

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

March 1, 2010

A regular meeting of the County Council of Darlington County was held this 1st day of March 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/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 Griffitts, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Fire District Chief David Williamson, Codes Enforcement Director Randy Evans, Environmental Services Director Mike Dorriety, Emergency Services Director R. Allen Haynes, Planning Director Doug Reimold, Economic Development Director Robert Long, Magistrate Glenn Monty Bell, Magistrate Deatrice Curtis, Magistrate James Thomas, Chief Magistrate Cely Ann Baker Brigman, Sheriff J.Wayne Byrd, Chief Deputy Sheriff Jerry Thompson, Alcohol And Drug Citizen Advisory Committee Member Ruth Baronda, the Honorable Judge Mike Baxley (Fourth Circuit Court), Dr. Joan Assey of South Carolina Judicial Department Division of Information Technology, Mr. Christopher Rogers of South Carolina Judicial Department Division of Information Technology, Mr. Milton Smalls of the United States Census Bureau, Mr. William Fleming, Jr. of Pee Dee Electric Cooperative, Mr. E. LeRoy (Toy) Nettles, Jr. of Pee Dee Electric Cooperative, Mr. and Mrs. Clarence Johnson, Mr. and Mrs. Blake Bondy, 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. Johnson led the pledge of allegiance.

Citizens' Comments

Mr. Clarence Johnson talked about the differences between factory farms and family farms and the fact that there must be farms in order to have food. He questioned the need for Ordinance 07-19.

Ms. Ruth Baronda, a math teacher at Hartsville High School, requested Council's continual support during the budget process.

Approval Of Minutes - Public Hearing And Regular Meeting of February 15, 2010

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson to approve the minutes of the public hearing and regular meeting of February 15, 2010.

The motion carried unanimously.

Amendment To The Agenda For Personal Appearance Of The Honorable Judge Mike Baxley & Dr. Joan Assey, Director, SC Judicial Department Division Of Information Technology - Courthouse Software Maintenance & Equipment/Statewide Case Management System (CSM)

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson to amend the agenda for the personal appearance of the Honorable Judge Mike Baxley, Dr. Joan Assey, Director of South Carolina Judicial Department Division of Information Technology, and Mr. Christopher Rogers, Director of South Carolina Judicial Department Infrastructure Division of Information Technology.

The motion carried unanimously.

Personal Appearance - The Honorable Judge Mike Baxley, Dr. Joan Assey, Director of South Carolina Judicial Department Division of Information Technology, and Mr. Christopher Rogers, Director of South Carolina Judicial Department Infrastructure Division of Information Technology - Courthouse Software Maintenance & Equipment/ Statewide Case Management System (CSM)

Judge Baxley said he was appearing with his colleagues from the Magistrate's Bench (Chief Judge Cely Ann Brigman, Judge Glenn Monty Bell, and Judge Deatrice Curtis). He introduced Dr. Joan Assey, Director of South Carolina Judicial Department Division of Information Technology and Mr. Christopher Rogers, Director of South Carolina Judicial Department Infrastructure Division for Information Technology. Judge Baxley stated that they wanted to talk about Darlington County joining a statewide case management system that would require computer upgrades while offering assistance from the South Carolina Judicial Department Division of Information Technology. He talked about Supreme Court Chief Justice Jean Toal's vision for bringing the entire state together and to coordinate a network, which 81 percent of the state was online in the network. Darlington County was not yet online.

Dr. Joan Assey presented a PowerPoint presentation on the status of the court Case Management System (CMS). She reported that communication was important and the access to information was vital to everyone in the 21st century and a way to solve complex problems. After going to Washington over a period of five years to present ideas to U.S. Senator Hollings, he gave the State of South Carolina \$57 million with one question - "What are you going to do for rural South Carolina?" Therefore, Dr. Assey was present to tell what

South Carolina Judicial Department was able to do for Darlington County in standardizing the way of doing business beginning at the Magistrate level through Circuit Court to the Court of Appeals to the Supreme Court.

Dr. Assey talked about the deployment of the court Case Management System application, the hosting environment, and the network infrastructure. She explained that a team of five individuals from the Judicial Department had visited every desk, courtroom, etc. in Darlington County to review what was in place and what would be needed for the standardized state management infrastructure. The system would include General Sessions Court, Common Pleas Court, Magistrate Court, accounting, and jury management. The system also would have credit card processing built in at the state level so that people can pay traffic violations online, real-time driver's license look-up with the DMV (Department of Motor Vehicle), public index print option, state seal on NRVC's, custom forms, revised court rosters, and a help desk available 24 hours a day, seven days a week. Because the citizens of South Carolina own the application, changes would be made in Columbia and distributed.

