FUNDING SOURCE:**

\_\_\_\_\_ Infrastructure      \_\_\_\_\_ Road System Maintenance      XXX Utility

**Requested by Councilmember:**

**Amount:**      \$25,000 \_\_\_\_\_

\$80,000 \_\_\_\_\_

**Signed:** verbally approved – signature pending

verbally approved – signature pending

Alphonso Bradley  
District 3

Waymon Mumford  
District 7

Date: \_\_\_\_\_

**ATTACHMENTS:**

Copy of Request from Housing Authority of Florence

---

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

\_\_\_\_\_  
Connie Y. Haselden, Clerk to Council

**.HOUSING AUTHORITY OF FLORENCE  
POST OFFICE BOX 969  
FLORENCE, SC 29503  
(843) 669-4163 / Fax (843) 679-2626**

November 26, 2012

Councilman Al Bradley  
Florence County Council  
P. O. Box 12471  
Florence, SC 29504

Dear Councilman Bradley:

*We are nearing completion of our 36 unit LIHTC Property located off Mechanic/Rose Street.*

*Our construction costs have exceeded \$4,700,000 and we will be carrying only a \$300,000 loan to be paid back over a 15 year period. The City of Florence assisted us with \$736,400, which included cash and in-kind services.*

*I think you will agree that this project, once you view the units, is of exceptional quality and offers many amenities not found in other apartments or townhomes in the area. We are offering built-in microwaves, garbage disposals, high-end appliances, ceiling fans, 2 to 2.5 baths in all units, marble countertops, energy star hvac units, water heaters and windows, plank flooring and carpet, and an abundance of closet space. Each unit has its own patio space.*

*We are providing a computer lab in the community room and will be bringing in activities for the youth and adults. We are also installing a camera surveillance system.*

*The one area that we do not have necessary funds to address is a decorative/security fence. We believe, based on our observations and the current and prospective residents' comments that the fence is the item that would make this community complete.*

*When we were originally approaching this project, over a year ago we met with you to discuss your possible participation in making this dream a reality. We have been extremely fortunate to this point but now your assistance is needed. I am enclosing a site map, indicating where the fence would be located. The estimated cost is \$105,000.*

*Your consideration to donate the fence would be greatly appreciated. If you need additional information, please advise. When a decision is made please let me know. We are planning a dedication /open house January 9<sup>th</sup> at 2:00pm, and would like very much to have it installed or at least to make reference to the plans of having the fence installed shortly thereafter. We would also like for you to participate at our dedication.*

*Again, thank you for your consideration*

*Sincerely,*

*Housing Authority of Florence*

*Cynthia W. Williams  
Executive Director*



Florence County Council Meeting  
January 17, 2013

**AGENDA ITEM:** Other Business  
Utility Project  
Council Districts 3 and 8

**DEPARTMENT:** County Council

**ISSUE UNDER CONSIDERATION:**

Approve The Expenditure Of Up To \$42,000 From Council Districts 3 and 8 (\$21,000 From Each District) Utility Funding Allocations To Assist The City Of Florence With An Additional 2,500 LF Of 6" Water Line To Serve Future Customers Along Sumter Street.

**FUNDING SOURCE:**

\_\_\_\_\_ Infrastructure      \_\_\_\_\_ Road System Maintenance      XXX Utility

**Requested by Councilmember:**

**Amount:**      \$21,000 \_\_\_\_\_      \$21,000 \_\_\_\_\_

**Signed:** verbally approved-signature pending      verbally approved-signature pending

Alphonso Bradley  
District 3

James T. Schofield  
District 8

Date: \_\_\_\_\_

**ATTACHMENTS:**

None

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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

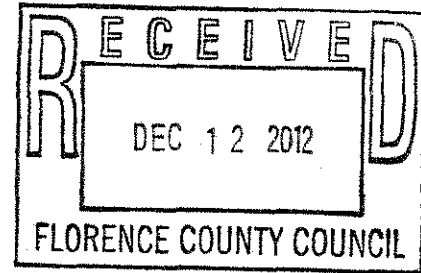
MEMORANDUM

TO: Rusty Smith, Administrator, Florence County

FROM: Drew Smith, City Manager, City of Florence

SUBJ: Proposed water line extension: Sumter Street

DATE: December 11, 2012



Please find attached information regarding a water line request for Sumter Street (Gregory Electric) and a supplementary request of an additional 2500 LF of 6" water line to serve future customers west of Gregory Electric and along Sunnyside Road.

As noted, the initial request was presented and approved with a cost benefit analysis of .14 which required a cost share by the county of \$35,930 of infrastructure funds from Florence County. For both projects the cost share would increase to \$77,626 from \$35,930.

Please review the attached information and let us know if you have any questions.



