

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL, THURSDAY, MAY 1, 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  
Alphonso Bradley, Council Member  
James T. Schofield, Council Member  
Richard A. Starks, County Administrator  
James C. Rushton, III, County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Kevin V. Yokim, Finance Director  
Ray McBride, Library Director  
Chuck Tomlinson, Morning News Staff Writer (entered at 9:20 a.m.)

A notice of the regular meeting of the Florence County Council appeared in the April 30, 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 ( HYPERLINK "http://www.florenceco.org" [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 Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

**APPROVAL OF MINUTES:**

Councilman Anderson made a motion Council approve the minutes of the April 17, 2008 regular meeting of County Council. Councilman Kirby seconded the motion, which was approved unanimously.

**PUBLIC HEARINGS:**

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

**ORDINANCE NO. 20-2007/08**

An Ordinance Amending Florence County Code Chapter 6 – Animals and Fowl, In Its Entirety to Clarify Animal Care and Control Regulations.

**ORDINANCE NO. 28-2007/08**

An Ordinance To Amend Ordinance No. 31-2006/07 To Provide For Compensation Of Members Of The Board Of

Fire Control For A Rural Volunteer Fire District And Other Matters Relating Thereto.

**ORDINANCE NO. 29-2007/08**

An Ordinance To Establish The Florence County Cultural Commission; Provide For The Composition And Appointment Of The Commission; Establish The Effective Date For Such Appointments; And Other Matters Relating Thereto.

**APPEARANCES:**

**CHRIS GOSSETT, P.E. – SC DOT**

Chairman Smith stated in addition to Mr. Gossett, Mr. Metts with SC DOT was also present and commended them on the excellent job they have done with the project. Chris Gossett, P.E. with SC DOT presented the Highway 378 widening scope for consideration; a Florence County Forward Project, funded by the One Cent Capital Project Sales Tax and the State Infrastructure Board. Councilman Rodgers made a motion Council approve the scope of the project as presented. Councilman Anderson seconded the motion, which was approved unanimously.

**COMMITTEE REPORTS:**

**ADMINISTRATION & FINANCE:**

Chairman Smith stated the Committee on Administration & Finance dealt with the economic aspect of Florence County and a recent article in *The State Newspaper* reported that Florence County experienced a 6.1% increase in per-capita income; the highest in the State. He stated Council received a petition from a group to basically repeal the \$15 Road System Maintenance Fee and, in essence, replace it with a major tax increase on business and property owners. He further stated that County Council was very adamant that this was the most equitable/fair tax available in South Carolina and it allows for diversification of the tax base.

Councilman Schofield offered the following comments. “Submitting an ordinance by petition is a serious matter and goes way beyond merely making comments at a public hearing. Any group that would spend the time and effort and use the facilities of this government with the blessings of other elected officials to promote their position has an obligation to the public to ensure that the ordinance that they suggest is technically correct and not doing so is a serious matter that deserves to be dealt with in a serious fashion. The petition that was presented to the public is poorly drafted and, even if the majority of council members supported the intent, which none of us do, to lower or abolish the road fee, and one can not tell from the petition what your position is, it could not be put to the voters with the language that has been suggested.

Let me read for you the proposed ordinance on one of the petitions; and, by the way, not all of the petitions have the same wording for the ordinance. ‘Florence County Council [and I’m quoting] hereby repeals all ordinances including Ordinance 19-2002/03 but not limited thereto, previously enacted by Council imposing a road maintenance fee of \$15 per year to amend Ordinance 21-91/92 so as to provide that such road maintenance feed [spelled wrong] imposed by Ordinance 21-91/92 shall be deposited into the general fund or an appropriate fund used exclusively for road maintenance and repair without input or direction of Florence County Council collectively or individual council person to allocate which road shall be maintained or repaired.’ That’s the essence of the Ordinance that has gotten these petitions and gotten the signatures on.

