

SPECIAL MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

JUNE 22, 2015

A special meeting of the County Council of Darlington County was held the 22<sup>nd</sup> day of June 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 FY15/16 Budget was published in the Hartsville Messenger on June 3, 2015, in the Morning News on June 5, 2015, and in 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, Ms. Mozella "Pennie" Nicholson, and Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Terence Arrington, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Fire Chief Kenny Stratton, Codes Enforcement Director Randy Evans, Interim Finance Director Sherman Dibble, Janitorial/Building Maintenance Director Andrew Smith, Tax Collector Mae Helen Burch, Special Programs Coordinator Mac McDonald, Sheriff Wayne Byrd, Chief Deputy Sheriff James Hudson, Economic Development Director Frank Willis, Elections/Voter Registration Director Hoyt Campbell, Environmental Services Director Renee Howle, Auditor Rosa Hudson, Corrections Director Mitch Stanley, Human Resources Director Ginger Winburn, Recycling Coordinator Paula Newton, Interim Historical Commission Director Kay Williamson, Library Director Jimmie Epling, Airport Manager Barry Kennett, Corrections Officer Waddle Coe, and others.

REPORTERS PRESENT

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

**PUBLIC HEARING**

Ordinance No. 15-21, An Ordinance To Make Appropriations For Ordinary County Purposes For Darlington County For The Fiscal Year Beginning July 1, 2015 And Ending June 30, 2016, And To Provide For The Expenditures And Revenues Thereof

Chairman Hudson declared the public hearing open at 6:01 p.m. to receive comments on Ordinance No. 15-21 (Darlington County's FY15/16 Budget).

Councilwoman Johnson stated that she would not vote for the budget as presented. However, she commended the staff's efforts.

There being no further comments, Chairman Hudson declared the public hearing closed.

## **REGULAR MEETING**

### Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:02 p.m. Mr. Kilgo requested a moment of silence in reference to the event in Charleston. After a moment of silence, Mr. Douglas presented the invocation and Council and the audience recited the Pledge of Allegiance.

### Citizens' Comments

There were no Citizens' comments.

### Personal Appearance - Mr. J. Tal Windham, John T. Windham Insurance, LLC - Proposed Insurance Program For County Employees

Mr. Tal Windham, a Darlington County businessman and Colonial Life District Manager, indicated that over the past few months, he had been receiving calls from county employees. He said the county was being serviced out of Columbia and not from his office in Lamar. Therefore, he contacted Chairman Hudson and requested that a Darlington County business service the county employees. Mr. Windham stated that he could offer the county a lot of services at no cost by operating on a percentage of people seen. His agency would help the employees understand their benefits, provide employee benefits books, flu shots, etc. at no cost to the county.

Mr. Drexel Mixon reported that they conducted a feasibility study for the county and discovered common denominators that were driving up the county's premiums with the State Plan. He said they could reduce the county's rate by 60 percent, increase the coverage to 100 percent with employees paying a \$25 copay, cover everything at 100 percent after the deductible, no balance billing, place \$350 per employee in the county coffer, fund the employees' deductible by 75 percent, and reimburse the employees' copay. Mr. Mixon also mentioned that they could reduce the price on the county's dental and vision by 50 percent.

Mr. Arrington mentioned that the county does not have the historical data to guarantee anything. He also stated that once the county pulls out of the State Plan, the county could not return for four years. Therefore, the county would have to look at the numbers. The challenge is that the county does not have data from the State. Mr. Arrington requested that Council be very cautious about pulling out the State Plan. If the numbers do not pan out, the employees would incur additional cost.

Chairman Hudson suggested looking at this for another year.

Personal Appearance - Mrs. Rosa Hudson, County Auditor – FY15/16 Proposed Budget For Auditor’s Office

Mrs. Hudson presented concerns about funds being cut from her budget for a position in the County Auditor’s Office. She said the position aided the responsibilities of insuring the daily operation requirements of the Auditor’s responsibilities to the county. The position was vacant for about six months due to personal reasons and was not easily replaceable due to the technical expertise required. Mrs. Hudson talked about the role and primary function of the Auditor’s Office. She said it was counterproductive to fairness of the county to cut the Auditor’s staff to secure an overall county budget. Mrs. Hudson requested Council’s consideration to reinstate funding for this position.

