

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, MARCH 17, 2016, 9:00 A.M., COUNTY COMPLEX, 180
N. IRBY STREET, COUNCIL CHAMBERS, ROOM 803,
FLORENCE, SOUTH CAROLINA**

PRESENT:

Roger M. Poston, Chairman
Kent C. Caudle, Vice Chairman
Mitchell Kirby, Secretary-Chaplain
Waymon Mumford, Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Willard Dorriety, Jr., Council Member
H. Steven DeBerry, IV, Council Member
K. G. Rusty Smith, Jr., County Administrator
D. Malloy McEachin, Jr., County Attorney
Connie Y. Haselden, Clerk to Council

ABSENT:

Jason M. Springs, 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
Ronnie Pridgen, Parks & Recreation Department Director
Jonathan B. Graham, III, Planning Director
Patrick Fletcher, Procurement Director
Samuel K. Brockington, Fire/Rescue Services Coordinator
Herbert V. Christmas, Environmental Services Officer
Katherine McCain, Sheriff's Office
Joshua Lloyd, Morning News Staffwriter
Tonya Brown, TV15 News Reporter

A notice of the regular meeting of the Florence County Council appeared in the March 16, 2016 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 Poston called the meeting to order. Secretary-Chaplain Kirby provided the invocation and Vice Chairman Caudle led the Pledge of Allegiance to the American Flag. Chairman Poston welcomed everyone attending the meeting.

APPROVAL OF MINUTES:

Councilman Mumford made a motion Council Approve The Minutes Of The February 18, 2016 Regular Meeting Of County Council. Councilman Bradley seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Clerk published the title and the Chairman declared public hearing open for the following:

ORDINANCE NO. 25-2015/16

An Ordinance Developing A Multi-County Industrial Park With Darlington County Authorizing The Execution And Delivery Of An Agreement Governing The Multi-County Industrial Park; Authorizing The Inclusion Of Certain Property Located In Florence County And Darlington County In The Multi-County Industrial Park; And Other Related Matters.

APPEARANCES:

DARRELL J. MCFADDEN

Mr. McFadden Appeared Before Council To Discuss *Fire Prevention And Saving Lives By All Volunteers And Employed Workers Of The County (Fire, Police, Rescue Squad And Etc.)*. He requested that fire extinguishers be provided to County employees that had a tendency to serve as a type of first responder to enable those arriving first on the scene of an incident to be in a position to begin extinguishing fires immediately. Chairman Poston thanked Mr. McFadden for his appearance and informed him the request would be received as information and provided to the Fire/Rescue Services Coordinator to review and discuss with the Fire Chiefs.

MARGARET WADDELL

Mrs. Waddell, At The Request Of Councilman Caudle, Appeared Before Council To Discuss Litter. Mrs. Waddell requested that signs be erected stating 'Cameras in use, you will be prosecuted to the fullest extent of the law.' She received an email from Environmental Services Officer Herbie Christmas stating that on Saturday, March 12th, 6 inmates in the Bannockburn area (approximately 4 miles) picked up 92 bags of trash, 13 tires and 2 tvs. She was of the opinion that consequences had to be in place to discourage this type of behavior. Signs were nailed to trees and utility poles stating 'We buy junk cars' or 'repair your credit' and those signs were an eyesore in the community. Councilman Caudle thanked Mrs. Waddell for appearing. He expressed agreement that litter was a huge problem throughout Florence County and it was atrocious. Councilman DeBerry thanked Mrs. Waddell and assured her that the concerns she expressed were Council's concerns as well. He said that the County was currently working to put into place that a crew would be out every day to pick up trash. New ordinances had been adopted to enable officers to make charges when trash was picked up and names were found on documents or papers in the trash and the County was working with the

Magistrates to ensure an understanding was in place regarding the interpretation of the newly enacted Ordinances to enable the Magistrates to prosecute and fine violators. He stated the County was also working with the School Resource Officers to implement programs in the school districts to enhance awareness with our students regarding litter. Law enforcement, environmental services and SCDNR were actively working to coordinate enhanced efforts to record dump sites and implement stricter penalties. The County was also seeking to launch a campaign with billboards and different methods to heighten public awareness of the problem and the penalties. Mrs. Waddell stated there used to be signage in her community regarding littering and penalties but there were none in the area anymore. Councilman DeBerry stated that was another issue being addressed through the awareness campaign. She said another alternative was for citizens to assist in the cleanup. Councilmen Bradley and Mumford stated they had citizens in each of their districts that had adopted roadways and took groups out to pick up litter. Councilman Mumford stated that at one point, the problem was that the County could not obtain enough inmates to conduct a weekend trash pickup. He commended Herbie Christmas with Environmental Services and the Sheriff's Office for coordinating these efforts. He said the key was that individuals needed to take some responsibility and take pride in their community by keeping it clean. Councilman Dorriety said there were several subdivisions in his district that cleaned up those areas. Recent rain floated much of the litter to the surface, which made it a lot more obvious. He said he applauded Mr. Christmas and his efforts in light of the fact that the County did not have the personnel to consistently conduct litter pick up.

