

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, SEPTEMBER 16, 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
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:

Sheriff Kenney Boone
Solicitor Ed Clements
Jim Miles, Solicitor's Office
Ryon Watkins, EMS Director
Kristy Hughes, Natural Hazards Coordinator
Pearl McDaniel, Interim Planning Director
Ray McBride, Library Director

ABSENT:

J. Ken Ard, Council Member

A notice of the regular meeting of the Florence County Council appeared in the September 15, 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.

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APPROVAL OF MINUTES:

Councilman Anderson made a motion Council approve the minutes of the August 19, 2010 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

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

ORDINANCE NO. 06-2010/11

An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.

APPEARANCES:

BUILDING BRIDGES COMMITTEE

Dr. Annie Brown And Pete Sieler Appeared Before Council Regarding The Upcoming Session Of The Building Bridges Program.

MAYOR GENE GAINY, TOWN OF PAMPLICO

Mayor Gainey Appeared Before Council Concerning Zoning/Rezoning Issues (Ordinances No. 03 And 04-2010/11). Mayor Gainey Stated The Ordinances Were Requested By The Town To Correct A Conflicting Zoning Designation That Resulted When The County And The Town Of Pamplico Consolidated Zoning Efforts. The Mayor Requested Council's Reconsideration of the Two Ordinances for Second Reading.

Councilman Culberson Made A Motion That Ordinance No. 03-2010/11 And Ordinance No. 04-2010/11 Be Recalled From The Inactive Agenda For Consideration Of Second Reading At The Appropriate Time. Councilman Rodgers seconded the motion, which was approved unanimously.

JACK NEWSOME, TAX ASSESSOR

Mr. Newsome (At The Request Of The County Administrator) Provided Council With A Brief Summary On The Reassessment Program For Tax Year 2010. The Chairman asked Mr. Newsome to explain how a citizen would file an appeal. Mr. Newsome responded that there were a number of ways an individual could appeal reassessment. A property owner has 90 days from the receipt of the notice to appeal by a written notice sent to the office via US mail or email or completing forms at the Tax Assessor's Office. The appeal must state the reason why the property owner disagrees with the assessment. The Tax Assessor's Office then contacts the individual. In response to a question from Councilman Schofield, Mr. Newsome stated the reassessment does not create an additional tax burden on the property owner as a group.

COMMITTEE REPORTS:

PUBLIC SERVICE & COUNTY PLANNING

Committee Chairman Schofield Stated The Committee Met At 8 A.M. Prior To The Regular Meeting Of Council To Further Refine The Portable Sign Regulations And An Ordinance Would Be Presented For Introduction At The October Meeting.

RESOLUTIONS:

RESOLUTION NO. 01-2010/11

The Chairman published the title of Resolution No. 01-2010/11: A Resolution To Oppose Performance Rights Royalties In Support Of Local Radio Stations. Councilman Bradley made a motion Council approve the Resolution as presented. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 02-2010/11 – THIRD READING

The Clerk published the Title of Ordinance No. 02-2010/11: An Ordinance To Adopt A Transportation Element For The Florence County Comprehensive Plan In Accordance With Title 6, Chapter 29, Section 510 Of The South Carolina Code of Laws, 1976, As Amended. Councilman Anderson made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2010/11 – THIRD READING

The Clerk published the Title of Ordinance No. 05-2010/11: An Ordinance To Zone Properties Owned By Property Owners As Shown On Attachment "A" Located On Harmony Street, West Dixie Street, West Sumter Street, Carver Circle, West Marion Street, North Hartwell Drive, North Schofield Street, Dewey Road, Bunch Street, Curry Lane, North Trinity Street, Cumberland Drive, And North Alexander Street, Florence County To R-3A, Single-Family Residential District Shown On Florence County Tax Map No. 90044, Block 02, Parcels 002-011; Tax Map No. 90044, Block 03, Parcels 002, 004-006, 008-010, 012-015; Tax Map No. 90044, Block 04, Parcels 001-003, 005-021; Tax Map No. 90044, Block 06, Parcels 001-003, 005; Tax Map No. 90044, Block 08, Parcels 002-006, 010; Tax Map No. 90044, Block 09, Parcels 001-021, 025, 026; Tax Map No. 90044, Block 10, Parcels 001-014, 017, 019, 021, 024, 029-043, 045-066; Tax Map No. 90045, Block 02, Parcels 004, 007; Tax Map No. 90059, Block 08, Parcels 007, 010; Tax Map No. 90059, Block 09, Parcels 012, 017; Tax Map No. 90060, Block 08, Parcels 001, 002, 007-011; Tax Map No. 90060, Block 13, Parcels 003, 005, 006; Tax Map No. 00122, Block 01, Parcel 097 Consisting Of 154 Parcels. Councilman Bradley made a motion Council approve Third Reading of the Ordinance. Councilman Mumford seconded the motion. Councilman Anderson stated a citizen wished to speak on the matter. Councilman Schofield stated Ms. Gaye Creedman was unable to attend the previous Council meeting to address this issue and he made a motion she be allowed to

