

K. G. "Rusty" Smith, Jr.
District #1

Vacant
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Johnnie D. Rodgers, Jr.
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

H. Morris Anderson
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
CITY-COUNTY COMPLEX
180 N. IRBY STREET
COUNCIL CHAMBERS, ROOM 803
FLORENCE, SOUTH CAROLINA
THURSDAY, MAY 19, 2011
9:00 A. M.

I. **CALL TO ORDER:** **K. G. RUSTY SMITH, JR., CHAIRMAN**

II. **INVOCATION:** **H. MORRIS ANDERSON, SECRETARY/CHAPLAIN**

III. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:**
 WAYMON MUMFORD, VICE CHAIRMAN

IV. **WELCOME:** **K. G. RUSTY SMITH, JR., CHAIRMAN**

V. **MINUTES:**

MINUTES OF THE APRIL 21, 2011 REGULAR MEETING **[1]**

Council Is Requested To Approve The Minutes Of The April 21, 2011
Regular Meeting Of County Council.

VI. **PUBLIC HEARINGS:** **[12]**

Council will hold public hearing on the following:

A. **ORDINANCE NO. 19-2010/11**

An Ordinance To Amend The Comprehensive Plan Land Use Map For
Property In Florence County Located At 122 South Georgetown Highway,
Johnsonville, SC From Transitional Growth And Preservation To Commercial
Growth And Preservation As Shown On Florence County Tax Map No.
50007, Block 05, Parcel 002 Consisting Of .297 Acres.

B. ORDINANCE NO. 21-2010/11

An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.

C. ORDINANCE NO. 22-2010/11

An Ordinance To Ratify FY11 Budget And Grant Council Actions Authorized By Council And Other Matters Related Thereto.

D. ORDINANCE NO. 23-2010/11

An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.

E. ORDINANCE NO. 24-2010/11

An Ordinance Accepting The Transfer By The Town Of Timmonsville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmonsville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

F. ORDINANCE NO. 25-2010/11

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commission, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Additional Two Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.

G. ORDINANCE NO. 01-2011/12

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

VII. APPEARANCES:

A. RAY MCBRIDE, DIRECTOR – FLORENCE COUNTY LIBRARY [13]

Mr. McBride Requests To Appear Before Council To Provide An Update On The Lake City Library Project.

B. BARRINGER F. WINGARD, JR., CHAIRMAN – VETERANS PARK [15]

Mr. Wingard Requests To Appear Before Council To Solicit Support For A Significant, Unique, Patriotic, And Uplifting Cultural Addition To The Veterans Park.

C. REP “BUTCH” WHIDDON, CPA, PARTNER – BAIRD & CO. [17]

Mr. Rep “Butch” Whiddon, CPA, Partner In The CPA Firm Of Baird And Company, CPA’s, LLC, The County’s External Audit Firm, Will Be Appearing Before Council To Present A Procedures Report Recently Completed.

VIII. COMMITTEE REPORTS:

(Items assigned to the Committees in italics. Revisions by Committee Chair requested.)

Administration & Finance

(Council members K. G. “Rusty” Smith, Jr./Chair, Russell W. Culberson, Waymon Mumford and James T. Schofield)

Public Services & County Planning

(Council members James T. Schofield/Chair and Mitchell Kirby)

Justice & Public Safety

(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr. and Al Bradley)

January 20, 2011 Litter

Education, Recreation, Health & Welfare

(Council members H. Morris Anderson/Chair, Johnnie D. Rodgers, Jr., and Al Bradley)

Agriculture, Forestry, Military Affairs & Intergovernmental Relations

(Council members Russell W. Culberson/Chair and Morris Anderson)

Ad Hoc Water Study Committee

(Council members Mitchell Kirby, Russell W. Culberson, and Johnnie D. Rodgers, Jr.)

City-County Conference Committee

(Council members Alphonso Bradley/Co-Chair, Waymon Mumford, and James Schofield.)

Ad Hoc Search Committee

(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr., H. Morris Anderson, and Alphonso Bradley.)

IX. RESOLUTIONS:

RESOLUTION NO. 19-2010/11

[18]

A Resolution To Re-Issue The Florence County Personnel Policy Manual As A Single Document Consolidating All Council Approved Resolutions Since May 2006 And Minor Text Revisions For Readability For All Users To Be Effective July 1, 2011.

X. ORDINANCES IN POSITION:

A. THIRD READING

1. ORDINANCE NO. 17-2010/11

[103]

An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.

2. ORDINANCE NO. 18-2010/11

[107]

An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.

B. SECOND READING

1. **ORDINANCE NO. 19-2010/11** *(Public Hearing)* **[115]**
An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.
(Planning Commission *approved 8 – 0.*) (Council District 2)
2. **ORDINANCE NO. 20-2010/11** **[121]**
An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approximately 0.297 Acres.
(Planning Commission *approved 8 – 0.*) (Council District 2)
3. **ORDINANCE NO. 21-2010/11** *(Public Hearing)* **[129]**
An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.
4. **ORDINANCE NO. 22-2010/11** *(Public Hearing)* **[136]**
An Ordinance To Ratify FY11 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.
5. **ORDINANCE NO. 23-2010/11** *(Public Hearing)* **[142]**
An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.
6. **ORDINANCE NO. 24-2010/11** *(Public Hearing)* **[146]**
An Ordinance Accepting The Transfer By The Town Of Timmons ville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmons ville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

7. **ORDINANCE NO. 25-2010/11** *(Public Hearing)* [156]

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commission, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Two Additional Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.

8. **ORDINANCE NO. 01-2011/12** *(Public Hearing)* [160]

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

C. **INTRODUCTION**

ORDINANCE NO. 26-2010/11 *(By Title Only)* [173]

An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Between Florence County, South Carolina, And Project Oliver, As Sponsor, And One Or More Sponsor Affiliates, To Provide For A Fee In Lieu Of *Ad Valorem* Taxes Incentive Agreement, To Include The Grant Of Certain Infrastructure Credits As Part Of The Fee-In-Lieu Of Taxes Arrangement; And Other Related Matters.

XI. **APPOINTMENTS TO BOARDS & COMMISSIONS:**

XII. **REPORTS TO COUNCIL:**

A. **ADMINISTRATION**

MONTHLY FINANCIAL REPORTS

[175]

Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through March 31, 2011 As An Item For The Record.

B. **PROCUREMENT**

1. **AWARD OF BID #20-10/11**

[181]

Approve The Award Of Bid #20-10/11 For A Bunker And Field Rake To Revels Turf And Tractor, Myrtle Beach, SC In The Amount Of \$12,767 For The Parks And Recreation Department To Be Funded From Budgeted Departmental Funds. *(2 Compliant Bids)*

2. RFP PANEL APPOINTMENT

[184]

Appoint A Member Of Council To Serve On The Tax Forms And Processing RFP Evaluation Committee.

XIII. OTHER BUSINESS:

UTILITY

EARL CIRCLE

[185]

Approve The Expenditure Of Up To \$17,600 From Council District 3 Utility Funding Allocation To Pay For The Resurfacing Of Earl Circle.

XIV. EXECUTIVE SESSION:

Pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended.

- Legal Briefing
- Contractual Matter: SCDOT

XV. INACTIVE AGENDA:

A. ORDINANCE NO. 30-2009/10

At its regular meeting of May 20, 2010, County Council remanded this Ordinance to the Planning Commission: An Ordinance To Zone Property Owned By KAT-ROX LLC, Located At Pamplico Highway And South Flanders Road, Florence County To PD 2010-01, Planned Development District Shown On Florence County Tax Map No. 90147, Block 03, Parcel 66, Consisting Of Approximately 22.08 Acres.

*(Planning Commission **approved** 9 – 0.) (Council District 5)*

B. ORDINANCE NO. 13-2010/11

At Its Regular Meeting Of December 9, 2010, Council Voted Unanimously To Move Ordinance No. 13-2010/11 To The Inactive Agenda: An Ordinance To Amend The Agreement For Development Of A Multi-County Industrial And Business Park Dated As Of February 6, 2006, By And Between Florence County And Williamsburg County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park So As To Include Additional Property In Florence County As Part Of The Joint County Industrial/Business Park, And Other Matters Relating Thereto.

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the April 21, 2011 regular meeting of County Council.

OPTIONS:

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

ATTACHMENTS:

Copy of proposed Minutes.

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, APRIL 21, 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
Richard A. Starks, County Administrator
Malloy McEachin, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Arthur C. Gregg, Jr., Public Works Director
Kevin Yokim, Finance Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
David Alford, Voter Registration/Elections Director
Barbara Coker, Sheriff's Office
Chuck Tomlinson, Morning News

A notice of the regular meeting of the Florence County Council appeared in the April 20, 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. 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 Anderson made a motion Council approve the minutes of the March 17, 2011 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no public hearings required, scheduled or held.

APPEARANCES:

RESOLUTION OF APPRECIATION – LT. GOV. KEN ARD

Chairman Smith stated that although there were no appearances scheduled, Council would like to recognize former County Councilman and current Lieutenant Governor Ken Ard. Councilman Mumford made a motion Council approve a *Resolution of Appreciation* for Councilman Ard in honor of his leadership, guidance, dedication and hard work as a County Councilman. Councilman Kirby seconded the motion, which was approved unanimously. The Clerk published the Resolution in its entirety and Vice Chairman Mumford presented Lt. Gov. Ard with the framed Resolution.

COMMITTEE REPORTS:

There were no Committee reports.

RESOLUTIONS:

RESOLUTION OF APPRECIATION

Councilman Kirby made a motion Council approve A *Resolution Of Appreciation* For The Late Marion A. 'Tony' Saverance For His Many Contributions And Years Of Dedicated Service To The Citizens Of Florence County. Councilman Anderson seconded the motion, which was approved unanimously. The Clerk published the Resolution in its entirety and Councilman Kirby presented the Saverance Family with the framed Resolution.

RESOLUTION OF RECOGNITION

Councilman Kirby made a motion Council approve A *Resolution Of Recognition* For Pearl Moore In Honor Of Her Outstanding Achievements And Commending Her For Joining The Elite Group Of Inductees Into The Women's Basketball Hall Of Fame In Knoxville, Tennessee In 2011. Councilman Mumford seconded the motion, which was approved unanimously. The Clerk published the Resolution in its entirety and Councilmen Mumford, Kirby and Bradley presented Ms. Moore with the framed Resolution.

RESOLUTION OF RECOGNITION

Councilman Kirby made a motion Council approve A *Resolution Of Recognition* For Michael AR Muhammad For His Meritorious Achievements As An Outstanding Athlete. Councilman Rodgers seconded the motion, which was approved unanimously. The Clerk published the Resolution in its entirety and Councilman Kirby presented Mr. Muhammad with the framed Resolution.

RESOLUTION NO. 14-2010/11

The Chairman published the title of Resolution No. 14-2010/11: A Resolution Designating April 2011 As Fair Housing Month In Florence County. Councilman Anderson made a motion Council approve the Resolution. Councilman Culberson seconded the motion, which was approved unanimously.

RESOLUTION NO. 15-2010/11

The Chairman published the title of Resolution No. 15-2010/11: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Nelson Road Located In Olanta. Councilman Rodgers made a motion Council approve the Resolution. Councilman Culberson seconded the motion, which was approved unanimously.

RESOLUTION NO. 16-2010/11

The Chairman published the title of Resolution No. 16-2010/11: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of Eulon Lane Located In Johnsonville. Councilman Rodgers made a motion Council approve the Resolution. Councilman Kirby seconded the motion, which was approved unanimously.

RESOLUTION NO. 17-2010/11

The Chairman published the title of Resolution No. 17-2010/11: A Resolution Approving Existing Multi-Jurisdictional Agreements Requested By The Florence County Sheriff And Authorizing The County Administrator To Execute Said Agreements. Councilman Mumford made a motion Council approve the Resolution. Councilman Culberson seconded the motion, which was approved unanimously.

RESOLUTION NO. 18-2010/11

The Chairman published the title of Resolution No. 18-2010/11: A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of A Portion Of Lawhon Drive Located In Effingham. Councilman Mumford made a motion Council approve the Resolution. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:**ORDINANCE NO. 16-2010/11 – THIRD READING**

The Chairman published the title of Ordinance No. 16-2010/11: An Ordinance Amending Florence County Code, Chapter 11, Finance And Revenue, To Remove Outdated Sections And Other Matters Relating Thereto. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Kirby seconded the motion, which was approved unanimously.

ORDINANCE NO. 17-2010/11 – THIRD READING DEFERRED

The Chairman stated third reading of Ordinance No. 17-2010/11 would be deferred: An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.

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ORDINANCE NO. 19-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 19-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.

ORDINANCE NO. 20-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 20-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville, From B-2, Convenience Business District To B-3, General Commercial District On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of 0.297 Acres.

ORDINANCE NO. 21-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 21-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.

ORDINANCE NO. 22-2010/11 – INTRODUCED

The Clerk published the title of Ordinance No. 22-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Ratify FY11 Budget And Grant Council Actions Authorized By Council And Other Matters Related Thereto.

ORDINANCE NO. 23-2010/11 – INTRODUCED BY TITLE ONLY

The Clerk published the title of Ordinance No. 23-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.

ORDINANCE NO. 01-2011/12 – INTRODUCED

The Clerk published the title of Ordinance No. 01-2011/12 and the Chairman declared the Ordinance introduced: An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

ORDINANCE NO. 24-2010/11 – INTRODUCED BY TITLE ONLY

The Clerk published the title of Ordinance No. 24-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance Accepting The Transfer By The Town Of Timmons ville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmons ville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

ORDINANCE NO. 25-2010/11 – INTRODUCED BY TITLE ONLY

The Clerk published the title of Ordinance No. 25-2010/11 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Additional Two Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

CITY-COUNTY MEMORIAL STADIUM COMMISSION

Councilman Culberson made a motion Council Confirm The Re-Appointment Of Chappell Jones To Serve On The City-County Memorial Stadium Commission, With Appropriate Term Expiration, Representing The City Of Florence. Councilman Kirby seconded the motion, which was approved unanimously.

PEE DEE WORKFORCE INVESTMENT BOARD

Chairman Smith Stated The Request From Pee Dee Workforce Investment Board For Re-Appointments Would Be Deferred Pending The Strengthening Of The Pool Of Candidates.

PEE DEE MENTAL HEALTH CENTER BOARD OF DIRECTORS

Councilman Mumford made a motion Council Approve The Nomination To Governor Nikki Haley For Re-Appointment Dr. Gregory Browning And Thornell Kirven To Serve On The Pee Dee Mental Health Center Board Of Directors With Appropriate Expiration Terms. Councilman Rodgers seconded the motion, which was approved unanimously.

Council unanimously approved the following appointments/reappointments to various boards, commissions, and agencies with appropriate expiration terms:

ALCOHOL & DRUG ABUSE – Mary Martha Gibson, District 6; Audrey Davis, District 3

BOARD OF ASSESSMENT APPEALS – Stoney Moore, District 6

MUSEUM BOARD – Kevin Barth, District 6

BOARD OF HEALTH – Robert Hinshelwood, District 6

POLICY COMMISSION ON RECREATION – William L. Breeden, Jr., District 6

BOARD OF ZONING APPEALS – Ernie Smith, District 6; Gary Daucksch, District 8

CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS – Latson Cockfield, District 4

ACCOMMODATIONS TAX ADVISORY COMMITTEE – James Byrd, Seat 4

MUSEUM COMMISSION – Ruby Sanders, District 7

ECONOMIC DEVELOPMENT PARTNERSHIP – Ken Jackson, District 8

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly Financial Reports Were Provided To Council For Fiscal Year 2011 Through February 28, 2011 As An Item For The Record.

PEE DEE TOURISM

Councilman Mumford made a motion Council Approve Funding To Pee Dee Tourism For The Dillon Welcome Center In The Amount Of \$12,500 From Previously Appropriated Funds (\$5,000 From Line 123-411-413-300-6100 And \$7,500 From 124-471-486-640-8900). Councilman Anderson seconded the motion, which was approved unanimously.

DETENTION CENTER

CONTRACT APPROVAL

Councilman Mumford made a motion Council Approve A One-Year Trial Contract With IHS Pharmacy To Provide A Packaged Medication System For Inmates At The Florence County Detention Center. Councilman Anderson seconded the motion, which was approved unanimously.

PROCUREMENT

AWARD OF BID #13-10/11

Councilman Rodgers made a motion Council Approve The Award Of Bid #13-10/11 For The Construction Of A New EMS Facility In Pamplico To Mimms Construction, Inc., Hartsville, SC In The Amount Of \$498,395 From Previously Allocated Bond Funds. Councilman Anderson seconded the motion, which was approved unanimously.

AWARD OF BID #17-10/11

Councilman Rodgers made a motion Council Approve The Award Of Bid #17-10/11 For A Gas Chromatograph/Mass Spectrometer (GC/MS) System For The Florence County Law Enforcement Center Drug Lab To Agilent Technologies, Wilmington, DE In The Amount Of \$80,796.43 To Be Funded From A South Carolina Department Of Public Safety Grant. Councilman Anderson seconded the motion, which was approved unanimously.

AWARD OF BID #18-10/11

Councilman Anderson made a motion Council Approve The Award Of Bid #18-10/11 For A Fourier Transform Infrared Spectrometer (FT/IR) System For The Florence County Law Enforcement Center Drug Lab To Thermo Fisher Scientific, Madison, WI In The Amount Of \$45,258.36 To Be Funded From A South Carolina Department Of Public Safety Grant. Councilman Mumford seconded the motion, which was approved unanimously.

The following items were additions to the agenda:

LIBRARY/MUSEUM/GRANTS

SUBMISSION OF LSTA GRANT APPLICATION

Councilman Culberson made a motion Council Approve The Submission Of A Grant Application For A Library Services And Technology Act (LSTA) Grant Provided By The South Carolina State Library In The Amount Of \$37,422.17 For A Virtual Museum Project To Catalog The Entire Collection Of The Museum For Online Access. Councilman Mumford seconded the motion, which was approved unanimously.

CVB/GRANTS

TOURISM PARTNERSHIP FUND GRANT APPLICATION

Councilman Rodgers made a motion Council Approve A Grant Application For A Tourism Partnership Fund (TPF) \$60,000 Grant From South Carolina Department Of Parks, Recreation And Tourism For Implementation Of The Florence County Marketing Plan In FY12. Councilman Anderson seconded the motion, which was approved unanimously.

ADMINISTRATION

REMOVAL OF SPOIL DIRT PILE

Councilman Rodgers made a motion Council Direct The County Administrator To Negotiate And Proceed With Removal Of A Spoil Dirt Pile From The Godley Morris Commerce Park By The Manner Most Advantageous To The County. Councilman Culberson seconded the motion, which was approved unanimously.

ADMINISTRATION/COUNTY COUNCIL

FLORENCE COUNTY SCHOOL DISTRICT FOUR

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$10,000 For Capital Improvements For Florence County School District Four Athletic Fields From Previously Appropriated Funds In Account 315-471-451-000-8602. Councilman Kirby seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE

BROOKS MCCALL PARK

Councilman Bradley made a motion Council Approve The Expenditure Of Up To \$2,000 From Council District 3 Infrastructure Funding Allocation To Install Electrical Service At The Outdoor Stage At Brooks McCall Park. Councilman Anderson seconded the motion, which was approved unanimously.

LYNCHES RIVER BASEBALL LEAGUE

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$14,000 From Council District 4 Infrastructure Funding Allocation For Facility Improvements And Equipment For The Lynchess River Baseball League. Councilman Anderson seconded the motion, which was approved unanimously.

TIMMONSVILLE RESCUE SQUAD

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$16,000 From Council District 4 Infrastructure Funding Allocation To Assist The Timmons ville Rescue Squad With The Purchase Of A Power Stretcher. Councilman Mumford seconded the motion, which was approved unanimously.

NEIGHBORHOOD CRIME WATCH SIGNS

Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$150 From Council District 8 Infrastructure Funding Allocation To Purchase Neighborhood Crime Watch Signs. Councilman Anderson seconded the motion, which was approved unanimously.

SCRANTON DIXIE YOUTH BASEBALL LEAGUE

Councilman Rodgers made a motion Council Approve The Expenditure Of Up To \$6,500 From Council Districts 1 And 5 Infrastructure Funding Allocations (\$3,250 From Each District) For Facility Improvements And Equipment For The Scranton Dixie Youth Baseball League. Councilman Culberson seconded the motion, which was approved unanimously.

FRANCIS MARION RECREATION

Councilman Culberson made a motion Council Approve The Expenditure Of Up To \$1,500 From Council Districts 6 and 7 Infrastructure Funding Allocations (\$750 From Each District) For The Purchase Of Equipment For The Francis Marion Recreation Baseball League. Councilman Mumford seconded the motion, which was approved unanimously.

UTILITY

CITADEL STREET

Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$36,960 From Council District 8 Utility Funding Allocation To Pay For Resurfacing Citadel Street From Mars Hill Road To Sweetbriar Street. Councilman Anderson seconded the motion, which was approved unanimously.

MARS HILL ROAD

Councilman Schofield made a motion Council Approve The Expenditure Of Up To \$38,676 From Council District 8 Utility Funding Allocation To Pay For Resurfacing Mars Hill Road (S-21-1347) From Bellevue Drive To Longwood Drive, Pending Encroachment Permits Being Obtained From The SC DOT. Councilman Anderson seconded the motion, which was approved unanimously.

WILSON HIGH SCHOOL AND FLORENCE CAREER CENTER

Chairman Smith stated he wanted to recognize Councilman Bradley not only for his service on County Council but also for continuing his accolades with Wilson High School and the Florence Career Center for receiving recognition for academic improvement and achievement award several years in a row.

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, For A Contractual Matter - Pending Civic Center Contract And Legal Briefing. Councilman Culberson seconded the motion, which was approved unanimously.

Council entered executive session at 9:43 a.m.

(Councilman Schofield left at 10:18 a.m.)

Council reconvened at 10:20 a.m.

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Fund Up To \$18,000 For The Town Of Timmons ville From District 4 Utility Funding Allocation For Sewer System Improvements. Councilman Mumford seconded the motion, which was approved unanimously (Councilman Schofield was absent for the vote).

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

COUNCIL MEETING ADJOURNED AT 10:21 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Public Hearings

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council will hold public hearing to receive public comment with regard to the following:

ORDINANCE NO. 19-2010/11

An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.

ORDINANCE NO. 21-2010/11

An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.

ORDINANCE NO. 22-2010/11

An Ordinance To Ratify FY11 Budget And Grant Council Actions Authorized By Council And Other Matters Related Thereto.

ORDINANCE NO. 23-2010/11

An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.

ORDINANCE NO. 24-2010/11

An Ordinance Accepting The Transfer By The Town Of Timmonsville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmonsville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.

ORDINANCE NO. 25-2010/11

An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commission, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Additional Two Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.

ORDINANCE NO. 01-2011/12

An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Appearances Before Council
 Ray McBride, Director
 Florence County Library System

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Mr. McBride requests to appear before Council To Provide An Update On The Lake City Library Project.

ATTACHMENT:

1. Copy of the Request To Appear.

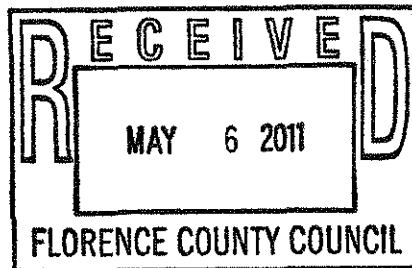
Florence County Library System

Doctors Bruce and Lee Foundation Headquarters Library

509 S. Dargan St. Florence, SC 29506 Phone: (843) 662-8424 Fax: (843) 661-7544
www.florenceclibrary.org

May 5, 2011

Mr. K.G. "Rusty" Smith
Chairman
Florence County Council



I respectfully request to appear before Florence County Council on June 16, 2011 to give an update on the Lake City Library project. My presentation will last approximately five minutes.

Thank you for consideration of this request.

A handwritten signature in cursive script that reads "Ray McBride".

Ray McBride
Director

Johnsonville Branch
Marion & Hampton St.
Johnsonville, SC 29555
Phone: (843) 386-2052

Lake City Branch
211 E. Main St.
Lake City, SC 29560
Phone: (843) 394-8071

Olanta Branch
404 E. Hampton St.
Olanta, SC 29114
Phone: (843) 396-4287

Pamplico Branch
180 Main St.
Pamplico, SC 29583
Phone: (843) 493-5441

Timmons ville Branch
111 S. Warren St.
Timmons ville, SC 29161
Phone: (843) 346-2941

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Appearances Before Council
 Barringer F. Wingard, Jr., Chairman
 Florence Veterans Park

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Mr. Wingard Requests To Appear Before Council To Solicit Support For A Significant, Unique, Patriotic, And Uplifting Cultural Addition To Veterans Park.

ATTACHMENT:

1. Copy of the Request To Appear.

Connie Haselden

From: Bfwingardjr@aol.com
Sent: Monday, May 02, 2011 9:22 AM
To: Connie Haselden
Cc: spowers208@aol.com; Alphonso Bradley; alex@alexpalkovich.com; mwbuyck@willcoxlaw.com; bfwingardjr@aol.com
Subject: Appearance before County Council

TO: Ms Connie Haselden
FROM: Wingard, Barringer F., Jr.
DATE: May 2, 2011

SUBJECT: Appearance Before Florence County Council, May 19, 2011

1. The purpose of this electronic mail message is to request to appear before the Florence County Council at their regularly scheduled meeting on May 19, 2011.
2. Appearing in my capacity as the Chairman, Florence Veterans Park, I wish to solicit support from the County Council for a significant, unique, patriotic, and uplifting cultural addition to our Veterans Park which is located adjacent to the Florence Civic Center parking lot.
3. This project is being generously supported by the Drs. Bruce & Lee Foundation and will include charitable donations from the business community as well as the City of Florence (appearing May 9, 2011).
4. I understand the time allotted is 3-5 minutes. Please let me know if you need additional information or clarification, and please acknowledge receipt of this correspondence.
5. Thank you for this opportunity. My complete contact information is below. Copied on this correspondence are County Councilman Al Bradley, City Councilman Steve Powers, Attorney Mark Buyck, and Sculptor Alex Palkovich.

Respectfully,
Barry Wingard

"The most important thing is for us to find Osama bin Laden. It is our number one priority and we will not rest until we find him." - President George W. Bush, 9/13/2001 ***"Justice has been done."*** - President Barrack H. Obama, 5/1/2011

Barringer F. Wingard, Jr.
Colonel (R), US Army
1420 Lazar Place
Florence, SC 29501
bfwingardjr@aol.com
Home 843-667-4742
Cell 843-601-3800

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Appearance Before Council

DEPARTMENT: Finance
Administration

ISSUE UNDER CONSIDERATION:

Mr. Rep "Butch" Whiddon, CPA, Partner In The CPA Firm Of Baird And Company, CPA's, LLC, The County's External Audit Firm, Will Be Appearing Before Council To Present A Procedures Report Recently Completed.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Resolution No. 19-2010/11

DEPARTMENT: Administration
Human Resources

ISSUE UNDER CONSIDERATION:

To Re-Issue The Florence County Personnel Policy Manual As A Single Document Consolidating All Council Approved Resolutions Since May 2006 And Minor Text Revisions For Readability For All Users To Be Effective July 1, 2011.

POINTS TO CONSIDER:

1. The Florence County Personnel Policy Manual (FCPPM) was originally adopted by Florence County Council May 4, 2006 and amended on the following dates:

January 17, 2008	Vehicle Collision Review Board
January 15, 2009	Vehicle Idle-Reduction Policy, FMLA, and Worker Compensation
May 7, 2009	Use of County Telephones
November 18, 2010	Cell Phones
March 17, 2011	Vehicle Collision Review Board Penalties and Rehire Rates of Pay

2. Minor text revisions have been included in the FCPPM to improve readability for all users.
3. Except for the Disclaimer and Acknowledgement (first two pages), additions to the FCPPM are underlined (underlined Disclaimer and Acknowledgement are unchanged) and any deletions to the FCPPM are stricken through.

OPTIONS:

1. *(Recommended)* Approve Resolution No. 19-2010/11.
2. Provide an alternate directive.

ATTACHMENTS:

1. Resolution No. 19-2010/1.1
2. Florence County Personnel Policy Manual.

Sponsor(s)/Department : Administration
Sponsor(s)/Department : Human Resources
Adopted: : May 19, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 19-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(To Re-Issue The Florence County Personnel Policy Manual As A Single Document Consolidating All Council Approved Resolutions Since May 2006 And Minor Text Revisions For Readability For All Users To Be Effective July 1, 2011.)

WHEREAS:

1. The current Florence County Personnel Policy Manual was originally adopted May 4, 2006 and has been amended several times; and
2. Minor text revisions have been incorporated for ease of readability by all users.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

The Florence County Personnel Policy Manual is hereby re-issued effective July 1, 2011 and supersedes and replaces all previous County Council Personnel Policies, Ordinances, and Employee Personnel Policy Handbooks.

ATTEST:

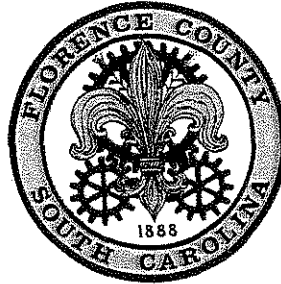
Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:
OPPOSED:
ABSENT:

FLORENCE COUNTY



PERSONNEL POLICY MANUAL

DISCLAIMER

ALL EMPLOYEES OF FLORENCE COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF FLORENCE COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES, OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER ORAL OR WRITTEN, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND 4) THE DOCUMENT IS APPROVED BY COUNTY COUNCIL AND SIGNED IN ACCORDANCE WITH COUNCIL'S AUTHORIZATION.

Approved & Effective: July 1, 2011

Supersedes and replaces all previous County Council Personnel Policies, Ordinances, and Employee Personnel Policy Handbooks.

FLORENCE COUNTY PERSONNEL POLICY MANUAL

DISCLAIMER

ALL EMPLOYEES OF FLORENCE COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF FLORENCE COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES, OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER ORAL OR WRITTEN, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND 4) THE DOCUMENT IS APPROVED BY COUNTY COUNCIL AND SIGNED IN ACCORDANCE WITH COUNCIL'S AUTHORIZATION.

I ACKNOWLEDGE RECEIPT OF FLORENCE COUNTY'S PERSONNEL POLICY MANUAL AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

Signature

Printed Name

Date

Approved & Effective: July 1, 2011

Supersedes and replaces all previous County Council Personnel Policies, Ordinances, and Employee Personnel Policy Handbooks.

TABLE OF CONTENTS

SECTION	SUBJECT	PAGE
	DISCLAIMER	1
1.0	Introduction	2
2.0	Administration	2
	Authority and Responsibility of County Administrator	2
	Employees Subject to Policy	3
	Equal Employment Opportunity	3
3.0	General Requirements	3
	Drug-Free Workplace	3
	Employee Drug/Alcohol Use & Testing Policy	4
	General Rule	4
	Applicants for Employment	4
	Current Employees	5
	Testing Procedure	6
	Notice to Employees	7
	Notice to State & Federal Grantor, etc.	7
	Consequences of Violating Policy	7
	Coming Forward with Substance Abuse Problems	7
	Confidentiality	8
	Testing Costs	8
	Notification of Test Results	8
	Sexual & Other Forms of Impermissible Harassment	8
	Complaints and Investigation	9
	Nepotism	10
	Job Related Investigation	10
	Driver's License - Driving Record	10
4.0	Conduct	11
	Outside Employment	11
	Conflict of Interest	11
	Gifts and Gratuities	11
	Civic and Political Activities	12
	Smoking	12
	Appearance	12
	Attendance and Punctuality	12
	Use of County Telephones	13
	Workplace Privacy and Information Systems Use	14
	Vehicle Policy	15
	Travel to and From Work (Take Home Vehicles)	17
	Vehicle Accidents - Traffic Violations	18

	Safety and Accident Prevention	21
	Policy for Use and Reservation of Pool Vehicle	22
5.0	Recruitment and Selection	22
	Recruitment	22
	Recruitment Procedure	23
	Selection Procedure	24
	Conditional Offer of Employment	25
	Final Offer of Employment	25
6.0	Employee Records	26
	Personnel Records	26
	Access to Personnel Files	26
	Personal Inquiry	26
	Personnel Data Changes and Transactions	27
	Attendance Records	27
7.0	Employment Status	27
	Types of Appointments	27
	Types of Employment Status	28
	Volunteer Service	29
	Position Classification	29
8.0	Employee Change of Status	29
	Promotion	29
	Demotion	30
	Lateral Transfer	31
9.0	Compensation and Classification Plan	31
	Purpose	31
	Administration of the Comp & Class Plan	31
	Classification Portion of the Comp & Class Plan	31
	Compensation Portion of the Comp & Class Plan	33
	Starting Rates of Pay	33
	Change in Employee Status	35
	Working Out of Classification	35
	Wages During Daylight Savings Time Transition	36
	Salary Progression	36
	Establishment & Maintenance of Anniversary Date	36
	Break in Service	37
	Leave Accrual Date	37
10.0	Wages and Hours	37
	Overtime	37
	Paid Overtime Compensation	37
	Accrued Compensatory Leave Time	38

	Timekeeping	38
	Work Schedules	39
	Payroll	39
	Meal Periods	40
	Pay Period	40
	Standard Leave Day	40
11.0	Attendance and Leave Procedures	41
	Annual Leave	41
	<u>Leave Balances</u>	41
	Holidays	44
	Sick Leave	45
	Bereavement Leave	47
	Voting Days	47
	Civil Leave	47
	Witness Duty Leave	48
	Private Litigation Leave	48
	Military Leave	48
	Personal Leave	48
	Family and Medical Leave Act	49
	Leave Without Pay	52
	Administrative Leave	53
	Operational Shutdown Leave	53
	Emergency Declarations and Inclement Weather	53
12.0	Employee Benefit Programs	53
	Fringe Benefits	53
	Equipment and Supplies	55
	Uniforms	56
	Travel and Subsistence Allowance	56
	Training	57
	Tuition Assistance	57
	Dues and Certifications	57
13.0	Employee Performance Appraisal System	57
	Purpose	57
	Evaluation Periods	58
	Other Types of Performance Appraisals	58
	Performance Based Increases	59
14.0	Separation from Employment	59
	Disclaimer	59
	Resignation	59
	Compulsory (Involuntary) Resignation	59
	Loss of License/Job Requirement	59
	Layoff	60

	Discharge/Termination Without Status	60
	Pre-retirement Death	60
	Exit Interview	61
	Separation Provisions	61
	Separation Pay	61
	Return of Property	61
	COBRA	61
15.0	Discipline	62
	General Policy	61
	Types of Disciplinary Actions	62
	Activities Which May Warrant Disciplinary Action	62
	Disciplinary Guidelines	64
16.0	Grievance Procedure	65
	General	65
	Grievance Committee	66

DRAFT

No personnel policy manual can anticipate every circumstance or question about policy.

As Florence County operations continue to grow, the County Council reserves the right to revise, supplement, or rescind any policies or portion of this Policy, from time to time, as it deems appropriate, in its sole and absolute discretion. Employees will be informed of revisions.

The provisions of this Policy have been developed at the direction of Florence County Council and may be amended or canceled at any time at Florence County Council's sole discretion.

NOTE: For ease of readability, this Policy follows the traditional English practice of referring to unidentified individuals by the use of masculine pronouns. Wherever such a pronoun is used it is intended to apply to both males and females. In addition, the term Department Head is used throughout this policy to reference inclusively all elected officials, officials appointed by an authority other than the County Council, and persons in charge of regular county departments. State law may limit applicability in some cases.

1.0 INTRODUCTION

The Florence County Personnel Policy is designed to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. A copy of the Personnel Policy is located in each Department Head's office and in Human Resources.

2.0 ADMINISTRATION

2.1 AUTHORITY AND RESPONSIBILITY OF THE COUNTY ADMINISTRATOR

Florence County operates under the Council-Administrator form of government. The County Administrator is appointed by the County Council and serves at the pleasure of the Council. The County Administrator serves as the administrative head of Florence County Government and is responsible for the administration of all departments of the government under Council's organizational jurisdiction. The Florence County Administrator executes the policies, directives and legislative actions promulgated by the Florence County Council, supervises the expenditure of appropriated funds and all administrative activities of the County permitted under South Carolina State Law. The County Administrator also oversees all payroll actions, including administration of the Compensation and Classification Plan for all personnel to be placed on the Florence County payroll, and all other employee benefits approved by County Council.

2.2 EMPLOYEES SUBJECT TO THIS POLICY

The provisions of this Policy will be applicable to all employees of Florence County Government and, except where and only to the extent specifically prohibited by law, to all personnel processed on the County payroll system. The County Administrator is the final authority for implementation of all changes altering a person's status on the County payroll.

2.3 EQUAL EMPLOYMENT OPPORTUNITY

2.3A Equal Employment Opportunity applies to personnel actions including, but not limited to: recruitment, selection and hiring, training, promotion, demotion, compensation (rates of pay) and benefits, transfer, layoff, return from layoff, economic demotion, disciplinary actions, termination, and the handling of appeals. Florence County is committed to providing equal opportunity in its personnel actions.

2.3B Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his immediate supervisor, Department Head, Human Resources or the County Administrator. Employees can raise valid concerns and make good faith reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action.

3.0 GENERAL REQUIREMENTS

3.1 DRUG-FREE WORKPLACE

3.1A The illegal use of drugs and similar substances is a serious threat to our nation's collective health, safety, welfare, and economic stability. Drug/alcohol use in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury or death. In order to prevent these consequences of drug or alcohol use, the County Council endorses a Drug-Free Workplace policy to help ensure the health, safety and welfare of Florence County employees and the public.

3.1B In accordance with the Federal Drug-Free Workplace Act of 1988:

3.1B(1) Employees are expected to report to work in the appropriate mental and physical condition needed to perform their job. It is the intent of the County to provide a drug-free, healthful, safe and secure work environment.

3.1B(2) The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on or off the job is absolutely prohibited. Violations of this policy may result in disciplinary action up to and including termination and may have legal consequences.

3.1B(3) Employees needing help in dealing with drug dependency are encouraged to use State and County services provided by the designated provider, Circle Park Behavioral Health Services, South Carolina Department of Alcohol and Other Drug Abuse Services, and the related group health organizations, as appropriate. The County's designated provider and Circle Park Behavioral Health Services can be reached locally.

3.1C Employees are expected to notify their Supervisor or Department Head of any medications (prescription or over-the-counter) that they are taking that could impair job performance.

3.1D In accordance with the Drug Free Workplace Act employees are to abide by the terms of the above policy and report to their Department Head and Human Resources any convictions or arrests under a civil or criminal drug statute on the next business day following the incident and again following any pretrial intervention program, plea bargain, or conviction by providing a copy of the Court documents or order.

3.2 EMPLOYEE DRUG/ALCOHOL USE AND TESTING POLICY

3.2A It is well-recognized that drug abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the intent of Florence County to comply with the Drug Free Workplace Act, to establish and maintain drug-free workplaces, and to prohibit unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of illegal drugs or controlled substances on or off the job.

