

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

October 2, 2017

A Regular Meeting of the County Council of Darlington County was held this 2nd day of October 2017, at 6 p.m., at the Courthouse Annex/EMS Building, 1625 Harry Byrd Highway (Highway 151), Darlington, South Carolina.

NOTICE OF MEETING

In compliance with the Freedom of Information Act, a copy of the agenda providing the date, time, and place of the meeting was emailed to the local newspapers, persons requesting notification, and posted on the county's website, on the bulletin board in the lobby of the courthouse, and at the entrance of the Courthouse Annex/EMS Building.

The Notice of Public Hearing for Ordinance No. 17-09, Ordinance No. 17-10, Ordinance No. 17-11, and the Propose Lease for space in Society Hill Neighborhood Center was published in the News and Press and the Hartsville Messenger on September 14, 2017.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. J. Lewis Brown, Mr. David Coker, Mr. Robert L. Kilgo, Jr., and Ms. Joyce W. Thomas.

COUNCIL MEMBERS ABSENT

Ms. Mozella Nicholson.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Elections/Voter Registration Director Hoyt Campbell, Emergency Medical Services Director Michelle Moore, Human Resource Manager Ginger Winburn, Recreation Director Lee Andrews, Roads and Bridges Director Bobby Richardson, Emergency Management Coordinator Molly Odom, Captain Mark Campbell, Lieutenant Robby Kilgo, and others.

REPORTERS PRESENT

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

PUBLIC HEARING

Proposed Lease Of Certain Space In Society Hill Neighborhood Center, 223 Hall Street, Society Hill, SC, To Crystal Jackson, dba I Am Visible, LLC, A Tutoring And Academic Enrichment After-School Program

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on the proposed lease as listed above.

There being no comments, the public hearing was closed.

Ordinance No. 17-09, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Two (Activities Governed By The Ordinance), Section 2.3 (Plat Approval, Recordation) To Require New Lots To Have Direct Access, A Legal Right-Of-Way, Or Private Easement To A Public Road; And Article Five (Development Design Standards), Section 5.8 (Lot and Parcel Design Requirement) To Increase The Number Of Lots Off An Access Or Utility Easement; And Establish The Effective Date Of This Ordinance - THIRD READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 17-09.

There being no comments, the public hearing was closed.

Ordinance No. 17-10, An Ordinance To Amend Ordinance No. 17-02 (Darlington County FY17/18 Budget Ordinance) For A Supplemental Appropriation To The Library Fund To Receive And Expend An Additional \$17,191 In State Aid Funds For Darlington County Library System And Establish The Effective Date Of This Ordinance - THIRD READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 17-10.

There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order/Invocation/Pledge Of Allegiance

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

Citizens' Comments

Ms. Nancy Jackson presented pictures and concerns regarding an overgrown house located on the corner of Society Hill Road and (Peanut Street) Murraywood Road. She reported that the house was falling down, trees had grown through the roof, the roof was caving in, the windows were broken, and the doors were hanging off. She also stated that the property was attracting rats and snakes to the area. Ms. Jackson said the structure has been an eyesore for many years and needs to be torn down. The owner lives in another state and the last tenants moved out of the house about ten years ago. She has, in the past, paid someone to cut the grass/weeds on this property.

Mr. Stewart responded that the county could require the owner to board up the house. However, the owner will not acknowledge letters from the county or pay property taxes for the property. The property was sold on the tax sale last December, and unless the current owner pays last year's tax and this year's tax before December 13, 2017, the property will be deeded to a new owner.

Mr. Cox explained that on December 13, 2017, a title/new deed will be prepared in the name of the person who bid on the property. Normally, a year later, the new owner will

bring an action to clear all possible liens and/or judgments on the title and get a fee simple title. However, within the year, the new owner can clean up the property.

Mr. Douglas thought that the property had previously been sold to someone else.

Mr. Cox confirmed that the property was sold for taxes at the last tax sale. The high bidder from the tax sale will receive a deed to the property on December 13, 2017. He said the current deeded owner does not respond to anything the county sends her, or any requests to fix it up or pay the property taxes.

