

REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

April 5, 2010

A regular meeting of the County Council of Darlington County was held this 5<sup>th</sup> day of April 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, Economic Development Director Robert Long, Planning Director Doug Reimold, Environmental Services Director Mike Dorriety, Emergency Services Director R. Allen Haynes, Finance Director John Williams, Central Communications Director David Sessoms, Fire Chief David Williamson, Sheriff J. Wayne Byrd, Chief Deputy Sheriff Jerry Thompson, Sheriff Deputy Ralph Brown, Hartsville Mayor Mel Pennington, Greater Darlington Chamber of Commerce Executive Director Susan Alexander, Mr. Bobby Hudson, Mr. George Cannon, Mr. and Mrs. Blake Bondy, Mr. James Ladd of Matrix Technology Alliance, Mr. Frank Hough representing Kramden, LLC, and others.

REPORTERS PRESENT

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

Recognition Of Employees

Chairman Baldwin presented a Certificate of Appreciation to Ms. Anne Godbold for 9.36 years of dedicated service in the Clerk of Court Office. Ms. Godbold was not present at the meeting.

Chairman Baldwin also presented a plaque to Mr. Cleveland Frierson in appreciation for 20 years of dedicated service in the County Maintenance Department. Mr. Frierson was not present at the meeting.

Call To Order / Invocation / Pledge Of Allegiance

Chairman Baldwin called the meeting to order at 7:06 p.m. Mr. Douglas presented the invocation and Mr. Blackwell led the pledge of allegiance.

### Citizens' Comments

Mr. George Cannon reported that there was a mosquito problem in his community and requested that the County begin work on this problem early as possible. He talked about the amount of stagnant water throughout the south side section of Hartsville.

Mrs. Warr mentioned that Mr. Cannon could obtain lava cakes at no charge from the county landfill. These cakes could be placed in the stagnant water in the ditches.

### Approval Of Minutes - Regular Meeting of March 1, 2010

**MOTION** was made by Mrs. Warr and seconded by Ms. Nicholson to approve the minutes of the regular meeting of March 1, 2010.

The motion carried unanimously.

### Approval Of Minutes - Regular Meeting of March 15, 2010

**MOTION** was made by Mrs. Warr and seconded by Mr. Douglas to approve the minutes of the regular meeting of March 15, 2010.

The motion carried unanimously.

### Ordinances

Ordinance No. 10-2, An Ordinance To Amend Chapter 58 (Taxation), Article V. (Assessment Of Aircraft), Section 58-101 (Assessment Of Aircraft) To Reduce The Assessment Ratio On Aircraft Subject To Property Tax In Darlington County, South Carolina, And To Establish The Effective Date Of This Ordinance - **FIRST READING**

The title of Ordinance No. 10-2 was read for first reading. No action required.

Ordinance No. 10-3, An Ordinance To Provide For The Levy Of Taxes For Corporate Purposes Of Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The General Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Provide For Budget Control Of Said Appropriations By The County Council; And To Make Provisions For The Fiscal Affairs Of Said County For Said Fiscal Year - **FIRST READING**

The title of Ordinance No. 10-3 was read for first reading. No action required.

Ordinance No. 10-4, An Ordinance To Provide For The Levy Of Fees For The Countywide Enhance 9-1-1 Emergency Telephone System For Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The County Emergency Telephone System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; And To Provide For Budget Control Of Said Appropriations By The County Council - **FIRST READING**

The title of Ordinance No. 10-4 was read for first reading. No action required.

Ordinance No. 10-5, An Ordinance To Provide For The Levy Of Taxes For The County Library System Of Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The County Library System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; And To Provide For Budget Control Of Said Appropriations By The County Council - **FIRST READING**

The title of Ordinance No. 10-5 was read for first reading. No action required.

Ordinance No. 10-6, An Ordinance To Provide For The Levy Of Taxes For The County Environmental Services Fund For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The County Environmental Services Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; And To Provide For Budget Control Of Said Appropriations By The County Council - **FIRST READING**

The title of Ordinance No. 10-6 was read for first reading. No action required.

Ordinance No. 10-7, An Ordinance To Provide For The Levy Of Taxes For The County Fire District Of Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The County Fire District Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; And To Provide For Budget Control Of Said Appropriations By The County Council - **FIRST READING**

The title of Ordinance No. 10-7 was read for first reading. No action required.

