

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, APRIL 16, 2009, 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
H. Morris Anderson, Secretary-Chaplain
Mitchell Kirby, Council Member
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Carlie Gregg, Public Works Director
Kevin Yokim, Finance Director
William H. Hoge, Planning Director
Robert Franks, IT Director
Ryon Watkins, EMS Director
Ray McBride, Library Director
Barbara Coker, Sheriff's Office
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Waymon Mumford, Vice-Chairman
Alphonso Bradley, Council Member

A notice of the regular meeting of the Florence County Council appeared in the April 15, 2009 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 on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Councilman Kirby 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 April 2, 2009 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

The Chairman opened Public Hearing on the following Ordinances and the Clerk published the titles of the Ordinances:

ORDINANCE NO. 23-2008/09

An Ordinance To Adopt The Administrative Procedures For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510.

ORDINANCE NO. 25-2008/09

An Ordinance To Amend Florence County Code, Chapter 5, Ambulance Services, In Its Entirety To Establish Procedures Relating To Private Ambulance Services And Other Matters Relating Thereto.

APPEARANCES:

E. L. CLEMENTS, III, SOLICITOR

Solicitor Clements requested to appear before Council to discuss a County supported grant for the Adult Drug Court; however, Mr. Clements withdrew his request prior to the meeting.

BETH ASHLEY GREENE

Mrs. Greene requested to appear before Council to propose an ordinance prohibiting the discharge of firearms within densely populated areas and express concerns as a taxpayer and a homeowner regarding this issue. Chairman Smith informed Mrs. Greene that her request would be accepted as information for Council's review.

COMMITTEE REPORTS:

COMMITTEE ON EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson stated the County would celebrate the Grand Opening of the new Florence County Animal Control Facility on Friday, May 1st at 11 a.m.

RESOLUTIONS:

RESOLUTION NO. 15-2008/09

Chairman Smith published the title of Resolution No. 15-2008/09 and the Clerk published the Resolution in its entirety: A Resolution Designating April 2009 as Fair Housing Month. Councilman Anderson made a motion Council approve the Resolution as presented. Councilman Rodgers seconded the motion, which was approved unanimously.

PROCLAMATIONS:

SILVER STAR BANNER DAY

The Chairman published the title of a Proclamation and the Clerk published the Proclamation in its entirety: A Proclamation Declaring May 1, 2009 Silver Star Banner Day in Florence County. Councilman Culberson made a motion Council approve the Proclamation as presented. Councilman Ard seconded the motion, which was approved unanimously. Veteran Affairs Officer Rick Walden was present and expressed appreciation to Council for its support of the VA Office in Florence County.

PUBLIC HEARINGS:

The Chairman closed Public Hearing. Mr. Tommy Jones was the only speaker and spoke against Ordinance No. 25-2008/09.

ORDINANCES IN POSITION:

ORDINANCE NO. 23-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 23-2008/09: An Ordinance To Adopt The Administrative Procedures For The Florence County Comprehensive Plan In Accordance With The 1976 South Carolina Code Of Laws, As Amended, Title 6, Chapter 29, Section 510. Councilman Culberson made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 24-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 24-2008/09: An Ordinance To Amend Section 30-113 Of The Florence County Code Of Ordinances To Provide Consistent Application Of The Requirements Regarding Tattoo Facilities. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Ard seconded the motion, which was approved unanimously.

ORDINANCE NO. 25-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 25-2008/09: An Ordinance To Amend Florence County Code, Chapter 5, Ambulance Services, In Its Entirety To Establish Procedures Relating To Private Ambulance Services And Other Matters Relating Thereto. Chairman Smith stated if there were no objections this Ordinance would be referred to the Committee on Justice & Public Safety. There were no objections.

