

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, APRIL 3, 2008, 9:00 A.M., COUNCIL CHAMBERS,  
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY ST.,  
FLORENCE, SOUTH CAROLINA**

**PRESENT:**

K. G. "Rusty" Smith, Jr., Chairman  
Waymon Mumford, Vice-Chairman  
H. Morris Anderson, Secretary-Chaplain  
Mitchell Kirby, Council Member  
Russell W. Culberson, Council Member  
Johnnie D. Rodgers, Jr., Council Member  
J. Ken Ard, Council Member  
James T. Schofield, Council Member  
Alphonso Bradley, Council Member  
Richard A. Starks, County Administrator  
James C. Rushton, III, County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Carlie Gregg, Public Works Director  
Kevin Yokim, Finance Director  
Herbie Christmas, Environmental Services Officer  
Ray McBride, Library Director  
Sheriff Kenney Boone  
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the April 2, 2008 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex and on the County's website ([www.florenceco.org](http://www.florenceco.org)).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Vice-Chairman Mumford led the Pledge of Alliance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

**APPROVAL OF MINUTES:**

Councilman Anderson made a motion Council approve the minutes of the March 20, 2008 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

**PUBLIC HEARINGS:**

The Chairman published the titles and opened public hearings for the following:

#### **RESOLUTION NO. 24-2007/08**

A Resolution In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds, Series 2008 (HopeHealth Project), Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$2,300,000.

#### **ORDINANCE NO. 23-2007/08**

An Ordinance To Adopt A New Natural Resources Element For The Florence County/Municipal Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

#### **APPEARANCES:**

##### **MARSHALL YARBOROUGH**

Councilman Culberson requested Mrs. Marshall Yarborough be allowed to address Council. Councilman Rodgers seconded the motion, which was approved. Mrs. Yarborough presented Council with an update on the Mars Bluff Atomic Bomb/Broken Arrow Site commemorative event.

##### **ED WEST – S C DEPARTMENT OF COMMERCE**

Councilman Mumford requested Mr. Ed West with the South Carolina Department of Commerce be allowed to make a presentation. Councilman Rodgers seconded the motion, which was approved. Mr. West presented Chairman Rusty Smith with the “Homegrown Champions Award” on behalf of the South Carolina Summit. The Award recognizes individuals who have left a community to pursue education, military career, etc. then return to the hometown area and have a positive impact on the community. Chairman Smith expressed his appreciation for the Award.

#### **COMMITTEE REPORTS:**

##### **JUSTICE & PUBLIC SAFETY**

Committee Chairman Mumford stated the Committee on Justice & Public Safety met prior to the regular meeting. It was the consensus of the Committee to move forward with presentation of a Litter Control Ordinance at a later meeting of Council and to request Council’s consideration of the addition of \$30,000 in the fiscal year 2009 budget for start-up costs for the implementation of a litter control program. Chairman Smith asked if a motion was needed for this recommendation. County Administrator Richard Starks responded that a motion was not necessary; staff could include the \$30,000 in the budget for Council’s consideration during the normal annual budget process. Councilman Anderson thanked the Committee for its efforts.

### **EDUCATION, RECREATION, HEALTH & WELFARE COMMITTEE**

Committee Chairman Anderson stated the Committee on Education, Recreation, Health & Welfare had a meeting scheduled immediately following the Council Meeting to address the cruelty to animals ordinance.

### **AD HOC WATER STUDY COMMITTEE**

Committee Chairman Ard stated the Ad Hoc Water Study Committee had a meeting scheduled later that afternoon with the City of Florence to express concerns regarding the provision of water and sewer in the County, however prior to the Council meeting; staff was notified the City cancelled the meeting due to conflicting schedules with City Council members. He stated the Committee would remain persistent and sit down with a contingency from the City to express concerns and figure out a way to alleviate some concerns for provision of water and sewer to the rural areas.

### **PROCLAMATIONS:**

#### **WEEK OF THE YOUNG CHILD**

The Clerk published, in its entirety, a Proclamation Recognizing And Supporting The Efforts Of North Vista Elementary School As They Celebrate The Week Of April 6 – 12, 2008 As The Week Of The Young Child 2008. Councilman Mumford made a motion Council approve the Proclamation. 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.

### **RESOLUTIONS:**

#### **RESOLUTION NO. 24-2007/08**

The Chairman published the title of Resolution No. 24-2007/08: A Resolution In Support Of The Issuance By The South Carolina Jobs-Economic Development Authority Of Its Economic Development Revenue Bonds, Series 2008 (HopeHealth Project), Pursuant To The Provisions Of Title 41, Chapter 43, Of The Code Of Laws Of South Carolina 1976, As Amended, In The Aggregate Principal Amount Of Not Exceeding \$2,300,000. Councilman Mumford made a motion Council approve the Resolution. Councilman Ard seconded the motion, which was approved unanimously.

#### **RESOLUTION NO. 25-2007/08**

The Clerk published Resolution No. 25-2007/08 in its entirety: A Resolution Designating The Month Of April, 2008 As Fair Housing Month. Councilman Culberson made a motion Council approve the Resolution. Councilman Anderson seconded the motion, which was approved unanimously.

### **RESOLUTION NO. 26-2007/08**

Chairman Smith stated Mr. Starks approached him prior to the meeting that the County had been advised by the Department of Commerce that a Resolution was necessary to file a Community Development Block Grant (CDBG) application. Council was asked to approve the addition of Resolution No. 26-2007/08 to the agenda: A Resolution Authorizing Submission Of An Application By Florence County To The State Of South Carolina Community Development Block Grant Program For 2008 For Water Line Extension and Fire Protection Improvement Initiatives For Gray Road and Repealing Previous Authorizing Resolution No. 35-2006/07. Councilman Culberson made a motion Council approve the Resolution. Councilman Rodgers seconded the motion, which was approved unanimously.