COMMITTEE REPORTS:

There Were No Committee Reports but Councilman Dorriety stated he wanted to commend County Council for its decision to send a letter to Governor Haley requesting her reconsideration of disaster relief for the farm community. He submitted a copy of a letter from Lee County that was forwarded to him. The letter was a 'carbon copy' of the letter Florence County initiated and he was informed that several other counties had also followed Florence County's lead in submitting letters to the Governor. In addition, Farm Bureau was also sending letters on behalf of the farmers. (A copy of the correspondence is attached and incorporated by reference.)

RESOLUTIONS/PROCLAMATIONS:

MARCH 2016 DISABILITIES AWARENESS MONTH

The Clerk published, in its entirety, A Proclamation To Proclaim The Month Of March 2016 As Disabilities Awareness Month In Florence County. Councilman Caudle made a motion Council approve the Proclamation as presented. Councilman Dorriety seconded the motion, which was approved unanimously. Vice Chairman Caudle presented the framed Proclamation to DSN Client/Self-Advocate Jackie Hoch. Ms. Hoch expressed appreciation for Council adopting and presenting the Proclamation. She also expressed appreciation for Council's support of the enhancements at the facility on National Cemetery Road and invited Council to come visit the facility.

RESOLUTION NO. 16-2015/16

The Clerk published the title of Resolution No. 16-2015/16: A Resolution Authorizing The Submission Of An Application By Florence County To The State Of South Carolina Community Development Block Grant (CDBG) Program For A Community Infrastructure Grant To Provide Infrastructure Upgrades For The Town Of Timmonsville Service Area. Councilman Kirby made a motion Council approve the Resolution as presented. Councilman Mumford seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There Being No Signatures On The Sign-In Sheet, Chairman Poston Closed The Public Hearings. (The sign-in sheet is attached and incorporated by reference.)

ORDINANCES IN POSITION:

ORDINANCE NO. 38-2014/15 – SECOND READING DEFERRED

Chairman Poston stated that second reading of Ordinance No. 38-2014/15 would be deferred: An Ordinance To Zone Properties Inclusive Of All Unzoned Properties In Council Districts Five And Six Bounded By Freedom Boulevard, Jefferies Creek, 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 RU-1, Rural Community 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. 24-2015/16 – SECOND READING DEFERRED

Chairman Poston Stated That Second Reading Of Ordinance No. 24-2015/16 would be deferred: An Ordinance Authorizing (1) The Execution And Delivery Of A First Amendment To The Fee In Lieu Of Tax Agreement Between Florence County, South Carolina (The “County”) And A Company Identified For The Time Being As Project Mirror, To Provide For Certain Special Source Credits In Connection With Additional Investment In Certain Manufacturing And Related Facilities In The County; And (2) Other Matters Relating Thereto.

ORDINANCE NO. 25-2015/16 – SECOND READING

The Clerk published the title of Ordinance No. 25-2015/16: An Ordinance Developing A Multi-County Industrial Park With Darlington County Authorizing The Execution And Delivery Of An Agreement Governing The Multi-County Industrial Park; Authorizing The Inclusion Of Certain Property Located In Florence County And Darlington County In The Multi-County Industrial Park; And Other Related Matters. Councilman Dorriety made a motion Council approve second reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCES INTRODUCED

The Clerk published the titles of the following Ordinances and the Chairman declared the Ordinances Introduced, With Ordinance No. 28-2015/16 Being Introduced By Title Only:

ORDINANCE NO. 26-2015/16 – INTRODUCED

An Ordinance To Rezone Property Owned By Chandler Investment Properties, Inc. Located On W. Palmetto Street, Florence, As Shown On Florence County Tax Map No. 00076, Block 01, Parcel 083; Consisting Of Approximately 18.25 Acres From General Commercial District (B-3) To Planned Development District (PD); And Other Matters Related Thereto.

ORDINANCE NO. 27-2015/16 – INTRODUCED

An Ordinance To Amend The Text Of The Florence County Comprehensive Plan Land Use Element To Include Zoning District RU-1A (Rural Community District) In Sections: Single And Multi-Family Residential, Commercial, Sales And Service, Future Land Use Designations And Objectives And Appendix F: Zoning Districts Interpretations; And Other Matters Related Thereto.

