

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,  
THURSDAY, NOVEMBER 17, 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  
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  
Roger M. Poston, Council Member  
Richard A. Starks, County Administrator  
Fitz Lee McEachin, County Attorney  
Connie Y. Haselden, Clerk to Council

**ALSO PRESENT:**

Kevin V. Yokim, Finance Director  
Ray McBride, Library Director  
Sheriff Kenney Boone  
Thomas B. Robinson  
John Sweeney, Morning News

Copies of the Meeting 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](http://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 Kirby made a motion Council Approve The Minutes Of The October 13, 2011 Special Called Meeting Of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council Approve The Minutes Of The October 20, 2011 Regular Meeting Of County Council. Councilman Kirby seconded the motion, which was approved unanimously.

Councilman Mumford made a motion Council Approve The Minutes Of The October 27, 2011 Special Called Meeting Of County Council. Councilman Anderson seconded the motion, which was approved unanimously.

Councilman Anderson made a motion Council Approve The Minutes Of The November 3, 2011 Special Called 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 hearing for the following:

#### **ORDINANCE NO. 08-2011/12**

An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 129 And 135 S. Fifth Street, Timmonsville, 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. 13-2011/12**

An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance.

#### **ORDINANCE NO. 14-2011/12**

An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto.

### **APPEARANCES:**

#### **2011 CHRISTMAS CARD CONTEST WINNER ANNOUNCED**

Council recognized Miss Sidonie Gillier, 11 year old daughter of Ines and Frédéric Gillier and a 5<sup>th</sup> grade student at Royall Elementary School, for submitting the winning entry for the 2011 Florence County Christmas Card Contest. Vice Chairman Mumford presented Miss Gillier with a framed copy of her artwork and a certificate for a \$100 US Savings Bond. Miss Gillier thanked Council.

#### **JOHN FARMER, 2012 LEGISLATIVE DAY COMMITTEE CHAIR**

Mr. Farmer Requested To Appear Before Council To Brief Council On The Plans For The 10<sup>th</sup> Annual Florence County Legislative Day, Scheduled For March 20, 2012. Mr. Farmer was unable to attend the meeting. Ms. Denise Godwin was present and thanked Council for its support of the Legislative Day Event and briefed Council on plans for the 2012 event.

**JONATHAN E. STURKIE, PRESIDENT – HOWE SPRINGS VOLUNTEER FIRE COMPANY**

Mr. Sturkie Stated He Initially Requested To Appear Before Council To Discuss The Open Position On The Howe Springs Fire District Board And The Recommendation From The Howe Springs Volunteer Fire Company To Fill The Seat, However He Was Of The Understanding That Would No Longer Be Necessary So He Wanted To Thank Council For Its Support Of The Howe Springs Volunteer Fire Company.

**PETE SIELER, WFXMB AND BRUCE SMITH, RETIREE – BUILDING BRIDGES PROGRAM**

Mr. Sieler And Mr. Smith Appeared Before Council To Speak On Behalf Of The Building Bridges Program.

**COMMITTEE REPORTS:**

**ADMINISTRATION & FINANCE**

Chairman Smith stated the Administration & Finance Committee would review the request for bond issue consideration requested by the Howe Springs Fire District.

**PUBLIC SERVICE & COUNTY PLANNING**

Committee Chairman Schofield stated the Committee met early that morning to discuss the item concerning the Public Service Building Space Allocation. Councilman Schofield made a motion Council Approve The Recommendation Of The Space Allocation Change Of The Florence County Public Service Building As Indicated On The Plan Provided By The Committee (Copy Of Plan Attached And Incorporated By Reference). Councilman Kirby seconded the motion, which was approved unanimously.

**JUSTICE & PUBLIC SAFETY**

In response to comments from Councilman Anderson, Committee Chairman Mumford stated the Committee would schedule a meeting to continue discussion on litter enforcement prior to the next regular meeting of Council.

**RESOLUTIONS:**

**RESOLUTION NO. 11-2011/12**

Chairman Smith published the title of Resolution No. 11-2011/12: A Resolution To Amend Section 4 Of Resolution No. 5-2009/10 In Order To Authorize The Inclusion Of Additional Participants In The South Carolina Procurement Card Program And To Increase One Daily And Monthly Limit. Councilman Schofield made a motion Council approve the Resolution. Councilman Anderson seconded the motion, which was approved unanimously.

**RESOLUTION NO. 12-2011/12**

Chairman Smith published the title of Resolution No. 12-2011/12: A Resolution To Amend *The Rules of the Florence County Council*. Councilman Anderson made a motion Council approve the Resolution. Councilman Poston seconded the motion, which was approved unanimously.

**PUBLIC HEARINGS:**

There being no signatures on the sign-in sheet, Chairman Smith declared the public hearing closed.