Dr. Assey reviewed the status of the statewide court Case Management System wherein 81 percent of the total state caseload was completed with six counties left (Union, Saluda, Lee, Chesterfield, Darlington, and Marlboro) and three counties in progress (Abbeville, Newberry, and Dillon). The next counties would include Bamberg, Barnwell, Charleston, and Williamsburg.

Dr. Assey explained that the South Carolina Judicial Department Division of Information Technology would convert the old data into the new system and Columbia would become the Information Technology Department (host environment) for the counties that do not have Information Technology staff. All the data would reside in Columbia.

To bring about this change, Dr. Assey said it would take the leadership of County Administrator Phyllis Griffitts, Clerk of Court Scott Suggs, Circuit Court Judge Michael Baxley, Family Court Judge Jamie Lee Murdock, Jr., Chief Magistrate Cely Ann Baker Brigman, and Solicitor Will Rogers, Jr. She explained that each county pays for support based upon their population from the 2000 census. The annual support cost for Darlington County would be \$15,000 based upon the population of 67,394. If the county were currently paying for such technology support, this money would no longer be paid to that company; it would be paid to the state.

Dr. Assey said 17 of 33 counties were currently using South Carolina Judicial Department's Citrix environment. The benefits of using this environment include security, backup and failover, disaster recovery, and Tier II support provided by South Carolina Judicial Department. South Carolina Judicial Department would become the county's information technology staff and be responsible for hosting the Case Management System application. This would consist of hosting equipment and operations, backups, virus and spyware protection, new laptops, pc workstations, printers for judicial personnel, and Case Management System Tier II support. Hosting and operational support would cost the county \$30,000 a year, plus \$15,000 for annual support based upon population for a total of \$45,000 per year beginning July 2012.

Mr. Christopher Rogers, Director of South Carolina Judicial Department Infrastructure Division for Information Technology, reviewed the county's current network and court/non-court users at the Darlington Courthouse, Darlington Magistrate

Office/EMS, Darlington Detention Center, Hartsville Magistrate Office, Lamar Magistrate Office, and Lamar City Office/Magistrate Courtroom. He also reviewed the current monthly connectivity cost (\$9,300 per month). Mr. Rogers indicated that because the application would be hosted in Columbia, a more robust internet access would be needed for the court system. Therefore, he reviewed the proposed network for 145 users (court and non-court users) and the proposed connectivity cost (\$8,325 per month). The current internet connection would be upgraded for the courthouse and other county buildings. Lamar would have a satellite type access because no real broadband internet capability exists in that area. South Carolina Judicial Department would cover the installation cost, but the county would have to cover the reoccurring monthly cost of about \$230 for Lamar. He suggested moving the wireless currently in Lamar Magistrate's Office and to where he has court at Lamar City Hall/City Council Chambers because the line of sight from that location to where the wireless is located on top of the water tower would provide a better line of sight.

Dr. Assey presented the cost estimate for South Carolina Judicial Department to host the court Case Management System for Darlington County. South Carolina Judicial Department would provide \$178,368 for infrastructure (wiring and equipment); \$30,112 for computers and peripherals in the Clerk of Court's Office; \$41,901 for computers and peripherals in the Magistrates Offices; \$215,000 for software/Case Management System deployment; \$15,000 for software maintenance/support for 2010 and 2011; and \$30,000 for hosting operation (state servers, security, disaster recovery, Tier II support) through 2011; for a total of \$510,381. Darlington County would provide \$48,356 (for courthouse switches and wiring for non-judicial areas); \$13,434 for yearly maintenance on the Cisco equipment beginning in 2011, \$15,000 for annual Case Management System support beginning July 2012; and \$30,000 for annual Case Management System operations beginning July 2012.

Dr. Assey explained that the next step would be for Darlington County to decide whether to accept the system. If accepted, South Carolina Judicial Department would order the necessary equipment and services needed to implement the Case Management System, deploy their team to conduct the implementation, and hold weekly Case Management System project meetings for status and decisions.

Chairman Baldwin questioned whether the total cost to the county in 2010 would be the \$48,356 for wiring and equipment, plus the \$13,434 for annual maintenance and support.

Mr. Rogers indicated that the \$13,434 would begin after the first year installation (2011).

Mr. Douglas asked about computer access in Society Hill.

Mr. Rogers explained that the county did not have a Magistrate Office in Society Hill and South Carolina Judicial Department was not covering municipalities at this time.