ORDINANCE NO. 28-2015/16 – INTRODUCED BY TITLE ONLY

An Ordinance Amending Florence County Code, Chapter 28, Public Utilities, Article 1, Section 28-4 In Order To Diminish Water/Sewer System Service Area Previously Granted To The City of Florence, And Section 28-5 To Grant The Town of Pamplico Additional Water And Sewer Service Area; And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

PEE DEE REGIONAL HEALTH SERVICES DISTRICT BOARD

Councilman Dorriety made a motion Council Approve The Recommendation Of The Appointment Of Edward M. Behling, M.D. (Replaces Carl Humphries Who Resigned) And The Re-Appointment Of John Curl To Serve On The Pee Dee Regional Health Services District Board, With Appropriate Expiration Terms. Councilman Mumford seconded the motion, which was approved unanimously.

FLORENCE CITY-COUNTY CIVIC CENTER COMMISSION

Councilman Mumford made a motion Council Approve The Re-Appointment Of Mary Dittman To Serve On The Florence City-County Civic Center Commission, With Appropriate Expiration Term. Councilman Dorriety seconded the motion, which was approved unanimously.

BOARD OF ASSESSMENT APPEALS

Councilman Mumford made a motion Council Appoint Columbus B. Black To Serve On The Board of Assessment Appeals, Representing Council District 7 With Appropriate Expiration Term. Councilman Kirby seconded the motion, which was approved unanimously.

POLICY COMMISSION ON RECREATION

Councilman Mumford made a motion Council Appoint David Barr To Serve On The Policy Commission On Recreation, Representing Council District 7 With Appropriate Expiration Term. Councilman Dorriety seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

ADMINISTRATOR'S REPORT

County Administrator K. G. Rusty Smith, Jr. stated Updates for the Capital Project Sales Tax I (CPST I) and the Capital Project Sales Tax II (CPST II), as well as the notes from the most recent meeting of department heads were provided to Council. Mr. Smith stated there were several other items he wanted to bring Council up to date on:

1. Capital Project Sales Tax II Projects

Staff continued to move very expeditiously on the CPST II projects. As of the meeting, 198 roads were completed with 49 more under construction, in addition to many other projects underway.

2. "Get Bitter Against Litter"

As was previously discussed in the meeting, the County was taking very, very, proactive measures to 'Get Bitter Against Litter.' He stated it was important to note that working with Councilman DeBerry, Chairman Poston, Mr. Mumford, Mr. Caudle and other Council members and Mr. Christmas, Mr. Yokim, Mr. Gregg, Mr. McEachin, Chief Deputy Kirby, they were continuing to enhance this initiative.

The County had taken very proactive measures and was in the process of hiring two (2) new litter officers to combat this offensive behavior. He thanked Mrs. Waddell for her initiative and her persistence. One of the positions was a new position to work with a crew from the Palmer Release Center picking up litter 4 to 5 days per week. Staff already met with Palmer management and worked out details for six (6) Palmer inmates to work as soon as supervision was available. Funding had been identified and put in place for the payment of these workers. Environmental Services was also in the process of installing a portable toilet on the trailer for the inmates; also installed a "high intensity light bar" on the trailer for higher visibility and added protection for County staff and the inmates.

Herbie, Kevin and others also met with Major Norris and Capt. Brunson at the detention center to improve the weekend litter removal program. He stated the County had been "on the ground" picking up litter the past two weekends and had every intention of continuing this practice as inmates became available.

Mutual aid agreements were consummated with SCDNR, Chief Kirby and the Lake City Police Department to assist Environmental Services with undercover sting operations. Several "stake outs" were conducted over the past two months with outstanding results. Numerous violators received litter citations and traffic tickets.

The County continued to experiment with high definition cameras at dump sites and high litter areas to foster this continued assault on trash.

A meeting was held with the Director of Palmetto Pride Sarah Lyles and Terasa Lott of Keep Florence Beautiful to discuss educational programs with the schools and a county-wide litter blitz to clean up in the fall. Everyone was very receptive and the meeting went extremely well. Staff was also coordinating with SROs at various schools to help educate students about litter and its damages.

Mr. Smith committed that staff would be vigilant in the pursuit to make Florence County a better place to live. As was mentioned earlier in the meeting, the Ordinance was amended to allow *Prima Facie* (sufficient evidence for prosecution), which means if someone throws trash out in a bag and there was an identifying document in that trash, the magistrate could prosecute the individual. County Attorney Malloy McEachin was working with the judicial system to ensure they were aware of the change in the ordinance and the authority to prosecute these cases.

