

PUBLIC HEARING AND REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

May 2, 2016

A public hearing and regular meeting of the County Council of Darlington County was held this 2<sup>nd</sup> day of May 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 and 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.

A Notice of Public Hearing for the sale of property to Darlington County Water and Sewer Authority was published in the News and Press and the Hartsville Messenger on March 30, 2016.

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, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Interim Recreation Director Lee Andrews, Sheriff Wayne Byrd, Chief Deputy Sheriff James Hudson, Corrections Director Waddell Coe, Roads and Bridges Director Bobby Richardson, Human Resources Manager Ginger Winburn, Interim Development Services Director Terri Cribb, Airport Manager Barry Kennett, EMS Director Michelle Moore, Library Director Jimmie Epling, Emergency Services Director Mac McDonald, Assessor Kyle Johnson, Elections/Voter Registration Director Hoyt Campbell, Historical Commission Director Brian Gandy, Environmental Services Director Renee Howle, and others.

REPORTERS PRESENT

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

Recognition Of Retiree & Student Interns

Chairman Hudson presented a Certificate of Appreciation to the following students for their work as student interns for Darlington County: Morgan Jordan, Lilkyra Jenkins, Calvin Anfinson, Sadie McKenzie, Ashley McCall, Savion Harkless, and Marquez Blanks.

Chairman Hudson then presented a plaque to Mr. Ken McRae who was retiring after twenty years of service with Darlington Recreation Department.

### Public Hearing

#### Sale Of Property To Darlington County Water And Sewer Authority - Parcel #146-00-08-021 Containing Three And Eighty Tenths (3.796) Acres Located Off Highway 151 As Recorded In Deed Book 211 At Page 247

Chairman Hudson declared the public hearing open to receive comments on the sale of property to Darlington County Water and Sewer Authority.

There being no comments, the public hearing was closed.

### Invocation And Pledge Of Allegiance

Mr. Douglas presented the invocation and Ms. Nicholson led the Pledge of Allegiance.

### Citizens' Comments

Ms. Beverly Hamlin requested \$2,200 for Pee Dee Mental Health Center in Hartsville for alcohol and substance abuse programs.

#### Mr. Keith Evans, Developer - Request To Build Homes In Excess Of Maximum Limit As Designated In 2014 Agreement With County Council - Summerville Subdivision Located On Hoffmeyer Road

Mr. Evans reported that he entered an agreement with South Carolina Department of Transportation (SCDOT) last year for the installation of a turn lane off Hoffmeyer Road once 25 homes are built in Summerville Subdivision. He thought he had a permit but realized that the permit had expired after a certain amount of time. Mr. Evans explained that within six weeks of purchasing the property, SCDOT repaved and installed two layers of asphalt on Hoffmeyer Road. It was his understanding that he would have been given time to install the turn lane and apply one layer of asphalt. This would have saved him \$100,000 in expenses. Mr. Evan was at 25 houses and was now pursuing the installation of the turn lane. Therefore, he was requesting something in writing to say that it was alright for SCDOT to move forward since he was anticipating the sale of at least ten more homes in the near future.

Chairman Hudson directed that Mr. Evans meet with County Administrator Terence Arrington, Tax Assessor Kyle Johnson, and SCDOT (Roy Parnell).

### Personal Appearances

#### Ms. Karen Harmon & Mr. Sean Kelly, Honeywell Building Solutions - Assessment & Recommended Improvement To The Mechanical System (Heating/Air) At Darlington County Courthouse

Ms. Harmon reported that the County asked Honeywell to perform onsite assessment of the mechanical systems and pneumatic controls at the courthouse. She was present to present their findings and recommendations. Ms. Harmon presented a PowerPoint presentation on their findings regarding the systems and equipment at the courthouse to include the pneumatic compressor, refrigerated air drier, air lines, cooling tower, fan coil units, air handling units, and boiler. She talked about and presented pictures of the poor condition of the system and equipment. Ms. Harmon presented a recommendation to replace the existing compressor and non-functional air drier with new duplex compressor and

refrigerated air drier at an estimated cost of 12,000; to replace the cooling tower at an estimated cost of \$56,000; to repair or replace 89 fan coil units throughout the building at an estimated cost of \$133,500 to repair and \$275,900 to replace; and onsite service plan. She recommended an in-depth study regarding the air handling units to determine the logistics and options for replacement to energy efficient units, and a budget amount to convert the boiler to natural gas or high efficient unit.