Ms. Nicholson said she thought the Case Management System was mandated by the Judicial Department.

Mr. Cox responded that the Case Management System on the criminal side was mandated. However, this was what Chief Justice Toal wanted.

Mrs. Griffiths pointed out that the statewide court Case Management System was not mandated at this time. However, it may become a mandate.

Dr. Assey talked about all 46 counties participating in the statewide system. She said they tried to create something very meaningful for South Carolina and mandate was never a part of Chief Toal's vocabulary. Chief Justice Toal had a vision as to what she could do to standardize the court process. Dr. Assey said the grant funds were earmarked by former U.S. Senator Ernest Hollings. She indicated that they needed to know Council's decision in order to begin in the Fall.

Mr. Blackwell said that since Senator Hollings had invested one-half million dollars in this program, Darlington County should consider it. He was in favor of the proposed program.

Mrs. Johnson suggested that Council proceed with this since the county would eventually have to do it anyway.

Chairman Baldwin stated that Council has until July to make a final decision and to determine where the money would come from.

Mrs. Warr stated that Council needed a couple of weeks to discuss this among Council members, the County Administrator, and the magistrates.

Mr. Rogers pointed out that the \$48,356 would have to be paid when the wiring is installed for non-judicial areas at the courthouse. He explained that given the current state, if South Carolina Judicial Department did anything just for court employees, it would cause problems for the remainder of the employees in the courthouse. Therefore, they were recommending that the courthouse be rewired. The \$48,356 would cover the rewiring and equipment cost. Also, all the equipment would be purchased and installed at the same, everyone would be on the same standards, and the maintenance would end at the same time.

Mr. Cox clarified that on May 1st, Darlington County would have to pay \$48,356.

Mr. Rogers indicated by September 2010.

Mr. Flowers said the county would be looking at a startup cost of \$48,356 for infrastructure and an ongoing cost of \$45,000 beginning in 2012 for operations and maintenance, plus \$13,434 for Cisco maintenance beginning in 2011. Basically, \$60,000 would be added to the ongoing budget as of 2012. He asked whether the equipment and wiring would be under the Capital Fund rather than the operating budget since it would be split between the various offices.

Mrs. Griffiths stated that the maintenance was currently budgeted in the Admin Budget because it was too difficult to divide among all the departments, etc. She also stated that the cost for wiring would not be shown under capital; it would be shown under everyday operations.

Mr. Flowers asked whether Council could look at the Capital Fund since this would be a one-time installation.

Mrs. Griffiths stated that the \$48,000 could be budgeted under the Capital Fund.

Dr. Assey said Council must consider what the county was currently paying for maintenance on the current system. The county would not be paying this beginning September 2010.

Mrs. Griffiths stated that the county was currently paying a total of \$8,000 to \$10,000 for the current system.

Dr. Assey reported that there would not be a cost for the Family Court Case Management System. This would be paid by the state and would replace the QS1 system.

Mrs. Griffiths indicated that the \$8,000 to \$10,000 included the QS1 software package for Magistrates and Clerk of Court.

Dr. Assey said she would wait to hear from County Council.

Amend The Agenda To Vote For Executive Session - Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body.

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson to amend the agenda to vote for executive session for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

The motion carried unanimously.

Executive Session - Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body.

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson for County Council, the County Administrator, the County Attorney, Mr. LeRoy (Toy) Nettles (President and CEO of Pee Dee Electric Cooperative), Mr. William Fleming (Economic Development and Key Accounts Administrator for Pee Dee Electric Cooperative), and Economic Development Director Robert Long to go into executive session for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

The motion carried unanimously.

Executive Session

County Council, the County Administrator, the County Attorney, Mr. LeRoy (Toy) Nettles, Mr. William Fleming, and Economic Development Director Robert Long went into executive session at 6:51 p.m. and reconvened at 7:10 p.m. Upon reconvening, Chairman Baldwin announced that no action was taken during executive session.

Project X - Economic Development Project

MOTION was made by Mrs. Warr and seconded by Mr. Shaw to authorize Economic Development Director Robert Long to proceed with Project X.

The motion carried unanimously.

Amendment To The Agenda For Personal Appearance Of Mr. Milton Smalls, U.S. Census Bureau

MOTION was made by Mrs. Warr and seconded by Mrs. Johnson to amend the agenda for the personal appearance of Mr. Milton Smalls.

The motion carried unanimously.

