

AGENDA
DARLINGTON COUNTY COUNCIL
TUESDAY, SEPTEMBER 7, 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 Employees - Chairman Billy Baldwin

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 & Public Hearing Of August 16, 2010

V. ORDINANCES

A. **THIRD READING** - None

B. **SECOND READING** - None

C. **FIRST READING**

Ordinance No. 10-12, An Ordinance To Amend That Certain Agreement For The Development Of A Joint Industrial And Business Park Between Marlboro County And Darlington County Dated November 17, 1997 To Provide For The Addition Of Property And Other Matters Related Thereto

Ordinance No. 10-13, An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Florence County, Such Industrial/Business Park To Be Geographically Located In Darlington County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina, 1976, As Amended; To Provide For A Written Agreement With Florence County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto

Ordinance No. 10-14, An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Dated As Of _____, 2010 By And Between Darlington County,

South Carolina And PolyQuest, Inc. Providing For A Payment Of A Fee In Lieu Of Taxes, A Special Revenue Credit, And Other Matters Related Thereto

VI. RESOLUTIONS - None

VII. COMMITTEE REPORTS

VIII. OTHER ITEMS

- A. Remaining Appointments To Boards & Commissions
- B. Request For Preclearance:
 - Radio Equipment Console For Narrow Band, Phase I (State Contract), Central Communications/911 (State Mandate)
 - Tower (3) Equipment Update, Phase II (State Contract), Central Communications/911
 - Pagers (60)(State Contract), Fire District
- C. Acceptance Of A Donation To Cover The Cost And Installation Of A Fire Hydrant At The Fire District Training Center, \$13,250
- D. Bid Report For Mechanicsville Fire Station
- E. Request For Quotation For Financing Mechanicsville Fire Station
- F. Acceptance Of Monsanto Fund Grant Award To Lake Swamp Fire Station, \$2,500
- G. Acceptance Of Gift From Drs. Bruce And Lee Foundation To The Friends Of Lamar Library To Expand Lamar Library, \$150,000
- H. Budget Transfer Request, EMS
- I. Requests For Lump Sum FY10/11 Accommodations Tax Appropriation:
 - Cotton Harvest Bluegrass Festival, \$1,357
 - Darlington County Tourism, \$25,386
 - JazzCarolina, \$3,929
 - July 4th Fireworks Festival, \$600
 - Players Championship, SC Junior Golf Foundation, \$5,086
 - RenoFest, \$8,929
 - Society Hill Catfish Festival, \$2,071
 - Society Hill Depot Project, \$1,286
- J. Tuition Assistance Reimbursement And Payment, State Library System
- K. Bid Award For Construction Of The New Library In Society Hill

- L. Agreement With NRCS To Administer The South Darlington Watershed Project
- M. Federal Aviation Administration Grant Application For Apron Rehabilitation And Taxiways Widening Project At the Jetport, \$504,702
- N. Request To Change Grant Award For PolyQuest Expansion Project From Rail Spur To Infrastructure Improvements
- O. Schedule Worksession (*Executive Session For Personnel Matters*)
- P. Other (*Items taken from the Consent Agenda for discussion*)

IX. CONSENT AGENDA

- A. Building Permit Types, July 2010 Receive As Information
- B. Animal Control Report, June 2010 Receive As Information
- C. Pee Dee Workforce Investment Board Report, July 1, 2009 Through June 30, 2010 Receive As Information
- D. Keep Darlington County Beautiful Minutes, May 18, 2010 Receive As Information
- E. Planning Commission Minutes, July 20, 2010 Receive As Information
- F. Letter And Certificate From The Census Bureau Recognizing Darlington County For Raising Awareness Of And Inspiring Participation In The 2010 Census Receive As Information

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

- A. Mr. George Cannon, Drainage Problems In The Area South Of Hartsville
- B. Ms. Paula R. Bowen, South Darlington Watershed Project
- C. Ms. Wilma H. Epps & Ms. Wanda Watford, Recent Burglaries In Matown Subdivision, Located Off E. McIver Road, Darlington

XI. ADMINISTRATIVE UPDATE

- A. Mr. Tommy Edwards, Interim 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.

***County Offices, The landfill, & Recycling Centers will be closed
on Monday, September 6, 2010 in observance of Labor Day.***

County Council Meeting Schedule. Darlington County Council will meet once per month unless it is necessary to schedule a second meeting. County Council will meet on the following dates: October 4, November 1, and December 6.