3.2B For these reasons, Florence County adopts the following:

3.2B (1) General Rule

3.2B(1)(a) All employees of Florence County are prohibited from swallowing, inhaling, injecting, dealing in, soliciting, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's own use by a licensed medical practitioner. This prohibition applies to use at any time, both on-the-job and off-the-job. Florence County employees are permitted to possess substances when required by their jobs or for the purpose of lawful delivery to another person.

3.2B(1)(b) All employees are prohibited from using or possessing alcoholic beverages on County premises or time. The term "County premises" includes County vehicles and private vehicles on County premises, parking lots and recreation areas. An off-duty County employee, who is an attendee at a properly authorized event at a County facility, is not subject to this prohibition. Employees are not prohibited from having unopened containers of alcoholic beverages secured in their personal vehicles.

3.2B(1)(c) All employees are prohibited from reporting to or being at work while under the influence of alcohol. (An employee is to be considered to be "under the influence" of alcohol if he has any detectable amount of alcohol in his system.)

3.2B(1)(d) Any employee having knowledge of an attempt by a fellow County employee to solicit illegal drugs or substances or prescription drugs is to report such attempt in person to the Human Resources Director, the County Administrator or his designee within one business day.

3.2B(2) Applicants For Employment

3.2B(2)(a) Florence County Human Resources conducts pre-employment drug tests for all applicants tentatively selected for employment. Florence County will not accept on its payroll any such applicant tentatively selected for employment who refuses to submit timely to drug testing, who tests positive for use of illegal or

unauthorized substances, or for whom a drug test result is not received in Human Resources for any reason.

3.2B(3) Current Employees

3.2B(3)(a) All Florence County employees will be subject to drug and alcohol testing by urinalysis, breathalyzer, saliva enzyme, and other technologies where "particularized suspicion" of drug or alcohol use in violation of this policy exists or under other lawful conditions.

3.2B(3)(b) Particularized suspicion is deemed to exist when:

3.2B(3)(b)(i) Information that an employee has used illegal drugs or substances is provided by an informant believed to be reliable;

3.2B(3)(b)(ii) An employee is involved in an accident at work, vehicular or otherwise, which causes property damage or bodily injury;

3.2B(3)(b)(iii) An employee exhibits any of the following:

- a. Extreme mood swings
- b. Slurred speech
- c. Unusual clumsiness
- d. Staggering
- e. Dilation of pupils or "pinpoint pupils"
- f. Sleeping on the job or lethargy
- g. Excessive unexplained sweating
- h. Other aberrant behavior;

3.2B(3)(b)(iv) An employee has been arrested for violation of drug laws;

3.2B(3)(b)(v) An employee has admitted violating the County's drug policy.

3.2B(3)(b)(vi) In the instance of diversion of controlled substances, an employee with access to such substances is to be tested.

3.2B(3)(b)(vii) Other unusual circumstances as approved by the County Administrator or his designee, or the Human Resources Director and the Medical Review Officer.

3.2B(3)(c) Particularized suspicion testing will not be conducted without the approval of the County Administrator or his designee, or Human Resources.

3.2B(3)(d) Random testing for illegal or unauthorized drug or alcohol use will be conducted for all sworn law enforcement officers subject to this policy, drug interdiction personnel subject to this policy (including support staff with access to drug interdiction information), Emergency Medical Services employees, Central Communications employees, CDL license holders, employees who drive heavy equipment such as ambulances, motor graders, fire trucks, etc. and other safety sensitive personnel. All DOT regulated employees are subject to random selection testing pursuant to 49 CFR Part 382. (DOT regulated employees are randomly tested

at an annualized rate of at least 10% (unless otherwise specified by the FMSCA) in accordance with 49 CFR Part 382). Random selection testing is unannounced.

A current list of safe-sensitive positions is ~~attached for reference and will be~~ maintained in the Human Resources Department. Each Department Head is to provide periodic updates to the Human Resources Department as necessary.

3.2B(3)(e) If an employee refuses to submit to a drug or alcohol test immediately when directed to do so, the employee will be discharged immediately.

3.2B(4) Testing Procedure

3.2B(4)(a) Drug and alcohol testing will be by urinalysis, Breathalyzer, saliva enzyme, or other testing technologies as applicable.

3.2B(4)(b) The collection of samples will be performed under reasonable and sanitary conditions.

3.2B(4)(c) Urine normally will be collected under conditions of semi-privacy -- that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample.

3.2B(4)(d) Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing laboratory. Labeling, storage, and transportation of samples will be performed so as to preclude the probability of erroneous identification, sample contamination, or sample adulteration. Positive results will first be reviewed by the County's Medical Review Officer (MRO) prior to reporting to County Human Resources.

3.2B(4)(e) Specimens will be checked for the following substances, but others may be added at the County's discretion:

1. Marijuana and related substances (canabanoids)
2. Cocaine
3. LSD
4. Opiates
5. Amphetamines
6. Phencyclidine
7. Barbiturates
8. Alcohol

3.2B(4)(f) Applicants and employees will have an opportunity to provide any information, which they consider relevant to the test, including identification of currently used prescriptions or nonprescription drugs, or other relevant information.

3.2B(4)(g) Samples that initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, the written report of the Drug Testing Laboratory will be conclusive for all employment-related purposes.

3.2B(4)(h) The County's Medical Review Officer normally will allow an employee whose drug tests have been confirmed as positive the opportunity to justify the results before he notifies the County of the test results.

3.2B(5) Notice To Employees

By continuing to work, the employee agrees that he will abide by this policy.

3.2B(6) Notice To State And Federal Grantor Contracting Agencies And Law Enforcement Authorities

3.2B(6)(a) Employees must notify Human Resources within one business day following any criminal conviction for the manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. Florence County will notify all state and federal grantors/contracting agencies of such employee convictions where required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, pre-trial intervention agreement, or a plea of guilty.

3.2B(6)(b) Law enforcement authorities and the County Administrator are to be notified immediately if illegal drugs are found in the workplace or at a worksite.

3.2B(7) Consequences Of Violating This Policy

An employee who has a positive result on a test required by this policy will be terminated.

3.2B(8) Coming Forward With Substance Abuse Problems

3.2B(8)(a) Employees who have substance abuse problems and report them to Human Resources, before being selected for testing and before the occurrence of an event which would result in testing, will normally not be disciplined upon the first violation if no other offenses are involved. However, in order to remain employed, the employee must:

3.2B(8)(a)(i) Be interviewed by the County Administrator or his designee as directed;

3.2B(8)(a)(ii) Immediately seek counseling and successfully complete the treatment prescribed by the County's designated provider or other facility and report periodically to Human Resources during the course of the treatment/counseling.

3.2B(8)(a)(iii) Submit to periodic and/or unannounced drug/alcohol testing for a period not less than one year nor more than two years;

3.2B(8)(a)(iv) Have at least two negative test results before returning to work.

3.2B(8)(a)(v) Employees who are allowed by the County's designated provider to return to work and remain in counseling, must return to work in sixty (60) days or be terminated.

3.2B(8)(a)(vi) An employee, who admits to a violation of this policy, seeks counseling, and is permitted to remain an employee of Florence County, is subject to discharge if he again either admits to a violation of this policy or tests positive for drugs or alcohol in violation of this policy.

3.2B(9) Confidentiality

3.2B(9)(a) Any drug or alcohol test results or information supplied by employees and applicants as part of Florence County's drug testing program will be kept confidential, consistent with the purposes of this policy. The County will neither confirm nor deny general inquiries regarding program participants.

3.2B(10) Testing Costs

3.2B(10)(a) Florence County will pay the costs of all drug/alcohol tests required by the County, except employees subject to unannounced follow-up testing. Those employees will be solely responsible for the cost of follow-up tests.

3.2B(11) Notification Of Test Results

3.2B(11)(a) Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 10 days of being notified of the disposition of employment.

3.2B(11)(b) Employees will be notified of the results (including the drugs discovered) of all drug tests, provided the results are positive.

3.3 SEXUAL AND OTHER FORMS OF ILLEGAL HARRASSMENT

3.3A Florence County is committed to developing and maintaining a work environment that is free of all forms of illegal harassment. Employees who are found to have violated this policy are subject to disciplinary action up to and including discharge.

3.3B State and Federal laws and regulations, prohibit employment decisions from being made on the basis of race, sex, religion, national origin, age, disability, or similar distinctions. In addition, the County strives to provide a working environment, which conforms to State and Federal requirements to be free from discomfort or pressure resulting from jokes, ridicule, slurs, and illegal harassment.

3.3C Sexual harassment includes, but may not be limited to:

- 1) Unwelcome sexual advances;
- 2) Requests for sexual favors;
- 3) Other verbal or physical conduct of a sexual nature when an employee's response to such conduct affects that employee's job status or creates a hostile or offensive working environment for that employee.

3.4 COMPLAINTS & INVESTIGATION

3.4A Due to the sensitive nature of complaints of sexual harassment and other forms of illegal harassment, such complaints will be investigated with particular care and will remain as confidential as possible consistent with efficient investigation.

3.4B If an employee believes that he has been the victim of sexual harassment or any other form of illegal harassment on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, he is encouraged to report the incident(s) immediately in person to the Human Resources Director, the County Attorney, or the County Administrator or his designee. Any employee, who observes an occurrence in which another County employee is being subjected to sexual harassment or any other form of illegal harassment, is to report the incident in person within one business day to the Human Resources Director, the County Attorney, or the County Administrator or his designee. All complaints will be kept as confidential as possible consistent with efficient investigation. A written or recorded statement may be taken.

3.4C The following procedures are provided for the processing of complaints of sexual harassment or other forms of illegal harassment:

3.4C(1) Any personal complaint of sexual harassment or other form of illegal harassment is to be reported to the Human Resources Director, the County Attorney, or the County Administrator or his designee. In the event the County Administrator is the subject of the complaint, the complaint may be made to the Human Resources Director, the County Attorney, or the County Council. All such complaints are to be reported as soon as possible after the incident or action occurs, and will receive immediate review and appropriate investigation.

3.4C(2) An investigation will include conferring with all parties and witnesses named by the complainant. Confidentiality will be maintained as confidential as possible consistent with efficient investigation.

3.4D If management concludes that a complaint of harassment has merit, appropriate action will be taken. Employees may be disciplined. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

IMPORTANT

In order to avoid misunderstandings, complaints made to members of management or to the Human Resources Director must involve completion of a report either by the employee or by the person to whom the complaint is made, which sets forth the allegations and lists any witnesses to the alleged harassment. The complaining employee should be sure to get a copy of his written statement at the time it is submitted to confirm compliance with this procedure.

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. The U.S. Supreme Court has said that as a general rule you may not sue the county for a violation of your rights unless you first give us notice and an opportunity to end the harassment. The reporting procedures which we have adopted are intended to establish a clear record of what has been reported.

3.5 NEPOTISM – HIRING OF RELATIVES

3.5A The employment of relatives in the same functional area of Florence County might cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. To preclude such conflicts, all employees are to conform to *The South Carolina Ethics, Government Accountability and Campaign Reform Act of 1991 as amended and associated regulations*. **A copy is available in Human Resources. Please talk to Human Resources or Administration if you have any questions.**

3.5B Members of an immediate family may not be employed or continue to be employed by Florence County when such employment results in one member of an immediate family supervising, evaluating the performance of, or disciplining other immediate family members; where one employee occupies a position of influence over an immediate family member's employment duties, promotion or where an immediate family member interacts or supervises another immediate family member in the handling of money or compensation; or where an immediate family member is in any other way responsible for the employment status of the other immediate family member. If relationships between employees within the same department should change or if position changes create the situation described above, one employee must give up his position. If the employees cannot choose within the time frame required by the County which one of them it will be, the employee having the lower budgeted annual compensation is to be removed. The County will attempt to reassign the removed employee if a position for which the employee is qualified is available in another department and if the gaining Department Head approves the reassignment.

3.5C Immediate family is defined as spouse, parent, sister, brother, child, grandparent, grandchild, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law. The immediate family will be considered to include step-parents, step-children, step-brothers, and step-sisters, when the employee and the step-relative have lived together regularly in the same household. For purposes of this policy, "immediate family" also includes individuals with whom an employee has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

3.6 JOB RELATED INVESTIGATION

Each employee of Florence County is to cooperate with respect to any job related hearing or inquiry scheduled by their Department Head, the County Administrator, or their designee.

3.7 DRIVER'S LICENSE - DRIVING RECORD

3.7A When a driver's license (Commercial or Non-Commercial) is a job requirement, an employee must possess a valid driver's license at the time of appointment, and maintain such license during his or her employment. Periodic reviews of all such licenses may be conducted by the Department Head and Human Resources.

3.7B For initial employment and selection purposes, a "valid" license is generally defined as an issued license which has not expired nor has, within the past three (3) years, been revoked or suspended as a result of a moving violation. Driving records will be considered on a case-by-case basis.

3.7C Any candidate for a position, who is required to have a driver's license as a condition of employment, will furnish, at his expense, an up-to-date, certified original of his 10-year driving record from the appropriate state authority.

4.0 CONDUCT

4.1 OUTSIDE EMPLOYMENT

4.1A Florence County employment is considered the employee's primary employment, and no employee may engage in outside employment which would interfere with the interests of Florence County, serve as a conflict of interest, or interfere in any way with the working schedule of the employee.

4.1B Equipment, vehicles, property, facilities, materials, supplies or uniforms of Florence County are not to be used by employees for outside employment nor for travel to or from such employment. However, to the extent permitted by South Carolina law and with the permission of the Department Head, commissioned officers may be allowed to use County uniforms and equipment while performing the duties of a secondary employment.

4.1C An employee is to notify and receive approval from his Department Head prior to beginning any outside employment.

4.1D Personal work or use of Florence County tools, equipment, facilities, or paid-time for non-County business or personal benefit is prohibited. Employees are not to conduct personal business or any non-County business while on County property or time.

4.1E If outside employment is approved and it later appears, in the County's sole discretion, to create a conflict of interest or an unreasonable interference in the performance of County duties, the County reserves the right to require the employee to discontinue the employment, or to reduce it to an acceptable level in order to continue County employment.

4.2 CONFLICT OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, for a relative, or for a business association or affiliation as a result of Florence County's business dealings.

4.3 GIFTS AND GRATUITIES

4.3A No employee is to accept gifts, gratuities, entertainment or loans from organizations, business concerns or individuals with whom he has, or may have, an official relationship or with whom he conducts, or may conduct, business for Florence County, in accordance with "The Ethics, Government Accountability & Campaign Reform Act of 1991," of the South Carolina Code of Laws, as amended. Promotional items published as available to any purchasing organization, such as a pack of markers or other item, given with an order of office supplies, may be retained for use by County employees in the County work environment, but are not to be considered in any manner as a basis for determining vendor selection. Vendor selection is to be determined strictly in accordance with Florence County's Procurement Policy in its Code of Laws.

4.3B County funds cannot be spent for personal uses.

4.4 CIVIC AND POLITICAL ACTIVITIES

4.4A Employees are encouraged to exercise their rights as citizens, which include holding membership in and supporting a political party, voting independently and participating in civic activities except where a conflict of interest may arise. Employees engaged in such activities are to ensure that participation does not constitute representation or endorsement by Florence County Government. County employees are not to:

- a) Utilize Florence County time, materials or equipment in support of a candidate or political party;
- b) Hold political office, which would create a conflict of interest, or participate in political activities, which would create a conflict of interest; or,
- c) Solicit any assessments, contributions or services for any political party or candidate.

4.4B Some employees of Florence County are subject to the provisions of the Hatch Act, Public Law 252, 76th Congress of the United States which limits certain political activities.

4.4C No person is to be given or refused employment, suspended, discharged, or discriminated against, nor will his status, position, salary, advancement or any right be affected in any way by reason of his vote or failure to vote in any election.

4.5 SMOKING

To help provide a safe and healthful work environment, smoking in the workplace is prohibited in all County owned, leased or otherwise occupied buildings and vehicles.

4.6 APPEARANCE

4.6A One of the most noticeable expressions of personal standards is dress and appearance. Florence County employees are to maintain high personal standards in the business environment, dressing in a professional manner, wearing clothing that is appropriate and tasteful, and maintaining good personal hygiene.

4.6B What is appropriate for employees in one department may not be appropriate in another. Where official work clothes and uniforms are provided by Florence County, employees are to wear the full issued uniform or clothing. Appearance standards are a supervisory responsibility, and department heads may need to establish rules consistent with the work to be performed.

4.7 ATTENDANCE AND PUNCTUALITY

4.7A To maintain a safe and productive work environment, Florence County employees are to be reliable and punctual in reporting for scheduled work.

4.7B Absenteeism and tardiness place a burden on other employees and on the work program. Prior to the beginning of their scheduled shift start time, employees are to notify their supervisor of any unscheduled absence or tardiness.

4.8 USE OF COUNTY TELEPHONES

4.8A Business

A large part of Florence County's business is transacted by telephone for citizens' convenience. Telephone calls are to be answered promptly and pleasantly, and the office identified. County employees are not required to listen to threats, racial slurs, or verbal abuse, and occasionally may find it necessary to politely inform the caller that the language or content is offensive and that the call will be ended if the caller persists with the behavior.

4.8B Personal

4.8B(1) The telephone equipment of Florence County is provided for the purpose of providing service to citizens. Limit personal calls to an absolute minimum number. Personal calls should only be made on County telephones in case of absolute necessity or emergency. Employees are to reimburse for emergency personal, long distance or other toll calls through their Department Head when the exact charge is billed.

4.8B(2) Personal calls are to be made when an employee is on break or lunch away from their job.

4.8C Cell Phones

4.8C(1) County issued cell phones are the property of Florence County. All County cell phone communications are considered public records and subject to disclosure under the Freedom of Information Act. County issued cell phones are provided to employees to conduct County business in the performance of their job duties.

4.8C(2) Employees may be required to reimburse the County for any charges incurred on their monthly cell phone bill that are not included in the County's cell phone contract; such as directory assistance calls.

4.8C(3) Employees may be required to reimburse the County for missing or damaged cell phones and accessories during the course of their employment with the County.

4.8C(4) Employees who separate from employment will be responsible for returning County cell phones and accessories. Separating employees will be responsible for payment of missing or damaged cell phones and accessories. Deductions may be made from the employee's final paycheck(s) for the missing or damaged cell phones and accessories. Additionally, any amount due the County for the employee's personal use of the cell phone will be deducted.

4.8C(5) Cell phones are not to be used while an employee is operating County vehicles or equipment where South Carolina law prohibits or good safety practices would restrict such usage.

4.8C(6) Employees violating any provision of this policy will be subject to disciplinary action.

4.9 WORKPLACE PRIVACY AND INFORMATION SYSTEMS USE

4.9A Florence County computer systems are to be used only for business purposes serving the interests of the County and the citizens in the course of normal operations.

4.9B All data created, stored, or processed on County-owned computer systems remains the property of Florence County. Because of the need to protect Florence County's network, employees are not guaranteed the confidentiality of information stored on any network device belonging to the County.

4.9C For security and network maintenance purposes, authorized individuals within Florence County may monitor equipment, systems, and network traffic at any time.

4.9D Passwords and accounts are to be secured, and should never be shared. Every authorized user is responsible for the security of their particular passwords and accounts.

4.9E Employees should use extreme caution when opening e-mail attachments received from any sender or unfamiliar e-mail addresses. Attachments may contain viruses, e-mail bombs, or Trojan horse codes, which could jeopardize the entire system.

4.9F The following is a list of activities, which are prohibited except where a particular activity is required in the course of legitimate job responsibility (e.g., systems administration staff may be required to disable the network access of a host if that host is disrupting production services):

4.9F(1) Violations of the rights of any person or company protected by copyright, trade secret, patent, or other intellectual property or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed and approved for use by Florence County,

4.9F(2) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Florence County or the end user does not have an active license.

4.9F(3) Using a Florence County computing asset to download/stream audio or video or other files for entertainment purposes and not in due course of job duties.

4.9F(4) Use of any Florence County computer equipment for any non-County business or personal activities.

4.9F(5) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient, logging into a server or account that the employee is not expressly authorized to access, and unauthorized use of passwords belonging to other employees. Disruption of network communication includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

4.9F(6) Executing any form of network monitoring, which will intercept data not intended for the employee's host, unless this activity is part of the employee's normal job duties (e.g. systems administration).

4.9F(7) Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam).

4.9F(8) Any form of harassment via e-mail, telephone, or paging whether through offensive video, language, frequency, or size of messages.

4.9F(9) Unauthorized use or forging of e-mail header information.

4.9F(10) Solicitation of e-mail for any other e-mail address, other than that of the poster's account, with the intent to harass or to collect replies.

4.9F(11) Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

4.9F(12) Use of unsolicited e-mail originating from within Florence County's networks or other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Florence County or connected via Florence County's network.

4.9G Audits of all computer systems and work stations may be conducted at any time in order to:

4.9G(1) Monitor user or system activity where appropriate.

4.9G(2) Ensure integrity, confidentiality and availability of information and resources.

4.9G(3) Investigate possible security incidents and/or ensure conformance with Florence County security policies.

4.9H Maintenance of the computer systems and work stations will be conducted periodically in order to:

4.9H(1) Remove any information or materials not related to County business.

4.9H(2) Update software as necessary to ensure security, improve operations, etc.

4.9H(3) Remove obsolete or unlicensed programs and files.

4.10 VEHICLE POLICY

4.10A County owned vehicles are to be used only for official County business. Official business is any activity necessary to the performance of the duties and responsibilities of a given position or to the performance of any additional duties and responsibilities assigned by an employee's supervision. Employees must be authorized by their supervisor to drive a County owned vehicle.

4.10A(1) For all salaried employees, public safety employees, department or agency heads, and any other employees subject to being called into work at any time, including during lunch, official use is to be interpreted to include meals during work/on-call hours at the department head's discretion. For all other employees, official use is to be interpreted to mean travel for the actual performance of their duties only.

4.10A(2) A County employee using a County vehicle with proper authorization and engaged in work assignment not in close proximity to his home base (the location where the employee normally picks up the County vehicle) may use a County vehicle to go to a restaurant or similar service facility during scheduled mealtimes, to make restroom/refreshment stops as personal health needs and weather dictate, etc. All such uses are subject to the determination of the respective department head, who makes the determination based on the most cost effective alternative while precluding possible misuse of vehicle privileges.

4.10B General Use:

4.10B(1) Florence County owned vehicles will be driven only by authorized employees, who are not to use the vehicle for personal purposes except as may be authorized by the County Administrator in the case of an emergency. (Where authorized by contract or lease this policy may not apply.)

4.10B(2) Use and maintenance of County vehicles:

4.10B(2)(a) Operators of County owned vehicles or motorized equipment are to possess and maintain a valid driver's license and to be in compliance with all applicable local, state and federal traffic laws and regulations when operating those vehicles/equipment.

4.10B(2)(b) Operators and passengers are to wear seat belts and to drive safely and in a courteous manner at all times.

4.10B(2)(c) Vehicles are to be used for conducting County business only. Passengers are generally prohibited from traveling in County vehicles except those persons authorized by the Department Head.

4.10B(2)(d) All vehicles are to display only signs, stickers, decals or flags authorized by the County and used in the official designation of such vehicle(s).

4.10B(2)(e) Vehicles should be equipped with flashing lights, reflective warning devices, fire extinguishers and first-aid kits as appropriate to the use of the vehicle.

4.10B(2)(f) Unoccupied vehicles will not be left with engines running.

4.10B(2)(g) Travel in Florence County vehicles outside of the service area must be approved in advance by the Department Head.

4.10B(2)(h) County vehicles will be kept clean and in good repair. A "walk around" of the vehicle is to be completed before driving to assess any potential problems, as are daily checks of tire pressure and fluid levels. Regular maintenance is to be completed according to manufacturer's recommendations.

4.10B(2)(i) Operators of County owned vehicles may be required to complete a defensive driving course.

4.10B(2)(j) No County vehicle is to be driven by an operator under the influence of intoxicants or any other controlled substances, nor are intoxicants to be transported in County owned vehicles. Anyone under the influence of intoxicants or other controlled substances is not to ride in a County vehicle. (Emergency services are excluded, as required in the performance of their official duties, from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.)

4.10B(3) Vehicle idle-reduction requirements:

4.10B(3)(a) County employees, while waiting/stopped at any destination, are to turn off their vehicles as soon as possible to eliminate idling, reduce harmful emissions, and reduce potential carbon monoxide poisoning.

4.10B(3)(b) County vehicles are not to be started until ready to depart. Exceptions include conditions that would compromise passenger safety, such as extreme weather or when the engine is required to power needed auxiliary equipment.

4.10B(3)(c) Engines of all ambulance vehicles are to be turned off while waiting at hospitals and at any pick-up and drop-off sites.

4.10B(3)(d) County employees are to reduce idling in daily driving avoiding idling at drive-through services, parks and other places.

4.10C Travel To and From Work (Take Home Vehicles)

4.10C(1) The use of a vehicle for travel to and from work is a privilege. Designated Emergency Medical Services, Emergency Management, Sheriff, and on-call Environmental Services and Public Works operators are authorized to drive County vehicles to and from work on a permanent basis to support after hours operations. The County Council authorizes other County vehicles to be driven to and from work on a regular basis, and the County Administrator may authorize such use on a temporary basis.

4.10C(2) Non-County business related stops at bars, taverns, night clubs, etc., or private homes are strictly prohibited. An occasional stop on the way home to complete brief errands is acceptable (i.e., the bank, post office, grocery store, laundry, etc.). Under no circumstances is a vehicle to be used for unauthorized personal travel.

4.10C(3) Federal IRS regulations may require certain County vehicle operators authorized use for travel to and from work to report such use. Designated on-call or emergency service duty personnel may be exempt from this IRS regulation. Certain operators who are required by their supervisor (as a condition of employment) to commute to/from work may be exempt. If an operator is given permission to drive a vehicle home, and is not required by their supervisor (as a condition of employment) to commute to/from work, the County will charge that operator the lease value of the vehicle for personal use in accordance with IRS regulation. The County is not responsible for any tax liability created by any use of a County vehicle.

4.10D Vehicle Accidents - Traffic Violations

4.10D(1) In the event of an accident involving a County owned vehicle, no matter how minor, the operator and each employee involved are to notify their supervisor and their Department Head immediately. The operator of the vehicle is to stay at the scene of an accident until it has been properly investigated by the appropriate law enforcement agency and obtain a copy of the accident report, the names of witnesses, and insurance information of all parties involved.

4.10D(2) The supervisor or Department Head is to report the incident to Risk Management by phone immediately and submit a written report within twenty-four hours from all employees involved. The written report(s) are to be forwarded to Risk Management within one business day following the accident.

4.10D(3) In addition to the employee's written accident report, the Department Head is required to forward to Risk Management within three days of the accident the following information:

- The FR10 or other law enforcement accident report;
- Photographs of the vehicle or property involved (if available); and
- Any additional information pertinent to the accident or an investigation of the accident.

4.10D(4) Immediately following any accident, the Department Head is to ensure that each employee involved in the accident reports to a designated physician or medical facility for drug and alcohol testing. If test results are positive, the employee will be terminated from employment and removed from the County payroll. If an employee does not report for a drug and alcohol test within a twenty-four hour period, he is to be removed from the County payroll.

4.10D(5) Vehicle Collision Review Board Procedure

4.10D(5)(a) Purpose: The Vehicle Collision Review Board (VCRB) is created to assist in determinations of the preventability of vehicle incidents involving county assets. The Board's goal is to determine procedures and methods which may reduce injury exposure for County staff members, the public, and public assets, including findings of fault and recommendations of action to be taken, aimed at minimizing the loss of County resources due to vehicle incidents.

4.10D(5)(b) Composition, Appointment and Terms:

4.10D(5)(b)(i) VCRB members serve for terms of two (2) years, except that the members appointed initially are appointed so that their terms will be staggered, and approximately one-half of the terms expire annually. No member shall serve for more than two (2) consecutive terms. All members to be selected shall be currently employed as a regular, full time employee, one (1) representative from each of the following departments:

Planning and Building Department
EMS
Emergency Management Department
Public Works
Recreation

Magistrate

*Sheriff Office

* applies only when participating officially with jurisdiction, at the Sheriff's direction

4.10D(5)(b)(ii) An announcement of vacancies will be forwarded to each of the official heads of the above-named offices, who shall solicit interest from their staff in the form of letters of interest. The directors/officials shall submit all letters of interest and their recommendation to the Risk Manager, who will review and compile the listing and recommendations and confer with the County Administrator. The County Administrator will appoint the Board members from the applicants after consultation with the recommending officials, repeating the entire process as necessary to maintain appropriate membership.

4.10D(5)(b)(iii) Department designees having any probable conflict of interest and/or employed in the same department as the primary staff member involved cannot participate in a VCRB hearing.

4.10D(5)(c) Officers:

4.10D(5)(c)(i) The Board shall select its own chairman from among its members annually. The Board shall also select a co-chairman to serve in the absence of the chairman. The chairman serves as the presiding officer at all hearings which he attends. A quorum consists of four (4) members and no hearings may be held without a quorum present.

4.10D(5)(c)(ii) The Risk Manager shall act as a non-voting member of the VCRB and shall present the facts of the incident being reviewed, though he is authorized to cast a vote to break a tie vote on any issue. Members shall vote on the record as to any recommendation or decision of the Board.

4.10D(5)(d) Authority:

The Vehicle Collision Review Board is empowered to:

4.10D(5)(d)(i) Review incidents involving county vehicles, heavy equipment, and any wheeled or powered conveyance (hereinafter collectively referred to as "vehicle") to make a determination of the preventability of the incident based on the available information and research. The National Safety Council's "Guide for Determining Preventability of Motor Vehicle Accidents" will be utilized as a basis for determining potential preventability. Factors to be considered include: probable preventability of the incident, nature of the incident, number of incidents by the driver, past performance of the driver, and any other relevant information before the Board.

4.10D(5)(d)(ii) Notify the driver in writing of the VCRB findings and recommend to the department head corrective action to reduce the probability of recurrence. The Board's recommendations may also include action regarding a staff member whose behavior adversely affects the safe operation of county owned vehicles/equipment.

4.10D(5)(e) Hearings:

4.10D(5)(e)(i) The VCRB shall meet as soon as possible upon report of an incident in which a staff member is involved. However, pending litigation may delay final review of an incident by the VCRB until judicial decisions are final and available to the Board. Hearings shall be called by the Risk Manager, who will forward all pertinent information relating to the incident to the members of the VCRB as confidential material. Hearings may go into executive session in accordance with state law by vote of the Board. A quorum consists of four (4) members and no hearings may be held or decisions made without a quorum present. Additionally, all votes/decisions of the Board shall require the affirmative vote in open session of four (4) members present to pass.

4.10D(5)(e)(ii) A staff member who has been involved in an incident that has been scheduled to be reviewed by the VCRB is expected to be present at the hearing. If the staff member is not present at the required date and time, the hearing will proceed in their absence and the staff member may forfeit his right to an appeal.

4.10D(5)(f) Penalties for Driving Violations:

4.10D(5)(f)(i) A staff member that the VCRB determines to be at fault as the operator in an incident involving a publicly owned vehicle may be responsible for payment of 10% or a \$200.00 minimum of applicable costs not to exceed \$500.00.

4.10D(5)(f)(ii) A staff member whose actions have been determined as willful may have all damages assessed at full cost.

4.10D(5)(f)(iii) A staff member who is found to have contributed to an incident in a County vehicle (a "no-fault" report included), also may be responsible for payment of a portion of the County's deductible not to exceed \$250.00.

4.10D(5)(f)(iv) If there is no damage to a County vehicle, the staff member may be liable for the repair cost of the other vehicle or fixture in an amount not to exceed \$500.00.

4.10D(5)(f)(v) Any staff member found to be at fault may be required to complete an eight (8) hour defensive driving class. The staff member also may be required to contribute to and/or pay the cost of the class up to \$250.00.

4.10D(5)(f)(vi) A staff member found to be at fault and assessed fines/costs may arrange payments by means of payroll deduction in as few pay periods as possible, preferably ten (10) pay periods or less. If employment is terminated before the amount of responsibility is satisfied, the remaining balance will be deducted from the final paycheck and/or subject to set-off debt collection.

4.10D(5)(f)(vii) Other Penalties: The VCRB may recommend appropriate action based on the individual circumstances of an incident. More specific actions may be recommended relative to the amount of injury and/or damage – or the potential for such. A staff member involved in repeat incidents within a three year period may have County driving privileges suspended and/or be assessed fines/costs up to \$1200.00. Action may result for any County staff member not wearing a seatbelt while operating a County vehicle pursuant to Section 15.3A(52) of the Florence County Personnel Policy Manual.

4.10D(5)(g) Findings:

The Risk Manager shall present the Board's documented findings and recommendations to the director/official, Human Resources Director for inclusion in the staff member's personnel file, and the County Administrator. The director/official will be responsible for reviewing the recommendations and taking appropriate corrective action, notifying in writing the VCRB via the Risk Manager, the Human Resources Director, and the County Administrator of their decision/action regarding the recommendations within five (5) working days of receipt of the recommendations.

4.10D(5)(h) Appeal to Administrator:

If dissatisfied with the decision of the Department Director/Official, the staff member who participated in the VCRB hearing process may request in writing to the Risk Manager for an appeal to the County Administrator or, in the case of elected officials' staff, said official. Elected officials can hear the appeal of any of their staff members in such manner as they determine to be appropriate. In the case of the County Administrator for other staff members, the Risk Manager shall inform the County Administrator who shall review the case and make a final decision within five (5) work days.

4.10E Safety and Accident Prevention

4.10E(1) The goal of Florence County's Safety and Accident Prevention Program is to reduce accidents and injuries involving County employees, equipment and property; to realize savings through loss control procedures; and to maintain appropriate safety and health standards.

4.10E(2) Operators are to utilize safety belts and equipment while operating any Florence County equipment.

4.10E(3) Safety practices in accordance with basic safety standards are to be implemented and continuously monitored, including but not limited to the following:

4.10E(3)(a) Exercising maximum care and good judgment at all times to prevent accidents and injuries; obeying safety rules and exercising caution in all work activities;

4.10E(3)(b) Reporting to supervisor and seeking first aid for all injuries, regardless of how minor;

4.10E(3)(c) Using County provided safety equipment at all times;

4.10E(3)(d) Observing conscientiously all safety rules and regulations at all times;

4.10E(3)(e) Notifying supervision before the beginning of the work day of any medication taken that may cause drowsiness or other side effects that could lead to injury;

4.10E(3)(f) Immediately reporting any unsafe conditions, equipment, or practices to supervision.

4.10F Policy for Use and Reservation of Pool Vehicle

4.10F(1) The "Pool" vehicle is available primarily on a first come – first served basis, but some priority will be given to out-of-County trips. Use of the pool vehicle is subject to all the requirements provided in those sections of the Personnel Policy relating to the operation of County vehicles. As is the case with all other County vehicles, no smoking is allowed in the "Pool" vehicle. Violations may result in use suspension.

4.10F(2) The procedure for reserving the pool vehicle is as follows:

4.10F(2)(a) A written request must be sent to Finance, at least one week, and no more than one month, in advance of the date the vehicle is needed.

4.10F(2)(b) The request must include the date, destination, length of time the vehicle will be needed, and a suggested arrangement for picking up the key and the vehicle.

4.10F(2)(c) Finance will schedule vehicle use, and each request will be answered in a timely manner.

4.10F(3) At the conclusion of the trip, the vehicle will be returned to its designated parking area, clean and with a full tank of gas. The keys must be returned promptly to the Finance Department.

4.10F(4) Should an accident occur while an employee other than one from Finance is in possession of the vehicle, that employee's Department Head will be responsible for providing the insurance deductible for any necessary repairs. The procedures for reporting accidents and for safety and accident prevention as provided hereinabove also apply to the pool vehicle.

5.0 RECRUITMENT AND SELECTION

5.1 RECRUITMENT

It is the established policy of Florence County to select the best-suited person for the task to be performed with appropriate attention to such factors as:

- Previous work experience
- Education and training background
- Demonstrated skills and abilities

- Demonstrated reliability, honesty and integrity

5.2 RECRUITMENT PROCEDURE

5.2A Personnel Requisition

When a position becomes vacant, the Department Head completes a Request to Fill A Vacant Position Form and submits it to Human Resources. The request identifies the position to be filled and provides all other pertinent information that Human Resources may require for recruitment purposes. No position will be refilled until the position request form is received and available funds for the fiscal year are confirmed.

5.2B Internal Posting of Vacancies

The County generally considers applications from persons currently employed before applications from the public are considered. A notice will be posted for each vacancy that occurs in the County work force stating the position, the minimum training and experience requirements, the salary range, and how and when to apply. The posting will remain open for at least one week, and applications from interested County employees are to be submitted to Human Resources. When the posting period has closed, the applications will be forwarded to the Department Head for consideration. If the Department Head does not select a candidate from the pool of internal applicants, the Department Head may submit a new request for Human Resources to advertise the position, known as an External Posting. At the request of the Department Head, vacancies may be posted internally only and restricted to qualified applicants from within the County employee work force. When so requested, Human Resources distributes through inter-department mail an announcement of the open position and its requirements to each department. The period for accepting applications is usually five (5) Florence County workdays following the date of posting.

5.2C External Posting of Vacancies

At the request of the Department Head, either following an unsuccessful internal posting or as soon as an eligible vacancy occurs, Human Resources will advertise a job vacancy externally. Publicity for outside recruitment purposes normally includes notification to ~~South Carolina Employment Security Commission~~ the South Carolina Department of Employment and Workforce (SCDEW) ~~and at least one newspaper or local circulation and newspaper(s) or website(s) as determined by Human Resources.~~ Where deemed appropriate, the Human Resources Director may also authorize national and state advertising in trade journals, newspapers, etc. and contacting educational and training institutions and job placement organizations. Human Resources will normally accept applications where they will be held until the application period closes. The period for accepting applications should be at least seven (7) Florence County workdays following the date of posting. The notification should provide basic information to the prospective applicant, such as job title, key qualifications, method of making application, and the closing date for applications where applicable.

5.2D Continuous Posting

Continuous Postings may be made for job classifications which demonstrate traditional shortages or high turnover.

5.3 SELECTION PROCEDURE

5.3A Applications

Normally all candidates for Florence County positions will apply through Human Resources at the Department of Employment and Workforce, completing an Employment Application, or through any other resources Human Resources may determine.

5.3B Preliminary Screening

If requested, Human Resources identifies the applicants who do not meet the minimum training and experience requirements before forwarding the remaining applications to the appropriate Department Head for further consideration.

5.3C Department Application Screening

The Department Head reviews the applications selecting the candidates to be interviewed based on such factors as education, prior job experience, skill levels, certifications, etc. If, in the opinion of the Department Head, the selection process should be continued, he may request that Human Resources post the vacancy again.

5.3D Interview

5.3D(1) A Department Head may choose to conduct the interviews or he may establish an interview committee made up of other County staff members. A formal interview process with specific questions and/or test procedures common to each interviewee allows the best comparison of the candidates under like circumstances. The Department Head may elect to narrow his choices down to the top two or three candidates and conduct repeat interviews before making a final decision.