Ordinance No. 10-8, An Ordinance To Provide For The Levy Of Fees For The Development Partnership Fund For Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Make Appropriations From The County Development Partnership Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; And To Provide For Budget Control Of Said Appropriations By The County Council - **FIRST READING**

The title of Ordinance No. 10-8 was read for first reading. No action required.

Ordinance No. 10-9, An Ordinance To Provide For The Levy Of Taxes For Fire Control Purposes Within The Hartsville Fire Protection District For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011; To Appropriate Said Funds For Payment To The City Of Hartsville As Authorized By Darlington County Ordinance No. 97-20, Which Created Said Fire Protection District And Pursuant To An Agreement With The City As Authorized Therein; And To Establish The Effective Date Of This Ordinance - **FIRST READING**

The title of Ordinance No. 10-9 was read for first reading. No action required.

Ordinance No. 10-10, An Ordinance To Designate That Agency In The County For Alcohol And Drug Abuse Planning For Programs And To Make Appropriations Pursuant To Sections 6-27-40(B) And 12-33-245(B) And (C) Of The 1976 Code Of Laws Of South Carolina, As Amended, For Darlington County For The Fiscal Year Beginning July 1, 2010, And Ending June 30, 2011 - **FIRST READING**

The title of Ordinance No. 10-10 was read for first reading. No action required.

#### Resolutions

There were no resolutions.

#### Committee Reports

There were no committee reports.

Other Items

Amendment 5 To The Fleet Management & Maintenance Contract Dated July 1, 2005, First Vehicle Services, Inc.

**MOTION** was made by Mr. Blackwell and seconded by Mrs. Johnson to approve Amendment 5 to the Fleet Management and Maintenance Contract with First Vehicle Services.

Mrs. Warr wanted to know the number of units that were covered during the last contract year.

Mrs. Griffiths indicated that First Vehicle Services has always covered up to 225 units, plus a percentage for increase.

The motion carried unanimously.

Memorandum Of Agreement Between Darlington County And Verner Farms, Inc. (Developer Of Timberchase Subdivision Located Northeast Of Hartsville)

**MOTION** was made by Mr. Blackwell and seconded by Mr. Douglas to approve the Memorandum of Agreement with Verner Farms.

Mrs. Warr questioned why Verner Farms was not paying all the cost for the detention facility. She also wanted to know why the county would have to maintain the pond after it is installed.

Planning Director Doug Reimold explained that once a detention pond is installed during the normal development of a subdivision, the county takes over maintenance of it. However, when Timberchase Subdivision was constructed, the roads were taken into the county maintenance system but the pond was never built. Because of this deficiency, the staff approached Verner Farms.

Mrs. Warr asked whether the county would do this for any developer.

Mrs. Griffiths indicated that the county would do the same if the roads had been accepted into the county maintenance system. In Timberchase Subdivision, the roads were not draining on the property inside the development, but onto property outside the development. The detention pond would prevent the water from flooding the outside area of the development.

The motion carried unanimously.

Schedule Budget Worksession(s)

Mr. Flowers suggested that Council meet on Monday, April 12, 2010 at 6:30 p.m. Mrs. Warr indicated that she would have a conflict with this date.

It was the consensus of Council to schedule a budget worksession for Monday, April 12<sup>th</sup> at 6:30 p.m. at the EMS Building/Courthouse Annex, Darlington.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Census Complete Count Committee Minutes, March 4, 2010 And March 18, 2010	Receive As Information

- |  |                        |
|--|------------------------|
| B. Pee Dee Regional Council Of Governments Board Of Directors Meeting Minutes, December 14, 2009 | Recreation Information |
| C. Keep Darlington County Beautiful Minutes, February 16, 2010                                   | Receive As Information |
| D. Letter From Time Warner Cable RE: Changes In Services   | 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 Time Warner Cable franchise contract would expire in June. She complained about how long it took her to get on the internet this afternoon. Therefore, she wanted to know whether Time Warner Cable was considering extending their services into Lamar area.

Mrs. Griffiths pointed out that Time Warner's contract would not come to the county anymore. The State had taken this over. She said the law had changed and the State would approve the franchise agreement with Time Warner Cable. The county would receive a copy of what the State approves so that the county would be aware of the percentage for the franchise fee.

Chairman Baldwin announced that the City of Hartsville was working on a partnership with the Town of Lamar to get cable in Lamar.

Hartsville Mayor Mel Pennington reported that they should receive a response from Rural Utility Services about the grant by mid-summer. If they receive due diligence, it could be a year before lines would be installed. He said they have a strong case to make with Lamar since this area was an underserved area.

