

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, SEPTEMBER 18, 2014, 6:00 P.M., THE BEAN
MARKET, 111 HENRY STREET, LAKE CITY, SOUTH CAROLINA**

PRESENT:

James T. Schofield, Chairman
Waymon Mumford, Vice Chairman
Mitchell Kirby, Secretary-Chaplain
Russell W. Culberson, Council Member
Roger M. Poston, Council Member
Kent C. Caudle, Council Member
Willard Dorriety, Jr., Council Member
Jason M. Springs, Council Member
K. G. Rusty Smith, Jr., County Administrator
D. Malloy McEachin, Jr., County Attorney
Connie Y. Haselden, Clerk to Council

ABSENT:

Alphonso Bradley, Council Member

ALSO PRESENT:

Arthur C. Gregg, Jr., Public Works Director
Kevin V. Yokim, Finance Director
Suzanne S. King, Administrative Services Director
Ryon Watkins, EMS Director
Jonathan B. Graham, III, Planning Director
Samuel K. Brockington, Jr., Fire/Rescue Services Coordinator
Morning News Staffwriter

A notice of the regular meeting of the Florence County Council appeared in the September 17, 2014 edition of the **MORNING NEWS**. In compliance with the Freedom of Information Act, copies of the meeting Agenda and Proposed Additions to the Agenda were provided to members of the media, members of the public requesting copies, posted in the lobby of the County Complex, provided for posting at the Doctors Bruce and Lee Foundation Public Library, all branch libraries, and on the County's website (www.florenceco.org).

Chairman Schofield called the meeting to order. Secretary/Chaplain Kirby provided the invocation and Vice Chairman Mumford led the Pledge of Allegiance to the American Flag. Chairman Schofield welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Kirby made a motion Council Approve The Minutes Of The August 21, 2014 Regular Meeting And The September 4, 2014 Special Called Meeting Of County Council. Councilman Culberson seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

No Public Hearings Were Scheduled Or Held.

APPEARANCES:

No Appearances Were Requested Or Scheduled.

COMMITTEE REPORTS:

There Were No Committee Reports.

RESOLUTIONS/PROCLAMATIONS:**RESOLUTION NO. 08-2014/15**

The Clerk published the title of Resolution No. 08-2014/15: A Resolution To Rename Lafayette Drive As Shown On Florence County Tax Map No. 00449, Block 05, Parcels 061, 062, And 067 To Makepeace Drive, And Other Matters Related Thereto. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Poston seconded the motion, which was approved unanimously.

RESOLUTION NO. 09-2014/15

The Clerk published the title of Resolution No. 09-2014/15: A Resolution Ratifying The Provision Of County Grants To Ruiz Food Products, Inc. And RG4 Holding Co., LLC In Connection With An Economic Development Project In Florence County, South Carolina. Councilman Culberson made a motion Council approve the Resolution as presented. Councilman Springs seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Kirby.

ORDINANCES IN POSITION:**ORDINANCE NO. 02-2014/15 – THIRD READING**

The Clerk published the title of Ordinance No. 02-2014/15: An Ordinance To Rezone Properties Owned By City Of Florence And Timmons ville Rescue Squad Located At 401 E. Main Street, Timmons ville, As Shown On Florence County Tax Map No. 70012, Block 20, Parcels 002 & 001; Consisting Of Approximately 2.56 Acres From R-3, Single-Family Residential District To B-4, Central Commercial 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. 03-2014/15 – THIRD READING

The Clerk published the title of Ordinance No. 03-2014/15: An Ordinance To Re-Establish And Revise Florence County Procurement Policies And Procedures As Chapter 11.5; Delete All Conflicting Sections Of The Code; And Other Matters Relating Thereto. Councilman Mumford made a motion Council approve third reading of the Ordinance. Councilman Springs seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford.

ORDINANCE NO. 21-2013/14 – SECOND READING DEFERRED

Chairman Schofield stated second reading of Ordinance No. 21-2013/14 was deferred: An Ordinance To Amend The Boundaries Of The Hannah-Salem-Friendfield Fire Protection District In Florence County, South Carolina, To Approve The Annual Levy And Collection Of Ad Valorem Taxes For The Operation And Maintenance Thereof, To Approve The Issuance Of General Obligation Bonds On Behalf Of The District, And Other Matters Related Thereto.

