

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

July 6, 2015

A public hearing and regular meeting of the County Council of Darlington County was held this 6th day of July 2015, 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, persons requesting notification, and posted on the bulletin board at the entrance to the County Administrator's Office and the Darlington County Courthouse Annex/EMS Building.

A Notice of Public Hearing for the purpose of providing an opportunity for citizens to become acquainted with the proposed Rural Development Project was published in the Hartsville Messenger and the News and Press on June 10, 2015.

A Notice of Public Hearing for Ordinance Nos. 15-20 and 15-22 was published in the Hartsville Messenger and the News and Press on June 10, 2015.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice Chairman Robbin Brock, Chaplain Dannie Douglas, Jr., Mr. David Coker, Mr. Marvin Le Flowers, Mrs. Wilhelmina P. Johnson, and Ms. Mozella "Pennie" Nicholson.

COUNCIL MEMBERS ABSENT

Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Terence Arrington, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, Special Programs Director Mac McDonald, Environmental Services Director Renee Howle, Codes Enforcement Director Randy Evans, Recreation Director Ken McRae, Corrections Director Waddell Coe, Elections/Voter Registration Director Hoyt Campbell, Interim Finance Director Sherman Dibble, Sheriff Wayne Byrd, Planning Staff Julie Ritz, Human Resources Director Ginger Winburn, Haynsworth Sinkler Boyd Attorney Ben Ziegler, and others.

REPORTERS PRESENT

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

PUBLIC HEARINGS

Public Hearing To Provide An Opportunity For Citizens To Become Acquainted With The Proposed Rural Development Project Consisting Of New Equipment Purchase(S) For Darlington County Airport, Darlington County Environmental Services Department, Darlington County Information Technology Department, Darlington County Parks And Recreation Department, Darlington County Prison Farm, Darlington County Sheriff's Department, And Darlington County Roads And Bridges Department. Citizens are provided the opportunity to comment on such items as economic and environmental impacts, service area, and alternatives to the project.

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on the proposed Rural Development Project.

There being no comments, the public hearing was closed.

Ordinance No. 15-20, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), To Add A Section Establishing The County's Fee Schedule And The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-20.

There being no comments, the public hearing was closed.

Ordinance No. 15-22, An Ordinance Authorizing Darlington County Board Of Elections And Registration To Conduct The Town Of Society Hill Municipal Elections

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-22.

There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order /Invocation /Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:02 p.m. Mr. Douglas presented the invocation and Mr. Flowers led the Pledge of Allegiance.

Citizens' Comments

Mr. Smiley Capers reported that Council had received written correspondence from the residents of Lide Springs Road requesting that the road be improved based upon need, especially for emergency care. He stated that Lide Springs Road was considered a public road until 1984 or 1985. Mr. Capers reported that he had met with the former County Administrator who indicated that this matter would be addressed. He stated that he would research and present this matter to Council again. Mr. Capers asked each Council member to look at this road and make an assessment regarding the issue and the incidents that have occurred. He also stated that he had asked Council several times to vote on this matter, and was under the impression that it had passed in January 2015. Mr. Capers concluded by stating that this matter affects thirteen families, and he would fight for this issue because the people deserve Council's vote and approval.

Personal Appearances

There were no personal appearances.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Emails RE: Services Provided By Plan Benefits Services	Receive As Information
B. Letter From South Carolina Law Enforcement Division Commending Darlington County Roads & Bridges Staff	Receive As Information
C. Memo RE: Ambulance Franchise Information Update	Receive As Information
D. NACo Prescription Drug Discount Card Program Update, May 2015	Receive As Information
E. SCAC Technical Bulletin RE: Meeting Notice & Agenda Requirements	Receive As Information
F. Notice Of Grant Award - Darlington County Jetport Rehabilitation Runway Lighting, \$816,000	Receive As Information
G. Email From Former Interim County Administrator Tommy Edwards RE: A Citizen's Inquiry About Property Tax Roll Back	Receive As Information
H. Recreation Department Calendars of Events, July – Sept.	Receive As Information

MOTION was made by Mr. Brock and seconded by Mr. Douglas to receive the Consent Agenda items as information.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Budget Worksession, June 9, 2015

MOTION was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of the budget worksession held on June 9, 2015.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Budget Worksession, June 11, 2015

MOTION was made by Mr. Douglas and seconded by Ms. Nicholson to approve the minutes of the budget worksession held on June 11, 2015.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing & Regular Meeting, June 15, 2015

MOTION was made by Mrs. Johnson and seconded by Mr. Brock to approve the minutes of the public hearing and regular meeting held on June 15, 2015.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing & Special Meeting, June 22, 2015

MOTION was made by Mr. Douglas and seconded by Mrs. Johnson to approve the minutes of the public hearing and special meeting held on June 22, 2015.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Special Meeting, June 29, 2015

MOTION was made by Mr. Brock and seconded by Mr. Douglas to approve the minutes of the special meeting held on June 29, 2015.