The motion carried unanimously.

Personal Appearances - Mr. James R. Ladd, Chief Executive Officer, Matrix Technology Alliance, Inc. - The Essential Technology Center, A Dynamic Approach To Sustainable Economic Development

Mr. Ladd said his company was devoted to one simple principle - to create sustainable jobs. Their motto: *"Real jobs for real people."* The jobs that he was referring to were not high tech jobs and would not require people to have a Master's Degree, etc. Mr. Ladd said he created the eTc™ (Essential Technology Center) to integrate waste energy technologies creatively with running a greenhouse. This results in the creation of jobs that primarily produce organic foods inside greenhouses. He was attracted to Darlington County because of its strategic location and the fact that one of his close allies was originally from this area. Mr. Ladd stated that this company has gained such notoriety and endorsements at the national level that they were asked by the Department of Energy to submit proposals for eTc™. Each eTc™ would vary depending upon its location. Also, a master plan would have to be developed for each location, which requires extensive work with local people. Mr. Ladd said they met with Clemson and look forward to working with Clemson to ensure what they do would be of maximum relevance and impact to the people of this area. He anticipates that once the master plan is completed, local members of the Congressional Delegation and the Senator would help get funding from Washington. They

already have been solicited by the Department of Energy, which would place their request in the unsolicited category. They were not in competition with anyone. He indicated that this would result in an influx of about \$45 million to \$50 million and the creation of approximately 500 jobs.

Mrs. Johnson asked about Mr. Ladd's track record.

Mr. Ladd explained that each one of his components had been tested and Clemson was aware of this. He indicated that they were currently developing an eTc™ in Greenville, Mississippi.

Mrs. Warr questioned whether this plan was effective anywhere.

Mr. Ladd said no, not in total. However, each one of the components could be due diligence, if necessary. He emphasized that he was not requesting funding for the center. The business plan, which was endorsed by the National Green Energy Council, would stand on its own. Also, six major universities (Virginia Tech, NC State, Mississippi State, Clemson University, etc.) had worked on parts of the system with them. Mr. Ladd talked about projects his company was working on in various locations. He mentioned that in most places, his company does not ask for incentives or tax reliefs because the business would stand on its own economically. In Darlington, he would be starting from scratch.

Mrs. Warr wanted to know what takes place in the centers once they are established.

Mr. Ladd talked about greenhouse operations and the highest variable cost being for energy. He has several waste energy systems to choose from which vary from simple waste energy to complex where they accept everything from tires to red bag medical waste to generate enough energy to run the greenhouse. Inside the greenhouses are the best-grown media known to the universities. Whatever they grow will be as good as it could be and they would not be paying for energy; but making money off the energy. Therefore, this business would be sustainable. Mr. Ladd stated that green energy and food were sustainable in our society. The recent problems with imported food have heightened the attention of people that our food supply needs to be safe. Their food source would be safe, and they would concentrate on up market food distribution places, Harris Teeter, etc. who want organic food.

Mr. Blackwell stated that from the information that was provided to Council, the margin of earning to revenue every third year would be 20 percent.

Mr. Ladd explained that in some places where eTc™ are established, some of the flow of waste going into the landfill is alleviated. They will get a tremendous tipping fee for red bag medical waste and for tires. Also, before they put energy into greenhouses, they would have made a profit. Mr. Ladd said Council only had to help him with the master plan. He talked about money being available through the Department of Energy. Their primary goal would be to create jobs. The system was designed to be labor intensive and not technology intensive.

Mrs. Johnson asked about the time frame for the jobs to become available.

Mr. Ladd said the jobs would become available by next spring.

Ms. Nicholson asked whether the company would accept the county's local waste.

Mr. Ladd said he would prefer the waste from hospitals and tires because they carry a high tipping fee. However, they would also accept waste such as tree limbs, leaves, etc.

#### Amendment To The Agenda

**MOTION** was made by Mrs. Warr and seconded by Mrs. Johnson to amend the agenda for the Personal Appearance of Mr. Kenny Lebby and Mr. Frank Hough of the Kramden Group.

The motion carried unanimously.

Personal Appearance - Mr. Kenny Lebby And Mr. Frank Hough, Kramden, LLC

Mr. Frank Hough, a friend of Mr. Kenny Lebby, presented Council with a letter from Mr. Kenny Lebby, President of Kramden, LLC. Mr. Hough reported that Mr. Lebby would not be present at the meeting due to auto problems. Therefore, instead of Mr. Hough introducing Mr. Lebby, he was speaking on Mr. Lebby's behalf.