5.3D(2) Human Resources is available to assist Department Heads in formulating interview questions and procedures.

5.3E Reference Checks

5.3E(1) As part of the process of attempting to identify the most promising applicants, the Department Head conducts reference checks including telephone calls or personal contacts with previous employers of the applicant. The applicant's present or immediate supervisor may be contacted, if the applicant provides consent. Normally references are checked after the Department Head has narrowed his choice to the top two or three candidates.

5.3E(2) Candidates may be required to provide written verification of required job skills. Such verifications may include, but are not limited to, a certified copy of the candidate's driving record, which is deemed satisfactory by the Department Head, certification of course work completed, or any other certification or licensure required to perform the job duties. Typing and other tests may be administered.

5.3F Background Checks

Human Resources conducts criminal background checks for all full-time hires. The Sheriff's Department conducts criminal background checks for all law enforcement positions. For positions within the Emergency Management Division and the Solicitor's Office, the respective departments will conduct the criminal background check. If a position is also required to handle money, has budgetary authority, and/or has access to confidential information, Human Resources will conduct a consumer credit check. The County Administrator may, as deemed necessary, authorize any additional checks on final candidates for any other position. Each applicant must complete the appropriate release form at the time of application for employment authorizing release of background information.

5.3G Decision to Initiate Hire

5.3G(1) When all interviews, reference checks, and any applicable background checks are concluded, all required written certifications have been provided, and the selection has been made, the Department Head completes a Personnel Action Request form (PAR) and makes a conditional offer of employment. The selected candidate and the Department Head must each sign the PAR form. The PAR form and all accompanying paperwork, including the application, driving record where required, certifications, etc., must be submitted to Human Resources for review and approval by the County Administrator, Human Resources, and Finance. No new hire will be added to Florence County's payroll without an approved PAR form and documentation of a negative drug test.

5.3G(2) In the case of officials appointed by a Board or other such body, the Chairman of the Board must sign the PAR as the Department Head and a copy of the official minutes recording the majority vote of the hiring body or official resolution of the body must be attached to the PAR. This paperwork along with all other necessary documents including the application, driving record where required, certifications, etc. must be submitted to Human Resources for review by the County Administrator, Human Resources, and Finance before any change to the county's payroll. No new hire will be added to Florence County's payroll without an approved PAR form.

5.4 CONDITIONAL OFFER OF EMPLOYMENT

5.4A A conditional offer of employment and placement on the County payroll is made when all interviews, reference checks, drug tests and any applicable background checks are concluded; all required written certifications have been provided; and the selection has been made by the Department Head or other appointing authority.

5.4B When the conditional offer is made, both the Department Head and the selected candidate must sign the PAR form. The offer is contingent upon complete execution by all signatories of the submitted PAR as described in paragraph 5.3G above. The selected applicant, therefore, is not guaranteed that he will be placed on the County's payroll at this point, and should not make any changes in his circumstances.

5.5 FINAL OFFER OF EMPLOYMENT

After approval of the conditional offer of employment, indicated by the signatures of the Department Head, County Administrator, Human Resources Director, and Finance Director on the PAR Form,

the Department Head must provide the selected candidate with a copy of the form and confirm the new employee's start date as recorded on the PAR. The approved candidate can then be placed on the County's payroll.

6.0 EMPLOYEE RECORDS

6.1 PERSONNEL RECORDS

6.1A Human Resources maintains the official personnel records for all Florence County employees in accordance with state and federal regulations.

6.1B Medical and related records, i.e., Workers Compensation reports, etc., are to be maintained in a file separate and apart from the regular personnel files.

6.2 ACCESS TO PERSONNEL FILES

6.2A Personnel files are to be protected from any access by persons other than:

- 1) A quorum of Florence County Council Members properly convened
- 2) The County Administrator
- 3) Personnel or Human Resources employees
- 4) The Employee's Department Head and Supervisor(s)
- 5) The Employee
- 6) The Grievance Committee, as appropriate
- 7) Otherwise required by law.

6.2B Requests to review personnel files must be made in writing to Human Resources. All records are confidential and will be reviewed in the presence of Human Resources or other designee of the County Administrator during normal working hours or other scheduled time. Records may not be removed from the designated County office for any reason.

6.3 PERSONAL INQUIRY

6.3A A Department Head, County Administrator, or designee, may respond to public inquiry concerning employees and former employees. It is the policy of Florence County to respond to such inquiries as follows:

6.3A(1) Phone Inquiries - Confirmation of only the information provided by the inquirer; i.e., name, dates of employment, and position title.

6.3A(2) Florence County releases only verifiable, statistical information, and any request for such information must be accompanied by an original, legal release signed by the employee involved.

6.3A(3) Written Requests - When a signed release from the employee is provided, the only information that can be provided is that which can be verified: name, address, phone number, dates of employment, position title, and/or salary/wages for a requested period of time. Such requests come, for example, from mortgage providers, other lending institutions, or from state agencies such as EEOC, Human Affairs, Department of Social Services, etc., and only Human Resources processes all such requests based on official personnel files.

6.3A(4) FAX Requests - When a signed release from the employee and recipient information is provided, Human Resources will release salary/wages information on employees by way of facsimile machine.

6.4 PERSONNEL DATA CHANGES AND TRANSACTIONS

6.4A Each employee is responsible for advising his supervisor, Department Head, and Human Resources (as appropriate) of any changes in personnel data. Mailing addresses, telephone numbers, the number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, marital status, beneficiary changes, and other such information should be accurate and current at all times.

6.4B All appointments, authorized salary increases, promotions, employee evaluations, demotions, dismissals, suspensions and other personnel transactions are to be made in writing on a Personnel Action Request form. The PAR form will be forwarded to Human Resources with all backup information required by the County Administrator and is part of the employee's personnel file.

6.4C All counseling and disciplinary action notices, evaluations, awards, certifications, commendations, etc. are to be forwarded to Human Resources for inclusion in the employee's personnel file.

6.5 ATTENDANCE RECORDS

The Human Resources department maintains an attendance record for each employee. This record reflects all absences including sick leave, vacation leave, civil leave, military leave, leave without pay, Family and Medical Leave Act leave, and is balanced no less than once each year. An employee's record is available to the employee for inspection upon request by the employee.

The Department Head for each department is responsible for the bi-weekly submission of an accurate time and attendance record for his department(s). The report is to appropriately designate all work and leave hours. This report is to be submitted to Human Resources by 10:00 a.m. each Monday immediately after the pay period ends.

7.0 EMPLOYMENT STATUS

7.1 TYPES OF APPOINTMENTS

7.1A Introductory Appointment

New employees must serve an introductory period of six (6) months before they will be considered regular employees. The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance. Florence County uses this period to evaluate employee capabilities, work habits, and overall performance.

7.1B Regular Appointment:

An employee who successfully completes his initial six (6) month introductory period in a position classified as regular full or part time is normally granted regular status on that date.

7.1C Seasonal Appointment:

A seasonal employee is an employee who is hired to work for a limited period of time or to work on a particular project or projects. The employee's pay is limited to the actual hours worked. The employee will receive all legally mandated benefits (such as social security and workers' compensation insurance coverage). The seasonal employee is ineligible for Florence County's other leave and fringe benefit programs.

7.1D Re-Call

Any employee who is laid off after achieving regular status can be recalled within six (6) months after the effective date of the layoff into any vacant position for which he or she qualifies without having to go through the normal recruitment and selection process. Preference will be given to any laid off employee who had previously completed his initial probationary period if the employee meets the minimum training and experience requirements for the vacant position. The County Administrator will determine the laid off employee's interest and suitability for the vacancy and whether to authorize a recall. A recalled employee will retain his original date of hire. Accrued and unused benefits will be reinstated.

7.2 TYPES OF EMPLOYMENT STATUS

7.2A Florence County has five (5) established types of employment status:

7.2A(1) Regular Full-Time - Any employee who has completed the six-month introductory period and who is regularly scheduled and budgeted to work a minimum of 37.5 hours or more per week (or the equivalent for law enforcement, central communications or emergency medical services) is to be considered regular full time and will be eligible for all leaves, fringe benefits and programs.

7.2A(2) Regular Part-Time - Any employee who has completed the six-month introductory period and who is scheduled to work less than 37.5 hours per week, for a scheduled number of hours a day and a scheduled number of days a week will be considered regular part-time. Part-time employees, who work twenty hours per week or more, may be eligible for benefits on a pro-rated basis, as determined by the County Administrator. Health insurance for 30 or more hours per week is subject to Council approval and/or budgetary appropriations.

7.2A(3) Temporary Full-Time - A temporary full-time employee will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter of law (such as social security and workers' compensation insurance coverage). Temporary employees are paid only for hours worked.

7.2A(4) Temporary Part-Time - A temporary part-time employee will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter

of law (such as social security and workers' compensation insurance coverage). Temporary part-time employees are paid only for hours worked.

7.2A(5) PRN or Variable Time – Any employee who is scheduled to work variable shifts/work days with no guaranteed hours and no guaranteed time period will be considered a PRN or Variable Time employee. PRN or Variable Time employees will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter of law (such as social security and workers' compensation insurance coverage). These employees are paid only for actual hours worked.

7.3 VOLUNTEER SERVICE

7.3A No Florence County employee (regular, part-time, temporary, etc.) can volunteer (non-paid or compensated time) for Florence County in the same, a substantially similar, or a potentially substantially similar capacity as that for which he is employed (compensated) by Florence County unless the County Council has appropriated funds for the potential work and the Department Head and the County Administrator have approved the work program.

7.4 POSITION CLASSIFICATION

7.4A All Florence County employees will be classified as hourly/non-exempt or salaried/exempt in accordance with the criteria set forth by applicable federal law.

7.4A(1) Hourly/FLSA-Non-Exempt Status (H): Employees who are classified as non-exempt are required to be paid overtime, or are awarded compensatory leave hours, in accordance with the criteria set forth by applicable federal law. All employees, other than those meeting special criteria for overtime, i.e. certified law enforcement officers, are to be compensated accordingly for all hours worked over 40 in a designated work week. Certified law enforcement officers are to be compensated according to applicable County or federal law.

7.4A(2) Salary/FLSA-Exempt Status (S): Employees who are classified as exempt will be paid a fixed salary for a defined period of time, i.e., weekly, bi-weekly, monthly or annually. Employees may be classified as exempt if their assigned duties and responsibilities meet the criteria set forth by applicable federal law.

7.4A(3) Budget – Designated Exempt Employees (E): Employees in this classification do not accrue any leaves, compensatory time or other paid leave benefits, and do not complete timesheets. They are normally entitled to health and dental insurance under the County's plans in accordance with the plan administrator's policies. Elected and appointed officials serving as incumbents as of the effective date of this policy who are authorized to accrue leaves will continue to accrue leaves the same as Salaried Officials (7.4A(2)), until such time as they are not reappointed/elected. Officials elected or appointed after the effective date of this policy or after a break in service are not eligible to accrue leaves. County employees, that later become elected or appointed, are not eligible to accrue leaves. For purposes of this policy, appointed officials designated by the County Council include the Veterans Affairs Officer and the Voter Registration and Elections Director.

8.0 EMPLOYEE CHANGE OF STATUS

8.1 PROMOTION

8.1A Supervisors should anticipate retirements and turnover and should recruit and train employees to assume greater responsibilities. In filling vacancies, effort should be made to promote or transfer qualified employees from within Florence County employment, when it mutually benefits Florence County and the employee.

8.1B Any employee may apply for promotional consideration. Supervisors are not to interview applicants, internal or external, who do not meet the job performance needs. Where two or more qualified Florence County employees are competitive and considered for a position, the following factors may be considered:

- Job performance and previous evaluations
- Knowledge, training, ability, skill and efficiency
- Attendance record
- Length of continuous service from the last date of hire.

8.1C Promoted employees are to serve an evaluation period of six (6) months in their new position. If the employee does not meet required standards of performance during the six-month evaluation period, the employee may be considered for restoration to the position from which he or she was promoted if available, or to a comparable position if available. If the same or a comparable position is not available, the employee may be given consideration for any Florence County vacancies for which the employee is qualified and competitive. In the event no vacancies for which the employee is qualified and accepted are available, the employee will be removed from the payroll. Such employees may be eligible to re-apply for employment subject to the specific circumstances of the removal from the payroll, whether it was with or without status.

8.2 DEMOTION

8.2A Voluntary Demotion.

Employees, for various reasons, may request a demotion within their department or by transfer to another department. Voluntary demotions are to be requested in writing by the employee and are subject to approval by the County Administrator.

8.2B Involuntary Demotion.

8.2B(1) Any employee whose work in his present position is unsatisfactory, but who offers significant promise of becoming a satisfactory employee, may be demoted by the County Administrator.

8.2B(2) In the event that a position is abolished and an employee is considered for demotion to a lower paying position, the PAR should indicate that the demotion action is due to appropriations or other actions as appropriate.

8.2B(3) The employee's pay will be reduced to the same level in the new grade, in comparison to the previous pay grade (i.e. 5% above the entry level).

8.2B(4) Demoted employees are to serve an evaluation period of six (6) months in their demoted capacity. If the employee's service is unsatisfactory, the employee will be terminated.

8.2C In the case of any demotion, the employee will be paid not less than the minimum rate applicable to the particular position to which he is demoted. Assignments may change from time to time for various reasons and, therefore, an employee's wage rate may also change according to assignment.

8.3 LATERAL TRANSFER

Employees may apply and compete for a lateral transfer in the same manner as they would for any other open position.

9.0 COMPENSATION AND CLASSIFICATION PLAN (COMP & CLASS PLAN)

9.1 PURPOSE

9.1A The plan is structured to provide equal pay for equal work and to provide a pay range for each class of positions which will enable Florence County to recruit and retain qualified employees.

9.1B The County has the compensation and classification plan revised and reviewed as needed to reflect budgetary and economic changes as well as staffing needs.

9.2 ADMINISTRATION OF THE COMPENSATION & CLASSIFICATION PLAN

The primary responsibility for day-to-day administration of the Compensation & Classification Plan rests with the County Administrator. The County Administrator is charged with ensuring that the Plan accurately reflects the duties assigned to each position, the grade to which each position is allocated, and the equitability of the wage/salary ranges for each grade and of the overall wage/salary structure. The County Administrator should periodically recommend review by an independent consultant of the entire Compensation and Classification Plan in order to bring any appropriate changes to Council for consideration.

9.3 CLASSIFICATION PORTION OF THE COMP & CLASS PLAN

9.3A The purpose of the Classification portion of the Comp & Class Plan is to provide a uniform, objective, and equitable system for classifying all positions in Florence County; to establish proper relationships (parity) between positions on the basis of difficulty of duties, levels of responsibilities, and minimum qualifications; and to group positions into classes which can be similarly compensated based upon relative value, similarities of duties, responsibilities, level of work performed, and minimum qualifications.

9.3B The Classification portion provides official position titles, category designation, and written job descriptions for each position. Official position titles with category designations must be used in all personnel, financial accounting, budget, and appropriate records. No person should be appointed to or employed in a position under a title not included in the classification plan.

9.3C New positions are established as follows:

9.3C(1) The Department Head submits two copies of a Position Questionnaire or a written, comprehensive description of the duties of such position to Human Resources.

9.3C(2) Requests are normally accepted only during the budget process. Submissions must be received in Human Resources before December 31st.

9.3C(3) The Human Resources Director reviews the position information with the Finance Director and assigns a pay grade subject to the County Administrator's approval.

9.3C(4) Human Resources notifies the Department Head of results of the evaluation.

9.3C(5) Only County Council can authorize a permanent, new position on the county payroll when additional funding is required in current or future budget years.

9.3D Reclassification of Existing Position

9.3D(1) An existing position may be reclassified as a result of the natural change in the duties and responsibilities; a redistribution of work assignments which significantly alters the duties and assignments of a position; or a revision of position specifications to more accurately reflect levels of work performed. Moving a position to a new classification and abolishing any existing classification can only be authorized by County Council.

9.3D(2) The procedure for position reclassification is as follows:

9.3D(2)(a) The Department Head submits two copies of a Position Questionnaire or a written, comprehensive description of the duties of the position to Human Resources. Such requests occur only when changes in duties and responsibilities are of a permanent nature. The request is not to be based on the performance of the individual holding the job, but upon the requirements, duties, and responsibilities of the job.

9.3D(2)(b) Normally reclassifications occur only during the budget process. Submissions must be received in Human Resources by December 31st.

9.3D(2)(c) The Human Resources Director reviews the position information with the Finance Director and assigns a pay grade subject to the County Administrator's approval.

9.3D(2)(d) Human Resources notifies the Department Head of the results of the evaluation.

9.3D(2)(e) County Council will consider the reclassification during their budget deliberations.

9.3D(2)(f) The County Administrator may initiate the reclassification process as required by the needs of the County and as realigned responsibilities require.

9.3E Types of Reclassification include:

9.3E(1) Upgrade: An upward reclassification (upgrade) occurs when an action is requested which provides that a position is moved from one classification to another classification where the latter has a higher minimum salary.

9.3E(2) Downgrade: A downward reclassification (downgrade) occurs when an action is requested which provides that a position is moved from one classification to another classification where the latter has a lower minimum salary.

9.4 COMPENSATION PORTION OF COMPENSATION & CLASSIFICATION PLAN

9.4A The Compensation portion of the Compensation & Classification Plan is designed and established to provide a uniform, objective, and equitable system for compensating employees; to provide comparable rates of pay for comparable work; and to provide for rules and regulations ensuring a uniform system of administration, i.e., equal pay for equal work.

9.4B The Compensation portion of the Plan consists of a schedule of pay grades with established wage and salary ranges as follows:

9.4B(1) Minimum Wage/Salary: The minimum of the pay range represents the minimum wage/salary that Florence County pays for an individual whose combination of related prior education, training and experience meets the minimum qualification requirements as specified in Florence County's approved job description.

9.4B(2) Mid-Point Wage/Salary: The mid-point of the pay range represents the marketplace competitive wage/salary necessary to retain a fully experienced and capable employee whose performance is consistently meeting expectations.

9.4B(3) Maximum Wage/Salary: The maximum of the pay range represents the maximum wage/salary at which the position is valued to the organization and represents the wage/salary of an employee whose performance consistently exceeds performance standards and expectations.

9.4C A Department Head is to complete a Personnel Action Request (PAR) form and submit it to Human Resources for any change to be made to an employee's status within the Compensation & Classification Plan, whether to rate of pay, position, hourly/salary category, etc. No changes to an employee's payroll status can be made without an approved PAR form executed by all signatories required by the County Administrator.

9.5 STARTING RATES OF PAY

9.5A The minimum salary of the established pay grade for a position is considered the normal appointment salary for positions in Florence County. Applicants who completed the Teacher and Employee Retirement Incentive (TERI) program and applicants who retired (receiving a retirement benefit) from Florence County or any other South Carolina Retirement System (SCRS) covered employer are hired at the minimum entry level for regular positions. Appointments below or above the minimum of the established pay grade may be authorized as follows:

9.5A(1) Above the Minimum: If an applicant's training and experience or other qualifications are directly related to and substantially exceed the minimum requirement of the position, the County Administrator may approve a salary exception. Generally, new hires do not exceed 10% above entry level. The County Administrator may consider an appointment above 10% that is budget neutral excluding those conditions noted in paragraph 9.5A.

9.5A(2) Below the Minimum: If an applicant's training and experience does not meet the minimum qualifications, the County Administrator may hire the applicant as a "Trainee" at a rate of pay below the minimum of the pay range until the "Trainee" meets the minimum qualifications established for the position. Trainee appointments do not normally exceed twelve (12) months in duration.

9.5A(3) Certification Pay:

- (a) Employees hired in or promoted to a position requiring the completion of the South Carolina Criminal Justice Academy (SCCJA) are to be paid at fourteen percent (14%) below the entry level of the pay grade. The employee will be hired into a training status unless and until he has attained the appropriate certification.
- (b) Law Enforcement, Detention, and Environmental Services personnel are required to attend the SCCJA. Upon successful completion of the course of study and certification by the SCCJA, the employee will receive an increase in pay to the entry level of the respective position.
- (c) Law Enforcement, Detention, and Environmental Services personnel in training status may receive a seven percent (7%) increase in pay after six (6) months, at the discretion of the respective Department Director, if they have not received the required SCCJA certification. The employee must achieve a performance evaluation rating of "Meets Expectations" and the performance appraisal must be submitted to the Human Resources Department for processing.
- (d) There are other forms of certification that may be required for positions in the County; however, these other forms of certification do not allow for an automatic pay increase.

9.5A(4) Training Status:

- (a) Emergency Medical Services personnel who are hired into a position with the EMT-Basic certification are to be paid at thirty-five (35%) percent below the entry level of the pay grade until he has attained the EMT-Paramedic certification. Upon successful completion of the certification, the employee will receive an increase in pay to the entry level of the respective position.
- (b) Emergency Medical Services personnel who are hired into a position with the EMT-Intermediate certification are to be paid at thirty (30%) below the entry level of the pay grade until he has attained the EMT-Paramedic certification. Upon successful completion of the certification, the employee will receive an increase in pay to the entry level of the respective position.

9.6 CHANGE IN EMPLOYEE STATUS

9.6A Promotion

With the approval of the County Administrator, the salary of an employee who is promoted may be set at a rate within the new pay grade which results in a pay increase in accordance with job responsibility. Promotional increases are normally made to 5% above the minimum of the new pay grade range or 5% above the employee's current rate of pay whichever is greater. The County Administrator may consider an appointment above 5% that is budget neutral. The promoted employee will be placed in an evaluation period of six (6) months.

9.6B Voluntary Demotion

With the approval of the County Administrator, the salary of an employee voluntarily demoted may be adjusted in accordance with job responsibility. In no event will the new salary be in excess of the current salary of the demoted employee. The demoted employee will be placed in an evaluation period of six (6) months. An employee who accepts a voluntary demotion and later returns to his former position within a period of six (6) months may be considered for reinstatement at the same pay he was receiving at the time of the demotion with the approval of the County Administrator.

9.6C Involuntary Demotion

The salary of an employee who is involuntarily demoted will normally be adjusted to a lower salary in the new grade as it relates to the employee's former salary; but, in no event will the new salary be in excess of the prior salary of the demoted employee. The new salary of the demoted employee will not exceed the maximum of the new grade. The employee so demoted is to be placed in an evaluation period of six months.

9.6D Reclassification

The salary of an employee, whose current position is reclassified and allocated to a lower grade by County Council, is normally calculated within the range of the new grade based on the percentage of his current salary above the minimum for the current position. For example, subsequent to Council approval of the reclassification, the County Administrator may provide that an employee paid at the midpoint (50% above the minimum) in his current grade will be paid at the midpoint of the new grade range. An employee whose position is reclassified and allocated to a higher grade by the County Council is normally eligible for 5% above the minimum of the new pay grade range or 5% above the employee's current rate of pay, whichever is greater. The County Administrator may consider an appointment above 5% and other reclassifications that are budget neutral for the current and future fiscal years.

9.7 WORKING OUT OF CLASSIFICATION

9.7A Higher Classification

9.7A(1) If an employee is temporarily assigned to work in a position with a higher pay grade designation for fifteen (15) calendar days or less, there will be no change in the employee's salary. If the employee works more than fifteen (15) calendar days, the employee may receive a pay increase to the minimum rate of the higher classification or 5% above his current salary, whichever is greater. This rate change would be retroactive to the date of the position assignment. When the temporary assignment is concluded, the

employee reverts back to his salary prior to the assignment. Temporary assignments will normally not exceed six (6) months.

9.7B Lower Classification

9.7B(1) If an employee is assigned to work temporarily in a position with a lower pay grade, the employee's hourly rate normally will not be reduced during the assignment. If the temporary assignment exceeds thirty (30) calendar days, the County Administrator will review the needs of that operational unit. Any such assignment must be approved by the County Administrator.

9.8 WAGES DURING DAYLIGHT SAVINGS TIME TRANSITION

9.8A Non-exempt employees who are scheduled to work a shift when daylight savings time goes into effect (2:00 A.M.) will be paid as follows:

9.8A(1) Spring: An employee may work one (1) hour less on that scheduled shift. Affected employees will not have this hour deducted from their time and will be paid accordingly for that hour and other hours worked on that shift.

9.8A(2) Fall: An employee may work one (1) hour more on that scheduled shift. Affected employees will have this hour considered as hours worked and will be paid accordingly for that hour and other hours worked on that shift.

9.9 SALARY PROGRESSION

9.9A Merit System

In those years in which the County Council funds merit increases, procedures will be outlined in the budget ordinance or as established by the Council.

9.9B General Pay Adjustment

Florence County may, from time to time, approve a general pay adjustment for designated employees.

9.9C Across the Board Adjustment (ABA)

Florence County may approve an Across the Board Adjustment to the Compensation and Classification Plan's wage/salary schedule. The minimum, midpoint and maximum wage/salary for each grade level would be increased by the approved ABA percentage. Such ABA applies to Elected/Appointed/Exempt positions as directed by County Council.

9.10 ESTABLISHMENT AND MAINTENANCE OF ANNIVERSARY DATE

9.10A For benefits not based on position longevity or other factors specifically noted elsewhere within this policy, the anniversary date of the employee will be the date of commencement of regular full-time or part-time employment with Florence County.

9.10B No employee will have days deducted, or an anniversary date advanced, for National Guard duty or military leave except in compliance with federal law affecting said leave.

9.11 BREAK-IN-SERVICE

An employee experiences a break-in-service when the employee separates from Florence County service. Exception – Employees who participate in the Teachers and Employees Retirement Incentive (TERI) program are considered to have a break-in-service when they enroll in the TERI program.

9.12 LEAVE ACCRUAL DATE

9.12A An employee's annual leave accrual rate is based on the employee's date of commencement of regular full-time or part-time employment with Florence County.

9.12B If an employee experiences a break-in-service after being employed with Florence County for five (5) years or more and the employee becomes re-employed with Florence County for five (5) years or more, the employee's annual leave accrual rate is adjusted to reflect the total County service.

9.12C Retirees, TERI participants and employees that leave employment without status are ineligible for an adjustment to their annual leave accrual rate for prior service when re-employed with Florence County.

10.0 WAGES AND HOURS

10.1 OVERTIME

10.1A When operating requirements or other needs cannot be met during regular working hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments should be provided. All overtime work must receive the Department Head's or the County Administrator's prior authorization. Overtime assignments should be distributed among all employees qualified to perform the required work. Supervisors, Department Heads and the County Administrator are responsible for ensuring that no unauthorized overtime hours are worked.

10.1B Overtime worked by non-exempt employees will be compensated by pay or compensatory leave (See 10.3) provided such determination is made by the Department Head prior to the performance of the overtime work and subject to budgetary appropriation, County policy, and State and Federal regulations.

10.2 PAID OVERTIME COMPENSATION

10.2A Overtime will be compensated to all non-exempt hourly employees in accordance with applicable federal and state wage and hour regulations subject to budgetary appropriations and County policy. Overtime must be approved by an employee's supervisor or Department Head before it is performed.

10.2B Overtime is based on actual hours worked. All paid leaves, i.e., vacation leave, sick leave, holidays or any other paid leave of absence, are not considered hours worked for purposes of performing overtime calculations

10.2C All non-exempt employees, except certified Law Enforcement personnel will be compensated for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week.

10.2D Eligible certified Law Enforcement personnel will be compensated for overtime at time-and-one-half for all hours worked over 84 in a fourteen (14) calendar day pay period.

10.3 ACCRUED COMPENSATORY LEAVE TIME

10.3A Compensatory Leave time may be accrued by all eligible non-exempt hourly employees in accordance with applicable federal regulations.

10.3B All non-exempt employees, except certified Law Enforcement personnel may accrue Compensatory Leave time for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week, with total hours accrued not to exceed 240 hours in accordance with applicable federal laws. The limit for maximum number of hours accrued may be decreased at the discretion of the County Administrator. All authorized overtime hours worked above the applicable federal law or Administrator established limit will be paid at time-and-one-half.

10.3C Eligible certified Law Enforcement personnel may accrue Compensatory Leave time at time-and-one-half for all hours worked over 84 in a fourteen (14) calendar day pay period, with total hours accrued not to exceed 480. The limit for maximum number of hours accrued may be decreased at the discretion of the County Administrator. All authorized overtime hours worked above the applicable federal law or Administrator established limit will be paid at time-and-one-half.

10.4 TIMEKEEPING

10.4A Accurately recording time worked is the responsibility of every employee. Federal and state laws require Florence County to keep an accurate record of time worked each day in order to calculate employee pay and benefits. Time worked is all the time actually spent performing assigned duties.

10.4B All employees are to accurately record time actually worked in each workday. Employees are to record to the minute without rounding the actual time started, actual time stopped, beginning and ending times of any split shift, beginning and ending times of each meal period, and beginning and ending times of any departure from work for personal reasons. This information is to appear on the employee's individual time sheet. The Department Head is to record time on the department Timesheet/Payroll Record converting minutes worked to the nearest quarter hour.

10.4C Employees are not to tamper, alter, or falsify time records, record time on another employee's time record, or misrepresent in any way the actual times worked.

10.4D Non-exempt (hourly) employees are to report to work no more than seven (7) minutes prior to their scheduled starting time and are to stay no more than seven (7) minutes after their scheduled stop time without express prior authorization from their Department Head.

10.4E Employees are to record actual time worked and sign their time record to certify the accuracy of all time recorded. The Department Head is to review the time record for accuracy of time worked and compliance with policies, completing the department's Timesheet/Payroll Record. The Department Head's signature on the time sheet indicates his certification of accuracy and compliance with all policies. All time sheets submitted for payroll processing are to have the signatures of the employee and his Department Head.

10.4F Hours of work are to be coordinated by the Department Head and the County Administrator to ensure the greatest service to the citizens of Florence County. Work schedules identifying the specific beginning and ending times of the work week and work period and the beginning and ending times of the work day are to be established by Department Heads.

10.4G Applicable federal law authorizes time "swaps" by certain emergency medical service and law enforcement employees. Time is to be recorded on Time Sheets as originally scheduled as though those hours were actually worked. Swap hours are not to appear on Time Sheets. Failure to report for an agreed upon swap may result in disciplinary action of the employee originally scheduled to work.

10.5 WORK SCHEDULES

10.5A The established work week for all employees is:

Start: 7:00 a.m. Saturday
-- seven calendar days --
Stop: 6:59 a.m. -- Saturday

10.5B Workday and Shift - Non-Shift Employees:

Florence County offices are open from 8:30 a.m. until 5:00 p.m., Monday through Friday. Regular full-time, non-shift employees and administrative Law Enforcement employees are scheduled to work seven and one-half (7.5) hours per work day. The County Administrator may approve alternate hours for seasonal requirements.

10.5C Workday and Shift - Shift Employees:

Certified Law Enforcement and Central Communications employees are typically scheduled to work twelve (12) hour shifts; and Emergency Medical Services employees are usually scheduled to work twenty-four (24) hour shifts.

10.6 PAYROLL

10.6A Florence County employees are paid on a bi-weekly basis through direct deposit on Fridays. Employees are required to provide bank routing and account information to Human Resources within one week of the date of hire so that payroll direct deposit can be processed with the bank of the employee's choosing. Payroll is processed and transferred according to the schedule required by the Federal Reserve. Posting times for banks vary and the County has no control over or responsibility for when a particular bank posts payroll to an individual account.

10.6B Failure to maintain a bank account and to provide notice to Human Resources of any changes can result in significant delays in receipt of pay.

10.6C The department Timesheet/Payroll Record, along with employee time sheets, are due in Human Resources by 10:00 a.m. on the Monday of each payroll week. On occasions where holidays fall during the pay week, Human Resources will notify Department Heads of any change required for the submission of transmittal sheets.

10.6D Questions regarding paychecks should be directed to immediate supervisors and Department Heads first.

10.6E Requests for duplicate copies of paychecks and W-2 Forms should be submitted to Human Resources in writing.

10.7 MEAL PERIODS

10.7A All regular full-time employees are to be provided an unpaid meal period of one (1) hour per day. The Department Head is to schedule a reasonable time during regularly scheduled work hours for employees for the purpose of eating their meal. Employees are expected to observe the schedule for taking their meal period and to return promptly to their workstation within the allotted time.

10.7B All non-exempt (hourly) employees are to leave their work station during their lunch hour as an hourly employee's lunch time which is subjected to interruption by work related telephone calls or customer questions may be considered work time.

10.8 PAY PERIOD

10.8A The established pay period for all employees is as follows:

Start: 7:00 a.m. Saturday
-- fourteen calendar days --
Stop: 6:59 a.m. -- Saturday

10.8B The payroll pay date, the date on which employee's pay is available to banks for posting to employee's accounts, is the Friday following the Friday pay period end. Payroll is processed and transferred according to the schedule required by the Federal Reserve. Posting times for banks vary, and the County has no control over or responsibility for when a particular bank posts payroll to an individual account.

10.8C For certified Law Enforcement personnel, overtime/compensatory leave accrual eligibility is based on the number of hours actually worked in the County's established fourteen (14) day pay period.

10.9 STANDARD LEAVE DAY

10.9A Florence County utilizes a standard leave day for holidays, bereavement leave, military leave, sick leave accrual, annual and sick leave carry over changes (after 2007), operational shut down leave, and emergency declarations and inclement weather leave. A standard leave day for a shift employee is proportionate to an eight (8) hour day for a 40-hour week non-shift employee.

10.9B Non-Shift Employees - For regular full-time, non-shift employees and administrative Law Enforcement employees scheduled to work seven and one-half (7.5) hours per work day, a standard leave day is seven and one-half (7.5) hours.

10.9C Exempt Employees – For regular full-time exempt employees, a standard leave day is eight (8) hours.

10.9D Emergency Medical Services Employees – For regular full-time non-exempt Emergency Medical Services employees scheduled to work twenty-four (24) hours shifts, a standard leave day is 11.2 hours.

10.9E Certified Law Enforcement and Central Communications Employees – For regular non-exempt full-time Certified Law Enforcement and Central Communications employees scheduled to work twelve (12) hour shifts, a standard leave day is 8.6 hours.

11.0 ATTENDANCE AND LEAVE PROCEDURES

11.1 Florence County provides specific leave opportunities. Leave balances appear on the employee's pay stub and are generally current as of that pay cycle. Many department heads also have access to leave balances. The granted leaves should be used wisely and for the intended purposes. In no circumstances will any paid leave (sick, annual, bereavement, etc.) be paid out for time over and above an employee's regularly scheduled work week. For example, a regular, 40-hour per week employee, who takes a day of sick leave during a week in which he actually works a full 40 hours, will not receive eight hours of sick leave pay in addition to 40 hours of regular pay. The sick leave will not be deducted from the employee's sick leave balance, and the employee will be paid for the 40 hours actually worked. No leaves will accrue when an employee is off the payroll for reasons including, but not limited to, Workers Compensation absence, military duty, or extended unpaid FMLA absence.

11.2 ANNUAL LEAVE

11.2A It is the policy of Florence County to provide paid annual leave (commonly referred to as vacation leave) to all eligible employees.

11.2B Eligibility

11.2B(1) Annual leave accrual will begin following the employee's first full month of employment. Part-time (less than 20 hours) and temporary employees are not eligible for annual leave with pay.

11.2C Accrual

11.2C(1) All regular full-time employees accrue annual leave with pay based on their anniversary date of employment according to the following schedule:

11.2C(1)(a) Accrual rates for non-exempt employees scheduled to work a thirty-seven and one-half (37.5) hour workweek.

Number of years of unbroken service	Hourly rate per month	Standard days per year
0 - 10 years	6.25	10
11- 20 years	9.38	15
21 and over	12.5	20

11.2C(1)(b) Accrual rates for non-exempt employees scheduled to work a forty (40) hour workweek and exempt employees.

Number of years of unbroken service	Hourly rate per month	Standard days per year
0 – 10 years	6.66	10
11 – 20 years	10	15
21 and over	13.33	20

11.2C(2) Full-time emergency medical services personnel, scheduled to work a 24-hour shift, accrue vacation leave at the following rates:

Number of years of unbroken service	Hourly rate per month	Standard days per year
0 – 10 years	9.33	10
11 – 20 years	14	15
21 and over	18.66	20

11.2C(3) Full-time law enforcement personnel and central communications employees, scheduled to work a 12-hour shift, accrue vacation leave at the following rates:

Number of years of unbroken service	Hourly rate per month	Standard days per year
0 – 10 years	7.16	10
11 – 20 years	10.75	15
21 and over	14.33	20

11.2C(4) Rate of Accrual for Part-time employees

(a) Regular part-time employees scheduled to work at least one-half the normal workweek accrue vacation leave at a rate proportional to the rate for full-time employees.

(b) Part-time employees, who are scheduled to work less than one-half the normal workweek, and employees holding seasonal or temporary positions do not accrue vacation leave.

(c) Part-time emergency medical services and central communications employees and PRN staff are not eligible to accrue or be paid for vacation leave.

11.2C(5) The anniversary date of employees, for annual leave purposes, will be the date-of-hire into a regular full-time position with no break in employment.

11.2D Maximum Carry-Over Per Calendar Year

The maximum carry-over amount of vacation time per calendar year is twenty-five (25) standard leave days. ~~For each work schedule, the number of hours in an annual leave day is based on an eight (8) hour day. Any accrued, unused vacation leave in excess of this carry-over limit will be forfeited and deleted on January 1st of each year. For the calendar year 2007 and later, the maximum carry over amount will be based on twenty five (25) standard leave days.~~

11.2E General Information

11.2E(1) Except in the case of an emergency, all annual leave is to be approved, in writing and in advance, by the employee's Supervisor, Department Head, or the County Administrator as applicable. An employee wishing to take annual leave should request approval as soon as possible but at least one week in advance. Annual leave may not be taken prior to being accrued. All requests for annual leave will be in increments of no less than one (1) hour.

11.2E(2) Florence County endeavors to allow employees to take paid annual leave at times most convenient to them. However, in order to ensure continued, smooth operation and maintain a high quality in the delivery of services to the citizens of Florence County, the County Administrator may limit the number of employees who may be absent from a given Department or unit at any one time. When there is a conflict in the vacation requests of two or more employees who cannot be spared at the same time, the Department Head will make the determination as to who may take leave based on the needs of the County.

11.2E(3) On occasion, it may be necessary for the Department Head or the County Administrator to require an employee to work in lieu of taking his or her scheduled annual leave. Employees who work their scheduled annual leave may reschedule their annual leave.

11.2E(4) Non-exempt employees who do not work their required biweekly hours may be charged annual leave to complete the required hours at the discretion of the Department Head.

11.2F Units of Annual Leave

11.2F(1) An employee's annual leave credit is to be charged for the actual time (or at a minimum in one-hour increments) an employee is away from the job. No leave, compensatory time, or other non-work time is credited toward overtime. Overtime is based only on the hours actually worked by an employee.

