

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, MARCH 18, 2010, 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
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:

Carlie Gregg, Public Works Director
Kevin V. Yokim, Finance Director
Robert Franks, IT Director
Ryon Watkins, EMS Director
Kevin Griffin, Planning & Building Department Director
Ray McBride, Library Director
David Alford, Voter Recreation/Elections Director
Connie Reel-Shearin, Clerk of Court
Sheriff Kenney Boone
Barbara Coker, Sheriff Office
Chuck Tomlinson, Morning News Staff Writer

A notice of the regular meeting of the Florence County Council appeared in the March 17, 2010 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 Rodgers made a motion Council approve the minutes of the February 18, 2010 regular meeting of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Clerk published the titles and the Chairman opened Public Hearings on the following:

ORDINANCE NO. 28-2009/10

An Ordinance Authorizing The Issuance And Sale Of Florence County, South Carolina, Special Source Revenue Bonds (H.J. Heinz, Monster, And MIT Projects), Series 2010, In The Principal Amount Of \$3,000,000; The Application Of The Proceeds Of Said Bonds To Reimburse The County For Expenditures Previously Made By The County With Respect To Economic Development Projects In The County; And Other Matters Relating Thereto.

ORDINANCE NO. 29-2009/10

An Ordinance Accepting The Transfer By The City Of Florence To The Florence County Election Commission Of The Authority To Conduct The General Election And Associated Primaries And Runoffs Of The City Of Florence And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

APPEARANCES:

There were no Appearances requested prior to the deadline for submission of items for the Agenda.

COMMITTEE REPORTS:

COMMITTEE ON PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield reported the Florence County Museum Architects spent two (2) days in Florence and the meetings were well attended by the public.

COMMITTEE ON EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson stated he just wanted to remind the public that three years ago Florence County did not have adequate facilities for animal control. However, due to the support of the Florence County Council, the County now had one of the finest facilities in the state. He expressed his appreciation to Council and public for support.

CITY-COUNTY CONFERENCE COMMITTEE

Committee Co-Chair Bradley expressed his appreciation to Council for its support of the paving of the walking trail at Iola Jones Park.

RESOLUTIONS:

RESOLUTION NO. 20-2009/10

The Chairman published the title of Resolution No. 20-2009/10: A Resolution Authorizing The Submission Of An Application To The Office of Senator Lindsey Graham For A FY2011 Appropriation Request For The Florence County IT Homeland Security Project. Councilman Mumford made a motion Council approve the Resolution as presented. Councilman Culberson seconded the motion, which was approved unanimously.

RESOLUTION NO. 21-2009/10

The Chairman published the title of Resolution No. 21-2009/10: A Resolution Authorizing The Submission Of An Application To The State Of South Carolina Community Development Block Grant (CDBG) Program Under The Business Development Grant Program For Sewer And Road Improvements For McCall Farms. Councilman Kirby made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

RESOLUTION NO. 22-2009/10

The Chairman published the title of Resolution No. 22-2009/10: A Resolution Authorizing The Submission Of An Application To The State of South Carolina Department Of Transportation (SC DOT) Under The Enhancement Outreach Grant Program For Sidewalk Improvements For Morris Street In Lake City. Councilman Rodgers made a motion Council approve the Resolution as presented. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 13-2009/10

The Clerk published the title of Ordinance No. 13-2009/10: 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. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 21-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 21-2009/10 was deferred at the request of the party requesting the Ordinance: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina And Wellman Plastics Recycling, 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.

ORDINANCE NO. 22-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 22-2009/10 was deferred at the request of the party requesting the Ordinance: An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Tax Agreement By And Between Florence County, South Carolina, And J.P. Morgan Chase, 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.

ORDINANCE NO. 23-2009/10 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 23-2009/10 was deferred at the request of the party requesting the Ordinance: 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.

