

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

June 6, 2016

A regular meeting of the County Council of Darlington County was held this 6th day of June 2016, 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 county's website, on the bulletin board at the entrance to the County Administrator's Office, and at the entrance of the Courthouse Annex/EMS Building.

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, Ms. Mozella Nicholson, and Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Terence Arrington, Acting County Attorney Chris Scott, Clerk to Council J. JaNet Bishop, Human Resources Manager Ginger Winburn, Interim Development Services Director Terri Cribb, Emergency Management Director Mac McDonald, Economic Development Director Frank Willis, Interim Recreation Director Lee Andrews, Tax Assessor Kyle Johnson, Elections/Voter Registration Director Hoyt Campbell, Sheriff Wayne Byrd, Chief Deputy Sheriff James Hudson, Corrections Director Waddell Coe, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, EMS Director Michelle Moore, Interim Fire Chief Ricky Flowers, Finance Director Sherman Dibble, and others.

REPORTERS PRESENT

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

Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:03 p.m. Mr. Douglas presented the invocation and Mr. Flowers led the Pledge of Allegiance.

Citizens' Comments

Ms. Linda Byrd, on behalf of Darlington County Long-Term Recovery Group, reported that the purpose of the Long-Term Recovery Group is to assist families affected by the October flood. She said the federal government sent this group after FEMA (Federal Emergency Management Agency) left. Ms. Byrd briefly talked about the condition of homes

after the flood. She also reported that the federal government allotted money for Darlington County. However, this group has not yet received the funds. Therefore, she was requesting Council to consider providing a donation so that the group could do some work until the federal funds are disbursed. Ms. Byrd pointed out that Carolina Alliance for Fair Employment was the fiscal agent for Darlington County Long-Term Recovery Group. She invited Council members to attend their meeting scheduled for June 16, 2016 at 109 Pearl Street in Darlington. A meeting will also be held in each municipality.

~ Councilwoman Nicholson arrived at 6:07 p.m. ~

Mrs. Christine Hennigan, Lide Springs Road resident, reported that the residents had received a letter about the establishment of another route for ambulance service. However, the road still needs to be fixed. She talked about the residents paying taxes and the children having to walk to the end of Lide Springs Road to the bus stop. Ms. Hennigan requested that the road be fixed.

Ms. Shirley Williams, Lide Springs Road resident, also talked about the bad condition of Lide Springs Road. She requested that the bushes be cut and sand placed on the road. Ms. Williams stated that the road was not private because the county once plowed it.

Mr. George Cannon requested the status of the county spraying for mosquitos and improving the drainage.

Chairman Hudson indicated that Council would consider the mosquito spraying matter tonight.

Ms. Bertha Gray also talked about the condition of Lide Springs Road. She stated that due to the condition of the road, her daughter has to walk to the end of the road to the bus stop. She also talked about how the road has torn up the residents' vehicles.

Personal Appearance - Pastor Chris Frazier, Update On Commanchee Road Project

Pastor Frazier reported that the residents of Commanchee Road went back to the CTC Committee (County Transportation Committee) and was told that CTC's proposal was to pave 3,000 feet, which would leave about 2,400 feet of the road unpaved. He reported that CTC could not purchase or negotiate the purchase of land for the retention pond. This would be something that the county would have to do. Once this is done, the CTC could pave the entire road.

Pastor Fraizer then handed out information regarding two landowners at/near the "bowl" in the road and requested that the county look at the parcels for the retention pond. He reported that Commanchee Road was the second most traveled road in Centerville with 44 homes. He thanked Council members for their interest in this matter and requested that Council come to a meeting point. Pastor Fraizer also indicated that he had not spoken with the property owners because he did not feel that this was his responsibility. The residents had done their part and obtained all the signatures, except for one signature that County Attorney Cox had been working on.

Ms. Nicholson questioned whether the county had issued building permits where homes should not have been built, such as what was done in Hartsville. If so, this would give Council a reason to purchase the necessary property for the retention pond.

Mr. Douglas indicated that most of the homes were built prior to the requirement for building permits.

Pastor Frazier restated that the CTC would pave 3,000 feet, leaving 2,200 feet unpaved. He also stated that the CTC did not know that all of the signatures had been obtained.

Mr. Coker clarified that CTC would not pave the entire road until the additional property has been obtained for the retention pond.

Pastor Fraizer confirmed that the CTC would pave 3,000 feet now. However, the residents want the CTC to wait until the additional property is obtained for the retention pond so that the entire road could be paved at the same time.

Personal Appearance – Mr. Blake Taylor, Jr., South Carolina Department Of Corrections Compliance, Standards, & Inspections Division Director

Mr. Taylor indicated that he was present to answer questions. He mentioned that the Detention Center was understaffed as was discussed earlier during the year. He did not know whether Council had recommended anything for the Detention Center in the proposed FY16/17 budget.