11.2G Payment Of Annual Leave Upon Separation From Employment

11.2G(1) Upon leaving employment an employee is compensated at the regular straight time rate for all days of unused vacation earnings, up to a maximum of 25 days, provided he gives and works the required notice period. Non-management employees are expected to give two weeks written notice to the Department Head and work the notice period. Department Heads and all other employees of management are expected to give four weeks written notice and work such notice.

11.2G(2) Employees who are terminated for cause are eligible for payment of unused vacation leave, up to a maximum of 25 standard leave days.

11.3 HOLIDAYS

11.3A All full-time employees are eligible for pay for a standard leave day, from date of hire, for the following official paid holidays:

- (1) New Year's Day (January 1)
- (2) Martin Luther King, Jr's Birthday (Third Monday in January)
- (3) Good Friday (Friday before Easter Sunday)
- (4) Memorial Day (Last Monday in May)
- (5) Independence Day (July 4)
- (6) Labor Day (first Monday in September)
- (7) Thanksgiving Day (Fourth Thursday in November)
- (8) Day After Thanksgiving (Fourth Friday in November)
- (9) Christmas Eve (December 24)
- (10) Christmas Day (December 25)
- (11) Additional Christmas Day if declared a state holiday by the Governor and any other day so designated by the Florence County Council.

11.3B Recognized holidays that fall on a Saturday will be observed on the preceding Friday and recognized holidays that fall on a Sunday will be observed on the following Monday, unless designated otherwise by County Council.

11.3C Regular part-time employees scheduled to work at least one-half (1/2) of the normal workweek are entitled to standard leave for holidays at a rate proportional to the rate for full-time employees.

11.3D Temporary and seasonal employees are not entitled to compensation for holidays.

11.3E Part-time emergency medical services and central communications employees and PRN staff are not entitled to compensation for holidays.

11.3F All non-exempt employees, whether required to work a holiday or not required to work the holiday, receive pay for a standard leave day.

11.3G Holiday pay is calculated at the regular hourly rate. Holiday leave hours are not considered hours worked for the purpose of computing overtime.

11.3H When a holiday falls during a period of approved sick and/or vacation leave, the employee receives holiday pay instead of sick or vacation leave. For shift employees, the balance of the employee's scheduled shift (less the standard leave day for holiday pay) may be charged against approved sick and/or vacation leave.

11.3I Employees must be in pay status to receive holiday pay. If the employee is scheduled to work the day before or the day after the holiday, and the employee has an unexcused absence for either day, the employee is not eligible for holiday pay.

11.3J If an employee is scheduled to work on a holiday and has an unapproved absence, the employee does not receive holiday pay.

11.4 SICK LEAVE

11.4A Florence County provides paid sick leave benefits to regular, full-time employees for periods of temporary absence due to illness or injury. Sick leave is a privilege and not a right an employee may demand. Sick leave may not be taken prior to being accrued. A Department Head or the County Administrator may require that an employee provide a medical excuse for sick leave of any duration at any time. If a medical excuse is not available as requested, then any authorization for sick leave may be rescinded and the employee may not be paid for the time missed. Failure to provide the requested medical excuse may result in disciplinary action.

11.4B Eligibility

11.4B(1) Full-time employees of the county accrue one (1) standard leave day of sick leave per month of continuous service.

11.4B(2) Rate of Accrual for Part-time Employees

(a) Part-time employees scheduled to work at least one-half the normal workweek accrue sick leave at a rate proportional to the rate for full-time employees.

(b) Part-time employees, who are scheduled to work less than one-half the normal workweek, and employees holding seasonal or temporary positions do not accrue sick leave.

(c) Part-time emergency medical services and central communications employees and PRN staff are not eligible to accrue or be paid for sick leave.

11.4C Sick leave normally will not be advanced. However, the County Administrator may consider advancing up to ten (10) days of sick leave in emergency situations or in the event an employee does not have sufficient combined sick leave, annual leave, holiday leave, and compensatory time accrued to continue regular pay during the workers' compensation waiting period, and the likelihood of the employee returning to work is high.

11.4D Units of Sick Leave

11.4D(1) For all employees, sick leave credit is to be charged for the actual time (or at a minimum in one hour increments) an employee is away from the job. Sick leave hours used do not count towards calculation for overtime pay or compensatory leave accrual.

11.4E Maximum Carry Over Per Calendar Year

The maximum carry-over of sick leave per calendar year is ninety (90) standard leave days. ~~For each work schedule, the number of hours in a sick leave day is based on an eight (8) hour day. Any accrued, unused sick leave hours in excess of this limit will be deleted on January 1st of each year. For the calendar year 2007 and later, the maximum carry-over amount will be based on ninety (90) standard leave days.~~

11.4F Authorized Uses Of Sick Leave:

11.4F(1) Sick leave may be used in the following situations:

- Personal illness or injury
- Appointments for the employee to see a medical professional (doctor, dentist, etc.)
- Exposure of an employee to a disease requiring quarantine.
- Illness or injury of a dependent child or the appointments of a dependent child to see a medical professional. An employee may use a maximum of twelve (12) days sick leave, per calendar year, for family illness to include spouse, dependent child, or parent, unless approved as FMLA leave.

11.4G General Information

11.4G(1) In order to be eligible for sick leave with pay, an employee is to:

11.4G(1)(a) Report to his supervisor within one (1) hour of the scheduled starting time or as required by the appropriate supervisor to advise the reason for the absence and request sick leave. The supervisor may require a personal call at his discretion or as necessary. If an emergency exists, arrangements should be made to have someone notify the supervisor on behalf of the employee. Non-emergency medical appointments are to be approved in advance as required by the appropriate supervisor. An employee who fails to make the request and receive approval from his immediate supervisor may not be paid for the time taken prior to notification. Misuse of sick leave may result in disciplinary action, and continued, unapproved absence will become a compulsory resignation without status.

11.4G(1)(b) Keep his supervisor advised concerning the illness or injury and the anticipated date of return.

11.4G(1)(c) Provide a written certificate from a licensed physician or nurse practitioner certifying that the employee's condition prevented him from performing the duties of his position for any absence that extends beyond three (3) consecutive workdays to be eligible for paid sick leave. The County Administrator, Human Resources Director or Department Head may at any time require an employee to obtain medical certification (original, signed documentation) for any paid sick leave taken and/or medical certification that an employee is capable of returning to work. An employee may be required to periodically update and re-verify the use of sick leave.

11.4G(2) If an employee at work cannot adequately perform his duties or if he may present a danger of injuring or infecting other employees, the Department Head or the County Administrator may place the employee on sick leave or unpaid leave until the employee obtains medical certification as to his ability to perform job duties in a safe and efficient manner.

11.4G(3) An employee who has exhausted his accrued sick time and who is experiencing an absence, which meets sick leave eligibility requirements, will have the absence charged against accrued annual leave.

11.4G(4) When sick leave and accrued annual leave, if applicable, have been exhausted, the affected employee may continue on Family Medical Leave if he is eligible in accordance with this Policy or he may be removed from the payroll. When an employee is

on authorized sick leave without pay, the employee is responsible for payment of any authorized payroll deductions. Failure to submit prompt payment for these deductions will result in termination of benefits and may result in removal from the payroll.

11.5 BEREAVEMENT LEAVE

11.5A All full-time employees may use a maximum of three (3) standard leave days (See paragraph 11.5C) charged against available sick leave per occurrence, for bereavement leave in the case of death in the immediate family. All such leave must be approved in writing in advance by the appropriate Department Head or County Administrator. Bereavement leave must be taken within seven (7) calendar days of the funeral service.

11.5B For the purposes of this policy, immediate family is defined as spouse, parent, child, dependent child, grandchild, grandparent, sister, brother, son-in-law, daughter-in-law, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law. The immediate family will be considered to include step-parents, step-children, step-brothers, and step-sisters only when the employee and the deceased had lived together regularly in the same household at or prior to the time of death. Unrelated employees living together regularly in an apparently romantic relationship will be treated as being within the immediate family of each other for the purposes of bereavement leave.

11.5C If additional leave is needed, the employee may request to use accrued annual leave.

11.5D The Department Head or County Administrator may require that proof of death be submitted before payment will be authorized. The employee's supervisor is to obtain and record in writing the full name of the deceased, relationship to the employee, the funeral home in charge of arrangements, and the time of the funeral. The Department Head is to certify and submit this information along with the payroll reporting the bereavement leave. Failure to submit the required documentation with the timesheet will result in the leave being docked from annual leave accrual first, compensatory time second, and then treated as leave without pay.

11.6 VOTING DAYS

Florence County encourages employees to fulfill their civic responsibilities by participating in elections. Generally employees should be able to find time to vote either before or after their regular work schedule. The Department Head will attempt to coordinate with the employees where possible to allow annual leave or minor shift flexibility on voting days for employees whose work schedules make getting to their polling place difficult.

11.7 CIVIL LEAVE

11.7A Time off for mandatory jury duty is excused leave, and the hours actually spent on jury duty, when the hours of jury duty conflict with an employee's work hours, will be considered paid leave provided that proof of duty is verified by the employee's Department Head. Any period of time for which an employee is excused from jury duty because of illness will be charged to sick leave.

11.7B An employee will be paid for wages lost from scheduled straight-time work due to jury service up to a maximum of four weeks per year. In order to qualify for this payment an employee called for jury service must give his supervisor notice of such service within two workdays of the time the employee is called for such service. The employee must report to work if released by

the court on any day of jury service, unless, at the discretion of the employee's supervisor, reporting to work would be highly impractical due to travel time, etc. It is the employee's responsibility to keep his supervisor periodically informed about the amount of time required for jury duty. Employees are entitled to any compensation received from the court system for jury duty.

11.8 WITNESS DUTY LEAVE

11.8A Employees subpoenaed to appear in court as a witness on behalf of Florence County in court will be entitled to civil leave with pay for such period as his court attendance may be required when the hours of court duty conflict with the hours of his work, provided that proof of appearance is verified by the employee's Department Head.

11.8B If the Courthouse is within reasonable commuting distance, the employee is expected to report for work when released from witness duty if it does not conflict with court obligations. It is the employee's responsibility to keep his supervisor periodically informed about the amount of time required for court appearances.

11.8C Employees are entitled to any compensation received from the court system for official court attendance on behalf of Florence County.

11.8D Time spent by an employee in court for a work-related case on behalf of Florence County is considered as hours worked for the purposes of applicable federal law.

11.9 PRIVATE LITIGATION LEAVE

Approved absence of a Florence County employee in order to appear in any capacity in private litigation or in litigation against the County as a plaintiff is to be charged to annual leave.

11.10 MILITARY LEAVE

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and, for that reason, no effort is made to set forth the law in this policy.

11.11 PERSONAL LEAVE

11.11A This section applies only to employees employed less than twelve months, to employees who have worked fewer than 1,250 hours in the preceding twelve months, and to employees whose reasons for leave are not covered by the Family and Medical Leave Act.

11.11B An employee who has completed his initial probation is eligible to apply for a leave of absence for up to twelve weeks when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leaves are not normally approved, but may be granted only at the discretion of the County Administrator with a written recommendation by the employee's Department Head. Granting of such leave does not guarantee reinstatement of an employee to his former position or to a position equivalent to his former position. Employees still in their introductory periods who are absent for

more than five consecutive scheduled workdays because of any physical disability are to be removed from the payroll, but may be eligible for rehire.

11.11C An employee should apply for consideration for a leave of absence as far in advance of need as is possible. A Department Head, with the approval of the County Administrator, may place an employee on unpaid leave status when the circumstances warrant such action.

11.11D Personal Leave for a physical disability will begin on the first day of absence.

11.11E As a general rule, an employee on personal leave, who has exhausted all sick and/or vacation time, is not entitled to wages, does not accrue fringe benefits, and is responsible for payment of any benefits normally paid through payroll deduction. Certain exceptions may be established by law, but any other exceptions will be listed in this Section.

11.11F Employees desiring to return to work from an unpaid leave of absence should notify the Department Head in writing at least ten (10) days prior to their desired date of return. If the County finds that the employee is fit to resume his duties, the employee may be recalled to his former job if a vacancy exists and is to be filled. If no such vacancy exists, the employee may be recalled to any vacancy, which is to be filled and for which he/she is qualified and selected on a competitive basis. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee, who has not been reinstated within six (6) months following the commencement of a leave of absence, is to be removed from the payroll. This action does not affect the employee's eligibility to compete for hire as a new employee at some future time.

11.12 FAMILY AND MEDICAL LEAVE ACT

11.12A This section applies only to employees employed a minimum of twelve (12) months. Employees must have worked at least 1,250 hours during the 12-month period immediately before the date leave is requested to commence.

11.12B Rights under FMLA: Employees who meet the length of service and hours worked requirements described above have rights under the Family and Medical Leave Act. Employees may request leaves of absence under this policy for the reasons listed in paragraphs 11.12C(1), 11.12C(2) and 11.12C(3). **It is the policy of Florence County to count as FMLA time, any time off related to a medical condition that meets FMLA requirements. This time will run concurrently with FMLA leave.**

11.12C Reasons for Leave

11.12C(1) Regular FMLA Leave: An eligible employee will be granted a leave of absence under the FMLA when: (1) a serious health condition, including disability resulting from an on-the-job injury (a Worker Compensation injury/illness), prevents the employee from being able to perform his job; (2) the employee's spouse, child, or parent has a serious health condition and the employee must be absent from work in order to care for that relative; or (3) an employee must be absent from work in order to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household ends twelve (12) months after a natural child is born or twelve (12) months after an adopted or foster child is received in the employee's household. **Proof of need for leave of absence must be submitted to Human Resources within fifteen (15) days of application for any FMLA leave.**

11.12C(2) Military Caregiver Leave: An eligible employee who is the spouse, parent, child, or next of kin (designated in writing) of a current member of the armed forces, including the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty will be granted up to 26 weeks of FMLA leave in a twelve (12) month period, if the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or has an applicable designation on the federal temporary disability retired list. **Employees requesting FMLA Leave for a service member must provide proof of the qualifying family member's next of kin status and federal active military service to Human Resources before leave is granted. Proof of need for leave of absence must be submitted to Human Resources within fifteen (15) days of application for any FMLA Leave.**

11.12C(3) Qualifying Military Exigency Leave: An eligible employee who is the spouse, parent, child, or next of kin (designated in writing) of a current member of the armed forces, including the National Guard or Reserves will be granted up to 12 weeks of FMLA leave in a twelve (12) month period for reasons related to or affected by the family member's federal call-up/service or activation by Presidential order. Qualifying exigencies are: (1) Short-notice deployment (notice of 7 calendar days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) Other urgent related events may be eligible if approved by the County Administrator. **Employees requesting FMLA Leave for a service member must provide proof of the qualifying family member's next of kin status and federal call-up/active military service to Human Resources before leave is granted. Proof of need for leave of absence must be submitted to Human Resources within fifteen (15) days of application for any FMLA Leave.**

11.12D Length of Leave

11.12D(1) Regular FMLA Leave: An eligible employee can take up to 12 work weeks under this policy during any twelve (12) consecutive months. Leave taken for Qualifying Military Exigency Leave also counts against the 12 work weeks of Regular FMLA. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, or may be taken intermittently or by means of a modified work schedule when necessary. When necessary and available, modified work schedules may be arranged with the Department Head.

11.12D(2) Military Caregiver Leave: An eligible employee can take up to 26 work weeks under this policy during a twelve (12) month period. Leave taken for Regular FMLA and Qualifying Military Exigency Leave also count against the 26 weeks of leave permitted to care for an injured service member.

11.12D(3) Qualifying Military Exigency Leave: An eligible employee can take up to 12 work weeks under this policy during any twelve (12) month period. Leave taken for Regular FMLA also counts against the 12 work weeks. For short notice deployments up to 7 calendar days of leave may be taken, and leave taken to be with the service member during periods of rest and recuperation (example: military leave or other status determined to be the equivalent) is limited to 5 days per period. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active duty service.

11.12E Effect of Leave on Paid Time Off: An employee who must be absent due to his own disability will be paid for time lost from work first from accrued sick leave balances and then from accrued annual leave balances and similar balances. An employee who takes leave for any other reason will be paid for time away from work from his annual leave balance and any other eligible balances.

11.12F Effect of Leave on Accrual of Fringe Benefits

11.12F(1) Health Benefit Plan: Employees taking up to 12 work weeks leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages. If FMLA leave exceeds twelve (12) work weeks, employees are responsible for full and timely payment of the entire cost of health and dental insurance and responsible for making direct payment of any non-County sponsored, payroll deducted plans, such as optional insurance with independent carriers.

11.12F(2) Accruals: Unpaid time away from work due to leave granted under this policy is not considered time worked for the purposes of accrual of any paid time off or paid leaves.

11.12G Employee Responsibility: Employees who request leave under this policy must give thirty (30) days advance notice or such lesser amount of notice as is possible in the particular circumstances.

11.12H Fitness for Duty Certification: Employees returning from FMLA leave for their own disability must provide a Fitness for Duty (FFD) certification signed by his treating physician. Employees who fail to provide FFD certification will be prohibited from returning to work until it is provided. FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his duties safely.

11.12I Termination of Leave of Absence: A leave of absence under this policy will end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

11.12J Reinstatement: At or before the conclusion of the FMLA leave of absence (excluding Pre-COBRA Leave), the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for duty, providing FFD certification, and give reasonable notice of intent to return to work.

11.12K Pre-COBRA 14-Week Benefit Period

11.12K(1) An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking twelve (12) weeks of leave and who continues to require leave, which would qualify for FMLA if such leave had not been exhausted, may upon written application, be granted up to an additional fourteen (14) weeks of unpaid leave of absence with approval of the Human Resources Director. This additional leave of absence does not entitle the employee to reinstatement to his former position or an equivalent one nor to payment of any portion of his health benefit plan premiums. The employee will be removed from the payroll and carried in a terminal leave status for the additional fourteen (14) weeks on the County's health and dental insurance policies. The employee will be responsible for full and timely payment of the entire cost of this insurance and responsible for making direct payment of any non-County sponsored, payroll deducted plans, such as optional insurance with independent

carriers. Failure to make payments when due results in cancellation of insurance coverage. If the employee is able to return to work prior to or after the exhaustion of his extended leave and provides FFD certification, he may apply and compete for any job posting for which he feels he is qualified.

11.12K(2) Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the County Administrator upon recommendation of the Department Head.

11.12L Automatic Termination of Employment: An employee's employment will automatically terminate if he does not return to full active employment status at the conclusion of his approved leave of absence or extended leave of absence.

11.12M Special Situations:

11.12M(1) Spouses: When both a husband and a wife are employed, their combined right to a leave of absence to care for a child or parent is twelve (12) weeks in a twelve (12) month period. Their combined right to a leave of absence to care for a covered injured or ill service member is 26 weeks in a twelve (12) month period.

11.12M(2) Key Employees (salaried employee in highest paid 10% of all employees): Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

11.12N NOT A CONTRACT

THIS POLICY DOES NOT CREATE CONTRACT RIGHTS.
IN NO CASE WILL AN EMPLOYEE HAVE A GREATER RIGHT TO A JOB
THAN HE WOULD HAVE HAD IF HE HAD NOT TAKEN LEAVE UNDER
THIS POLICY.

11.13 LEAVE WITHOUT PAY

11.13A Employees who have no available paid leaves may be considered for limited leave without pay by Florence County, upon recommendation from the Department Head and if approved by the County Administrator. No leave without pay will be granted if the employee has any accumulated applicable leave or compensatory time available. The employee should submit the reasons for the leave and its probable duration. Such leave without pay does not entitle the employee to reinstatement to his former position or an equivalent one, nor to payment of any portion of his health benefit or other plan premiums.

11.13B An employee on any leave without pay (Worker's Compensation, FMLA, etc.) will be responsible for paying to the County the applicable portion of health insurance and any other elected payroll deductions. Failure to make these payments when due will result in the loss of those benefits.

11.13C At the conclusion of the approved leave without pay, the employee may be reinstated to his original position, if it is available, retaining his original date of hire. If his original position is not available, the employee may apply and compete for any open position for which he is qualified.

If the employee is selected for such a position, he will retain his original date of hire, and the position change will be treated as a lateral transfer, promotion, or demotion as applicable.

11.13D If an employee fails to report to work promptly on the next business day following the end of the approved leave without pay, it is assumed that the employee has resigned and he is to be removed from the payroll.

11.14 ADMINISTRATIVE LEAVE

Administrative leave relieves the employee temporarily of duties. Periods of administrative leave with or without pay are administered when the County Administrator determines such leave is warranted.

11.15 OPERATIONAL SHUTDOWN LEAVE

No paid shutdown leave will be authorized without the prior approval of the County Administrator. In the event that the County Administrator directs the shutdown of offices, operational units, etc., employees may be temporarily reassigned to work as directed by the County. The Department Head or the County Administrator, or a designee will notify employees.

11.16 EMERGENCY DECLARATIONS AND INCLEMENT WEATHER

At times, emergencies such as severe weather, fire, power failure, etc., can disrupt Florence County operations. In extreme cases, these circumstances may require the County Administrator to direct the closure of one or more work facilities. Employees designated to report to work during emergency closing situations will be notified by their Department Head or the County Administrator, or a designee. Non-exempt employees, whether required or not required to work during emergency closing situations will receive the number of hours of leave equal to their standard leave day. Exempt employees who are not required to work during emergency closing situations will receive standard leave day pay.

12.0 EMPLOYEE BENEFIT PROGRAMS

12.1 FRINGE BENEFITS

12.1A HEALTH INSURANCE - Florence County pays a portion of the premium cost of the full-time County employee's individual health insurance coverage. The employee also pays, through payroll deduction, a portion of that cost plus the cost of any elected dependent coverage (if available). For details, employees are to contact Human Resources.

12.1B COBRA - Employees eligible for Florence County health insurance may be eligible for COBRA coverage in the event they are no longer eligible for coverage; if their work hours are reduced; or, if there is a change in family status - birth/adoption, marriage/divorce, etc. It is the employee's responsibility to notify Human Resources of any change in family status within ten (10) work days. For further details regarding continuing or converting group health insurance benefits, employees are to contact Human Resources.

12.1C SOCIAL SECURITY - All employees are automatically enrolled in the federal Social Security System. The amount paid by the employee into the federal Social Security System is matched by Florence County in accordance with state and federal regulations.

12.1D WORKERS' COMPENSATION INSURANCE - Florence County maintains worker's compensation insurance on employees and specified volunteers (which may include volunteer firemen, ~~firefighters~~, ~~rescue workers/EMT's~~, auxiliary/reserve deputies, ~~volunteer constables~~ or inmates) as prescribed by the South Carolina Workers' Compensation Law. No other volunteers and no contractors are covered.

12.1E RETIREMENT

12.1E(1) Florence County participates in the South Carolina Retirement System (SCRS) Program. All full-time County employees can be covered under the South Carolina Retirement System Program in accordance with SCRS regulations. A retirement plan is also available for part-time employees under certain conditions.

12.1E(2) Retirement benefits are available to county employees in accordance with the provisions of the South Carolina retirement system.

12.1E(3) The effective date of employment with the county plus any state allowance governs employee pension at retirement, for state retirement benefit purposes.

12.1E(4) County employees, retiring after September 1, 1987, with at least five (5) years of continuous full-time employment service with the county, or a state covered entity, are eligible for retirement hospitalization coverage provided they are eligible to retire under the state retirement system, did not experience a break in insurance coverage, and meet criteria established by county policy.

12.1E(5) Retiree Insurance Assistance - The County contributes towards the cost of retiree hospitalization coverage for employees that retire with at least fifteen (15) years of continuous full-time employment service with the County, dependent upon date of hire and as provided for in annual appropriation levels by Florence County Council. Contact Human Resources for details and eligibility.

12.1F UNEMPLOYMENT INSURANCE - Contact the SC Employment Security Commission South Carolina Department of Employment and Workforce with all inquiries concerning unemployment benefits.

12.1G PAYROLL DEDUCTIONS - Florence County will make deductions from employees' pay for any retirement contribution, any approved optional deductions, and for social security, federal income tax and South Carolina income tax as required by law.

12.1H WORKER COMPENSATION PROGRAM

12.1H(1) Florence County provides a comprehensive worker compensation insurance program for appropriate employee medical expenses and for partial salary continuation in the event of a work-related injury or illness. The amount of benefits payable and the duration of payment depend on the nature of the injury or illness. Subject to applicable legal requirements, worker compensation insurance provides benefits to employees incapacitated and absent from work in excess of seven (7) days because of a work-related injury or illness.

12.1H(2) Employees who sustain a work-related injury or illness are to inform their Department Head immediately. The Department Head is to ensure that each employee involved in the accident reports to a designated physician or medical facility for medical treatment, as well as ensuring the employee drug and alcohol tests are completed immediately. If an employee is unable to report for work within twenty-four (24) hours, his

supervisor must contact Risk Management and assist with completing the First Report of Injury (State Form 12-a). No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to receive appropriate medical treatment and provide for payment of medical expenses and for partial wage continuation. A Worker Compensation injury is a triggering event for the Family and Medical Leave Act, and any absence as a result of a Worker Compensation injury/illness will run concurrently with the 12-week FMLA entitlement. Temporary transitional work (Light Duty) assignments may be offered for employees who have been restricted by a physician due to a work related injury/illness based on the needs of the County. Light duty assignments are essential duties for which a department would likely have to either hire an employee or pay an employee overtime to perform. Decisions regarding light duty work placement of employees will be made jointly by the Department Head and the Risk Manager, with approval of the Human Resources Director. If granted, light duty is normally limited to 45 days unless otherwise approved by Risk Management and Human Resources.

12.1H(3) When an employee returns to work from an absence caused by a work-related injury or illness, his supervisor must report the return immediately to the Department Head and Risk Management. Employees must provide a Fitness for Duty (FFD) certification signed by the County's designated physician to the Department Head. Employees who fail to provide FFD certification will be prohibited from returning to work until it is provided; additional actions may apply if the certification is not provided promptly. The Department Head or Risk Manager may require additional FFD certification if serious concerns exist regarding the employee's ability to resume his duties safely.

12.1H(4) Questions regarding worker compensation should be directed to Risk Management.

12.2 EQUIPMENT AND SUPPLIES

12.2A It is the policy of Florence County to provide good quality tools, equipment, vehicles, machines, facilities, materials and supplies to carry on official Florence County business. Florence County, like any other business, must control its costs and reduce waste and other abuse of tools, equipment, vehicles, facilities, materials, and supplies. Each employee's cooperation in controlling costs and reducing waste is expected. Employees who lose or abuse Florence County provided equipment and/or supplies will be responsible for payment for same and may be subject to disciplinary action.

12.2B Defective equipment, vehicles, or machines must be promptly reported to the supervisor or Department Head in order that appropriate corrective action may be taken.

12.2C Use of Florence County equipment, tools, machines, vehicles, facilities, real property, materials, and supplies for personal work/reasons at any time are prohibited unless specifically permitted by state law. All employees are to report any observation of violations to supervision immediately.

12.2D Employees who have a financial obligation to Florence County for any pay or expense advance, overpayment, breakage, or shortage will be required to enter into, through Human Resources, a written acknowledgment of the obligation and repayment agreement at the time it is incurred. The value of Florence County equipment is considered an advance of wages.

12.3 UNIFORMS

12.3A Florence County will furnish uniforms and the appropriate safety equipment, i.e., goggles, hard hats, rain gear, boots, chaps, etc., to designated employees subject to budgetary appropriations.

12.3B An employee who is designated to wear a uniform and who reports for work out of uniform will be sent home and not paid for the time he is away from work. The complete issued uniform, which may include shirt, pants, coats, and shoes, must be worn at all times. Uniforms are not to be worn in off duty hours unless specifically permitted by state law.

12.3C Employees who separate from employment will be responsible for turning in all supplied Florence County uniforms and safety equipment. Separating employees will be responsible for payment of any missing or damaged uniforms or equipment. Deductions may be made from an employee's final paycheck(s) for missing items.

12.4 TRAVEL AND SUBSISTENCE ALLOWANCE

12.4A When Florence County employees are required to travel on official Florence County business, allowances for transportation will be regulated in the following manner:

12.4A(1) Transportation may be accomplished by common carrier, private carrier, or Florence County carrier, and in no instance will allowance for such travel exceed the cost of Common Air Carrier, Coach Fare. Upon proper authorization, employees utilizing their personally owned vehicles will be paid, per mile, at a rate established by the County Council. Such allowance will not exceed the cost of Common Air Carrier, Coach Fare. Requests for reimbursement must be presented on a Florence County Mileage Reimbursement Form or a Florence County Travel Voucher Form with proper receipts as required.

12.4A(2) Subsistence and mileage for work outside Florence County limits may be reimbursed under applicable conditions and paid at the rate established by County Council. Rates may be adjusted at the beginning of each budget year. For work within Florence County, mileage must be approved by the Department Head in advance.

12.4A(3) The cost of meals (minus alcoholic beverages) will be reimbursed up to the maximum amount allowable. No per diem is authorized for travel within Florence County.

12.4A(4) When lodging is required for official travel, employees are expected to utilize standard, medium price hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he may stay at the hotel or motel where the meeting is being held.

12.4A(5) Employees will be reimbursed for all registration fees.

12.4A(6) Requests for reimbursement for subsistence, lodging, registration, etc. must be presented on a Florence County Travel/Expense Voucher Form with proper receipts as required. Such requests must be presented within seven (7) days of return from the trip.

12.4B Travel Advances – Requests for a travel advance to cover anticipated travel expenses must be submitted on the Florence County Travel/Expense Voucher Form. Travel

advances for meals does not include per diem for the day of departure and return or for any partial days. There is no provision for advance of per diem for hotel reservations, airline tickets, conference/seminar registration costs or other similar costs related to travel. Registration and hotel fees must be requested in advance to be paid directly to the suppliers.

12.5 TRAINING

12.5A Employees in good standing may be considered for training opportunities. It is the responsibility of the County Administrator to foster and promote programs of employee development and training for the Florence County workforce. The intent of this policy is to improve the quality of services provided and to prepare employees for advancement in Florence County service.

12.6 TUITION ASSISTANCE

Subject to annual appropriations. [Contact Human Resources for details.]

12.7 DUES AND CERTIFICATIONS

12.7A Florence County may pay all or part of direct costs of association dues, fees, etc., or operator certification or professional certification for an employee when it is a requirement for his position or when it will directly benefit work performed for Florence County, as determined by the County Administrator or Department Head. Prior approval of such expense from the Department Head or the County Administrator is required, and it is the Department Head's responsibility to ensure that funding is available within the department's budget. If an employee does not pass the certification examination after two (2) attempts, the employee will be responsible for all expenses of taking the examination until the certification is obtained.

12.7B The County Administrator and the Department Head should identify the various work related professional organizations and those employees authorized to participate in them. Provision for dues, fees, etc., where required will be included in the Department budget.

13.0 EMPLOYEE PERFORMANCE APPRAISAL SYSTEM

13.1 The employee performance appraisal report provides a systematic procedure by which each employee can be objectively evaluated in the performance of his job. An employee should be appraised regularly on his performance in meeting the defined position standards established in a job description to be provided to the employee by his Department Head. The performance appraisal form, when completed, will become part of the employee's permanent personnel record.

13.2 PURPOSE

13.2A Employee performance appraisal reports may be used for, but not limited to the following:

13.2A(1) Developing and establishing realistic performance standards, which provide a basis of understanding as to the level of performance expected of the employee.

13.2A(2) Informing the individual of where he stands in terms of performance.

13.2A(3) Providing an opportunity for discussion and counseling to further the employee's self-development and growth.

13.2A(4) Providing objective information in order to justify salary adjustments and upgrade opportunities.

13.2A(5) Maintaining a documented history of the employee's performance.

13.2B The work performance of each full-time or part-time employee should be evaluated annually. All employees other than new employees are to be evaluated each year at the end of their annual evaluation period or when promoted to another position.

13.3 EVALUATION PERIODS

13.3A Introductory Period:

During the Introductory Period, a Department Head or appropriate supervisor should conduct informal monthly reviews of the new employee's work performance. At the end of six months, a formal evaluation should be conducted and documented on a Performance Appraisal form.

13.3B End of Introductory Period:

Not more than fifteen (15) calendar days or less than three (3) calendar days prior to the end of the employee's initial six month introductory period, the appropriate Department Head and the supervisor, where applicable, should review the employee's performance and complete a Performance Appraisal form.

13.3C Annual Performance Appraisal:

A performance appraisal should be completed on an employee, ~~six (6) months~~ annually, following the end of the employee's initial introductory period. ~~and annually thereafter.~~

13.4 OTHER TYPES OF PERFORMANCE APPRAISALS

13.4A A Performance Appraisal form should also be completed for promotions, demotions, and/or transfers where applicable.

13.4B General Information:

Any employee whose performance does not meet expectations while no other disciplinary issues are involved should be notified by the appropriate Department Head or the County Administrator, in writing, as to which specific performance standards are not being met and given up to ninety (90) days to improve such performance.

13.5 PERFORMANCE BASED INCREASES

In those years in which the County Council funds merit increases, procedures will be outlined in the budget ordinance or as established by the Council.

14.0 SEPARATION FROM EMPLOYMENT

14.1 DISCLAIMER

14.1A IN ACCORDANCE WITH FLORENCE COUNTY'S EMPLOYMENT-AT-WILL POLICY THE EMPLOYEE IS FREE TO TERMINATE HIS EMPLOYMENT-AT-WILL AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE; AND, FLORENCE COUNTY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP WITH THE EMPLOYEE AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. However, to provide some structure to the employment practices of Florence County, the guidelines provided in this Section 14 – Separation from Employment are hereby established.

14.1B Employees terminating from employment with Florence County, for whatever reason, will receive their final paycheck on the payday following the end of the pay period during which the termination became effective.

14.2 RESIGNATION

14.2A An employee who voluntarily leaves the employ of Florence County, for whatever reason, is considered to have resigned.

14.2B To resign in good standing, an employee must give his supervisor at least two (2) weeks notice in writing except in the case of a Department Head where a four (4) week notice is required. Failure to comply with this rule will be entered on the service record of the employee. Normally, failure to comply with this rule will result in denial of reemployment rights. However, the Department Head may recommend that the County Administrator waive the requirement for the notice where exceptional or emergency circumstances warrant such a waiver or where such a waiver would be in the best interests of Florence County. The County Administrator will make the final determination of status.

14.3 COMPULSORY (INVOLUNTARY) RESIGNATION

An employee who, without valid reason fails to report to work for three (3) consecutive workdays without authorized leave is to be separated from employment and is to be reported as a compulsory (involuntary) resignation. Such an employee is not eligible for reemployment. (This section is not intended to preclude other disciplinary action or separation for failure to maintain reliable attendance, etc.)

14.4 LOSS OF LICENSE/JOB REQUIREMENT

An employee, who is unable to perform his duties adequately due to the loss of a necessary license or other similar requirement, may be terminated from employment. At the County Administrator's discretion, such an employee may be transferred to another position for which he is qualified, if a vacancy exists.

14.5 LAYOFF

14.5A When it becomes necessary to reduce the work force in a department because of reorganization, lack of funds, or other causes, employees will be laid off on the basis of the following factors in the following order of importance:

- 1) Importance of the position to the department operations;
- 2) Average performance for the last three (3) years of service or for the entire period of less than three (3) years;
- 3) Length of service in the employees current job classification;
- 4) Length of service with Florence County.

14.5B If a regular employee is scheduled to be laid off, he may be offered, at the County Administrator's discretion, alternate employment if a vacancy for which the employee is qualified exists.

14.5C Prior to a reduction in force, the names and class titles of any and all regular employees scheduled for layoff will be submitted to the County Administrator for approval. Layoffs will not be effective until approved by Florence County Council. Regular employees should be notified in writing by the County Administrator at least fourteen (14) calendar days prior to the effective date of layoff. If a new position is created, employees may compete for the position as with any new position.

14.6 DISCHARGE/TERMINATION WITHOUT STATUS

Discharge/termination without status is an involuntary separation of an employee from employment with Florence County, often disciplinary in nature. No employee will be taken off the payroll without a PAR form completed by all reviewing signatories.

14.7 PRE-RETIREMENT DEATH

14.7A The County participates in the pre-retirement death benefit program of the South Carolina retirement system. The cost of this program is borne entirely by the county. The provisions of this program are subject to change.

14.7B In addition to benefits provided by the South Carolina retirement system, the employee's beneficiary (if one is named) or his estate (if no beneficiary is named) receives a payment of compensation for one month after the death of the county employee.

14.7C The Police Officers Retirement System may provide an additional accidental death program upon the death of an active employee. The estate or designated beneficiary is eligible for payment for any accrued compensation or benefits due the employee.

14.7D Upon the death of an active employee, the estate or designated beneficiary is eligible for payment for unused vacation leave and life insurance.

14.8 EXIT INTERVIEW

In order to reduce turnover and improve personnel administration, the Department Head, Human Resources, or the County Administrator ~~should~~ may schedule exit interviews for separating employees. The exit interview affords an opportunity to discuss such issues as employee benefits, conversion privileges (COBRA), etc. Suggestions, complaints and questions can also be voiced.

14.9 SEPARATION PROVISIONS

14.9A Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by separation from employment. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing by Human Resources of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

14.10 SEPARATION PAY

14.10A On the pay period following the separation, employees will normally be paid at separation for unused, accrued annual (vacation) leave hours only if they give and properly work a two-week notice of resignation or if they are dismissed. The County Administrator may waive the requirement for working out the notice period when the situation warrants.

14.10B Non-exempt employees will be paid at separation for unused compensatory leave hours accrued through the employee's date of separation.

14.10C No payment will be made at termination for unused sick leave regardless of the circumstances of the separation.

14.11 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all Florence County property immediately upon request or upon termination of employment. Florence County will take all action deemed appropriate to recover or protect its property and will deduct the value of unreturned County property from the final paycheck. The value of Florence County property is considered an advance of wages.

14.12 COBRA

Employees who participate in Florence County's health insurance plan are usually eligible to continue health and dental coverage after separation from employment. Employees and their eligible dependents may elect to continue in the health and dental plan upon payment of the applicable premium plus any additional administrative charge. Employees and eligible dependents will be notified in writing of the continuation benefits.

15.0 DISCIPLINE

15.1 GENERAL POLICY

15.1A All employees in the employment of Florence County are to maintain high standards of cooperation, efficiency and economy in their work.

15.1B These guidelines are not limitations upon the rights of Florence County. The County retains the right to treat each occurrence on an individual basis without creating a precedent for other cases that may arise in the future.

15.1C Disciplinary actions may be imposed by the employee's immediate Supervisor, appropriate Department Head, or the County Administrator.

15.2 TYPES OF DISCIPLINARY ACTIONS

15.2A Disciplinary action may be initiated at the discretion of the appropriate Supervisor, Department Head, or the County Administrator. Acceptable disciplinary actions may include, but are not limited to:

- Verbal Warning (Documented);
- Written Warning;
- Suspension Without Pay;
- Demotion and/or Reduction in Pay;
- Discharge.

These disciplinary actions are to be viewed as a guide only. Steps may be skipped or repeated as warranted.