The motion carried unanimously.

Ordinances

Ordinance No. 15-20, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), To Add A Section Establishing The County's Fee Schedule And The Effective Date Of This Ordinance, as amended (Initiated by the Staff)

- THIRD READING

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 15-20, as amended.

The motion carried unanimously.

Ordinance No. 15-22, An Ordinance Authorizing Darlington County Board Of Elections And Registration To Conduct The Town Of Society Hill Municipal Elections (Initiated by the Staff)

- THIRD READING

MOTION was made by Mr. Brock and seconded by Mr. Douglas to approve third reading of Ordinance No. 15-22.

The motion carried unanimously.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Annual Appointments & Appointments To Fill Vacancies On County Boards & Commissions

The following appointments were carried over: Alcohol & Drug Citizen Advisory Committee (Hudson), Airport Commission (Flowers), Ambulance Commission (Nicholson), Construction Board of Adjustment & Appeals (Douglas & Flowers), Library Board (Flowers), Parks & Recreation Commission (Flowers), and Planning Commission (Douglas & Flowers).

Airport Commission. Mr. Coker nominated and Council reappointed Mr. Bobby Dempsey to the Airport Commission for a term (second) to expire June 30, 2018.

Board of Assessment Appeals. Mrs. Johnson nominated and Council reappointed Mr. Jimmy Law to the Board of Assessment Appeals for a term (first full term) to expire June 30, 2018.

Chairman Hudson nominated and Council reappointed Mr. Sean Austin to the Board of Assessment Appeals for a term (second) to expire June 30, 2018.

Authorization to Proceed With Proposed Floor Repairs For DSS Office Located In Saleeby Outreach Building, 404 Fourth Street, Hartsville

MOTION was made by Mr. Brock and seconded by Mr. Douglas to authorize the staff to proceed with the proposed floor repairs in the Department of Social Services Office located in the Saleeby Outreach Building in Hartsville.

The motion carried unanimously.

Included in Council's agenda package was the lowest quote from H&S Floors & Furnishing, Inc. for \$29,741 to complete the repairs in three phases using funds from bond proceeds allocated for building repairs and reimbursements from the State.

Mutual Aid Agreement Between Spartanburg County Sheriff's Office and Darlington County Sheriff's Office

MOTION was made by Mr. Douglas and seconded by Mrs. Johnson to approve the mutual aid agreement between Spartanburg County Sheriff's Office and Darlington County Sheriff's Office.

The motion carried unanimously.

Lake Darpo Caretaker's Lease Renewal

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve Lake Darpo Caretaker's Lease Renewal. The lease will commence on July 1, 2015 and end on June 30, 2016.

The motion carried unanimously.

Return To Work/Temporary Light Duty Policy For Inclusion In Employee Handbook And Return To Work/Temporary Light Duty Program Standard Operating Procedure (SOP)

MOTION was made by Mr. Brock and seconded by Mr. Flowers to approve the Return to Work/Temporary Light Duty Policy for inclusion in the Employee Handbook and the Return to Work/Temporary Light Duty Program Standard Operating Procedure.

Mr. Arrington commended Special Programs Coordinator Mac McDonald for his efforts regarding this project.

The motion carried unanimously.

Green Infrastructure Plans For Counties, Cities & Regions Grant From South Carolina Forestry Commission

MOTION was made by Mr. Flowers and seconded by Ms. Nicholson to approve the grant application for Green Infrastructure Plan for Counties, Cities & Regions.

The motion carried unanimously.

Agreement Between Darlington County Sheriff's Office And The Town Of Society Hill Police Department To Provide The Town Of Society Hill With Victim Assistance

MOTION was made by Mr. Brock and seconded by Mr. Douglas to approve the agreement between Darlington County Sheriff's Office and the Town of Society Hill Police Department for the Sheriff's Office to provide the Town with victim assistance.