**City of Florence  
Public Works Department  
MEMORANDUM**

Phone: 843-665-3236

FAX: 843-665-3200

**DATE:** August 10, 2012

**TO:** Mr. Thomas B. Robinson - Administrator  
Florence County - SC  
City-County Complex  
180 N. Irby Street  
Florence, South Carolina 29501

**FROM:** Steven H. Allen  
Engineering Division Manager

**SUBJECT:** Proposed Sumter Street Water Line Extension  
Approx. 575 LF of new 6" WL from intersection w/ N. Cashua

Mr. Robinson,

At the request of County Councilman Al Bradley, the City Engineering staff has evaluated the costs and feasibility of a proposed water line extension on Sumter Street in Florence County. We have spent considerable time and effort to look at the possibility of a new water line extension for the area. Construction plans and specifications have been designed and prepared by our consulting utility engineer, and cost estimates have been developed based on recent contractor price quotes for the scope of work. An analysis has been done to determine the amount of the "cost-share" that is necessary to make the economically feasible (see attachment).

The contractor cost quote is \$42,000 for the total project. The present value of potential revenue generated by the new line is approx. \$6,000. This leaves a cost share of approximately \$36,000 necessary to make the project economically feasible (see attachment)

Please call if you have any questions about this information

Sincerely,



Steven H. Allen

Cc: Mr. Alphonso Bradley - County Council  
Mr. Ed Copeland --- Gregory Electric Co.  
Drew Griffin - City Manager

**Gregory Electric ---Sumter St. Ext.  
WATER LINE EXTENSION  
Approx. 575 LF of new 6" WL from intersection with N. Cashua Dr.**

**ECONOMIC FEASIBILITY ANALYSIS**

**COST**

<u>\$42,000</u> X	1.00 =	<u>\$42,000</u>
<b>TOTAL PRESENT WORTH OF COST</b>		<b><u>\$42,000</u></b>

**REVENUES**

**TAP FEES**

<u>1</u> X	<u>\$2,670</u> =	<u>\$2,670</u>
PAID CUSTOMERS	(FY13 FEE)	
<u>2</u> X	<u>0.5</u> X <u>\$2,670</u> X <u>0.6139</u> =	<u>\$1,639</u>
FUTURE CUSTOMERS	(FY13 FEE) (PV: 5%, 10-YR.)	

**WATER BILLINGS:**

<u>1</u> X	<u>\$32.79</u> X <u>12</u> X <u>0.25</u> X <u>12.4622</u> =	<u>\$1,226</u>
PAID CUSTOMERS	(FY13 RATE) (PVA: 5%, 20-YR.)	
<u>2</u> X	<u>0.5</u> X <u>\$37.63</u> X <u>12</u> X <u>0.25</u> X	
FUTURE CUSTOMERS	(FY20 RATE)	
	<u>7.7217</u> X <u>0.6139</u> =	<u>\$536</u>
	(PVA: 5%, 10-YR.) (PV: 5%, 10-YR.)	

**TOTAL PRESENT WORTH OF REVENUES \$6,070**

<u>\$6,070</u> /	<u>\$42,000</u>	=	<u>0.14</u>
TOTAL REVENUES	TOTAL COST		REVENUE / COST RATIO

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

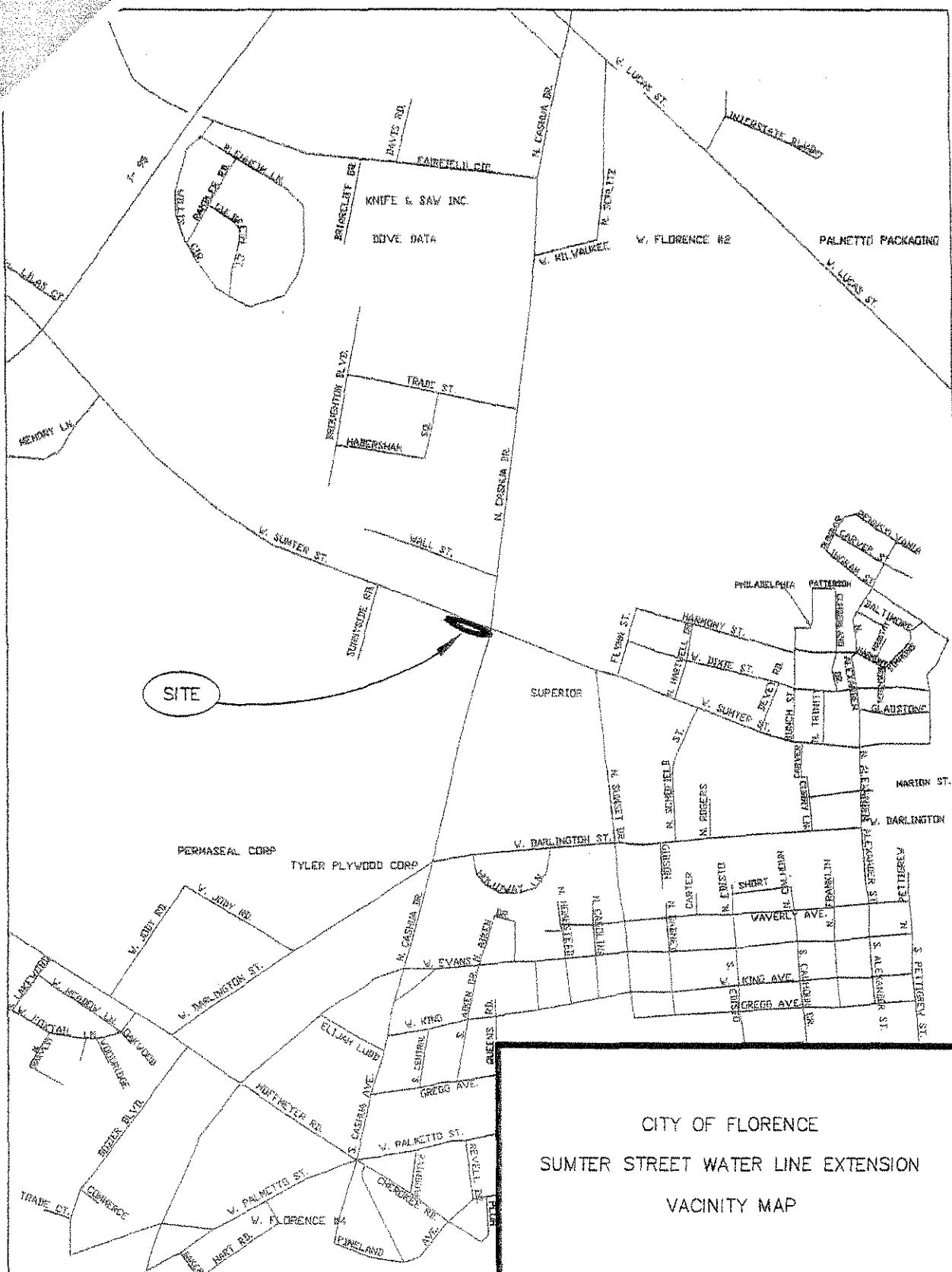
In order to make this project economically feasible, the required amount of additional funding is : **\$35,930**