Mr. Stewart stated that he did not know of a third owner. However, the current owner has been the owner for a number of years and there will be a new owner on December 13, 2017. He also mentioned that the property could have been sold at a previous tax sale and the owner paid all the taxes so that the property never transferred owners. Mr. Stewart stated that under the county's current Nuisance Ordinance, the county can only ask the owner to board up the property. If the property is deemed as an extreme danger, the county could tear down the structure and bill the owner. He said the property has bad shingles, broken windows, and trees growing beside it. However, the structure was not falling to the ground. Mr. Stewart emphasized that the county has done what it can legally do without Council condemning and taking the property which would be an entirely different process (condemnation).

Mr. George Cannon complained about the kids having to walk in the street instead of on the sidewalks along Washington Street in the Kingsville Heights area due to the sidewalks and ditches needing to be cleaned. He stated that when the county was contacted about cleaning the ditches, the staff indicated that doing so would jeopardize their jobs. He also mentioned that there was a problem with snakes in this area due to the ditches not being cleaned in about fifty 50 years.

Mr. Stewart responded that Washington Street was not a county maintained road.

Roads and Bridges Director Bobby Richardson stated that he did not know whether a portion of Washington Street was within Hartsville city limits. However, this was a State maintained road.

Mr. Cannon felt that since the road was located within the County and regardless of it being a State maintained road, the county should clean the ditches and sidewalk.

Mr. Stewart mentioned the possibility of the School District assisting with getting the ditches cleaned in order for the kids to walk to/from Washington Street School. He emphasized that this was not a county maintained road, although it was located within the county.

Mr. Cannon reported that all the ditches were dug by the county about 50 years ago and are on property lines. He also mentioned that the City of Hartsville previously cleaned the area.

Chairman Hudson asked the staff to confirm who owns/is responsible for the ditches.

Ms. Carolyn Johnson, of Florence, reported that she was proposing to open an adult day care facility on Sally Hill Road in Darlington County to service seventy-five elderly, special need individuals and veterans. She will employ 13 to 25 people, operate from 7 a.m.

to 6 p.m., provide transportation for the clients, and serve as a resource center to assist the elderly and veterans with various services and help them stay in their homes. Ms. Johnson requested Council's assistance to obtain a building located on Sally Hill Road at/near the water tower. She provided background information regarding her experiences.

Mr. Doug Reimold and Ms. Annette Reynolds, members of Bahai Faith ministries, extended an invitation to Council members to attend the bicentenary of the birth of Bahauallah scheduled for October 21, 2017, at Poynor Adult Education Auditorium in Florence. Mr. Reimold asked Council to consider a resolution proclaiming October 22, 2017, as the Bicentenary of the birth of Bahauallah. He stated that Bahai teaching addresses all humanities about the realization that we are all one people under one God and the need to overcome the barriers of race, nationality, religion, gender, wealth, and poverty, and to end prejudice which separates and prevents the realization on one. A copy of the of the resolution and invitation was handed out prior to the Council meeting.

Ms. Reynolds requested to read a portion of the resolution.

Amendment to the Agenda

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to amend the agenda to bring forth Resolutions to this point in the meeting.

The motion carried unanimously.

Resolutions

A Resolution Proclaiming October 22, 2017, As The Bicentenary Of The Birth Of Bahauallah

Mr. Flowers requested and Ms. Reynolds read the resolution in its entirety, as attached hereto.

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to approve the resolution proclaiming October 22, 2017, as the Bicentenary of the birth of Bahauallah.

Mr. Kilgo noted that the Bahai Faith is the second largest religious group in South Carolina.

The motion carried unanimously.

Personal Appearances

There were no personal appearances.

Consent Agenda (Receive As Information)

There were no consent agenda items.

Approval Of Minutes - Minutes of Regular Meeting of September 19, 2017 - CARRY OVER REQUESTED

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to carry over approval of the minutes of the regular meeting held on September 19, 2017.

The motion carried unanimously.

Ordinances

Ordinance No. 17-09, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Two (Activities Governed By The Ordinance), Section 2.3 (Plat Approval, Recordation) To Require New Lots To Have Direct Access, A Legal Right-Of-Way, Or Private Easement To A Public Road; And Article Five (Development Design Standards), Section 5.8 (Lot and Parcel Design Requirement) To Increase The Number Of Lots Off An Access Or Utility Easement; And Establish The Effective Date Of This Ordinance- THIRD READING

MOTION was made by Mr. Kilgo and seconded by Mr. Brown to approve third reading of Ordinance No. 17-09.