Mr. Taylor reported that he met with County Administrator Terence Arrington during the past few weeks following correspondence that Council should have received. Therefore, he was present to answer any questions and to reinforce how critical it was for Council to begin increasing the staff at the Detention Center. He stated that no one expects the county to fix the entire problem at once, which was not realistic. However, to go another fiscal year without addressing the problem at all would be something that the Department of Corrections could not defend. This would also place the Department of Corrections in the position of having to be a witness on the wrong side should litigation occur. Mr. Taylor stated that this would also force the Department of Corrections to look at other options regarding the future of the Detention Center, which was not something desired. He told Council that the Department of Corrections wants to work cooperatively with the county. He did not know whether Council had any new proposals or received anything in writing from the County Administrator. Mr. Taylor mentioned that the SCAC (South Carolina Association of Counties) conducted a staffing analysis for the jail in April 2014. Therefore, the county should know the number of staff members needed at the jail.

Human Resource Manager Ginger Winburn indicated that the Detention Center has fifty-two (52) employees and five (5) to be signed up.

Mr. Taylor talked about Council making plans to gradually phase this in because it would not be realistic to expect the county to solve the problem overnight. However, to do nothing would send an inappropriate message. Therefore, he would like to explore, with the county, what can be done.

Mr. Kilgo asked Mr. Taylor whether he works for the State of South Carolina. He also asked the amount the counties have been underfunded in local government funds.

Mr. Taylor responded that he knew this was an issue, but did not know the exact numbers.

Mr. Kilgo stated that Mr. Taylor wants the county to spend money, but the State does not want to help the counties.

Ms. Nicholson questioned whether Darlington County was the only county in the State with an understaffed Detention Center, since Mr. Taylor was quite concerned about Darlington County for about four years.

Mr. Taylor stated that this was an ongoing situation with each County finding out its situation and moving forward. He said Darlington County was not the only county with such situation, but one of the few that has not made any progress since it was brought to Council's attention.

Ms. Nicholson confirmed that Darlington County was not the only county in the state that was operating an understaffed Detention Center.

Mr. Taylor indicated that this was not personal, he was doing his job.

Mrs. Johnson said the Prison Farm was a must for the county. She expressed appreciation for what the inmates do. Ms. Nicholson clarified that Mr. Taylor was talking about the Detention Center and not the Prison Farm.

Mr. Arrington commented that the County Administrator is not responsible for the Detention Center. The County Administrator recommends, presents the budget, and Council has the final approval and the ability to make changes. He pointed out that he did not recommend an additional employee in the Detention Center's budget. However, he was prepared to talk about it with County Council. Mr. Arrington pointed out that the Detention Center falls under the Sheriff, who presented the information to Council. He also emphasized that Mr. Taylor was recommending that Council try to add one additional person to the Detention Center's budget. He questioned how this would work since the county currently has so many vacancies and difficulty keeping the Detention Center fully staffed. Mr. Arrington said he was not familiar with what happens at the Detention Center since he does not oversee it.

Mrs. Johnson stated that if the County Administrator does not present the information to Council, Council would not know what was going on.

Mr. Arrington responded that he gave Council the budget, and during the Planning Worksession, the directors told Council what they needed. Council also received a book containing the needs of all the departments. Mr. Arrington said Council had many discussions about this, and the matter had been very transparent. He pointed out that the Detention Center Director also presented his concerns to Council.

Mr. Taylor indicated that retention was a separate issue and something that he could explore with the Detention Center and Sheriff's Office. However, the number of slots were less than required. He did not want Council to be misinformed. This was not something that he was trying to do confrontationally. Mr. Taylor said that if Council does not add anything as of July 1st and there is litigation where he is subpoenaed, he would have no option than to be a witness, which would not be in the county's best interest. Therefore, he would like to see the county do something as a start. One position was better than nothing and would show some improvement.

Mr. Flowers asked whether the staffing was based upon inmate numbers or the size of the facility. He questioned whether there was a way to reduce overhead at the Detention Center such as closing a pod if it is impossible to fill the current open positions.

Mr. Taylor indicated that classification was just a part of the equation, which was not a simple ratio of officers to inmates. He talked about the general ratio within a housing unit and the post analysis used to determine the number of people required. He indicated that he would be willing to look at this with the Detention Center staff.

Mr. Flowers talked about having a very aggressive bonding relationship with Magistrate's Court, prosecutors, law enforcement, etc. to reduce the inmate population. He also talked about creating the perception of a "revolving door" for individuals being arrested.

Mr. Taylor talked about counties having Criminal Justice Coordinating Committees consisting of people from the various agencies (Solicitor's Office, Public Defender's Office, police officers, court, Magistrates, etc.) who impact or contribute to the backlog. He offered to work with the county on this as well.

