

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

July 19, 2010

A regular meeting of the County Council of Darlington County was held this 19th day of July 2010, at 6 p.m., at the Darlington County Courthouse Annex/EMS Building, 1625 Harry Byrd Highway, Darlington, South Carolina.

NOTICE OF MEETING

In compliance with the Freedom of Information Act, a copy of the agenda, giving the date, time, and place of the meeting was mailed in advance to the local newspapers (the News and Press, the Messenger, and the Morning News), persons requesting notification, and posted on the bulletin board at the entrance to the County Administrator's Office.

COUNCIL MEMBERS PRESENT

Chairman Billy Baldwin, Vice Chairman Anne C. Warr, Chaplain Dannie Douglas, Jr., Mr. Wesley Blackwell, Mr. Marvin Le Flowers, Mrs. Wilhelmina P. Johnson, Ms. Mozella "Pennie" Nicholson, and Mr. Alex "Buz" Shaw.

ALSO PRESENT

County Administrator Phyllis Griffiths, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Codes Enforcement Director Randy Evans, Economic Development Director Robert Long, Fire Chief David Williamson, Interim Emergency Services Director Linwood Epps, Environmental Services Director Mike Dorriety, Finance Director John Williams, Library Director Nancy Ray, Planning Director Doug Reimold, Roads and Bridges Director Bobby Richardson, Chief Deputy Sheriff Jerry Thompson, Captain Andy Locklair, Sheriff Wayne Byrd, Materials Manager Teresa Dickerson, Mr. Bobby Hudson, and others.

REPORTERS PRESENT

Mr. Jim Faile of the Messenger and Ms. Samantha Lyles of the News and Press.

Call To Order / Invocation / Pledge Of Allegiance

Chairman Baldwin called the meeting to order at 6 p.m. Mr. Douglas presented the invocation and Mrs. Warr led the pledge of allegiance.

Citizens' Comments

There were no citizen comments.

Approval Of Minutes - Regular Meeting of July 6, 2010 - **CARRY OVER REQUESTED**

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to carry over approval of the minutes of the regular meeting of July 6, 2010.

The motion carried unanimously.

Ordinances

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 **SECOND READING**

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to approve second reading of Ordinance No. 10-11.

Mrs. Johnson pointed out that page 22 containing the goals was not included with the ordinance. She asked that this page be added to the ordinance for third reading.

The motion carried unanimously.

Resolutions

Resolution No. 596, Memorandum Of Agreement & Road Acceptance Of Additional Rights-Of-Way To Pave Sand Oak Drive, Hartsville

MOTION was made by Mr. Blackwell and seconded by Mr. Douglas to approve Resolution No. 596.

The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Remaining Appointments To Boards & Commissions

Mr. Baldwin did not have an appointment for the Alcohol and Drug Citizen Advisory Committee or the Board of Assessment Appeals. Mr. Flowers did not have an appointment for the Ambulance Commission, Construction Board of Adjustment Appeals, or the Parks and Recreation Commission. Mr. Blackwell did not have an appointment for the Ambulance Commission or the Parks and Recreation Commission. Mr. Shaw did not have an appointment for the Planning Commission.

Mr. Flowers appointed Mr. Mitchell Tyner to the Development Board for a term to expire June 30, 2013. He asked whether Council members would have an objection to him appointing his Aunt, Mrs. Pearl Jeffords, to the Library Board. There being no objection, Mrs. Pearl Jeffords was appointed to the Library Board for a term to expire June 30, 2014.

It was the consensus of Council to carry over the appointment to the Pee Dee Regional Transportation Authority Board. Council had reappointed Mr. Blake Bondy, but he declined his reappointment.

Employee Assistance Program (EAP) Service Contract, Rubicon, Inc., \$2,500

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson to approve the Employee Assistance Program Service Contract with Rubicon.

The motion carried unanimously.

FY2011 Waste Tire/Automobile Dismantler Recycling Grant Award, \$36,000

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to approve the FY11 Waste Tire/Automobile Dismantler Recycling Grant award.

The motion carried unanimously.

FY2011 Used Oil Grant Award, \$8,000

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to approve the FY11 Used Oil Grant award.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Jetport Commission Minutes, May 13, 2010	Receive As Information
B. Building Inspections Report & Building Permit Types Report, June 2010	Receive As Information
C. Marlboro/Darlington County Beaver Program Report, May & June 2010	Receive As Information
D. Pee Dee Regional Council Of Governments Minutes, March 8, 2010	Receive As Information

MOTION was made by Mr. Blackwell and seconded by Mrs. Warr to receive the Consent Agenda items as information.

Mrs. Warr stated that the Beaver Program Report for June indicated that work had been done in Newman Swamp on Una Road. However, more work needed to be done because she could see a beaver dam and the water was green. She also reported that she had spoken with the State and County Beaver Officers who are determined to clear up all the beaver dams. Mrs. Warr asked Mrs. Griffiths to request the beaver officers to revisit this site.

The motion carried unanimously.