What you have proposed, in our opinion, is not allowed by State statute. Appropriations can not be repealed by petition. There are specific things that can be repealed by petition and that has to do with bond ordinances and it is very specific in the State Law. The wording on your petition would remove all road maintenance fees and I don’t know whether that was your intent or just an error in the way you drafted it. It would also repeal Ordinance # 01-91/92, which was the Ordinance that began the road fee, but that Ordinance was the Budget Ordinance and who

knows what havoc would be created by repealing a previous budget ordinance. Your drafted language says to amend Ordinance 21-91/92, but you started off by repealing every ordinance there is to do with the road maintenance. It is the judgment of this Council, with advice from our legal staff as well as other interested parties in this matter that the petition as drafted is not proper. For that reason, this Council will file with the court for a declaratory judgment that this petition is not valid and/or that is drafted so poorly that Council can not submit it to the public as written. This Council will abide by the decision of the court. If the court rules that a referendum is necessary, then County Council will schedule one.

This is a serious matter and will affect many counties in this State. It is definitely a matter that should be decided in a court of law. The group that submitted this petition have taken serious steps that require comment from members of this Council. There appear to me to be three issues that need to be addressed. First, how do we want to pay for road maintenance – property taxes or road fee per vehicle? It appears that these people want you to have property taxes to pay for road maintenance. That means you pay millage on your house, your car, and any other personal property that is taxed. It is the opinion of this Council that this is the most inequitable way to pay for road maintenance. It is our opinion that there is no more equitable way to pay for road maintenance in Florence County than with a fee on vehicles that use the roads. If you have more cars, you pay more for the road maintenance.

Second, who do you want to decide what roads to fix? County Council or the staff? They make such a big deal that County Council decides which roads to fix. It is Council's mandated obligation by the State of South Carolina that it set budget priorities and policies. Then why is it improper for Council to allocate road maintenance in a public meeting with a majority vote of Council? Your proposal would have staff set the priorities, but if we set a budget, which is our State mandated responsibility for Public Works Department and staff to implement, with policies for expenditures of funds within certain guidelines, do you think that is okay? We believe the public would rather have Council as a whole decide what roads get rocking rather than an un-elected public official.

Third, are we going to expend every dime collected each year? Which, if we did that, would guarantee only rocking and no road paving, because the amount of money collected each year is insufficient to pave much, thereby persons that live on paved Florence County roads will see very little done. It is entirely proper to hold funds until enough has been accumulated to fund a needed project.

Twenty-four out of forty-six counties have a road maintenance fee on vehicles. Some of them, Clarendon \$25, Colleton \$25, Darlington \$30, Florence \$30, Kershaw \$20, Marlboro \$28, Orangeburg \$35, Pickens \$20, Spartanburg \$25, Richland County has \$36 on private vehicles and \$44 on commercial vehicles, which some of its funds are used to help with mass transit. I haven't read about any great citizen's effort to remove them other than in Florence County. There are 115,034 vehicles paying taxes in Florence County; 31,080 are paying less than \$30 or 27% of the total. There are two ways to look at this. Your group says that you should not pay more in road fees than you do in taxes on a vehicle. Another way to look at it is that 27% of the vehicles in Florence County are paying less than \$30 in vehicle taxes and use the roads just like everybody else. Because a vehicle is older thereby has lower taxes does not mean that it wears out the road any less and in fact older vehicles that are losing oil on the roadways contribute more to their deterioration than newer vehicles. What does the age of a vehicle have to do with paying for roads in our County?

The State of South Carolina has given several alternative revenue resources, such as road fees and local option taxes to diversify the revenue source and to share the burden of government in a more equitable distribution to citizens who use government services. The road fee is just one of them and in this Council's opinion it is a better option than raising the general millage, which would apply to all vehicles, homes, businesses and industry. A millage increase for road maintenance will make this County less competitive in economic development, which will, in the long run, result in higher taxes. You continue to beat the drum that Florence County has constantly raised taxes and done nothing to lessen the burden on its citizens. Nothing could be further from the truth. Thirty counties have the local

option sales tax, which was voted on by the tax payers. Fourteen give 100% tax relief with all of the penny being used to lower property taxes; Florence County is one of those and County Council required by its ordinance that it be done that way and that it would take a referendum of the people to change that. County Council submitted the referendum with a provision in order to give the most comprehensive tax relief possible.