The motion carried unanimously.

Ordinance No. 17-10, An Ordinance To Amend Ordinance No. 17-02 (Darlington County FY17/18 Budget Ordinance) For A Supplemental Appropriation To The Library Fund To Receive And Expend An Additional \$17,191 In State Aid Funds For Darlington County Library System And Establish The Effective Date Of This Ordinance - THIRD READING

MOTION was made by Ms. Thomas and seconded by Mr. Kilgo to approve third reading of Ordinance No. 17-10.

The motion carried unanimously.

Ordinance No. 17-12, An Ordinance To Amend Darlington County Code Of Ordinances To Repeal Chapter 40 (Personnel), Article II. (Department Head Residency Requirement) Declaring Same To Be Null And Void And Of No Effect - SECOND READING

Chairman Hudson requested carry over of second reading of Ordinance No. 17-12 for additional information.

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to carry over second reading of Ordinance No. 17-12 for additional information.

The motion carried unanimously.

Ordinance No. 17-13, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 6. (How Development Permits Are Reviewed And Approved), Section 6.3. (Conditions For Subdivision Or Development Plan Approval), To Establish A Reduced Development Fee For Plan Review For Churches And Non-Profit Organizations, And To Establish The Effective Date Of This Ordinance - SECOND READING

MOTION was made by Mr. Flowers and seconded by Mr. Coker to approve second reading of Ordinance No. 17-13.

The motion carried unanimously.

Ordinance No. 17-14, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), Section 2-412 (Fee Schedule), To Add A Section Establishing Uniform Fees And Rates For Copy, Search,

Retrieval, And Redaction Of Public Records Pursuant To South Carolina Freedom Of Information Act, As Amended - SECOND READING

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to approve second reading of Ordinance No. 17-14.

The motion carried unanimously.

Ordinance No. 17-16, An Ordinance (1) Authorizing The Execution And Delivery Of An Amendment To The Existing Agreement For Development Of Joint County Industrial And Business Park (Darlington And Lee Counties) Dated April 14, 1998 Between Darlington County, South Carolina And Lee County, South Carolina (The "Park Agreement") To Extend Certain Time Periods Set Forth In The Park Agreement Regarding Diminution Of The Boundaries Of The Park And Termination Of The Park Agreement And To Enlarge The Boundaries Of The Park To Include Certain Property Owned And/or Operated By Fiber Industries LLC; And (2) Authorizing Other Matters Related Thereto - FIRST READING

The title of Ordinance No. 17-16 was read for first reading. No action required.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions/Committees:

Mr. Douglas (Council Dist. 2). Mr. Douglas carried over his appointment to the Alcohol & Drug Citizen Advisory Committee (Attendance), Ambulance Commission (Appointment), and Construction Board Of Adjustment/Appeals (Vacant).

Mr. Hudson (Council Dist. 4). Mr. Hudson carried over his appointment to the Alcohol & Drug Citizen Advisory Committee (Attendance), Construction Board Of Adjustment/Appeals, and Parks & Recreation Commission (Attendance).

Mr. Flowers (Council Dist. 5). Mr. Flowers carried over his appointment to the Airport Commission (Vacant), Alcohol & Drug Citizen Advisory Committee (Attendance), Board of Assessment Appeals (Appointment), Construction Board Of Adjustment/Appeals (Vacant), Historical Commission (Appointment), and Parks & Recreation Commission (Appointment).

Ms. Nicholson (Council Dist. 6). With Ms. Nicholson being absent, her appointment to the following boards/commissions were carried over: Airport Commission (Reappointment/Appointment), Library Board (Attendance), and Parks & Recreation Commission (Attendance).

Mr. Brown (Council Dist. 7). Mr. Brown carried over his appointment to the Alcohol & Drug Citizen Advisory Committee (Attendance).

Mr. Coker (Council Dist. 8). Mr. Coker asked whether he could reappointment Ms. Patricia Holley to the Historical Commission (Appointment). Mr. Flowers indicated that Ms. Holley would continue serving until Mr. Coker appoints someone to replace her. Therefore, if he wishes for her to continuing serving, he needed to carry over the appointment.

Mr. Coker carried over his appointment to the Historical Commission.

