

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, SEPTEMBER 17, 2009, 9:00 A.M., COUNCIL
CHAMBERS ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY
STREET, FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
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
William H. Hoge, Planning Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Barbara Coker, Sheriff Office
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Johnnie D. Rodgers, Jr., Council Member

A notice of the regular meeting of the Florence County Council appeared in the September 16, 2009 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, the Doctors Bruce and Lee Foundation Public Library, and on the County's website (www.florenceco.org).

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

APPROVAL OF MINUTES:

Councilman Mumford made a motion Council approve the minutes of the August 20, 2009 regular meeting of County Council. Councilman Kirby seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

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

ORDINANCE NO. 07-2009/10

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.

APPEARANCES:

JILL HEIDEN – FLORENCE-DARLINGTON TECHNICAL COLLEGE

Ms. Heiden provided a brief presentation on Nuclear Energy Initiative, as well as information on the Department of Defense Partnership with Tech and Mr. Ross Gandy provided information on an advanced welding program at Tech that went hand-in-hand with the initiative. Seven new nuclear reactors were scheduled to be constructed in the southeast; four in South Carolina. This would create 8,000 new jobs in the next four (4) years. Mr. Gandy stated one of the shortages in this field was pipe welders; 600 – 800 would be needed for each facility upon startup. Tech implemented a new program to train pipe welders with the assistance of grants. Tech was also developing a curriculum to develop and teach technicians to invent and maintain robots. Ms. Heiden also requested Council's consideration of funding in the amount of \$2,500 (the City would provide matching funds in the amount of \$2,500) for the Discover Manufacturing Camp 2010, which has an emphasis on Science and Math for 32 disadvantaged middle school students at no cost to the students. Councilman Bradley commended the efforts of Florence-Darlington Technical College, which offers dual credit for students at the Florence Career Center taking welding as well as other courses. Councilman Kirby stated his grandchildren participated in the Manufacturing Camp in the summer of 2009 and he was very impressed with the Camp. Chairman Smith expressed his appreciation for the initiatives Tech has put in place to continue to encourage expansion of industry and job opportunity in the Florence area, as well as the Pee Dee Region. The Chairman asked Ms. Heiden to provide a letter to the County Administrator officially requesting funding for the camp and the County would pursue the request.

ED LOVE, CHAIR – FLORENCE COUNTY LEGISLATIVE DAY COMMITTEE

Mr. Love briefed Council on the plans for the 2010 Florence County Legislative Day Event scheduled for March 23, 2010.

KEVIN YOKIM, FINANCE DIRECTOR

Mr. Yokim provided a brief summary of Resolution No. 05-2009/10 regarding Florence County's participation in the South Carolina Procurement Card Program.

COMMITTEE REPORTS:

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield stated the Committee recommended approval of third reading of Ordinance No. 31-2008/09 relating to definitions for incidental signs. The Committee also recommended that the enforcement of the portable sign regulation Section 30-202 and 30-205, including Table VII be sent to the Planning Commission for further review and public hearings, then returned to Council.

CITY-COUNTY CONFERENCE COMMITTEE

Committee Co-Chair Bradley stated the Committee met September 11, 2009 and discussed matters relating to the following: 1) Kendall Wall provided an update on the Civic Center, 2) towing policies, and 3) Progress on the Florence Museum.

RESOLUTIONS:

RESOLUTION NO. 05-2009/10

The Chairman published the title of Resolution No. 05-2009/10: A Resolution To Authorize Florence County To Participate In The South Carolina Procurement Card Program, To Authorize Establishment Of Policies And Procedures Regulating The County's Participation In This Program, And To Address Other Matters Related Thereto. Members of Council expressed concerns regarding the potential abuse of the program. After some discussion, it was the consensus of Council to defer consideration of the Resolution to the next meeting and that staff provide Council members with delineated specifics of the policy/procedures governing the proposed program, prior to consideration at the next meeting.