ADMINISTRATOR'S UPDATE

ACTION ITEMS

SEPTEMBER 7, 2010

1. Ordinance No. 10-12, An Ordinance To Amend That Certain Agreement For The Development Of A Joint Industrial And Business Park Between Marlboro County And Darlington County Dated November 17, 1997 To Provide For The Addition Of Property And Other Matters Related Thereto. Marlboro County would like to partner with Darlington County on a Multi-County Industrial Park for Carolina AAC LLC/Carolina AAC Development, LLC. Therefore, Ordinance No. 10-12 will amend the boundaries of the Joint Industrial and Business Park between Marlboro County and Darlington County to include the property described in Exhibit A attached to the ordinance.

Requested Action. No action is needed for first reading.

2. Ordinance No. 10-13, An Ordinance To Develop A Jointly Owned And Operated Industrial/Business Park In Conjunction With Florence County, Such Industrial/Business Park To Be Geographically Located In Darlington County And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina, 1976, As Amended; To Provide For A Written Agreement With Florence County To Provide For The Expenses Of The Park, The Percentage Of Revenue Application, And The Distribution Of Fees In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto. As stated in the ordinance, Darlington County will enter into an agreement to develop an industrial/business park with Florence County. The businesses located in the park will pay a fee in lieu of ad valorem taxes as provided for in the Park Agreement. Revenues generated from businesses locating in the Darlington County portion of the park and to be retained by Darlington County pursuant to the Park Agreement will be distributed within Darlington County as outlined in Section VI of the Ordinance. PolyQuest will locate in the Darlington County portion of the joint Industrial/Business Park between Florence County and Darlington County. The Park Agreement is attached to the Ordinance.

Requested Action. No action is needed for first reading.

3. Ordinance No. 10-14, An Ordinance Authorizing The Execution And Delivery Of A Fee Agreement Dated As Of _____, 2010 By And Between Darlington County, South Carolina And PolyQuest, Inc. Providing For A Payment Of A Fee In Lieu Of Taxes, A Special Revenue Credit, And Other Matters Related Thereto. As stated in the Ordinance, PolyQuest intends to invest in the expansion of its manufacturing facility in the county through the acquisition of land, a building, and/or improvements, the construction of improvements, and/or the acquisition of personal property, including, but not limited to, machinery, equipment, and/or furniture at a cost

estimated to be approximately \$8,000,000 over five years. The Fee Agreement (attached to the Ordinance) provides for a fee in lieu of tax payments utilizing a six percent assessment ratio for 20 years for the Project or each component thereof placed in service during the initial investment period and any investment period extension to which the county and PolyQuest agree, as well as a five year, sixty percent special source revenue credit.

Requested Action. No action is needed for first reading.

4. Remaining Appointments To Boards & Commissions. At its meetings of June 7th, County Council began making appointments to various Boards and Commissions. However, some of the appointments were carried over. **EXHIBIT A** is a list of appointments that are needed.

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

5. Request For Preclearance: Radio Equipment Console For Narrow Band, Phase I (State Contract), Central Communications/911 (State Mandate); Tower (3) Equipment Update, Phase II (State Contract), Central Communications/911; Pagers (60) (State Contract), Fire District. At Council's meeting of August 16th, County Council carried over preclearance for the above listed items to conduct further study relating to the 800-megahertz system for emergency services. The staff is now requesting preclearance for these items, which were included in the FY10/11 budget.

Requested Action. Council's consideration of the preclearance requests.

6. Acceptance Of A Donation To Cover The Cost And Installation Of A Fire Hydrant At The Fire District Training Center, \$13,250. Sonoco Products Company wishes to donate funds to cover the cost and installation of a fire hydrant at the Fire District Training Center. The staff solicited and received bids for the fire hydrant and installation of the hydrant. The low bid was in the amount of \$13,248.60 from W&S Underground. Therefore, Sonoco would like to provide the donation in the amount of \$13,250.

Requested Action. Council's consideration for acceptance of the donation from Sonoco Products for a fire hydrant and the installation of the fire hydrant at the Fire District Training Center.

7. Bid Report for Mechanicsville Fire Station. **EXHIBIT B** is a letter from Architect Robert Goodson recommending that the contract to construct Mechanicsville Fire Station be awarded to Mimms Construction, Inc., the low bidder, in the amount of \$351,605. The County will finance the construction of this fire station.

Requested Action. Council's consideration of the bid award for construction of the Mechanicsville Fire Station.