Mr. Kilgo asked about mold, which Ms. Harmon indicated that she would not be able to speak about. However, she reported that there was green vegetation on the cooling tower on the roof of the courthouse.

Mr. Brock asked about and Ms. Harmon talked about the conversion to natural gas which would require an energy audit. Mr. Sean Kelly compared the cost for natural gas and fuel oil. However, an engineering study would need to be conducted to determine the amount of savings.

Ms. Nicholson asked the feasibility of converting to a solar system for the courthouse.

Mr. Kelly explained that one solution would deal with the equipment already in place were some of the piping could be salvaged. They were recommending repair or replacement of equipment. Solar would depend upon what the system would be engineered for (hot water consumption and heating).

Mr. Douglas noted that the current system in the courthouse was about 60 years old.

Mr. Kelly confirmed that it was the existing equipment. However, the chiller (cooling apparatus) had been changed along with the cooling tower. Many of the thermostats were in manual override and many of the controls were circumvented. He also reported that at the direction of the County Administrator, Honeywell performed repairs to address the immediate and critical needs in the environment and in some of the office spaces (replace thermostat, clean coils, etc.).

Mr. Flowers asked about an alternative system.

Mr. Kelly said there were alternative systems. However, the county would have to get an architect engineer to design something for the county. The building was designed with an older two pipe system with summer/winter switch over.

Chairman Hudson announced that Mr. Coker was absent from the meeting due to his son playing in a second round championship baseball game.

#### Mr. Roger Gore & Mr. Norm Steadman - Darlington County Long-Term Recovery Group/Flood Disaster

Mr. Gore stated that they were not prepared to make an appearance. They will reschedule for a later date.

#### Pastor Christopher Frazier, Request Follow-up Information Regarding Commanchee Road.

Pastor Fraizer, on behalf of Centerville Community Action Group and Commanchee Road residents, stated that the residents were present to follow-up with Council and to ask additional questions although the follow-up information was listed in the Consent Agenda (Item 4. L.), which he obtained online. However, the residents wanted to hear from Council

regarding the follow-up. He said the information in the Consent Agenda was the same information that the residents had received previously. However, the problem had not been resolved.

Pastor Fraizer reported on the poor condition of Commanchee Road (the Centerville end) due to the recent rain. He talked about emergency vehicles not being able to travel this road. Pastor Fraizer read a letter from CTC Chairman Pearson indicating where the Committee had planned to paved Commanchee Road (approximately 3,000 lf). He then presented concerns about the existing ditches not draining, where the water supposed to drain, and alternate drainage plans. Pastor Fraizer stated that the residents did not have anything to do with the change in elevation. The road had been plowed for over 60 years. However, there must be a solution. He asked whether they should engage the residents on Buckskin to find out whether they would be interested in selling property for a retention pond.

Chairman Hudson responded that CTC would have to answer the questions.

Roads and Bridges Director Bobby Richardson explained that the existing ditches were at a higher elevation than the road. The proposed ditches were never dug due to the right-of-way issues. He said there were at least five different options and briefly talked about each one.

Chairman Hudson suggested that Pastor Fraizer go to the CTC meeting to discuss the matter.

Mr. Douglas stated that the residents were tired to going back and forth from the CTC to Council.

Pastor Fraizer responded that during last month, Councilman Kilgo stated that there was a \$12 million surplus and made an amendment to set aside \$1 million for economic development. He felt that part of these funds were taxes that Commanchee residents had paid. Therefore, he emphasized that this matter was not going away.

Mrs. Johnson commented that Council was responsible for all the rules and regulations and the CTC works for Council. Therefore, Council should have been aware of what was going on.

A citizen commented about the water draining into people's yard when it rains.

Mr. Arrington clarified that at one time, CTC was going to pave the road, but there were residents who refused to sign for the work to be done. Therefore, CTC was prepared, at one time to do the work but needed authorization that they were not able to obtain.

Another resident indicated that everyone had signed for the entire road to be paved, but not half of it. Pastor Fraizer added that in 2014, everyone had signed except for one individual whom Attorney Cox contacted.

