REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL, THURSDAY, AUGUST 20, 2009, 6:00 P.M., COUNCIL CHAMBERS ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY STREET, FLORENCE, SOUTH CAROLINA

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman Waymon Mumford, Vice-Chairman 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 Yokim, Finance Director
Dusty Owens, Emergency Management Department Director
William H. Hoge, Planning Director
Robert Franks, IT Director
Ryon Watkins, EMS Director
Sheriff Kenney Boone
Ray McBride, Library Director
David Alford, Voter Registration/Elections Director
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

H. Morris Anderson, Secretary-Chaplain

A notice of the regular meeting of the Florence County Council appeared in the August 19, 2009 edition of the <u>MORNING NEWS</u>. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex, the Doctors Bruce and Lee Foundation Public Library, and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. In the absence of Secretary-Chaplain Anderson (due to illness), Councilman Kirby gave the invocation. Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the July 16, 2009 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no public hearings required or held.

APPEARANCES:

B. KENDALL HILLER

Mr. Hiller presented a brief power point presentation regarding a rezoning request for Dorothy Martin Tate (Ordinance No. 02-2009/10).

HOUSING AUTHORITY OF FLORENCE

Danny Roseborough, Assistant Director for the Housing Authority of Florence and Reginal Barner, Sr., President of the Barner Group, LLC provided a follow-up to a project presentation provided to Council at its regular meeting of July 15, 2009 to formally present Council with a list of options to consider in supporting the project. Councilman Mumford made a motion Council Approve The Expenditure Of Funds From Council Districts 3 And 7 Infrastructure/Utility Funding Allocations In An Amount Up To \$200,000 (\$100,000 From Each District) To Assist The Housing Authority Of Florence With Infrastructure/Capital For A Project Under The American Recovery And Reinvestment Act Capital Fund Recovery Competition Grants Program For Affordable Housing; Pending Approval Of The Grant From The Department Of Housing And Urban Development. Councilman Bradley seconded the motion, which was approved unanimously.

SHERIFF KENNEY BOONE

Sheriff Boone provided an update on the Siren Project at the Florence County Law Enforcement Center in Effingham. The Siren was scheduled to be tested once a month and area residents would be provided prior notification of the testing schedule.

CHIEF SAM BROCKINGTON – SOUTH LYNCHES FIRE DEPARTMENT

Chief Brockington appeared before Council to recognize the cooperative effort of local emergency response providers to an incident in which a child was choking. First Responders of the South Lynches Fire Department, Florence County Central Dispatch and Florence County EMS employees, and Carolina's Hospital Emergency Room physician and staff were present at the meeting and recognized for cooperative efforts to save the life of 14-month old Shane Cox. Chief Brockington commended the cooperative efforts of all involved and expressed appreciation for the continued efforts of all to form a cohesive team to save lives in Florence County.

The following item was an addition to the agenda:

RESOLUTION OF APPRECIATION AND RECOGNITION

Councilman Ard published in its entirety and presented a framed Resolution of Appreciation and Recognition to Carol Hugh Calcutt and Service Motor Co., Inc. of Pamplico in recognition of outstanding service and contributions to the citizenry of Florence County. Service Motor Co., Inc., the oldest GM dealership in South Carolina, has been in business since 1922 and, out of 7,800 dealerships in the nation, was one of 3,600 dealerships that retained their dealership during all of the recent closings by the GM corporate office. Councilman Mumford made a motion Council approve the Resolution as presented. Motion was unanimously seconded and approved.

(Councilman Ard left the meeting after the presentation of the Resolution.)

COMMITTEE REPORTS:

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield provided an update on the status of items before the Committee. The Committee met prior to the regular meeting and discussed items relating to signage. He stated information relative to proposed revisions to the regulations currently in the County Code would be distributed to members of Council for review and encouraged Council to provide feedback on the proposed revisions or items of concern to Council. The land was purchased for the Voter Registration/Elections office and Department of Justice approved. The architect was on board and a planning meeting had been scheduled to move forward with the project.