ORDINANCE NO. 26-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 26-2009/10: An Ordinance To Rezone Property Owned By Cynthia Matthews Located At 3434 And 3508 James Turner Road, Florence County From R-1, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 072 Consisting Of Approximately 15.7 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 27-2009/10 – THIRD READING

The Clerk published the title of Ordinance No. 27-2009/10: An Ordinance To Rezone Property Owned By Pamela S. Truesdale Located At 3514 James Turner Road, Florence County From R-1, Single-Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00127, Block 01, Parcel 090 Consisting Of Approximately 4.81 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no signatures on the sign-in sheets for the public hearings. The Chairman closed the Public Hearings.

ORDINANCE NO. 28-2009/10 – SECOND READING

The Clerk published the title of Ordinance No. 28-2009/10: An Ordinance Authorizing The Issuance And Sale Of Florence County, South Carolina, Special Source Revenue Bonds (H.J. Heinz, Monster, And MIT Projects), Series 2010, In The Principal Amount Of \$3,000,000; The Application Of The Proceeds Of Said Bonds To Reimburse The County For Expenditures Previously Made By The County With Respect To Economic Development Projects In The County; And Other Matters Relating Thereto. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 29-2009/10 – SECOND READING

The Clerk published the Title of Ordinance No. 29-2009/10: An Ordinance Accepting The Transfer By The City Of Florence To The Florence County Election Commission Of The Authority To Conduct The General Election And Associated Primaries And Runoffs 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 Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 30-2009/10 – INTRODUCED

The Clerk published the Title of Ordinance No. 30-2009/10 and the Chairman declared the Ordinance introduced: An Ordinance To Zone Property Owned By KAT-ROX LLC, Located At Pamplico Highway And South Flanders Road, Florence County To PD 2010-01, Planned Development District Shown On Florence County Tax Map No. 90147, Block 03, Parcel 66, Consisting Of Approximately 22.08 Acres.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

COMMISSION ON ALCOHOL & DRUG ABUSE

Council unanimously approved the Re-Appointment Of Don Coker (Representing District 5) and Dawn Floyd (Representing At-Large Pharmacy Seat) to the Commission on Alcohol & Drug Abuse with appropriate expiration terms.

PEE DEE REGIONAL AIRPORT AUTHORITY

Council unanimously approved the submission of the nomination to the Governor of the re-appointment of Roy Burch to serve on the Pee Dee Regional Airport Authority.

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

Council unanimously approved the appointments of Carolyn Mitchell (representing District 3) and Dean Strickland (representing District 6) to the Construction Board of Adjustments and Appeals, with appropriate expiration terms.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

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

S C DEPARTMENT OF TRANSPORTATION ENHANCEMENT GRANT

Councilman Culberson made a motion Council Approve A Cash Match In An Amount Up To \$30,000 For A South Carolina Department Of Transportation Enhancement Grant For The Stabilization Of Red Doe Plantation Historic Structure Previously Approved By Council From Fund 61. Councilman Anderson seconded the motion, which was approved unanimously.

ECONOMIC DEVELOPMENT

GRIST MILL, LLC – OPTION TO PURCHASE REAL ESTATE

Councilman Kirby made a motion Council Authorize The County Council Chairman To Execute An Option To Purchase Real Estate For Property Owned By Grist Mill, LLC For The Development Of An Industrial Park In The Amount Of \$5,000. Councilman Rodgers seconded the motion. Councilman Schofield stated he was in favor of economic development in Florence County but expressed reservations/concerns regarding the amount of information provided to Council regarding this type of purchase prior to voting on the purchase. He requested that in the future additional information from Economic Development be provided to Council prior to taking a vote on matters such as this. The motion was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Culberson made a motion Council Declare Seven (7) Vehicles And One (1) Pick Up As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Kirby seconded the motion, which was approved unanimously.