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speak. Councilman Anderson seconded his motion. The Chairman stated the motion on the floor was approval of the Ordinance and discussion was to be held by Council, unless the Council members that made the motions would rescind the motion and second. Councilman Schofield stated he voted for the moratorium related to this issue and he felt like he made a mistake voting for the moratorium and wanted to acknowledge that fact. He said his opinion was that moratoriums were very dangerous things when put on automatically; people in the business market could get hurt in property deals when this occurs. He stated he was not opposed to the Ordinance because the people in the community wanted it, but he would be more careful in the future voting on moratoriums presented to Council. Councilman Bradley stated there were numerous opportunities for the public to speak at public hearings and community meetings on this issue and the general consensus of the community was approval of the Ordinance. He stated he talked with the officials with the City Water Department concerning the deposit paid by Ms. Creedman for utility services on the property and the City has agreed to refund her money if she would contact them. Third reading of the Ordinance was approved unanimously.

ORDINANCE NO. 03-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 03-2010/11: An Ordinance To Amend The Comprehensive Plan Land Use Map For Properties In Florence County For Areas Bounded On The West By Oak Street, North By East Sixth Avenue, East By Human Street, And South By The Intersection Of River Road And South Pine Street, Pamplico, SC From Residential Preservation And/Or Variable Residential To Suburban Development As Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-010; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 60010, Block 02, Parcels 001-023; Tax Map No. 60010, Block 03, Parcels 001-011, 013-015; Tax Map No. 600010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 600010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 215 Parcels. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2010/11 – SECOND READING

The Clerk published the Title of Ordinance No. 04-2010/11: An Ordinance To Rezone Properties Owned By Property Owners As Shown On Attachment "A" Located On East Sixth Avenue, East Fifth Avenue, East Main Street, East Third Avenue, East Second Avenue, East First Avenue, North And South Oak Street, North And South Pine Street, North And South Elm Street, Allison Alley, Self Alley, Felly's Alley, Cockfield Drive, Cain Street, McElveen Street And Human Street, Town Of Pamplico From R-5, Multi-

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Family Residential District To RU-1, Rural Community District Shown On Florence County Tax Map No. 00376, Block 02, Parcels 008, 014, 015, 017-019, 022-025, 027-034, 039-041, 056, 058-060, 063, 064, 066, 072-077, 079, 081-086, 095-097; Tax Map No. 00377, Block 02, Parcel 003; Tax Map No. 60006, Block 09, Parcels 002-005, 007-015, 027-030; Tax Map No. 60006, Block 10, Parcels 011-014, 026; Tax Map No. 60006, Block 11, Parcels 001-003, 005-010, 012; Tax Map No. 60006, Block 12, Parcels 001-007; Tax Map No. 60006, Block 13, Parcels 001-004; Tax Map No. 60007, Block 12, Parcels 001-003, 005-009, 014-018; Tax Map No. 60007, Block 13, Parcels 001-006, 008, 011; Tax Map No. 60007, Block 17, Parcels 001-004, 006-008; Tax Map No. 60007, Block 18, Parcel 001; Tax Map No. 60007, Block 19, Parcels 001-009, 012, 013; Tax Map No. 60007, Block 20, Parcels 001-012; Tax Map No. 600010, Block 02, Parcels 001-011, 016-019, 021, 023; Tax Map No. 60010, Block 03, Parcels 01-011, 013-015; Tax Map No. 60010, Block 04, Parcels 001, 003-012, 014, 016-021; Tax Map No. 60010, Block 05, Parcels 001-004; Tax Map No. 60010, Block 06, Parcels 002-007, 009-012 Consisting Of 205 Parcels. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There was only one signature on the sign-in sheet. Mrs. Martha Bazen spoke with regard to Ordinance No. 06-2010/11. Chairman Smith closed the public hearing.