Mr. Kilgo stated that until around the year 2000, Darlington County had eighteen (18) weeks of General Sessions or Criminal Court per year. The Solicitor, at that point, reduced the number to twelve (12) weeks of General Sessions Court, which has never been increased. Therefore, the county has had a backlog since 2000. Mr. Kilgo said when he was the Chief Public Defender working on an 18-week system, he would have 35 clients at the end of a term of court. When he left the Public Defender's Office, there were over 600 clients. He said the backlog falls on the Solicitor's Office for not asking for enough terms of court. Mr. Kilgo said the county pays the Solicitor's Office a lot of money, and they do not want to work the 18 weeks. He mentioned a 75 years old man who had been in jail for over two years and not for murder.

Corrections Director Waddell Coe confirmed that the man was released last Friday after two years.

Mr. Kilgo stated that until the county gets a Solicitor's Office that wants to work, there will be a backlog. He said Darlington County was the largest county in the circuit, produces the most indictments in the circuit, but has the same number of weeks per year of General Sessions Court as the other counties (Dillion, Chesterfield, and Marlboro Counties) in the circuit. He compared the populations of Dillion County (35,000) and Marlboro County (31,000) to that of Darlington County (68,000).

Mr. Taylor talked about the number of bookings and the average length of stay which are factors of the bond setting. He also talked about the number of weeks of court, etc. This was the reason a Criminal Justice Coordinating Committee has worked in other areas.

Correction Director Waddell Coe stated that the Detention Center has been understaffed by nine people since 2000 when the staffing analysis was conducted. He also talked about the turnover and there not being any incentives, competitive pay, or pay raises.

Mr. Taylor stated that even with continual turnover, if there are more slots, the Detention Center could hire more people initially.

Mr. Kilgo suggested merging the Prison Farm with the jail to resolve the issue.

Mr. Flowers added that if the staff and inmates at the Prison Farm were moved to the Detention Center facility, the jail would become PREA (Prison Rape Elimination Act)

compliant, fully staffed, and there would still be inmates to work. He said the county was spending \$840,000 to house nineteen (19) inmates at the Prison Farm.

Consent Agenda

Included in the Consent Agenda were the following:

- 5.A. Pee Dee Workforce Investment Board Quarterly Report For Period July 1, 2015 - March 31, 2016
- 5.B. April 2016 Animal Control Report
- 5.C. Building Inspection Report April 2016
- 5.D. Building Permits Report April 2016
- 5.E. April Beaver Report for 2016
- 5.F. Historical Commission Board Minutes, Patron Stats and Information on an Upcoming Major Project (A Year of Conservation).
- 5.G. Letter From Fire District Regarding Fire Board Minutes
- 5.H. Roster Of Staggered Terms For Members Of Boards/Commissions/Committees
- 5.I. Darlington County Community Action Agency Notice Of Lease Termination For Space At Society Hill Neighborhood Center And Robert L. Grooms Building
- 5.J. Proposal For Employee Bonus
- 5.K. Information From The South Carolina Association Of Counties Regarding Employee Retirement Contribution Increases (.5% increase)
- 5.L. Written Correspondence from the South Carolina Association of Counties and the SC Revenue and Fiscal Affairs Office
- 5.M. Mosquito Abatement Update

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

Mr. Brock asked when mosquito spraying would begin. Mr. Arrington indicated that he would discuss this matter during the Administrator's Update. However, the spraying would begin after July 1st.

The motion carried unanimously.

Amendment To The Agenda

MOTION was made by Mr. Flowers and seconded by Mr. Brock to place the following items on the agenda under Other Items: (1) Designated Facilities Agreement To House State Inmates At The Prison Farm and (2) Memorandum Of Agreement For The Detention Of Juveniles.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing & Regular Meeting, May 2, 2016

MOTION was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of May 2, 2016.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Budget Worksession, May 11, 2016

MOTION was made by Mr. Brock and seconded by Mrs. Johnson to approve the minutes of May 11, 2016.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Special Meeting, May 23, 2016

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to approve the minutes of May 23, 2016.

The motion carried unanimously.

Ordinances

Ordinance No. 16-12, An Ordinance To Amend Ordinance No. 15-21 (Darlington County FY15/16 Budget Ordinance) For A Supplemental Appropriation To The General Fund To Receive And Expend Hospitality Tax Revenue -Third Reading, As Amended

MOTION was made by Mr. Kilgo and seconded by Mr. Brock to approve third reading of Ordinance No. 16-12, as amended.

The motion carried with Mr. Flowers abstaining due to a conflict of interest.

Ordinance No. 16-13, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), Section 2-412 (Fee Schedule), Item (5) (Environmental Services Dumping Fees/Charges), To Increase The Annual Recycling/Solid Waste Service Charge Levied Upon All Residential Properties; To Add A New Fee For Returned Checks For Non-Sufficient Funds; And Establish The Effective Date Of This Ordinance - Third Reading

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve third reading of Ordinance No. 16-13.

The motion carried with Mr. Hudson opposing.