ORDINANCE NO. 26-2008/09 – SECOND READING

The Clerk published the title of Ordinance No. 26-2008/09: An Ordinance To Amend Sections: 30-30. Table III: Zoning Setbacks; 30-111. Development Standards For Unzoned Areas; 30-202. Table VIII Number, Dimension, And Location Of Permitted Signs By Zoning District; 30-246. Accessory Buildings And Uses; And Other Matters Relating Thereto. Councilman Schofield made a motion Council approve second reading of the Ordinance. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCE NO. 27-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 27-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-30, Table III, Section 30-48 And Section 30-247 Of The Florence County Code Regarding Zoning Setbacks, Changes In Approved Planned Development Plans And Access To Property.

ORDINANCE NO. 28-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 28-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-246 Of The Florence County Code To Enhance The General Locational Rules Regarding Accessory Buildings And Uses.

ORDINANCE NO. 29-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 29-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Section 30-29, Table II Of The Florence County Code For Revision Of The NAICS Code Reference For Personal Care Services.

ORDINANCE NO. 30-2008/09 – INTRODUCED

The Clerk published the title of Ordinance No. 30-2008/09 and the Chairman declared the Ordinance introduced: An Ordinance To Rezone Properties Owned By James M. And Christina N. Fender Located At 2506 Pamplico Hwy. And 2328 Dudley Drive, Florence County From B-3, General Commercial District To Unzoned Shown On Florence County Tax Map No. 00180, Block 1, Parcels 161 And 162 Consisting Of 2.17 Acres.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

There were no appointments.

REPORTS TO COUNCIL:

PROCUREMENT DEPARTMENT

AWARD BID #31-08/09

Councilman Rodgers made a motion Council Award Bid #31-08/09 For One (1) Street Sweeper For Florence County Public Works Department To Carolina Industrial Equipment, Charlotte, NC, In The Amount Of \$194,795.00. Councilman Culberson seconded the motion, which was approved unanimously.

AWARD BID #38-08/09

Councilman Rodgers made a motion Council Award Bid #38-08/09 For The Construction Of Restroom Facilities At Savannah Grove Park And Brooks McCall Park To Charles Blanchard Construction, North Charleston, SC In The Amount Of \$97,910; \$82,355 From Budgeted Funds And The Balance Of \$15,000 To Come In Equal Portions From Council Districts 3, 4, 5, And 9 Infrastructure Funding Allocations (Up To \$3,750 From Each District). Councilman Anderson seconded the motion, which was approved unanimously. Chairman Smith voted by proxy for Councilman Bradley in favor of the Award of Bid. Councilman Anderson voted by proxy for Councilman Mumford in favor of the Award of Bid.

AWARD BID #40-08/09

Councilman Anderson made a motion Council Award Bid #40-08/09 For The Resurfacing Project At Pine Needles Fire Station To Newman Davis Construction Company, Sumter, SC In The Amount Of \$52,324. Councilman Kirby seconded the motion, which was approved unanimously.

CONTRACT EXTENSION

Councilman Anderson made a motion Council Approve An Extension Of The Contract For The Wilson Road Sidewalk Project For The Extension Of The Sidewalk From Oakland Avenue To Wilson High School In The Amount Of \$157,306 To RWF Construction, Effingham, SC And Approve The Associated Engineering And Survey Costs; \$150,000 To Be Funded From FY08 Bond And Balance (Estimated To Be \$30,000) From Council District 7 Infrastructure Funding Allocation. Councilman Culberson seconded the motion, which was approved unanimously. Councilman Smith voted by proxy for Councilman Bradley. Councilman Anderson voted by proxy for Councilman Mumford.

OTHER BUSINESS:

INFRASTRUCTURE FUND

LAKE CITY AIRPORT

Councilman Anderson made a motion Council Approve The Expenditure Of Up To \$2,000.00 From Council District 1 Infrastructure Funding Allocation For Stormwater Piping In Connection With A Roadway At The Lake City Airport. Councilman Ard seconded the motion, which was approved unanimously.

LYNCHES RIVER ATHLETIC PARK

Councilman Kirby made a motion Council Approve The Expenditure Of Up To \$7,000.00 From Council District 4 Infrastructure Funding Allocation To Assist The Lynches River Athletic League With The Purchase Of A Hood System For The Concession Facility At Lynches River Athletic Park. Councilman Rodgers seconded the motion, which was approved unanimously.