Personal Appearance - Mr. Gray Segars, Chairman, Darlington County Progress - Update

Mr. Segars distribute information on Darlington County Progress. He reported that Darlington County Progress had just completed its first fiscal year as the new public/private partnership and met their obligations to the county. In 2009, they increased their membership, which resulted in them raising the necessary funds to meet their obligations to the county. They currently have 59 members and collected \$103,250. During FY07/08, the efforts of economic development were funded directly through the county at approximately \$250,000. Therefore, through the new public/private partnership, the county was able to reduce its obligation by about \$140,000 annually. Mr. Segars described in-kind membership dues at the request of Ms. Nicholson.

Mr. Segars stated that Darlington County Progress would like to appear before Council quarterly and address any concerns Council may have individually or as a group. He said their efforts were sincere and they would like to work in concert with Council to improve economic development in the county. Mr. Segars thanked Mrs. Griffiths for her service and wished her well in retirement.

Personal Appearance - Ms. Tricia Cummings-Lecque, Partnership Specialist, US Census Bureau, Charlotte Region - Update Regarding 2010 Census

Mrs. Lecque handed out a newsletter and other information regarding the census. She thanked Council for its support on the 2010 census and congratulated the county on achieving the 2000 mail participation rate. The State of South Carolina exceeded its mail participation rate by eight percent. In 2000, the State ranked 49 out of 50 states. Currently, South Carolina was around 23rd.

Mrs. Lecque introduced Ms. Jane Smiley, the local Census Office Manager (located in Rock Hill) for Darlington County. She reported that they were still in the process of making sure that everyone is counted. If someone did not receive a form or a visit from a census representative, they should call 866-872-6868 through July 30th to be counted.

Mrs. Lecque also reported that the State was number one in completing the follow-up wherein the enumerators visited homes. She commended what had been done in South Carolina. The information that she provided included a graph of the ranking for the nation, the state, the county, and the municipalities within the county. She apologized for omitting the ranking for Society Hill. However, this information could be obtained from the Census 2010 website. The information also provided a website that contained population estimates that were released on July 1, 2009. The State was ranked 73 percent, which could improve in the 2020 census with early education. Mrs. Lecque also reported that 2010 census data products would be produced through 2013 after President Obama receives the information after December 31, 2010. Information would be released February through March 2011 for census redistricting. She also talked about future training on how to extract and utilize information on the Census website.

Mrs. Warr commended Lamar for receiving 93 percent participation rate.

Ms. Nicholson indicated that she would contact Ms. Smiley regarding the Latino participation rate.

Mrs. Lecque responded that census workers would not be able to provide any census numbers until the President releases them in February 2011. However, Ms. Smiley could indicate whether there were any difficulties in the areas where Latinos are located.

Administrative Update - Mr. Robert Long, Economic Development Director - Agreement Of The I-20 Corridor Alliance

A copy of the agreement was included in Council's agenda package. Mr. Long reported that he had been working on this matter for over a year regarding the area along the I-20 corridor from Florence to Columbia to promote economic development (infrastructure, the locations of education tech schools, etc.). This group would include representatives from the City of Columbia, Richland County, Kershaw County, Lee County, Darlington County, Florence County, and the City of Florence. The focus of this intergovernmental agreement would be economic development. Mr. Long pointed out that

there would be a commitment of \$10,000 per year for three years to create funds for engineering drawings, etc.

MOTION was made by Mr. Flowers and seconded by Mrs. Warr to accept the Agreement of the I-20 Corridor Alliance.

The motion carried unanimously.

Administrative Update - Mr. David Williamson, Fire Chief - Pre-Clearance To Purchase A Command Vehicle And Equipment

Mr. Williamson requested preclearance to purchase a command vehicle (a Ford Explorer) that was included in the budget (\$24,000) along with small equipment to be placed on this vehicle, which also was included in the budget (\$8,000). He requested authorization to place the order for the purchase of the command vehicle off State Contract from Vic Bailey Ford.

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to approve the preclearance to purchase the command vehicle and equipment.

The motion carried unanimously.

MOTION was made by Mr. Douglas and seconded by Mrs. Warr to authorize the purchase of the equipment and command vehicle from the state contract vendor, Vic Bailey in Spartanburg.

Chairman Baldwin asked whether the county was going to give the local vendors an opportunity to bid on the vehicle.

Mr. Williamson reported that the state contract price would be within the budget range. However, the staff could solicit bids for the vehicles.

Mrs. Griffiths pointed out that to include local vendors, the staff would have to solicit bids. The bid process would not have to be undertaken if the county purchased the vehicle from state contract.

The motion carried unanimously.

Mrs. Phyllis Griffiths, County Administrator - Update

Mrs. Griffiths did not have an update.

Requests / Comments – Members Of Council

Each Council member commended Mrs. Griffiths for her work as County Administrator and wished her well on her retirement.

Mrs. Warr announced that a historical marker had been erected in the Oates Community. She wanted to know whether the bleachers and guardrails on county property were up to standards (the 2003 Building Code Standards), especially on ballfields. Mrs. Warr mentioned a recent lawsuit in the State of South Carolina where someone fell and the bleachers were not up to standards. She asked the staff to check to make sure that the county was in compliance.