Sixteen counties get 29% of the local option penny to fund local government as allowed by State Law, but not Florence County. In the last 18 years County Council has raised operating millage about 9.6 mills or a half a mill per year for operations. In the last 18 years millage has been raised 12.1 mills for our jail and its operation, which was mandated with the threat of a court order by the State of South Carolina. And 5 mills for projects that are absolutely essential, in our opinion, in keeping our County competitive in economic development with other counties in the state and region. This fee generates about \$3.1 million. It costs somewhere between \$1 and \$2 million to pave one mile of dirt road. It costs between \$100,000 and \$200,000 just to resurface a mile of road. Each Council district gets \$46,600 per year for rocking and paving a dirt road or 14% of the \$30 fee. Eighty-six percent (86%) goes for public works road maintenance, ditch maintenance, signs, drainage of roads. We have 487.7 miles of unimproved roads in this County and 145.7 miles of paved roads. Even if we took every dime to pave roads, we could pave only about 1 to 3 miles a year. With 487 miles unpaved, it would take over 100 years to pave them all. If all we did was resurface the existing paved roads we could repave about 15 miles a year. If all the County roads were paved, we could do resurfacing maybe every 42 years. We simply do not have sufficient funds to adequately maintain County roads.

In a news conference on April 10<sup>th</sup> you made many statements in my opinion were false and misleading to the public. March 20<sup>th</sup> the petitions were delivered and that we had not responded to that mandate. Well this is May the first and we are responding and with less than six weeks we are responding after carefully analyzing your suggested ordinance. And, I would say, when you look at 11,000 signatures on the petitions it takes a little more than just a few days to look at that. You say that the fee is extremely unpopular and 11,000 citizens signed the petition not because they are against road maintenance because they feel the roads are not being adequately maintained and because they resent that a portion (currently 13% of this fee) is being diverted to the nine separate road system maintenance fee funds of the individual Councilmen and over a million dollars has accumulated in those nine discretionary funds. My opinion is that you got the signatures simply by asking the public if they wanted to lower the road fee on the tax notice from \$30 to \$15 and I don't think that is too hard to think that people would sign that.

You say that often the \$30 fee totals more than the property tax on older vehicles, which are often owned by elderly and low income people. The money is a fee and not a tax and cannot be deducted as a tax expense by the taxpayers. Well people who are on low incomes, at least listening to the accountants I listen to, for the most part do not itemize deductions on the tax return, so therefore this money being in the form of a tax would be of no benefit to them. Most accountants that I have asked about this realize that many people that do itemize put down the bottom dollar amount on the tax notice; that's probably not technically correct with the IRS but that is probably what they are doing and it is deducted. Prior to 2006, the monies you state were collected via the road maintenance fee were deposited in the general fund. Beginning with the 2006/07 County budget and continuing with the 2007/08 County budget, these monies have been used to fund the Public Works Department. Well, they were used previously; it just was in the general fund. Previously, the Public Works Department was funded through the general fund, you state.

In order to assure that all these funds be expended for what they are imposed for, deposit in a separate account is essential in the opinion of this County Council. Road money should never have been mixed in the general fund as the original ordinance did in '91. You state, why are these Council members discretionary funds rolled over year after year? The original Ordinance #01-91/92 states that, "if the combined revenues from State Gasoline Tax and Motor Vehicle Fees shall for any period exceed the amounts expended for the purpose herein set forth the excess funds should be held for use in a later period." That Ordinance was passed unanimously by County Council at that time, which included people that are on your committee and support the repeal of this ordinance. As stated previously, if

we are only going to expend every dime collected each year that will guarantee only rocking and no road paving, because the amount collected each year is insufficient to pave much. It is entirely proper to hold funds until enough has been accumulated to fund a needed project. You state that given the state of our roads and the low amount in public works operational budget this money should be transferred over for actual road maintenance.

With that statement, it appears that your group would advocate millage being raised to support the day-to-day operation of Public Works and that all of the \$30 road fee be used for material to pave and patch roads. That would be quite a property tax increase, which by State law we couldn't do if we wanted to. You state, 'if these discretionary funds are being held for a specific usage, the people have a right to know what it is. However, this is not the case. Discretionary RSM funds are rolled over year after year without a specific plan.' (End of quote) That is in my opinion a blatant misrepresentation of the facts. These funds are in fact being held for a specific usage by ordinance. They can only be spent for road maintenance (and you know it); such as rocking and paving for a specific project and the only way they get spent is after a vote of this County Council.

