

PUBLIC HEARING & SPECIAL MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

June 26, 2014

A public hearing and special meeting of the County Council of Darlington County was held June 26, 2014, at 9 a.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 Courthouse Annex/EMS Building.

A Notice of Public Hearing for Ordinance No. 14-02, Ordinance No. 14-03, Ordinance No. 14-04, Ordinance No. 14-05, Ordinance No. 14-06, Ordinance No. 14-07, Ordinance No. 14-08, and Ordinance No. 14-09 was published in the Hartsville Messenger and the News and Press on June 11, 2014.

COUNCIL MEMBERS PRESENT

Chairman Wesley Blackwell, Vice Chairwoman Ms. Mozella "Pennie" Nicholson (*arrived at 9:05 a.m.*), Chaplain Dannie Douglas, Jr., Mr. Robbin Brock, Mr. Marvin Le Flowers, Mr. Bobby Hudson, Mrs. Wilhelmina P. Johnson, and Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Dale Surrett, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Finance Director Perry Strickland, Materials Manager Sherman Dibble, Planning Director Doug Reimold, Fire Chief Kenny Stratton, Codes Enforcement Director Randy Evans, Human Resource Director Ginger Winburn, Treasurer Belinda Copeland, Corrections Director Mitch Stanley, Tax Collector Mae Helen Burch, Economic Development Director Frank Willis, Prison Farm Director Jonathan McFadden, Emergency Services Director Charles Stewart, Sheriff Wayne Byrd, Historical Commission Director Doris Gandy, Interim Central Communications Director Rodney Tucker, Darlington County Humane Society Representative Kathy McDonald, and others.

REPORTERS PRESENT

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

PUBLIC HEARINGS

Ordinance No. 14-02, An Ordinance To Provide For The Levy Of Taxes For Corporate Purposes Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The General Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Provide For Budget

Control Of Said Appropriations By The County Council; And To Make Provisions For The Fiscal Affairs Of Said County For Said Fiscal Year

Chairman Blackwell declared the public hearing open at 9 a.m. to receive comments on Ordinance No. 14-02.

~ Councilwoman Mozella Nicholson arrived at 9:05 a.m. ~

Councilwoman Wilhelmina Johnson read a prepared statement indicating that FY2014/2015 budget should be the same as FY2013/2014 budget. She stated that approving the proposed budget would deviate from FY2013/2014 budget because of the changes and cuts in the Sheriff's Office, the Detention Center, the Prison Farm, the incentive pay, and other funds. Mrs. Johnson suggested using funds from the Capital Fund Balance line item to balance the budget. She concluded by stating that the contract with the South Carolina Department of Corrections for the Prison Farm to house State inmates needed to be approved today because it expires on June 30<sup>th</sup>.

Councilwoman Mozella Nicholson stated that she would mirror Mrs. Johnson's comments.

Corrections Director Mitch Stanley explained that it would be a mistake to cut overtime from the Detention Center budget because many of the officers depend upon the overtime because the pay scale was so low. Compensatory time in addition to vacation time would provide for the officers to be off from work more because they would have more time to take off. Without overtime, the officers could not meet the training standards required by the State because the officers could not train during normal work schedule. Mr. Stanley also talked about the possibility of lawsuits due to inadequate staffing and the possibility of having to discontinue services such as litter control, the bloodhound unit, patrol assistance, overnight hospital stays with inmates, juvenile transports to Columbia, assistance at the racetrack, etc. He suggested that the county make the effort to implement the staffing, as indicated in the staffing study, over a two-year period. He asked Council to reconsider this matter.

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

Ordinance No. 14-03, An Ordinance To Provide For The Levy Of Fees For The Countywide Enhance 9-1-1 Emergency Telephone System For Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Emergency Telephone System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-03.

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

Ordinance No. 14-04, An Ordinance To Provide For The Levy Of Taxes For The County Library System Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Library System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-04.

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

Ordinance No. 14-05, An Ordinance To Provide For The Levy Of Taxes For The County Environmental Services Fund For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Environmental Services Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-05.

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

Ordinance No. 14-06, An Ordinance To Provide For The Levy Of Taxes For The County Fire District Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Fire District Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-06.

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

Ordinance No. 14-07, An Ordinance To Provide For The Levy Of Fees For The Development Partnership Fund For Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Development Partnership Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-07.

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

Ordinance No. 14-08, An Ordinance To Provide For The Levy Of Taxes For Fire Control Purposes Within The Hartsville Fire Protection District For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Appropriate Said Funds For Payment To The City Of Hartsville As Authorized By Chapter 26, Article III, Of The Darlington County Code Of Ordinances (Hartsville Fire Protection District) And Pursuant To An Agreement With The City As Authorized Therein; And To Establish The Effective Date Of This Ordinance

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-08.

Mr. George Cannon questioned whether this ordinance related to Palmetto Rural Fire District and the City of Darlington. He also questioned whether this would result in his taxes doubling due to the bond issue.

Chairman Blackwell responded that this ordinance would not affect Palmetto Rural Fire Department or the City of Darlington and would not cause Mr. Cannon's taxes to double.

Mr. Cannon talked about the residents in the Kelleytown area currently paying double taxes, and he was paying taxes in the same manner. He disagreed with Chairman Blackwell's response.

Mr. Flowers explained that this ordinance was for the five-mile radius. Therefore, everyone inside the five-mile radius would receive his or her fire protection from the City of Hartsville. Everyone living in the county would pay for the bond, except those who live within the city limits of Darlington and Hartsville.