15.3 ACTIVITIES WHICH MAY WARRANT DISCIPLINARY ACTION

15.3A The County may take disciplinary action when the County believes such action is necessary for the good of the County. The following are merely some examples of the types of behavior and conduct, which could lead to disciplinary action up to and including termination:

- 15.3A(1)** Failure to follow oral or written instructions;
- 15.3A(2)** Inefficiency, negligence or lack of application in the performance of duties;
- 15.3A(3)** Careless, negligent or improper use of Florence County property, vehicles or equipment;
- 15.3A(4)** Thoughtless conduct which endangers others or results in minor property damage;
- 15.3A(5)** Failure to maintain satisfactory and/or harmonious working relationships with the public and fellow employees;
- 15.3A(6)** Misuse of Florence County time such as, but not limited to, the following:
 - a. Not starting to work on time, tardiness;
 - b. Quitting or leaving work early;
 - c. Loitering;
 - d. Not keeping engaged in assigned work;
 - e. Interfering with other employee's work routine;
 - f. Reading books, magazines, etc. not pertaining to work while on duty;
 - g. Engaging in personal business on County time or County property;

- h. Soliciting business of any type from other employees or the public on County time or County property.
- 15.3A(7)** Creating or contributing to unsanitary conditions;
- 15.3A(8)** Any action which reflects unfavorably on Florence County;
- 15.3A(9)** Failure to report an accident or personal injury in which the employee was involved while on duty;
- 15.3A(10)** Unauthorized working of overtime;
- 15.3A(11)** Unauthorized use of telephones, copiers, computers, or any other Florence County owned equipment;
- 15.3A(12)** Immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to his or her job, fellow workers, supervisor, reputation or goodwill in the community;
- 15.3A(13)** Failure to use safety equipment, to comply with departmental safety rules, and/or the Florence County Safety Policy;
- 15.3A(14)** Use of excessive force, abusive or threatening language or gestures in dealing with the public or other employees;
- 15.3A(15)** Gambling on Florence County property, or anytime during working hours;
- 15.3A(16)** Thoughtless conduct which results in injury to others or in more than minor property damage;
- 15.3A(17)** Excessive absenteeism or any absence without notice and approval;
- 15.3A(18)** Habitual pattern of failure to report for work at the assigned time and/or place;
- 15.3A(19)** Improper use of paid leaves, i.e., sick, bereavement, etc.;
- 15.3A(20)** Boisterous or disruptive activity in the workplace;
- 15.3A(21)** Mistakes due to carelessness which affect the safety of Florence County personnel, equipment, tools or property;
- 15.3A(22)** Sleeping or giving the appearance of sleeping while on duty; (unauthorized - as is the case for Emergency Medical Services);
- 15.3A(23)** Solicitation of or accepting improper gratuities;
- 15.3A(24)** Falsification or misrepresentation of information to secure a Florence County position, or falsification or misrepresentation of information in other Florence County records such as time sheets, travel vouchers, etc.;
- 15.3A(25)** Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits;
- 15.3A(26)** Unauthorized or improper use or disclosure of Florence County records, documents or customer information;
- 15.3A(27)** Misuse of Florence County or other public funds;
- 15.3A(28)** Willfully causing damage or destruction of equipment or property belonging to Florence County, to fellow workers, or to the public;
- 15.3A(29)** Reporting to work intoxicated or under the influence of intoxicants or non-prescribed drugs;
- 15.3A(30)** Bringing or using alcoholic beverages on Florence County property or using alcoholic beverages during business hours while engaged in Florence County business on or off Florence County premises, except where a County employee is an attendee and not on the job for the County at an event or location authorized by County Council to include alcoholic beverages;
- 15.3A(31)** Possession, distribution, manufacture, sale, transfer, or use of intoxicants or illegal drugs while on duty or while operating Florence County owned vehicles or equipment;
- 15.3A(32)** Violating Florence County's non-discrimination, EEO policy or Sexual Harassment policy; by engaging in sexual harassment, unwelcome harassment or other unlawful discriminatory actions;

15.3A(33) Failure to report to Human Resources or Administration by the next business day any violation by a County employee of the County's non-discrimination, EEO policy or Sexual Harassment policy witnessed or known to have occurred in a work environment or between employees in any environment when a supervisor is one of the participants;

15.3A(34) Failure to return from an authorized leave or leave of absence;

15.3A(35) Conviction of a felony or a misdemeanor of the first degree involving moral turpitude, while either on or off the job;

15.3A(36) Gross misconduct or conduct unbecoming a Florence County employee;

15.3A(37) Fighting or threatening violence in the workplace;

15.3A(38) Theft or inappropriate removal or possession of Florence County property;

15.3A(39) Stealing property from coworkers or customers of Florence County;

15.3A(40) Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace;

15.3A(41) Wanton or willful neglect in the performance of assigned duties;

15.3A(42) Working a second job while on absence due to job related bodily injury/illness;

15.3A(43) Insubordination by the refusal to accept a reasonable and proper assignment, or failure to comply with written or verbal instructions of a supervisor;

15.3A(44) Refusal to cooperate in a job related investigation, willfully refusing or failing to appear at any such hearing or inquiry; having appeared, refusing to answer any questions relating to the performance of his or her official duties and/or any matter relating to any branch of County service or by giving untruthful or incomplete answers;

15.3A(45) Employee's refusal to be examined by a Florence County designated physician;

15.3A(46) Failure to report immediately for a drug or alcohol test;

15.3A(47) Solicitation of controlled substances, illegal drugs, or prescription medications;

15.3A(48) Failure to report to the Department Head, Human Resources, or Administration by the next business day any solicitation by a County employee of controlled substances, illegal drugs, or prescription medications witnessed in the work environment or elsewhere;

15.3A(49) Failure to report immediately any knowledge of loss, abuse, or personal use of County equipment, vehicles, real property or assets by a County employee or other persons;

15.3A(50) Failure to maintain job required certifications or licenses;

15.3A(51) Conducting personal or any non-County business through the County post office delivery systems or County post office boxes;

15.3A(52) Failure to wear a seatbelt in a County vehicle or while traveling to or from an official function or training activity;

15.3A(53) Any other reason, which Florence County believes, in its sole discretion, warrants disciplinary action.

15.4 DISCIPLINARY GUIDELINES

15.4A In the event of disciplinary action, an employee should be given a written notice stating the reason(s) for such action and the date it is to take effect. A copy of this written notice is to be placed in the employee's official personnel file in Human Resources.

15.4B Employees must sign disciplinary notices, counseling memoranda, performance appraisals, PAR forms, and similar documents. The employee's signature indicates only that the

employee is aware of the action taken and does not indicate that the employee agrees with such action.

15.4C An employee who refuses to sign such a document will be suspended without pay until the document is signed. If it is not signed and returned to the supervisor by the close of business the next working day, the employee will be considered to have resigned.

16.0 GRIEVANCE PROCEDURE

16.1 GENERAL

16.1A This grievance procedure is adopted in accordance with the County and Municipal Employees Grievance Procedure Act, Section 8-17-110, et seq., Code of Laws of South Carolina 1976, as amended. For the purposes of this Grievance Procedure, the term "calendar days" refers to sequential days excluding Saturdays, Sundays, and holidays.

16.1B A grievance is defined as any complaint by an employee who believes that he has been treated unfairly, unlawfully, or in violation of his rights under county policies, with regard to any matter pertaining to his employment by the county. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion and demotion. If an employee believes that he has not received or been credited with or has otherwise lost wages or benefits to which he is entitled, he must present his grievance in accordance with this procedure or such wages or benefits may be forfeited. An employee may not grieve discharge actions for positive drug tests, FMLA leave expiration removals from the payroll, Workers Compensation removals from the payroll, or budgetary actions of Council resulting in position eliminations.

16.1C An employee who feels that he has a grievance must follow the procedures herein:

- Step 1. Within five (5) calendar days of the occurrence of the event prompting the grievance, the employee is to submit the grievance in writing to his immediate supervisor in the form of a signed original. If, within two (2) calendar days of the supervisor's receiving the grievance, the supervisor and the employee are unable to reach an agreement, the employee can appeal in writing to the next level of authority within his department.
- Step 2. At each level, each supervisor has two (2) calendar days to render a decision. If a supervisor is unavailable to consider a grievance or fails to respond within two (2) calendar days of receipt of the grievance, the employee may consider the grievance denied and can appeal in writing to the next level of authority within his department. The employee has two (2) calendar days from the time a supervisor renders or fails to render a decision to appeal in writing to the next level of authority within his department.
- Step 3: If the employee has appealed through all levels of authority within his department ending with the Department Head, and no agreement has been reached, the employee can, within two (2) calendar days of the Department Head's decision, appeal in writing to the employing authority – the County Administrator, elected official, or hiring Board. If within two (2) calendar days of receipt of the grievance, the employing authority and the employee are unable to reach an agreement, the employee can appeal as described herein to the Grievance Committee. If the employing authority is unavailable to consider a grievance or fails to respond within two (2) calendar days of receipt of the grievance, the employee can appeal as described herein to the Grievance Committee.

16.1D For an introductory employee, the employee follows the steps above within his hiring/firing authority and excludes the Grievance Committee. The County Administrator, elected official, or hiring Board – is the final appeal level. An employee is considered probationary until his probationary or introductory period is completed.

16.1E Regular, non-introductory, employees may submit an appeal to the Employee Grievance Committee by filing a signed, original written request for appeal at the County Human Resources Office. E-mails, faxes, and verbal requests will not be accepted. This is to be done within two (2) calendar days from the time the hiring authority renders a decision or from the passage of two calendar days without a decision from the hiring authority. The written request for appeal is to include the following information:

- 1) A copy of the written grievance submitted to the supervisor(s), Department Head, and employing authority;
- 2) The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
- 3) A statement that the chain of command has been followed in the appeal, as is required by the grievance procedure.

16.1F Within fifteen (15) calendar days of receipt of the employee's request, Human Resources schedules the requested hearing and notifies the Grievance Committee, the employee requesting the hearing, and the Department Head involved.

16.2 GRIEVANCE COMMITTEE

16.2A The County Administrator appoints members of the grievance committee. The grievance committee is composed of seven (7) employees. The County Administrator may appoint two (2) alternates to serve in the event a regular member cannot participate. The members serve for terms of three (3) years, except that the members appointed initially are appointed so that their terms will be staggered, and approximately one-third of the terms expire each year.

16.2B A member may continue to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term will be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the County Administrator. All members are to be selected on a broadly representative basis from among currently employed regular, full time county employees in the following manner:

16.2B(1) A general announcement of vacancies will be posted.

16.2B(2) Any employee interested in serving on the Committee is to send a letter of interest to Human Resources.

16.2B(3) The Human Resources Director will review the candidates considering the following Committee requirements:

- 1) Five (5) members must be from regular County Departments under County Council jurisdiction and two (2) from appointed/elected offices; two of the seven must be supervisors.
- 2) No more than two (2) members may be from any single Department.

16.2B(4) The Human Resources Director will draw up a register of possible candidates and present the candidates names to the County Administrator.

16.2B(5) The County Administrator will appoint the committee members from the register.

16.2C Members employed in the same department as the grieving employee and members having formed an opinion of the issues prior to the hearing are not to participate in the employee's hearing. Alternates serve in the place of committee members on a particular grievance in instances where members are not eligible to serve.

16.2D The Committee selects its own chairman from among its members annually. The chairman serves as the presiding officer at all hearings which he attends, but may designate some other member to preside in his absence.

16.2E A quorum consists of at least four (4) members and no hearings may be held without a quorum present.

16.2F The chairman or his designee will have control of the proceedings or other action taken. He takes the appropriate action necessary to ensure an equitable, orderly and expeditious hearing including requesting the presence of a law enforcement officer if needed. Parties are to abide by his decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

16.2G The Committee may call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Council; call for or consider affidavits of witnesses; request and hear the testimony of witnesses; consider the results of polygraph examinations; and secure the services of a recording secretary at its discretion. The Grievance Committee may only review the grieving employee's personnel file with a representative from Human Resources present to maintain control and responsibility of the file. In lieu of having the personnel file available at a Grievance Committee meeting, the Chairman of the Committee may review the file in the Human Resources Office and request copies of pertinent documents to present to the Committee for consideration. The Committee has no authority to subpoena witnesses, documents, or other evidence, nor is any County employee to be compelled to attend any hearing by the Grievance Committee. All proceedings are to be tape recorded. Witnesses, other than the grieving employee and department representative, are sequestered until such time as they are called upon to give testimony. All witnesses testify under oath. The official tape recording and the official minutes of all hearings are subject to the control and disposition of the Human Resources Director.

16.2H All hearings are to be held in executive session unless the grieving employee requests at least one day prior to the hearing that it be held in open session. In the case of an open hearing, the Grievance Committee Chairman is required to request a deputy be present and to adhere to all policies for speakers detailed herein.

16.2I Neither the grieving employee nor the department may be assisted in any manner by advisers or by attorneys during the hearing itself. However, the Committee may have an attorney available to it at any and all times it considers necessary. Human Resources provides Americans with Disabilities Act assistance as appropriate when requested.

16.2J In disciplinary actions by department heads and their subordinate supervisors, the employee receives written notice of the nature of the acts or omissions that prompted the disciplinary action. This notice may be amended at any time twenty-four (24) hours or more before the commencement of the hearing. The department is to demonstrate that the disciplinary action is for the good of the County. The department makes the first presentation. The Committee may base its findings and recommendations (and the Administrator or other elected or appointed officials, their decision) on any additional or different grounds developed from the presentations.

16.2K In non-disciplinary grievances, the employee must establish that a right existed and that it was denied him unfairly, illegally or in violation of County policy. The employee makes the first presentation.

16.2L In all grievances, the grieving employee and the department are each limited to one (1) hour of initial presentation. The party required to make the first presentation is entitled to a ten (10) minute rebuttal of the other party's presentation. The chairman serves as timekeeper or appoints another member of the Committee to serve in that capacity.

16.2M In all grievances, presentations may be oral or written or both and may be supported by affidavits or unsworn, signed statements from witnesses, by records, other documentary evidence, photographs or other physical evidence. Presentations are to be made by the grieving employee and by a managerial employee of the grieving employee's department. Neither party may call witnesses or question the other party, or question any witness called by the Committee.

16.2N Except as provided in 16.2O below, the Committee is to, within ten (10) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the Department Head who makes the decision to accept, reject or modify the Committee's recommendation within two (2) days of receipt of it. If the Department Head approves, the recommendation of the Grievance Committee is his decision, and copies of the decision are transmitted by the Committee to the employee and to the particular department involved. If, however, the Department Head rejects the decision of the Committee, he makes his own decision and copies of the decision are transmitted to the employee and to the employing department. If dissatisfied with the ruling of the Department Head, the employee may request in writing an appeal to the Administrator within five (5) days of receipt of the Department Head's ruling. The Administrator conducts a review of the case and the written appeal and makes his final decision known to the employee within ten (10) days.

16.2O In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside county government, the Committee, within ten (10) days after hearing an appeal, makes its findings and recommendation and reports such findings and recommendation to such official or authority. If the official or the authority approves, the recommendation of the Committee is his/its decision and a copy of the decision is transmitted by the Committee to the employee. If, however, the official or authority rejects the decision of the Committee, the official or authority makes his/its decision and that decision is final. A copy of the decision is transmitted to the employee.

16.2P A employee who was discharged and who has complied with the entire grievance process and is unsatisfied may request a review by the County Council if he submits a request in writing to the Human Resources Director or County Administrator within two (2) days of receipt of the Administrator's or official's or authority's ruling. The Administrator will provide the notice to the Chairman of County Council within five (5) calendar days. The County Council will review the written appeal within ten (10) calendar days, at which time the County Council will make its

determination whether to review the case or not. If the County Council votes to review the case, in not less than ten (10) calendar days the County Council will meet to review the case and written appeal as it determines appropriate within the SC Code of Laws as amended.

16.2Q Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the county or of an elected or appointed official to terminate any employee when the county or respective elected or appointed official considers such action to be necessary for the good of the county.

16.2R Concurrent with the decision, all copies, tapes, records, notes, and any other materials used by the Grievance Committee are to be turned in to Human Resources which is to maintain the files.

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INDEX	PAGE	SECTION/PARAGRAPH
Absenteeism	12	4.7
Accident - Vehicle	22	4.10F(4)
Accruals		
Annual Leave	41	11.2
Comp Time	38	10.3
Holiday	44	11.3
Sick Leave	44	11.4
Across The Board Adjustment	36	9.9C
Administration	2	2.0
Anniversary Date	36	9.10
Annual Leave	41	11.2
Accrual	42	11.2C
Eligibility for Use	43	11.2E
Maximum Carry-Over	42	11.2D
Payment at Separation	43	11.2G
Payment with Regular Hours	41	11.1
Units	43	11.2F
Appearance	12	4.6
Uniform Requirements	12	4.6B
Attendance & Leave	41	11.0
General Information	43	11.2E
Attendance and Punctuality	12	4.7
Attendance Records	27	6.5
Bereavement Leave	47	11.5
Immediate Family Defined	47	11.5B
Maximum Leave Per Year	45	11.4F
Proof of Death Requirement	47	11.5D
Civic and Political Activities	12	4.4
Hatch Act Reference	12	4.4B
Impermissible Activities	12	4.4A
COBRA	53&61	12.1B&14.12
Compensation & Classification Plan	31	9.0
Across the Board Increase	36	9.9C
Administration of Plan	31	9.2
Allocation of Positions	31	9.3C
Anniversary Date	36	9.10
Compensation (Pay) Plan	33	9.4
General Pay Adjustment	36	9.9B

Involuntary Demotion	35	9.6C
Job Titles	31	9.3B
Merit Increase System	36	9.9A
Objectives of Plan	33	9.4A
PAR Form	33	9.4C
Policy and Purpose	31	9.1&9.3A
Promotion	34	9.6A
Reclassification	35	9.6D
Salary Progression	36	9.9
Salary Ranges	33	9.4B
Starting Rates of Pay	33	9.5
Voluntary Demotion	35	9.6B
Wage/Employment Status Change	34	9.6
Wages During Daylight Savings	36	9.8
Working Out of Classification	35	9.7
Higher Classification	35	9.7A
Lower Classification	36	9.7B
Compensatory Time	38	10.3
Compulsory (Involuntary) Resignation	59	14.3
Computer Privacy	14	4.9
Audits & Maintenance	15	4.9G
Prohibited Activities	14	4.9F
Conduct	11	4.0
Conflict of Interest	11	4.2
County Administrator As Personnel Officer	2	2.1
County Administrator Delegation of Authority	2	2.1
County Administrator Responsibilities	2	2.1
Death	60	14.7
Discharge	60	14.6
Discipline	61	15.0
Disciplinary Action Activities	62	15.3
Disciplinary Guidelines	64	15.4
Disciplinary Written Notice	64	15.4A
Employee Refusal to Sign Notice	64	15.4C
Employee Signature on Notice	64	15.4B
General Policy	61	15.1
Types of Disciplinary Actions	62	15.2
Disclaimer - Employment at Will	1	
Driver's License - Driving Record	10	3.7
Furnishing of Driving Record	11	3.7C
Definition of Valid License	10	3.7B

Drug/Alcohol Abuse Policy	3&4	3.1&3.2
Abuse after Voluntary Reporting	7	3.2B(8)
Abuse Convictions	4	3.1D
Abuse Problems	7	3.2B(8)
Abuse Voluntary Reporting	7	3.2B(8)(a)
Alcohol & Drug Abuse Commission	3	3.1B(3)
Applicants for Employment	4	3.2B(2)
Consequences of Violations	8	3.2B(8)(a)(vi)
Current Employees	5	3.2B(3)
Drug-Free Workplace Policy	3	3.1
General Rules	4	3.2B(1)
Mandatory Nature of Test	6	3.2B(3)(e)
Notice to Employees	7	3.2B(5)
Notice to Grantor/Law Enforcement	7	3.2B(6)(b)
Particularized Suspicion	5	3.2B(3)(b)
Positive Results of Test & Retesting	6	3.2B(4)(g)
Random Testing	5	3.2B(3)(d)
Reporting Responsibility	7	3.2B(6)(a)
Substances Tested for	6	3.2B(4)(e)
Test Confidentiality	8	3.2B(9)
Test Costs	8	3.2B(10)
Test Result Notification	8	3.2B(11)
Testing Method	6	3.2B(4)(a)
Testing Procedure	6	3.2B(4)
Testing Sample Collection	6	3.2B(4)(b)&3.2B(4)(d)
Use/Testing Policy	4	3.2
 Employee Benefits	 53	 12.0
COBRA	53	12.1B
Dues and Certifications	57	12.7
Equipment and Supplies	55	12.2
Fringe Benefits	53	12.1
Health Insurance	53	12.1A
Payroll Deductions	54	12.1G
Reimbursement Carrier/Mileage	56	12.4A(1)
Retirement	54	12.1E
Social Security	53	12.1C
Training	57	12.5A
Travel and Subsistence Allowance	56	12.4
Advances	56	12.4B
Lodging	56	12.4A(4)
Registration Fees	56	12.4A(5)
Subsistence Allowance	56	12.4A(2)&12.4A(3)
Voucher Form	56	12.4A(6)
Tuition Assistance	57	12.6
Unemployment Insurance	54	12.1F
Uniforms	56	12.3
Workers' Compensation Insurance	54	12.1D
Workers' Compensation Program	54	12.1H

Employee Change of Status	29	8.0
Demotion	30	8.2
Demotion Pay Rate	30	8.2C
Involuntary Demotion	30	8.2B
Lateral Transfer	31	8.3
Promotion	29	8.1
Voluntary Demotion	30	8.2A
Employee Records	26	6.0
Access to Personnel Files	26	6.2
Attendance Records	27	6.5
Changes - PAR Form	27	6.4B
Confidentiality of Records	26	6.2B
Employee Responsibilities	27	6.4A
Personal Inquiry	26	6.3
Personnel Data Changes	27	6.4
Personnel Records	26	6.1
Phone Inquiries	26	6.3A(1)
Responsibility of Dept Head	27	6.5
Workers' Compensation/Medical Record	26	6.1B
Written Requests for Information	26	6.3A(3)
Employees Subject to Personnel Policy	3	2.2
Employment Status	27	7.0
Elected/Appointed	29	7.4A(3)
Exit Interview	61	14.8
Fire-Rescue Volunteer Prog.	29	7.3A
Hourly/Non-Exempt	29	7.4A(1)
Introductory Appointments	27	7.1A
Position Classification	29	7.4
PRN or Variable Time	28	7.2A(5)
Re-Call	28	7.1D
Regular Appointments	27	7.1B
Regular Full-Time	28	7.2A(1)
Regular Part-Time	28	7.2A(2)
Salary/Exempt	29	7.4A(2)
Seasonal Appointment	28	7.1C
Temporary Full-Time	28	7.2A(3)
Temporary Part-Time	28	7.2A(4)
Types of Employment Status	28	7.2
Types of Appointments	27	7.1
Volunteer Service	29	7.3
Equal Employment Opportunity	3	2.3
Equipment and Supplies	55	12.2
FMLA - Family & Medical Leave Act	49	11.12
Effect on Accrual of Fringe	51	11.12F
Effect on Health Benefit Plan	51	11.12F(1)

Effect on Paid Time Off	51	11.12E
Employee Responsibilities	49&51	11.12C&11.12G
Employees Covered	49	11.12C
Failure to Return to Work	53	11.13D
Length of Leave	50	11.12D
Light Duty	51	11.12H
Non-Contract Statement	52	11.12N
PreCobra 14 Weeks	51	11.12K
Reasons for FMLA Leave	49	11.12C
Reinstatement to Work	51	11.12J
Rights Under FMLA	49	11.12B
Special Situations	52	11.12M
Key Employee	52	11.12M(2)
Spouses	52	11.12M(1)
Termination of Leave	51	11.12I
Form of Government	2	2.1
General Requirements	3	3.0
Gifts and Gratuities	11	4.3
Grievance Procedure	65	16.0
Appeal to Grievance Committee	66	16.1E
Appointment of Grievance Committee	66	16.2A
Attorney Involvement in Grievance	67	16.2I
Committee Authority	67	16.2G
Committee Chairman	67	16.2D
Disciplinary Action Grievance	68	16.2J
Disclaimer	69	16.2Q
Filing of Grievance	65	16.1C
General Definition of Grievance	65	16.1B
General Information	65	16.1
General State Statute	65	16.1A
Grievance Committee	66	16.2
Grievance Committee Action	66	16.1F
Grievance Committee Alternates	66	16.2A
Grievance Committee Quorum	67	16.2E
Grievance Committee Selection & Terms	66	16.2A
Grievance Hearings	67	16.2H
Hearing Presentations	68	16.2M
Hearing Time Limits	68	16.2L
Introductory Employee	66	16.1D
Non-Disciplinary Grievance	68	16.2K
Presiding Officer	67	16.2D
Report of Committee Findings	68	16.2N
Report to Elected Officials	68	16.2O
Return of Human Resources Materials	69	16.2R
Health Insurance	53	12.1A
Hiring Process	22	5.0

Holiday Leave	44	11.3
Accrual of Holiday Time	44	11.3F
During Annual or Sick Leave	44	11.3H
Holiday Leave Tracking	44	11.3J
Holidays on Weekends	44	11.3B
Hours per Holiday Day	44	11.3C&D
Official Holidays	44	11.3A
 Introduction	 2	 1.0
Introductory Appointment	27	7.1A
Involuntary Demotion	30&35	8.2B&9.6C
 Job Related Investigations	 10	 3.6
Job Titles	31	9.3B
Jury Duty Leave (Civil Leave)	47	11.7
 Layoff	 60	 14.5
Leave Balances	41	11.1
Leave Without Pay	52	11.13
Loss of License/Job Requirement	59	14.4
 Merit Increase	 36&59	 9.9A&13.5
Mileage	56	12.4A(1)
Military Leave	48	11.10
 Nepotism	 10	 3.5
Definition of Immediate Family	10	3.5C
Status Change Resulting in Nepotism	10	3.5B
 Non-Contract Statement	 1	
Non-Exempt/Hourly Status	29	7.4A(1)
 Operational Shutdown	 53	 11.15
Outside Employment	11	4.1
Overtime Compensation (Paid)	37	10.2
 Payroll Deductions	 54	 12.1G
 Performance Appraisal	 57	 13.0
Annual Review	58	13.2B&13.3C
Basis for Increases	59	13.5
End of Introductory Period	58	13.3B
Evaluation Periods	58	13.3
General Information	58	13.4B
Introductory Period	58	13.3A
Other Types	58	13.4
Overview of System	57	13.1
Purpose	57	13.2
Status Changes	58	13.4A
 Personal Leave	 48	 11.11

Application for Leave of Absence	49	11.11C
Employees Covered	48	11.11A
Leave of Absence Eligibility	48	11.11B
Leave of Absence Employee Responsibilities	49	11.11E
Probationary Employees	48	11.11A
Return to Work After Leave	49	11.11F
Personnel Files - Access	26	6.2
Pool Vehicle Policy	22	4.10F
Privacy	14	4.9
Private Litigation Leave	48	11.9
Punctuality	12	4.7
ReCall	28	7.1D
Reclassification of Positions	32	9.3D
Recruitment & Selection	22	5.0
Administrator's Role	25	5.3G
Application Screening	24	5.3C
Applications	24	5.3A
Background Checks	24	5.3F
Conditional Offer	25	5.4
Consideration Factors	22	5.1
Continuous Posting	23	5.2D
Decision to Hire	25	5.3G
External Posting	23	5.2C
Final Offer of Employment	25	5.5
Internal Posting	23	5.2B
Interview	24	5.3D
Personnel Requisition	23	5.2A
Preliminary Screening	24	5.3B
Publicity/Advertisement	23	5.2C
Recruitment	22	5.1
Recruitment Procedures	23	5.2
Reference Checks	24	5.3E
Regular Appointment	27	7.1B
Selection	25	5.3G
Selection Procedure	24	5.3
Resignation	59	14.2
Retirement	54	12.1E
Return of County Property	61	14.11
Right to Revise	2	
Salary Ranges	33	9.4B
Seasonal Appointment	28	7.1C
Seat Belts	21	4.10E(2)
Separation from Employment	59	14.0
COBRA	61	14.12
Compulsory Resignation	59	14.3
Death	60	14.7

Discharge	60	14.6
Disclaimer	59	14.1
Disclaimer Employment at Will	59	14.1A
Disclaimer Final Paycheck	59	14.1B
Exit Interview	61	14.8
Layoff	60	14.5
Alternate Employment Offer	60	14.5B
Notification Process	60	14.5C
Loss of License/Job Requirement	59	14.4
Resignation	59	14.2
Return of Property	61	14.11
Separation Pay	61	14.10
Separation Provisions	61	14.9
Workforce Reduction	60	14.5
Sexual/Illegal Harrassment	8	3.3
Complaint Investigation	9	3.4
Sick Leave	45	11.4
Accruals	45	11.4B (1&2)
Advance of Leave	45	11.4C
Authorized Uses of Leave	45	11.4F
Certification of Illness	46	11.4G(1)
Bereavement Leave	47	11.5A
General Information	46	11.4G
Leave Without Pay	46	11.4G(4)
Maximum Carry-Over	45	11.4E
Reporting Absence	46	11.4G(1)
Return Certification	46	11.4G(1)C
Units of Sick Leave	45	11.4D
Use of Annual Leave for Sick Leave	46	11.4G(3)
Smoking Policy	12	4.5
Social Security	53	12.1C
Starting Pay Rates	33	9.5
Telephones - Use of County Phones	13	4.8
Business Calls	13	4.8A
Cell Phones	13	4.8C
Personal Calls	13	4.8B
Time Sheets	38	10.4
Training	57	12.5
Travel & Subsistence Allowance	56	12.4
Travel Advance	56	12.4B
Travel Voucher Form	56	12.4A(1)&12.4A(6)
Tuition Assistance	57	12.6
Unemployment Insurance	54	12.1F
Vehicle Policy	15	4.10

Drug Testing after Accident	18	4.10D(4)
General Use	16	4.10B
Insurance Deductible Payment	20	4.10D(5)(f)
Maintenance of County Vehicles	16	4.10B(2)
Notification of Accidents	18	4.10D
Pool Vehicle Policy	22	4.10F
Safety and Accident Prevention	21	4.10E
Safety Belts/Equipment	21	4.10E(2)
Safety - Employee Responsibilities	21	4.10E
Travel To and From Work	17	4.10C
Use of County Vehicles	15	4.10A
Vehicle Accidents/Violations	18	4.10D
Vehicle Idle Reduction Requirements	17	4.10B(3)
Vehicle Control Review Board Procedure	18	4.10D(5)
VCRB Purpose	18	4.10D(5)(a)
VCRB Composition, Appt & Terms	18	4.10D(5)(b)
VCRB Officers	19	4.10D(5)(c)
VCRB Authority	19	4.10D(5)(d)
VCRB Hearings	20	4.10D(5)(e)
VCRB Penalties	20	4.10D(5)(f)
VCRB Findings	21	4.10D(5)(g)
VCRB Appeals	21	4.10D(5)(h)
Voluntary Demotion	30&35	8.2A&9.6B
Voting Day Leave	47	11.6
Wages & Hours	37	10.0
Accrued Compensatory Leave	38	10.3
Meal Periods	40	10.7
Overtime	37	10.1
Paid Overtime Compensation	37	10.2
Pay Period	40	10.8
Payroll	39	10.6
Timekeeping	38	10.4
Work Schedules	39	10.5
Witness Duty Leave	48	11.8
Workers' Compensation Insurance	54	12.1D
Workers' Compensation Program	54	12.1H
Workplace Privacy/Computer Use	14	4.9

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Third Reading - Ordinance No. 17-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Third Reading of Ordinance No. 17-2010/11.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 17-2010/11.

Sponsor(s) : County Council
First Reading : February 17, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : March 17, 2011
Second Reading : March 17, 2011
Third Reading : May 19, 2011
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on February 24, 2011.

ORDINANCE NO. 17-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Johnsonville Rural Fire District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, Incident To The Establishment Of Said District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.)

WHEREAS:

1. Pursuant to the authorizations contained in Section 4-9-30 of the Code of Laws of South Carolina, 1976, as amended (the "Code"), Florence County, South Carolina (the "County"), acting by and through its County Council ("Council"), created the Johnsonville Rural Fire District (the "District") by ordinance enacted on December 10, 1981 (the "1981 Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Ordinance; and
2. Subsequent to the creation of the District pursuant to Section 4-9-30 of the Code, the South Carolina General Assembly enacted Section 4-19-10, et seq. of the Code, which specifically allows Counties to create Special Tax Fire Districts without holding a referendum, which districts are operated under the authority and taxing power of the County and
3. Since the enactment of said section 4-19-10, et seq. of the Code, all other County fire districts have been created and are administered under its provisions; and
4. The proceedings for the creation of the District under Section 4-9-30 of the Code impose certain limitations on the taxing power of the County with respect to the administration of the District that are inconsistent with South Carolina law and the administration of the County's other fire districts, and that impose barriers to the provision of effective fire protection service by the District; and

5. Section 4-9-30(5)(e) of the Code provides that a special tax district created pursuant to the provisions of Section 4-9-30 of the Code may be dissolved by ordinance of County Council after a duly noticed public hearing; and
6. The District has requested that the County simultaneously dissolve the District as it is presently constituted under Section 4-9-30(5)(e) of the Code and reconstitute the District as a special tax fire district under 4-19-10, et seq. of the Code; and
7. Pursuant to said request, Council has duly noticed by publication in the *Morning News* a public hearing which was held on March 17, 2011 concerning the dissolution of the District pursuant to Section 4-9-20(5)(e) of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL, SOUTH CAROLINA DULY ASSEMBLED THAT:

Section 1.01

Pursuant to said 4-9-30(5)(e) of the Code, the District is dissolved as a Special Tax Fire District created pursuant to Section 4-9-30(5) of the Code, such dissolution to become effective upon the creation and reestablishment of the District by Ordinance of Council pursuant to Chapter 19 of Title 4 of the Code.

Section 1.02

All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this ordinance shall take effect and be in full force from and after the creation and reestablishment of the District by ordinance of Council pursuant to Chapter 19 of Title 4 of the Code.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk to Florence County Council, South Carolina ("County Council"),
DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by County Council on May 19, 2011. The Ordinance was read at three public meetings of County Council on three separate days, February 17, 2011, March 17, 2011, and May 19, 2011. An interval of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of County Council was present and remained present throughout the meeting.

The meetings held on February 17, 2011, March 17, 2011, and May 19, 2011 were regular meetings of County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County, South Carolina, this ____ day of May, 2011.

(SEAL)

Clerk to Florence County Council,
South Carolina

First Reading: February 17, 2011
Second Reading: March 17, 2011
Public Hearing: March 17, 2011
Third Reading: May 19, 2011

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Third Reading - Ordinance No. 18-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.)

OPTIONS:

1. *(Recommended)* Approve Third Reading of Ordinance No. 18-2010/11.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 18-2010/11.

Sponsor(s) : County Council
 First Reading : February 17, 2011
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Public Hearing : March 17, 2011
 Second Reading : March 17, 2011
 Third Reading : May 19, 2011
 Effective Date : Immediately

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on February 24,
 March 3, and March 10, 2011.

ORDINANCE NO. 18-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Create And Reestablish The Johnsonville Rural Fire District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.)

WHEREAS:

1. Pursuant to the provisions of Chapter 19 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), the Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County"), is empowered to establish, operate and maintain a system of fire protection facilities within designated areas of the County in order to provide the residents and property owners who reside and own property located within the designated areas with fire protection services.
2. An area of the County surrounding the City of Johnsonville and contiguous with the area of Florence County School District No. 5 less and except the area within the municipal limits of the City of Johnsonville (the "Johnsonville Rural Area") has been previously designated as a special tax fire district by the County under Chapter 9 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the "Code") and known as the Johnsonville Rural Fire District (the "Prior District"). The County has determined to dissolve the Prior District pursuant to Section 4-9-30(5)(e) contingent upon its creation and reestablishment as a special tax fire district under the Enabling Act in order to ensure the structure and administration is consistent with general law and the structure and administration of other special tax fire districts in the County.
3. Council has therefore found that it is in the best interests of the County and the Johnsonville Rural Area to create and reestablish the Johnsonville Rural Fire District as created and reestablished under the Enabling Act (the "District"), to approve the continuation of the annual levy and collection of ad valorem taxes for the operation and maintenance of the District, and to continue the authorization of the County to issue, from

time to time by ordinance subsequent hereto, general obligations bonds of the County to finance capital improvements within the District.

4. The Council specifically finds that the establishment of the District satisfies the requirements and conditions of §§4-19-10 and 4-19-20 of the Enabling Act and is now minded, in accordance with the specific authorization of §4-19-10(b) of the Enabling Act, to create and reestablish the District to include the Johnsonville Rural Area so that the District will comprise, embrace, and consist of the area contained within the boundaries of Florence School District No. 5, less and except the area with the municipal boundaries of the City of Johnsonville. Reference is made to the Florence County Tax Map maintained by the Florence County Tax Assessor for a metes and bounds description of each such Tax Map Block.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Florence County Code, Chapter 12, Article II, Fire Districts, Division 2, Johnsonville Rural Fire District is hereby deleted in its entirety and replaced with language attached hereto and incorporated by reference.
2. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provision or application of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:

OPPOSED:

ABSENT:

DIVISION 2. JOHNSONVILLE RURAL FIRE DISTRICT

Sec. 12-26. Created; boundaries.

There is hereby created the Johnsonville Rural Fire District, which shall comprise, embrace, and consist of the area contained within the boundaries of Florence County School District No. 5, less and except the area within the municipal boundaries of the City of Johnsonville. Reference is made to the Florence County Tax Map maintained by the Florence County Tax Assessor for a metes and bounds description of each such Tax Map Block.

Sec. 12-27. Purpose.

Johnsonville Rural Fire District (the "District") is created and established for the purpose and function of providing rural fire protection services therein and the council is hereby authorized to exercise all powers and to perform all duties necessary to the proper rendering of rural fire protection services therein.

Sec. 12-28. Board of fire control - Established; composition; terms; compensation; officers; meetings.

The affairs of the District shall be administered by a Board of Fire Control (the "Board") consisting of five members appointed by Council. Appointments to the Board shall be made by Council upon the recommendation of the members of Council whose Council districts are contained wholly or in part within the District. Each member of the Board must reside within the District. The initial Board shall be the Board of the Prior District serving at the time of the dissolution of the Prior District, with such terms as were in effect at such time. Their successors shall be appointed for terms of four years. Any member whose term expires shall continue to serve in such capacity until such time as his successor is duly appointed and qualified. The five members upon being appointed and qualified shall take office at which time the terms shall commence and shall expire as indicated upon the certificate of each member. Any member of the Board shall be eligible for reappointment. The Board shall meet not less than four times each year and at other times as called by the Chairman of the Board or upon the written request of a majority of the members of the Board.

The Board shall annually elect a chairman, vice-chairman, secretary, treasurer and such other officers as it deems necessary. The members of the Board shall serve without pay.