You state that, 'the Councilmen seem to have forgotten that this money belongs to the people and not to them. We urge them to release this money so that it can be utilized by the Public Works Department not to hire staff or buy equipment to maintain the roads, which is the usage for which it was intended. 11,000 people have petitioned that they do this very thing. This is a clear mandate from the public asking that the money be freed from the Council member's funds and to be used for road maintenance as it was intended.' You seem to have this perverted logic, in my opinion, that because 14% of the road fee is allocated to be spent by district on road rocking and repair and yet somehow belongs to each Councilman for their own use. If this money was not allocated by district, I for one can assure you that the people in my district (which is mainly the City of Florence), there wouldn't be any money spent in this district. Allocation by district for a small portion of the fee assures that each district gets some benefit from the road fee. If it was all at the Public Work's discretion, the greatest need that they deal with is over 400 miles of dirt roads and that is where the money would be spent.

You state that 'the guidelines and intent of this fee was not to give property tax relief, balance the budget, or fund the Public Works Department, but your word is 'to supplement' the County funding and the maintenance of County roads. These funds were intended to be used for specific expenses to specific road projects.' However, Ordinance 1-91/92 states, Section D all funds collected under the provision of this section shall be used to defray (not the word supplement) to defray the cost of maintaining and improving county roads and the ditches and drainage system, and that is exactly what has happened. The ordinance says nothing about specific expenses to specific road projects. It does not say that it was to supplement; it says 'defray.' You say that people are not against road maintenance and that the roads are not being properly maintained, but you want to cut out over \$1.5 million that is being spent on road maintenance today. In my opinion, that dog don't hunt. You cut back \$15 and will lose \$1.5 million. You don't fund rocking or repaving, you only scrape the dirt roads and the ditches. That means, if my estimate is correct, if you want to continue to do what we're doing but let Public Works do it, you have about a 3 mill tax increase.

The petition you presented to the citizens does not accurately portray what will happen if it was enacted. You say there is enough money in the individual Councilmen's road paving to fund the difference. You are correct, for one year. But then what? Taxes will have to go up or no roads will be paved or rocked. So much for saying that the people who signed this petition support road maintenance. It is irresponsible to suggest that no tax increase would be necessary to maintain the same level of road maintenance. \$1.5 million less funds with no increase means less road maintenance. My opinion, the group has made a serious error in submitting a technically deficient petition and is wasting the taxpayer's time and this Council's. If you want to submit a petition, get it right from the start, that is serious business in government and I fully support the people's right to submit a petition and this Council will deal with petitions submitted. What has been submitted in our opinion is not technically correct and does not abide by State Statute and we intend to ask the court to issue a declaratory judgment as such and this Council will abide by the decision of the court. Mr. Chairman, that ends my remarks."

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

Committee Chairman Anderson stated a ribbon cutting ceremony would be scheduled very soon for the new animal facility.

## **AD HOC WATER STUDY COMMITTEE**

Committee Chairman Ard requested Councilman Schofield provide an update on the joint meeting between County Council's Ad Hoc Water Study Committee and the City of Florence's Water Committee. Councilman Schofield stated that there were some positive ideas advanced and some positive comments from City Council. They asked the County to present to them points for their consideration and that the Committee intended to do so, on the water and the sewer, which makes it almost impossible for residents to obtain water.

## **PROCLAMATIONS:**

### **OLDER AMERICANS MONTH**

The Clerk published, in its entirety, a Proclamation Declaring the Month of May, 2008 as Older Americans Month; urging citizens to honor older adults and the professionals, family members, and citizens who care for them. Councilman Mumford made a motion Council approve the Proclamation. Councilman Culberson seconded the motion, which was approved unanimously.

## **RESOLUTIONS:**

None.

## **ORDINANCES IN POSITION:**

### **ORDINANCE NO. 27-2007/08 – THIRD READING**

The Chairman published the title of Ordinance No. 27-2007/08: 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. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

## **PUBLIC HEARINGS:**

There being no signatures on the sign-in sheets, the Chairman closed the public hearing for Ordinance No. 20-2007/08, Ordinance No. 28-2007/08 and Ordinance No. 29-2007/08.