ORDINANCE NO. 24-2013/14 – SECOND READING DEFERRED

Chairman Schofield stated second reading of Ordinance No. 24-2013/14 was deferred: An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council District Five And Six Bounded By Freedom Boulevard, National Cemetery Road, Francis Marion Road, Wickerwood Road, Flowers Road, Pamplico Highway, South Vance Drive, Furches Avenue, And The Westernmost Boundary Of Council District Six That Connects Furches Avenue And Freedom Boulevard, Florence, SC From Unzoned To The Following Zoning Designations Of R-1, R-2, And R-3A, Single-Family Residential District, B-1, Limited Business District, B-2, Convenience Business District And B-3, General Commercial District; Consistent With The Land Use Element And Map Of The Florence County Comprehensive Plan; And Other Matters Related Thereto.

ORDINANCE NO. 04-2014/15 – SECOND READING DEFERRED

The Chairman stated Council was asked to defer second reading of Ordinance No. 04-2014/15: An Ordinance To Amend The Florence County Code Of Ordinances Chapter 27, Public Roads And Ways To Establish Procedures For Road Paving Program; And Other Matters Related Thereto.

ORDINANCE NO. 05-2014/15 – SECOND READING

The Clerk published the title of Ordinance No. 05-2014/15: An Ordinance To Amend Ordinance No. 01-2014/15 In Order To Increase The Millage Rates Previously Levied For Fire Protection Services And Other Matters Related Thereto. Councilman Caudle made a motion Council approve second reading of the Ordinance. Councilman Culberson seconded the motion. Councilman Poston made a motion to Amend Ordinance No. 05-2014/15 To Remove The Florence Fire District Millage Of 3.5 Mills. Councilman Culberson seconded the motion, which was approved unanimously. Second reading of the Ordinance as amended was approved with a six (6) to two (2) vote. Voting in the affirmative were Chairman Schofield and Councilmen Culberson, Poston, Mumford, Caudle and Springs. Voting 'No' were Councilmen Kirby and Dorriety.

Councilman Kirby stated the way the tax would affect his area, the millage would go from 15 mills to 27 point something and the whole thing was like a snowball with West Florence pulling out. He said Sardis-Timmons ville was opting to stay in rather than pull out, but he had a hard time voting for the tax increase for his area.

Councilman Springs stated that before Council voted on this matter he thought it was important that everyone know why it was occurring. He stated, "When I came on Council just about a year and a half ago, Council had just received an extensive study on how to deal with the problems we face delivering fire service to the unincorporated areas of our