RESOLUTIONS:

RESOLUTION NO. 02-2009/10

The Chairman published the title of Resolution No. 02-2009/10: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Wise Lane Located In The Johnsonville Area. Councilman Kirby made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTION NO. 03-2009/10

The Chairman published the title of Resolution No. 03-2009/10: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment By Florence County Of A Portion Of Road No. S-12-1350, Also Known As Steel Road, Located In Florence County, South Carolina. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

RESOLUTION NO. 04-2009/10

Councilman Bradley published the title of Resolution No. 04-2009/10 and made a motion to approve the Resolution as presented: A Resolution For Establishing A Moratorium On All Building Permits Within The West Sumter Street Community For Up To One (1) Year While The Planning Commission Studies The Potential Zoning In The Area. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 28-2008/09 - THIRD READING

The Clerk published the title of Ordinance No. 28-2008/09: An Ordinance To Amend Chapter 30, Zoning Ordinance, Article VII, General And Ancillary Regulations, Section 30-246, Accessory Buildings And Uses Of The Florence County Code To Enhance The Rules Regarding The Location Of Accessory Buildings And Uses. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 38-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 38-2008/09: An Ordinance To Rezone Property Owned By Randy H. Coker Located On Devonshire Road, Lake City From R-1, Single-Family Residential District To R-2, Single-Family Residential District Shown On Florence County Tax Map No. 00167, Block 31, Parcel 127 Consisting Of 4.00 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 02-2009/10 - SECOND READING

The Clerk published the title of Ordinance No. 02-2009/10: An Ordinance To Rezone Property Owned By Dorothy Martin Tate Properties Located Off E. Macree Terrace And Gable Terrace, Florence County From R-2, Single-Family Residential District To R-4, Multi-Family Residential District Shown On Florence County Tax Map No. 01812, Block 1, Parcels 344, 345, 346, 347, 348, 349, 350, 351, 353, 357, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 377 Consisting Of 6.6 Acres. Councilman Rodgers made a motion to **deny** second reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2009/10 - SECOND READING

The Clerk published the title of Ordinance No. 03-2009/10: An Ordinance To Rezone Property Owned By Young Brothers Properties Located At I-95, Florence County From RU-1, Rural Community District To B-3, General Commercial District Shown On Florence County Tax Map No. 00075, Block 01, Parcel 005 Consisting Of 7.2 Acres. Councilman Schofield made a motion to approve second reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2009/10 - SECOND READING

The Clerk published the title of Ordinance No. 04-2009/10: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-8 Regarding Zoning Map Designations And Sections 30-29; 30-111 And 30-311 Regarding The Correction Of Several Minor Text Errors Of The Florence County Code. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 05-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-297, Administrative Procedures, Action Of The Florence County Code To Update The Procedures For Planning Commission And Board Of Zoning Appeals Requests.

ORDINANCE NO. 06-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 06-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30, Zoning Ordinance, For Several Small Text Corrections In Section 30-91, Section 30-95, Section 30-202 Table VIII, And Section 30-292, And Minor Text Updates In Section 30-294, And Section 30-295 Of The Florence County Code.

ORDINANCE NO. 07-2009/10 - INTRODUCED

The Clerk published the title of Ordinance No. 07-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Adopt A New Land Use Element For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

ORDINANCE NO. 08-2009/10 - INTRODUCED

The Clerk published the title of Ordinance No. 08-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 9.5 Drainage And Stormwater Management Ordinance, Section 9.5-16 Regarding Requirements For Land Disturbing Activity And Section 9.5-72 Regarding Clarification Of Close Out Processes For Commercial And Residential Projects Of The Florence County Code.

The following three ordinances were additions to the agenda:

ORDINANCE NO. 10-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 10-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Chapter 30. Zoning Ordinance, Section 30-28. Table II: Schedule Of Permitted And Conditional Uses And Off-Street Parking Requirements For Residential Districts Of The Florence County Code To Add New Zoning Districts R-3A (Single Family Residential District) And R-5A (Multi-Family Residential District) With The Same Uses As The Current R-3 And R-5 Districts Except No Manufactured Housing Will Be Allowed In Either Of The New Districts.

ORDINANCE NO. 11-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 11-2009/10 and the Chairman 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. 12-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 12-2009/10 and the Chairman 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 Element, With Respect To Certain Economic Development Property, Whereby Such Property Will Be Subject To Certain Payments In Lieu Of Taxes; To Provide For A Lease And Sale Of Land For The Project And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

CITY-COUNTY MEMORIAL STADIUM COMMISSION

Councilman Culberson made a motion Council approve the recommendations for appointment/re-appointment to the City-County Memorial Stadium Commission as follows: Re-appoint Gerald Holley, representing Florence Public School District One to Seat 4 with term expiring November 2011; appoint Michael W. Richey for appointment to Seat 5 (replacing Ted Maxwell), representing American Legion, Fred H. Sexton Post 1, with term expiring November 2011; and, re-appoint O. J. Davis to Seat 6, representing American Legion, Fred H. Sexton Post 1, with term expiring November 2012. Councilman Mumford seconded the motion, which was approved unanimously.

BOARD OF ZONING APPEALS

Councilman Bradley made a motion Council appoint Marion McDowell to serve on the Board of Zoning Appeals, representing Council District 3 with appropriate expiration terms. Councilman Mumford seconded the motion, which was approved unanimously.