PUBLIC WORKS DEPARTMENT

AWARD BID #16-09/10

Councilman Culberson made a motion Council Approve The Award of Bid #16-09/10 For A Motorgrader To Blanchard Machinery Company, Florence, SC In The Amount Of \$221,189.40. Councilman Rodgers seconded the motion. At the request of Council, Public Works Director Carlie Gregg provided additional information on the selection process and an explanation of the bid specifications. Mr. Gregg stated one of the major reasons the County purchased CAT Motorgraders and other equipment was the availability of parts/service locally and another reason was that CAT equipment sold at a significantly higher rate on the re-sale market. The last ones sold yielded a return of up to two-thirds of the purchase price. Another reason the CAT Motorgrader was chosen over the competition was the layout of the equipment; controls on the CAT were much easier to operate than the competitor's model. The Department typically experiences less down time with the CAT Motorgraders and equipment than other brands. The Chairman suggested a "buy back clause" be included in the bid specs for heavy equipment. Members of Council commended Mr. Gregg and his staff for the excellent job they do in providing service to the citizens. Councilman Schofield stated he wanted people who had issues with specs that were written to present a complaint or issue to Council while the bid was still out, but much more in advance of a meeting than two days prior to the meeting. The motion to approve was approved unanimously.

SHERIFF OFFICE

AWARD BID #10-09/10

Councilman Culberson made a motion Council Approve The Award Of Bid #10-09/10 For The Replacement Of Security Ceiling Tiles At The Florence County Law Enforcement Center In The Amount Of \$28,145 To Preferred Construction Company, Inc., Columbia, SC To Be Funded From FY10 Departmental Funds. Councilman Rodgers seconded the motion, which was approved unanimously.

AWARD BID #11-09/10

Councilman Rodgers made a motion Council Approve The Award Of Bid #11-09/10 For The Construction Of A Metal Storage Building At The Florence County Law Enforcement Center (LEC) To Tungsten Corporation, Conway, SC In The Amount Of \$25,300 To Be Funded From Proceeds From The Sale Of The Propane Tank At The LEC Previously Approved By Council. Councilman Mumford seconded the motion. Councilman Schofield expressed concerns that the low bid was not always the best bid, especially in cases where there was a large variance in the bid. Many vendors bid projects low then ask for change orders as the project progresses. The motion to approve was approved unanimously.

AWARD BID #15-09/10

Councilman Rodgers made a motion Council Approve The Award Of Bid #15-09/10 For The Replacement Of The Existing Chillers At The Florence County Law Enforcement Center To Cayce Company, Florence, SC In The Amount Of \$417,700 To Be Funded From The Energy Efficiency Conservation Block Grant (EECBG) And Five Year Annual Maintenance In The Amount Of \$24,375 (\$4,875 Annually) To Be Funded In The Department's Annual Budget, Contingent Upon Execution Of A Final Contract. Councilman Culberson seconded the motion. Councilman Schofield abstained from voting stating Cayce Company conducts business with the company Mr. Schofield owns/operates. Chairman Smith expressed appreciation to Johnny Brown with the Pee Dee Regional Council of Governments for his assistance in obtaining the EECBG. The motion to approve was approved unanimously, with Councilman Schofield abstaining.

TOWN OF OLANTA

Councilman Rodgers made a motion Council accept from the Town of Olanda three (3) M-4 rifles and thirty-six (36) boxes of ammunition in exchange for a \$2,500 credit against the inmate per diem balance outstanding. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

TOWN OF PAMPLICO

Councilman Ard made a motion Council Declare Vehicles #V0897 A 2004 Ford F150 And #V0943 A 2005 Crown Victoria As Surplus; Authorize The Sale Of The Vehicles To The Town Of Pamplico In The Amount Of \$5,200 (\$4,200 And \$1,000 Respectively); And Approve The Expenditure Of Up To \$5,200.00 From Council District 2 Infrastructure Funding Allocation For The Purchase Of The Vehicles For The Town Of Pamplico. Councilman Rodgers seconded the motion, which was approved unanimously.