County, which the County is responsible. This comprehensive plan, which began in October 2012, addressed our goals of providing better fiscal control, equitable taxation for all citizens, and adequate funding for all departments to meet state and national standards. But more importantly, it was to provide funding for adequate response for everyone in Florence County. This Council developed a plan of action and worked diligently with all seven departments under our purview. As was expected, the road was rough in the beginning but a consensus was built among the chiefs and actions were taken by Council to create a unified fire protection district with equal taxation to all citizens and adequate fire protection, while implementing strict fiscal control. After completing numerous meetings, public hearings, and the passage of ordinances, we were ready to move forward on July 1st. Keep in mind there are approximately 80,000 people within this unified protection district, including 25,000 within the West Florence area. However, a small group of citizens decided that they did not want to pay their fair share and they convinced a member of the House of Representatives to introduce legislation to create a special purpose district in the West Florence area. In order for the Legislature to do this, they had to take on a very small portion of Darlington County, which included a mile and a half of right-of-way on I-95 and three parcels of land on McIver Road, which encompassed one voter. They have attempted to create the creation of this district with South Lynches Fire Department, but these two are two very distinct circumstances. First, in the early 1980s the leadership of South Lynches approached Florence County Council to find a resolution to inadequate funding and Florence County was unable to produce a solution. Secondly, the northern end of Williamsburg County, which encompasses around 2,600 citizens did not have organized fire protection but had traditionally been served by the old Lake City Rural Fire Department based on a contract subscription basis. These boundary lines were established based off an old Farmers Telephone '389' exchange. When the Delegation was approached to find a solution to the financial problems in lower Florence County and upper Williamsburg County, the Delegation met with Williamsburg County Council who passed a Resolution that states "*Williamsburg County requests that the County Delegation set up a special tax district for the purposes of assessing taxes for this district.*" Secondly, based off the minutes of the July 21, 1983 Florence County Council meeting (which I was not at, by the way), the meeting minutes show where discussion was held on the creation of South Lynches Fire Department with Senator Tom Smith who said that he would only approve of this district when County Council supported it; therefore he wanted to know what County Council's feelings were on the pending legislation. I find it interesting, Roger, that your father had the opportunity to vote on this matter and he was one of those in the majority who voted for it. This Council has not had the opportunity afforded by Representative Lowe or others to discuss this matter, but rather his legislation was hastily created without consideration for what is in the best interest of the majority of citizens in the consolidated fire district. Clearly this was an attempt to circumvent the law to cater to a small group of citizens who simply don't want to pay their fair share. Simply put, those who live in some of the most affluent areas of our County have asked to not contribute to the well-being of the remainder of the district; a great deal of which are poor. As I read through the legal action which we have filed with West Florence Fire District this week, I see that it is clear that this attempt was; first, to create a district illegally by taking in such a small portion of Darlington County; secondly, as an attempt to raise the operational funding for West Florence Fire District by

circumventing Act 388, which limits the growth of all taxing authorities in South Carolina; and, third, possibly the most disturbing action, is the attempt to create special legislation in opposition to Home Rule and could ultimately lead to damaging all counties powers to protect their citizens. Just think of the ramifications if this action is left unchecked. Imagine if they also decided that they didn't want to contribute towards County-wide law enforcement or recreation. Owners of some of the most valuable property in the County could essentially secede from our County. This has State-wide implications and could be disastrous if allowed to proceed unchecked. One year ago we were faced with a lawsuit to stop our capital sales tax plan, it cost us considerable amount of funding, but we won this lawsuit five to zero in the Supreme Court proving that we were doing the right thing for our citizens and could very well be one of the greatest opportunities we created for our County. Once again, our Council has to be faced with this because of outside action; we have to make a serious decision to protect all of the citizens of Florence County. While I only represent 2,400 people in the consolidated district, I feel they deserve the same good fire protection and a fair cost to all citizens that we are responsible to protect. At the Citadel I was taught the principles of duty, honor and respect, and that is a driving force for me in my commitment to see that we take the best possible action to fulfill our duty to represent and protect all citizens of Florence County. It is with a heavy heart that I must vote to move forward with what we feel to be a temporary millage increase to allow us to fund these departments at the necessary levels while we await the Court's decision. Many of us feel certain that the Court will decide with the citizens of Florence County, but we cannot be certain how long this process will take. Therefore the interim millage must be placed on unified fire district and we expect that we will reduce the millage once the Court's rule in our favor."

ORDINANCE NO. 06-2014/15 – INTRODUCED BY TITLE ONLY

The Clerk published the title and the Chairman declared Ordinance No. 06-2014/15 Introduced By Title Only: An Ordinance To Amend The Florence County Code, Chapter 30, Zoning Ordinance, Article I. Establishment, Purpose, Rules For The Interpretation Of Zoning Districts, And Zoning Annexed Property. Section 30-4. – Adoption Of Flood Hazard Area Maps, Article II. – Zoning District Regulations, Division 4. – FH Flood Hazard District, And Article X. – Definitions; And Other Matters Related Thereto.

