

PUBLIC HEARING AND REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

September 19, 2016

A public hearing and regular meeting of the County Council of Darlington County was held this 19th day of September 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 in the lobby of the courthouse, 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

Interim County Administrator Marion Charles Stewart, III, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Emergency Preparedness Director Mac McDonald, Tax Assessor Kyle Johnson, Airport Manager Barry Kennett, E-91/Central Communications Coordinator Gary White, Roads and Bridges Director Bobby Richardson, Fire Chief Ricky Flowers, Emergency Services Director Michelle Moore, Environmental Services Director Renee Howle, Development Services Director Terri Cribb, Human Resources Director Ginger Winburn, Library Director Jimmie Epling, Elections/Voter Registration Director Hoyt Campbell, Recreation Director Lee Andrews, Chief Deputy Sheriff James Hudson, Darlington County Board of Education Chairman Connell Delaine, and others.

REPORTERS PRESENT

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

PUBLIC HEARING

Proposed Lease Authorizing The Entry By Darlington County, Lessor, Into An Agreement For The Lease Of T-Hangar No. 11 Located At Darlington County Airport, Hangar Access Road, Darlington, South Carolina

Chairman Hudson declared the public hearing open at 6 p.m. to receive public comments on the proposed lease of T-Hangar No. 11.

There being no comments, the public hearing was closed.

Ordinance No. 16-17, An Ordinance To Amend Ordinance No. 16-14, FY16/17 General Fund Budget, For A Supplemental Appropriation To Provide Funds For The Thirty (30) Percent

Fee Associated With The Collection Of Delinquent Taxes And To Establish The Effective Date Of This Ordinance, Second Reading

Chairman Hudson declared the public hearing open to receive public comments on Ordinance No. 16-17.

There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order/Invocation/Pledge Of Allegiance

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

Citizens' Comments

There were no citizen comments.

Personal Appearances

Ms. Joette R. Dukes, Pee Dee Regional Council of Governments Workforce Development Director – Pee Dee Regional And Pee Dee Local Workforce Development Area Plans

Ms. Dukes appeared on behalf of Pee Dee Workforce Development Board and Pee Dee Regional Council of Governments to request Council's approval of Pee Dee Local Workforce Area Plan and Pee Dee Regional Workforce Plan. The Executive Summary for each plan was included in Council's agenda package.

Ms. Dukes talked about how the Workforce Innovation and Opportunity Act of 2014 reformed the workforce development system. A major change was the requirement for a regional plan and a local plan as opposed to a single plan. The Local Workforce Development Area consists of Chesterfield, Darlington, Dillon, Florence, Marion, and Marlboro Counties. Under the new structure for the regional plan, the local region (Pee Dee Region) is combined with Santee Lynches Workforce Development Area (Kershaw, Clarendon, Lee, and Sumter Counties) and Waccamaw Local Workforce Development Area (Williamsburg, Horry, and Georgetown Counties).

Ms. Dukes talked about how Pee Dee Workforce Development Board, appointed by the six county councils, will develop, align, and integrate service delivery strategies with those that support the Workforce Board's strategic and operational goals for workforce programs in South Carolina. She also talked about how the plan for each of the three local areas were combined into an umbrella plan to makeup the regional plan, which indicates the targeted industries they will work with as a three workforce area region to provide seamless service to employers.

MOTION was made by Mr. Flowers and seconded by Ms. Nicholson to approve the Local Workforce Development Plan and the Regional Workforce Development Plan.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

- 6.A. *Building Permits Report, July 2016*
- 6.B. *Building Inspection Report, July 2016*
- 6.C. *Animal Control Report, July 2016*
- 6.D. *Dates County Offices Will Observe For Christmas & New Year's Holidays*
- 6.E. *South Carolina Association Of Counties' Fall Meeting Of The County Council Coalition & Institute Of Government For County Officials, October 2016*

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

The motion carried unanimously.

Approval Of Minutes: Minutes Of Special Meeting Of August 8, 2016; Minutes Of Special Meeting Of August 9, 2016; Minutes Of Regular Meeting Of August 15, 2016; Minutes Of Joint Dinner Meeting Of Darlington County's Municipal Councils, County Council, Board of Education, & Legislative Delegation Of August 29, 2016; and Minutes of Special Meeting Of September 2, 2016

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve the minutes of August 8, 2016, August 9, 2016, August 15, 2016, August 29, 2016, and September 2, 2016.

The motion carried unanimously.

Amendment To The Agenda – Request From The Town Of Lamar

MOTION was made by Mr. Brock and seconded by Mr. Coker amend the agenda to consider the request from the Town of Lamar under Other Items (11.G.)

The motion carried unanimously.