**ORDINANCES IN POSITION:**

**ORDINANCE NO. 08-2011/12 – THIRD READING**

The Clerk published the title of Ordinance No. 08-2011/12: 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. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 09-2011/12 – THIRD READING**

The Clerk published the title of Ordinance No. 09-2011/12: 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. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Mumford seconded the motion, which was approved unanimously.

**ORDINANCE NO. 10-2011/12 – THIRD READING**

The Clerk published the title Of Ordinance No. 10-2011/12: 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. Councilman Kirby made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCE NO. 11-2011/12 – THIRD READING**

The Clerk published the title of Ordinance No. 11-2011/12: 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. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCE NO. 12-2011/12 – THIRD READING**

The Clerk published the title of Ordinance No. 12-2011/12: 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. Councilman Schofield made a motion Council approve third reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCE NO. 13-2011/12 – SECOND READING**

The Clerk published the title of Ordinance No. 13-2011/12: An Ordinance Adopting And Enacting A New Code Of Ordinances Of The County Of Florence County, South Carolina; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing A Penalty For The Violation Thereof; And Providing For The Effective Date Of This Ordinance. Councilman Mumford made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion, which was approved unanimously.

**ORDINANCE NO. 14-2011/12 – SECOND READING**

The Clerk published the title of Ordinance No. 14-2011/12: An Ordinance Authorizing MIT-RCF, LLC To Enter Into A Sublease With Progress Energy And Associated Investors With Regard To Tax Map Parcel No. 00167-031-131; And Other Matters Related Thereto. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

**ORDINANCE NO. 15-2011/12 – INTRODUCED**

The Clerk published the title of Ordinance No. 15-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Amend The Florence County Comprehensive Plan Land Use Map For Property In Florence County Located At 900 E. Julep Lane, Florence, SC, As Shown On Florence County Tax Map No. 01812, Block 01, Parcel 001 Consisting Of 7.8 Acres From Public Facility To Residential Preservation; And Other Matters Related Thereto.

**ORDINANCE NO. 16-2011/12 – INTRODUCED**

The Clerk published the title of Ordinance No. 16-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Florence County Code, Chapter 30, Zoning Ordinance, Section 30-311. – Definitions. Dwelling, Residential Designed Manufactured Home; And Other Matters Related Thereto. Councilman Schofield requested this item be referred to the Committee on Public Service & County Planning. There being no objections, the Chairman referred the Ordinance to Committee.

**ORDINANCE NO. 17-2011/12 – INTRODUCED**

The Clerk published the title of Ordinance No. 17-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Approve A Use Variance For A Communications Tower For Property Located At 355 N. Country Club Rd., Lake City Shown On Florence County Tax Map No. 00142, Block 31, Parcel 048 And Zoned R-1, Single-Family Residential District; To Approve Related Text Amendments To The Florence County Code; And Other Matters Related Thereto.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

**HOWE SPRINGS BOARD OF FIRE CONTROL**

Council Unanimously Approved The Recommendation Of Howe Springs Volunteer Fire Company For The Appointment Of William Hopkin Dillon For Seat 1 On The Howe Springs Board Of Fire Control, With Appropriate Expiration Term.

**COMMISSION ON ALCOHOL & DRUG ABUSE**

Council unanimously approved the following reappointments to the Commission on Alcohol & Drug Abuse, with appropriate expiration terms: Bishop Oscar Hardman, Seat 2 - District 1, and James R. “Randy” McDonald – At-Large Business Law Seat.

**PEE DEE WORKFORCE INVESTMENT BOARD**

Council unanimously approved the recommendation of the Pee Dee Workforce Investment Board for the appointment of Max Welch to fill the seat on the board left vacant by the resignation of Jill Heiden.

**SENIOR CENTER COMMISSION**

Council unanimously approved the following appointments to the Senior Center Commission, with appropriate expiration terms: Andrew Wilson – District 2, Jean P. McPherson – District 5, and Ruth Sandifer – District 9.

**HANNAH/SALEM/FRIENDFIELD BOARD OF FIRE CONTROL**

Council unanimously approved the re-appointment of Theodore Allison to serve on the Hannah/Salem/Friendfield Board of Fire Control, with appropriate expiration term.

**ECONOMIC DEVELOPMENT PARTNERSHIP BOARD**

Council unanimously approved the appointment of John D. Bankson, Jr. to serve on the Economic Development Partnership Board, representing District 9, with appropriate expiration term.

**BOARD OF ZONING APPEALS**

Council unanimously approved the re-appointment of Daniel Jackson to serve on the Board of Zoning Appeals, representing District 9, with appropriate expiration term.

## **REPORTS TO COUNCIL:**

### **ADMINISTRATION**

#### **MONTHLY FINANCIAL REPORTS**

Monthly Financial Reports Were Provided To Council For Fiscal Year 2012 Through September 30, 2011 As An Item For The Record.