Ordinance No. 16-14, An Ordinance To Make Appropriations For Ordinary County Purposes For Darlington County For The Fiscal Year Beginning July 1, 2016 And Ending June 30, 2017 To Provide For The Expenditures And Revenues For The Payment Thereof - Third Reading

MOTION was made by Mrs. Johnson and seconded by Mr. Flowers to approve third reading of Ordinance No. 16-14.

MOTION was made by Mr. Kilgo to amend the motion/ordinance to include \$15,000 in the budget for equipment to video County Council meetings.

The motion failed for lack of a second.

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to amend the motion to include \$9,000 in the budget for an absentee ballot box in Hartsville during General Election.

Mr. Brock questioned whether another staff person would have to be hired to man the ballot box.

Elections/Voter Registration Director Hoyt Campbell explained that poll workers would be used for about three weeks to man the absentee box in Hartsville. Lamar and Society Hill absentee precincts did not have a great number of voters. Mr. Campbell said it was unjust for the people on that side of the county (Hartsville area) to not receive the services that are provided in Darlington. This would allow those individuals to vote absentee in the office. He reported on the number of people who voted absentee in the Darlington Office and who voted by mail in 2012. He also mentioned that other counties have also established additional absentee precincts. Mr. Campbell said Hartsville Mayor would work with him to provide a facility at no cost to the county. He also indicated that he did not want the absentee precinct located at any of the normal voting places.

Ms. Nicholson asked whether the Election Commission had voted on this matter. Mr. Campbell responded that the Election Commission was aware of this matter and was in favor of it. However, a vote was not taken.

Ms. Nicholson was concerned as to whether the county would be in compliance with the Voting Rights Act. Mr. Campbell stated that only one absentee voting place is required. However, other counties were moving to establish additional sites. He provided information on the increased number of absentee voters.

Ms. Nicholson stated that, as a voting rights lawyer, the general notion was that if you are going to win an election, the best way to do it is by absentee ballots. Under the law, this is left in the hands of the Elections Director and Election Commissions to make sure it is carried out administratively. She stated that according to the United States Constitution and the State Constitution, people must know about any changes regarding voting patterns.

Mr. Campbell reported that some things do not require Justice Department approval. He explained that when a voter signs his/her application, it's for their reason for voting absentee. If individuals show up at his office and are qualified to vote absentee, they are not turned away. Mr. Campbell said this would make absentee voting more accessible to the people. He said South Carolina does not have early voting, but they do early voting called absentee voting.

Mr. Kilgo talked about the number of absentee voters increasing due to the provision that any citizen 65 years of age and old having the a right to vote absentee. Therefore, the proposal would allow people in Hartsville to vote onsite and not worry about mailing a ballot and the possibility of it getting lost in the mail, etc. He emphasized that this would only be for the General Election and not for the primaries.

Mr. Hudson said Lamar and Society Hill were being left out even though Mr. Campbell said there were not big enough. He asked whether there could be an absentee box in each of these towns for several days.

Mr. Campbell said this was a starting point – to get the biggest bang for the bucks. He wanted to start with Hartsville. Then in 2018, a few days could be held in Lamar and Society Hill, as well as in Hartsville. Mr. Campbell said he wants to make sure that everyone is given the opportunity to vote.

Ms. Nicholson talked about other categories for people who vote absentee.

Ms. Arrington asked whether funds for this would be taken from the Contingency Line Item. Of the funds saved in Contingency, \$65,000 needed to be subtracted for the projected health insurance increase.

Mr. Kilgo suggested taking the funds from Contingency.

Mr. Flowers suggested that after the budget is approved, Council allow the County Administrator another thirty (30) to sixty (60) days to look at the budget to see where adjustments are needed. His suggestion was for Council to approve the budget tonight and the Administrator make the adjustments later.

Chairman Hudson called for the vote on the amendment - to include \$9,000 in the budget for an absentee ballot box in Hartsville during General Election.

The motion carried with Ms. Nicholson opposing.

Ms. Nicholson said she could support this if Council could make certain that changes in the voting sites and voting patterns are in compliance with the Voting Rights Act. However, she was against changing the voting places without some scrutiny.

Chairman Hudson called for the vote - to approve third reading of Ordinance No. 16-14, as amended.

The motion carried with Ms. Nicholson opposing.

Ordinance No. 16-15, 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, 2016, And Ending June 30, 2017 - Third Reading

MOTION was made by Mr. Flowers and seconded by Mr. Brock to approve third reading of Ordinance No. 16-15.

The motion carried with Mr. Kilgo opposing.

Ordinance No. 16-16, An Ordinance Authorizing The Execution Of An Equipment Lease-Purchase Agreement In An Amount Not Exceeding \$3,600,000 Relating To The Purchase Of Vehicles And Payment Of Related Costs For Darlington County, Authorizing The Execution Of Other Necessary Documents And Papers, And Other Matters Relating Thereto - Second Reading

MOTION was made by Mr. Brock and seconded by Mr. Kilgo to approve second reading of Ordinance No. 16-16.

