

**Tuesday
July 6, 2010**

**AGENDA
DARLINGTON COUNTY COUNCIL
TUESDAY, JULY 6, 2010
6 P.M.**

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

- 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 June 7, 2010
 - B. Regular Meeting Of June 21, 2010
- V. ORDINANCES**
 - A. **THIRD READING** - None
 - B. **SECOND READING** - None
 - C. **FIRST READING**

Ordinance No. 10-11, An Ordinance To Adopt A Transportation Element Of The Darlington County Comprehensive Plan, As Recommended By The Darlington County Planning Commission And Pursuant To The 1976 South Carolina Code Of Laws, Section 6-29-530 Et. Seq.; To Implement The Transportation Element Review Process To Determine Compatibility With Said Comprehensive Plan; And To Establish The Effective Date Of This Ordinance
- VI. RESOLUTIONS - None**
- VII. COMMITTEE REPORTS**
- VIII. OTHER ITEMS**
 - A. Remaining Appointments To Boards & Commissions
 - B. Memorandum Of Agreement For The Detention Of Juveniles

- C. Clarification On Conflict Of Interest Regarding Elected Officials, As Requested By Council Member Wilhelmina Johnson
- D. Discussion Of The Phase-Out Of Non-Departmental Agencies That Occurred During The 1990's, As Requested By Council Member Wilhelmina Johnson
- E. Discussion Regarding Rules & Procedures Governing County Council Meetings, As Requested By Council Member Wilhelmina Johnson
- F. Other (*Items taken from the Consent Agenda for discussion*)

IX. CONSENT AGENDA - None

X. PERSONAL APPEARANCES (*Maximum of 10 minutes per appearance*)

XI. ADMINISTRATIVE UPDATE

- A. Mr. Doug Reimold, Planning Director - South Darlington Watershed Project, Suggested Plan Of Action
- B. Mrs. Phyllis Griffitts, County Administrator - Update

XII. REQUESTS / COMMENTS – MEMBERS OF COUNCIL

XIII. VOTE FOR EXECUTIVE SESSION

- A. Personnel Matters

XIV. EXECUTIVE SESSION

- A. Personnel Matters

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

July 6, 2010

1. Ordinance No. 10-11, An Ordinance To Adopt A Transportation Element Of The Darlington County Comprehensive Plan, As Recommended By The Darlington County Planning Commission And Pursuant To The 1976 South Carolina Code Of Laws Section 6-29-530 Et. Seq.; To Implement The Transportation Element Review Process To Determine Compatibility With Said Comprehensive Plan; And To Establish The Effective Date Of This Ordinance. The 1994 Enabling Act requires that the local commission develop and maintain a planning process, which will result in a systematic preparation and continued re-evaluation, and updating of those elements considered critical, necessary, and desirable to guide the development and re-development of its areas of jurisdiction. In 2007, the General Assembly amended the 1994 Planning Enabling Act requiring the addition of a separate Transportation Element to the Comprehensive Plan for each jurisdiction that has a plan. The Planning Commission approved a resolution (attached to the ordinance) endorsing County Council's adoption of the Transportation Element of the Comprehensive Plan to provide a framework for the future growth and development of the county. The Transportation Element considers transportation facilities, major road improvements, new road construction, transit projects, pedestrian and bicycle projects, modes of transportation, etc.

Requested Action. No action is needed for First Reading.

2. Remaining Appointments To Boards & Commissions. At its meetings of June 7th and June 21st, County Council made appointments to various Boards and Commissions. However, some of the appointments were carried over. **EXHIBIT A** is a current roster of the Boards and Commissions. **EXHIBIT B** is a list of appointments that are needed.

Requested Action. Council's consideration of the remaining appointments to the various Boards and Commissions.

3. Memorandum Of Agreement For The Detention Of Juveniles. **EXHIBIT C** is a letter from the S.C. Department of Juvenile Justice (DJJ) and the Memorandum of Agreement for the Detention of Juveniles for secure detention services for FY2010/2011. All substantive terms and conditions contained in this agreement are the same as those contained in last year's agreement. The per diem rate is \$50 per day for any juvenile housed at DJJ's detention facility. This agreement will not obligate the county in any way unless the county chooses to, or is ordered by a court to detain a juvenile awaiting trial or sentencing.

Also, in lieu of detaining juveniles in DJJ's secure detention facility, DJJ has contracted with a number of therapeutic foster care providers in our area who will accept into their homes juveniles charged with **non-violent** crimes. This Jail Removal Home (JRH) option is being made available at **no cost**. DJJ is encouraging all public safety and local law enforcement to utilize this "no cost" option whenever appropriate. Funds (\$56,650) were included in the budget for this service.

Requested Action. Council's consideration of the Memorandum of Agreement.

4. South Darlington Watershed Project Plan Of Action. **EXHIBIT D** contains a letter from NRCS dated June 22, 2010, in response to the South Darlington Watershed Committee meeting that was held on June 15th.

Exhibit E also contains a letter from Planning Director Doug Reimold to NRCS dated June 23rd correcting some of the implications made in the letter dated June 22nd from NRCS.

Also included in **Exhibit F** is a memorandum from Mr. Reimold to Council indicating that the South Darlington Watershed Project has lost its funding because the cost estimate far exceeds the ability of NRCS to pay for construction, leaving Darlington County with a tremendous amount to fund on its own. Mr. Reimold is suggesting a Plan of Action that would continue to work toward implementing the South Darlington Watershed Project **on a much smaller scale**. The work is summarized in the memo.

Mr. Reimold will explain this matter under Administrative Update.

Requested Action. Council's consideration of the suggested Plan of Action.

5. Clarification On Conflict Of Interest Regarding Elected Officials, As Requested By Council Member Wilhelmina Johnson. Council Member Wilhelmina Johnson is requesting County Attorney James C. Cox, Jr. to provide clarification regarding the conflict of interest for elected officials. **EXHIBIT G** is a copy of Chapter 13 (Ethics, Government Accountability, And Campaign Reform), Article 7 (Rules Of Conduct) of the 1976 S.C. Code Of Laws, As Amended.
6. Discussion Of The Phase-Out Of Non-Departmental Agencies That Occurred During The 1990's, As Requested By Council Member Wilhelmina Johnson. Council Member Wilhelmina Johnson is requesting that Council discuss the phase-out of non-departmental agencies that occurred during the 1990's.
7. Discussion Regarding Rules & Procedures Governing County Council Meetings, As Requested By Council Member Wilhelmina Johnson. Council Member Wilhelmina

Johnson is requesting that Council discuss the rules and procedure governing County Council meetings. **EXHIBIT H** is Chapter 2, Division 3 from Darlington County Code of Ordinances governing Council meetings.