LIBRARY BOARD OF TRUSTEES

Councilman Rodgers made a motion Council re-appoint Nathaniel Lockhart to serve on the Florence County Library Board of Trustees, representing Council District 5 with appropriate expiration term. Councilman Culberson seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2010 Through July 31, 2009 As An Item For The Record.

PROGRESS ENERGY, INC. - EASEMENT

After some discussion, Councilman Rodgers made a motion Council **deny** A Request By Progress Energy, Inc., For A Permanent Easement Across The Florence County Parking Lot Located Across Irby Street, TMP# 90167-01-008, To Install Under Parking Surfaces A Primary Power Cable For Service To Progress Energy Customers. Councilman Kirby seconded the motion, which was approved unanimously.

WEST FLORENCE COMMUNITY ORGANIZATION

Councilman Bradley recognized and commended members of the West Florence Community Organization present at the meeting.

EMERGENCY MANAGEMENT DEPARTMENT

GRANT AWARD SOUTH CAROLINA BUDGET AND CONTROL BOARD

Councilman Mumford made a motion Council Accept Grant Award Made In Accordance With Proviso 80A.45 Of The 2008-2009 Appropriations Act In The Amount Of \$9,179.93 As Approved By The South Carolina Budget And Control Board To Cover Contract Costs For First Responder Interoperability Under Budget Code I140 (Service Contract 800 MHz) For The Florence County Emergency Management Department. Councilman Rodgers seconded the motion, which was approved unanimously.

GRANT AWARD SLED HS FFY08

Councilman Rodgers made a motion Council Accept A \$50,000 Grant Award From The South Carolina Law Enforcement Division (SLED) For Approved Homeland Security Equipment And Training To Be Used By The Florence County Emergency Management Department (EMD). Councilman Kirby seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES

GRANT AWARD SCDHEC EMS 2010 GRANT-IN-AID PROGRAM

Councilman Kirby made a motion Council Accept A EMS 2010 Grant-In-Aid Program Allocation From The South Carolina Department Of Health And Environmental Control (SCDHEC) For Approved Equipment And/Or Training In The Amount Of \$24,173.22 To Be Equally Divided Among Florence County Emergency Services (EMS) And The Rescue Squads Of Johnsonville, Pamplico And Timmonsville; With Provision That Any Entity Not In Need Of Its Full Share Has Agreed To Allow Further Distribution Of Remaining Funds. Councilman Culberson seconded the motion, which was approved unanimously.

PARKS & RECREATION DEPARTMENT

AWARD BID #02-09/10

Councilman Rodgers made a motion Council Authorize The County Administrator To Award Bid #02-09/10 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. Councilman Culberson seconded the motion, which was approved unanimously.

GRANT AWARD FLORENCE CONVENTION & VISITORS BUREAU

Councilman Rodgers made a motion Council Accept A Grant Award In The Amount Of \$1,000 From The Florence Convention & Visitors Bureau To Cover Costs Associated With The Annual Fall Frenzy At Lynches River County Park Hosted By The Florence County Parks & Recreation Department. Councilman Culberson seconded the motion, which was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Culberson made a motion Council Approve The Purchase Of A 2007 Honda Odyssey Van In The Amount Of \$15,690.50 From General Fund Contingency For The Florence County Economic Development Partnership And Declare Surplus And Authorize The Sale Of A 2004 Jeep Grand Cherokee Via GovDeals In An Estimated Amount Of \$6,100 To Be Reimbursed To The General Fund For An Estimated Net Cost Of \$9,590.50. Councilman Rodgers seconded the motion, which was approved unanimously.

VOTER REGISTRATION AND ELECTIONS COMMISSION

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare 364 CES Votomatic Punch Card Voting Machines As Surplus Property And Authorize Disposal By Public Internet Auction On GovDeals As Requested By The Florence County Voter Registration And Election Commission. Councilman Culberson seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

ADMINISTRATION

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

Councilman Rodgers made a motion Council Accept Allocations From The South Carolina Department Of Transportation (SCDOT) Under The Florence County Transportation Committee (FCTC) C Funds Program, PCN #39113, #39114, #39115, #39116, #39117, #39118, In The Amount Of \$278,600 For Various Projects In The County. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

CITY OF LAKE CITY

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$20,000.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City with Roof Repair, Painting, And Other Enhancements/Renovations Of The Lake City Chamber Of Commerce Office Located In The Historic Lake City Railroad Depot. Councilman Kirby seconded the motion, which was approved unanimously.

FLORENCE COUNTY SCHOOL DISTRICT FIVE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$3,500.00 From Council District 2 Infrastructure Funding Allocation For Five (5) Loads Of Crushed Asphalt To Be Stock Piled At Florence County School District Five Maintenance Department Grounds Located At 156 East Marion Street, Johnsonville. Councilman Culberson seconded the motion, which was approved unanimously.

