

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, SEPTEMBER 15, 2011, 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
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Roger M. Poston, Council Member
Richard A. Starks, County Administrator
Malloy McEachin, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
Ryon Watkins, EMS Director
Andrew Stout, Museum Director
Jonathan B. Graham, Planning Director
Ray McBride, Library Director
Sheriff W. Kenney Boone
Barbara Coker, Sheriff's Office
John Sweeney, Morning News

ABSENT:

H. Morris Anderson, Secretary-Chaplain
Johnnie D. Rodgers, Jr., Council Member

A notice of the regular meeting of the Florence County Council appeared in the September 14, 2011 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 all branch libraries, and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Vice Chairman Mumford provided the invocation and Councilman Kirby led the Pledge of Allegiance to the American Flag. Chairman Smith welcomed everyone attending the meeting and stated it was another very auspicious occasion as Council precipitated the announcement of another blue chip industry, Otis Elevator.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council approve the minutes of the August 9, 2011 special meeting/worksession of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

Councilman Mumford made a motion Council approve the minutes of the August 18, 2011 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 hearing for the following:

ORDINANCE NO. 03-2011/12

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees And Agencies, To Modify The Structure Of The Senior Center Commission; And Other Matters Related Thereto.

ORDINANCE NO. 04-2011/12

An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Five Million Dollars (\$5,000,000) General Obligation Refunding And Improvement Bonds Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto.

ORDINANCE NO. 05-2011/12

An Ordinance Providing For The Issuance And Sale From Time To Time Of Hospitality Tax Revenue Bonds Of Florence County, Providing For The Pledge Of Hospitality Taxes For The Payment Of Such Bonds, Prescribing The Terms And Conditions Under Which Such Bonds May Be Issued, Providing For The Payment Thereof, And Other Matters Relating Thereto.

ORDINANCE NO. 06-2011/12

An Ordinance Providing For The Issuance And Sale Of Not Exceeding Three Million Nine Hundred Thousand Dollars (\$3,900,000) Hospitality Tax Revenue Bonds Of Florence County To Be Designated Series 2011 And Other Matters Relating Thereto.

ORDINANCE NO. 07-2011/12

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article II, Form of Government, Section 2-18 To Establish Defined Single Member Election Districts For The Election Of Members Of The County Council, And Other Matters Related Thereto.

APPEARANCES:

RON WHITE

Mr. White Appeared Before Council *“regarding the epidemic of bath salts.”* He stated the chemical in the bath salts being sold at convenience stores would be like combining methamphetamines, PCP and cocaine. Some of the local stores were giving away free samples. He encouraged Council to support City Council in enacting a ban on the sales of bath salts and as expeditiously as possible, mirror the City’s actions. Chairman Smith stated he had discussed the issue with Sheriff Boone and asked Sheriff Boone to speak on the issue. Sheriff Boone stated DEA had enacted a ban and the Sheriff’s Office assigned a staff member to DEA to monitor the situation. Captain Nunn provided additional information regarding the problems surrounding the chemicals used to make bath salts and its effects. He stated it was a designer drug with approximately 27 characters, but in its abbreviated form was MDPV; a psychoactive drug with stimulant effect, similar to cocaine or other amphetamines, including methamphetamine. He stated the Sheriff’s Office supported any legal effort to remove bath salts from shelves. DEA used its executive and emergency powers to classify the drug as a Schedule I substance, but it was unclear from the press release what enforcement capabilities it gave local law enforcement. Councilman Kirby asked if the bath salts were manufactured solely for this purpose and if it was manufactured locally. Captain Nunn responded that there didn’t seem to be any clinical or other use for the substance and that he was unsure about the manufacturers. Mr. Ron White responded that according to information available through the internet, there were a couple of manufacturers in South Carolina. Chairman Smith stated that he and the Sheriff contacted the legal staff with the South Carolina Association of Counties and submitted a request that the Association work with the Legislative Delegation to lobby for legislation to address the matter. The Chairman asked that, in the meantime, Captain Nunn work with County Attorney Malloy McEachin to determine if it would be prudent for Council to enact local emergency legislation as a temporary measure until the State could enact a law to deal with the matter long-term.

COMMITTEE REPORTS:

PUBLIC SERVICES & COUNTY PLANNING

Committee Chairman Schofield stated the Committee met at 8:00 a.m. prior to the regular meeting to discuss space allocation at the Public Service Building. The Committee would meet again after members had the opportunity to visit the site and further review requests for the space. He invited anyone who had not visited the Voter Registration/Elections new facility to do so. He further stated the Museum Project was moving along well and the bid for the building should be out in December. Councilman Schofield commented that the Performing Arts Center was a wonderful gift to the community and future generations. He commended the group for their perseverance in making the project come to fruition.