The motion carried unanimously.

Resolutions

Resolution No. 666, To Rename The Eastern Private Portion Of Lide Springs Road To Generations Way

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to approve Resolution No. 666.

The motion failed with each Council member voting no.

Resolution No. 667, A Resolution To Create A Commission Pursuant To The Capital Project Sales Tax Act, South Carolina Code Annotated § 4-10-300, Et Seq. To Provide For The Appointment, Composition, Duties And Responsibilities Of Such Commission And To Provide For Other Matters Relating Thereto.

MOTION was made by Ms. Nicholson and seconded by Mr. Flowers to approve Resolution No. 667.

Mr. Arrington pointed out that according to Bond Attorney Ben Zeigler, should the School Board decide not to move forward with getting off the levy for the penny sales tax, then the county could not get on. However, the Committee needed to be established to do the preliminary work and establish the question to be placed on the ballot. Mr. Arrington stated that there had been discussions with the School Board regarding this matter. He pointed out that Council would have to appoint members to the committee.

The motion carried unanimously.

Resolution No. 668, Memorandum Of Agreement And Road Acceptance, Westbrook Phase VII-A

MOTION was made by Mr. Flowers and seconded by Mr. Brock to approve Resolution No. 668.

Roads and Bridges Director Bobby Richardson confirmed that the roads had gone through the Planning Commission and inspection.

The motion carried with Ms. Nicholson opposing.

Committee Reports

There were no committee reports.

Amendment To The Agenda

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to amend the agenda to bring forward the following: (1) Designated Facilities Agreement To House State Inmates At The Prison Farm and (2) Memorandum Of Agreement For The Detention Of Juveniles.

The motion carried unanimously.

Other Items

Cooperative Service Agreement Between Darlington County And United States Department Of Agriculture (USDA)/Animal & Plant Health Inspection Service (APHIS)/Wildlife Services (WS) For Beaver Program, \$31,250

MOTION was made by Mr. Flowers and seconded by Ms. Nicholson to approve the Cooperative Service Agreement for the Beaver Program.

The motion carried unanimously.

Memorandum Of Agreement for the Detention Of Juveniles

MOTION was made by Mr. Kilgo and seconded by Mr. Brock to approve the Memorandum of Agreement for the detention of juveniles.

The motion carried unanimously.

Designated Facilities Agreement To House State Inmates At The Prison Farm

MOTION was made by Mr. Brock and seconded by Mrs. Johnson to approve the Designated Facilities Agreement to house State inmates at the Prison Farm.

Mr. Coker questioned why Council was approving this agreement. Chairman Hudson responded that Council has to approve it. Mr. Flowers and Mr. Kilgo objected by stating that the county does not have to approve this agreement. Mr. Flowers did not think that the county should be in the inmate labor business.

Those voting in favor of the motion were Mrs. Johnson, Mr. Hudson, Mr. Douglas, Ms. Nicholson, and Mr. Coker. Opposing were Mr. Kilgo, Mr. Brock and Mr. Flowers.

The motion carried.

Assessment of Corrective Measures (ACM) Report For Darlington County Landfill, As Requested By DHEC

MOTION was made by Mr. Brock to approve the Assessment of Corrective Measures Report for the landfill for discussion.

The motion failed for lack of a second.

Mr. Chip Priester, of Priester and Associates, stated that this had been a developing issue for many years.

Mr. Arrington pointed out that that the county received a letter from DHEC (South Carolina Department of Health and Environmental Control) which was included in the agenda package. He said the County has to find money to comply with DHEC's demands.

Environmental Services Director Renee Howle indicated that Mr. Priester conducts the tests on the wells at the landfill to ensure they are in compliance. The tests results are forwarded to DHEC. The levels had changed over the years and two new monitoring wells were installed in December. Then the county received a letter from DHEC requesting an ACM (Assessment of Corrective Measures) Report by June 1, 2016. However, the county was able to get an extension through August 1, 2016. Ms. Howle stated that Priester had begun Phase 1 of the project as indicated in the information in the agenda package.

Mr. Flowers and Mr. Priester talked about the ground water level as it relates to the monitoring wells. Mr. Priester pointed out that nothing had migrated offsite and there were no health risks or risks to the public or environment. Everything was contained to the landfill. However, the migration must be accounted for and a plan submitted to DHEC demonstrating that there would be no migration off the landfill property. Therefore, he developed a cost proposal for the ACM report as included in the agenda package.

Mr. Douglas confirmed that the cost for the ACM report would be \$50,850.

MOTION was made by Mr. Brock and seconded by Mr. Douglas to approve the Assessment of Corrective Measures (ACM) Report for the landfill.

The motion carried unanimously.