Appointment To The Courthouse Construction Advisory Committee (Physically Disabled Representative) - Chairman Hudson

Chairman Hudson carried over his appointment of a physically disabled representative to the Courthouse Construction Advisory Committee.

Mr. Flowers suggested that the School District may be a good resource to find a person (physically disabled individual) since their department heads/administrators deal with physical challenges regarding their structures and classes.

Chairman Hudson indicated that he would contact the School District.

Proposed Lease Of Certain Space In Society Hill Neighborhood Center, 223 Hall Street, Society Hill, SC, To Crystal Jackson, dba I Am Visible, LLC, A Tutoring And Academic Enrichment After-School Program

Chairman Hudson requested carryover of the proposed lease for space in Society Hill Neighborhood Center.

MOTION was made by Mr. Brown and seconded by Mr. Flowers to carry over the proposed lease for certain space in Society Hill Neighborhood Center to Crystal Jackson, dba I am Visible, LLC, for a tutoring and academic enrichment after-school program.

Mr. Douglas questioned the number of times this matter had been carried over.

Mr. Stewart reported that this would be the first time this matter was carried over. After Council had approved this same lease last October, the person informed the county that she did not want the lease. The lease was now being carried over to make sure that the proper insurance has been secured and background information obtained. He pointed out that with this lease, the county will be leasing space to someone else to take care of children. The matter involving the proper type of insurance, since this involves children, was brought to the county's attention on today.

In response to Ms. Thomas' question as to whether the building was vacant and whether the person would be using only a part of the building, Mr. Stewart stated that the lease was for space formally used by headstart. He also stated that this was a business leasing space in a county building for a children's program. Therefore, the county needs to ensure that the business is properly insured.

The motion carried unanimously.

Request For The Board of Directors of SC Association Of Counties To Broaden The Selection Of Sites For The SC Annual Conference To Cities Other Than Hilton Head Island

Mr. Kilgo stated that a few weeks ago, Council received a letter from Kershaw County asking other counties to join them in requesting that the South Carolina Association of Counties Board of Directors look for another site for its Annual Conference which is currently

held on Hilton Head Island. He talked about there being other places and cheaper places to hold the conference. A letter from Darlington County Council was drafted and included in the agenda package.

MOTION was made by Mr. Kilgo and seconded by Ms. Thomas to approve sending the proposed letter to Mr. Henry H. Livingston, III, SCAC Board of Directors President, requesting that a different location is considered for SCAC's Annual Conference.

The motion carried unanimously.

Facilitator For Five (5) Community Forums Regarding The Courthouse Project, \$9,250

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve the contract with the Weathers Group to facilitate five community forums regarding the courthouse project at a total cost of \$9,250 from courthouse bond funds.

Mr. Flowers asked about the timeframe for the project and to prepare for the forums.

Mr. Stewart stated that the public forums are tentatively scheduled to begin in November and go through January. By the end of January, the staff should have all the tabulated results and a packet of information from the facilitator indicating what the public presented at the meetings, their priorities, their concerns, etc. Then council would have several months to prepare a referendum for the November 2018 ballot, if needed. The goal would be to have everything done by July.

Mr. Stewart stated that once the contract is approved, the staff would confirm the meeting locations. Mr. Flowers had volunteered the Music Hall for the central location.

Mr. Kilgo suggested using Darlington City Hall/Chambers for the Darlington area forum. Mr. Douglas suggested Society Hill Library for the Society Hill area forum. Mr. Stewart indicated that someone had suggested having the Hartsville area forum at Hartsville Middle School Auditorium where the solar farm forum was held. Chairman Hudson offered Lamar Town Hall Courtroom or Lamar Library.

The motion carried unanimously.

Request To Prohibit Through Truck Traffic (Over 6 Wheels) On Belle Aire Street Near Society Hill And Install Signs To That Effect

MOTION was made by Mr. Douglas and seconded by Mr. Flowers to approve the request to prohibit through truck traffic (truck with more than six wheels) on Belle Air Street near Society Hill and to install signs to that effect.

The motion carried unanimously.

Administrative Update

Mr. Stewart said he did not have an update. However, several projects would be ready for Council's review in November.

Requests / Comments - Members Of Council

Mr. Coker indicated that he would be willing to help in any way possible to improve the sidewalks along Washington Street so that the children will be safe.