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

August 10, 2012

S.H.A.







**CITY OF FLORENCE  
SUMTER STREET WATER LINE EXTENSION  
COST ESTIMATE (Dec. 2012)**

1. 6" PVC Water Main	2500 LF	@ \$18	\$45,000.00
2. 12"x6" Tapping Sleeve & Valve	1 EA	@ \$4000	\$4,000.00
3. Standard Fire Hydrant w/Valve	3 EA	@ \$3700	\$11,100.00
4. 6" Gate Valve	2 EA	@ \$900	\$1,800.00
5. Valve Marker	3 EA	@ \$60	\$180.00
6. Open Cut & Patch Concrete	55 LF	@ \$40	\$2,200.00
7. Open Cut and Patch Asphalt	160 LF	@ \$80	\$12,800.00
8. Bore 12" Casing and 6" Carrier Pipe	75 LF	@ \$160	\$12,000.00
9. Traffic Control	LS	@ \$5000	\$5,000.00
10. Water Services	18 EA	@ \$500	\$9,000.00
11. 1" Water Service	1 EA	@ \$1500	<u>\$1,500.00</u>

**Total Construction Cost Estimate = \$104,580.00**

**Engineering Design and Permitting (8%)= \$8,366.40**

**Total Estimate for Design \$112,946.40**

Note: These prices are based on the low bidder for the previous scope of the project.

**Chipley/Sunnyside ----Sumter St. Ext.  
WATER LINE EXTENSION  
3,075 LF of new 6" WL from Intersection w/ Cashua Street  
to Gregory Electric and Chipley & Sunnyside**

**ECONOMIC FEASIBILITY ANALYSIS**

**COST**

<u>\$151,466</u>	X	1.00	=	<u>\$151,466</u>
<b>TOTAL PRESENT WORTH OF COST</b>				<b><u>\$151,466</u></b>

**REVENUES**

**TAP FEES**

<u>17</u>	X	<u>\$2,670</u>	=		\$45,390			
PAID CUSTOMERS		(FY13 FEE)						
<u>7</u>	X	<u>0.5</u>	X	<u>\$2,670</u>	X	<u>0.6139</u>	=	\$5,737
FUTURE CUSTOMERS			(FY13 FEE)		(PV: 5%, 10-YR.)			

**WATER BILLINGS:**

<u>17</u>	X	<u>\$32.79</u>	X	<u>12</u>	X	<u>0.25</u>	X	<u>12.4622</u>	=	<u>\$20,840</u>
<small>PAID CUSTOMERS</small>		<small>(FY13 RATE)</small>						<small>(PVA: 5%, 20-YR.)</small>		
<u>7</u>	X	<u>0.5</u>	X	<u>\$37.63</u>	X	<u>12</u>	X	<u>0.25</u>	X	
<small>FUTURE CUSTOMERS</small>			<small>(FY20 RATE)</small>							
						<u>7.7217</u>	X	<u>0.6139</u>	=	<u>\$1,873</u>
						<small>(PVA: 5%, 10-YR.)</small>		<small>(PV: 5%, 10-YR.)</small>		

**TOTAL PRESENT WORTH OF REVENUES \$73,840**

<u>\$73,840</u>	/	<u>\$151,466</u>	=	<u>0.49</u>
<b>TOATAL REVENUES</b>		<b>TOTAL COST</b>		<b>REVENUE / COST RATIO</b>

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

**In order to make this project economically feasible, the required amount of additional funding is : \$77,626**

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

December 7, 2012