Mr. Hough, a resident of Darlington County, talked about there being a void for jobs in the county and the future going to green jobs. He explained that Mr. Lebby was proposing to locate a plant in South Carolina. Therefore, he suggested Darlington County. Mr. Lebby's company was looking to build two plants; one in North Carolina and one in Darlington County. Mr. Hough had met with Senator Gerald Malloy and County Council Chairman Billy Baldwin who were interested in trying to bring this technology and jobs to Darlington County. Kramden Group was offering to build a plasma gasification plant in Darlington County to receive all of the county's waste material, put it through a gasification process, and turn it into useful energy such as kerosene, jet fuel, electricity, etc. The plant would have zero emission. This group was not asking for funding; was looking to build a one-half billion dollar plant that would create 3,000 jobs during construction and 300 permanent jobs after the plant opens; was asking Council to commit the County's household waste, tires, etc.; would not charge the county a tipping fee, which the county was currently paying to Lee County; and was requesting the County's cooperation in extending the same offer to surrounding counties. The intake and the size of the plant would overwhelm what was being done in Darlington County. Therefore, the company would have to go beyond Darlington County and the State of South Carolina to get the type of inventory they need. The company was also looking for a partner to assist with permits, incentives from Commerce, etc., and assistance with locating suitable property (30 to 50 acres). Mr. Hough said the company was asking for cooperation. Darlington County was in competition with other counties in South Carolina and the company was looking to get started immediately. The only holdup was site location. As of last week, the company did not have any sites. However, Greensboro, North Carolina committed, which leaves one commitment for South Carolina.

Mr. Blackwell asked whether the company had spoken with the Darlington County Economic Development Partnership.

Mr. Hough said no.

Mrs. Johnson questioned whether this company would be able to handle everything that the county was taking at the landfill.

Mr. Hough stated that the Company would be able to handle what the county has and more.

Mrs. Warr wanted to know how hard it would be for the company to obtain permits for this type of operation.

Mr. Hough did not feel that it would be too hard since the company would have zero emission into the atmosphere and nothing into the water stream. He explained that permits sometime are bogged down without a cooperative governing body.

Mr. Blackwell stated that since the company had the necessary capital, Council needed to consider this and try to locate a 30 to 50 acre site.

Mr. Hough said the company was looking for some type of commitment from Council indicating that Council would like to entertain this new technology in Darlington County and that the County would take its waste to this plant once it is complete. The company was looking for

this commitment as soon as possible since Darlington County was in competition with other counties in the State.

Mr. Blackwell clarified that all Mr. Hough was looking for was for Council to say that it would cooperate with the company in trying to locate 30 to 50 acres of land, as well as assistance with obtaining permits and a commitment for the county's solid waste.

Mr. Hough pointed out that at the end of ten years, this company would turn over the plant to the county, free of charge, as a humanitarian gesture. This would be upon the county's option.

Mr. Shaw asked about the county's contract with Lee County.

County Attorney Jim Cox responded that the county has a contract with Lee County Landfill. However, he had not been contacted about looking into this prior to the meeting.

Ms. Nicholson requested additional information regarding the tax concessions that the company would be seeking from the county.

Mr. Hough stated that with industries of this magnitude entering the county, certain concessions are offered. However, nothing was written in stone or specific. It would be based upon what the county could do to assist this company.

Mrs. Warr clarified that the 30 to 50 acres needed to be on/near a rail with interstate access and water.

Mr. Hough said the site would need to be at least 15 to 20 minutes to rail and interstate. County water would be sufficient.

Mr. Blackwell asked whether Council would be in order to make a motion tonight regarding this matter.

Mr. Cox said no.

Mrs. Johnson clarified that construction of the plant would create about 3,000 jobs and 300 after construction.

Mr. Hough confirmed this and stated that Council was looking at one half billion dollars. The average pay would be \$40,000 to \$60,000 per year.

Mr. Blackwell said Council needed to look into this matter with Mr. Hough.