Appointments To Boards/Commissions - Airport Commission (Flowers) - Construction Board of Adjustment & Appeals (Kilgo, Douglas, Flowers) - Economic Development Partnership (Council, Recommendation Submitted) - Board of Fire Control (Council) - Historical Commission (Kilgo, Nicholson) - Library Board (Kilgo, Flowers) - Planning Commission (Douglas, Johnson) - Pee Dee Regional EMS (Council) - Pee Dee Regional Transportation Authority (Council, Recommendation Submitted) - Pee Dee Workforce Development Board (Council, Recommendation Submitted)

Mr. Flowers carried over his appointments.

Construction Board of Adjustment/Appeals. Mr. Kilgo nominated and Council unanimously appointed Mr. Parker Howle to the Construction Board of Adjustment/Appeals (unexpired term through June 30, 2017).

Historical Commission. Mr. Kilgo nominated and Council unanimously appointed Rev. Hunter Jordan to the Historical Commission (July 1, 2016 through June 30, 2020). Mr. Jordan will replace Mr. Kevin N. Brown.

Library Board. Mr. Kilgo nominated and Council unanimously appointed Ms. Jennie Williamson Peze to the Library Board (July 1, 2016 through June 30, 2020). Ms. Peze will replace Mrs. Anne Baldwin whose term expires June 30, 2016.

Mr. Douglas carried over his appointments.

Economic Development Partnership Board. Council appointed Mr. Gregory Alexander and Mr. John Kimbrough to the Economic Development Partnership Board as recommended by the Economic Development Office.

Mr. Alexander will replace Mr. Ben Kilpatrick for a term commencing on July 1, 2016 and ending June 30, 2020. Mr. Kimbrough will fill the unexpired term of Mr. Edward Krajack through June 30, 2018.

Pee Dee Regional EMS Board. Mr. Arrington indicated that Mr. Charles Stewart was the County's appointee to this Board prior to leaving employment with the county. However, he received an email from Pee Dee Regional EMS Executive Director Mark Self indicating that Council should appoint someone else. The email was included in Council's agenda package.

Mr. Hudson said Mr. Stewart had missed two meetings and requested that he be reappointed.

Council voted unanimously to reappointed Mr. Charles Stewart to continue his term on Pee Dee Regional EMS Board through June 30, 2018.

Pee Dee Regional Transportation Authority Board. Council reappointed Mr. James Jackson as the county's representative on Pee Dee Regional Transportation Board for a third term to commence July 1, 2016 and expire June 30, 2019.

Pee Dee Workforce Development Board. Council appointed Mr. Wayne Simon of Hartsville Medical Enrichment Services in Darlington and Attorney Richard Conner of Conner Law Firm in Hartsville to Pee Dee Workforce Development Board as recommended by Darlington and Hartsville Chambers of Commerce. Their term will commence July 1, 2016 and expire June 30, 2019.

Historical Commission. Ms. Nicholson nominated and Council unanimously appointed Mrs. Carolyn McCoy Govan to the Historical Commission to fill an unexpired term through June 30, 2019.

CTC Funds For Improvements For Dovesville Recreation Parking Lot & Driveway, \$25,000, CPCN P030057

MOTION was made by Mr. Douglas and seconded by Mr. Flowers for acceptance of CTC funds to improve the parking lot and driveway for Dovesville Recreation Complex.

Mr. Arrington said the CTC was providing the funds to pave the parking lot at the Dovesville Recreation Complex.

Roads and Bridges Director Bobby Richardson talked about the relocation of the entrance to the facility and parking lot.

Ms. Nicholson said she had a problem with CTC funding \$25,000 for the Dovesville Recreation parking lot when there were two roads that need to be repaired that life depends upon. She asked whether Council has the option of using the CTC funds in any manner that Council wants regarding roads.

Mr. Arrington and Chairman Hudson said no.

Mr. Arrington said he talked with the CTC Committee about this project, and the Committee was in support of it. He said Council could not tell CTC to fund the repairs for the roads. CTC would have to agree to fund the road repairs while being with certain parameters.

Ms. Nicholson expressed her opinion about there being holes in the middle of two major roads and the county smoothing and paving a parking lot to make it pretty. She said the county was not funding this project, but it was still taxpayers' money.

Mrs. Johnson talked about the county being responsible for the roads and not the CTC Committee. She wanted Mr. Arrington to look into this.

Mr. Arrington stated that he could ask Senator Gerald Malloy to attend the next meeting, and Council could talk with him about how dissatisfied Council members are with the way CTC appropriates it money. Mr. Arrington pointed out that he has no control over CTC's decisions, and the Senator makes the appointments to the CTC Committee.

The motion carried with Mrs. Johnson and Ms. Nicholson opposing.

Executive Assistant Job Description

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to move this item (Executive Assistant Job Description) to executive session.

The motion carried with Ms. Nicholson opposing.

Contract Renewal For Lake Darpo Caretaker

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to approve the contract renewal for Lake Darpo.

The motion carried unanimously.