Pastor Fraizer mentioned that the residents were told that according to the ordinance, there must be 100 percent of the signatures. He requested a copy of this section of the ordinance. Currently, they had all the signatures.

#### Mr. Norm Steadman, Greater Darlington Chamber of Commerce - Darlington County Hospitality Tax

Greater Darlington Chamber of Commerce Executive Director Norm Steadman requested \$15,000 in Hospitality Tax funds for Freedom Fest - a fireworks festival held on

July 4 at Darlington Raceway. This festival, which is free to attendees, consists of a car show and fireworks display and attracted 10,000 people the first year (2014) and over 25,000 last year. He stated that this was a signature event for Greater Darlington Chamber of Commerce and the County. He talked about how investing in Freedom Fest was an investment in Darlington County.

Ms. Nicholson asked whether the deadline had passed to submit an application for Hospitality Tax funds.

Mr. Arrington responded that the Hospitality Tax funds had not been appropriated in the budget, which would require three readings of an ordinance. The Accommodations Tax application deadline had passed.

Mr. Kilgo believed that approximately \$15,000 were generated in Accommodations Tax from the racetrack during the Southern 500 Race weekend. Therefore, Council would be using monies that came from that facility to further the facility and to bring in a festival.

Mr. Arrington responded that there was about \$160,000 in Hospitality Tax. He requested that Mr. Kilgo clarify his statements.

Because of his relationship with Darlington Raceway, Mr. Flowers indicated that he needed to recuse himself from the discussion.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to receive the request as information.

Ms. Nicholson questioned how the festival was funded prior to this year. Mr. Steadman responded that most of the funds were from the City of Darlington along with corporate sponsors, entry fee for food vendors and car show entrants.

From the audience, Greater Darlington Chamber of Commerce Board Chairman Jannie Latham explained that Freedom Fest was sponsored by the Greater Darlington Chamber of Commerce, which represents that City of Darlington and the businesses within the city and the towns of Lamar and Society Hill. She pointed out that this event benefits all the local businesses and provides an opportunity to return revenue to the businesses that the Chamber supports and those businesses that pay this tax.

Mr. Arrington explained that Hospitality Tax revenue was being collected in the unincorporated areas of the county and not within the City of Hartsville, the City of Darlington, the Town of Lamar, nor the Town of Society Hill. He pointed out the tax was being collected and generated from the unincorporated areas only.

Mr. Kilgo stated that the racetrack was in the unincorporated area of the county.

Mr. Flowers said the county spent \$11,000 on Renofest that takes place in Hartsville. Because Freedom Fest was free, it was the first introduction to the racetrack for a lot of people. He talked about the Racetrack's efforts to have various activities at its facilities to expand into the communities. He also talked about the amount of money people attending this event would spend. Mr. Flowers felt that this would be an investment in selling the county as opposed to a single event. He stated that being an employee of the racetrack, he would not vote on this matter.

Mr. Cox clarified that the \$15,000 to Renofest was from Accommodations Tax funds and not Hospitality Tax revenue.

Mrs. Johnson suggested that this matter be tabled and reviewed in the same manner as the Accommodations Tax.

Attorney Cox recommended that Council receive this as information.

Mr. Brock questioned whether Council would establish a committee to distribute the Hospitality Tax revenue.

Mr. Arrington did not believe that Council had to appoint a committee similar to the Accommodations Tax Advisory Committee to spend/distribute Hospitality Tax revenue. However, if Council desired to do so, it could be done.

Mr. Steadman pointed out that the Chamber submitted this proposal last month. However, through miscommunication, he did not get called to the podium to speak.

The motion carried unanimously.