RESOLUTION NO. 06-2009/10

The Chairman published the title of Resolution No. 06-2009/10: A Resolution To Establish The Florence County Identity Theft Prevention Policy In Order To Comply With The South Carolina Financial Identity Fraud And Identity Theft Protection Act Of 2008 And The Federal Trade Commission Identity Theft Rules. Councilman Ard made a motion Council approve the Resolution as presented. Councilman Schofield seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 31-2008/09 – THIRD READING

The Clerk published the title of Ordinance No. 31-2008/09: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-101, Signs On Private Property, Tables VII And VIII And Article X, Definitions, Section 30-311, Definitions. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

ORDINANCE NO. 03-2009/10 – THIRD 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 Anderson made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 04-2009/10: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-8, Previously Zoned Map Designations And Sections 30-29, 30-111 And 30-311 For Minor Text Corrections. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 05-2009/10: An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Article IX, Applications For Change And/Or Relief, Section 30-297. Administrative Procedures, Action. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 06-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 06-2009/10: An Ordinance To Amend Florence County Code, Chapter 30. Zoning Ordinance, Sections 30-91, 30-95, And 30-292 For Text Corrections; And Sections 30-294 And 30-295 For Minor Text Updates. Councilman Mumford made a motion Council approved second reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

Gary Finklea was the only individual signed up to speak at the public hearing for Ordinance No. 07-2009/10. Mr. Finklea requested that in the future Council insert information in the annual tax notice relating to items that impact the majority of the property owners in the County.

There being no additional signatures on the sign-in sheet, the Chairman closed the Public Hearing for Ordinance No. 07-2009/10.

ORDINANCE NO. 07-2009/10 – SECOND READING

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. Various Council members expressed concern regarding different aspects of the Ordinance. In response to a question regarding a time limit, Planning Director Bill Hoge stated the County had to adopt a new Land Use Element before year end. Council members were asked to provide staff with

detailed, specific questions they would like answered prior to third reading. Councilman Kirby made a motion to defer second reading of the Ordinance. Councilman Mumford seconded the motion. Motion was approved with a seven (7) to one (1) vote. Voting in the affirmative were Councilmen Kirby, Mumford, Smith, Anderson, Bradley, Schofield, and Ard. Voting against the motion to defer was Councilman Culberson.

ORDINANCE NO. 08-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 08-2009/10: An Ordinance To Amend Florence County Code, 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. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously. County Administrator Richard Starks and Planning & Building Department Director William H. Hoge provided a summary of the Ordinance and its impact on the County. Mr. Hoge stated the proposed changes would have an indirect impact on individual land owners and would impact directly those conducting construction/development during the permitting processes and implementation. The bulk of the revisions were due to various regulations/requirements imposed by State and Federal government agencies in an effort to ensure the County doesn't get fined by these entities for noncompliance.

ORDINANCE NO. 10-2009/10 – SECOND READING

Second reading of Ordinance No. 10-2009/10 was deferred pending a recommendation by the Planning Commission: 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 – SECOND READING

The County Administrator Advised Council The Title Had Been Revised Since Introduction To Reflect An Amendment To An Existing Multi-County Park Agreement As Opposed To The Development Of A New Joint Industrial Park. The Clerk published the title of Ordinance No. 11-2009/10 as revised: An Ordinance To Amend The Agreement For Development Of A Joint County Industrial Park Dated As Of December 1, 1998 Between Florence County, South Carolina And Williamsburg County, South Carolina To Include Additional Properties In The County As Part Of The Multi-County Industrial Or Business Park. Councilman Ard made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 12-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 12-2009/10: 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. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

ORDINANCE NO. 13-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 13-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Establish Policies And Procedures Related To The Abatement Of Unsafe Structures As Florence County Code, Chapter 21, Nuisances, Article II, Unsafe Structure Abatement And Other Matters Related Thereto.

ORDINANCE NO. 14-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 14-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By The Gospel Temple Inc., Located At 3987 West Palmetto Street, Florence County From RU-1, Rural Community District To PD, Planned Development District Shown On Florence County Tax Map No. 00076, Block 01, Parcel 001 Consisting Of 19.32 Acres.