Request To Authorize Administration To Hire Honeywell Building Solutions To Perform Monthly Onsite Service For The Courthouse Air Conditioning Unit(s)

MOTION was made by Mr. Flowers and seconded by Mr. Brock to authorize Administration to hire Honeywell Building Solutions to perform monthly onsite service for the courthouse air conditioning units.

Mr. Kilgo asked whether bids were solicited for this work. Mr. Arrington responded that bids were not solicited. This was more of an emergency. Finance Director Sherman Dibble explained that Honeywell had worked on the equipment for many years.

Mr. Arrington explained that this matter had become an emergency and soliciting bids would further delay repairs. With the proposal, Honeywell would provide monthly onsite service.

Mr. Kilgo talked about the various costs included in the proposal. Mr. Arrington said Council was not approving all the costs. The plan was not to replace the unit, but keep it operable.

Mr. Kilgo said he talked with someone who was very familiar with the operation of the units at the courthouse and was told that Council needs to replace the tower, etc. because even if a new courthouse is built, it would take about five years. Therefore, the county needs to find the money because something has to be done with the units to keep the courthouse habitable and workable.

Chairman Hudson asked the price to replace the unit. Mr. Arrington said Honeywell did not provide a price to replace the unit in totality. He recommended that Council get the new courthouse prior to sinking a lot of money into the existing facility. However, this was at Council's discretion.

The motion carried unanimously.

Administrative Update - Mr. Terence Arrington, County Administrator

Mr. Arrington handed out a memorandum recapping the information presented regarding the Detention Center. The information pointed out that the County Administrator does not oversee the Detention Center. He read the memorandum.

Mr. Kilgo said the county was not required to place deputies in the schools. This was a school responsibility. He suggested pulling the deputies from the schools and using the funds to hire one or two people in the Detention Center to begin moving toward with what Mr. Taylor has asked the county to do.

Mr. Flowers talked about people wanting to see deputies on the road or within five minutes of a call. He said there were a pool of uniform deputies that could be shifted to the Detention Center to bring the facility into compliance with the Department of Corrections. However, this would remove the deputies from providing law enforcement and security in communities. Mr. Flowers asked whether the county was going to provide safety in communities or safety and compliance in the Detention Center. This was a matter of shifting personnel from law enforcement to the Detention Center.

Chairman Hudson suggested using the town police since the deputies take so long to respond. He said the town police could be covered under the county's liability and respond within five minutes.

In reference to elected officials, Mr. Arrington said Council would hear a lot about things not being done on the administration side. However, balancing the budget was tough and everyone has to chip in.

Letter From Fire District Regarding Fire Board Minutes

Mr. Arrington referred to the letter from the Fire District that was included in the agenda package stating that due to the lack of a quorum, the Darlington County Board of Fire Control has not been able to approve the minutes from its April and May meetings. Mr. Arrington was concerned that the Fire Board has not been able to meet in four months because enough Board members have not shown up for there to be a quorum to conduct business. He did not have an attendance record to show who was not attending the meetings. However, Council needed to be aware of this because Council appoints the members. Mr. Arrington said that if the members do not want to serve, Council may want to consider appointing other people.

Chairman Hudson asked whether letters had been sent. Interim Fire Chief Ricky Flowers' response was yes.

Mosquito Abatement Update

Mr. Arrington said information regarding mosquito abatement was included in the agenda package. He mentioned that some of the municipalities had begun spraying in the incorporated areas. If Council supports what has been recommended, \$34,000 would provide some spraying in the unincorporated areas. The vendor would spray using their trucks.

Ms. Nicholson asked and Emergency Management Director Mac McDonald will follow up on whether federal emergency funds were available to spray for mosquito in order to prevent diseases.

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo place the Mosquito Abatement Contract on the agenda for consideration.

The motion carried unanimously.

MOTION was made by Mr. Brock and seconded by Ms. Nicholson to approve the recommended Mosquito Abatement Contract to begin spraying as soon as possible.

The motion carried unanimously.

After review of the Mosquito Abatement Services Requests for Proposal, the staff recommended that Council award the contract to Gregory Pest Solutions for adulticide spraying covering up to 25,480 acres (\$24,500) and larvicide treatment 90 day briquettes (\$10,000).

Information From The South Carolina Association Of Counties Regarding Employee Retirement Contribution Increases (.5% increase)

In reference to the Legislative Alert that was included in the agenda package, Mr. Arrington said he wanted Council to know that increases were coming regarding state retirement and health insurance totaling about \$64,393. The staff had projected about \$90,000 in contingencies. These increases would be deducted from the contingencies.

Resolution No. 667, A Resolution To Create A Commission Pursuant To The Capital Project Sales Tax Act, South Carolina Code Annotated § 4-10-300, Et Seq.: To Provide For The Appointment, Composition, Duties And Responsibilities Of Such Commission And To Provide For Other Matters Relating Thereto.