### **CONSENT AGENDA**

Included in the Consent Agenda were the following:

- 4.A. Notice Of The FAA's Land Use Compliance Inspection At Darlington County Airport
- 4.B. Annual Audit Report Update
- 4.C. 2016 Stormwater Annual Report
- 4.D. Marlboro/Darlington County Beaver Program Report, March 2016
- 4.E. Building Inspection Report March 2016
- 4.F. Building Permits Report March 2016
- 4.G. Fund Balance Question Regarding Development
- 4.H. Airport Commission Meeting Minutes
- 4.I. Airport Capital Improvement Plan FY 2017 - 2021
- 4.J. Fund Balance Policy Memo
- 4.K. Memo From IT Manager Arthur Moore Regarding Needs In The IT Department
- 4.L. Follow-up Information On Commanchee Street
- 4.M. Historical Commission March Minutes & Stats
- 4.N. Capital Improvement and Feasibility Report for Darlington County Environmental Services
- 4.O. Darlington County Parks and Recreation- Monthly Report - April 2016

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

Mrs. Johnson stated that Council needed to discuss Consent Agenda Items 4.B. and 4.J. at another time.

The motion carried unanimously.

### **Approval Of Minutes - April 4, 2016, Public Hearing & Regular Meeting**

**MOTION** was made by Mrs. Johnson and seconded by Mr. Kilgo to approve the minutes of April 4, 2016.

The motion carried unanimously.

Approval Of Minutes - April 8, 2016, Planning Worksession

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to approve the minutes of April 8, 2016.

The motion carried unanimously.

Approval Of Minutes - April 11, 2016, Special Meeting

**MOTION** was made by Mr. Brock and seconded by Mr. Douglas to approve the minutes of April 11, 2016.

The motion carried unanimously.

Ordinances

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 - First Reading

The title of Ordinance No. 16-13 was read for First Reading. No action required.

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 - First Reading

The title of Ordinance No. 16-14 was read for First Reading. No action required.

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 - First Reading

The title of Ordinance No. 16-15 was read for First Reading. No action required.

Resolutions

Resolution No. 665, Proclamation For Peace Officers' Memorial Day {page 436}

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve Resolution No. 665.

The motion carried unanimously.

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

**MOTION** was made by Mr. Flowers and seconded by Mr. Brock to approve Resolution No. 666.

Mr. Flowers stated that Councilwoman Johnson would like the residents to have a say in renaming the road and, at least, be contacted.

Mrs. Johnson confirmed that this was her request. She felt that the road name should not be changed without comments from that community. Therefore, she suggested that this matter be carried over and let the request come from the community.

Mr. Douglas and Mr. Brock stated that they would like the residents to have a say in the matter. Mr. Brock stated that Council changing the road name places a lot of burden on the residents to change their driver's license, utility bills, taxes, etc.

Planning Staff Julie Ritz explained that in February, a letter was mailed to each resident on the eastern portion of Lide Spring Road explaining the road renaming process along with a form for them to submit proposed names by March 30<sup>th</sup>. This process being outlined in the county's ordinance. Mrs. Ritz said the staff added time beyond the 30 days. As of March 30<sup>th</sup>, the staff had received no response. Only one person called the office and that individual's address was not on Lide Spring Road. In compliance with the ordinance, a notice was published in the Morning News and SCNow.com on April 3, 2016. The Public Hearing was scheduled for the same day as the Planning Commission meeting on April 19, 2016. A note regarding the public hearing was also sent to every property owner along the eastern portion of Lide Springs Road. Mrs. Christine Hennigan and one other person appeared. The individuals indicated that they did not have a problem with the road being renamed Generations Way. Therefore, the Planning Commission, during its regular meeting, acted on renaming the road. Mrs. Ritz further explained that when the staff realized that they were not going to receive any input, they began to think of a way to honor the families in this area without using names that the ordinance prohibits. Therefore, the staff came up with Generations Way.

Chairman Hudson questioned whether the residents were aware that with the road renaming, they would have to go to the post office to change their address, go to the bank, and have their driver's license changed. He believed that if the residents knew what this involved, they would not have wanted to rename the road. However, they may. Chairman Hudson wanted to make sure that the residents are aware of what this process would entail.

Mr. Flowers withdrew his motion and **MOVED** to carry over approval of Resolution No. 666. The motion was seconded by Mrs. Johnson.

The motion carried unanimously.

### Committee Reports

There were no committee reports.

### Other Items

Sale Of Property To Darlington County Water And Sewer Authority - Parcel #146-00-08-021 Containing Three And Eighty Tenths (3.796) Acres Located Off Highway 151 As Recorded In Deed Book 211 At Page 247

**MOTION** was made by Mrs. Johnson and seconded by Mr. Kilgo to approve the sale of the property listed above to Darlington County Water and Sewer Authority.