ORDINANCE NO. 07-2014/15 – INTRODUCED BY TITLE ONLY

The Clerk published the title and the Chairman declared Ordinance No. 07-2014/15 Introduced By Title Only: An Ordinance To Provide For The Issuance And Sale Of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) General Obligation Bond Anticipation Notes Of Florence County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, Covenanting To Issue A General Obligation Bond Of Florence County, South Carolina Sufficient To Make Payment Of Said Bond Anticipation Note, To Provide The Payment Thereof, And Other Matters Relating Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

LIBRARY BOARD OF TRUSTEES

Councilman Kirby made a motion Council Appoint Patricia Hyman To The Florence County Library Board, representing Council District 4 with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

PLANNING COMMISSION

Councilman Dorriety made a motion Council Re-Appoint Linda Borgman To The Florence County Planning Commission, representing Council District 9 with appropriate expiration term. Councilman Mumford seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

GREENWOOD MANNED CONVENIENCE CENTER (MCC) SITE

At The Request Of Council, County Administrator K. G. Rusty Smith, Jr. Provided A Brief Update On the Status Of The Greenwood MCC Site. Mr. Smith stated that at the August 21, 2014 meeting he provided a briefing and felt it prudent to revisit the issue to obtain new direction from Council as to the path forward. He said several items must be addressed in order to move forward with the project. One was to identify and quantify the funding. Once that was accomplished the County would need to hire an engineer to complete the design work and go through the Planning Department to approve the specs, then bid out and hire a contractor for the project. Councilman Caudle made a motion that Council Direct The County Administrator To Move Forward With Plans On Manned Convenience Center Site Number 1. Councilman Springs seconded the motion. Councilman Kirby stated he knew Council discussed it one time but that he would like for the item to be placed in the Committee on Administration & Finance to determine the funding. Councilman Mumford concurred that since a funding source was not identified that the appropriate course of action would be to refer the item to the Committee on Administration & Finance. Chairman Schofield asked if that was in the form of a motion to amend the motion on the floor to refer the item to the Committee on Administration & Finance instead. Councilman Mumford confirmed that was his motion. Councilman Kirby seconded the motion, which was approved unanimously. Councilman Caudle stated he wanted to remind Council that the property was purchased nearly a year and a half ago, Public Works had done some work on the property and the County was only utilizing about one-fourth of what was purchased. Council previously agreed that since this was one of the oldest sites in the County, was the smallest site, and most ill-arranged, it needed to be done with haste. He asked that the Committee put this as one of the top priorities. The motion as amended was approved unanimously and a meeting was scheduled for September 25, 2014, immediately following the meeting of the Committee on Education, Recreation, Health & Welfare, which was immediately following the 8:00 a.m. Special Called Meeting of Council.

EMS/PROCUREMENT

AWARD BID NO. 09-14/15

Mr. Smith requested Council defer this item until additional information was received: Award Bid No. 09-14/15 For Electronic Patient Care Reporting System Service To Forte Holdings, Inc. Of El Dorando Hills, Ca In The Amount Of \$39,253.68 From Previously Approved Funds. There were no objections to the deferral.

HUMAN RESOURCES/PROCUREMENT

REQUEST FOR PROPOSAL (RFP) AWARD

Councilman Springs made a motion Council Award RFP No. 33-13/14 Healthcare/Benefits Consultant Services To Arthur J. Gallagher & Co. Of Mt. Pleasant, SC In The Amount Of \$50,000 (\$10,000 For A Feasibility Study And \$40,000 For The RFP Process Management And Evaluation Costs). Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Mumford. At the request of Councilman Kirby, Mr. Smith provided a brief summary of this item. Councilman Kirby stated employees were seeing their paychecks decrease due to increased healthcare costs and he hoped this would pay off for the employees in the long-run. Councilman Caudle stated he wanted to comment on the on-site health clinic. He was of the opinion that this was a great asset for Florence County and its employees.

LIBRARY/PROCUREMENT

AWARD BID NO. 02-14/15

Councilman Poston made a motion Council Award Bid No. 02-14/15 For The Johnsonville Library Parking Lot Improvements To Digging Deep Construction, LLC Of New Zion, SC In The Amount Of \$49,747.80 From Previously Approved Funds. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Poston.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare Five (5) Vehicles, Two (2) Ambulances, Two (2) Boats With Trailers, One (1) All-Terrain Vehicle, And One (1) Enclosed Trailer As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Caudle seconded the motion, which was approved unanimously.