Sec. 12-29. Same - Powers.

The Board shall be authorized to exercise such powers with respect to the functions of the District which shall not be inconsistent with the general policies established by the Council and pursuant to that authority shall be empowered to:

- (a) Buy such fire-fighting equipment as the Board deems necessary for the purpose of controlling fires within the money allocated or made available to the Board for such purposes.
- (b) Select the sites or places within the area where the fire-fighting equipment shall be kept.

- (c) Employ all necessary personnel and fix their compensation.
- (d) Procure and supervise the training of firemen to ensure that the equipment shall be utilized for the best interest of the District.
- (e) Be responsible for the upkeep, maintenance and repair of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.
- (f) Promulgate such rules and regulations as it deems necessary to ensure that the equipment is being used to the best advantage of the area.
- (g) Construct, if necessary, buildings to house the equipment authorized herein.
- (h) Purchase, lease, hold and dispose of real and personal property in the name of the County for the exclusive use of the District. Provided, however, that any such conveyance, lease or purchase of real property shall be by the Council and in accordance with the provisions of Sections 4-9-10 et seq., of the Code of Laws of South Carolina, 1976, as amended.
- (i) Cooperate or enter into contracts or agreements with any public or private agency which results in improved services or the receipt of financial aid in carrying out the functions of the District. Provided, however, that such contracts and agreements shall be subject to approval by the Council.
- (j) Annually, at a time designated by the County, submit to the designated office the amount of millage that it wishes to levy and a budget for the ensuing fiscal year adequate to fund the operation and maintenance of the District. Such budget shall list all funds which the Board anticipates will be available for the operation of the District. All funds appropriated, earned, granted or donated to the District, including funds appropriated by the Council, shall be deposited and expended as provided for in this division. All funds appropriated, earned, granted or donated to the District shall be used exclusively for providing rural fire protections services. All financial procedures relating to the District, including audits, shall conform to the procedures established by the County.
- (k) Annually file a detailed report of its operations and expenditures for the previous fiscal year with the Council.

Sec. 12-30. Ratification of previous tax levy; Johnsonville Rural Fire District.

Council does hereby ratify its action, if any, regarding any levy and collection of any ad valorem tax on the taxable property located within the Johnsonville Rural Fire District previously instituted and reauthorizes and directs the continuation of said levies for the operation and debt service of the District. All moneys collected from the imposition of this levy or from any other source which are presently deposited with the treasurer of Florence County shall be placed in segregated account for the fire district and shall be used only to further the purposes of the fire district.

Sec. 12-31. Annual tax levy for operation and debt service

In order to provide for the operation and debt service of the function of the District, there is hereby authorized annual levies by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and debt service of the District. The levies within the District for the operation and debt service of the District shall be as prescribed in the County's annual budget.

In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and debt service of the District.

Sec. 12-32. Issuance of general obligation bonds.

In order to provide for the facilities of the District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the District, such bonds to be payable from ad valorem taxes collected within the District.

Secs. 12-33 – 12-38. Reserved.

DRAFT

NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL
CONCERNING THE CREATION AND REESTABLISHMENT
OF THE JOHNSONVILLE RURAL FIRE DISTRICT

Pursuant to the provisions of Sections 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence County, South Carolina, on _____, 2011 at _____ on the question of the creation and reestablishment of the Johnsonville Rural Fire District.

Following the aforesaid public hearing, Council did on the ____ day of _____, 2011 give third and final reading to an Ordinance entitled "TO CREATE AND REESTABLISH THE JOHNSONVILLE RURAL FIRE DISTRICT IN FLORENCE COUNTY, SOUTH CAROLINA, TO APPROVE THE CONTINUANCE OF THE ANNUAL LEVY AND COLLECTION OF AD VALOREM TAXES AND THE IMPOSITION OF RATES AND CHARGES FOR THE OPERATION AND MAINTENANCE THEREOF, TO REAUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS ON BEHALF OF THE DISTRICT FROM TIME TO TIME, AND OTHER MATTERS RELATING THERETO" (the "Ordinance").

The Ordinance authorizes the creation and reestablishment of the Johnsonville Rural Fire District which shall comprise, embrace, and consist of the area contained within the boundaries of Florence County School District No. 5, less and except the area within the municipal limits of the City of Johnsonville.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District to the extent necessary to defray the cost of constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. The County Council shall be further authorized to issue general obligation bonds of the County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

Notice of this Action is being published once a week for two successive weeks in the *Morning News*.

Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk to Florence County Council, South Carolina ("County Council"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by County Council on May 19, 2011. The Ordinance was read at three public meetings of County Council on three separate days, February 17, 2011, March 17, 2011, and May 19, 2011. An interval of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of County Council was present and remained present throughout the meeting.

The meetings held on February 17, 2011, March 17, 2011, and May 19, 2011 were regular meetings of County Council, for which notice had been previously given pursuant to and in conformity with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County, South Carolina, this ____ day of May, 2011.

(SEAL)

Clerk to Florence County Council,
South Carolina

First Reading: February 17, 2011
Second Reading: March 17, 2011
Public Hearing: March 17, 2011
Third Reading: May 19, 2011

FLORENCE COUNTY COUNCIL MEETING

Thursday, May 19, 2011

AGENDA ITEM: Ordinance No. 19-2010/11
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.] *(Planning Commission approved 8-0; Council District 2)*

POINTS TO CONSIDER:

1. The subject property is located in Council District 2.
2. The subject property is currently designated as Transitional Growth and Preservation according to the Florence County Comprehensive Plan Land Use Element map.
3. The applicant has requested a land use designation amendment for the subject property to Commercial Growth and Preservation.
4. Staff's justification for the proposed amendment is to recognize change and technology, the style of living, or manner of doing business.
5. This land use designation would better coordinate with the existing land uses surrounding this area.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 19-2010/11
2. Resolution for PC#2011-02
3. Staff report for PC#2011-02
4. Aerial map
5. Comprehensive Plan Land Use Element map

Sponsor(s) : Planning Commission
Planning Commission Consideration : March 22, 2011
Planning Commission Public Hearing : March 22, 2011
Planning Commission Recommendation : March 22, 2011 [Approved 8-0]
First Reading/Introduction : April 21, 2011
Committee Referral : N/A
County Council Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading : June 16, 2011
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 19-2010/11

[An Ordinance To Amend The Comprehensive Plan Land Use Map For Property In Florence County Located At 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth And Preservation To Commercial Growth And Preservation As Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of .297 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are not injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. The Administrative Procedures for the Florence County Comprehensive Plan were adopted by Florence County Council on December 10, 2009; and
3. The amendment procedure has been followed by the Florence County Planning Commission at a public hearing on March 22, 2011.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Comprehensive Plan Land Use Map is hereby amended to change the designation for property in Florence County located at 122 South Georgetown Highway, Johnsonville, SC from Transitional Growth and Preservation to Commercial Growth and Preservation as shown on Florence County Tax Map No. 50007, Block 05, Parcel 002 consisting of .297 acres.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the validity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

RESOLUTION FOR PC#2011-02

FLORENCE COUNTY PLANNING COMMISSION

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located at 122 South Georgetown Highway, Johnsonville, SC From Transitional Growth and Preservation To Commercial Growth and Preservation As Referenced On The Agenda Map.]

WHEREAS:

1. The subject property designation as established by the Land Use Map of the Florence County Comprehensive Plan is Transitional Growth and Preservation.
2. The applicant is proposing to change the designation to Commercial Growth and Preservation to recognize change in technology, the style of living, or manner of doing business.
3. Therefore, a change to the Comprehensive Plan Map Land Use Designation for this property is hereby recommended.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designation for property in Florence County located at 122 South Georgetown Highway, Johnsonville, SC measuring approximately .297 of an acre that is currently Transitional Growth and Preservation to Commercial Growth and Preservation as referenced on the agenda map.

ATTEST:

Angela C. Thomas
Angie Thomas, Secretary II

SIGNED:

Peter M. Knoller
Peter M. Knoller, Chairman

COMMISSION VOTE: 8-0

OPPOSED: None

ABSENT: D. Hobbs

D. Lockhart

K. Lowery

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
March 22, 2011
PC#2011-02
ORDINANCE NO. 19-2010/11**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for property in Florence County located at 122 South Georgetown Highway, Johnsonville from Transitional Growth and Preservation to Commercial Growth and Preservation.

Location: 122 South Georgetown Highway, Johnsonville

Tax Map Numbers 50007, Block 05, Parcel 002

Council District(s): 2; County Council

Applicant: Glenn Badger Bazen

Land Area: Approximately 0.297 acres

Staff Analysis:

The property is currently designated as Transitional Growth and Preservation according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation to Commercial Growth and Preservation.

Staff's Justification/Reason for proposed amendment is to recognize change and technology, the style of living, or manner of doing business.

Comprehensive Land Use Plan Map Designation:

The proposal is to change the designation to Commercial Growth and Preservation which protects and sustains existing commercial areas, including property values and amenities, and provides areas along important corridors or at key community points that are expected to have increasing economic significance.

Florence County Planning Commission Action: March 22, 2011:

The eight Planning Commission members present voted unanimously to adopt a resolution recommending that County Council amend the Comprehensive Plan Land Use Map.

Florence County Planning Commission Recommendation:

Florence County Planning Commission recommends approval of the request to Florence County Council based on a commercial growth and preservation land use designation would better coordinate with the existing land uses surrounding this area.

Florence County Council Meeting Schedule:

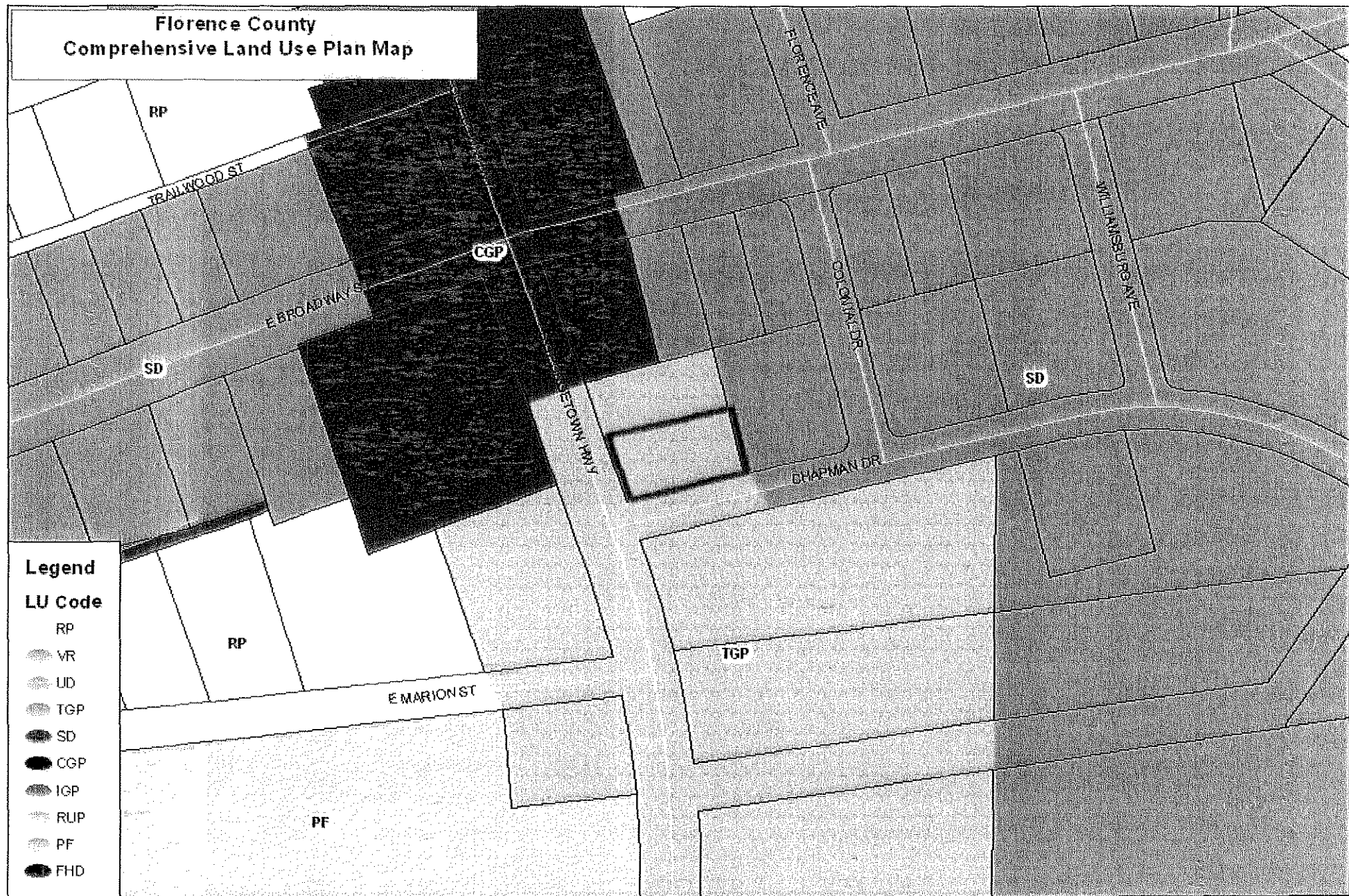
Introduction: Thursday, April 21, 2011 @ 9:00 a.m. in room 803 of the City-County Complex

Second Reading/Public Hearing: Thursday, May 19, 2011@ 9:00 a.m. in room 803 of the City-County Complex

Third Reading: Thursday, June 16, 2011@ 9:00 a.m. in room 803 of the City-County Complex



Florence County Comprehensive Land Use Plan Map



Legend

LU Code

- RP
- VR
- UD
- TGP
- SD
- CGP
- IGP
- RUP
- PF
- FHD

0 75 150 300 Feet

Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
02/17/2011



COUNTY COUNCIL DISTRICT(S): 2
PC#2011-02

FLORENCE COUNTY COUNCIL MEETING
Thursday, May 19, 2011

AGENDA ITEM: Ordinance No. 20-2010/11
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approx. 0.297 Acres.] *(Planning Commission approved 8-0; Council District 2)*

POINTS TO CONSIDER:

1. The subject property is located in Council District 2.
2. The subject property is currently zoned B-2, Convenience Business District and is currently vacant rental property.
3. The applicant is requesting to rezone the property to B-3, General Commercial District for a used car lot.
4. The property is surrounded by existing commercial, single-family residential and vacant commercial uses.
5. The request for the zoning amendment to a B-3 does not presently comply with the Land Use Element's designation for the subject property.
6. However, staff is moving forward with the request to amend the current land use designation to Commercial Growth and Preservation to comply with the Comprehensive Plan Land Use Map.
7. The zoning amendment of the subject property from B-2 to B-3 will be in compliance with the Comprehensive Plan Land Use Map pending the land use designation amendment approval.

OPTIONS:

1. *(Recommended)* Approve as Presented.
2. Provide An Alternate Directive.

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 20-2010/11
2. Staff report for PC#2011-03
3. Location map
4. Comprehensive Land Use Plan map
5. Zoning map
6. Aerial photograph

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: March 22, 2011	Council Clerk, certify that this
Planning Commission Public Hearing	: March 22, 2011	Ordinance was advertised for
Planning Commission Recommendation	: March 22, 2011 [Approved 8-0]	Public Hearing on _____.
First Reading/Introduction	: April 21, 2011	
Committee Referral	: N/A	
Second Reading	: May 19, 2011	
Third Reading	: June 16, 2011	
Effective Date	: Immediately	

ORDINANCE NO. 20-2010/11

[An Ordinance To Rezone Property Owned By Glenn Badger Bazen Located At 122 South Georgetown Hwy., Johnsonville From B-2, Convenience Business District To B-3, General Commercial District Shown On Florence County Tax Map No. 50007, Block 05, Parcel 002 Consisting Of Approx. 0.297 Acres.]

WHEREAS:

1. Section 30-291 of the Florence County Code establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County are not injurious from a public health, safety and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Section 30-297 of the Florence County Code republished January 2008, provides a procedure for amending the official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County Planning Commission at a public hearing on March 22, 2011.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Property located at 122 South Georgetown Hwy. bearing Tax Map 50007, Block 05, Parcel 002 is hereby rezoned to B-3, General Commercial District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

**STAFF REPORT
TO THE
FLORENCE COUNTY PLANNING COMMISSION
March 22, 2011
PC#2011-03
ORDINANCE NO. 20-2010/11**

Subject: Rezoning request from B-2, Convenience Business District to B-3, General Commercial District

Location: Property is located at 122 South Georgetown Hwy., Johnsonville

Tax Map Number: 50007, Block 05, Parcel 002

Council District(s): 2, County Council

Owner of Record: Glenn Badger Bazen

Applicant: Glenn Badger Bazen

Land Area: Approximately 0.297 acres

Waterways/ Bodies of Water: None

Flood Zone: N/A

Water and Sewer Availability: Provided by the City of Johnsonville

Transportation Access and Circulation:

Present access to the property by way of South Georgetown Hwy. and Chapman Drive.

Existing Land Use and Zoning:

The subject property is currently vacant rental property and zoned B-2, Convenience Business District.

Proposed Land Use and Zoning:

The applicant is proposing to rezone the subject property to B-3, General Commercial District for purpose of used car lot.

Surrounding Land Use and Zoning:

North: Commercial/B-2/City of Johnsonville
South: Vacant/B-2/City of Johnsonville
East: Vacant/B-2/City of Johnsonville
West: Commercial/R-3/City of Johnsonville
Single-Family Residential/B-2/ City of Johnsonville

Florence County Comprehensive Plan:

Currently, the subject property is located in a Transitional Growth and Preservation area according to the Comprehensive Plan Land Use Map.

The applicant has requested to rezone this property from B-2 to B-3.

The request for the zoning amendment to a B-3 does not presently comply with the Land Use Element's designation for the subject property.

However, staff is moving forward with the request to amend the current land use designation to Commercial Growth and Preservation to comply with the Comprehensive Plan Land Use Map as the designation would coordinate with the existing land uses surrounding this area.

When the amendment is approved for the land use designation change, the zoning amendment of the subject properties from B-2 to B-3 will be in compliance.

Chapter 30-Zoning Ordinance:

The intent of the B-3, General Commercial District is to provide for the development and maintenance of commercial and business uses strategically located to serve the community and the larger region in which it holds a central position.

Staff Analysis:

The applicant is requesting to change the zoning of the property from B-2, Convenience Business District to B-3, General Commercial District for purpose of a used car lot.

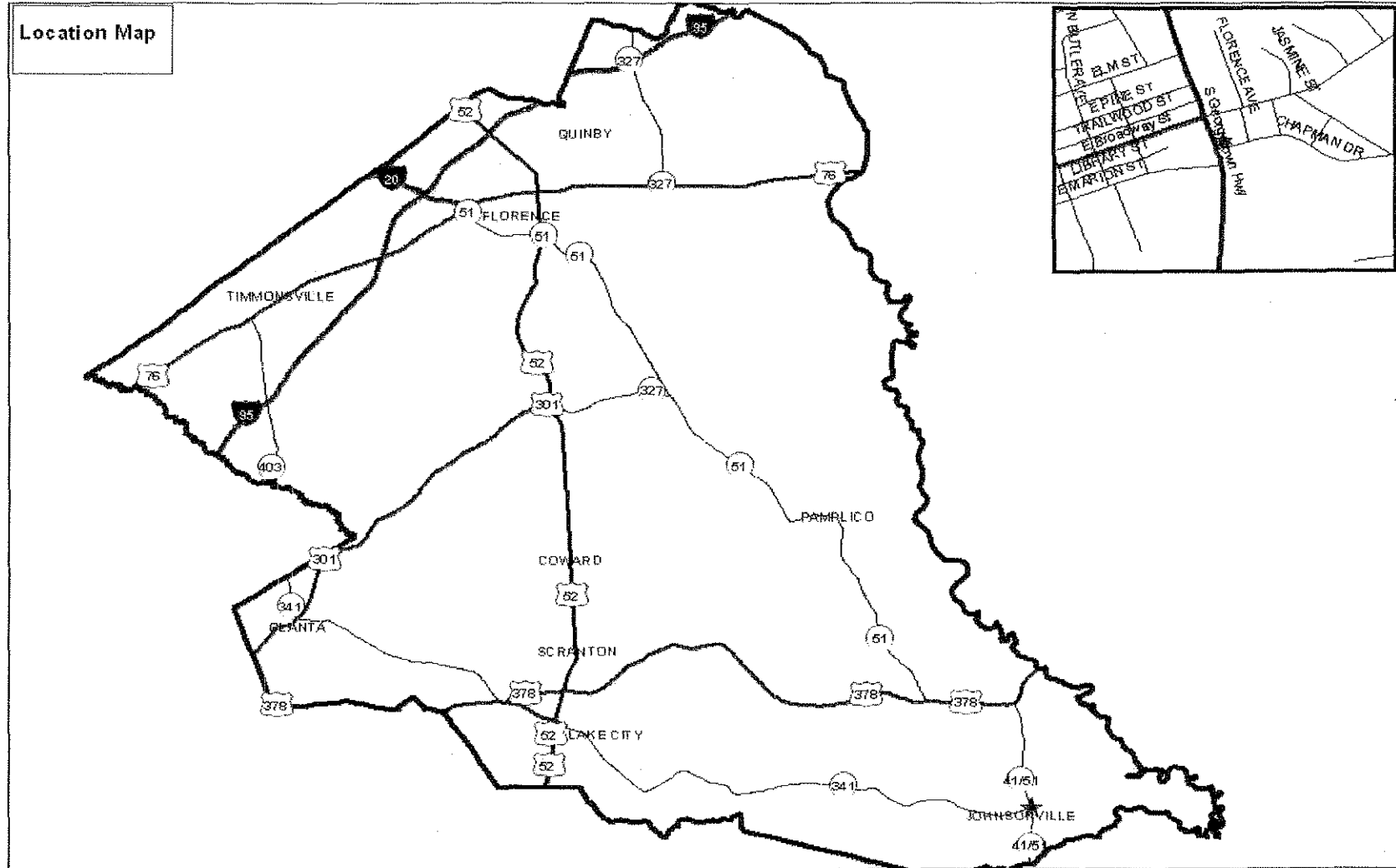
Florence County Planning Commission Action: March 21, 2011

The eight Planning Commission members present approved the rezoning request unanimously at the meeting held on March 22, 2011.

Florence County Planning Commission Recommendation:

The Planning Commission recommends approval of this request by the Florence County Council due to rezoning request is located in a Transitional Growth and Preservation area according to the Comprehensive Plan Use Map, however staff is moving forward with the request to amend the current land use designation to comply with the Comprehensive Plan Land Use Map.

Location Map



Map Prepared by: RWE
 Copyright 2010: Florence County Planning
 & Building Inspections Department
 Geographic Information Systems
 03/01/2011

COUNTY COUNCIL DISTRICT(S): 2
 PC#2011-03

**Florence County
Comprehensive Land Use Plan Map**

Legend
LU Code

- RP
- VR
- UD
- TGP
- SD
- CGP
- IGP
- RUP
- PF
- FHD

LU Code

UD

 TGI

CGI

IGP

 RUP

PF

● FAL

0 75 150 300 Feet

Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
03/01/2011

N

COUNTY COUNCIL DISTRICT(S): 2
PC#2011-03



0 150 300 Feet

Map Prepared by: RWE
Copyright 2010: Florence County Planning
& Building Inspections Department
Geographic Information Systems
03/01/2011



COUNTY COUNCIL DISTRICT(S): 2
PC#2011-03

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading - Ordinance No. 21-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 21-2010/11.
2. Provide an Alternate Directive.

ATTACHMENTS:

1. Ordinance No. 21-2010/11.
2. Correspondence from Mayor Gene Gainey, Town of Pamplico, dated February 7, 2011.
3. Proposed Lease Agreement.

Sponsor(s) : County Council
First Reading/Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading :
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 21-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Authorizing The Lease Of Property Owned By Florence County Designated As Tax Map No. 60006-03-014 To The Town Of Pamplico And Other Matters Related Thereto.)

WHEREAS:

1. Florence County currently owns property designated as Tax Map Number 60006-03-014, and situated on said property is the former Pamplico Theater; and
2. The County has received a letter of interest from the Town of Pamplico to enter into a long term lease of the property.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The County Administrator is authorized to execute a Lease Agreement between Florence County and the Town of Pamplico for property designated as Tax Map Number 60006-03-014, known generally as the former Pamplico Theater for a term of twenty-five years.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman
COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

TOWN OF PAMPLICO

Mayor
Gene R. Gainey

Mayor Pro-Tem
Lucius B. Eaddy

Clerk-Treasurer
Anne B. Miles

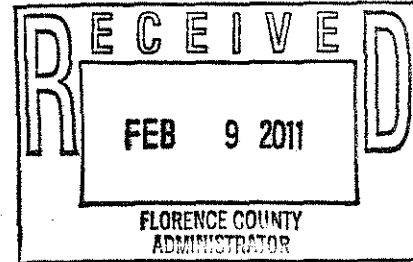
P.O. Box 296 – 180 E. Main Street
Pamplico, SC 29583
(843) 493-5551 PH
(843) 493-5013 FAX
townofpamplico@sc.rr.com

Council Members
Thomas E. Benton
Robert H. Bostick
Ivan M. Coleman, Jr.
Harriet C. Cox
Lucius B. Eaddy
Wanda G. Hardee

February 7, 2011

Mr. Richard Starks, Administrator
Florence County
180 N. Irby Street – Box MSC-G
Florence, SC 29501

Re: Proposed Uses - Pamplico Theater Building



Dear Mr. Starks:


We have reviewed your January 18, 2011 request for more details on the proposed use of the Pamplico Theater building. We understand that only non-taxable uses would be permitted as provided in the gift/grant/deeding to Florence County from the Drs. Bruce and Lee Foundation.

The Town's plans for the facility include the following activities: museum, community education classes by Police Department, Public Works Department, and Parks/Recreation/Tourism Department. Small registration fees could possibly be charged to participants to assist with building utility and maintenance expenses. Additionally, the Town would make the building available for use by the public for such activities as plays and recitals, birthday parties, senior activities such as bingo, and family and high school reunions. We propose to charge a rental fee to assist with facility operating expenses. We do not plan to use nor allow the facility to be used for any for-profit or other taxable use, nor for any use that would detract from the Dozier M. Munn Pamplico Public Library.

We request either a long term lease (20 years or greater) or gift/grant/deeding to the Town of Pamplico from Florence County. Either option would be acceptable to the town.

Please let us know if you have questions, and thank you for your assistance.

Sincerely,


Gene R. Gainey
Mayor

cc: Anne B. Miles, Town Clerk
Glenn C. Lane, Administrator

Starks.PamplicoTheaterUse.020711

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

LEASE

This Lease is made and entered into this 21st day of March, 2011 by and between FLORENCE COUNTY, SOUTH CAROLINA, A Body Politic And Corporate And A Political Subdivision Of The State of South Carolina (hereinafter referred to as "Lessor"), and the TOWN OF PAMPLICO (hereinafter referred to as "Lessee").

1. LEASED PREMISES. Subject to the terms and conditions set forth hereinafter, the Lessor hereby leases to the Lessee and the Lessee hereby rents from the Lessor that portion of the property of the Lessor which is described more particularly as follows:

Commonly known as: 132 East Main Street, Pamplico, SC 29583
Tax Map No.: 60006-03-014

2. TERM OF LEASE. The term of the Lease shall commence upon execution of this Lease and shall continue for a period of twenty-five (25) years thereafter.

3. IMPROVEMENTS TO THE PREMISES. The Lessee shall make no improvements to the premises of the Lessor without the permission of the Lessor, which approval shall not be unreasonably withheld. Any improvements constructed on the premises by the Lessee shall remain the property of the Lessor at the termination of this Lease with the exception that furnishing and fixtures owned by or installed by the Lessee may be removed.

4. RENT. The rent shall be One (\$1.00) Dollar per year for the twenty-five (25) year term of the Lease. Receipt of all rent payments due hereunder is hereby acknowledged and accepted by Lessor, and no further payments are due.

5. OPTION TO RENEW. At the termination of the initial twenty-five (25) year period, this Lease may be renewed for a period of twenty-five (25) years, upon mutual consent of the parties, with the rentals based on the provisions of Paragraph 4 above.

6. USE OF LEASED PREMISES. The Lessee is leasing this property solely for use as a multipurpose building for various community activities. If the property is used for any non-compatible use which detracts from the Dozier M. Munn Pamplico Library, the County Council, at its sole discretion, shall terminate this Lease by thirty (30) days written notice to the Lessee. The Lessee will observe and comply with all applicable laws, ordinances, orders and regulations prescribed by lawful authority having jurisdiction over the leased premises. No taxable uses of the property will be allowed at any time. In addition to the provisions contained in Paragraph 10 herein, Lessee agrees to indemnify and hold harmless the Lessor from any liability or claim from any public taxing entity and the Drs. Bruce and Lee Foundation as the result of any taxable use of the property. Upon such event, this Lease agreement shall be immediately terminated.

7. REPAIRS AND ALTERATIONS. The Lessee will be responsible for any repairs necessary to maintain the grounds and the outside fixtures (i.e. paint) roof, plumbing, HVAC, electrical utilities and structural integrity of the building. The Lessee will provide for necessary maintenance and repairs on the premises and grounds, and all other improvements which become necessary as a result of Lessee's uses of the facility. Lessee is hereby granted permission to make minor modifications in compliance with SC and Florence County building codes to improve safety, building codes, and Americans with Disabilities Act compliance of the building.

8. UTILITIES. The Lessor shall not be obligated to furnish electricity, water, sewer, janitor service or any other utility or service necessary for Lessee. All utilities consumed on the leased premises shall be paid for by Lessee. Lessee is specifically prohibited from granting any permanent easement or ROW to any entity for any purpose, other than a temporary easement which must include provisions to terminate immediately whenever this Lease terminates for any reason.

9. SIGNS. The Lessee shall have the right to erect and maintain such sign or signs on the premises as may be permitted by applicable law.

10. INDEMNIFICATION. This Lease is made upon the express condition that the Lessor shall be free from all liabilities and claims for damages and suits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, whether the person or property of Lessee, its agents or employees, assigns, or third persons, from any cause or causes whatsoever while in or upon the Property or any part thereof during the term of this Lease or occasioned by any occupancy or use of the Property or any activity carried on by Lessee in connection therewith, and Lessee hereby covenants and agrees, to indemnify and save harmless the Lessor from all liabilities, charges, expenses, including attorney's fees and any all costs associated on account of or by reason of any such injuries, liabilities, claims, suits or losses however occurring or damages arising out of the Lessee's use and occupancy of the Property. The Lessee agrees hereby to indemnify and hold the lessor, its officials, employees, assigns, and agents harmless from any and all actions, demands, liabilities, claims, losses or litigation arising out of or connected with the lessee's occupancy or use of the premises to the extent allowed by the South Carolina Tort Claims Act and the lessee's coverage under its policy of insurance with the Insurance Reserve Fund.

11. INSURANCE. Lessee shall, during the entire term of this Lease, keep in full force and effect, policies of comprehensive liability insurance and fire and property damage at full replacement value. The Lessee shall secure and keep in force at its own expense during the term of this Lease tort liability insurance coverage as provided in the South Carolina Tort Claims Act in the amount of no less than \$300,000.00 per person from a single occurrence and a limit of \$600,000.00 as the total sum recovered arising out of a single occurrence regardless of the number of agencies or political subdivisions involved. The policy will defend and name Lessor as an additional insured on a primary basis for the operations under or incidental to this Lease. The insurance shall be with a company duly authorized to write and issue insurance policies in the State of South Carolina. A copy of the declaration page of the Policy or Certificate of Insurance shall be provided to the Lessor before the commencement of this Lease Agreement and annually thereafter.

12. EMINENT DOMAIN. In the event any condemnation by power of eminent domain is to such an extent that it is impracticable for Lessee to continue the operation of its business on the leased premises and Lessee elects terminate the Lease, Lessee shall notify Lessor of its election to terminate within ten (10) days after the official notice of condemnation is given to Lessee.

13. DEFAULT. As used in this Lease, the term, "event of default" shall mean any one of the following:

- (a) the failure of the Lessee after receipt or demand from the Lessor to fulfill any duty or obligation imposed on the Lessee by this Lease;
- (b) the failure of Lessee to provide to a Certificate of Insurance or the declaration page of the policy in a timely manner.
- (c) any use of the property deemed inappropriate by the Florence County Council.

Upon the happening of any "event of default," the Lessor may, at its option, terminate this Lease and expel the Lessee; provided, however, that before the exercise of such option for failure to perform any condition imposed herein upon the Lessee, the Lessor shall give written notice of such event of default to the lessee, which thereafter shall have thirty (30) days within which to remedy or correct such default. Lessor shall retain all remedies available to Lessor by law and through this Lease in any event of default.

14. IDENTITY OF INTEREST. The execution of this Lease or the performance of any act pursuant to the provisions hereof shall not be deemed or construed to have the effect of creating between Lessor and Lessee the relationship of principal and agent or of a partnership or of a joint venture and the relationship between them shall be and remain only that of Lessor and Lessee.

15. NOTICES AND REPORTS. Any notice, report, statement, approval, consent, designation, demand or request to be given and any option or election to be exercise by a party under the provisions of this Lease shall be effective only when made in writing and delivered (or mailed by registered or certified mail with postage prepaid) to the other party at the address given below, provided however that either party may designate a different address from time to time by giving the other party notice in writing of the change.

As to Lessor: Florence County Administrator
Drawer G, City-County Complex
Florence, SC 29501

As to Lessee: Mayor
Town of Pamplico
Post Office Box 296
Pamplico, SC 29583

16. REMOVAL OF EQUIPMENT AND FIXTURES. All trade, furniture, fixtures and equipment on the leased premises are recognized to be the sole property of the Lessee and shall remain the Lessee's property. During the term of the Lease and at the end of the Lease term, the Lessee may remove these items.

17. ENTIRE AGREEMENT. The Lease contains all of the understanding by and between the parties hereto relative to the leasing of the premises herein described, which may be amended, modified, altered, changed, revoked or rescinded in whole or in part only by like instrument signed by the parties hereto.

18. ASSIGNMENT AND SUBLETTING. The Lessee shall not assign this Lease or sublet the leased premises or any portion thereof, or otherwise transfer any right or interest hereunder without the prior written consent of the Lessor which consent shall not be unreasonably withheld. If the Lessor consents to the assignment, subletting or other transfer of any right or interest hereunder by the Lessee, such approval shall be limited to the particular instance specified in the consent and the Lessee shall not be relieved of any duty, obligation or liability under the provision of its Lease.

19. BINDING EFFECT. The terms and conditions of this Lease shall be binding on the parties hereto and their respective heir, successors, assigns and personal representatives.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date and year first above written.

IN THE PRESENCE OF:

Florence County, South Carolina
LESSOR

By: _____
Richard A. Starks
County Administrator

IN THE PRESENCE OF:

Town of Pamplico, South Carolina
LESSEE

Alan C. Lane

By: Gene R. Gaaney
Gene R. Gaaney
Mayor

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading of Ordinance No. 22-2010/11

DEPARTMENT: Finance

ISSUE UNDER CONSIDERATION:

(An Ordinance To Ratify FY11 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.)

POINTS TO CONSIDER:

1. There have been grants received during the year that need to be formally appropriated by Council.
2. Reimbursement from the State of South Carolina for poll worker expenditures for the November 2010 election was greater than anticipated, requiring an additional appropriation of \$140,000 above the original FY11 budget.
3. Receipt of inmate per diem revenue from the US Marshals Service is greater than anticipated, requiring an additional appropriation of \$200,000 above the original FY11 budget.
4. The cost and number of state law required autopsies has increased, requiring an additional appropriation of \$20,000 above the original FY11 budget.
5. The acquisition of various properties has resulted in increased utilities costs, requiring an additional appropriation of \$20,000 above the original FY11 budget.
6. At its regular meeting on February 17, 2011, Florence County Council committed to provide additional funding for magistrate personnel. An amount not to exceed \$20,000 is being appropriated to fund this cost.
7. Additional funding is needed for funding personnel costs of the Public Defender, requiring an additional appropriation of \$40,000 above the original FY11 budget.
8. Contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 in the amount of \$50,399 require the unexpended balances of the purchase orders to be added to General Fund fund balance.
9. At its regular meeting on May 20, 2010, Florence County Council committed to purchase various properties on North Irby Street in an amount not to exceed \$2,000,000. An amount of \$586,621 is being appropriated to carryover the remaining amount of this funding into FY11.

FUNDING FACTORS:

1. County Council has previously accepted the various grant agreements. This Ordinance approves the formal appropriation for the related grant expenditures.
2. The appropriation to the Voter Registration and Election Commission in the amount of \$140,000 is being funded from a reimbursement from the State of South Carolina.
3. The appropriation to the Sheriff's Office in the amount of \$200,000 is being funded from the increased revenue being received from the US Marshals Service.
4. The appropriation to the Coroner's Office in the amount of \$20,000 is being funded from General Fund fund balance.
5. The appropriation to the Facilities Management Division in the amount of \$20,000 is being funded from General Fund fund balance.
6. The appropriation to the Magistrates Office in the amount of \$20,000 is being funded from General Fund fund balance.
7. The appropriation to the Public Defender in the amount of \$40,000 is being funded from General Fund fund balance.

8. The allocation for contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 in the amount of \$50,399 is being funded from General Fund fund balance, since savings in this amount was realized in FY10.
9. The appropriation to carryover the remaining funding for the purchase of various properties on North Irby Street and other associated costs in the amount of \$586,621 is being funded from General Fund fund balance.

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 22-2010/2011.
2. Provide An Alternate Directive

ATTACHMENT:

1. Ordinance No. 22-2010/2011

Sponsor(s) : County Council
Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading : June 16, 2011
Effective Date : June 16, 2011

I, _____,
Council Clerk, certify that the
ad for a Public Hearing on this
Ordinance ran on: _____.

ORDINANCE NO. 22-2010/2011

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Ratify FY11 Budget And Grant Council Actions Previously Authorized By Council And Other Matters Related Thereto.]