Mrs. Warr asked whether the yellow bag container at the recycling centers could be placed in the center of the site so that people could drive on both sides of the container, similar to Clarendon County.

Environment Services Director Mike Dorriety explained that in order to do this, the electrical work would have to be redone and another platform built. He said it could be done. However, there would be a lot of expenses for the county.

Mr. Flowers stated that he was a member of the Solid Waste Study Committee and the Committee felt that it would be better to drive around the roll off container for yard debris than the container for the yellow bags. The yellow bags would be a specific size, and individuals could drive their vehicle to the back door of the roll off container for yard debris.

Mrs. Warr commented about the need for more publicity on recyclable items. She suggested that recycling center attendants distribute flyers to people visiting the centers during a particular week to encourage recycling.

Mr. Dorriety indicated that pamphlets are distributed upon request.

Mrs. Johnson requested the County Administrator to develop a departure internal analysis of the current financial status of Darlington County. She also requested a planning meeting for action and moving ahead. Mrs. Johnson said Council had not had a planning meeting in ten years to update the county's missions, problems, and goals. She said the new administrator would need to know this. Finally, Mrs. Johnson requested a meeting of Council in preparation for the search for a new County Administrator.

Lump Sum FY10/11 Accommodations Tax Appropriation To Darlington County Cultural Realism Complex (CRC)

MOTION was made by Mr. Flowers and seconded by Mrs. Warr to approve a one-time (lump sum) appropriation to CRC in the amount of \$2,714. Mr. Flowers explained that CRC was requesting a lump sum appropriation instead of quarterly payments.

The motion carried unanimously.

Requests / Comments – Members Of Council - Continue

Mr. Shaw mentioned that the Sheriff needed money, but he was turned down and this represented every voter in the county. Therefore, every voter was turned down. He also mentioned that the Elections/Voter Registration wanted a building built. It was his understanding that they were told that they would not get the building before it was presented to Council. Mr. Shaw also talked about the Humane Society requesting funds, but was turned down. He said Council did not handle things like they should have been handled. Mr. Shaw said he did not find any fault with this fellowman. However, they do not understand the difference between retiring, resigning, and being fired.

Mrs. Johnson thanked Mrs. Bishop for sending her the excerpts from the minutes regarding the phase-out of non-departmental agencies. She felt that everyone needed a copy of the information and Council needed to revisit this matter. She asked Mrs. Bishop to mail a copy of the information to the other Council members.

Vote For Executive Session

MOTION was made by Mrs. Warr and seconded Mrs. Johnson to vote for executive session for the discussion of personnel matters.

The motion carried unanimously.

Executive Session

MOTION was made by Mrs. Warr and seconded by Mr. Blackwell for Council members to go into executive session.

Council recessed at 6:56 p.m. prior to going into executive session and reconvened at 7:42 p.m. Upon reconvening, Chairman Blackwell announced that no action was taken in executive session.

Amendment To The Agenda For Personal Appearance

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to amend the agenda to go back to Personal Appearance so that the Sheriff could appear before Council.

The motion carried unanimously.

Personal Appearance - Mr. J. Wayne Byrd, Sheriff - Grant awards

Sheriff Byrd indicated that he had received renewals for five grants that were received last year for five employees who were already working at the Sheriff's Office. The renewal began on July 1st and the rewards were received June 25th. The county would have to accept or reject the awards before July 25th.

It was Mr. Flowers' understanding that there were extra expenses. He asked whether the Sheriff had transfer possibilities within his budget to cover the extra expenses.

Sheriff Byrd said he felt that most of the expenses could be covered. There were some issues with some miscalculations on some of the benefit packages for the employees.

Mr. Flowers asked whether the Sheriff was confident that within his FY10/11 budget, that he could handle the extra expenses.

Sheriff Byrd said the salary differences could be handled by transferring the travel and training from the grants into personnel and fringe. He said this could be covered without any problems.

Mr. Flowers stated that if the Sheriff felt that he had the necessary funds to handle this, he would be in favor of it.

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson to approve the grant awards.

The grant awards included the Criminal Domestic Violence Investigator Grant No. 1G09003 for \$48,844, the Gang Investigator Grant No 1G09004 for \$53,161, the Forensic Investigator Grant No. 1G09005 for \$53,139, and the Narcotics Unit Grant No. 1G09009 for \$100,857.

The motion carried unanimously.

Special Meeting Of County Council

Chairman Baldwin announced that it was the consensus of Council to schedule a special meeting for 6 p.m. on Wednesday, July 21, 2010, to discuss the employment of an interim County Administrator.

Adjournment

MOTION was made by Mrs. Johnson and seconded by Mr. Flowers to adjourn the meeting. There being no further business, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Mrs. J. JaNet Bishop, Clerk to Council

Mr. Billy Baldwin, Chairman
Darlington County Council

Approved at meeting of August 16, 2010.