The motion carried unanimously.



Mr. Kilgo wanted to know the dimension of the property.

#### Request to Purchase a New Water Pump

Mr. Brock questioned whether funds to purchase the water pump were included in the budget.

Environmental Services Director Renee Howle explained that due to the amount of rain in October, the staff could not get to the cover material for the C&D landfill. Therefore, the department used some of its rental/lease money to rent a water pump at \$3,900. Currently, a water pump was needed to pump out water again.

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo to approve the purchase of a water pump for \$8,233.92.

The motion carried unanimously.

#### Schedule For Budget Worksessions And Special Meeting

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo to approve the schedule for the Budget Worksession and the Special Meeting.

The motion carried unanimously.

#### Contract for Independent Auditing Services

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo to approve the contract with Mauldin & Jenkins for independent auditing services at a cost of \$37,900 for the first year.

Mrs. Johnson suggested that Council discuss this during the budget worksession because it was not always the auditor's fault. She mentioned that the current independent auditor had worked for the county for over 30 years.

Mr. Arrington pointed out that this was for the independent auditor and not County Auditor Rosa Hudson.

Mr. Kilgo pointed out that the current independent auditor (Jordan & Myers) was hired in the 1980's and no longer had the capability to perform the county's audit. He said the proposed firm conducts a lot of government audits, has a large staff, and could perform the audit in about four months. This would also be a chance for a fresh look at the audit.

Ms. Nicholson talked about her asking the current auditors on last year whether the county was deficit spending. She stated that she never received an answer. Therefore, she would support this effort.

The motion carried unanimously.

#### FY16/17 Accommodations Tax Funding Recommendations & Lump Sum Appropriation Request

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to accept the Accommodations Tax Advisory Committee's FY16/17 funding recommendations and to approve the lump sum appropriations.

The motion carried unanimously.

Static Display Loan Agreement Between The National Museum Of The United States Air Force And Darlington County For The Static Display Aircraft (T-33) At The County Airport

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo and Mrs. Johnson to approve the static display loan agreement.

The motion carried unanimously.

Mr. Kilgo asked whether the static display aircraft was on the ground.

Mr. Andy Busbee confirmed that the aircraft was on the ground.

Request To Purchase Three APX 7000 Portable Radios VHF/800MHZ Using LEMPG Funds, Emergency Preparedness Agency

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo to approve the purchase of three APX 7000 portable radios using LEMPG funds.

The motion carried unanimously.

Monsanto Fund's America's Farmers Grow Communities Donation To Byrdtown Fire Department Station 12, \$2,500

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to accept the donation to Byrdtown Fire Station.

The motion carried unanimously.

CTC's Allocation Of Funds For Improvements To Watts Place, CPCNPO29927

**MOTION** was made by Mr. Douglas and seconded by Mr. Brock to approve CTC allocation of funds for improvements to Watts Place.

The motion carried unanimously.

Contract with RussCo Network for Information Technology Services

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to approve the contract with RussCo Network for information technology services.

Mr. Arrington explained that Mr. Arthur Moore was no longer with the county. However, prior to leaving, he included a memo in Council's agenda package outlining a lot of IT infrastructure issues. Therefore, according to RussCo's contract, RussCo would not be liable for anything that was pre-existing. RussCo would not be onsite. This external company would have to be called and someone would come out to provide the service based upon availability. He said there were already concerns from Elected Officials regarding response time.

Mr. Arrington said the former IT Manager voiced concerns about SLED mandates, etc. There were a lot to be done and the county needed to deal with a robust IT Department capable to servicing the needs of all of the departments. RussCo could address these issues. However, it would take some time. Mr. Arrington said it would be in the County's best interest to work with RussCo to obtain recommendations and a plan as to what the county needs to do to become compliant with the State, etc.

The motion carried unanimously.

Discussion Regarding Employee Background Check And Driving Record For Certain Positions

Attorney Cox pointed out that this matter was approved at Council's last meeting.

