

AGENDA
DARLINGTON COUNTY COUNCIL
FEBRUARY 1, 2010
6 P.M.

Courthouse Annex/EMS Building
1625 Harry Byrd Highway (Hwy. 151)
Darlington, SC 29532
843-398-4100
www.darcosc.com

Recognition of Firefighters, Mr. David Williamson, Fire District Chief

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. CITIZENS' COMMENTS (Maximum of 2 minutes per citizen; 30 minutes total)

IV. APPROVAL OF MINUTES

A. Regular Meeting of January 19, 2010

V. ORDINANCES

A. THIRD READING - None

B. SECOND READING

Ordinance No. 10-1, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 2, Article IV. (Boards, Commissions, And Committees), Chapter 2, Division 2 (Jetport Commission), Chapter 2, Division 4 (Construction Board Of Adjustment And Appeals), Chapter 2, Division 5 (Economic Development Partnership Board), Chapter 18, Division 2 (Darlington County Ambulance Service District), Chapter 26, Division 2 (Board Of Fire Control), Chapter 34, Article II. (Library Board), Chapter 38, Article II. (Parks And Recreation Commission), Chapter 42, Article III. (Planning Commission), And Chapter 58, Article II. (Board Of Assessment Appeals) To Increase The Number Of Members Serving On Boards, Commissions, And Committees Appointed By Darlington County Council, To Delete Chapter 50, Article IV. (Upper Pee Dee Regional Solid Waste Advisory Council), To Revise Certain Language, And To Establish The Effective Date Of This Ordinance

C. FIRST READING - None

VI. RESOLUTIONS - None

VII. COMMITTEE REPORTS

VIII. OTHER ITEMS

- A. Appointment Of County Council Representatives To Pee Dee Regional Council Of Governments Board, Chairman Billy Baldwin
- B. Appointment To The FY10/11 Accommodations Tax Advisory Committee
- C. Appointment To Fill An Unexpired Term On The Board Of Fire Control
- D. Budget Transfer Request, Roads & Bridges
- E. 2009 Airport Layout Plan Update, Darlington County Jetport
- F. Other (*Items taken from the Consent Agenda for discussion*)

IX. CONSENT AGENDA

<u>ITEMS</u>	<u>ACTION</u>
A. Census Complete Count Committee Minutes, January 7, 2009	Receive As Information
B. FY10/11 Budget Calendar	Receive As Information
C. FY10/11 Accommodations Tax Advisory Committee Activity Calendar	Receive As Information
D. Jetport Commission Minutes, December 10, 2009	Receive As Information
E. Keep Darlington County Beautiful Minutes, November 17, 2009	Receive As Information
F. Building Permit Types Report, December 2009	Receive As Information
G. Animal Control Report, December 2009	Receive As Information
H. Economic Development Partnership Minutes, November 18, 2009 And December 8, 2009	Receive As Information
I. "Thank You" Note From The Family Of Charles Griffitts	Receive As Information
J. Board Of Fire Control Minutes, July 23, 2009 And September 24, 2009	Receive As Information

- X. **PERSONAL APPEARANCES** (*Maximum of 10 minutes per appearance*)
- A. The Honorable Judge Mike Baxley - Court Software Maintenance & Equipment/S.C. Judicial Department
 - B. Mr. Clarence Brunson - Trash & Crime Along Sarah Circle In Hartsville
- XI. **ADMINISTRATIVE UPDATE**
- A. Mr. Doug Reimold - Stormwater Fee For Darlington County
 - B. Mrs. Phyllis Griffiths, County Administrator - Update
- XII. **REQUESTS / COMMENTS – MEMBERS OF COUNCIL**
- XIII. **VOTE FOR EXECUTIVE SESSION**
- XIV. **EXECUTIVE SESSION**
- XV. **ADJOURNMENT**

Assistance will be provided to accommodate the special needs of handicapped persons attending the meeting upon request. Special assistance requests should be made to JaNet Bishop, Clerk to Council, at 843-398-4100 seventy-two (72) hours prior to the meeting.