RESOLUTIONS:

RESOLUTION NO. 06-2011/12

The Chairman published the title of Resolution No. 06-2011/12: A Resolution To Rename Banker's Court, Shown On Florence County Tax Map No. 00150, Block 01, Parcels 095 And 136 To Federal Court, And Other Matters Related Thereto. Councilman Schofield made a motion Council approve the Resolution. Councilman Mumford seconded the motion, which was approved unanimously.

RESOLUTION NO. 07-2011/12

The Chairman published the title of Resolution No. 07-2011/12: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of A Portion Of Paisley Road Located In Lake City. Councilman Culberson made a motion Council approve the Resolution. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

There were no ordinances for third and final reading.

PUBLIC HEARINGS:

Chairman Smith declared the public hearing sign-up period closed.

ORDINANCE NO. 03-2011/12 – SECOND READING

The Chairman published the title of Ordinance No. 03-2011/12: An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees And Agencies, To Modify The Structure Of The Senior Center Commission; And Other Matters Related Thereto. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Bradley seconded the motion, which was approved unanimously.

ORDINANCE NO. 04-2011/12 – SECOND READING

The Chairman published the title of Ordinance No. 04-2011/12: An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Five Million Dollars (\$5,000,000) General Obligation Refunding And Improvement Bonds Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 05-2011/12 – SECOND READING

Murray Jordan signed to speak during the public hearing on Ordinance No. 05-2011/12. He encouraged Council not to reduce the use of the funds for tourism based on the County exceeding the threshold required to lift the blue laws for Sunday retail sales. He suggested Council use funding to add two (2) deputies to the I95/Hwy 52 corridor to increase patrol in that area. The Clerk published the title of Ordinance No. 05-2011/12: An Ordinance Providing For The Issuance And Sale From Time To Time Of Hospitality ~~Tax~~ Fee Revenue Bonds Of Florence County, Providing For The Pledge Of Hospitality ~~Taxes~~ Fees For The Payment Of Such Bonds, Prescribing The Terms And Conditions Under Which Such Bonds May Be Issued, Providing For The Payment Thereof, And Other Matters Relating Thereto. Councilman Schofield made a motion to approve second reading of the Ordinance. Councilman Poston seconded the motion, which was approved unanimously.

ORDINANCE NO. 06-2011/12 – SECOND READING

The Clerk published the title of Ordinance No. 06-2011/12: An Ordinance Providing For The Issuance And Sale Of Not Exceeding Three Million Nine Hundred Thousand Dollars (\$3,900,000) Hospitality ~~Tax~~ Fee Revenue Bonds Of Florence County To Be Designated Series 2011 And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

ORDINANCE NO. 07-2011/12 – SECOND READING

Murray Jordan signed up to speak during the public hearing of Ordinance No. 07-2011/12. Mr. Jordan expressed concerns about the districts and stated the current districts were somewhat ‘gerrymandered’ and would like for Council to clean up the lines so that citizens can better determine who their representative would be. The Clerk published the title of Ordinance No. 07-2011/12: An Ordinance To Amend Florence County Code Chapter 2, Administration, Article II, Form of Government, Section 2-18 To Establish Defined Single Member Election Districts For The Election Of Members Of The County Council, And Other Matters Related Thereto. Councilman Culberson made a motion to approve second reading of the Ordinance. Councilman Kirby seconded the motion. Bobby Bowers with the State Office of Research and Statistics presented what the State referred to as Plan 3 to Council for consideration. Councilman Mumford made a motion to amend the Ordinance to go with Plan 3. Councilman Bradley seconded the motion, which was approved unanimously. Councilman Schofield made a motion to approve second reading as amended. Councilman Bradley seconded the motion, which was approved unanimously to approve the Ordinance as amended.

ORDINANCE NO. 08-2011/12 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 08-2011/12 introduced: An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 129 And 135 S. Fifth Street, Timmons ville, SC As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 100; Consisting Of 1.69 Acres From Residential Preservation To Rural Preservation And Other Matters Related Thereto.

ORDINANCE NO. 09-2011/12 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 09-2011/12 introduced: An Ordinance To Rezone Property Owned By Viola A. Garner Located At 129 And 135 South Fifth Street, Timmons ville, As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 100; Consisting Of 1.69 Acres From R-3, Single-Family Residential District To RU-1, Rural Community District And Other Matters Related Thereto.

ORDINANCE NO. 10-2011/12 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 10-2011/12 introduced: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Article V, Sign Regulations, Section 30-210, Relocation Of Billboard Due To Governmental Land Acquisition; And Other Matters Related Thereto.