### **ORDINANCE NO. 20-2007/08 – SECOND READING**

The Chairman published the title of Ordinance No. 20-2007/08: An Ordinance Amending Florence County Code Chapter 6 – Animals and Fowl, In Its Entirety to Clarify Animal Care and Control Regulations. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously. County Administrator Richard Starks, at the request of Councilman Schofield, informed Council that Councilman Schofield asked staff to confirm some penalty limitations; therefore some minor adjustments/amendments may be forthcoming prior to third reading.

### **ORDINANCE NO. 28-2007/08 – SECOND READING**

The Chairman published the title of Ordinance No. 28-2007/08: An Ordinance To Amend Ordinance No.

31-2006/07 To Provide For Compensation Of Members Of The Board Of Fire Control For A Rural Volunteer Fire District And Other Matters Relating Thereto. Councilman Rodgers made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

**ORDINANCE NO. 29-2007/08 – SECOND READING**

The Chairman published the title of Ordinance No. 29-2007/08: An Ordinance to Establish the Florence County Cultural Commission; Provide for the Composition and Appointment of the Commission; Establish the Effective Date for Such Appointments; And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 30-2007/08 – INTRODUCED**

The Clerk published the title of Ordinance No. 30-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance To Repeal The Appendices of the 2003 International Building Code, the 2003 International Plumbing Code, the 2003 International Mechanical Code, the 2003 International Fire Code, the 2003 International Energy Conservation Code, the 2002 National Electrical Code, the 2003 International Residential Code, and the 2003 International Fuel Gas Code and to Adopt Chapter I – Administration of the 2006 International Building Code of Chapter 7 – Article II, Division 1 of the Code of Ordinances of Florence County.

**ORDINANCE NO. 01-2008/09 – INTRODUCED**

The Clerk published the title of Ordinance No. 01-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance to Provide for the Levy of Taxes in Florence County for the Fiscal Year Beginning July 1, 2008 and Ending June 30, 2009; to Provide for the Appropriation Thereof; to Provide for Revenues for the Payment Thereof; to Establish and Collect a Local Hospitality Tax in Florence County; and to Provide for Other Matters Related Thereto.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

**FLORENCE COUNTY BOARD OF HEALTH**

Councilman Schofield reappointed Nelda Coleman to serve on the Florence County Board of Health representing Council District 8, with term to expire June 30, 2010.

**FLORENCE COUNTY LIBRARY BOARD OF TRUSTEES**

Councilman Schofield reappointed Angela Lorenz to serve on the Florence County Library Board of Trustees representing Council District 8, with term to expire April 30, 2012.

**FLORENCE COUNTY PLANNING COMMISSION**

Councilman Schofield appointed Jody Lane to serve on the new Florence County Planning Commission representing Council District 8, with the appropriate expiration date.

Councilman Kirby appointed Bill Lockhart to serve on the new Florence County Planning Commission representing Council District 4.

**FLORENCE COUNTY BOARD OF ZONING APPEALS**

Councilman Schofield appointed Chuck Jacobs to serve on the new Florence County Board of Zoning Appeals representing Council District 8, with the appropriate expiration date.

## **REPORTS TO COUNCIL:**

### **ADMINISTRATION**

#### **INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA)**

Mr. Starks informed Council and the public that ICMA recognized the County of Florence under the Council-Administrator form of Government; a formal acknowledgement by the membership and Executive Board of the ICMA.

#### **PROPERTY EXCHANGE AGREEMENT**

Councilman Schofield made a motion Council authorize the County Administrator to execute an Agreement for Exchange of Property between Florence County and the City of Florence. Councilman Mumford seconded the motion, which was approved unanimously.

#### **RURAL DEVELOPMENT ACT FUNDS – REALLOCATION OF FUNDS**

Councilman Mumford made a motion Council approve the PDEC request for up to \$50,000 of the RDA funds to be allocated for qualified infrastructure improvements for public improvements in the Pee Dee Regional Commerce Center, award the contract for professional engineering services to Davis & Brown for an estimated \$3,800; and authorize the County Administrator to execute all associated documents. Councilman Anderson seconded the motion, which was approved unanimously.

### **EMERGENCY MANAGEMENT**

#### **FLORENCE SCHOOL DISTRICT ONE**

Councilman Rodgers made a motion Council authorize the County Administrator to execute a Lease Agreement with Florence County School District No. 1 for the rental of space on the roof of the City-County Complex for placement of UHF repeater, antenna and related communications equipment at a rental rate of \$60.00 per month. Councilman Kirby seconded the motion, which was approved unanimously.