Ordinances

Ordinance No. 16-17, An Ordinance To Amend Ordinance No. 16-14, FY16/17 General Fund Budget, For A Supplemental Appropriation To Provide Funds For The Thirty (30) Percent Fee Associated With The Collection Of Delinquent Taxes And To Establish The Effective Date Of This Ordinance, SECOND READING

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to approve second reading of Ordinance No. 16-17.

The motion carried unanimously.

Ordinance No. 16-18, An Ordinance To Amend Darlington County Code Of Ordinance, Chapter 26 (Fire Prevention And Protection), Article II. (Darlington County Fire Prevention District), Division 1 (Generally) And Division 2 (Board Of Fire Control) To Replace The Fee Schedule With Mitigation Rates, To Update Verbiage, And To Establish The Effective Date Of This Ordinance - FIRST READING

Chairman Hudson read the title of Ordinance No. 16-18 for first reading. No action required.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Proposed Lease Authorizing The Entry By Darlington County, Lessor, Into An Agreement For The Lease Of T-Hangar No. 11 Located At Darlington County Airport, Hangar Access Road, Darlington, South Carolina

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to approve the lease authorizing the entry by Darlington County into a Lease Agreement with Ritchie Bond for lease of T-Hangar No. 11.

The motion carried unanimously.

Appointments To Boards/Commissions (Alcohol & Drug Citizen Advisory Committee - Coker), Airport Commission- Flowers), (Construction Board of Adjustment & Appeals - Douglas & Flowers), (Library Board - Flowers), (Planning Commission - Johnson)

Mr. Coker and Mr. Flowers carried over their appointments. Mrs. Johnson nominated Mr. James Cooper, Sr. to the Planning Commission.

MOTION was made by Mrs. Johnson and seconded by Mr. Flowers to appoint Mr. James Cooper, Sr. to the Planning Commission.

The motion carried unanimously.

Note: After the Council meeting, Councilwoman Johnson (Council District 3) clarified that she intended to appoint James Cooper, Jr. to the Planning Commission instead of James Cooper, Sr. It was verified that James Cooper, Jr. does not reside in Council District #3 and therefore, could not serve as a Representative Of Council District 3 according to Darlington County Code of Ordinances, Section 2-201 and Section 42-58.

Process Change For Issuing Address For New Construction

MOTION was made by Mr. Brock and seconded by Mr. Kilgo to approve the process change for issuing address for new construction.

The motion carried unanimously.

Purchase Of Emergency Lighting For Fire District's Staff Vehicles (State Contract Vendor)

MOTION was made by Mr. Douglas and seconded by Mr. Brock to approve the purchase of emergency lighting for the Fire District's staff vehicles from the State Contract vendor using funds (\$25,312.84) from the Fire District Bond.

Mr. Kilgo questioned whether there was a local vendor. Fire Chief Ricky Flowers' response was no.

The motion carried unanimously.

Purchase OF Equipment For Fire District's Staff Vehicles

MOTION was made by Mr. Brock and seconded by Mr. Douglas to approve the purchase of equipment for the Fire District's staff vehicles.

Ms. Nicholson asked whether the equipment was for the vehicles or the fire trucks.

Fire Chief Ricky Flowers responded that the equipment was for the six staff vehicles recently purchased.

Mr. Kilgo asked whether there was a local vendor for the equipment. Fire Chief Flowers' response was no.

The motion carried unanimously.

Town Of Lamar's Request For Two Surplus Vehicles

Chairman Hudson read the letter from Lamar Chief Charles Woodle requesting two pick-up trucks to be used in Lamar's Maintenance Department.

MOTION was made by Mr. Flowers and seconded by Ms. Nicholson to approve the Town of Lamar's request and give them the 2008 F250 and the 2011 F150 surplus from the Fire District.

Mr. Douglas presented concerns that other fire departments may want a surplus truck.

Mr. Stewart commented that, in the past, rescue squads have requested and received surplus vehicles. If anyone else requests a surplus vehicle, he/she would have to wait until a vehicle becomes surplus.

The motion carried unanimously.

Committee Report – Solid Waste Study Committee (Flowers, Douglas, Coker)

Mr. Flowers reported that the Solid Waste Study Committee recently met at the landfill. He talked about the current compactor system at the transfer station and the need for a new system. Mr. Flowers reported that it was decided at the Committee meeting that the Environmental Services Director would work with the Interim County Administrator to come up with the specific dollar amount, the timeframe for how long the equipment and system are down, the financing of the different projects, the options to pay for the projects (bonds, increased fees, etc.), the timeframe for the bond, and the projects that would be addressed each year. He requested that the staff present their report to Council by the November County Council meeting.

Mr. Douglas and Environmental Services Director Renee Howle briefly talked about a backup system wherein the "hill" would be built up so that the trucks could back up to it to load trash into the trucks. The work to implement this would be done in-house.