WHEREAS:

1. The previous adoption of various resolutions by County Council requires supplemental appropriations for unanticipated revenues received after the adoption of the budget; and
2. As a result of these resolutions, the County Council will adopt a final budget amendment ordinance ratifying budget resolutions authorized by Council during the fiscal year, as well as grants, any other supplemental appropriation actions, and other non-recurring allocations in accordance with the 1976 South Carolina Code of Laws, as amended.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. The Florence County Council hereby amends the FY11 budgetary appropriations and directs the allocation of the receipt of nonrecurring revenue as detailed hereinafter, and authorizes and directs the Florence County Administrator to make the following changes to the FY11 appropriated budgets:

a. GENERAL FUND (FUND #10)

- 1) Based on the fact that the reimbursement from the State of South Carolina for poll worker expenditures for the November 2010 election was greater than was anticipated, Florence County Council hereby directs that budgeted revenue and expenditures be increased accordingly as follows:

Revenue	10-341-335-085-0000	\$ 140,000
Expenditures	10-411-410-200-8952	\$ 140,000

- 2) Based on the fact that the inmate per diem revenue being received from the US Marshals Service is greater than was anticipated, Florence County Council hereby directs that budgeted revenue and expenditures be increased accordingly as follows:

Revenue	10-351-342-101-0000	\$ 200,000
Expenditures	10-421-421-200-0100	\$ 200,000

- 3) As a result of a state law requirement governing the performance of autopsies, the increased cost of these legally required autopsies, and the impact on the Coroner's office budget, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

Revenue	10-399-999-999-9500	\$ 20,000
Expenditures	10-451-425-000-0400	\$ 20,000

- 4) The acquisition of various properties has increased the expenditures for utilities costs in the Facilities Management budget; therefore Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for their funding:

Revenue	10-399-999-999-9500	\$ 20,000
Expenditures	10-411-420-000-6100	\$ 20,000

- 5) Based on the commitment by Florence County Council at its regular scheduled meeting on February 11, 2011 to provide additional funding for magistrate personnel in an amount up to \$20,000, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

Revenue	10-399-999-999-9500	\$ 20,000
Expenditures	10-411-407-100-0100	\$ 20,000

- 6) Based on the need to provide additional funding for personnel costs in the Public Defender budget, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

Revenue	10-399-999-999-9500	\$ 40,000
Expenditures	10-411-406-000-0100	\$ 40,000

- 7) Contracts and related purchase orders in various stages of completion at the end of FY10 and incomplete as of June 30, 2010 require the unexpended balances of the purchase orders to be added to General Fund fund balance. These unexpended balances are in need of being carried over into FY11. Based on various FY10 uncompleted contracts and purchase orders being carried over into FY11, Florence County Council hereby directs the appropriation of the following expenditure and the use of fund balance for its funding:

Revenue	10-399-999-999-9500	\$ 50,399
Expenditures	10-411-418-100-1200	\$ 6,531
	10-411-488-000-8800	\$ 18,434
	10-421-421-200-9500	\$ 11,200
	10-451-423-000-4700	\$ 2,741
	10-451-423-000-8600	\$ 7,301
	10-451-424-800-9298	\$ 4,192

- 8) Based on the commitment by Florence County Council at its regular scheduled meeting on May 20, 2010 to purchase various properties on North Irby Street, Florence County Council directed the appropriation of up to \$2,000,000 for the purchase of these properties and other associated costs, the use of fund balance for its funding, and the carryover of any unexpended funds from this action to FY11:

Revenue	10-399-999-999-9500	\$ 586,621
Expenditures	10-411-488-000-8800	\$ 586,621

b. **GRANT FUND (FUND #141)**

The FY11 Budget is hereby amended to increase revenue and expenditures for various grants awarded during the fiscal year. The grants, grant numbers, and amounts are as follows:

Solicitor's Arbitrator	4399	\$ 84,083
Solicitor's Salary Supplement	4400	\$ 241,681
Solicitor's Pre-trial Intervention	4401	\$ 219,816
Juvenile Drug Court	4402	\$ 60,497
Sheriff - CSE-DSS	4452	\$ 40,000
School Dist #1 SRO	4201	\$ 256,304
School Dist #2 SRO	4201	\$ 41,124
School Dist #3 SRO	4201	\$ 98,105
School Dist #5 SRO	4201	\$ 34,654
Used Oil contract	4222	\$ 12,028
Public Defender	4248	\$ 71,095
Recreation EDC Programs	4250	\$ 250
DUI Prosecutor	4253	\$ 64,703
SCEMD Radio Support	4271	\$ 792
DSS Incentives	4277	\$ 85,680
DSS Unit Cost	4278	\$ 297,385
CDV - Solicitor	4294	\$ 112,263
Johnsonville Library donations	4327	\$ 1,387
Sheriff Gang Training	4334	\$ 2,000
SCEMD 10EMPG01	4336	\$ 120,024
State Library - Florence Families Read	4337	\$ 12,539
Library - Grandfamilies Resource	4338	\$ 1,500
Drs. Bruce & Lee Foundation - Library	4339	\$ 50,000
Waste Tires - 21-wt-11	4340	\$ 37,317
Waste Oil - 21-wo-11	4341	\$ 11,085
State Library - ALSC Conference	4342	\$ 794
SCDOT - VREC Paving	4343	\$ 100,000
Sheriff - SCDPS - SCLN FY11	4344	\$ 26,000
State Library - Stimulus	4345	\$ 36,760
Sheriff Drug Lab	4346	\$ 232,274
Sheriff USDOJ JAG Grant	4347	\$ 60,843
State Library - LSTA Conference	4349	\$ 1,048
SCPRT - CVB - TMPP Grant	4351	\$ 129,840
Drs. Bruce & Lee Foundation - Econ Dev	4352	\$ 5,000
Pearl Kyle Foundation - EDC Exhibits	4353	\$ 2,000
SCCED - Economic Development	4354	\$ 100,000
SCEMD - HMP Grant	4355	\$ 1,500
SCEMD - 9EMPG01	4356	\$ 16,937
State Library - ALA Conference	4357	\$ 795
Drs. Bruce & Lee Foundation - Recreation	4358	\$ 26,400
USTA Quick Start Grant - Recreation	4359	\$ 950
E-scrap reimbursement	4360	\$ 9
Summer Reading Resource - LSTA	4361	\$ 2,320

2. This Ordinance includes the ratification of all grant and budget related resolutions and actions previously approved by Florence County Council for the fiscal year ending 06/30/11.

3. All provisions in other County Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden
Clerk to Council

K.G. Rusty Smith, Jr., Chairman
Florence County Council

Approved as to Form & Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

DRAFT

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading - Ordinance No. 23-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 23-2010/11.
2. Provide an Alternate Directive.

ATTACHMENTS:

Ordinance No. 23-2010/11.

Sponsor(s) : County Council
First Reading/Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading :
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 23-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend Florence County Code Chapter 6 – Animals And Fowl, To Establish Regulations And Penalties Related To Habitually Barking Dogs; To Amend Animal Cruelty Regulations; To Amend Public Animal Adoption Policies; And Other Matters Related Thereto.)

WHEREAS:

1. Section 47-3-20 of the Code of Laws of South Carolina, 1976, as amended, grants authority to Florence County to enact an ordinance for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and
2. Florence County Council has determined that habitually barking dogs are a public nuisance; and
3. Fines and penalties associated with the care and control of animals should serve as a deterrent to the mistreatment of animals.

NOW, THEREFORE BE IT ORDAINED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED, THAT:

1. Florence County Code, Chapter 6, Animal Care and Control, is hereby amended with the language attached hereto and incorporated herein by reference.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance is severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, subsection (j) is amended as follows:

(j)

Any person violating this section shall be charged with a misdemeanor for every offense and upon conviction shall be subject to a fine ~~as follows: of not less than \$100 nor more than \$500 plus court costs or imprisonment not exceeding thirty (30) days, or both.~~

~~(1)~~

~~First offense. A fine of not less than \$100.00 nor more than \$500.00 plus court costs.~~

~~(2)~~

~~Second offense. \$300.00 fine plus court costs.~~

~~(3)~~

~~Third and subsequent offenses. A fine not exceeding \$2,000.00 plus court costs.~~

~~Each day's violation of any provision of this chapter shall constitute a separate offense. Additional convictions will be subject to state law.~~

Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, Subsection (n)(2) is amended as follows:

(2)

~~Any person in violation of this section shall be subject to a civil fine in accordance with subsection 6-2(j) of this chapter. Any person in violation of this section is guilty of a misdemeanor and, upon conviction must be punished by imprisonment not exceeding thirty (30) days or by a fine not less than \$100 nor more than \$500, or both.~~

Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, is amended by the insertion of the following language:

(o)

This section does not apply to non-domesticated fowl, accepted animal husbandry practices of farm operations and the training of animals, the practice of veterinary medicine, agricultural practices, forestry and silvicultural practices, wildlife management practices, or activity authorized by Title 50 of the South Carolina Code of Laws, including any activity authorized by the South Carolina Department of Natural Resources or an exercise designed for training dogs for hunting, if repeated contact with a dog or dogs and another animal does not occur during this training exercise.

Florence County Code Chapter 6, Animal Care and Control, Section 6-2, Animal Cruelty, is amended with the insertion of the following language:

(d)

It shall be illegal for anyone to allow their dog's voice or any other sound produced by their dog, to be projected into a human habituated structure where the owner or lawful tenant inside that structure finds that sound to be intolerable. Noises must be documented in at least five (5) separate episodes in a sequential seven (7) day period. A first offense violation of this section shall be subject to a warning and seven (7) days to remedy the violation. Subsequent violations shall be subject to the following:

Second Offense - \$75 fine plus Court costs.

Third and subsequent offenses - \$150 fine plus Court costs.

Florence County Code Chapter 6, Animal Care and Control, Section 6-7, Public Adoption Policies, is amended as follows:

Sec. 6-7. - Public animal adoption policies.

- (a) There will be a \$40.00 adoption fee for any animal adopted from environmental services.
- (b) Any sexually mature animal adopted is required to be spayed or neutered within 30 days. Any non-sexually mature animal is required to be spayed or neutered with 12 weeks.
- (c) If proof of spaying or neutering of the adopted animal is presented to environmental services within 30 days of adoption, the \$40.00 adoption fee will be refunded.
- (d) Animals adopted from environmental services are adopted on an as-is basis with no guarantee, neither written nor implied, as to the temperament, mental or physical condition of the adopted animal.
- (e) Reimbursement or replacement of an animal that dies within ten (10) days of adoption due to any unknown pre-existing medical condition may be permitted when confirmed by a licensed veterinarian or Environmental Services staff.
- (ef) Any animal that has demonstrated any aggressiveness toward any person or other animal shall be considered by environmental services to be unadoptable.
- (g) The county administrator is authorized to negotiate and enter into spay/neuter service agreements.

Florence County Code Chapter 6, Animal Care and Control, Section 6-14, Enforcement, is amended with the insertion of the following language:

- (c) Any person who knowingly makes a false or misleading material statement to a public servant is guilty of misdemeanor. "Material statement" means a written or oral statement reasonably likely to be relied upon by a public servant in the discharge of his/her official powers or duties. Any person found in violation of this section shall be subject to a fine of \$200 plus Court costs.

Florence County Code Chapter 6, Animal Care and Control, Section 6-15, Definitions, the following definitions are hereby amended and/or inserted as follows:

Sec. 6-15. - Definitions.

Acts of agents: The acts of agents will be imputed to corporations, business associations or partnerships. The knowledge and acts of agents and persons employed by corporations, partnerships or business associations in regard to animals transported, owned or employed by or in the custody of such corporations, partnerships, business associations shall be held to be the acts and knowledge of such corporations, partnerships or business associations.

Animal: Any live, vertebrate creature, domestic or wild, except a homosapien.

Sustenance: Adequate food provided at suitable intervals of quantities of wholesome foodstuffs suitable for the species and age, sufficient to maintain a reasonable level of nutrition to allow for proper growth and weight; and adequate water provided with constant access to a supply of clean, fresh and potable water provided in a suitable manner for the species.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading - Ordinance No. 24-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance Accepting The Transfer By The Town Of Timmons ville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmons ville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 24-2010/11.
2. Provide alternate directive.

ATTACHMENTS:

1. Ordinance No. 24-2010/11.
2. Voter Registration and Elections Commission's motion to accept the request of the Town of Timmons ville to transfer election authority dated April 13, 2011.
3. Town of Timmons ville Ordinance No. 508 adopted February 10, 2011.

Sponsor(s) : County Council
First Reading/Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading :
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 24-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Accepting The Transfer By The Town Of Timmons ville, South Carolina To The Florence County Election Commission Of The Authority To Conduct Municipal General Elections Of The Town Of Timmons ville, South Carolina And Authorizing The Execution Of An Agreement Providing For Such Transfer And Other Matters Related Thereto.)

WHEREAS:

1. The Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County"), finds that the facts set forth in this ordinance exist, and that the statements made with respect thereto are true and correct; and
2. Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended (the "Enabling Act"), provides that a municipality may transfer the authority for conducting municipal elections to the county election commission, which is authorized by the Enabling Act to conduct municipal elections; and
3. The Enabling Act provides, as a condition of the transfer by a municipality to a county election commission of the authority to conduct a municipal election, that the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement, with the municipal ordinance stating what authority is being transferred and the county ordinance accepting such authority; and
4. The Town of Timmons ville, South Carolina has expressed a desire to transfer complete authority to conduct municipal general elections of the Town to the Florence County Election Commission; and
5. Council desires to accept the authority from the Town of Timmons ville in accordance with the Enabling Act and finds the conduct of municipal general elections for the Town of Timmons ville by the Florence County Voter Registration/Elections Commission will serve a valid public purpose within the authority of the County acting by and through the Election Commission.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Council accepts the transfer by the Town of Timmons ville to the Election Commission of the authority to conduct the Town's municipal general elections. The scope of such authority shall be as set forth in the Election Authority Agreement (the "Agreement") between the Town of Timmons ville and the County, such Agreement being attached hereto as "Exhibit A."
2. The Chairman of Council is authorized to execute the Agreement, which shall be in substantially the form as attached hereto as "Exhibit A," on behalf of the County.
3. The Election Commission is hereby directed to conduct the Town's general municipal elections.
4. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance is severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Exhibit A

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE) ELECTION AUTHORITY AGREEMENT

This ELECTION AUTHORITY AGREEMENT made as of this ____ day of _____, 2011, by and between FLORENCE COUNTY, SOUTH CAROLINA (the "County") and the TOWN OF TIMMONSVILLE, SOUTH CAROLINA (the "Town").

WITNESSETH:

Section 1. Transfer and Acceptance of Authority to Conduct Municipal Elections of the Town of Timmons ville. Pursuant to the authority contained in Section 5-15-145 of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), and an ordinance adopted by the Town Council of the Town of Timmons ville, the Town hereby transfers the authority to conduct the Town's municipal elections to the County, which shall act by and through the Florence County Voter Registration and Elections Commission (the "Election Commission"). The County hereby accepts such authority pursuant to the Enabling Act and an ordinance duly adopted by the County Council of the County.

Section 2. Obligations of County; Scope of Authority Transferred. The County hereby agrees to conduct the Town's municipal elections in accordance with applicable state and federal law, including without limitation the provisions regarding municipal elections contained in Chapter 15 of Title 5 of the Code of Laws of South Carolina, as amended. Acting through the Election Commission, the County shall discharge all functions with respect to the conduct of the Town's municipal elections, including obtaining and utilizing of voter registrations lists; the preparation of ballots and other voting materials; the receipt, processing and counting of absentee ballots; the preparation and administration of voting places; the appointment and coordination of poll managers; the supervision of the election; and the counting of votes and the report of the votes to the Town Council of the Town of Timmons ville or an appointed authority representing the town government. The County shall be responsible for the certification of election results or any contest. The County shall also be responsible for the satisfaction of any legal requirements for the Town's municipal elections, including without limitation any advertisements or clearances required by law.

Section 3. Warranties. Both the Town and the County warrant and represent that each has, as required by the Enabling Act, adopted an ordinance authorizing this agreement, as well as the transfer or acceptance of the authority to conduct the Town's municipal elections. The Town, warrants that it has taken all steps required by law, including advertisement, for the holding of its municipal elections.

Section 4. Payment of County's Expenses. The Town hereby agrees to pay, upon demand of the County, any and all expenses incurred by the County in connection with the County's conduct of the Town's municipal elections, including and without limitation any costs or attorney's fees which

may be incurred by the County in the event of a proceeding contesting the Town's municipal elections or the conduct thereof, or any litigation arising out of the same.

IN WITNESS WHEREOF, the Town and the County has each caused this instrument to be signed in their names by their duly authorized officers as of the date first hereinabove written.

TOWN OF TIMMONSVILLE, SOUTH CAROLINA

By: _____

Attest:

FLORENCE COUNTY, SOUTH CAROLINA

By: _____
K.G. Rusty Smith, Jr., Chairman

Attest:

Richard A. Starks
County Administrator

FLORENCE COUNTY VOTER REGISTRATION & ELECTIONS COMMISSION

DAVID K. ALFORD, DIRECTOR
2685 SOUTH IRBY STREET, DRAWER D
FLORENCE, S. C. 29505-3440
TELEPHONE: (843) 665-3094 (VOTER REG.)
(843) 665-2351 (ELECTIONS)
(843) 292-1613 (FAX)

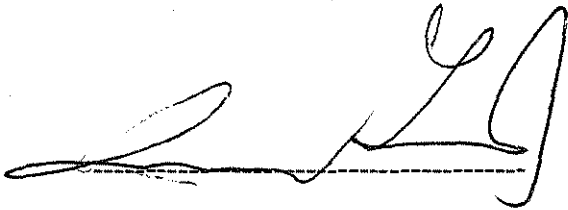
Motion: 4-13-2011-1

Wednesday, April 13, 2011

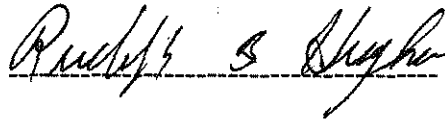
The Florence County Voter Registration & Election Commission accepts the request of the Town of Timmonsville and the approval of the United States Department of Justice, to administer all elections for the said jurisdiction in accordance to South Carolina Election Laws.

This action is now forwarded the Florence County Council for approval.

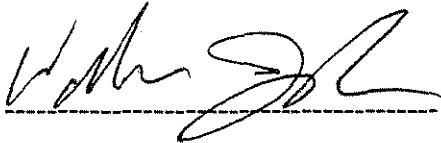
This Commission approves,



James W. Tanner, Jr.



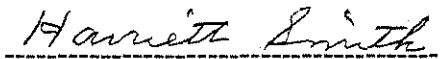
Rudolph B. Hughes



Wallace H. Jordan, Jr.



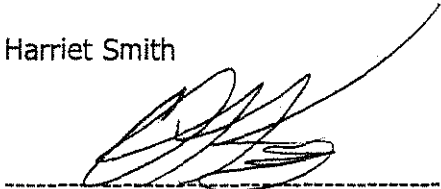
Russell W. Barrett



Harriet Smith



V.T. Whitlock



Quincy A. Kennedy, IV

ORDINANCE NO. 508

AN ORDINANCE PROVIDING FOR THE TRANSFER FOR CONDUCTION OF MUNICIPAL ELECTIONS TO THE FLORENCE COUNTY VOTER REGISTRATION AND ELECTION COMMISSION

BE IT ORDAINED BY THE Town Council of the Town of Timmons ville, South Carolina, in meeting duly assembled that:

SECTION 1. This Ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, 5-7-30, Section 5-7-260, and Section 2.08 of the Code of the Town of Timmons ville.

SECTION 2. Ordinance 507 is now replaced with this Ordinance.

SECTION 3. Chapter 2 (Elections), of the Code of the Town of Timmons ville, is amended and replaced by the following revisions, changes and additions;

WHEREAS, Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended, provides for the transfer of the powers, duties, and responsibility for the conduction of municipal election from the Municipal Election Commission to County Election Commission upon the adoption of appropriate ordinances by those municipalities desiring to effect such transfer; and

WHEREAS, The Town of Timmons ville desires to transfer all authority for conducting municipal elections to the Florence County Voter Registration and Elections Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE town Council of the Town of Timmons ville duly assembled in council that 10 th day of February, 2011, that all authority for the conducting of municipal elections is hereby transferred to the Voter Registration and Elections Commission for Florence County in the following particulars:

- a. The Florence County Voter Registration and Elections Commission shall advertise municipal elections, prepare and distribute ballots and election materials, appoint managers of election for each polling place, and otherwise supervise and conduct all municipal elections of the Town of Timmons ville.
- b. Immediately upon the closing of the polls at any municipal election in the Town of Timmons ville, the Florence County Voter Registration and Election Commission shall begin to count and continuously count the votes cast and

make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for Mayor and Councilperson, and publicly display the unofficial results.

- c. The Voter Registration and Election Commission shall thereafter certify the results of the elections and transmit the certified results to the Town Council of the Town of Timmons ville or an appointed authority representing the town government as soon as practical following the certification.
- d. The Voter Registration and Election Commission shall hear and decide protests and certify the results of the municipal elections.
- e. Utilize an Automated Election System and computer counting with the count Publicly conducted.
- f. Take such other action as may be necessary or appropriate to conduct municipal Elections and certify the results.

SECTION 3. The Town of Timmons ville shall reimburse the Voter Registration and Election Commission of Florence County for all costs incurred in providing ballots, advertising elections, printing costs, transportation cost, temporary help, programming charges, poll managers, compensation and other related additional expenses incurred in its conduct of municipal elections in the Town of Timmons ville. In the event a protest is filed or litigation is commenced in connection with the conduct of municipal elections, the Town of Timmons ville shall pay all court costs, attorney fees, court reporter fees and costs, and other costs and expenses incurred in such protest or litigation. The Florence County Voter Registration and Election Commission shall provide invoices and/or other documentation to the Town of Timmons ville of all costs and expenses incurred in the conduct of the Town of Timmons ville municipal election, protest, certification of results, litigation or other costs which may be incurred, not specifically mentioned in this ordinance.

SECTION 4. This ordinance shall take effect upon the successful completion of the following necessary action prerequisite under federal and state law to effect the changes called for hereafter:

- a. adoption of an appropriate ordinance by the Town Council of the Town of Timmons ville transferring the authority accepted hereunder;
- b. adoption of an appropriate ordinance by the governing body of Florence County accepting the authority being transferred hereunder;
- c. submission to the United States Justice Department and subsequent receipt of pre-clearance and positive response to the transfer of authority for conducting municipal elections which would be effected hereunder.

SECTION 5. Date of Municipal Elections.

All municipal elections for mayor and council other than special elections, shall be held on the first Tuesday after the first Monday in November of each odd numbered year. (Prior Code 2.08.010)

SECTION 6. Polling places and hours.

All municipal elections shall be conducted in accordance with the election laws of the state of South Carolina, with the polls open from seven a.m. to seven p.m. Polling places shall be at the National Guard Armory for eligible voters in Timmons Precinct 1 and the Timmons Education Center for Timmons Precinct 2.

SECTION 7. Election laws governing.

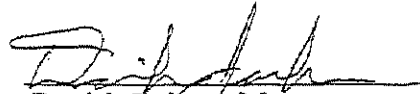
- A. All regular and special elections for the offices of mayor and council shall be nonpartisan general elections held pursuant to applicable state laws.
- B. Each candidate for the office of mayor and council shall file a Statement of Intention of Candidacy on the current form as approved by the State Election Commission. The Statement of Intention of Candidacy must be submitted to the Town of Timmons Clerk/Treasurer during the filing period. The filing period shall close 60 days prior to the election date.
- C. Each candidate appearing on the ballot must submit a filing fee with the Statement of Candidacy. The filing fee for the mayor position is \$360, council \$120.
- D. After the closing of the filing period the Clerk/Treasurer shall certify the candidates to the Florence County Voter Registration and Election Commission which shall conduct the election in accordance with Section 2 of this ordinance.
- E. A special election will be held when a mayor or councilmember vacates office more than 180 days before the next municipal general election. In the event a special election is required it will be conducted according to the applicable provisions of Title 5 and Title 7 of the South Carolina Code and this ordinance.
- F. A second election shall be conducted two weeks after the first election between one more than the number of candidates necessary to fill offices for which no candidates received a majority of the votes cast and that election shall be between the candidates receiving the largest number of votes in the first election. The candidates receiving a majority of the votes cast in the second election shall be declared elected. No political party affiliation shall be placed on any ballot for any candidate.
- G. Newly elected officers shall not be qualified to assume their offices until at least forty-eight (48) hours after the closing of the polls.
- H. The term of newly elected officers shall begin on January 1st, immediately following such election, regardless of when the oath of office is administered qualifying the elected candidates.

- I. In case the results of an election are contested, the incumbent shall hold over in accordance with state law.

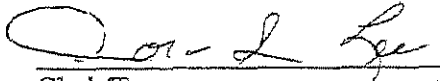
SECTION 5. All ordinance or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency. Chapter 2.08 of the Timmons ville Municipal Code is repealed in its entirety and the Municipal Election Commission is abolished.

ADOPTED THIS 10th DAY OF February, 2011.

TOWN OF TIMMONSVILLE


Darrick Jackson, Mayor

ATTEST:


Clerk/Treasurer

February 1, 2011
First Reading

February 10, 2011
Second Reading

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading - Ordinance No. 25-2010/11

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Two Additional Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.)

OPTIONS:

1. *(Recommended)* Approve Second Reading Ordinance No. 25-2010/11.
2. Provide alternate directive.

ATTACHMENTS:

1. Ordinance No. 25-2010/11.
2. Correspondence from Mayor Stephen J. Wukela, dated April 19, 2011.

Sponsor(s) : County Council
First Reading/Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading :
Effective Date : July 1, 2011

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 25-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Amend Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees And Agencies, Division 2, City-County Civic Center Commission, To Provide For Two Additional Appointees, One By Florence County Council And One By City Of Florence And Other Matters Related Thereto.)

WHEREAS:

The two Councils are desirous of increasing the membership of the City-County Civic Center Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Florence County Code Chapter 2, Administration, Article V, Boards, Commissions, Committees and Agencies, Division 2, City-County Civic Center Commission, Section 2-81, Created, membership, is hereby amended in its entirety to read as follows:

Sec. 2-81. - Created, membership.

There is hereby created the Florence City-County Civic Center Commission, which shall consist of 11 voting members and one ex-officio, nonvoting member. The voting members shall be as follows: Four members shall be residents of the City of Florence, appointed by the Florence City Council, four members shall be residents of Florence County, appointed by the Florence County Council. The Florence City Mayor and Florence County Council Chairman, or their council designee, with the approval of the respective council, shall also serve as voting members. After appointment, the commission shall recommend to the city and county councils the 11th member to serve a four-year term. The ex officio, nonvoting member shall be the civic center director. Effective July 1, 2011, the Commission membership shall be increased by two additional voting members to a total of 13 voting members; one appointee by the City of Florence and one appointee by Florence County, each to serve a four year term commencing on July 1, 2011, in accordance with this Section.

Terms of office for voting members appointed by the Florence City Council and the Florence County Council shall be for four years and until successors are appointed and qualify, except

those initially appointed, two members appointed by the city council and two members appointed by county council shall be appointed for two-year terms, and two from each category shall be appointed for four-year terms. The terms of office for the Florence City Mayor and the Florence County Chairman shall be perpetual to the person holding that position. Vacancies on the commission shall be filled in the manner of original appointment for the unexpired term. After the 11th member is appointed and approved by city and county councils, the commission shall elect a chairman and secretary and such other officers as may be necessary. Members shall be eligible to serve on the commission for two consecutive terms. The members of the commission shall not receive compensation for their services but may be reimbursed for their actual expenses incurred as members of the commission from any funds appropriated for that purpose.

2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman
COUNCIL VOTE:
OPPOSED:
ABSENT:

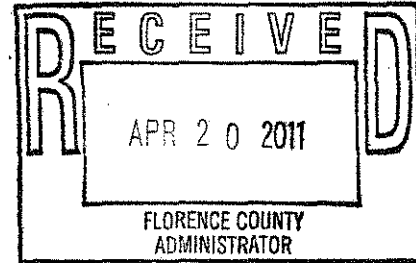
CITY OF
FLORENCE

• S C •



OFFICE OF THE MAYOR
CITY - COUNTY COMPLEX AA
180 N. IRBY STREET
FLORENCE, SC
29501-3456
TEL: (843) 665-3151
FAX: (843) 665-3110

April 19, 2011



Honorable K.G. Smith Jr.
Chairman, Florence County Council
P.O. Box 369
Lake City, SC 29560

Dear Rusty:

At our regular meeting on March 14, 2011 City Council considered appointments to Boards and Commissions including appointments to City/Council Civic Center Commission. Due to the interest expressed by a number of citizens with regard to membership in the Civic Center Commission, City Council voted to increase the membership of that commission by two appointees, one City and one County. Of course, since the Civic Center Commission is a joint commission such action would require County Council approval.

I write here therefore to request that you present to County Council the City's request to increase the Civic Center Commission membership by two appointees, one City and one County.

With kind regards, I am

Yours truly,

STEPHEN J. WUKELA
Mayor, City of Florence

SJW:bjm

cc: David Williams
Richard Starks
Members of City Council
Members of County Council

A CITY OF
CHARACTER

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Second Reading of Ordinance No. 01-2011/12

DEPARTMENT: Administration
Finance

ISSUE UNDER CONSIDERATION:

(An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.)

POINTS TO CONSIDER:

1. Ordinance No. 01-2011/12 is the budget ordinance for next fiscal year.
2. Decisions at the State level have cut the State Local Government Fund revenue to the Florence County General Fund by another \$1,000,000, in addition to the \$3,000,000 negative impact from the same measures in prior years.
3. Ordinance No. 01-2011/12 addresses this negative impact by cutting the expenditure portion of the budget by 3% from FY11 amended budget levels.

FUNDING FACTORS:

NONE

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 01-2011/12.
2. Provide An Alternate Directive.

ATTACHMENTS:

1. Ordinance No. 01-2011/12

Sponsor(s) : County Council
Introduction : April 21, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing : May 19, 2011
Second Reading : May 19, 2011
Third Reading : June 16, 2011
Effective Date : July 1, 2011

I, _____,
Council Clerk, certify that the
ad for a Public Hearing on this
Ordinance ran on: _____.

ORDINANCE NO. 01-2011/12

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Provide For The Levy Of Taxes In Florence County For The Fiscal Year Beginning July 1, 2011 And Ending June 30, 2012; To Provide For The Appropriation Thereof; To Provide For Revenues For The Payment Thereof; And To Provide For Other Matters Related Thereto.]

WHEREAS:

1. The Florence County Council, pursuant to state statutes, is authorized and required to adopt an annual budget for all departments, offices, and agencies (hereinafter collectively termed offices or departments) of the County Government; and
2. Pursuant to state statutes, total funds appropriated in fiscal year 2011-2012 for the above purposes do not exceed estimated revenues and funds available for expenditure in fiscal year 2011-2012.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

SECTION 1. APPROPRIATIONS

a. Procedures Compliance: The fiscal year 2011-2012 County Budget for Florence County, South Carolina is hereby adopted and detailed budget appropriation documentation attached hereto is incorporated herein by reference. The Florence County Council certifies that it has complied with all state laws and regulations regarding readings, notices, and public hearings for mills levied herein, and that it will comply in the case of mill levies which may be adjusted by resolution based on more current information at the time of final issuance of the levies and after the adoption of this ordinance.

b. Levy Process: In all cases, all property shall be taxed unless otherwise exempt from taxation pursuant to the South Carolina Code of Laws, 1976, as amended. The taxes are due and payable and shall be collected in the manner as provided for collection of taxes the South Carolina Code of Laws, 1976, as amended, and in accordance with procedures established in County enacting ordinances.

(1) Motor Vehicle Taxes: Taxes levied on motor vehicles shall be collected pursuant to the schedules and procedures as established by State Statute and nothing herein shall be deemed to extend or defer the time of payment for such motor vehicle taxes.

(2) Motor Vehicle Owner Responsibility for Taxes: No motor vehicle registered in the State of South Carolina and property of a person, a resident of the County, shall be operated on the streets and public ways of the County unless all the motor vehicle taxes and fees duly assessed against such vehicle shall have first been paid. In

the event that any person violates the provisions of this Section, he shall be guilty of a misdemeanor and subject to the penalties prescribed in Title 46, 1976 South Carolina Code of Laws, as amended. Nothing in this section shall preclude the collection of taxes and fees upon such motor vehicle after the prosecution of the offender for failure to pay such tax.

c. Appropriation Management:

(1) Reallocation: Unless otherwise restricted by state law or specific limitation of accounting standards, all of the appropriations hereinafter and those in the budgetary detail incorporated herein by reference are subject to adjustment and reallocation by County Council by voice motion or resolution. Any amount appropriated in this Ordinance may be discontinued at any time by appropriate action of a majority of the County Council. Expenditures from the General Fund contingency are generally done by resolution or voice motion.

(2) Duplication: If any of the items, or portions thereof, for which funds are herein appropriated is taken over by the State or Federal government and appropriations therefrom be made by either or paid by either directly to a County Office, or if the same shall become available in any manner, then the amounts for said Office herein appropriated shall be reduced in the amount of said appropriation, direct payment, or other available funds or support, unless otherwise restricted by law.

(3) Direct Assistance: All agencies receiving direct assistance payments from the County shall be funded quarterly in arrears no more than twenty-five (25%) percent of their direct assistance line item or on an alternate schedule at the discretion of the County Administrator in the case of emergencies. The quarterly allotments shall be paid around the 15th of the month following the end of each quarter. The final 4th quarter funding may be withheld by the Finance Director pending the reconciliation of outstanding obligations between the County and the Agency receiving funding or in the case of grant irregularities. Agencies, boards, and commissions, which are partially funded by Florence County Government, must provide annual audited financial statements to include a copy of the management letter and a copy of the A-133 Single Audit report, if applicable. State funded agencies must provide an annual report or a summary of local office-specific funding. Quarterly funding may be withheld pending the County's receipt of an agency's annual audited financial statements.

d. Mill Levy: The following mills are levied to provide the property tax revenues to fund a portion of the appropriated expenditures noted directly below in Section e, which shall be reflected on tax bills:

	<u>FY11</u>	<u>FY12</u>
Florence County	67.9	68.9
Debt Service	9.0	8.0

Additionally, the following mill levies for the operation of the special purpose fire districts and the mill levy for Florence-Darlington Technical College are hereby approved: (Estimated FY12 debt service millages are shown for informational purposes and may be subject to adjustment by the County Auditor.)

	<u>Operating Mills FY11</u>	<u>Debt Mills FY11</u>	<u>Total FY11</u>	<u>Operating Mills FY12</u>	<u>Estimated Debt Mills FY12</u>	<u>Total FY12</u>
Johnsonville Rural Fire District	24.0	7.6	31.6	24.5	7.6	31.6
Sardis-Timmons ville Rural Fire District	15.0	0.0	15.0	15.0	0.0	15.0
Howe Springs Fire District	19.4	6.6	26.0	19.4	6.6	26.0
Hannah-Salem-Friendfield Fire District	18.1	9.3	27.4	18.1	9.3	27.4
West Florence Rural Fire District	8.0	0.0	8.0	8.0	0.0	8.0
Windy Hill/Olanta Rural Fire District	24.5	3.2	27.7	24.5	3.2	27.7
Florence-Darlington Technical College	4.9	0.0	4.9	4.9	0.0	4.9

Any millage adopted by this ordinance can be lowered by resolution of County Council prior to issuance of the tax notices.

Any fire district debt service millage will remain in effect for the entire fire district in which it was levied until the associated debt has been completely paid, regardless if a portion of the fire district is annexed by a municipality.

e. Funds: The following funds are hereby established for the purposes set forth with appropriations/budgeted amounts where applicable. Other funds may be delineated elsewhere:

<u>Fund</u>	<u>Fund Name</u>	<u>Appropriation</u>
10	County General Fund	\$48,229,841
45	Debt Service Fund*	\$ 3,817,770
111	Economic Development Capital Project Fund*	\$ 1,625,000
112	Economic Development Partnership Fund*	\$ 434,253
121	65% State Accommodations Tax (2%) Fund*	\$ 250,000
122	30% State Accommodations Tax (2%) Fund*	\$ 120,000
123	Local Accommodations Tax (3%) Fund*	\$ 2,473,875
124	Local Hospitality Tax Fund*	\$ 655,116
131	District Utility Allocation Fund*	\$ 2,409,871
132	District Infrastructure Allocation Fund*	\$ 1,719,884
133	District Rocking and Paving Fund*	\$ 1,290,493
145	Sheriff Camps Fund*	\$ 54,000
146	Sex Offender Registry Fund*	\$ 54,000
147	Seized Auction Proceeds Fund*	\$ 40,000
151	Law Library Fund*	\$ 82,548
153	Road Maintenance Fund*	\$ 3,081,973
154	Victim/Witness Fund*	\$ 187,594
155	Solicitor Check Law Fund*	\$ 175,000
421	Solid Waste Management Fund*	\$ 4,114,470
431	E-911 System Fund*	\$ 453,632

* At the close of the fiscal year, any unexpended budgeted monies within these funds and within all capital project funds shall be carried forward with their respective fund balance for the continued established use of that fund subject to appropriations, unless specifically authorized otherwise by ordinance or directed by State law.

f. County General & Debt Service Funds: The Florence County Auditor is authorized and directed to levy upon all taxable property in Florence County, South Carolina, and the Florence County Treasurer is directed to collect, taxes sufficient to meet all County General Fund appropriations directed by this Ordinance, except as provided for by other revenue sources for the operation of the County Government for the Fiscal Year beginning July 1, 2011 through June 30, 2012. The Florence County Auditor is authorized and directed to levy upon taxable property in Florence County, South Carolina and the Florence County Treasurer is directed to collect taxes sufficient to meet the appropriation of \$3,817,770 for Debt Service provided by this Ordinance.

g. Major Funds Determination: In accordance with Governmental Accounting Standards Board (GASB) Statement No. 34 and other appropriate regulations requiring Government-wide Financial Statements, major funds will be determined annually at the end of the fiscal year during the audit process.

h. Grants Management:

(1) Grant Fund Balances: Notwithstanding any other provisions of this ordinance, all unexpended balances from previous appropriations of state and federal grant funds, any State Accommodations Tax Funds not committed to the County General Fund, and capital improvement or special project appropriations outstanding as of June 30th in the calendar year in which this budget ordinance is effective, shall be carried forward into the subsequent fiscal year budget appropriations. All grants are to be budgeted and accounted for in a special revenue fund, and

authorized local match transfers will be completed by the County Finance Director based on County Council's acceptance of the grant.

(2) County Acceptance: The expenditure of funds for grant programs included in this budget shall not be authorized unless evidence that the respective grants have been approved by the grantor agency is provided to the County Administrator, who is authorized to accept grants. The County Administrator may require that the grant be accepted and funded by proper action of County Council. In all cases, total program expenditures shall be limited to the lesser of the total grant award(s), or the amount(s) designated in the current budget appropriations, as amended, or as approved by County Council. The County Finance Director must be listed as a contact on all grant applications and awards; all correspondence must be copied to the County Grants Coordinator.

(3) Budgeting: Grant funds requiring matching County funds not budgeted shall be authorized by County Council approving the grant application and identifying matching expenditure funds from other previously appropriated funds. Grants requiring no new local match appropriation may be approved by the County Administrator or County Council, and the budget amended accordingly. The Finance Director is authorized to create the necessary general ledger accounts; the opening of bank accounts, when necessary, shall be executed by the County Treasurer in coordination with the Finance Director. When grant award payments are received, the Treasurer's Office or County Offices shall provide the Grants Coordinator with copies of all checks received for the reimbursement of grant expenditures and any other related documentation determined by the Finance Director as necessary to ensure audit compliance. All grant revenues shall be credited to the appropriate revenue line item as established by the Finance Director. Grant revenues will not be applied directly to expenditure line items. All grant disbursements shall be authorized only through the Finance Office unless State or Federal law specifically provides otherwise and the County is exempt from financial reporting on those funds at both the State and Federal levels.