### **ADMINISTRATION/FINANCE**

#### **CITY OF JOHNSONVILLE – SOLID WASTE HOUSEHOLD FEES**

Councilman Poston made a motion Council Authorize The Remittance Of All Solid Waste Household Fees Collected On The 2011 Tax Notices From The Residential Parcels Located Inside The City Of Johnsonville Directly To The City Of Johnsonville, To Be Used For Residential Solid Waste Household Service Provision Only, And Direct The Cessation Of Charging The Solid Waste Household Fee To Residential Parcels Located Inside The City Of Johnsonville Beginning In Tax Year 2012. Councilman Rodgers seconded the motion, which was approved unanimously.

### **CIVIC CENTER**

#### **SCDA DENTAL ACCESS DAYS EVENT**

Councilman Rodgers made a motion Council Approve \$3,665.62 For The Florence Civic Center For Excess Costs Incurred By The SC Dental Association's (SCDA) Free Adult Dental Clinic Recently Held At The Civic Center; Funding To Come From Line Item 010-411-488-000-8800, General Fund Contingency. Councilman Mumford seconded the motion, which was approved unanimously.

### **FINANCE/FACILITIES**

#### **ACCEPTANCE OF PROPERTY**

Councilman Rodgers made a motion Council Authorize The Acceptance Of Property Located At 419 South Dargan Street, Designated As Tax Map No. 90088-02-008 By Deed Of Gift From The Drs. Bruce And Lee Foundation. Councilman Culberson seconded the motion, which was approved unanimously.

### **PUBLIC WORKS**

#### **CUSAAC MANNED CONVENIENCE CENTER**

Councilman Kirby made a motion Council Approve \$4,570 For A Tap Fee, Water Meter, And Installation Of Connector Water Line For The Cusaac Manned Convenience Center (MCC) Property From Line Item 421-441-432-100-6426, And Authorize The County Administrator To Enter Into A Formal Agreement For Use And Owner Payment Of The Water Service. Councilman Rodgers seconded the motion, which was approved unanimously.

## **OTHER BUSINESS:**

### **UTILITY**

#### **RENEE CIRCLE**

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$6,000 From Council District 6 Utility Funding Allocation For A Water Line Extension On Renee Circle. Councilman Rodgers seconded the motion, which was approved unanimously.

#### **WILSON ROAD**

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$14,500 From Council District 7 Utility Funding For A Sewer Line Extension Along The 200 Block Of Wilson Road. Councilman Culberson seconded the motion, which was approved unanimously.

#### **MANDEVILLE DRIVE**

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$27,600 From Council Districts 3 and 7 RSMF Funding Allocations (\$13,800 From Each District) To Pay For Variable Milling And Leveling Of Mandeville Drive. Councilman Mumford seconded the motion, which was approved unanimously.

#### **SARDIS-TIMMONSVILLE FIRE DEPARTMENT**

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$8,500 From Council District 4 Infrastructure Funding Allocation For The Purchase Of Two Infrared Cameras For The Sardis-Timmons ville Fire Department. Councilman Rodgers seconded the motion, which was approved unanimously.

## **RESOLUTIONS:**

### **RESOLUTION OF APPRECIATION AND RECOGNITION**

Councilman Anderson made a motion Council Approve A Resolution Of Appreciation And Recognition For Richard A. Starks In Honor Of His Outstanding Service To Florence County. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Anderson published the Resolution in its entirety and presented Mr. Starks with the framed Resolution. Mr. Starks expressed his appreciation for the recognition and the opportunity to serve Florence County.

## **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: Legal Briefing, Contractual Matter Regarding Real Property Transaction, Personnel Matters Concerning Voter Registration/Elections, Senior Center, And Chief Magistrate's Office. Councilman Culberson seconded the motion, which was approved unanimously.



Council entered executive session at 9:38 a.m. Council reconvened at 11:00 a.m.

Subsequent to Executive Session, Council took the following actions:

**MAGISTRATE'S OFFICE**

Councilman Mumford made a motion Council Authorize The Effingham Magistrate (Slot 006) Position To Be Increased Permanently To 30 Hours Per Week With Benefits, To Be Funded From The General Fund Contingency For The Balance Of FY12. Councilman Culberson seconded the motion, which was approved unanimously.

**VOTER REGISTRATION/ELECTIONS**

Chairman Smith stated the matter regarding the Voter Registration/Elections Office would be referred to the Committee on Administration & Finance for further review.

**AGREEMENT TO PURCHASE REAL ESTATE**

Councilman Schofield made a motion Council Authorize The Execution Of An Agreement To Purchase Real Estate Owned By White Hawk, LLC, Tax Map No. 90167-01-018, From General Obligation Proceeds Received Into Fund 317. Councilman Culberson seconded the motion, which was approved unanimously.

**CHRISTMAS BONUS & HOLIDAY**

Councilman Mumford made a motion Council Approve A \$300 Christmas Bonus For County Employees For 2011 And That The Following Days Be Granted To Employees To Observe The Christmas Holiday: Friday - December 23, Monday – December 26, And Tuesday – December 27. Councilman Schofield 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 11:02 A.M.**