3. JUDICIAL CENTER

Mr. Smith stated that today marks a momentous, '*might I say AUSPICIOUS,*' occasion that would forever enhance the landscape if not the future of downtown Florence and the surrounding Pee Dee. On August 20, 2015 Council approved a request to award RFP #3-2015/16 for construction management at risk services to BE&K Building Group, LLC of Greenville, SC. BE&K was charged with communicating, cooperating and collaborating with S&W Architecture to develop a GMP or Guaranteed Maximum Price for the new 120,000 square foot judicial center.

As Administrator, he was authorized by Council to execute all documents to proceed with the project pending County Attorney review and approval. If he was unable to suitably negotiate a contract as prescribed he could terminate negotiations with BE&K and continue to mediate with the next most qualified responder. He reported that over the past several months Mrs. King, Mr. McEachin, John Frank, he and a host of others had worked diligently with the team to develop the estimated GMP of \$32 million dollars. He expressed appreciation to Mrs. King for her diligence in working on the project, which was probably one of the largest in the County and she had done an outstanding job in assisting with this project.

The original bonds for the judicial center were closed on June 30, 2015 (20 year bond with weighted average interest of 3.54%). The par amount of the bond was \$42 million with an issued premium of \$3.1 million. The \$32 million GMP for construction costs plus other related costs would make up the final project budget of \$40 million. Major items of the ancillary costs were architectural fees (\$2.9 million), telecommunications and computer systems (\$390,000), safety, security and audio/visual allowance (\$1.3 million), FF&E (\$1.1 million), landscaping (\$283,000), an owner's contingency of \$1,180,000, which would only be utilized if Council had a scope change; also included an owner's discretionary amount of \$2 million that was used to repay the general fund balance for the purchase of the land in order to maintain the 25% balance of the general fund, pursuant to County ordinance.

The contractor and the architect did an outstanding job generating interest to facilitate compliance with the GMP and to address Council's request to foster local participation. Bids were requested from 399 contractors with 125 ultimately submitting a quote. Of the prime sub-contractors, 39% were local contractors located within 50 miles of Florence and 12% were MWBE subcontractors (Minority and Women Owned Businesses).

Mr. Smith said that, as was previously stated by Councilman Caudle, the County was creating a local stimulus package that would be further enhanced by the vendors and many commodities that would be procured from local supply houses. Each trade package on the bid documents received an average of over four (4) bids per division. Mr. Smith committed that the County would continue to work with the design & construction team to value engineer, constantly looking for cost savings that would not compromise quality.

Mr. Smith stated he presented the information for Council's edification and would proceed with the execution of the contract unless there was objection or items Council wanted to address. No objections were voiced.

Councilman Mumford stated that, based on the report presented by the Administrator, he and staff had done a magnificent job; excellent report. He asked just for clarification, it sounded like there would be some amount of savings on the project and he wanted to know what kind of savings could potentially be expected. Mr. Smith responded that the County had realized substantial savings on items like insurance, demolition, and staff would continue to seek opportunities to save the taxpayers money. The guaranteed price of \$32 million on construction was set and could not be exceeded. Approximately \$600,000 to \$1 million had already been trimmed.

Councilman Schofield commended staff for their diligence in working this project. He began working with Mr. Smith on this project when he first came on Council 10 years ago and it had been a long, arduous task to get it to this point. He stated he was looking forward to the groundbreaking for this facility. The facility would provide a much safer environment for the public and County employees that work in the judicial system. He commended Council for having the wisdom to push forward with this project.

MONTHLY FINANCIAL REPORTS

County Administrator K. G. Rusty Smith, Jr. stated that Monthly Financial Reports Were Provided To Council For Fiscal Year 2016 Through January 31, 2016 For Edification. Staff was continuing to monitor trends and standing watch on cash flow situation. The trend continues to be down on Magistrates revenue approximately \$400,000+. The Federal inmate revenue was projected to be \$315,000 under budget, but staff was monitoring this situation and keeping costs down.

ADMINISTRATION/EMS

LENOIR COMMUNITY COLLEGE AGREEMENT

Councilman Caudle made a motion Council Approve The Entering Into An Agreement Between Lenoir Community College And Florence County EMS For The Provision Of Educational Opportunities In Health Related Programs. Councilman Dorriety seconded the motion, which was approved unanimously.