Administrative Update

Ordinance No. 15-32, An Ordinance To Provide For The Issuance And Sale Of A Not Exceeding Three Million Five Hundred Thousand Dollar (\$3,500,000) General Obligation Bond Of Darlington County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto (Environmental Services) - Third Reading

Mr. Arrington stated that at its meeting on April 11, 2016, Council tabled/carried over the discussion about the issuance of a \$3.5 million bond for the landfill. Therefore, Bond Attorney Ben Zeigler was present to answer any questions Council may have regarding this matter.

Attorney Ben Zeigler said he was informed that Council had deferred third reading of the bond ordinance. In December, he suggested that the county utilize a general obligation bond payable from property tax millage. He suggested that Council enact the ordinance which would include a provision stating that even though Council has given three readings to the ordinance to approve the bond, the bond would not be issued until Council subsequently approves a Resolution indicating that the county was ready to issue the bond. This provided a protection mechanism. Even though the ordinance was adopted, it was not the final authorization to issue the bond. This was suggested because according to State law, when an ordinance is enacted to issue general obligation debt (debt payable with property taxes), the county has to wait sixty days after approval of the ordinance - the Initiative and Referendum Period. Attorney Zeigler pointed out that Section 3.17 of the ordinance states that subsequent approval of the bond is required after third reading of the ordinance.

Attorney Zeigler also explained that an additional matter to consider was that the County would place money into a special fund each year for the landfill. Shortly before the general obligation payments are due, the county would determine the amount of money in the fund. If there are enough money in the fund from the fees to pay the bond, the county would inform the Auditor to not levy taxes to the extent that there was enough in the fund to pay the bond as explained in Section 3.14. Therefore, the intent was to adopt the ordinance and let the sixty-day period run. When Council is ready to issue the bond, Council would approve the Resolution.

Ms. Nicholson wanted to know how the county would inform the public about this initiative.

Attorney Zeigler indicated that he would explain the process as many time as Council would like.

Mr. Tyler Traudt and Mr. Walter Goldsmith, Financial Advisors with First Tryon, were present at the meeting. Mr. Traudt reported that they would assist with the issuance of the bonds. Mr. Zeigler would handle the legal components of issuing the bonds and he would get the best overall transaction and lowest interest cost for the county. He distributed

information for Council's review regarding general obligation bond debt service, which included increasing the Solid Waste Fee from \$53 to \$60 in order to have enough revenue to make all the payments on the general obligation bond and not have to levy debt service millage that would increase property taxes. Mr. Traudt presented information regarding the payments that would be repaid over a 20-year period at rate of 3.5 percent. He pointed out that with the \$60 Solid Waste Fee, there would be excess revenue of approximately \$17,000.

Mr. Flowers talked about increasing the Solid Waste Fee to \$63 and repay the loan quicker.

Mr. Traudt stated that it was their goal that whichever institution the county enters the agreement with, that institution would provide covenants and provisions that are acceptable with the county.

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 - First Reading

In reference to the proposed FY16/17 budget, Mr. Arrington distributed information from the state pertaining to unfunded mandates and county operations. He mentioned that there were a lot of unfunded mandates and things that the county needed to do that had not been done. Many of the things were pre-existing before he came to work with the county. His role was to provide Council with as much information as possible to help Council with the decision making aspect.

Mr. Arrington presented a letter dated April 27, 2016 from Mr. Blake Tayler of South Carolina Department of Corrections. He stated that the letters were more and more intensified. He also stated that, as the County Administrator, he had no oversight of the Sheriff's Department nor the Detention Center. However, the letters were addressed to him as the County Administrator. Mr. Arrington said he communicated to Mr. Taylor that he would share the information with Council. He briefly talked about PREA mandates that the county needs to comply with.

Mr. Arrington also provided Council with a Safeguard Inspection Findings Report from South Carolina Department of Social Services dated March 3, 2016. He said this would tie in some of the issues that the previous IT Manager had regarding what the county needed to do in reference to the departments. He talked about the significant amount of time it took the IT Manager to recover from a virus several months ago. Mr. Arrington also talked about the difficulty of one IT person working on issues, sitting in meetings regarding state mandates, etc. as work tickets continue to come in. He said a lot of decisions needed to be made in reference to the IT infrastructure and many of the unfunded State mandates.

Mr. Brock asked Mr. Arrington to explain what the information meant.