8. Request For Quotation For Financing Mechanicsville Fire Station. At its meeting of January 19, 2010, Darlington County Council approved the Fire District's request to pursue a set of plans from the architect for Mechanicsville Fire Station. **EXHIBIT C** contains the Request for Quotation Report for financing the Mechanicsville Fire Station and the excerpt from County Council minutes of January 19th. The staff is recommending that the financing contract be awarded to Carolina Bank in Darlington based on the lowest percentage (4.75% - five years) for financing. The Fire District has budgeted and will budget \$50,000 per year until the loan is paid.

Requested Action. Council's consideration for awarding the contract to finance the Mechanicsville Fire Station.

9. Acceptance Of Monsanto Fund Grant Award To Lake Swamp Fire Station, \$2,500. Lake Swamp Fire Station was selected by Kenneth Hodges, a farmer, to be the recipient of a \$2,500 award sponsored by Monsanto Fund. This program supports organizations that help make rural communities a vibrant place to live, work, and raise a family. Farmers enroll in the program for an opportunity to win \$2,500 for a nonprofit organization in their county that strengthens their community. Mr. Kenneth Hodges selected Lake Swamp Fire Station as the recipient for the \$2,500. Lake Swamp Fire Station is scheduled to receive a replacement fire engine in this budget year. Therefore, these funds could be used toward the purchase of the replacement fire engine or for equipment to be placed on this engine. Upon acceptance of this grant award, a check presentation will be scheduled.

Requested Action. Council's consideration of the award.

10. Acceptance Of Gift From Drs. Bruce And Lee Foundation To The Friends Of Lamar Library To Expand Lamar Library, \$150,000. At its meeting of April 20, 2009, County Council granted permission to the Friends of Lamar Library to proceed with plans and fundraising to expand the library in Lamar. Drs. Bruce and Lee Foundation has awarded the Friends of Lamar Library \$150,000 towards Phase 1 of the expansion project. Phase I would consist of enlarging the existing meeting room, and adding a classroom and storage. **EXHIBIT D** contains information regarding Lamar Library Building Expansion Project and an excerpt from the minutes of County Council meeting of April 20, 2009.

Requested Action. Council's consideration for acceptance of the \$150,000 gift from Drs. Bruce and Lee Foundation for Lamar Library Expansion Project.

11. Budget Transfer Request, EMS. Interim Emergency Services Director Linwood Epps is requesting to transfer \$8,900 to Overtime (1-044-42914-13000) from Health

Insurance (1-044-42914-21200) due to a shortfall in overtime for the year ending June 30, 2010 as a result of EMT/Paramedic vacancies.

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

12. Requests For Lump Sum FY10/11 Accommodations Tax Appropriation: Cotton Harvest Bluegrass Festival, \$1,357; Darlington County Tourism, \$25,386; JazzCarolina, \$3,929; July 4th Fireworks Festival, \$600; Players Championship, SC Junior Golf Foundation, \$5,086; RenoFest, \$8,929; Society Hill Catfish Festival, \$2,071; and Society Hill Depot Project, \$1,286. On April 19th, County Council approved the FY10/11 Accommodations Tax appropriations as presented by the Accommodations Tax Advisory Committee. These amounts were also approved in the FY10/11 budget. Finance Director John Williams has indicated that the above listed events/projects have requested a lump sum appropriation instead of quarterly payments. Darlington County Code of Ordinances, Chapter 2, Section 2-290 states, "One lump sum payment may be made if the purpose of the appropriation is to help sponsor a once-a-year event or a one-time expenditure" (see **EXHIBIT E**).

Requested Action. Council's consideration of the lump sum Accommodations Tax Appropriations for the above listed events/projects.

13. Tuition Assistance Reimbursement And Payment, State Library System. South Carolina State Library offers a limited number of LSTA (Library Services Technology Act) Tuition Assistance Reimbursement Grant to students who are employed in South Carolina libraries and who meet all other qualifications in terms of completed course work and grades. An employee at Hartsville Memorial Library is enrolled in a graduate program leading to a Master's Degree in Library and Information Science at the University of South Carolina. This employee has been awarded grants covering the 2009 Fall Semester (\$1,923) and the 2010 Spring Semester (\$1,916) and plans to apply for grants for the 2010 Fall Semester and the 2011 Spring Semester. The state grant reimbursement checks are made payable to Darlington County for 66 percent of the employee's eligible student expenses and deposited into a designated account. Then the Library Director requests a county check for that same amount made payable to the employee. The remaining 34 percent of the paid expenses (\$991 and \$987) is reimbursed directly to the employee by the Friends of Hartsville Library. **EXHIBIT F** contains excerpts of the grant awards.

Requested Action. Council's consideration for the county to serve as host county for the tuition assistance reimbursement grant funds.