Ordinances

Ordinance No. 15-21, An Ordinance To Make Appropriations For Ordinary County Purposes For Darlington County For The Fiscal Year Beginning July 1, 2015 And Ending June 30, 2016, And To Provide For The Expenditures And Revenues Thereof - **THIRD READING** (Initiated by the Staff)

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve third reading of Ordinance No. 15-21 (the FY15/16 County Budget).

Ms. Nicholson questioned whether the budget included an increase for the Animal Shelter.

Mr. Kilgo responded, yes.

Mrs. Johnson stated that she had a problem with county using the poverty line to balance the budget such as with the janitorial services contract, DSS, and funding for three positions. She presented her analysis of the costs and savings with the janitorial services contract. Mrs. Johnson stated that although she received a memo from the County Attorney, she thought there were changes whereby when people are dismissed from a job, the employer is responsible for the cost of the individuals’ health insurance for at least one year and the employer could not force the employees to take a job under the amount of their unemployment. Mrs. Johnson requested \$10,000 for PDRTA, \$50,000 for the grant writer position, and whatever funds needed to make things go smoothly.

Ms. Nicholson asked whether the proposed budget included any increases beyond what was initially presented.

Mr. Arrington said the budget now included additional funds for the Animal Shelter and funds for Clemson Extension Services. He pointed out that he received a letter from the Public Defender’s Office stating that according to state statute, the county could not reduce funding to the Public Defender’s Office. He contacted the county attorney and the South Carolina Association of Counties and they confirmed that the county could not reduce the Public Defender’s budget. Therefore, he increased the funds for this office to the amount they previously received. He pointed out that the overall numbers would not change because the funds were taken from the Contingency line item.

From her experience and practice in other counties, Ms. Nicholson thought there were exceptions to the county not being able to reduce the Public Defender’s Office. She will

provide an answer to this question once the budget process is over. She asked whether the budget included funds above what was initially proposed for the Animal Shelter.

Interim Finance Director Sherman Dibble responded that the budget increased by about \$48,000 from the initial proposed budget. The initial proposal for the Animal Shelter was \$100,350, which increased to \$148,345 representing the amount they received the prior year (\$151,372) minus two percent since every department was reduced by two percent.

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

#### Other Items

##### Sonoco Products Company – Rural Infrastructure Fund Grant Award, C-15-2497, \$300,000

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve the Rural Infrastructure Fund Grant Award for Sonoco Products Company.

The motion carried unanimously.

##### Administrative Update - Mr. Terence Arrington, County Administrator – Update

Mr. Arrington requested amendment to the agenda to add two hangar leases and a matter involving economic development.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to amend the agenda pursuant to the new statute to add the three items. Mr. Kilgo stated that the new statute requires 75 percent vote to amend the agenda to consider items.

The motion carried unanimously.

##### Lease Agreement With Russell Fauver For Hangar #2 And Lease Agreement With Bryan Drayton For Hangar #9

Mr. Arrington explained that the Airport Manager had been working very diligently to get tenants at the airport. The old Sonoco hangar and the FBO hangar are the only vacant hangars at the airport.

Mr. Arrington pointed out that the lease agreement for Hangar #9 was revised so that the tenant would have to provide one month's rent and one month's security deposit to ensure that when they vacate the hangar, it is left in good condition for the next tenant.

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve the lease agreement for Hangar #2 with Russell Fauver for \$225 per month and Hangar #9 with Bryan Drayton for \$135 per month.

The motion carried unanimously.

##### Fixed Price Agreement For Florence-Darlington Tec Foundation Park Certification

Economic Development Director Frank Willis explained that this was a part of the certification process for the industrial park. He indicated that the Department of Commerce contracted with McCallum-Sweeney firm to do the certification process, and one of their requirements is that the county provide a Fixed Price Repayment Agreement. Mr. Willis stated that with this, the McCallum-Sweeney firm is under the assumption that the county will pay for the certification which will cost around \$50,000. When in fact, Darlington County would not pay for the certification. He said the certification had been paid by the Technical Education College and half paid by NESAs (North Eastern Strategic Alliance). The

county has to submit, to McCallum-Sweeney, a Fixed Price Agreement for each property owner in the park. Mr. Willis emphasized that there would be no cost to the county. He was only requesting Council's approval of the Fixed Price Agreement.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to approve the Fixed Price Agreement.

Mr. Kilgo asked whether Mr. Willis would pay for this out of his pocket if it is later determined that the county has to pay.

Mr. Willis stated that the Technical College would pay. It was also his understanding that NESAs would pay one half of the cost.

The motion carried unanimously.