The motion carried unanimously.

Discussion Regarding Staffing In Darlington County Recreation Department

Mr. Coker stated that he had a concern regarding this matter.

MOTION was made by Mr. Brock and seconded by Mr. Coker to discuss the staffing in the Recreation Department.

Mr. Coker said he was concerned about how the staff would be allocated from Hartsville to Society Hill and from Darlington to Society Hill. He felt that the job could be done from the Hartsville office through the Town of Society Hill on an "as needed" basis for a six-month trial period. He questioned who would run the program from Hartsville if the Department Head is gone.

Recreation Director Ken McRae reported that discussions over the past few years centered on making changes with the least amount of disruption to service. This resulted in the decision to make the personnel change from the Hartsville Office. The personnel would be housed in the Society Hill Neighborhood Building which is owned by the county. Mr. McRae stated that the paperwork Council received several weeks ago indicated that one person would be moved and there would be a transition period to give the City of Hartsville time to work out all the details for any additional changes.

Mr. Arrington said the initial discussion was the move two employees. However, after the discussion in executive session, one employee was moved. This person would focus on creating recreational programs in that region. He said the staff was not proposing to hire new people, just reallocate the staff across the county and provide recreation services in each municipality. Mr. Arrington suggested working on the transition with one employee instead of going into personnel issues.

Mr. Flowers talked about the lack of recreational opportunities in Society Hill, Byrdtown, Centersville, and Dovesville.

Mrs. Johnson talked about children in rural areas having to go to Darlington or Hartsville to participate in sports.

Mr. Coker stated that he was in favor of promoting recreation in Dovesville, Society Hill, etc. However, he wanted his concern on record that the county was moving an asset from Hartsville (the Director of the County Recreation Department in Hartsville) to Society Hill. He questioned whether this was justifiable when there is so much more population in

Hartsville compared to Society Hill. Mr. Coker felt that the individual could do both from the Hartsville Office.

Mr. Arrington stated that the county could take a data driven approach and look at the programming and the timeframe to support each other based upon what was going on. The staff could look at this for six months and report back to Council.

Chairman Hudson asked whether there needed to be a motion and a vote.

Attorney Cox replied that this was a personnel matter that was being discussed at the request of Councilman Coker in order to inform Council as to what was being considered and to give Council a chance to discuss the matter. He said this was an area strictly for the County Administrator and recommended that Council not vote.

Authorization To Award Non-Probationary Full-Time Employees A One-Time Incentive Payout

MOTION was made by Mr. Brock and seconded by Mr. Flowers to award non-probationary, full-time employees a one-time incentive payout.

Mr. Arrington pointed out that the agenda package included payout options and an overview as discussed in the budget workshop based upon the staff's analysis for left over funds appropriated but not spent. He recommended a one percent, one-time payout to non-probationary, full-time employees.

MOTION was made by Mr. Flowers and seconded by Mr. Brock to amend the motion to approve a one percent, one-time payout to non-probationary, full-time employees.

The motion carried unanimously.

Chairman Hudson called for the vote on the motion, as amended. The motion carried unanimously.

Administrative Update - Amendment To The Agenda

MOTION was made by Mr. Flowers and seconded by Mr. Brock to amend the agenda to consider a CTC (County Transportation Committee) grant award to pave six roads.

The motion carried unanimously.

CTC Paving Bid #1-06-26-2015, Schedule A For Paving Six Roads

MOTION was made by Mr. Flowers and seconded by Mr. Brock to award the paving bid (Schedule A) to the low bidder, C.R. Jackson, in the amount of \$310,793 to pave Lotus Circle, Tomac Road, Country Side Drive, Canyon Drive, Whitehall Lane, and Whitesands Drive.

Mrs. Johnson expressed concern that the CTC should not be making the decision for County Council as to which roads are paved.

The motion carried with Mrs. Johnson, Mr. Douglas, and Ms. Nicholson opposing.

Administrative Update – School District’s Request For Consideration for The charges To Dispose At The County Landfill

Mr. Arrington provided Council with a letter he received today from Darlington County School District regarding the landfill costs.

Environmental Services Director Renee Howle provided information as to the amount (\$9,998.45) the county could have received with the proposed fee schedule for yard debris.

Mr. Arrington said he wanted Council to know how much money the county would be omitting if the fees were waived.

Mr. Flowers said \$10,000 was not much money to the School District when compared to what the county has to operate the entire county. This was a lot of money for Environmental Services.