### **ORDINANCES IN POSITION:**

#### **ORDINANCE NO. 23-2007/08 – SECOND READING**

The Clerk published the title of Ordinance No. 23-2007/08: An Ordinance To Adopt A New Natural Resources Element For The Florence County/Municipal Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 24-2007/08 – SECOND READING**

The Clerk published the title of Ordinance No. 24-2007/08: An Ordinance Accepting The Transfer By The Town Of Pamplico, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Pamplico, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

#### **ORDINANCE NO. 25-2007/08 – SECOND READING**

The Clerk published the title of Ordinance No. 25-2007/08: An Ordinance Accepting The Transfer By The City Of Florence To The Florence County Election Commission Of The Authority To Conduct The November 4, 2008 General Election Of The City Of Florence And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion. Councilman Ard made a motion to amend the Ordinance to include Associated Primaries and Runoffs of the City of Florence, incumbent upon the City to pay all associated costs. Councilman Culberson seconded the motion to amend, which was approved unanimously. Second reading of the Ordinance as amended was approved unanimously. Councilman Ard recognized James Tanner from Johnsonville and the work that he does on the Election Commission.

### **ORDINANCE NO. 26-2007/08 – SECOND READING**

The Clerk published the title of Ordinance No. 26-2007/08: An Ordinance Approving The Entry By Florence County, South Carolina Into A Capital Facilities Refunding And Improvement Lease-Purchase Financing, Series 2008, In The Principal Amount Of Not Exceeding \$25,000,000 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 Facilitation Of Such Financing, If Required, By The Florence County Public Facilities Corporation; Approving The Form Of A Trust Agreement Between The Florence County Public Facilities Corporation And A Trustee; Approving The Optional Redemption By Refunding And Prepayment Of Amounts Owed With Respect To The Series 2003 Certificates Of Participation Of The Florence County Public Facilities Corporation; Approving Such Agreements By The County As May Be Required With Respect To The Florence County Public Facilities Corporation, The Redemption Of Said 2003 Certificates Of Participation, And The Aforesaid Lease-Purchase Financing; Approving The Termination Of An Interest Rate Swap Agreement Pursuant To An ISDA Master Agreement And Related Documents Between Florence County And Wachovia Bank, National Association; And Approving Other Matters Relating To The Foregoing. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

### **ORDINANCE NO. 27-2007/08 – INTRODUCED**

The Chairman published the title of Ordinance No. 27-2007/08 and declared the Ordinance introduced: An Ordinance To Amend Florence County Land Development And Subdivision Ordinance No. 38-2006/07, Article VI, Section 6.25 (D), Lots, To Amend The Requirement For Septic Percolation Tests And Permits To Exempt Estate Settlements and Life Estates.

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

#### **PEE DEE WORKFORCE INVESTMENT BOARD**

Councilman Culberson made a motion Council approve the recommendation from the Pee Dee Workforce Investment Board for the following appointment/re-appointments: Richard Harrington and Bill Sebnick representing the private sector, Kyle Edney representing Economic Development, and Judge Taft Guile representing Community Based Organizations (replacing Walter Fleming who has declined reappointment). Councilman Kirby seconded the motion, which was approved unanimously.

#### **FLORENCE COUNTY PLANNING COMMISSION**

Council unanimously appointed the following individuals to the Florence County Planning Commission, with terms effective July 1, 2008:

- Representing Council District 1 – Roger Kirby
- Representing Council District 3 – Doris Lockhart
- Representing Council District 6 – David Hobbs
- Representing Council District 7 – Cecil Cunha
- Representing Council District 9 – Linda Borgman

## **REPORTS TO COUNCIL:**

### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly financial reports were provided to Council for fiscal year 2008 through February 29, 2008 as an item for the record.

### **PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT**

#### **DECLARATION OF SURPLUS PROPERTY**

Councilman Ard made a motion Council declare three (3) televisions, County Assets #6389, 6390, and 6391, Ford Explorer V#0615, Ford Taurus V#1102, and Ford Ambulance V#2111, as surplus property and authorize the County Administrator to dispose of said property in the most advantageous manner. Councilman Anderson seconded the motion, which was approved unanimously.

### **TAX ASSESSOR**

#### **LATE FARM APPLICATIONS**

Councilman Mumford made a motion Council open the deadline for application consideration, authorize parcels to be considered; and close the filing deadline. Councilman Kirby seconded the motion, which was approved unanimously.

## **OTHER BUSINESS:**

### **INFRASTRUCTURE**

#### **WILLOW CREEK BALL FIELD**

Councilman Culberson made a motion Council approve the expenditure of funds from Council Districts 3 and 6 Infrastructure funding allocations in an amount up to \$24,000.00 for the purchase of a backstop for the Willow Creek Ball Field. Councilman Bradley seconded the motion, which was approved unanimously.

#### **TIMMONSVILLE BOYS & GIRLS CLUB**

Councilman Kirby made a motion Council approve the expenditure of funds from Council Districts 2, 3, 4, 6, 7, and 9 Infrastructure funding allocations in an amount up to \$72,630.00 (from each district as indicated on the approving memo) for roof replacement on the Timmons ville Boys & Girls Club. Councilman Bradley seconded the motion, which was approved unanimously.

## **EXECUTIVE SESSION:**

Councilman Anderson made a motion Council enter executive session for a legal briefing by the County Attorney. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:36 a.m. Council reconvened at 10:00 a.m.

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

**COUNCIL MEETING ADJOURNED AT 10:01 A.M.**