ORDINANCE NO. 11-2011/12 – INTRODUCED

The Clerk published the title and the Chairman declared Ordinance No. 11-2011/12 introduced: An Ordinance To Amend Florence County Code, Chapter 27, Public Roads And Ways, Article II, Street Naming And Property Numbering, Section 27-21, Street Naming, And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

HANNAH-SALEM-FRIENDFIELD FIRE DISTRICT BOARD

Council unanimously approved the appointment of Lanney Ard and the reappointment of Ron Hart, Edd Poston, Grant Stone, and Lory Belflower to serve on the Hannah-Salem-Friendfield Fire District Board with appropriate expiration terms.

REPORTS TO COUNCIL:

ADMINISTRATION/GRANTS

SC DOT C FUNDS ALLOCATION

Councilman Culberson made a motion Council Accept Allocation From The South Carolina Department Of Transportation (SCDOT) Under The Florence County Transportation Committee (FCTC) C Funds Program, PCN #41296 In The Amount Of \$187,125 For The Construction Of A Turning Lane Off Of US-378 At MIT Industrial Complex In Lake City. Councilman Mumford seconded the motion, which was approved unanimously.

ECONOMIC DEVELOPMENT/ADMINISTRATION

SC COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT (SCCED)

Councilman Culberson made a motion Council Accept A Grant Award In The Amount Of \$350,000 From The SCCCED Set-Aside Grant Program For Infrastructure Costs Associated With The Johnson Controls, Inc. Road Widening Project. Councilman Kirby seconded the motion, which was approved unanimously.

SC DEPARTMENT OF COMMERCE GRANT

Councilman Mumford made a motion Council Accept A Grant In The Amount Of \$10,500 From The South Carolina Department Of Commerce For Site Certification At The Pee Dee Touchstone Energy Commerce City. Councilman Culberson seconded the motion, which was approved unanimously.

EMERGENCY MEDICAL SERVICES (EMS)

NON-EXCLUSIVE AMBULANCE FRANCHISE

Councilman Bradley made a motion Council Award A Non-Exclusive Ambulance Franchise To National Transport Ambulance Service. Councilman Schofield seconded the motion, which was approved unanimously.

EMS/PROCUREMENT

PURCHASE OF TWO (2) AMBULANCES

Councilman Mumford made a motion Council Authorize The Use Of Florida Association Of Counties Bid #10-09-0907 Awarded To Wheeled Coach Industries To Purchase Two (2) Ambulances At A Base Bid Of \$108,227 Each With Needed Options In The Amount Of \$11,367 Additional Per Ambulance From Peach State Ambulance, Inc., Tyrone, Ga., The Authorized Regional Representative For Wheeled Coach Industries (Total Purchase Of \$239,188) As Funded And Approved In The FY12 Budget. Councilman Schofield seconded the motion, which was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Kirby made a motion Council Declare Fifteen (15) Vehicles, One (1) Passenger Van, One (1) Excavator, Two (2) Dump Trucks, And One (1) Tractor As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Bradley seconded the motion, which was approved unanimously.

RECREATION/PROCUREMENT

AWARD OF BID #2-11/12

Councilman Schofield made a motion Council Authorize The County Administrator To Award Bid #2-11/12 – Tour Events To The Low Bidders For Each Individual Trip To Be Funded By The Participants If The Minimum Participation Numbers Are Met. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/GRANTS

FY2011 USDOJ EDWARD BYRNE MEMORIAL JUSTICE GRANT

Councilman Culberson made a motion Council Accept A FY2011 USDOJ Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation In The Amount Of \$44,023 To Provide Capital/Replacement Equipment For The Florence County Sheriff Office. Councilman Poston seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

FLORENCE REGIONAL AIRPORT

Councilman Culberson made a motion Council Declare One (1) Vehicle (V1293 A 2002 Ford F750) As Surplus; Authorize The Sale Of The Vehicle To The Florence Regional Airport In The Amount Of \$7,500; And Approve The Funding From Council Districts' Infrastructure Allocation (Approximately \$833.33 From Each District) For The Purchase Of The Vehicle. Councilman Mumford seconded the motion, which was approved unanimously.

TOWN OF SCRANTON

Councilman Culberson made a motion Council Approve The Expenditure From Council District 1 Infrastructure Funding Allocation To Pay For The Removal Of A Tree (Including Grinding Of The Stump And Removal Of All Debris) For The Town Of Scranton On Fountain Street, A County Maintained Roadway. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$4,500 From Council District 4 Infrastructure Funding Allocation To Purchase Four (4) Tasers And Three (3) Crime Watch Signs For The Florence County Sheriff's Office. Councilman Culberson seconded the motion, which was approved unanimously.

TIMMONSVILLE MAGISTRATE'S OFFICE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$1,441.23 From Council District 4 Infrastructure Funding Allocation To Pay For The Carpet To Be Replaced In The Timmonsville Magistrate's Courtroom. Councilman Mumford seconded the motion, which was approved unanimously.