Personal Appearance - Mr. Milton Smalls, Partnership Specialist, Charlotte Regional Census Center, U.S. Census Bureau

Mr. Milton Smalls reported that April 1st was Census Day and the census forms would be mailed in a couple of weeks. He asked that everyone fill out their census form and

mail it back. Mr. Smalls said that in the 2000 census, South Carolina ranked 49 out of 50 states in participation rate. Alaska was the only state that ranked lower than South Carolina. The national response rate was 67 percent, South Carolina's response rate was 59 percent, and Darlington County's response rate was 54 percent. This meant that 46 percent of the households in Darlington County did not return their census form, which resulted in the likelihood that there was a horrible undercount in Darlington County. This means that money that would have been targeted for Darlington County was missed. Darlington County missed out on funds for various government services if the count was not an accurate count.

Mr. Smalls also talked about various initiatives that were taking place within Darlington County to improve the response rate. The initiatives include a Census Complete Count Committee made up of countywide residents who were formulating a plan for Darlington County to ensure that everyone participates for an accurate count; the Census Road Tour Van scheduled to appear in Hartsville on April 3rd; a statewide initiative scheduled for March 20th wherein census personnel and volunteers would target Piggly Wiggly stores in the county for *Green Day*; and a Census Rally scheduled for March 20th through the efforts of Councilwoman Wilhelmina Johnson and the Census Complete Count Committee to bring awareness to the census. Mr. Smalls said the message they want to make clear was that the census was safe, confidential, and important because it means dollars coming back into our communities. He commended the County Administrator for putting this group together and the Census Complete Count Committee for efforts to place a local face on the census and for letting everyone know the importance of the census to bring monies back into our communities. Mr. Smalls also talked about the importance of County Council for providing the resources for the Census Complete Count Committee to get the word out and to reach the hard-to-count population. He thanked the Census Complete Count Committee members for their efforts and Council for providing the resources.

Mr. Smalls then reported that the Census Bureau would be hiring over 1,600 people in this region to work with the census. They also want people from the hard-to-reach areas. He said the census forms were geo-coded and officials would know what communities had not responded by April 10th. He said testing and recruiting were going on across the county to hire workers who would be paid between \$10 per hour and \$14 per hour and 50 cents per mile. The people hired would go into communities where people did not respond to the census.

Chairman Baldwin stated that people who receive their mail at the post office and not at their home would not get their census form. Their census form would be returned to Washington.

Mr. Smalls said no. He explained that the census form would be hand delivered to people with a post office box.

Mrs. Griffiths presented Mr. Smalls with a letter from the local post office. She stated that the census forms would go back to the post office and the post office would mail them back to the Census Bureau. Then someone would deliver the census form to the physical address.

Mr. Smalls said the Census Bureau had identified those areas and the process of counting had begun for group quarters (college dormitories, nursing homes, residential care facilities, jails, hospitals, military installations, etc.). Later this month, the Census

Bureau would begin counting at soup kitchens, homeless shelters, places where homeless people sleep, etc.

Mrs. Johnson said there were four post offices in Darlington County, and she had not seen or heard anything about people who have post office boxes would not receive their census form in their post office box. She said something should have been said even though the people would eventually receive a form. Mrs. Johnson asked about communication regarding this matter so that people would not be disappointed.

Mr. Smalls said it was his understanding that prior to receiving a census form, individuals would receive a post card. Therefore, individuals may not receive a census form through the post office, but they should receive the post card in their post office box informing them that the census form would be coming within the next few days. By April 10th, the enumerators would be going door-to-door to those people who did not return their census form. Mr. Smalls said the census forms would be mailed on March 15th. The form contains 10 questions which should take about 10 minutes to complete and would not ask for social security numbers, salary, or work location.

Mrs. Warr mentioned that people do not answer the door to strangers. Therefore, if strangers go door-to-door, they would not be successful.

Mr. Smalls said the importance of the census was being publicized on the front end and as a follow up, they want to use local people who individuals are familiar with.

Mrs. Johnson said the Census Bureau still needed people from Lamar and Society Hill areas to be tested. She said Ms. Donna Laurie, of the Census Bureau, would be testing the remainder of the week.

Mr. Douglas stated that people in Society Hill did not know people from Dovesville.

Mr. Smalls asked Mr. Douglas to encourage people he knew in Dovesville to take the test and work full time or part time.

Ordinances

There were no ordinances.

Resolutions

Resolution No. 593, Proclaiming Darlington County 2010 Census Rally - "It's In Our Hands - We Will Be Counted" March 20, 2010

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve Resolution No. 593.

The motion carried unanimously.

Committee Reports - Alcohol And Drug Citizen Advisory Committee Member Ruth Baronda

Ms. Baronda reported that Rubicon was experiencing budget cuts. She provided a list of current changes in regard to budget reductions. Ms. Baronda stated that Rubicon was going to work with their budget and reassess their staffing in order to continue serving the people in the county.