PEE DEE CHAPTER AMERICAN RED CROSS

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$20,288.45 From Council Districts' Infrastructure Funding Allocations (\$2,500 from Council Districts 1, 2, 5, 6, and 7; \$1,000 from Council Districts 4 and 8; and, \$5,789 from Council District 3) To Assist The American Red Cross Pee Dee Chapter With The Replacement Of Three Heating/Air Conditioning Units And Associated Costs At The Building Located At 1601 West Lucas Street. Councilman Kirby seconded the motion, which was approved unanimously.

PEE DEE COMMUNITY ACTION PARTNERSHIP TRANSITIONAL SHELTER

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$10,000.00 From Council Districts 3 And 7 Infrastructure Funding Allocations (\$5,000 From Each District) To Assist The Pee Dee Transitional Shelter In Completing Renovations On The Kitchen And Food Pantry At The Shelter. Councilman Bradley seconded the motion, which was approved unanimously.

HOWE SPRINGS FIRE DISTRICT

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$2,540.00 From Council Districts 2, 3, 4, 5 and 7 Infrastructure Funding Allocations (\$500 Each From Council Districts 2, 3, 5 And 7 And \$540 From Council District 4) To Assist The Howe Springs Fire District With The Purchase Of Forcible Entry Tools And A Vent Saw. Councilman Mumford seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

MCKENNEY COURT

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$60,000.00 From Council District 3 RSMF Funding Allocation For The Cost Of 6" Of Reclamation And 1 ½" Type C Hot Laid Asphalt For McKenney Court. Councilman Mumford seconded the motion, which was approved unanimously.

PISGAH ROAD

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$50,665.75 From Council District 3 RSMF Funding Allocation For The Cost Of Putting MBC Stone And Crushed Asphalt On Pisgah Road. Councilman Schofield seconded the motion, which was approved unanimously.

DEVON ROAD

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$20,000.00 From Council District 5 RSMF Funding Allocation To Resurface Devon Road With 1 ½" Of Hot Laid Asphalt. (The Total Estimate For Resurfacing The Road Is \$40,000; \$20,000 Has Been Appropriated By The Florence County Transportation Committee.) Councilman Kirby seconded the motion, which was approved unanimously.

LOWELL STREET, YVONNE STREET AND SUNDANCE STREET

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$85,000.00 From Council District 7 RSMF Funding Allocation For The Resurfacing Of Lowell Street (S-21-1503), Yvonne Street (S-21-1525), And Sundance Street (S-12-1504); Contingent Upon Encroachment Permits From The SCDOT. Councilman Kirby seconded the motion, which was approved unanimously.

The following item was an addition to the agenda:

LAKE CITY AIRPORT

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$4,000.00 From Council District 1 Infrastructure Funding Allocation To Pay For The Cost Of MBC Stone And Crushed Asphalt For The Road At The Lake City Airport. Councilman Culberson seconded the motion, which was approved unanimously.

UTILITY FUND

CITY OF JOHNSONVILLE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$2,168.64 From Council District 2 Utility Funding Allocation For The City Of Johnsonville In Order To Pay For 2 – 20" Catch Basins And 2 – 4X4 Concrete Risers, To Meet Drainage Requirements Specified By The SC Department Of Transportation. Councilman Kirby seconded the motion, which was approved unanimously.

FLORENCE SCHOOL DISTRICT ONE - WILLIAMS MIDDLE SCHOOL

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$6,500.00 From Council District 3 Utility Funding Allocation To Pay For The Cost Of 1 ½" Type C Hot Laid Asphalt Overlay For Williams Middle School Basketball Court. Councilman Mumford seconded the motion, which was approved unanimously.

HOWE SPRINGS FIRE DEPARTMENT

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$3,000.00 From Council District 4 Utility Funding Allocation For The Installation Of A Fire Hydrant At The Howe Springs Fire Station On Meadow Prong Road. Councilman Rodgers seconded the motion, which was approved unanimously.

TOWN OF OLANTA

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$21,000.00 From Council District 5 Utility Funding Allocation For Sand Filter And Installation (In An Amount Up To \$6,500) And Pumps For Lift Station (In An Amount Up To \$14,500) To Assist The Town Of Olanta. Councilman Kirby seconded the motion, which was approved unanimously.

NORTH VISTA ELEMENTARY SCHOOL

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$40,000.00 From Council District 7 Utility Funding Allocation To Put 1 ½" Of Hot Laid Asphalt On North Vista Elementary School Parking Area. Councilman Bradley seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 7:19 P.M.