#### Administrative Update - Mr. Terence Arrington, County Administrator – Budget Update

Mr. Arrington stated that at a previous meeting, Council discussed potentially carrying over funds from this fiscal year to next year to cover the overtime needs for the Detention Center. He said the staff would begin the year-end closeout process with the intent to carry over funds as requested by Councilman Brock, at least \$50,000 depending upon the year-end results. The county would still have the contingency line item account.

Mr. Arrington also reported that there were additional discussions about bonus/incentive to employees. As discussed, this would depend upon the year-end close out. The staff would provide a resolution or update after the year-end closeout in July or August.

Mrs. Johnson asked about the Detention Center carrying a surplus of over \$200,000.

Corrections Director Mitch Stanley indicated that the Detention Center never had a \$200,000 surplus. However, they previously had about \$200,000 for overtime, which was reduced to \$177,000.

Mr. Arrington indicated that he had recommended a reduction in order to balance the budget. However, Councilman Brock recommended carrying over funds if there are funds left after the year-end closeout. He stated that Council and the staff would revisit the budgets monthly, as requested.

Chairman Hudson said Council would go back and look at funds for the position in the Auditor's Office.

Mr. Arrington mentioned that Resolution No. 629 required him to present a balanced budget, and he made cuts based upon what he thought would help get to that point. He talked about the number of positions that were not funded on the administrative side as compared to reductions for elected officials to order to balance by closing the \$300,000 budget gap. Mr. Arrington stated that the use of Fund Balance would require support of the entire County Council.

#### Requests / Comments – Members Of Council

Mr. Coker commended the budget and the idea of receiving monthly or quarterly updates. He briefly talked about employing more people in order to reduce overtime.

Ms. Nicholson stated that she was not happy with the budget. She talked about human needs should take priority over dogs and cats. Ms. Nicholson expressed opposition to the county not providing funds for mental health, Pee Dee Coalition, PDRTA, the Community

Action Agency, a position in the Auditor's office, and a raise for county employees. She also was opposed to there not being enough funds for law enforcement, Council providing an additional \$48,000 for the Animal Shelter than what was initially recommended, and Council providing funds for Rubicon when Rubicon's Director never appeared before Council and does not provide medical services.

Mr. Douglas talked about the state and federal governments cutting back on funds to the county. He commended the budget and requested that Council and the staff look at it closely every month or quarterly.

Mr. Brock commented about funds to the county being reduced and re-evaluating the budget in three to six months. He stated that Council was presented with an excellent, well prepared, and well presented budget. He also commended the County Council's email system.

Mrs. Johnson expressed disagreement with the janitorial employees losing their job due to the janitorial services being contracted out. She stated that using \$1 million from Fund Balance would not have hurt anything. Mrs. Johnson also expressed her disagreement with the county not funding PDRTA.

Mr. Kilgo commended and thanked Mr. Arrington for his efforts. He mentioned that the Hospitality Tax would begin on July 1<sup>st</sup> and may bring in extra money over a period of time. He requested that the staff makes sure that the Raceway knows about the Hospitality Tax.

Chairman Hudson commended the budget.

Executive Session - Discussion Of Negotiations To Proposed Contractual Arrangements Involving Rural Infrastructure Authority And South Darlington Watershed Project

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas for Council, the County Administrator, the County Attorney, and Interim Finance Director Sherman Dibble go into executive session for discussion of negotiations to proposed contractual arrangements involving Rural Infrastructure Authority and South Darlington Watershed Project.

The motion carried unanimously.

Council recessed at 7:15 p.m. prior to going into executive session and reconvened at 7:28 p.m.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to close out the South Darlington Watershed Project with both funding arms.

The motion carried unanimously.

Executive Session - Discussion Of Personnel Matters Regarding the Environmental Services Department

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers for Council, along with the County Administrator, the County Attorney, Interim Finance Director Sherman Dibble, Environmental Services Director Renee Howle, and Recycling Coordinator Paula Newton to

go into executive session for discussion of personnel matters regarding the Environmental Services Department.

The motion carried unanimously.

Council and the individuals listed went into executive session at 7:30 p.m. and reconvened at 7:34 p.m.

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to change the solid waste collection site operating schedule to be closed on Tuesdays and Thursdays, except for the solid waste collection site in Lamar, on Ruby Road, and Smith Avenue.

The motion carried unanimously.

Adjournment

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to adjourn the meeting. There being no further discussion, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

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J. JaNet Bishop, Clerk to Council

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Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of July 6, 2015.