Mr. Arrington explained that Arthur Moore sat in on a long conference call with Clerk of Court Scott Suggs talking about the county's existing IT infrastructure which presents loopholes and accessibility to the IT network. The packet of information outlined all the issues DSS has with the county's existing infrastructure. These were unfunded mandates from another agency requesting that the county comply. Mr. Arrington said the County has to figure out how to pay for such items. If he uses funds from various departmental budgets, then Council would receive calls and complaints from operating departments and

elected/appointed officials. Therefore, his job as Council Administrator was to place Council on notice and share the information regarding such issues. Mr. Arrington said things were tight before he came to the county and were getting tighter. Therefore, Council must consider modifying the county's fee structure.

Mr. Arrington read his prepared letter regarding the proposed FY16/17 budget that was included in the agenda package. The letter stated that this year's allowable tax increase for the county was 0.12 percent (\$15,000) based upon the Consumer Price Index. He explained that this was not enough growth or revenue to handle some of the unfunded mandates, salary increases, vehicle purchases, courthouse repair, road repairs, etc. Mr. Arrington emphasized that Fund Balance is used to mitigate emergencies. Therefore, if Fund Balance is used on other things, the county would have to find additional revenue to cover the costs in the event of an emergency. He cautioned Council how the Fund Balance should be used.

Mr. Arrington's letter also stated that the recommended FY16/17 budget was balanced; that the operating budget did not have the fiscal capacity to address the issues presented at the recent Council Planning Worksession; that Council needed to prioritize how to address capital needs; and the county would pay an additional \$87,876.22 for health insurance. Mr. Arrington explained that counties have been told to budget local government funds at the same level as last year. Therefore, the key would be to diversify the revenue structure and not depend upon one-time revenue sources from the State that may or may not come. He presented information about the county's capital needs that require Council's immediate attention and talked about issues involving the courthouse, vehicles, other county facilities, detention center, the landfill, miscellaneous capital equipment, IT infrastructure, etc. He explained that the county has been confronted with a series of mandates from external regulatory agencies that have forewarned the county of what to expect if the county is non-compliant, such as the letter from the Department of Corrections regarding staffing the Detention Center. He noted that if an immediate plan of action is not implemented and adhered to, the county could be forced by the State to comply with such unfunded mandates. Mr. Arrington noted that the urgency of this situation was critical and Administration wanted to ascertain Council's positions on these items. He pointed out that as the County Administrator, there were limitations as to what he could spend. Therefore, it was his goal to present the information needed for Council to make the policy decisions. He also talked about the challenge to compile a balanced budget due to the manner in which the revenue structure was set and the fact that Council was not making the decisions needed to improve the existing infrastructure of the county.

Mr. Arrington explained that the FY16/17 General Fund operating budget reflects very little change from last year. Council was given the budget requests from each department and a balanced budget. He said Council has to make some changes in order to make the organization more sustainable. Overall, he anticipates approximately \$90,000 in savings due to the consolidation of the Planning Department with Codes Enforcement. However, with the IT Manager leaving, there were no savings since the county has to pay an outside vendor for IT services. In an effort to right size the organization and cut back on expenditures, Mr. Arrington recommended hiring an outside consultant to evaluate all county departments and provide a list of practical recommendations to Council and the

Administrator for review and execution in the attempt to reduce non-essential operating expenses and to streamline county operations.

The FY16/17 budgetary highlights for Council's review and consideration included the following:

- Employee health insurance increase (\$87,876.22).
- Funding for temporary help (as needed) in Human Resources Dept. (\$10,000).
- Longevity compensation for eligible employees (\$9,750).
- Additional funding for the Courthouse phone system and ISP (\$15,000).
- Operating expense reduction in the Registration & Elections Office (\$37,710.53 savings).
- Advertising expense reduction in the Tax Collector's Office (\$9,000 savings).
- Removal of funds for a vacant Correctional Officer position at the Prison Farm (\$39,467 savings).
- Relocation of two 911 Communication employees to the Emergency Telephone Fund (\$88,177 savings).
- Planning & Code Enforcement Consolidation (\$69,000 savings).
- Contingency Line Item Balance - 89,010.36 (83.25% increased savings) from FY15/16 budget.