#### Administrative Update -Mrs. Phyllis Griffiths, County Administrator - Update

The staff handed out budget information and Mrs. Griffiths presented her budget message for FY2010/2011. Her message was as follows:

*"The total budget for the General Fund, Emergency Telephone System, Library, Environmental Services, Fire District, and the Development Partnership is \$32,442,630."*

*"The county General Fund had a major revenue loss from the local government fund in the amount of \$385,610. The county General Fund operations increased by \$243,780, the capital increased by \$242,895, and the grants decreased by (\$614,685), for a total decrease of (\$128,010). There was a short fall of revenue differences in the amount of (\$287,980). The Capital Fund balance increased by \$457,740, the sheriff's drug funds increased by \$330,000, and the county grants decreased by (\$627,770), for a total increase of \$159,970. Council will note on page 14 of the budget information book that the General Fund budget request for FY2010/2011 decreased by (\$128,010). Also in the budget information book, pages 14-24, Council will find the budget*

*difference for FY2009/2010 and FY2010/2011, the budget for operations, the budget for capital, the budget for grants, and the budget for revenue.”*

*“The Library Fund had a major revenue loss to state aid in the amount of \$12,200. The Library Fund operations decreased by (\$7,870) and the capital increased by \$30,000 for a total increase of \$22,130. Council will note on page 43 of the budget information book that the Library Fund increased by \$22,130 due to an increase in lottery funds. Also in the budget information book, pages 43-45, Council will find the budget difference for FY2009/2010 and FY2010/2011, the budget for operations, the budget for capital, the budget for grants, and the budget for revenue.”*

*“The Environmental Services Fund operations decreased by (\$54,630), capital increased by \$139,380, and grants decreased by (\$66,800) for a total increase of \$17,950. The amount of \$86,090 was budgeted under the Capital Fund balance for capital purchases. In the budget information book, pages 47-48, Council will find the budget difference for FY2009/2010 and FY2010/2011, the budget for operations, the budget for capital, the budget for grants, and the budget for revenue.”*

*“The Fire District Fund operations decreased by (\$63,620), capital increased by \$108,690, and grants decreased by (\$50,000) for a total decrease of (\$4,930). The amount of \$35,070 was budgeted under the Capital Fund balance for capital purchases. In the budget information book, pages 49-51, Council will find the budget difference for FY2009/2010 and FY2010/2011, the budget for operations, the budget for capital, the budget for grants, and the budget for revenue.”*

*“Fee-In-Lieu of Taxes in the amount of \$281,800 was transferred to Development Partnership from the General Fund. Also, \$143,040 was transferred to the Development Board, \$4,010 for Industrial Development projects, and \$134,750 for the Jetport for a decrease of \$95,160 compared to last year. The Development Partnership Fund budget decreased by \$380,540 due to cuts in the industrial incentive projects and grants. In the budget information book, pages 52-55, Council will find the budget difference for FY2009/2010 and FY2010/2011, the budget for operations, the budget for capital, the budget for grants, and the budget for revenue.”*

*“This has been another challenging budget year due to the state cuts. The budgets have been cut and balanced with no millage increase in taxes.”*

#### Administrative Update - Mr. R. Allen Haynes, Emergency Services Director - Bid Report

Emergency Services Director Allen Haynes reported that the staff had received four bids for an ambulance. He recommended that the bid be awarded to Taylor Made Ambulance of Newport, Arkansas in the amount of \$105,287 based on low net cost and specification of the bid. He also reported that \$76,000 was budgeted for this purchase. Therefore, he needed to transfer \$29,287 to have enough funds to purchase the ambulance.

Ms. Nicholson questioned whether the county had sold a used ambulance during the winter.

Mrs. Griffiths did not recall the county selling an ambulance. The county had a rechassis ambulance in last year’s budget that just came in. She said a rechassis was

included in this year's budget, but they do not seem to be the right type. Therefore, the staff was requesting to buy an ambulance instead of a rechassis.

**MOTION** was made by Mrs. Warr and seconded by Mr. Douglas to accept the low bid of \$105,287 from Taylor Made Ambulance.

The motion carried unanimously.

**MOTION** was made by Mrs. Warr and seconded by Mr. Douglas to approve the budget transfer of \$29,290 from salaries (1-044-42914-11100) to vehicles (1-144-42914-74000 to pay the difference in the bid amount for the ambulance.

The motion carried unanimously.

#### Reimbursement For Automatic/Powered Stretchers - EMS

County Attorney Jim Cox reported that the automatic stretcher company had not responded. Therefore, the county may have to file a lawsuit.