ADMINISTRATOR'S UPDATE

ACTION ITEMS

MEETING OF FEBRUARY 1, 2010

1. Ordinance No. 10-1, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 2, Article IV. (Boards, Commissions, And Committees), Chapter 2, Division 2 (Jetport Commission), Chapter 2, Division 4 (Construction Board Of Adjustment And Appeals), Chapter 2, Division 5 (Economic Development Partnership Board), Chapter 18, Division 2 (Darlington County Ambulance Service District), Chapter 26, Division 2 (Board Of Fire Control), Chapter 34, Article II. (Library Board), Chapter 38, Article II. (Parks And Recreation Commission, Chapter 42, Article III. (Planning Commission), And Chapter 58, Article II. (Board Of Assessment Appeals) To Increase The Number Of Members Serving On Boards, Commissions, And Committees Appointed By Darlington County Council, To Delete Chapter 50, Article IV. (Upper Pee Dee Regional Solid Waste Advisory Council), To Revise Certain Language, And To Establish The Effective Date Of This Ordinance. At Council's meeting of January 5, 2010, Council discussed and voted to amend the Darlington County Code of Ordinances so that membership on all council appointed boards, commissions, and committees constitute appointees from each Council District, with the exception of the Board of Fire Control. Attached to the ordinance are the various sections of the code that would be amended to reflect County Council's appointment of eight members to represent each of the eight Council Districts. Each Council member would have one appointment on all board, commission, and committees appointed by County Council, except for the Board of Fire Control, which will have up to 12 members.

This change will become effective with terms commencing on July 1, 2010. Therefore, the effective date of the ordinance will be June 1, 2010 because Council will begin making appointment on June 7th. The boards, commissions, and committees are scheduled to elect their chairman at their first regular meeting after July 1st.

The Board of Fire Control currently has eleven members to represent each of the main fire stations. Currently the code states ten members. Also, there is a possibility that the Fire Board may increase by an additional member in the future. Therefore, the Code section for the Board of Fire Control is being amended to increase the membership on this board up to 12 members. (Chapter 26, Division 2, Section 26-58)

This code amendment also includes a revision regarding the limitation of terms. The code states that a full term is three years. However, the Board of Fire Control and the Library Board have terms of four years and members on the Alcohol and Drug Citizen Advisory Committee serve until they resign or are replaced by Council. This is reflected in the amendment (Chapter 2, Article IV., Section 2-203)

The Board of Fire Control is being removed from the list of boards, commissions, and committees enumerated since it will have more than eight members. The Cable TV Citizen Oversight Committee was last established by the cable franchise ordinance for Century Cable (Ordinance No. 95-3) in 1995. Century Cable was taken over by Adelphia Cable, and then by Time Warner Cable and each company inherited this franchise agreement/contract, which is scheduled to expire June 2, 2010. When Time Warner Cable renewed its franchise agreement for their service area in Darlington, the section establishing a citizen oversight committee was deleted. There is the possibility that Time Warner Cable may amend their current franchise agreement for the Darlington area to add Hartsville area. Also, this committee has not met since October 2002. Therefore, it is being deleted from the list of enumerated boards, commissions, and committees.

The Upper Pee Dee Regional Solid Waste Advisory Council no longer exists. Therefore, this section is being deleted from the Code of Ordinances. (Chapter 50, Article IV.)

EXHIBIT A is a roster of Boards, Commissions, and Committees appointed by Darlington County Council. The Council district that each member represents is also indicated on the roster. Council districts are as follows: #1 - Billy Baldwin, #2 - Dannie Douglas, Jr., #3 - Wilhelmina Johnson, #4 - Anne C. Warr, #5 - Marvin Le Flowers, #6 - Mozella Nicholson, #7 - Alex Shaw, and #8 - Wesley Blackwell.

Requested Action. Council's consideration of second reading.

2. Appointment Of County Council Representative To Pee Dee Regional Council Of Governments Board, Chairman Billy Baldwin. Upon the request by Councilwoman Wilhelmina Johnson, appointments to this Board was carried over at Council's last meeting. **EXHIBIT B** is the 2010 list of Council Committees.

Requested Action. Chairman Baldwin's appointments to the Pee Dee Regional Council of Governments Board.

3. Appointment To The FY10/11 Accommodations Tax Advisory Committee. **EXHIBIT C** contains the names and attendance report for the FY09/10 Accommodations Tax Advisory Committee. Section 6-4-25 (A) of the Code of Laws for South Carolina (**EXHIBIT D**) states that there shall be a local advisory committee consisting of seven members. The **majority** of these members shall be selected **from the hospitality industry**, of which at least **two must be from the lodging industry** and **one** member shall represent the **cultural organizations**. This is restated in the Accommodations Tax Procedures as approved by Council in 1992 (**EXHIBIT E**). Therefore, the Committee must consist of the following:

SECTOR

EXAMPLES

Two (2) from Lodging

Hotels, motels, bed & breakfasts, inns.