FINANCE/FACILITIES/PROCUREMENT

AWARD BID NO. 30-15/16

Councilman Caudle made a motion Council Award Bid No. 30-15/16, Asbestos Abatement (South End) First Floor Of The County Complex In The Amount Of \$72,750.00 To Rhino Demolition & Environmental Services, Corp Of Little River, SC. Councilman Kirby seconded the motion, which was approved unanimously.

PROCUREMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Mumford made a motion Council Declare One (1) Vehicle As Surplus Property For Disposal Through Public Internet Auction Via GovDeals. Councilman Dorriety seconded the motion, which was approved unanimously.

REVIEW PANEL APPOINTMENT

Chairman Poston stated that if there were no objections, he would appoint Councilman Jason Springs To Serve On The Review Panel For RFP No. 06-15/16, Design-Build Maintenance Building For The Town Of Scranton.

REVIEW PANEL APPOINTMENT

Chairman Poston stated that if there were no objections, he would appoint Councilman Kent Caudle To Serve On The Review Panel For RFQ No. 32-15/16, Professional Management At Risk Construction Services-Civic Center Expansion.

SHERIFF'S OFFICE

CONTRACTUAL AGREEMENT – LAKE CITY POLICE DEPARTMENT

Councilman Mumford made a motion Council Approve A Contractual Agreement With The Lake City Police Department To Provide Victim Services. Councilman Bradley seconded the motion, which was approved unanimously.

TREASURER

PROMOTION – CUSTOMER SERVICE REPRESENTATIVE 1

Councilman Schofield made a motion Council Authorize The Promotion Of A Customer Service Representative I (Slot #009) To A Senior Tax Specialist (Slot #019) With An Increase In Salary. (*Request Is Budget Neutral.*) Councilman Dorriety seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$42,000 From Council District 4 Infrastructure Funding Allocation To Assist the Town Of Timmons ville With Re-Roofing The Town Hall Building. Councilman Dorriety seconded the motion, which was approved unanimously.

ROAD SYSTEM MAINTENANCE FEE (RSMF)

ELLIOTT ROAD

Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$3,000 From Council District 1 RSMF Funding Allocation To Pay For MBC Stone For Elliott Road. Councilman Dorriety seconded the motion, which was approved unanimously.

S. OAK STREET

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$3,750 From Council District 2 RSMF Funding Allocation To Pay For MBC Stone For Pamplico Trash Site on S. Oak Street. Councilman Dorriety seconded the motion, which was approved unanimously.

TOWN OF PAMPLICO

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$8,500 From Council District 2 RSMF Funding Allocation To Assist The Town Of Pamplico With The Resurfacing Of Main Street In Pamplico. Councilman Dorriety seconded the motion, which was approved unanimously.

ZOLA ROAD

Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$3,000 From Council District 1 RSMF Funding Allocation To Pay For 6" Of MBC Stone For Zola Road. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY

SPAULDING HEIGHTS COMMUNITY BUILDING

Councilman Mumford made a motion Council Approve The Expenditure Of Up To \$3,150 From Council District 7 Utility Funding Allocation For The Construction Of Three (3) Awnings At The Spaulding Heights Community Building. Councilman Bradley seconded the motion, which was approved unanimously.

INFRASTRUCTURE/UTILITY

BROOKS McCALL PARK

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$38,400 From Council District 3 Infrastructure/Utility Funding Allocations For The Purchase And Installation Of Two Shade Structures (Amphitheater And Portion Of Playground) At Brooks McCall Park Purchased Through The Cooperative Purchasing Network. Councilman Dorriety seconded the motion, which was approved unanimously.

MIRACLE LEAGUE OF FLORENCE COUNTY

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$42,000 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$4,667 Each District) To Assist With The Grading, Asphalt And Cement Walks At Greenwood Athletic Complex For The Miracle League Of Florence County. Councilman Mumford seconded the motion, which was approved unanimously.

U S ARMY SERVICE MONUMENT

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$15,000 From Council Districts' Infrastructure/Utility Funding Allocations (Approximately \$1,667 Each District) To Assist With Funding The U S Army Service Monument to Be Placed In The Florence Veterans' Park. Councilman Mumford seconded the motion, which was approved unanimously.

The following item appeared on the Proposed Additions to the Agenda list:

UTILITY

CITY OF FLORENCE – CHEROKEE ROAD

Councilman Caudle made a motion Council Approve The Expenditure Of Up To \$3,000 From Council Districts 5 And 7 Utility Funding Allocations (\$1,500 From Each District) To Assist The City Of Florence With The Purchase And Installation Of Drain Pipe Off Of Cherokee Road. Councilman Mumford seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 9:52 A.M.