ORDINANCE NO. 15-2009/10 – INTRODUCED

The Clerk published the title of Ordinance No. 15-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Zone Property Owned By James D. & Patsy F. McCutcheon Located At 755 E. Hampton St., Olanta To R-1, Single Family Residential District Shown On Florence County Tax Map No. 00045, Block 03, Parcel 116 Consisting Of 4 Acres.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

Councilman Schofield made a motion to reappoint Mr. Scott Collins to the Construction Board of Adjustments and Appeals, representing Council District 8 with appropriate expiration term. Councilman Kirby seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

FLORENCE REGIONAL ARTS ALLIANCE

Councilman Mumford Made A Motion Council Approve The Temporary Use Of The Former Library By The Arts Alliance For HolidayFest 2009 And Authorize The County Administrator To Execute A Temporary Letter-Form Lease Agreement, Subject To Review By The County Attorney. Councilman Kirby seconded the motion, which was approved unanimously.

LIBRARY

AWARD BID #01-09/10

Councilman Kirby made a motion Council Award Bid #01-09/10 For Landscaping And Maintenance At The Olanta And Timmons ville Branch Libraries To Cut-M-Up Landscape, Columbia, SC, In The Amount Of \$29,626.00. Councilman Schofield seconded the motion, which was approved unanimously.

GRANT AWARD – INSTITUTE OF MUSEUM AND LIBRARY SERVICES

Councilman Ard made a motion Council Accept An Award From The Institute Of Museum And Library Services (IMLS) As A Congressionally Directed Grant, Log Number CL-00-09-0004, In The Amount Of \$48,000 For Enhancements At The New Johnsonville Library. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Ard provided an update on the progress of the construction of the new Johnsonville Library and stated through the collaborative efforts of the County Administrator and the Library staff, just over \$88,000 was saved on the construction contract.

PARKS & RECREATION DEPARTMENT

AWARD BID #03-09/10

Councilman Mumford made a motion Council Award Bid #03-09/10 For Fencing Of The Dixie Boys Field At Greenwood Athletic Park To Seegars Fence Company, Inc., Fayetteville, NC, In The Amount Of \$28,664.00. Councilman Kirby seconded the motion, which was approved unanimously.

AWARD BID #04-09/10

Councilman Mumford made a motion Council Authorize The County Administrator To Award Bid #04-09/10 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. Councilman Ard seconded the motion, which was approved unanimously.

PROCUREMENT

ENVIRONMENTAL SERVICES OFFICE DESIGN AND BID/EVALUATION COMMITTEE

Chairman Smith appointed Councilman Anderson to serve on the Environmental Services Office Design and Bid/Evaluation Committee

DECLARATION OF SURPLUS PROPERTY

Councilman Ard made a motion Council Declare (2) Vehicles, (1) Van, (2) Ambulances, (1) Dump Truck, (1) Cat Pan, (1) Lowboy, (1) Trailer, And (1) Four-Wheeler As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Anderson seconded the motion, which was approved unanimously.

PRE-QUALIFICATION OF ENGINEERING FIRMS

Councilman Ard made a motion Council Approve The Following Seven (7) Engineering Firms For Pre-Qualification For Future County Projects In The County As Recommended By The Professional Engineering Services Request For Qualifications Review Panel: Alliance Consulting Engineers, Columbia, SC; BP Barber, Columbia, SC; Castles Engineering, Myrtle Beach, SC; Collins Engineers, Inc., Charleston, SC; Davis And Brown, Quinby, SC; Dennis Corp, Columbia, SC; And TranSystems, N. Charleston, SC. Councilman Mumford seconded the motion, which was approved unanimously.

SHERIFF OFFICE

GRANT AWARD UNITED STATES DEPARTMENT OF JUSTICE

Councilman Ard made a motion Council Accept Grant Award #2009-DJ-BX-0872 In The Amount Of \$66,383 Under The BJA FY09 Edward Byrne Memorial Justice Assistance (JAG) Grant Program Local Solicitation From The United States Department Of Justice (USDOJ) For The Florence County Sheriff Office To Assist With Costs Associated With Purchase Of Needed Law Enforcement Equipment. Councilman Anderson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

CANDLEBERRY ROAD

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$9,375.00 From Council District 1 Infrastructure Funding Allocation To Pay For The Cost Of Putting MBC Stone And Crushed Asphalt On Candleberry Road. Councilman Anderson seconded the motion, which was approved unanimously.