ORDINANCE NO. 06-2010/11 – SECOND READING

The Clerk published the title of Ordinance No. 06-2010/11: An Ordinance To Amend Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto. Councilman Anderson made a motion Council approve second reading of the Ordinance. Councilman Mumford seconded the motion. Councilman Culberson stated he would vote in favor of second reading with the understanding that amendments he discussed with Councilman Anderson would be incorporated into the document prior to third and final reading. Second reading was approved unanimously.

ORDINANCE NO. 07-2010/11 - INTRODUCED

The Clerk published the title of Ordinance No. 07-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Darlington County, Such Industrial/Business Park To Be Geographically Located In Darlington 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 Darlington 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.

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ORDINANCE NO. 08-2010/11 – INTRODUCED BY TITLE ONLY

The Clerk published the title of Ordinance No. 08-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance Approving The Delivery By The Florence County Public Facilities Corporation Of Refunding Certificates Of Participation (Law Enforcement Center And Civic Center Projects), Series 2010, In The Principal Amount Of Not Exceeding \$23,000,000 In Order To Achieve An Estimated Debt Service Savings Of Approximately \$500,000 Net Of All Costs Of Issuing Said Refunding Certificates Of Participation; Authorizing The Execution And Delivery Of Certain Instruments Relating To Said Refunding Certificates Of Participation, Including An Amended And Restated Ground Lease Agreement And An Amended And Restated Lease Agreement, Both Between The Florence County Public Facilities Corporation And Florence County, A Certificate Purchase Agreement Among The Florence County Public Facilities Corporation, Florence County And Stephens, Inc.; Approving The Delivery Of An Assignment Of Lessor's Interest In Lease By The Florence County Public Facilities Corporation To The Certificate Trustee, A Trust Agreement Between Florence County Public Facilities Corporation And The Certificate Trustee, And A Preliminary Official Statement And Official Statement With Respect To The Sale Of The Refunding Certificates Of Participation; And Approving Other Matters Relating To The Foregoing.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

The following appointments/reappointments were unanimously approved by Council with appropriate expiration terms:

- **West Florence Fire Department** – James Richard Hewitt (replace David Wooten) and Ken Porter (replace Gerald ‘Rudy’ Hendrix, Jr.)
- **Howe Springs Fire District Board** – Wayne Lawhon (replace Jerry Woodberry) and William Earl Liner
- **Pee Dee Mental Health Center Board of Directors** – At the Request of the Board, Recommend to the Governor the Appointment of Eugene A. Fallon, Jr., Esquire to Seat 6

REPORTS TO COUNCIL:

ADMINISTRATION

CONVEYANCE OF PROPERTY

Councilman Kirby made a motion Council Authorize The Acceptance Of The Pamplico Theatre Property, Located At 132 East Main Street, Pamplico, Designated As Tax Map Number 60006-03-014, By Deed Of Gift From The Drs. Bruce And Lee Foundation. Councilman Rodgers seconded the motion, which was approved unanimously.

FINANCE/TAX ASSESSOR

LATE FARM APPLICATIONS

Councilman Mumford made a motion Council Extend The Deadline For Application Consideration; Authorize Parcels To Be Considered; And Close The Filing Deadline. Councilman Anderson seconded the motion, which was approved unanimously.

PROCUREMENT

AWARD BID #01-10/11

Councilman Rodgers made a motion Council Authorize The County Administrator To Award Bid #01-10/11 For Turning Lane Construction At McCall Farms Being Funded By The SC Department Of Commerce (CDBG #4-ED-09-004) To The Lowest Responsive Bidder. Councilman Culberson seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Kirby made a motion Council Declare Two (2) Vehicles, One (1) Motor Grader And One (1) Mower As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Rodgers seconded the motion, which was approved unanimously.

SURPLUS PROPERTY – CITY OF JOHNSONVILLE

Councilman Rodgers made a motion Council Declare As Surplus And Authorize The Sale Of Vehicle #792, A 2005 Crown Victoria To The City Of Johnsonville In The Amount Of \$1,000. Councilman Culberson seconded the motion, which was approved unanimously.

SURPLUS PROPERTY – TOWN OF OLANTA

Councilman Rodgers made a motion Council Declare As Surplus And Authorize The Sale Of Vehicle #876, A 2003 Crown Victoria To The Town Of Olanda Police Department In The Amount Of \$1,000. Councilman Anderson seconded the motion, which was approved unanimously.