Emergency Services Director Allen Haynes added that prior to him working for the county, five tactical stretchers had been purchased at a cost of about \$56,000. Within a month of receipt of the stretcher, all of them had broken. The company replaced all five, but within another month, four of them broke. The company then replaced three and took parts from three more to correct the 4<sup>th</sup> stretcher. After becoming involved in this matter, three of the stretchers were dead. One had flipped or nearly flipped a patient. Because this concerned him, Mr. Haynes removed the other stretchers from the trucks. He said the staff had been in conversation with the company since mid-December. The owner of the company promised to refund the money for the stretchers, but did not. Subsequently, Attorney Cox became involved and two letters had been sent. One of the letters was giving the owner of the company an amount of time to refund the money and to pick up the stretchers. The second letter went to the company's lawyers giving them an amount of time. After this time, the county may seek litigation if the company has not responded.

County Attorney Jim Cox stated that if the county does not have a commitment by Friday, he would prepare a pleading and get Council's approval to file it.

Mr. Haynes explained that when the county is reimbursed for these air-powered stretchers, they would be replaced with battery-powered devices. If the county does not receive reimbursement, the staff would have to spend money to repair other stretchers to be placed on the trucks.

**MOTION** was made by Mrs. Warr and seconded by Mrs. Johnson for the County Attorney to proceed with litigation if he does not receive the proper response by Friday.

The motion carried unanimously.

#### Requests / Comments – Members Of Council

Mr. Shaw stated that Council should vote and pass the budget. He commended the County Administrator for her work on the budget.

Mrs. Johnson talked about the lack of water and sewer in the county for economic development. She requested the status of the South Darlington Watershed Project.

Mr. Cox stated that the staff was down to two pieces of property with about six heirs that no one in the family wanted to talk to or find. He thinks that the Council could handle the condemnation for these two parcels, if needed, for a minimal amount. One track has nine heirs

and five have agreed for the easement. The sixth person wants the market value of the lot, which equates to \$5,000, and another heir indicated that he would buy it back from the others and grant the easement. Mr. Cox said the county could ask the court to condemn, place the money in trust, and let the heirs work this out. On the second parcel, the staff was trying to locate two heirs who do not live in South Carolina.

Mrs. Johnson commented on the success of the Census Rally that was held on March 20<sup>th</sup>. She commended everyone who worked with the rally.

Mrs. Warr reported on the success of the Lamar Egg Scramble Jamboree and the Economic Development and Racetrack Event. Since it was National County Health Month, Mrs. Warr said someone wanted to know whether EMS could sell the necklaces that people wear so that if they fall, they would have direct contact with the county's 911 rather than going through a company where the company would have to call 911 for emergency services. Also, rather than pay the company for this service, they would pay the county directly for the necklaces (\$300 annually).

Emergency Services Director Allen Haynes did not know whether this would be in violation of solicitation. He talked about the PIER team (Public Information Education and Relations Team) within EMS that participates in several community events. He said that if this was legal and would not tax the employees to the point where they are overwhelmed, he would talk with Mrs. Griffiths about this. Rather than use this as a \$300 annual profit, he would suggest, if permissible, that this be used as a vehicle to educate the public.

Mrs. Johnson announced that she won the picnic table made by the Darlington Technical Center.

Mrs. Warr commended the County Administrator for developing a balanced budget.

Mr. Douglas commended the efforts of the landfill to help cleanup communities.

Mr. Blackwell requested that Council look into the green jobs. He commended the Administrator's efforts to develop a balanced budget and Environmental Services for keeping the county cleaned.

Chairman Baldwin thanked Hartsville Mayor Mel Pennington for attending the meeting. He mentioned that he had received and submitted three census forms.

#### Vote For Executive Session - Personnel Matters

**MOTION** was made by Mrs. Warr and seconded by Mrs. Johnson for Council to vote for executive session relating to personnel matters.

The motion carried unanimously.

#### Executive Session - Personnel Matters

**MOTION** was made by Mrs. Warr and seconded by Mrs. Johnson for Council, the County Administrator, the County Attorney, and Sheriff Byrd to go into executive session relating to personnel matters.

The motion carried unanimously.

Council recessed at 7:15 p.m. prior to going into executive session and reconvened at 8:05 p.m. Upon reconvening, Chairman Baldwin announced that no action was taken during executive session.

Adjournment

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to adjourn the meeting. There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

---

Mrs. J. JaNet Bishop, Clerk to Council

---

Mr. Billy Baldwin, Chairman  
Darlington County Council

Approved at meeting of May 3, 2010.