Mr. Arrington stated that he would follow up on the appointments to the Capital Project Sales Tax Committee which will consist of six members with some from the municipalities. He asked Council to begin thinking about who to appoint. He also stated that if Council could not get the cities of Hartsville and Darlington to recommend appointees, then Council could make those appointments.

Mr. Flowers asked and Mr. Arrington will confirm whether the appointees can be elected officials.

Local Government Funds

Mr. Brock asked the status on local government funds. Finance Director Sherman Dibble provided the amount, which was not yet final.

Darlington County Community Action Agency Notice Of Lease Termination For Space At Society Hill Neighborhood Center And Robert L. Grooms Building

Mr. Arrington reported that the Community Action Agency had submitted notice that they would be leaving the Robert L. Grooms Building in Lamar and the Society Hill Neighborhood Center in Society Hill. He also informed Council that he had received calls from companies interested in leasing the space. Council will receive additional information later. Mr. Arrington added the facilities were in no better shape than the courthouse regarding repairs and maintenance. Therefore, he will recommend some modifications to the lease agreements to ensure that when County facilities are being leased, they are closed and locked during the weekends when the county is not in business.

Juleswood Residents

Mrs. Johnson stated that she sent the County Administrator and Council a letter last week regarding the residents in Juleswood Mobile Home Park having thirty days to move. As of today, no one had said anything about it. Mrs. Johnson commented that with everyone working together, something could be worked out. She also mentioned that after a certain number of years, mobile homes could not be moved. Therefore, the county must be involved.

Mr. Arrington mentioned that the owner could have the tenants move out with ample notice. He asked whether Council wanted him to write a letter. However, legally, this was not county property. Therefore, if the owner wants everyone to move from his/her personal property, Council could voice a concern but could not tell the owner what to do with his/her property.

Mrs. Johnson asked Council whether she was overstepping her boundary. She stated that if Council felt that the county has nothing to do with this, she would not say anything else about it.

Proposal For Employee Bonus

Mr. Arrington pointed out that the agenda package contained information about employee bonuses. This information was provided for Council to decide how to proceed. Given the budget challenges, Mr. Arrington said he was neutral regarding this matter. However, should Council decide to provide employee bonuses, it would have to be taken from Fund Balance.

Requests / Comments - Members Of Council

Mr. Brock commended Darlington County Economic Development and jobs coming to Darlington County.

Mr. Douglas talked about the poor condition of this road.

Mr. Coker requested that someone look into the county purchasing the property along Commanchee Road so that the CTC can build a retention pond and pave the entire road since this was a county road. He then talked about the Department of Corrections wanting the county to do something with the Detention Center and Council not having the funds. Mr. Coker said the he felt that Council's hands were tied. However, he would like for the county to show good faith to the State by hiring an additional person, although there were five vacancies in the Detention Center.

It was Mr. Coker's understanding that the county could not place county equipment on Lide Springs Road. He said Council needs to determine whether Lide Springs Road is a county road or private road. Chairman Hudson said the status of this road had been decided. It was a private road.

Mr. Coker suggested that that the county scrape this road once per month so that emergency vehicles can travel it.

Mr. Douglas stated that the ordinance needs to be changed. He felt that since there were about fifteen homes along Lide Springs Road, it could not be a private road.

Mr. Nicholson mentioned that the county should have never issued permits for homes to be built along Lide Springs Road. Therefore, the county should take on some of the responsibility.

Mr. Coker talked about repairs needed on Timberchase Road, the county not having funds for such projects, and his frustration regarding such matters.

Mr. Arrington commented that there would be a fiscal impact to repair the roads. He questioned whether the funds would be taken from Fund Balance and whether Council

would evaluate the worse roads to be repaired. He said there were ways to evaluate the roads, but the fiscal impact must be considered. Other than Fund Balance, Council would have to cut operations.

Chairman Hudson questioned whether the county could improve the roads so that emergency vehicles can travel them. He commended the Economic Development Partnership.

Vote For Executive Session - Receipt Of Legal Advice Regarding Environmental Services

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to vote for executive session for the receipt of legal advice regarding Environmental Services.

The motion carried unanimously.

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to vote for executive session for the discussion of the personnel matters regarding the Executive Assistant job description.

The motion carried unanimously.

Executive Session

Council recessed at 8:25 p.m. prior to going into executive session and reconvened at 8:50 p.m.

Executive Assistant Job Description

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to approve the Executive Assistant job description with the understanding that there would be no pay increase.

The motion carried unanimously.

Committee to Study Environmental Situation

Mr. Kilgo requested that the Chairman appoint a committee to study the environmental situation in Darlington County.

Chairman Hudson appointed Councilman Flowers to head the committee, Councilman Douglas, and Councilman Coker.

Adjournment

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to adjourn the meeting. There being no further discussion, the meeting was adjourned at 8:51 p.m.

Respectfully submitted,

J. JaNet Bishop, Clerk to Council

Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of July 18, 2016.