Mr. Arrington talked about efforts to keep the budget balance as Council go through the budget process and worksessions and levying millage for various things (such as public safety millage, capital improvement millage, etc.) in order to provide the needed services. He recommended that Council review all the information presented tonight as well as the booklet compiled by the South Carolina Association of Counties (SCAC) on tax levies in the various counties.

#### Keith Evans' Request To Build Homes In Excess Of Maximum Limit As Designated In 2014 Agreement With County Council - Summerville Subdivision Located On Hoffmeyer Road

In reference to Mr. Evans' request, Attorney Cox said Council told Mr. Evans that once he obtains his permit, he could go forward with SCDOT to install the left turn lane and Council would give him permission to move forward. Attorney Cox pointed out that there would be a legal issue. He said that should Council approve Mr. Evans' request, the county would have to build the turn lane.

Chairman Hudson said he thought the developer would have to pay for the turn lane according to the agreement.

Attorney Cox said the SCDOT has indicated that this would be the county's responsibility. However, he would follow-up on this matter.

#### Requests / Comments - Members Of Council

Mr. Kilgo thanked the staff for getting the lights for the flag pole at the courthouse. He also commented that during a recent Council meeting, Councilwoman Johnson challenged him to go to Juleswood Drive to look at deteriorating property. He visited the site and saw five to seven pieces of homes that need to be torn down. These parcels were in the county.

He stated that if the parcels were within the City of Darlington, the structures would have been torn down because the City ordinance provides for the demolition of certain properties and the cost sent to the property owner or added to the owner's tax notice. Mr. Kilgo requested that after the budget process, an ordinance be prepared to allow the County to do the same.

Mr. Kilgo also reported that Pee Dee Electric contacted him about people placing signs on their power poles. Their workers were having trouble getting up the poles with hooks when signs are present. Therefore, he requested that after the budget process, an ordinance be prepared to prohibit the posting of signs on power poles.

Mr. Flowers stated that he was comfortable with Mr. Arrington putting together the budget since it was balanced. He said, "at a certain point, you have to trust your leadership." Mr. Flowers explained that if each Council member "pull threads" from the budget, this would unravel the entire budget. He requested that Council receive the proposed budget as information during the worksessions and give Mr. Arrington a "free hand" at fixing the problems since the problems had not been fixed in the past with the current structure. He said it was time to allow the Administrator to do what he needs to do. The county may lose something good, but may get something better.

Mrs. Johnson stated that she did not have a copy of her prepared priority list from the Planning Worksession. She talked about changing the name of Darlington County and the City of Darlington using hospitality tax revenues. Mrs. Johnson stated that during the past twenty plus years, the county received good audit reports compiled by Mr. Jordan. However, the county needs to do an analysis to find out what was being done wrong. She commended the Roads and Bridges Department.

Mr. Brock asked the status of mosquito spraying.

Mr. Arrington indicated that funds in the Contingency line item would be used to contract with a company for mosquito abatement.

Mr. Brock requested information regarding emergency dispatch providing directions during emergencies.

Mr. Douglas reported that Juleswood, Franklin, and Brown streets needed to be cleaned and the cost billed to the taxpayer. He commended the staff and recommended that someone come in and evaluate the departments to find out where cuts could be made.

Ms. Nicholson thought that Council had enacted an ordinance to address dilapidated homes during the former County Administrator's tenure. She said the county tore down several structures at her request. She asked Mr. Cox to check on this matter. Ms. Nicholson commended the staff for presenting a balanced budget.

Mr. Arrington confirmed that the proposed budget was balanced and there may be some things that the county would not be able to accomplish. He cautioned Council regarding unfunded mandates and the possibility that the State may not be as lenient anymore. The

State may want an executed plan of action, and the county would have to use Fund Balance or borrow funds. Mr. Arrington said the State had given the county time and several opportunities to get it right. The letters were provided to Council.

Chairman Hudson commended the courthouse cleanup and announced the death of Officer Timothy Swinton, a police officer from Lamar. He briefly talked about unfunded mandates.

Vote For Executive Session

There was not a vote for executive session.

Adjournment

**MOTION** was made by Mr. Kilgo to adjourn the meeting. There being no further comments, the meeting was adjourned at 8:15 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 June 6, 2016.