(4) Federal Reporting: In accordance with Federal A-133 Audit Requirements related to Federal grants, all County offices and Component Units must report the expenditures and provide copies of grant awards and any other grant related reports to the County Grants Manager. All offices must present all voucher requests for payments related to grants to Procurement for purchase and the Finance Office before the disbursement of grant related funds, as well as coordinating with the County Grants Manager. County offices that do not comply with this ordinance and any other published administrative procedures necessary for complete and timely reporting of grants such that the County incurs additional independent audit costs or loses grants funds will have these costs deducted from the Office or Component Unit's budget appropriations annually until any unfunded expenditures are fully recouped.

SECTION 2. FUND BALANCE MANAGEMENT

a. Compliant Fund Balance Policy: Florence County Council utilizes a compliant fund balance methodology based on the cash-flow needs of the County to maintain sufficient reserves in order to maintain County operations. End of year fund balance estimations and associated cash flow projections for all cash-discrete funds are developed annually in the budget process to maintain a minimum of annualized appropriations in operational funds to ensure routine operations remain uninterrupted and in sinking funds (debt service fund) balances as required to timely service all scheduled debt.

Should any individual fund balance fall below the required minimum balance, inter-fund cash transfers are hereby authorized, provided that the allocation of interest is accounted for appropriately no less than once per fiscal year.

b. Tax Anticipation Note Authority: The County is hereby empowered to borrow in anticipation of tax or other revenues for County purposes any sum not exceeding the amount anticipated to be received from taxes and other revenues during the current or following fiscal year, and not only to pledge the taxes or other revenues anticipated in the current or succeeding fiscal year, but to pledge, also, the full faith and credit of Florence County for the repayment of any sums so borrowed. Such sums shall be borrowed from any banking institution or lending agency and shall be payable at such time, upon such terms, and in such sums as may be negotiated between the County and the lender.

SECTION 3. BUDGET YEAR END

a. Purchase Authority Cutoff: The budget year shall expire on June 30 of this fiscal year. No monies shall be disbursed pursuant to this Ordinance unless such funds have been obligated (i.e. an order has been placed or a contract signed for the delivery of goods or services in accordance with County procurement procedures) prior to the close of the fiscal year, which is June 30. The County Administrator will take action to preclude all purchase order activity except business required for expedient operations and emergencies after June 15 of the fiscal year; no capital purchases other than emergencies will be initiated after May 31 of the fiscal year without the express written approval of the County Administrator. In addition, all items must be received and invoiced June 30th or earlier, or the items will be deducted from the originating office's subsequent fiscal year budget.

b. Purchase Order Liquidation: All offices are responsible for providing documentation regarding outstanding obligations for this fiscal year to the Finance Department on or before June 15th to facilitate the proper accrual of outstanding obligations of the County or the obligation(s) may be deducted from the office's budget for the subsequent fiscal year.

c. No Roll-Forward: Budget line item balances shall under no circumstances roll forward at the end of this fiscal year into the next fiscal year's budget, except for bond funds and grants crossing the fiscal year or as otherwise specified or appropriated within this budget ordinance.

SECTION 4. NATURE OF REVENUES, EXPENDITURES, AND CHART OF ACCOUNTS

a. Transfers Prohibited: Unbudgeted transfers are prohibited except as approved herein and in accordance with generally accepted accounting principles.

b. Overspending: Any office which overspends its straight-line spending levels for two consecutive months shall be reviewed by the County Administrator, who may freeze position vacancies, capital expenditures, and funds transfers, and remove sufficient personnel from the County payroll to offset fully the impending budget overrun prior to the close of the fiscal year. The County Administrator is authorized to transfer County Government functions and allocated appropriations among the various County divisions and offices in order to combine compatible employee positions and functions, eliminate duplicate work, gain performance efficiencies, or reduce overall operating costs of the County Government.

c. Intra-departmental Transfers by Finance Department: In order to process claims for payment submitted to the Finance Department, the Finance Director, or his designee, is hereby authorized to make intra-departmental transfers between line items in any department's budget in order to ensure that no line item is over-spent by the processing of these claims.

d. Budget Reduction Absorption: In order to absorb the three percent (3%) budget reduction from the FY11 amended budget levels, in the event a department does not submit its detailed department budget reduction proposal, the Finance Director is hereby authorized to make line item budget reductions in any department's budget in order to ensure that each department's detail budget agrees with the respective budgets appropriated herein. The County Administrator or his designee will consult with these particular department heads to absorb this budget reduction in a manner that will have the least impact on operations. Personnel can be removed from payroll in accordance with Section 4b above, as necessary to achieve the absorption of this 3% budget reduction.

SECTION 5. FIXED ASSETS

a. Reporting: The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend the useful life of the asset are not capitalized. The threshold for determining if an item is considered to be a fixed or capital asset is the value or the purchase price (whichever is higher) of \$5,000 or greater and the item must have a useful life of more than one year. Appropriate depreciation schedules are maintained on the straight-line basis over the estimated useful life of each asset in accordance with Generally Accepted Accounting Principles (GAAP). The estimated useful life is determined by guidelines developed by the State of South Carolina Office of Comptroller General, and in some cases, applicable Federal IRS regulations and/or Governmental Accounting Standards Board (GASB) 34 implementation guidelines.

b. Inventory Control: Each Office is responsible for verification of all of its items required to be listed in the Fixed Asset System maintained by County Finance and for providing documentation of the annual inventory review to Finance on or before the third week in June annually. Finance will distribute forms for the inventory verification process and will provide current inventory listings to County Offices for verification of inventory on hand by May 30th annually.

c. Insurance Proceeds: In order to comply with GASB42 regulations, all insurance payments will be processed by the County Finance Office.

SECTION 6. RECEIPT, MANAGEMENT, AND REPORTING OF CASH:

a. Timely Deposit: All service charges, fees, fines, reimbursements, grant funds etc. received by County Offices shall be deposited with the County Treasurer or directly to the bank that serves as checking depository as soon as possible after collection. All County Offices that collect funds on a daily basis shall reconcile receipts to funds received and submit funds to the Treasurer's Office by the following business day in the format as prescribed by the County Treasurer. Offices collecting less than \$200 on any single day may delay one business day. This policy does not apply where State law specifically provides authority for other actions to a specific official.

b. Bank Reconciliation: The Treasurer is responsible for reconciling bank accounts maintained in the Treasurer's Office in order to properly record revenues to the books of the County in accordance with the County's chart of accounts and properly allocating interest and all other funds to various funds and bank accounts as required by SC Law.

c. Cash Accounting: The County Treasurer's Office is responsible for annual external audit reporting of revenues to the State Comptroller's Office and for providing the Finance Office and External Auditors with sufficient data to convert revenues from the cash basis of accounting to the modified accrual basis of accounting in order to ensure legal and annual audit compliance with Governmental Accounting Standards Board (GASB) regulations, in particular GASB Statement No. 34 which requires revenue reporting on the modified accrual basis of accounting during the fiscal year and year-end conversion to accrual basis to produce Government-Wide Financial Statements.

SECTION 7. ANNUAL FISCAL REPORTING REQUIREMENTS

Boards, Commissions, Agencies, and Institutions: All boards, commissions, agencies, and institutions receiving County funds shall make a full detailed annual fiscal report to the County Council at the end of the fiscal year. Agencies receiving less than \$5,000 annually in direct assistance from the County may submit internally prepared financial statements in lieu of an audited statement. The County governing body, the County Administrator, or the Finance Office may require reports, estimates, and statistics from any County office as may be necessary in the preparation of annual budgets or supplemental appropriations. Prior year audits are required for acceptance of annual budget requests.

SECTION 8. COMPENSATION AND CLASSIFICATION PLAN AND PERSONNEL

a. Solicitor and Public Defender Funding Supplement Commitments: Salary supplements are included for various employees in the Solicitor's and Public Defender's departments' budgets. Disbursement of these supplements is contingent upon available funding received from these offices. The Solicitor and Public Defender shall reimburse Florence County for the cost of these supplements, including applicable fringe benefits, on a monthly basis. Should this funding become unavailable, the supplements shall be removed from the payroll system of Florence County and the salaries reduced accordingly.

b. FY11 Christmas Bonus: A Christmas bonus is hereby included in the budget in the amount of \$100 per employee, to be paid between the first and second pay dates in December 2011, if authorized by County Council by motion. All full-time and regular part-time employees who are in pay status during the first pay period in December are eligible to receive this bonus. In addition, all PRN employees who have worked at least 1,000 hours in each of the last two fiscal years and who are also in pay status during the first pay period in December are eligible to receive this bonus.

c. Travel: When employees are required to travel on official business, the County pays reasonable amounts for transportation, meals, and lodging in accordance with the County's Personnel Policies, Administrative Directives, and this ordinance. When an office has County Vehicles assigned to it, employees in that particular office should utilize a County Vehicle if this use does not impede County Operations. If the employee's personal vehicle is utilized, the employee shall be reimbursed at the same rate per mile traveled as is paid to state employees. This includes use of an employee's personal vehicle for travel within Florence County as required by their supervisor. Meal expenses will be \$40.00 for a twenty-four hour period and will be \$25.00 for periods less than twenty-four hours. Per diem is not provided for meals related to meetings inside Florence County, unless the meeting is an official, required function. Per diem is provided for in-state, one-day meetings for which an employee leaves the county and returns to the county in the same day. However, if lunch is provided for this meeting, then per diem will not be provided. Travel advances for meals shall not include per diem for the day of departure or the day of return. For a Law Enforcement employee transporting a prisoner, the employee will be reimbursed at per diem rates for his own meal at any food stop mandated by statute on behalf of the prisoner. In all other cases, Law Enforcement employees shall be required to follow the regular requirements for reimbursement of meal expenses provided for other County employees. There is no provision for advance per diems to the individual for Hotel Reservations, Airline Tickets, Conference/Seminar registration costs or all other costs related to travel; all Hotel Reservations, Airline Tickets, Conference/Seminar registration costs or other costs related to travel will normally be paid directly to the vendor providing the service. Original, dated, detailed receipts must accompany all travel reimbursement requests. County Departments and Elected Officials Offices shall have no authority to waive the requirement for receipt of original, dated, detailed receipts under this section. Under no circumstances shall the County reimburse any persons eligible for travel reimbursement by the County for alcoholic beverages, personal purchases of any kind not specifically authorized in the personnel policy, or any amounts for which appropriated funds are not available or which are a violation of the State Ethics Laws and regulations.

d. Credit Cards and Accounts: Credit cards which obligate Florence County directly are not permitted unless specifically authorized by written resolution of County Council. Requests for establishing credit accounts in the name of the County must be forwarded to the County Finance Office which is responsible for establishing credit accounts with vendors upon written approval by the County Administrator or the Finance Director. The County Finance Department is also responsible for the control and monitoring of all credit accounts in the County's name, verification of goods received and reconciling of such credit purchases to invoices received. Accounts not established in accordance with this ordinance are the sole responsibility of the initiating person, and the County shall not be liable or obligated to make payment on behalf of the initiator or the person using the account.

e. Tuition Assistance Program: An amount of \$8,510 has been appropriated in Department 412, Division 900 of the General Fund to assist County employees who wish to further their education in a field of study beneficial to their employment with Florence County. Tuition will be reimbursed for courses only at accredited colleges and for

which college credit can be obtained toward a two-year or higher degree. This assistance will be available based on the recommendation of the department head and the approval of the County Administrator. The Human Resources Director is authorized and directed to establish the administrative procedures necessary to operate this program, including but not limited to the establishment of an annual credit hour and dollar reimbursement per employee caps. All expenditures under this program will be for tuition and/or book and supply fees and will not include such other charges such as application fees, matriculation fees, or late fees. In addition, all expenditures will be reimbursement-based according to the grade received. Employees will be reimbursed 90% of the costs noted above for a grade of "A", 75% for a grade of "B", 50% for a grade of "C", and nothing for any grade lower. If the employee receives any other funding such as state or federal grant or any other allocation, the reimbursement percentages above apply only to the remaining unpaid portion of tuition. If the funding for this program becomes exhausted, the program will be suspended until it is funded further.

f. Continuation Of County Employment Following TERI (Teachers and Employee Retirement Incentive): County employees enrolled in the TERI program, who wish to extend County employment following the TERI period, may apply for continuation in their current position and pay rate after satisfying the minimum timeframes set by the South Carolina Retirement System. The employee must make a written request to his Department Head and copies of approved requests must be provided to the Human Resources Department at least 30 days prior to the end of the employee's TERI period. The Department Head must recommend the request in writing and the County Administrator must approve the request in writing.

g. Retirees' Health Insurance Assistance: All post-retirement health insurance assistance available to eligible retirees, including any established by the Florence County Personnel Policy Manual, is subject to annual appropriation by County Council each fiscal year. For any employee commencing full time employment after June 30, 2011, the baseline financial assistance is as follows: 20 years of continuous full-time County employment service – 50%, over 25 years of continuous full-time County employment service – 75%. Financial assistance is a percentage of the current retiree only premium which is based on continuous years of employment service attained with Florence County. All financial assistance ceases when the employee first becomes Medicare eligible.

h. Blood Borne Pathogens Standards: Emergency Medical Services, Sheriff's Office, and Detention Center are to provide a copy of the department's current Infection Control Plan to the Human Resources Director annually to demonstrate conformance with Federal and other guidelines.

i. Victim/Witness Fund: The Solicitor agrees to sign a Memorandum of Understanding with the County stating that he will reimburse Florence County for any payments made from his portion of the Victim/Witness Fund that the State of South Carolina may find to be ineligible expenditures of Victim/Witness funds.

j. Defunded Slots: Any and all personnel slots noted as being defunded on the detail departmental budget pages are hereby removed from the County's plan.

k. Beginning Of Fiscal Year Payroll Changes: Payroll changes made as a result of the FY11 budget will become effective on the first day of the first full payroll period of the fiscal year.

l. Budget-Neutral Wage/Salary Adjustments: The County Administrator is hereby authorized to approve budget-neutral wage/salary adjustments which are funded by sustainable budget reductions, primarily in the same department's personnel budget.

m. Liability for Unemployment Claims: Effective July 1, 2011, unemployment claims are to be paid from the budget of the respective County department incurring the claim. Claims may be charged to the department's personnel or other funds.

n. Workers' Compensation Benefit: Upon adoption of the budget ordinance, all General Fund budgeted workers compensation amounts included in line 0112 in various departmental/divisional budgets will be transferred to Division 010-411-489-300 – Employee Non-Departmental. As workers compensation claims are incurred, twenty percent (20%) of each claim will be paid from the respective department/division, up to a maximum total per claim of \$2,000. In addition, with the exception of 24/7 shift workers, while an employee is on workers compensation leave, the budgeted salary or wages for this employee during the workers compensation leave period will be transferred from the respective department/division salary and wage budget line (account 0100) to the Employee Non-Departmental Division.

o. Solicitor and Public Defender Funding of Certain Positions: The Solicitor and Public Defender are hereby authorized, upon approval by the County Administrator and in accordance with the County's compensation and classification plan, to add positions to the payroll system of Florence County, to be funded with non-County funds. Disbursement for these positions is contingent upon available funding received from these offices. The Solicitor and Public Defender shall reimburse Florence County for the cost of these positions, including applicable fringe benefits, on a monthly basis. Should this funding become unavailable, the positions shall be removed from the payroll system of Florence County.

SECTION 9. INDEPENDENT AUDIT

An independent annual audit of all financial records and transactions of the County shall be made by a Certified Public Accountant or firm of public accountants with no personal interest, direct or indirect in the fiscal affairs of the County government of Florence County or any of its officers. The County Council may, without requiring competitive bids, designate such accountant or firm. Unless included in the annual County audit, an annual audit of each county agency, board, bureau, or commission of Florence County, funded in whole or in part by County funds, shall be made. Copies of the annual County audit shall be filed in the office of the Clerk of Court for Florence County and provided for the Florence County Administrator.

The County Administrator is hereby authorized to continue work with the County's existing software programming vendor, Strawn & Neil, for the purpose of providing automation efficiencies at the departmental level to the extent budgeted funds are available.

SECTION 10. FEES AND CHARGES

a. Disposition of Collections: All taxes, fees, charges, and assessments not otherwise allocated specifically by this ordinance with the supporting detail incorporated herein by reference or by law shall be deposited in the Florence County General Fund with other general fund revenues. All such taxes, fees, charges, and assessments shall be appropriated and allocated by the Florence County Council in the same manner as other general revenues. No such taxes, fees, charges, or assessments shall be paid to or shall accrue to the personal benefit of any officer or employee of Florence County. Use of fees, fines, and charges to reimburse expenditure budget line items through deposit credits is prohibited.

b. Manned Convenience Centers: Commercial use and non-County residential use of the Florence County manned convenience centers (MCCs) is prohibited, subject to a fine of up to \$500 per incident plus court costs, which is hereby established. Law enforcement officers with appropriate jurisdiction and Florence County environmental services officers are hereby authorized to write tickets and the Florence County Magistrate's Office is hereby authorized to try the cases. The County Administrator is hereby authorized to amend the manned convenience center contract with Waste Management to reduce hours of operation in accordance with appropriations.

c. Outstanding EMS Bills: Outstanding EMS bills totaling \$617,261.09 posted from the period of January 2000 through December 2006 on which no payment has been made for a period in excess of three years, and which are uncollectible under the three year statute of limitations provision of South Carolina Code of Laws Section 12-54-85, are hereby written off as uncollectible.

SECTION 11. DEBT COLLECTION

Setoff Debt: Florence County is hereby authorized to participate in the Setoff Debt Program through the South Carolina Association of Counties on an annual basis as approved by the Florence County Administrator, who is authorized to execute all documentation and direct all designations of personnel participating as necessary.

SECTION 12. CONTRACTING AND FUNDS OR OTHER COMMITMENTS

a. Contract Execution: The County Administrator or County Administrator's designee is the sole authority who can obligate the county and any county funds in any manner through signature of contracts, purchase orders, or other such agreements or documents as an authorized agent. Any purchase made or contract executed without appropriate authorization is hereby deemed to be a personal obligation of the party making the purchase or executing the contract and is not an obligation of Florence County.

b. Check Enforcement Unit: The County Administrator is authorized to execute annual agreements between Florence County and the 12th Circuit Solicitor's Office for the operation of the Solicitor's check enforcement unit.

c. Title IV-D Contracts: The County Administrator, Clerk of Court, and Sheriff are authorized to enter jointly into agreements with the South Carolina Department of Social Services for receipt of Title IV-D (Child Support Enforcement) Federal Funds.

d. School Resource Officer Contracts: The County Administrator is authorized to execute contracts at the request of the Florence County Sheriff with the various school districts in Florence County for School Resource Officers, provided that Florence County's share of the funding for each of the contracts does not exceed the amount available in the General Fund for the Florence County Sheriff's Office grant match/contract match line item. If the contracts for FY12 are not signed prior to June 30, 2011, or if County Council does not approve the Sheriff's portion of the contract's budget, the school districts will be required to provide 100% of the funding for these contracts. If the school districts are unwilling to provide 100% of this funding, then the positions funded by these contracts will be discontinued in FY12.

e. Lease Renewals: The County Administrator is authorized to execute renewals of any existing leases for real or personal property for the terms and conditions included in the various leases as the existing lease periods expire and the leases therefore come up for renewal and for which funds are available through appropriation in this year's budget.

f. SCDOC Agreements: The County Administrator is authorized to execute annual agreements between Florence County and the South Carolina Department of Corrections for the use of pre-release inmates by the Recreation Department. In addition, the County Administrator is authorized and required to execute any contracts between the Florence County Detention Center and the South Carolina Department of Corrections.

g. DSN Resolution: The Chairman of County Council is authorized to execute a resolution designating the Florence County Disabilities and Special Needs Board as an entity in Florence County to provide transportation to persons with disabilities.

h. EMS Medical Control Physician: The County Administrator is authorized to renew the EMS Medical Control Physician contractual arrangement provided funds are appropriated herein.

i. Independent Contractor's Contracts Or Agreements For Various Services At The Florence County Detention Center: The County Administrator is authorized to execute independent contractor's contracts and/or agreements which are in the best interests of the citizens of Florence County for the provision of medical, mental health, psychological, polygraph, commissary, and clergy services at the Florence County Detention Center at the written recommendation of the Sheriff.

j. Planning and Building Inspection Agreements with Municipalities: The County Administrator is authorized to enter into agreements for the provision and enforcement of planning and building inspection services by the County for various municipalities within Florence County.

k. Council Allocation Expenditure: Should an expenditure of Council Infrastructure allocation balances and/or Council Utility Fund allocation balances result in an available balance being exhausted, any remaining project expenditures may be funded from available Council Road Maintenance allocation balances, in accordance with guidelines and any other legal restrictions.

l. Municipal Loan Agreements: The County Administrator is authorized to enter into loan agreements with any Florence County municipality whereby such agreement permits any municipal inmate per diem balance outstanding for more than 30 days may be collected from Florence County Treasurer distributions to that municipality.

m. SCDJJ Agreements: The County Administrator is authorized to execute contracts between the Florence County Detention Center and the South Carolina Department of Juvenile Justice.

n. Florence School District One Agreements: The County Administrator is authorized to execute contracts between the Florence County Detention Center and Florence School District One for inmate adult education services at the Poynor/Adult Education Center.

o. Funding For Attorney Fees: Funds for attorney fees for County officials acting as primary plaintiffs and bringing suit against the County cannot be transferred to the appropriate budgetary line item or paid without prior approval by County Council.

SECTION 13. AGRICULTURAL ASSESSMENT EXTENSION PROCESS – PRIVATE CITIZENS

A fixed Agricultural Assessment Extension Policy for private citizens is hereby authorized. Any private citizen may apply for agricultural assessment for no more than two tax years prior to the then current tax year. Businesses, including partnerships, corporations, etc., are not eligible to receive consideration under this fixed policy, but must continue to make applications to Council demonstrating to Council's satisfaction that the business had reasonable cause for not filing timely.

SECTION 14. VEHICLES – OFFICIAL COUNTY FLEET

a. The approval by resolution of County Council or authorization as provided in annual budget ordinances shall be required to permanently place any additional vehicles in the County fleet. Without such authorization, no vehicle shall be added to the fleet or to the County's insurance policies except where a currently insured vehicle is being removed from same. Vehicles removed from the fleet and the insurance policies must be surplus, through Council resolution, and disposed of in accordance with County procedures.

b. If the County Administrator deems it in the best financial interests of the County, the County Administrator is hereby authorized to approve the trade-in of certain County-owned surplus vehicles against the cost of replacing said vehicles, rather than holding surplus vehicles for auction, and to dispose of motorized equipment in accordance with policies approved by County Council.

c. The County Administrator is hereby authorized to allow departments to select alternate vehicles from those approved in the FY12 budget if the change is budget neutral for the same number of vehicles, the alternates are more fuel efficient, and the alternate will perform the functions for which the original vehicle was funded.

SECTION 15. DESIGNATION OF AGENCIES FOR SPECIFIC ACCOMMODATIONS TAX FUNDS

Pursuant to the requirements of South Carolina Law with regard to administration of State Accommodations Tax Funds (Fund 122), the Florence Convention and Visitors Bureau and the Lake City Chamber of Commerce are hereby designated as the tourism bodies in Florence County. These organizations shall be responsible for administering and reporting expenses for these State Accommodations Tax Funds (Fund 122) to County Finance. Total amount of funds shall be adjusted annually based on actual funds the County receives from the State related to the promotion of tourism. County Council reserves the right to designate alternate agencies by voice motion at its discretion.

SECTION 16. All provisions in other County Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 17. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect any other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden
Clerk to Council

K.G. Rusty Smith, Jr., Chairman
Florence County Council

Approved as to Form & Content
D. Malloy McEachin, Jr., County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Introduction of Ordinance No. 26-2010/11 By Title Only

DEPARTMENT: Economic Development/County Council

ISSUE UNDER CONSIDERATION:

An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Between Florence County, South Carolina, And Project Oliver, As Sponsor, And One Or More Sponsor Affiliates, To Provide For A Fee In Lieu Of *Ad Valorem* Taxes Incentive Agreement, To Include The Grant Of Certain Infrastructure Credits As Part Of The Fee-In-Lieu Of Taxes Arrangement; And Other Related Matters.

OPTIONS:

1. *(Recommended)* Introduce Ordinance No. 26-2010/11 by Title Only.
2. Provide an alternate directive.

ATTACHMENTS:

Copy of proposed Ordinance No. 26-2010/11 Title.

Sponsor(s) : Economic Development
First Reading/Introduction : May19, 2011
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Public Hearing :
Second Reading :
Third Reading :
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 26-2010/11

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Between Florence County, South Carolina, And Project Oliver, As Sponsor, And One Or More Sponsor Affiliates, To Provide For A Fee In Lieu Of *Ad Valorem* Taxes Incentive Agreement, To Include The Grant Of Certain Infrastructure Credits As Part Of The Fee-In-Lieu Of Taxes Arrangement; And Other Related Matters.)

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly financial reports are provided to Council for fiscal year 2011 through March 31, 2011 as an item for the record.

ATTACHMENTS:

Copies of the monthly financial reports.

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY11
7/1/10 TO 3/31/11**

	BUDGETED	YEAR-TO-DATE ACTUAL	REMAINING	
	REVENUE	REVENUE	BALANCE	PCT
REVENUES				
Taxes	33,124,798	27,036,058	6,088,740	18.38%
Licenses & Permits	1,339,176	1,187,164	152,012	11.35%
Fines & Fees	3,174,264	2,454,248	720,016	22.68%
Intergovernmental	6,287,026	3,261,783	3,025,243	48.12%
Sales and Other Functional	5,251,906	4,022,021	1,229,885	23.42%
Miscellaneous	947,942	237,467	710,475	74.95%
Operating Transfers	(2,118,438)	-	(2,118,438)	100.00%
Use of Fund Balance	1,965,390	-	1,965,390	100.00%
TOTAL	49,972,064	38,198,741	11,773,323	23.56%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY11
7/1/10 TO 3/31/11**

		BUDGETED	YEAR-TO-DATE	REMAINING	
		EXPENDITURE	ACTUAL	BALANCE	PCT
EXPENDITURES			EXPENDITURE		
10-411-401	County Council	356,421	241,424	114,997	32.26%
10-411-402	Administrator	625,172	418,588	206,584	33.04%
10-411-403	Clerk of Court	1,850,960	1,371,398	479,562	25.91%
10-411-404	Solicitor	1,068,037	707,967	360,070	33.71%
10-411-405	Judge of Probate	510,911	365,859	145,052	28.39%
10-411-406	Public Defender	737,913	538,769	199,144	26.99%
10-411-407	Magistrates	2,155,858	1,540,153	615,705	28.56%
10-411-409	Legal Services	132,150	62,717	69,433	52.54%
10-411-410	Voter Registration & Elections	475,742	381,114	94,628	19.89%
10-411-411	Finance	762,827	546,201	216,626	28.40%
10-411-412	Human Resources	1,258,804	1,152,639	106,165	8.43%
10-411-413	Procurement & Vehicle Maintenance	1,286,586	832,762	453,824	35.27%
10-411-414	Administrative Services	390,558	280,943	109,615	28.07%
10-411-415	Treasurer	1,217,704	822,897	394,807	32.42%
10-411-416	Auditor	484,877	339,035	145,842	30.08%
10-411-417	Tax Assessor	1,307,903	879,288	428,615	32.77%
10-411-418	Planning and Building	2,006,647	1,241,021	765,626	38.15%
10-411-419	Complex	1,222,911	833,642	389,269	31.83%
10-411-420	Facilities Management	886,940	657,637	229,303	25.85%
10-411-427	Information Technology	1,264,247	881,072	383,175	30.31%
10-411-446	Veteran's Affairs	148,790	109,216	39,574	26.60%
10-411-480	Senior Citizen Centers	336,991	219,829	117,162	34.77%
10-411-485	General Direct Assistance	208,077	124,140	83,937	40.34%
10-411-488	Contingency	710,894	359,555	351,338	49.42%
10-411-489	Employee Tort & Blanket Bond	208,968	208,947	21	0.01%
10-421-421	Sheriff's Office	14,540,222	10,659,143	3,881,079	26.69%
10-421-422	Emergency Management	2,434,657	1,724,707	709,950	29.16%
10-421-481	Rural Fire Departments	14,553	3,680	10,873	74.72%
10-451-423	EMS	4,134,648	2,940,982	1,193,665	28.87%
10-451-424	Rescue Squads	404,228	222,263	181,965	45.02%
10-451-425	Coroner	262,212	201,778	60,434	23.05%
10-451-441	Health Department	83,438	71,463	11,975	14.35%
10-451-442	Environmental Services	690,989	461,454	229,535	33.22%
10-451-485	Health Direct Assistance	15,428	5,530	9,898	64.15%
10-461-485	Welfare - MIAP & DSS	454,505	388,882	65,623	14.44%
10-471-451	Recreation	1,729,988	1,222,181	507,807	29.35%
10-471-455	County Library	3,563,652	2,737,764	825,888	23.18%
10-471-485	Museum Commission	9,702	4,851	4,851	50.00%
10-481-485	Literacy Council	4,803	2,402	2,402	50.00%
TOTAL		49,959,913	35,763,891	14,196,022	28.41%

Percent of Fiscal Year Remaining = 25.00%

**FLORENCE COUNTY
BUDGET REPORT - OTHER FUNDS
CURRENT PERIOD: 7/1/10 TO 3/31/11**

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
45 County Debt Service Fund	3,515,083	1,387,440	2,127,643	60.53%	3,515,083	3,739,852	-	0.00%
112 Economic Development Partnership Fund	446,292	284,335	161,957	36.29%	446,292	46,687	399,605	89.54%
123 Local Accommodations Tax Fund	2,437,793	1,352,495	1,085,298	44.52%	2,437,793	827,475	1,610,318	66.06%
124 Local Hospitality Tax Fund	696,292	375,181	321,111	46.12%	696,292	864,133	-	0.00%
131 District Utility Allocation Fund	2,123,693	342,350	1,781,343	83.88%	2,123,693	1,770,523	353,170	16.63%
132 District Infrastructure Allocation Fund	1,637,634	412,391	1,225,243	74.82%	1,637,634	1,201,044	436,590	26.66%
151 Law Library Fund	87,318	16,877	70,441	80.67%	87,318	64,539	22,779	26.09%
153 Road System Maintenance Fee Fund	3,198,581	2,233,351	965,230	30.18%	3,198,581	2,171,244	1,027,337	32.12%
154 Victim/Witness Assistance Fund	193,500	129,702	63,798	32.97%	193,500	134,697	58,803	30.39%
421 Landfill Fund	4,057,416	2,569,682	1,487,734	36.67%	4,057,416	2,402,005	1,655,411	40.80%
431 E911 System Fund	629,196	250,024	379,172	60.26%	629,196	356,615	272,581	43.32%
TOTALS:	19,022,798	9,353,827	9,668,971	50.83%	19,022,798	13,578,813	5,836,594	30.68%

Percent of Fiscal Year Remaining: 25.00%

331 Capital Project Sales Tax (Florence County Forward road projects) received and interest earned
(See separate attachment for additional details.)

\$ 72,835,572

**Florence County Council
District Allocation Balances
March 31, 2011**

Council District #	Type of Allocation	Beginning Budget FY11	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	215,462.00	53,630.00	161,832.00
	Paving	56,477.00	926.00	55,551.00
	Utility	285,188.00	38,125.00	247,063.00
	In-Kind	19,800.00	183.00	19,617.00
2	Infrastructure	53,894.00	53,894.00	-
	Paving	66,744.00	927.00	65,817.00
	Utility	46,063.00	5,305.00	40,758.00
	In-Kind	19,800.00	-	19,800.00
3	Infrastructure	74,397.00	60,759.00	13,638.00
	Paving	73,014.00	73,014.00	-
	Utility	298,991.00	171,504.00	127,487.00
	In-Kind	19,800.00	-	19,800.00
4	Infrastructure	283,090.00	30,978.00	252,112.00
	Paving	186,757.00	8,229.00	178,528.00
	Utility	135,756.00	61,505.00	74,251.00
	In-Kind	19,800.00	294.00	19,506.00
5	Infrastructure	72,544.00	36,431.00	36,113.00
	Paving	51,889.00	9,588.00	42,301.00
	Utility	174,367.00	106,505.00	67,862.00
	In-Kind	19,800.00	-	19,800.00
6	Infrastructure	284,666.00	64,152.00	220,514.00
	Paving	113,579.00	14,065.00	99,514.00
	Utility	312,812.00	5,501.00	307,311.00
	In-Kind	19,800.00	3,410.00	16,390.00
7	Infrastructure	94,656.00	30,390.00	64,266.00
	Paving	144,780.00	109,461.00	35,319.00
	Utility	351,284.00	60,747.00	290,537.00
	In-Kind	19,800.00	604.00	19,196.00
8	Infrastructure	123,747.00	(34,341.00)	158,088.00
	Paving	55,040.00	55,040.00	-
	Utility	190,148.00	53,336.00	136,812.00
	In-Kind	19,800.00	-	19,800.00
9	Infrastructure	53,447.00	23,975.00	29,472.00
	Paving	103,089.00	34,696.00	68,393.00
	Utility	302,815.00	33,300.00	269,515.00
	In-Kind	19,800.00	-	19,800.00

Infrastructure funds to be used for capital projects or equipment purchases. (See guidelines)

Paving funds to be used for paving or rocking roads. See guidelines in County code.

Utility funds to be used for water, sewer, stormwater, and any infrastructure fund projects.

In-Kind funds to be used for projects completed by the Public Works Department.

**FLORENCE COUNTY FORWARD
CAPITAL PROJECT SALES TAX**

As of March 31, 2011

EXPENDITURES	Project Budget	Design or Engineering	Right of Way	Construction	Total Completed to Date	Balance	% Balance Remaining
Pine Needles Road Widening	\$ 17,676,768.00	\$ 681,629.99	\$ 1,223,779.18	\$ 9,790,858.34	\$ 11,696,267.51	\$ 5,980,500.49	33.83%
US 378 Widening	\$ 138,751,620.00	\$ 3,224,837.11	\$ 1,472,547.77	\$ 244,141.04	\$ 4,941,525.92	\$ 133,810,094.08	96.44%
US 76 Widening	\$ 31,641,621.00	\$ 1,546,173.20	\$ 19,396.55	\$ 2,562.16	\$ 1,568,131.91	\$ 30,073,489.09	95.04%
TV Road Widening	\$ 34,519,290.00	\$ 1,152,053.78	\$ 271.64	\$ 1,625.53	\$ 1,153,950.95	\$ 33,365,339.05	96.66%
SC 51 Widening	\$ 151,533,817.00	\$ 730,803.72	\$ -	\$ 2,394.71	\$ 733,198.43	\$ 150,800,618.57	99.52%
US 301 Bypass Extension	\$ 73,464,146.00	\$ -	\$ -	\$ -	\$ -	\$ 73,464,146.00	100.00%
	\$ 447,587,262.00	\$ 7,335,497.80	\$ 2,715,995.14	\$ 10,041,581.78	\$ 20,093,074.72	\$ 427,494,187.28	95.51%

REVENUES	Project Budget				Received/Earned to Date	Balance	% Balance Remaining
Capital Project Sales Tax	\$ 148,000,000.00				\$ 68,822,777.04	\$ 79,177,222.96	53.50%
Earned State Match	\$ 250,000,000.00				\$ 145,671,143.56	\$ 104,328,856.44	41.73%
Interest Earnings	\$ -				\$ 4,012,794.74		
	\$ 398,000,000.00				\$ 218,506,715.34	\$ 183,506,079.40	

NOTE: Revenue Received/Earned to Date is as of December 31, 2010, since capital project sales tax is received from the state on a quarterly basis.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Reports to Council
Bid Award

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Approve award of Bid # 20-10/11 for a bunker and field rake to Revels Turf and Tractor, Myrtle Beach, SC in the amount of \$12,767 for the Parks and Recreation Department to be funded from budgeted departmental funds (*2 Compliant Bids*).

POINTS TO CONSIDER:

- 1) Bid #20-10/11 was publicly offered.
- 2) Two (2) compliant bids were received.
- 3) Revels Turf and Tractor, Myrtle Beach, SC was the lowest compliant bidder for the bunker and field rake.
- 4) Parks & Recreation Director recommends the award.
- 5) The bid expires July 26, 2011.

FUNDING FACTORS:

- 1) \$12,767 = Total cost of the bunker and field rake to be funded from budgeted departmental funds.

OPTIONS:

- 1) (*Recommended*) Approve as presented.
- 2) Provide An Alternate Directive.

ATTACHMENTS:

- 1) Bid Tabulation Sheet.
- 2) Letter of recommendation from Parks and Recreation Director.

Parks & Recreation Bunker & Field Rake Invitation-to-Bid #20-10/11			Bid Opening Date: Time: Advertised Date: Invitations to Bids Distributed: Bid Expiration Date:		April 26, 2011 11:00 AM MN-4/10/11 SCBO-4/11/11 1 7/26/2011	
Name of Bidder	Base Bid	Year/Make Model	Bid Security	Meets Bid Requirements	Total Bid	Total Non-Local (+2%)
Revels Turf & Tractor Myrtle Beach, SC	\$12,767.76	2011 John Deere 1200A	N/A	Yes	\$12,767.76	
The Broyhill Co. Dakota City, NE	\$13,537.53	2011 Legacy Sport M-4100	N/A	Yes	\$13,537.53	

Notes:

2% Local Preference Florence County Code, Section 11-62



FLORENCE COUNTY

Recreation

Memorandum

To: Mazie Abraham, Interim Purchasing Director

From: Joe Eason, Parks and Recreation Director

Date: 4/28/2011

Re: Award of Bid #20-10/11

I have reviewed the bids for a bunker and field rake and recommend award to Revels Turf and Tractor of Myrtle Beach, SC. Your assistance in processing this information for Council on behalf of our Department is greatly appreciated.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Reports to Council

DEPARTMENT: Procurement Department

ISSUE UNDER CONSIDERATION:

Request the appointment of a Council member to serve on the Tax Forms and Processing RFP Evaluation Committee.

FLORENCE COUNTY COUNCIL MEETING

May 19, 2011

AGENDA ITEM: Other Business
Utility Funding
Council District 3

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Approval Of The Expenditure Of Up To \$17,600.00 From Council District 3 Utility Funding Allocation To Pay For The Resurfacing Of Earl Circle.

The cost estimate was prepared by Florence County Public Works.

Funding availability subject to confirmation by Finance Department.

FUNDING SOURCE:

☐ Infrastructure
☐ Road System Maintenance
☒ Utility

SIGNED: verbally approved – signature pending

Requested by Councilmember: Al Bradley

Date: _____

ATTACHMENTS:

I, Connie Y. Haselden, Clerk to County Council, certify this item was approved by the Florence County Council at the above-referenced meeting, at which a majority of members were present.

Connie Y. Haselden, Clerk to Council