Mr. Douglas suggested increasing the residential solid waste fee.

Mr. Arrington stated that the decision was up to Council. However, his recommendation would have been to increase the fees on everyone in order to not show favoritism or support for one and not the others.

Ms. Nicholson requested that this matter be carried over so that Council could review the matter.

Mrs. Johnson suggested that if people are not living in and maintaining their homes, the county should charge them a certain fee. She said the county was trying to protect land where taxes had not been paid and are no benefit to the neighborhood.

Mr. Coker said the School District was already paying taxes and fees, and the county should not strain its relationship with the School District over \$10,000. He suggested increasing the residential solid waste fee from \$53 to about \$56.

Mr. Arrington pointed out that the county currently was not charging the School District anything as was shown on the report presented by Mrs. Howle.

Mr. Coker pointed out that the county was charging \$53 per landowner. Mrs. Howle clarified that the \$53 was being levied on all residential properties. The matter with the School District was considered commercial, not residential. All commercial accounts should to pay a landfill cost. The School District was not paying and had never paid.

Mr. Arrington added that the county was not receiving any revenue, but was trying to operate the landfill off the fees collected from residential properties. However, there are ongoing costs for equipment, etc.

MOTION was made by Ms. Nicholson and seconded by Mrs. Johnson to carry over this matter to Council's August meeting.

The motion carried unanimously.

Requests / Comments – Members Of Council

Ms. Nicholson commented about the number of people who attended Butler Heritage Foundation's events this past weekend in Hartsville. She questioned whether the county issues parade permits since there was a Confederate Parade on Highway 151 in Hartsville.

Mr. Cox responded that the county does not issue permits for parades. He suggested that if parades are a problems, Council should meet with the Sheriff to look at this matter.

Mr. Douglas stated that there had been talk regarding Lide Springs Road for 12 years. He pointed out that the residents were not requesting that the road be paved, just worked. He also mentioned that other roads were being paved with CTC funds and asked Council to accept Lide Springs Road back into the county maintenance system.

Mr. Brock asked the status of publishing an advertisement about opening the landfill to contractors.

Mrs. Johnson questioned the method or process for the county to give property to the City. She thought the area where the new Taco Bell is coming was in the county and did not recall a transaction to give this area to the City.

Mrs. Julie Ritz, Planning staff, provided Mrs. Johnson with printed information regarding the annexation of that area into the City of Darlington.

Mrs. Johnson briefly talked about growth in the area south of Darlington, problems with water on Chalmers street, and no ditch for water to drain.

Mr. Flowers stated that the personnel change in the Recreation Department was made to address a problem, but turned into an opportunity to expand the recreation program. He volunteered to provide any assistance the Recreation Department may need.

In reference to Lide Springs Road, Chairman Hudson thanked Mr. Capers for appearing before Council. He hopes that this could be resolved.

Attorney Cox pointed out that Lide Springs Road was not a county road.

Vote For Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding Darlington County Airport

MOTION was made by Mr. Flowers and seconded by Mr. Brock to vote for executive session for discussion of negotiations incident to proposed contractual arrangements regarding Darlington County Airport.

The motion carried unanimously.

MOTION was made by Mr. Flowers and seconded by Mr. Brock for Council, Attorney Cox, Mr. Arrington, and Mr. Ben Ziegler to go into executive session for discussion of negotiations incident to proposed contractual arrangements regarding Darlington County Airport.

The motion carried unanimously.

Council recessed at 7:06 p.m. prior to going into executive session and reconvened at 7:29 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Vote For Executive Session - Personnel Matters Concerning Darlington County Department Directors

MOTION was made by Mr. Flowers and seconded by Mr. Brock to vote for executive session for the discussion of personnel matters concerning Darlington County Department Directors.

The motion carried unanimously.

MOTION was made by Mr. Flowers and seconded by Mr. Brock for Council, Mr. Arrington, Attorney Cox, and Human Resources Director Ginger Winburn to go into executive session for the discussion of personnel matters concerning Darlington County Department Directors.

The motion carried unanimously.

Council and the individuals listed went into executive session at 7:31 p.m. and reconvened at 7:43 p.m. Upon reconvening, Chairman Hudson announced that no action was taken during executive session.

Adjournment

MOTION was made by Mr. Hudson to adjourn the meeting. There being no further discussion, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,

J. JaNet Bishop
Clerk to Council

Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of August 17, 2015.