LAKE CITY AIRPORT

Councilman Ard made a motion Council Approve The Expenditure Of Up To \$2,500.00 From Council District 1 Infrastructure Funding Allocation To Assist The City Of Lake City With The Construction Of An Observation Deck, Consisting Of A 30' X 31' Concrete Slab For A Seating Area For The Public To Observe Incoming And Outgoing Aircraft, At The Lake City Airport. Councilman Anderson seconded the motion, which was approved unanimously.

SOUTH LYNCHES FIRE DEPARTMENT

Councilman Ard made a motion Council Approve The Expenditure Of Up To \$45,000.00 From Council Districts 1, 2, And 5 Infrastructure Funding Allocations (\$15,000 From Each District) To Assist The South Lynches Fire Department In Replacing Primary "Jaws Of Life" Equipment. Councilman Culberson seconded the motion, which was approved unanimously.

NORWOOD LANE

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$2,500.00 From Council District 3 Infrastructure Funding Allocation To Pay For The Cost Of Replacing A Portion Of Driveway At 1746 Norwood Lane. (This estimate is to replace concrete driveway from edge of asphalt pavement to the edge of road right of way.) Councilman Mumford seconded the motion, which was approved unanimously.

SPAULDING HEIGHTS COMMUNITY PARK

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$400.00 From Council District 7 Infrastructure Funding Allocation To Assist With The Purchase Of A Bicycle Rack At Spaulding Heights Community Park. Councilman Bradley seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF) FUND

N. SIMMONS STREET

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$17,043.00 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½" Type C Hot Laid Asphalt For N. Simmons Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence). Councilman Anderson seconded the motion, which was approved unanimously.

W. WASHINGTON STREET

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$14,800.50 From Council District 3 RSMF Funding Allocation To Fund The Cost Of 1½" Type C Hot Laid Asphalt For W. Washington Street; Contingent Upon Acquiring Encroachment Permit From The Proper Entity (SCDOT Or City Of Florence). Councilman Anderson seconded the motion, which was approved unanimously.

ST. ANDREWS ROAD

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$231,395.00 From Council District 9 RSMF Funding Allocation To Fund 1½" Of Hot Laid Asphalt On St. Andrews Road (S21-1293). Councilman Kirby seconded the motion, which was approved unanimously.

EXECUTIVE SESSION

Councilman Anderson made a motion Council Enter Executive Session, Pursuant To Section 30-4-70 Of The South Carolina Code Of Laws 1976, As Amended, To Discuss The Following: Contractual Matter Concerning An Economic Development Project, Three (3) Personnel Matters And A Pending Real Property Contractual Matter. Councilman Schofield seconded the motion, which was approved unanimously.

Council entered executive session at 10:25 a.m. Council reconvened at 10:59 a.m.

TOWN OF OLANTA

Chairman Smith published a letter of appreciation from the Town of Olanda for Council's assistance in a dire time of need for the Town.

Subsequent to Executive Session, Council took the following actions:

RESOLUTION NO. 07-2009/10

Councilman Culberson published the title of Resolution No. 07-2009/10 and made a motion Council approve the Resolution: A Resolution Authorizing An Incentive And Inducement Agreement Between Project Element And Florence County, South Carolina. Councilman Anderson seconded the motion, which was approved unanimously.

PERSONNEL MATTERS

Councilman Anderson made a motion Council approve the personnel items presented/recommended by the County Administrator: (1) Solicitor Funded Supplemental Pay Increases With Concurrent Reclassification Of One Position; (2) Convert Seasonal Bond Clerk Position To Full-Time Legal Records Clerk IV Position Grade 11 For The Chief Magistrate's Office; (3) Medical Coder I position in the EMS Billing Division of the Finance Department, Grade 9, to be exchanged for a Grants Coordinator position of the Sheriff Office, Grade 15. Councilman Culberson seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 11:00 A.M.