Other Items

2010 Local Emergency Management Performance Grant (LEMPG) Application, \$57,513

MOTION was made by Mr. Blackwell and seconded by Mrs. Johnson to approve the 2010 LEMPG application.

Mrs. Warr asked about the reimbursement for salaries and benefits.

Mrs. Griffiths explained that the grant would reimburse the county for a portion of the salary and benefits for the EPA Director and the Special Programs Director.

The motion carried unanimously.

Request To Declare Equipment As Surplus To Be Sold As Scrap Metal

MOTION was made by Mrs. Warr and seconded by Mr. Blackwell to declare the equipment as surplus to be sold as scrap metal.

The equipment consisted of trash containers in the Environmental Services Department.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Census Complete Count Committee Minutes, February 4, 2009 And Census Activities, February 18, 2010	Receive As Information
B. Keep Darlington County Beautiful Minutes, January 12, 2010	Receive As Information
C. Jetport Commission Minutes, January 14, 2010	Receive As Information
D. Marlboro/Darlington County Beaver Program Report, January 2010	Receive As Information
E. Planning Commission Minutes, January 26, 2010	Receive As Information
F. Darlington County Fire District Election Procedures & Training Requirements For Volunteer Officers SOP And Darlington County Fire District Extrication Response SOG	Receive As Information
G. Letter From Time Warner Cable Regarding Changes In Services	Receive As Information
H. Vision, Problem, & Mission Statements And Goals For Action Development By Councilwoman Wilhelmina P. Johnson For The 2010 Census Rally Scheduled For March 20, 2010	Receive As Information

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

Mrs. Johnson requested to discuss Consent Agenda Item A (*Census Complete Count Committee Minutes, February 4, 2009 And Census Activities, February 18, 2010*) and Item H (*Vision, Problem, & Mission Statements And Goals For Action Development By Councilwoman Wilhelmina P. Johnson For The 2010 Census Rally Scheduled For March 20, 2010*).

In reference to Consent Agenda Item A, Mrs. Johnson asked Council members to take note of the census activities attached to the minutes. As for Consent Agenda Item H, she read the information she had prepared as a follow up to the Census Rally.

The motion carried unanimously.

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

Mrs. Griffiths did not have an update

Administrative Update - Mr. James C. Cox, Jr., County Attorney - Revisit Vote For Economic Development Project X

Mr. Cox explained that Council needed to revisit the motion regarding Project X. He said Council needed to add that it would be okay to use incentive money to purchase the possible land for Project X.

MOTION was made by Mrs. Warr and seconded by Mr. Douglas to give Economic Development Director Robert Long the authority to proceed with Project X and to use necessary incentive funds to complete the project.

The motion carried unanimously.

Requests / Comments – Members Of Council

Mrs. Johnson commented about the census. She asked County Administrator Phyllis Griffiths to follow up on getting the railroad crossing on Limit Street going into Pineville repaired. Mrs. Johnson concluded by stating that the biggest thing for 2010 was that everyone be counted.

Mrs. Warr reported that she had attended the recent South Carolina Association of Counties' Mid-Year Conference in Columbia, which consisted of listening to seven candidates for Governor for the State of South Carolina. She visited the State House and the Legislative Reception. However, there was no representation from Darlington County at the Legislative Reception. Mrs. Warr did see Senator Leatherman and former Highway Commissioner Truluck who now works for NESAs to help recruit industries for the six county area. Mrs. Warr said another 20 percent cut was still expected and would place a burden on the County Administrator as she prepares the county budget for Council's consideration. Mrs. Warr questioned the number of census packages that Mrs. Johnson had delivered.

Mrs. Johnson said everything in the Planning Office had been delivered. She said the staff also had done the announcement for the Census Rally.

Mrs. Warr stated that she had delivered census information to twenty churches in Lamar area and the census information had been announced in her church on several occasions.

Ms. Nicholson asked about having someone from the Census Complete Count Committee to make an announcement at the County Democratic Party Convention on March 20th.

Mrs. Griffiths indicated that Ms. Teresa Mack had volunteered to attend this convention to speak about the census.

Mrs. Johnson requested that Council members take a picture with the proclamation for the census. Chairman Baldwin read the proclamation (Resolution No. 593).

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 7:44 p.m.

Respectfully submitted,

Mrs. J. JaNet Bishop
Clerk to Council

Mr. Billy Baldwin, Chairman
Darlington County Council

Approved at meeting of April 5, 2010.