14. Bid Award For Construction Of The New Library In Society Hill. At its meeting on June 21, 2010, County Council awarded the bid for the construction of the new library in Society Hill to the low bidder, Heartland Contracting, LLC of North

Carolina in the amount of \$797,000. **EXHIBIT G** is a letter dated August 5, 2010, from Heartland Contracting withdrawing their bid for this project. **EXHIBIT H** is a letter from the architects now recommending that Dargan Construction Company be awarded the bid contract in the revised amount of \$828,688. Both firms were fully vetted in the initial bid process and both firms were found to be fully qualified. In the original bid tabulation, Dargan Construction was the second lowest bidder at \$814,000. When recently contacted, Dargan Construction cited rising costs in the industry to support an increased bid of \$828,688. **EXHIBIT I** contains a memo from Library Director Nancy Ray regarding this recommendation and background information on Dargan Construction Services of Myrtle Beach, South Carolina. **EXHIBIT J** contains an excerpt from the minutes of June 15, 2009 wherein County Council approved acceptance of the loan for the new library in Society Hill.

Requested Action. Council's consideration to award the bid for the construction of the new library in Society Hill to Dargan Construction Services of Myrtle Beach.

15. Agreement With NRCS To Administer The South Darlington Watershed Project. **EXHIBIT K** contains a memo to Council from Planning Director Doug Reimold explaining that NRCS (Natural Resources conservation Service) has approached the county to reconsider funding possibilities for the South Darlington Watershed Project. In a recent meeting with the staff, NRCS presented a plan in which new cost estimates would be distributed in a different way. A cost analysis is attached to the memo. NRCS has reconsidered making up the difference in construction costs that it could not commit to under their first presentation in June 2010. NRCS will increase their responsibility for certain aspects of construction, thereby reducing the county's commitment and make a rough estimate for wetland mitigation costs, bringing their total to a little over \$1.8 million and Darlington County's responsibility to about \$811,600. However, there would be other costs and commitments to consider to make the project shovel ready in 90 days and then administer construction to completion. NRCS is seeking a grant at the county's request. As stated in the information, the root of this proposal is to use the stimulus funds allocated for this project by requesting the county to approve the Agreement (to obligate these funds by September 30th). The memo also lists suggestions and a recommendation from Mr. Reimold. **EXHIBIT L** contains the Agreement with NRCS for the county to take over local administration of the South Darlington Watershed Project, committing to meet all project deadlines, cost sharing obligations and administrative procedures.

Requested Action. Council's consideration of the Agreement with NRCS.

16. Federal Aviation Administration Grant Application For Apron Rehabilitation And Taxiways Widening Project At The Jetport, \$504,702. **EXHIBIT M** is the FAA grant application for federal assistance for the Apron Rehabilitation and Taxiways Widening Project. On October 5, 2009, County Council approved the LPA Group to

proceed with drawings for an FAA project to rehabilitate the Jetport's apron and taxiways. The drawings (Airport Layout Plan Update) have been finalized, approved by County Council on February 1, 2010, and submitted to the FAA for review. As a result, the FAA has sent to the county an application to provide funding for the project. The county's match will be \$12,618, if approved. **EXHIBIT N** contains excerpts of the minutes of October 5, 2009 and February 1, 2010.

Requested Action. Council's consideration of the application.

17. Request To Change Grant Award For PolyQuest Expansion Project From Rail Spur To Infrastructure Improvements. At Council's meeting of July 6, 2010, County Council approved acceptance of a grant award in the amount of \$100,000 from the Coordinating Council for Economic Development to assist Darlington County with a rail spur for PolyQuest. As stated in the email from Economic Development Director Robert Long (**EXHIBIT O**), PolyQuest has asked for this project to be changed from rail to infrastructure improvements. Indications are that the grant will be switched from a Set-Aside Grant to a Closing Fund Grant to accommodate this change. The Coordinating Council will meet this week to consider the change. The grant will still flow through the county and will require Council's approval of the change. An excerpt of the July 6th minutes is included in Exhibit N.

Requested Action. Council's consideration of the request to change the grant award for PolyQuest Expansion Project from rail spur to infrastructure improvements.

18. Schedule Worksession (*Executive Session For Personnel Matters*). County Council is being requested to schedule a worksession which will be an executive session to discuss personnel matters.

Requested Action. Council's consideration of a date to schedule a worksession to go into executive session for the discussion of personnel matters.

INFORMATION ITEMS

1. County Council Meeting Schedule. Darlington County Council will meet once per month unless it is necessary to schedule a second meeting. County Council will meet on the following dates: October 4, November 1, and December 6.