INFRASTRUCTURE/UTILITY

SHERIFF'S OFFICE

Councilman Culberson made a motion Council Approve The Expenditure Of A Total Amount Not To Exceed \$196,457.08 From Council Districts' Infrastructure/Utility Allocations To Assist The Florence County Sheriff's Office With The Purchase Of Capital Equipment For The Department. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY

FLORENCE SCHOOL DISTRICT 2

Councilman Poston made a motion Council Declare One (1) Field Groomer (V8082 A 2003 John Deere 1200A Field Groomer) As Surplus; Authorize The Sale Of The Equipment To Florence School District 2 In The Amount Of \$3,500; And Approve The Funding From Council District 2 Utility Funding Allocation For The Purchase Of The Equipment. Councilman Bradley seconded the motion, which was approved unanimously.

W. HAMPTON POINTE DRIVE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$20,000 From Council District 9 Utility Funding Allocation To Pay For Installing 88 Linear Feet Of 18" RCP And Two (2) Catch Basins On W. Hampton Pointe Drive. Councilman Culberson seconded the motion, which was approved unanimously.

The following items were additions to the Agenda:

ORDINANCES IN POSITION:

ORDINANCE NO. 12-2011/12

The Chairman published the title and declared Ordinance No. 12-2011/12 introduced: An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 90167-01-020 To The City Of Florence And Other Matters Related Thereto.

REPORTS TO COUNCIL:

PROCUREMENT

Councilman Poston made a motion Council Authorize The Sale Of A 2003 Ford Crown Vic, V#872 To Florence County School District 2 In The Amount Of \$3,000. Councilman Culberson seconded the motion, which was approved unanimously.

OTHER BUSINESS:

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$20,000 From Council District 4 Utility Funding Allocation To Assist The Town Of Timmonsville With The Purchase Of Replacement Fire Hydrants For The Town To Replace Existing Inoperable Hydrants. Councilman Schofield seconded the motion, which was approved unanimously.

TOWN OF TIMMONSVILLE/BYRD CEMETERY

Councilman Kirby made a motion Council Approve The Estimated Expenditure Of Up To \$1,552 From Council District 4 Infrastructure Funding Allocation To Pay For 50 Tons Of MBC Stone For Byrd Cemetery. (The Town Of Timmons ville Owns Byrd Cemetery And Has Requested That The Material Be Stock Piled On Its Property.) Councilman Bradley seconded the motion, which was approved unanimously.

WAITUS GREEN CIRCLE

Councilman Kirby made a motion Council Approve The Expenditure Of Approximately \$1,552 From Council District 4 RSMF Funding Allocation To Pay For 50 Tons Of MBC Stone For A Portion Of Waitus Green Circle. Councilman Mumford seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Councilman Culberson 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: Personnel Matters Relating To The Sheriff's Office And Also The Museum; Contractual Matters Related To Two (2) Fire Districts, Economic Development, And A Possible Real Property Transaction; And A Number Of Legal Items. Councilman Mumford seconded the motion, which was approved unanimously.

Council entered executive session at 9:51 a.m. Council reconvened at 10:59 a.m.

Subsequent to Executive Session, Council took the following actions:

SHERIFF'S OFFICE

Councilman Poston made a motion Council Approve The Sheriff's Office Staff Restructuring Request And The Associated Operating Budget Transfers. Councilman Culberson seconded the motion, which was approved unanimously.

FLORENCE COUNTY MUSEUM

Councilman Schofield made a motion Council Eliminate Vacant Grade 06 Slot 124-486-640-004 And Changed Slot 124-486-640-003 To Grade 10 Full-Time Status. Councilman Mumford seconded the motion, which was approved unanimously.

FIRE DISTRICTS

Councilman Bradley made a motion Council Authorize The County Administrator To Execute Agreements Between: 1) Florence County, West Florence Rural Fire District, And The City Of Florence, And 2) Florence County, Howe Springs Fire District, And The City Of Florence; Contingent Upon The Documented Approval By Each Respective Fire Board And The Florence City Council. Councilman Culberson seconded the motion, which was approved unanimously.

RESOLUTION NO. 08-2011/12

Councilman Kirby made a motion Council Approve A Resolution Authorizing A Fee In Lieu Of Tax Agreement Between Florence County And Project KF; And Other Matters Related Thereto. Councilman Culberson seconded the motion, which was approved unanimously.

PROGRESS ENERGY

Councilman Mumford made a motion Council Authorize The County Administrator To Execute An Easement To Progress Energy On Property Identified As Tax Map Number 90167-01-008 For An Underground Electrical Line, Subject To Suitability Of The Easement Terms And Review By The County Attorney. Councilman Schofield seconded the motion, which was approved unanimously.

PURCHASE OF PROPERTY

Councilman Schofield made a motion Council Authorize The County Attorney To Pursue The Purchase Of Property As Discussed. Councilman Mumford seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 11:02 A.M.