PUBLIC WORKS/ENVIRONMENTAL SERVICES/PROCUREMENT

CONTRACT FOR SPAY AND NEUTER SERVICES

Councilman Mumford made a motion Council Authorize \$10,000 From General Fund Contingency To Contract For Spay And Neuter Services At The Animal Control Facility At A Rate Of \$100 Or Less Per Animal And Authorize The County Administrator To Contract For The Services As Needed. Councilman Rodgers seconded the motion, which was approved unanimously.

SHERIFF OFFICE

GRANT AWARD – US DEPARTMENT OF JUSTICE

Councilman Rodgers made a motion Council Accept A FY2010 USDOJ Edward Byrne Memorial Justice Grant (JAG) Program Local Solicitation In The Amount Of \$60,843 To Provide Capital/Replacement Equipment For The Florence County Sheriff Office. Councilman Mumford seconded the motion, which was approved unanimously.

SOLICITOR'S OFFICE

ADDITIONAL EMPLOYEES

Councilman Rodgers made a motion Council Authorize Two (2) Full-Time Secretary III Positions In The Solicitor's Worthless Check Unit To Be Funded From Solicitor's Funds On A Recurring Basis. Councilman Culberson seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

ADMINISTRATION

EASEMENTS – MUSEUM PROPERTY

Councilman Schofield made a motion Council Authorize The County Administrator To Execute Easements Related To The New Museum For Ingress/Egress And Required Storm Water Drainage Facility On TMP#90169-02-038. Councilman Culberson seconded the motion, which was approved unanimously.

SHERIFF OFFICE

SC DEPARTMENT OF PUBLIC SAFETY GRANT

Councilman Rodgers made a motion Council Accept A South Carolina Department Of Public Safety Justice Assistance Grant (JAG) Program Grant In The Amount Of \$220,660 To Provide Staff And Equipment For A Drug Analysis Laboratory At The Law Enforcement Center. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

FLORENCE SHOOL DISTRICT 4

Councilman Kirby made a motion Council Authorize The County Administrator To Execute A Memorandum Of Agreement With Florence District 4 For Seasonal Use And Maintenance Of The Former Timmonsville High School Football Stadium, And Approve \$2,500.00 From Council District 4 Infrastructure Funding Allocation For Startup Repairs And Associated Initial Costs. Councilman Rodgers seconded the motion, which was approved unanimously.

WINDY HILL FIRE STATION

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$10,920.00 From Council District 6 Infrastructure Funding Allocation To Pay For The Resurfacing Of The Parking Lot And Road At Windy Hill Fire Station On Williamson Road In Florence, SC. Councilman Rodgers seconded the motion, which was approved unanimously.

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DORIC ROAD

Councilman Anderson made a motion Council Approve The Expenditure Of \$5,555.00 From Council District 9 Infrastructure Funding Allocation To Pay For MBC Stone For Doric Road. Councilman Rodgers seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

CRIME WATCH SIGNS

Councilman Bradley made a motion Council Approve Estimated Expenditures Of \$600.00 From Council District 3 Infrastructure Funding Allocation To Purchase Crime Watch Signs Through The City Of Florence For Installation In The Williams Heights Community. Councilman Schofield seconded the motion, which was approved unanimously.

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve Estimated Expenditures Of \$33,000.00 From Council District 4 Utility Funding Allocation To Apply MBC Stone On The Town Of Timmons ville's Road In Byrd Cemetery; The Town Of Timmons ville Requested Assistance To Improve The Conditions Of The Town Owned Access Roads. Councilman Mumford seconded the motion, which was approved unanimously.

OCTOBER 21ST REGULAR MEETING OF COUNCIL

Councilman Culberson made a motion Council Approve A Revision To The 2010 Calendar Of Meetings For County Council To Reflect That The October 21st Regular Meeting Would Be Held In Council Chambers, Room 803, City-County Complex, 180 N. Irby Street, Florence, SC And The Time Would Be Changed To 9 A.M. Councilman Rodgers seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 10:00 A.M.



**H. MORRIS ANDERSON
SECRETARY-CHAPLAIN**



**CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL**

PUBLIC HEARING

September 16, 2010

ORDINANCE NO. 06-2010/11

An Ordinance To Amend Florence County Code Chapter 6, Animal Care And Control, Section 6-2, Animal Cruelty, To Provide Regulations For The Practice Of Tethering Of Dogs And Other Matters Related Thereto.

NAME	ADDRESS	PHONE NUMBER
Martha Jo. Blazer	3101 E. Pamplice Hwy Flo., S.C.	669-8806
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