Mr. Brown stated that he would echo Mr. Coker's comments regarding the sidewalks along Washington Street. He said this may not be a county issue, but it falls under the quality of life. Therefore, it was incumbent upon Council to influence in some way or assist in resolving the matter.

Mr. Brown also commended the work of Mrs. Bishop as Clerk to Council.

Chairman Hudson and Ms. Thomas also commended and thanked Mrs. Bishop. Ms. Thomas reminded Council that the month of October is Breast Cancer Awareness Month. She informed Council that she would be serving the underserved counties by addressing poverty. This would include working with the schools.

Mr. Kilgo stated that several months ago, Council approved a resolution proclaiming October 15, 2017, as Billy Farrow Day. Scheduled events to honor the 75th Anniversary of Billy Farrow's murder include a church service at First Baptist Church and a service at Darlington Veteran's Memorial where a wreath will be placed on the monument honoring Farrow.

Chairman Hudson thanked everyone for attending the meeting.

Vote For Executive Session - Discussion Of Personnel Matters Regarding County Administrator Employment Contract

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to vote for an executive session for discussion of personnel matters regarding the County Administrator's employment contract.

The motion carried unanimously.

Executive Session - Discussion Of Personnel Matters Regarding County Administrator Employment Contract

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo for Council, the County Attorney, and the ability to call the County Administrator into executive for discussion of personnel matters regarding the County Administrator's employment contract after a five-minute recess.

The motion carried unanimously.

Council recessed at 6:48 p.m. and reconvened at 6:59 p.m.

Amendment To The Agenda

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to amend the agenda to place on it the employment contract for the county administrator.

The motion carried unanimously.

County Administrator's Employment Contract

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to approve the employment contract that had been reviewed and that it be a two-year contract effective October 1, 2017.

The motion carried unanimously.

Adjournment

MOTION was made by Mr. Kilgo to adjourn the meeting. There being no further comments, the meeting was adjourned at 7 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of November 6, 2017.

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

RESOLUTION NO. 678

BICENTENARY OF THE BIRTH OF BAHÁ'U'LLÁH

WHEREAS, a crying need of humanity is the achievement of unity, peace, and justice in our communities; and

WHEREAS, in the nineteenth century, Bahá'u'lláh, the founder of the Bahá'í Faith, brought a message of human dignity, capacity, and oneness suited to the requirements of contemporary life; October 22, 2017 marks the two-hundredth anniversary of the birth of Bahá'u'lláh; and

WHEREAS, since the 1970s, the Bahá'ís of Darlington County have striven to apply this vision to the material and spiritual life of the Pee Dee region, working across lines of race, class, and gender to promote unity and to serve their fellow citizens; and

WHEREAS, the Pee Dee region has produced such Bahá'í luminaries as John Birks "Dizzy" Gillespie, Louis G. Gregory, and Ronald E. McNair, Ph.D., who have contributed immeasurably to the cultural and intellectual life of the nation; and

WHEREAS, the community-building activities currently undertaken by the Bahá'ís and their collaborators in the Pee Dee region empower diverse participants in our neighborhoods to be agents of social change, working together for the betterment of the world; and

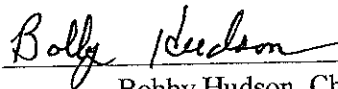
WHEREAS, the Bahá'ís of the Pee Dee area, their families, friends, neighbors, and coworkers are commemorating this bicentenary, along with Bahá'ís across the United States and around the world;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of Darlington County, South Carolina, the Darlington County Council, to hereby proclaim Sunday, October 22, 2017 as the

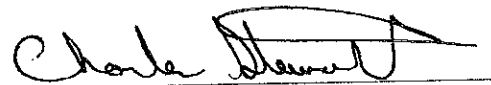
BICENTENARY OF THE BIRTH OF BAHÁ'U'LLÁH

We hereby urge all to resolve on this day: to promote in themselves and in their relations with others those qualities and attributes that will help bring about the recognition of the oneness of humanity; to embrace diversity; and to work for unity in our local community, in our country, and in the world.

IN WITNESS WHEREOF, I have hereunto set my hand on this 2 day of October, 2017.



Bobby Hudson, Chairman
Darlington County Council

Attest: 

Charles Stewart
County Administrator