DECLARATION OF SURPLUS PROPERTY

Councilman Caudle made a motion Council Declare Various Office Furniture, File Cabinets, and Frames As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Springs seconded the motion, which was approved unanimously.

PUBLIC WORKS/PROCUREMENT

AWARD BID NO. 05-14/15

Councilman Springs made a motion Council Award Bid No. 05-14/15 For Corrugated Galvanized Metal Pipes For Public Works To The Low Bidder Contech Engineered Solutions, LLC Of Raleigh, NC In The Amount Of \$59,994.95 From Previously Approved FY2014-2015 Funds. Councilman Caudle seconded the motion, which was approved unanimously. Councilman Bradley voted 'Yes' by proxy presented by Councilman Kirby.

The following two items were additions to the Agenda:

ADMINISTRATION

DUKE ENERGY PROGRESS, INC. EASEMENT

Councilman Caudle made a motion Council Authorize The County Administrator To Execute An Easement To Duke Energy Progress, Inc. To Relocate Poles In Front Of Greenwood Park On Pamlico Highway Associated With The Highway 51 Widening Project. Councilman Kirby seconded the motion, which was approved unanimously.

SHERIFF'S OFFICE/PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare Approximately Fifty-Two (52) Used M26 Tasers And Miscellaneous Equipment For The Tasers As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Springs seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

EBENEZER PARK

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$2,000 From Council Districts 4 and 9 Infrastructure Funding Allocations (\$1,000 From Each District) For Purchase And Installation Of A Water Fountain At Ebenezer Park. Councilman Dorriety seconded the motion, which was approved unanimously. Councilman Dorriety stated the reason the County had to take this action was due to vandalism.

PROSPECT BALLFIELD

Councilman Poston made a motion Council Approve The Expenditure Of Up To \$1,600 From Council District 2 Infrastructure Funding Allocation For Replacement Of Lighting At The Prospect Ballfield. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY

JOHNSONVILLE FIRE DEPARTMENT

Councilman Poston made a motion Council Approve The Expenditure Of Up To \$6,800 From Council District 2 Utility Funding Allocation For The Installation Of 1,000 Feet Of 1 ½” PVC Potable Water Lines And Necessary Taps, Meters And Check Valves To Provide Potable Water And 1,000 Feet Of 4” Public Service Piping To Provide Water For Two Hydrants On Bazen Trail From Highway 378 To The Kingsburg Fire Station Site. Councilman Culberson seconded the motion, which was approved unanimously.

INFRASTRUCTURE/UTILITY

FLORENCE VETERANS PARK

Councilman Springs made a motion Council Approve The Expenditure Of Up To \$8,000 From Council Districts’ Infrastructure/Utility Funding Allocations (Approximately \$889 From Each District) For The Purchase Of Monuments And Commemorative Plaques For The U.S. Navy And Coastguard For The Florence Veterans Park. Councilman Dorriety seconded the motion, which was approved unanimously. Councilman Bradley voted ‘Yes’ by proxy presented by Councilman Mumford.

HOWE SPRINGS FIRE DISTRICT

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$27,000 From Council Districts’ Infrastructure/Utility Funding Allocations (Approximately \$3,000 From Each District) To Assist The Howe Springs Fire District With The Purchase Of 12 Full Sets Of Firefighter Turnout Gear. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted ‘Yes’ by proxy presented by Councilman Kirby.

The following item was an addition to the Agenda:

UTILITY

LAKE CITY FIRE DEPARTMENT

Councilman Springs made a motion Council Approve The Expenditure Of Up To \$10,220 From Council District 1 Utility Funding Allocation To Remove Broken Asphalt In Front Of The Apparatus Bays And Replace With Reinforced Concrete, And Seal And Strip The Entire Parking Area For The Lake City Fire Department. Councilman Mumford seconded the motion, which was approved unanimously. Councilman Bradley voted ‘Yes’ by proxy presented by Councilman Mumford.

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 6:34 P.M.