The following items were approved as additions to the agenda:

TOWN OF QUINBY

Councilman Kirby made a motion Council Approve The Expenditure Of Funds From Council Districts 3 and 7 Utility Funding Allocations In An Amount Up To \$4,000.00 (\$2,000 From Each District) To Assist The Town Of Quinby With DHEC Stormwater Management. Councilman Rodgers seconded the motion, which was approved unanimously. Councilman Smith voted by proxy for Councilman Bradley. Councilman Anderson voted by proxy for Councilman Mumford.

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve The Expenditure Of Funds From Council District 4 Infrastructure Funding Allocation In An Amount Up To \$1,000.00 And Authorize The Transfer Of A 1999 Ford Ranger V#653 To The Town Of Timmons ville To Be Utilized In The Water Department For Meter Reading Services. Councilman Rodgers seconded the motion, which was approved unanimously.

TOWN OF TIMMONSVILLE

Councilman Kirby made a motion Council Approve The Expenditure Of Funds From Council District 4 Utility Funding Allocation In An Amount Up To \$20,000.00 To Assist The Town Of Timmons ville With A Sewer Line Replacement At Main & Foxworth Streets In Timmons ville, SC. Councilman Rodgers seconded the motion, which was approved unanimously.

PROSPECT BALL FIELD

Councilman Ard made a motion Council Approve The Expenditure Of Funds From Council District 2 Infrastructure Funding Allocation In An Amount Up To \$1,500.00 To Assist Prospect Ball Field League With The Replacement/Repairs Of A Portion Of Fencing And Gate At The Prospect Ball Field. Councilman Culberson seconded the motion, which was approved unanimously.

MOULDS ROAD

Councilman Rodgers made a motion Council Approve The Expenditure Of Funds From Council District 1 RSMF Funding Allocation and Balance From Utility Funding Allocation In An Amount Up To \$46,116.00 For Additional Crushed Asphalt On Moulds Road. Councilman Culberson seconded the motion, which was approved unanimously.

AWARD BID #15-08/09

Councilman Anderson made a motion Council Award Bid #15-08/09 For Playground Equipment At Brooks McCall Park To Cunningham Associates, Charlotte, NC In The Amount Of \$99,147.64. Councilman Rodgers seconded the motion, which was approved unanimously. Councilman Smith voted by proxy for Councilman Bradley.

CHAIRMAN SMITH

Chairman Smith stated several Council members expressed concerns regarding the length of time it takes to get a road rocked. He informed Council he talked with the County Administrator to work toward expediting the work and completing it in a more cost effective means and staff was working toward this goal.

Chairman Smith informed Council that Energy Efficiency Grants were available to counties. Florence County had an entitlement of \$571,000 that would be utilized to make County buildings more energy efficient and staff was pursuing any options available to utilize the funding.

Councilman Ard stated that at the April 2nd meeting he requested information relative to the operation of the Splash Pad at Lynches River County Park. The information was provided to Council and was very encouraging. The replacement of the pool at Lynches River County Park with the Splash Pad was a wise decision and had become a money maker for the County as opposed to a money loser. He applauded Council for its decision to install the Splash Pad.

EXECUTIVE SESSION:

Councilman Anderson made a motion Council Enter Executive Session To Discuss Contractual Matters Related To Sheriff's Office Associated With A Legal Briefing From The County Attorney And An Economic Development Matter. Councilman Rodgers seconded the motion, which was approved unanimously.

Council entered executive session at 9:39 a.m. Council reconvened at 10:20 a.m.

SPLASH PAD

Councilman Ard made a motion Council Authorize Re-Award Of Bid #37-08/09 For The Splash Pad Concrete Refurbishment To Tennico Of Columbia, Inc. In The Amount Of \$36,333.50 Due To Previously Awarded Vendor's State Licensing Issues. Councilman Anderson seconded the motion, which was approved unanimously.

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

COUNCIL MEETING ADJOURNED AT 10:21 A.M.