One (1) from Cultural Organizations	Art society, cultural society, dance studio, artist, board members of arts or cultural societies/organizations, historical preservation, museums, etc.
Two (2) from Hospitality Business	Businesses that primarily serve visitors to the county such as restaurants, bars, night/social clubs, hotels, visitor centers, bed & breakfast, attractions, recreational amenities, etc.
Two (2) Citizens At Large	Does not have to be associated or affiliated with the hospitality industry or cultural organizations.

The names of the individuals serving on the Accommodations Tax Advisory Committee and the name of the organization/business they represent will be submitted, as required, to the Tourism Expenditure Review Committee in Columbia for review for compliance with the law. **Therefore, it is imperative that Council specify the name of the business or organization the individuals represent.**

The FY10/11 Accommodations Tax Advisory Committee Activity Calendar is included in the Consent Agenda.

Requested Action. Council's appointments to the Accommodations Tax Advisory Committee and specify the name of the business/organization the individuals represent.

4. Appointment To Fill An Unexpired Term On The Board Of Fire Control. **EXHIBIT F** is a letter from Fire Board Chairman Brandon Nolan requesting the appointment of Mr. Marshall King to fill the unexpired term of Mr. Ricky Nettles. Mr. King will be the Lake Swamp representative on the Board of Fire Control. This term will expire on June 30, 2012.

Requested Action. Council's appointment of Mr. King to fill the unexpired term of Mr. Nettles on the Board of Fire Control.

5. Budget Transfer Request, Roads & Bridges. Roads and Bridges Director Bobby Richardson is requesting to transfer \$170 to Overtime (Signs) (001-020-43140-1300) and \$2,500 to Overtime (Road Maint.) (001-020-43120-1300) from the following line items: \$200 from Overtime (RC-Non) (001-020-43131-1300), \$990 from Overtime (Road Construction) (001-020-43121-1300), \$200 from Overtime (Road Maintenance) (001-020-43130-1300), and \$1,280 from Salary/Wages (Road Maintenance) (001-020-43120-11100). Overtime was used to meet the deadline for construction of Peachtree Drive, Tarte Street, Lovelace Lane, R-Bar-M Ranch Road, Vivian Lane, William Lane, Fairview Court, and Sapphire Street.

Requested Action. Council's consideration of the budget transfer Request.

6. 2009 Airport Layout Plan Update, Darlington County Jetport. **EXHIBIT G** contains the updated Airport Layout Plan as recommended by the Darlington County Jetport Commission. As stated in the introduction, the Airport Improvement Program indicates that a current Airport Layout Plan that depicts the proposed project and which has FAA approval from the standpoint of safety, utility, and efficiency of the airport shall be required before a development project is approved. Every few years, the FAA encourages airports to prepare studies like this Airport Layout Plan so that facility needs can be re-evaluated based on current activity and revised federal guidelines.

The primary focus of this Airport Layout Plan Update Report involves the evaluation and proposed reconfiguration of the Jetport's existing landside and terminal areas. This report evaluated options for shifting future building developments further away from Taxiway A and providing more aircraft parking for peak demands like those associated with NASCAR events at Darlington Raceway. All other relevant airport facilities were also evaluated for their ability to safely and effectively accommodate existing and future demands. Other key issues identified during this study included pronounced separation of functional areas, insufficient terminal apron parking, economic development opportunities, public involvement, enhanced approach capability, meeting the demands of existing users, accommodating new tenants, and upcoming projects. This report also includes inventory of existing conditions, forecasts of aviation demand, facility requirements, alternatives analysis, airport layout plans, and capital improvement plan.

Requested Action. Council's consideration of the 2009 Airport Layout Plan Update at Darlington County Jetport.

INFORMATION ITEMS

1. SC Association of Counties' Mid-Year Conference & Institute of Government Classes. The Mid-Year Conference is scheduled for Wednesday, February 24th and the Institute of Government Classes are scheduled for Thursday, February 25th at the Embassy Suites Hotel in Columbia. Council members planning to attend these events should contact the Clerk to Council to be registered. **The deadline to register is Friday, February 12th.**