Ms. Howle and Mr. Flowers talked about needed improvements at the landfill.

Mr. Coker suggested hiring a full time maintenance person as opposed to a part time person due to the amount of time the equipment is down. Mr. Flowers suggested two full time employees for the general welding, cleaning, greasing, etc.

Ms. Howle pointed out that because the belt on the current system is obsolete, when it goes down, the drivers have to stop driving to work on the belt. There is no company to work on it.

It was suggested that Mr. Stewart look at making the maintenance position a full time position as opposed to a part time position.

Administrative Update

Interim County Administrator Charles Stewart stated that Ms. Nicholson had asked about lawsuits. He reported that part of the list had been prepared and Attorney Cox was working on a letter regarding ongoing lawsuits. The report should be presented by October.

Ms. Nicholson requested a list of all county employees who have a contract and a copy of the contract. Mr. Stewart will follow up.

Mr. Stewart reported that Mr. Kilgo had requested that the staff arrange a meeting for Palmetto Fire to talk with Council. He said the individual respectfully declined. Mr. Stewart pointed out that Palmetto Fire District is an independent special purpose tax district.

Mr. Stewart said he, along with Human Resources Manager and the Finance Director, would prepare a report for Council regarding the changes in the Fair Labor Standards Act and how it will affect the county's salaried employees. He also stated that the staff would present a detailed list of all the final vehicles/equipment for lease purchase.

Requests / Comments - Members Of Council

Ms. Nicholson requested that the Building Inspector look at abandoned residential structures in the area off Blanding Drive and Hunter Drive. She said some of the structures were boarded up and contributing to the deterioration of the community and illegal activities. She volunteered to ride with the staff to look at the structures.

Ms. Nicholson reported that she took pictures of Sheriff Deputies who were sitting at the Markette talking to each other for more than one half hour. Meanwhile, there were murders every few minutes off Blanding Drive and Russell Road.

Ms. Nicholson talked about and commended Butler Heritage Foundation's recent activities. She reported that the "old black cemetery" that houses the remains of the former Dr. Butler, for which Butler School was named, has been an eyesore in the community for many years. She asked Mr. Stewart to check into this matter.

Ms. Nicholson asked the status of the tax initiative for the courthouse and the competing initiative by the School District.

It was Chairman Hudson's understanding that the School Board would ask for the penny sales tax again. He said the School District would like to renew their bond and continue the penny sales tax for fifteen years, which would hurt the county in getting the penny sales tax. Chairman Hudson reported that of every dollar collected, the School District gets sixty-six cents, Florence-Darlington Tec gets twelve cents, and the county gets what is left. He indicated that the School District would have this matter on the ballot this year. He also

mentioned that there needs to be a new school in Lamar and a new courthouse for the county.

Ms. Nicholson wanted to know when would be the earliest that the county could get something on the ballot.

Mr. Stewart said Council would have to first approve an ordinance indicating that there would be a referendum for an additional one cent. There was no way that the county could get ahead of the School District since August 15, 2016 was the deadline to submit a request to have such on the November ballot. Mr. Stewart pointed out that until it is known whether the School District's penny passes, the county would be making plans to add an addition penny sales tax in Darlington County.

Ms. Nicholson questioned the county's position should the School Board's referendum fails in November.

Mr. Stewart responded that the county would be able to pursue a penny sales tax without causing additional tax.

Mrs. Johnson commended the county's work on Watts Road located in the South Darlington Project area. She requested that the county clean/maintain the ditch on Limit Street and the ditch behind Pecan Grove Apartments.

Mr. Flowers asked about and Recreation Director Lee Andrews reported on the games, game schedule, and location. They commended the use of the Dovesville Park.

Vote For Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements

MOTION was made by Mr. Kilgo and seconded by Mr. Brock to vote for executive session for discussion of negotiations incident to proposed contractual arrangements.

The motion carried unanimously.

Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements

MOTION was made by Mr. Kilgo and seconded by Mr. Brock for Council, the County Attorney, and the Interim County Administrator to go into executive session for discussion of negotiations incident to proposed contractual arrangements, with the ability to call in representative(s) from Mauldin and Jenkins.

The motion carried unanimously.

Council recessed at 6:51 p.m. prior to going into executive session and reconvened at 7:08 p.m.

Upon reconvening, a **MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve the contract dated August 29, 2016 for Mauldin & Jenkins to do the county's FY14/15 and FY15/16 audits.

The motion carried unanimously.

Adjournment

MOTION was made by Mr. Flowers to adjourn the meeting. There being no further discussion, the meeting was adjourned at 7:09 p.m.

Respectfully submitted,

J. JaNet Bishop
Clerk to Council

Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of October 3, 2016.