### **OTHER BUSINESS:**

### **INFRASTRUCTURE**

#### **CITY-COUNTY STADIUM COMMISSION**

Councilman Mumford made a motion Council approve the expenditure of funds from Council Districts 6 and 7 Infrastructure funding allocations in an amount up to \$7,500.00 (\$3,750.00 from each district) for capital improvements to American Legion Field. Councilman Culberson seconded the motion, which was approved unanimously.

#### **ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND**

#### **ARMORY/POLLING LOCATION**

Councilman Kirby made a motion Council approve the expenditure of funds from Council District 4 RSMF funding allocations in an amount up to \$939.60 for 15 tons of asphalt to patch near the Armory/Polling location in District 4. Councilman Culberson seconded the motion, which was approved unanimously.

## **INFRASTRUCTURE**

### **GREENWOOD ATHLETIC COMPLEX**

Councilman Culberson made a motion Council approve the expenditure of funds from Council District 6 Infrastructure funding allocation in an amount up to \$3,000.00 for outfield panels for Greenwood Athletic Complex. Councilman Rodgers seconded the motion, which was approved unanimously.

### **MAY FLY AIR SHOW**

Councilman Culberson made a motion Council approve the expenditure of funds from Council District 6 Infrastructure funding allocation in an amount up to \$1,301.81 for 120 feet of 18” metal pipe, 16 feet of 15” concrete pipe and five bands to be used for driveways at the airport for the May Fly Air Show. Councilman Kirby seconded the motion, which was approved unanimously.

### **SOUTH LYNCHES FIRE DEPARTMENT**

Councilman Rodgers made a motion Council approve the expenditure of funds from Council District 1 Infrastructure funding allocation in an amount up to \$627.48 to assist the South Lynchies Fire Department with the purchase of road signs for the Training Facility, to be used for training purposes only. Councilman Anderson seconded the motion, which was approved unanimously.

### **ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND**

### **FRICK ROAD**

Councilman Rodgers made a motion Council approve the expenditure of funds from Council District 5 RSMF funding allocation in an amount up to \$19,519.79 for MBC stone and crushed asphalt for Frick Road. Councilman Mumford seconded the motion, which was approved unanimously.

### **EXECUTIVE SESSION:**

Councilman Ard made a motion Council enter executive session to discuss real property transactions pending, legal matters related to a road project (SCDOT) and pending contractual matters concerning an economic development project underway. Councilman Kirby seconded the motion, which was approved unanimously.

Council entered executive session at 9:50 a.m. Council reconvened at 10:38 a.m.

### **NEW OLANTA LIBRARY SITE:**

Councilman Rodgers made a motion Council authorize the County Administrator to negotiate an agreement and execute all associated documents to proceed with Powell House Moving of Kingstree for the removal of one house with approximately 1,670 square feet, located at 200 East Hampton Street, Olanta, South Carolina, also identified by the Florence County Assessor’s Office as Tax Map Number 04520, Block 03, Parcel 069, subject to review of the Agreement by the County Attorney. Councilman Culberson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 32-2007/08 – INTRODUCED**

The Chairman published the title of Ordinance No. 32-2007/08 and declared the Ordinance introduced: An Ordinance To Develop a Jointly Owned and Operated Industrial/Business Park in Conjunction with Williamsburg County, Such Industrial/Business Park to be Geographically Located in Florence County and Established Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as Amended; to Provide for a Written Agreement with Williamsburg County to Provide for the Expenses of the Park, the Percentage of Revenue Application, and the Distribution of Fees in Lieu of Ad Valorem Taxation; and Other Matters Related Thereto.

**ORDINANCE NO. 31-2007/08 – INTRODUCED**

The Chairman published the title of Ordinance No. 31-2007/08 and declared the Ordinance introduced: An Ordinance Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement By and Between Florence County, South Carolina, and Project Gateway, with Respect to Certain Economic Development Property, Whereby such Property Will be Subject to Certain Payments in Lieu of Taxes and Other Matters Related Thereto.

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

**COUNCIL MEETING ADJOURNED AT 10:40 A.M.**

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Florence County Council Regular Meeting

May 1, 2008