FLORENCE SCHOOL DISTRICT 2

Councilman Ard made a motion Council Declare Two (2) Vehicles (V#0981 And V#0983) 2006 Chevy Impalas As Surplus; Authorize The Sale Of The Vehicles To Florence School District 2 In The Amount Of \$1,000 Each (\$2,000 Total); And Approve The Expenditure Of Up To \$2,000.00 From Council District 2 Infrastructure Funding Allocation For The Purchase Of The Vehicles For The School District. Councilman Rodgers seconded the motion, which was approved unanimously.

SAVANNAH GROVE ATHLETIC PARK

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$10,000.00 From Council Districts 3, 4, 5, And 9 Infrastructure Funding Allocations (\$2,500 From Each District) For The Installation Of Lighting In The Parking Area Of The Savannah Grove Athletic Park. Councilman Rodgers seconded the motion, which was approved unanimously.

TIMMONSVILLE RESCUE SQUAD

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$5,400.00 From Council District 4 Infrastructure Funding Allocation To Provide Assistance To The Timmons ville Rescue Squad With Replacing Air Conditioning At The Office. Councilman Rodgers seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF)

TRACES SUBDIVISION

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$55,965.25 From Council District 9 RSMF Funding Allocation To Pay For Reclaiming And Resurfacing Traces Subdivision. Councilman Rodgers seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

AWARD OF BID #20-09/10

Councilman Ard made a motion Council Approve The Award Of Bid #20-09/10 For Extrication Equipment For The Johnsonville Rescue Squad To Safe Industries, Piedmont, SC In The Amount Of \$18,360.00 To Be Funded From Budgeted FY10 Funds. Councilman Rodgers seconded the motion, which was approved unanimously.

INFRASTRUCTURE – COWARD ATHLETIC PARK

Councilman Rodgers made a motion Council Approve The Expenditure Of An Additional \$5,850.75 From Council District 5 Infrastructure Funding Allocation To Complete The Purchase Of A Portion Of Parcel 00192-03-007 For The Coward Athletic Park Previously Approved By Council, Based On Actual Acreage Having Been Confirmed By Land Survey. Councilman Kirby seconded the motion, which was approved unanimously.

RSMF – LAKE CITY AREA

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$500.00 From Council District 1 RSMF Funding Allocation To Repair And Maintain Public Streets In The Lake City Area That Are In Desperate Need Of Maintenance. Councilman Kirby seconded the motion, which was approved unanimously.

INFRASTRUCTURE – FRANCIS MARION RECREATION ATHLETIC PARK

Councilman Culberson made a motion Council Approve The Expenditure From Council Districts 3, 6, And 7 Infrastructure Funding Allocations In A Total Amount Estimated At \$7,000 (Approximately \$2,333.33 From Each District) For The Purchase Of 38 – 6’ X 10’ Fence Panels To Reduce The Playing Area On The Dixie Boys Field From 300’ To 200’ To Accommodate For Girls Softball At Francis Marion Recreation Athletic Park. Councilman Mumford seconded the motion, which was approved unanimously.

INFRASTRUCTURE – LAKE CITY COMMUNITY PARK

Councilman Rodgers made a motion Council Approve The Expenditure Of Approximately \$1,800.00 From Council District 1 Infrastructure Funding Allocation For The Purchase And Installation Of A Permanent Commemorative Plaque To Be Installed At The Lake City Community Park Honoring Fallen Soldiers From The Lake City Area. Councilman Culberson seconded the motion, which was approved unanimously.

COUNCILMAN ANDERSON

Councilman Anderson provided photographs of a cat that lost its leg due to being caught in a steel trap and requested County Administrator Richard Starks check into the legality of the apparatus and location the trap was placed, near homes/residential areas.

COUNCILMAN ARD

Councilman Ard commended Council and staff for its past practice in being fiscally responsible. He stated he knew Council was facing another difficult budget year, but was optimistic that in spite of the economic condition of the State of South Carolina that Florence County would continue to weather the storm.

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

COUNCIL MEETING ADJOURNED AT 9:56 A.M.