Mr. Surrett added that the one mil bond would only apply in the county Fire District. The budget being discussed (Ordinance No. 14-08) was for Hartsville Fire District, which was a separate entity from the county Fire District. He also stated that the residents in the five-mile area around Hartsville, Darlington, and Palmetto Rural Fire District would not pay the additional mil of taxes. This was based upon the five-mile response area from the stations.

Mr. Cannon stated that if Hartsville decides not to do this, the county would charge him to float a bond to provide the services, which would cause him to pay more taxes.

Mr. Surrett explained that should Council choose not to do the Hartsville Fire District, it would be up to the City of Hartsville. The lawsuit stated that the City of Hartsville had established this response area as its territory. Therefore, when the county began the fire district, Hartsville did not want it to apply to the five-mile area. Therefore, if Council did not do the millage, it would be up to the City of Hartsville to collect taxes from the five-mile area. The county would not be involved with collecting the taxes. This was put in place as an effort to assist the City in collecting the fees necessary to provide the coverage in the five-mile area. This was not a requirement.

Mr. Cannon presented his interpretation of the court settlement as provided by his attorney.

Chairman Blackwell clarified that the proposed ordinance concerned Darlington County allocating county funds to the five-mile radius of Hartsville to pay for Hartsville providing fire service. He said Mr. Cannon's concern about the bond ordinance was outside this ordinance.

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

Ordinance No. 14-09, 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, 2014, And Ending June 30, 2015

Chairman Blackwell declared the public hearing open to receive comments on Ordinance No. 14-09.

Ms. Elizabeth Nock asked whether the funds in Ordinance No. 14-09 were designated for Pee Dee Mental Health.

Chairman Blackwell clarified that the ordinance designates Rubicon as the agency for alcohol and drug abuse programs.

Ms. Nock requested that Council consider funding Pee Dee Mental Health. She talked about how Pee Dee Mental Health was trying to find beds for individuals with mental illness.

Councilman Robert Kilgo concurred with Ms. Nock that something needs to be done.

Councilwoman Wilhelmina Johnson commented that the county needs to ensure that these funds were also being used to provide assistance to county employees and inmates.

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

## **SPECIAL MEETING**

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

Chairman Blackwell called the special meeting to order at 9:35 a.m. Mr. Douglas presented the invocation and Mr. Hudson led the Pledge of Allegiance.

### Comments - County Attorney James C. Cox, Jr.

Mr. Cox stated that it came to his attention that some people did not understand how a member of Council could make a motion and another member of Council second that motion, then after the discussion, the person making the motion or seconding the motion does not vote for the motion. He explained that with the parliamentary procedure that County Council uses to get something up for discussion, someone has to make a motion and someone has to second the motion. The fact that a person makes a motion does not mean that he or she is in favor of it. Then through the consensus and discussion by the eight County Council members, from what is said or points made, the person who made the motion may not be in favor of it. Therefore, people should not be confused by the process and think that people are changing their mind. Mr. Cox also stated that there was a practice in parliamentary procedure for reconsideration by an individual who vote with the majority. He explained that sometimes a Council member may vote with the majority when he/she is not really in favor of the motion, but knowing that the motion will pass and give him/her a chance to make a motion for reconsideration later.

### Other Items

#### New Building Permit Fee Schedule

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to table consideration of the new building permit fee schedule until after third reading of the budget ordinances.

The motion carried unanimously.

#### Edward Byrne Memorial Justice Assistance Grant Award No. 1G13036, LIVE Scan Upgrade Grant Award, \$40,500, Sheriff's Office

**MOTION** was made by Ms. Nicholson and seconded by Mrs. Johnson to approve the LIVE Scan Upgrade grant award for the Sheriff's Office.

Mr. Surrett confirmed that the grant would not require matching funds.

The motion carried unanimously.

Letter Regarding Darlington County Prison Farm Dated June 12, 2014, From Blake E. Taylor, Division Director of S.C. Department of Corrections/Compliance, Standards, & Inspections -- **Receive As Information**

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to discuss the letter from Mr. Blake Taylor of South Carolina Department of Corrections.

Ms. Nicholson stated that the letter from Mr. Taylor should be published for the public and not just for the agenda package. She wanted the press to receive a copy of the letter.

Chairman Blackwell and Mr. Surrett confirmed that the press had received a copy of letter in their agenda package.

Mrs. Johnson commented that Mr. Taylor did not want there to be a big surprise regarding what Council was talking about doing with the staff at the Prison Farm. She said Mr. Taylor also mentioned that the contract between the county and South Carolina Department of Corrections to house State inmate would expire on June 30, 2014. She suggested that Council consider the contract at the end of this meeting. Mrs. Johnson commended Mr. Taylor's efforts.

Mr. Kilgo pointed out that what Council was attempting to do (to terminate the Prison Farm) was not illegal. In the letter, Mr. Taylor was just advising Council of what he will do if Council terminates the Prison Farm.

Chairman Blackwell concurred with Mr. Kilgo about Mr. Taylor advising Council.

Ms. Nicholson talked about Council ignoring pertinent information. She suggested that Council put aside political and personal differences and act on a budget that would be fair to Darlington County. She also talked about the county not growing.

The motion carried unanimously.

Department of Health & Environmental Control FY2015 Used Oil Grant Award, \$14,870 - Environmental Services/Recycling

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the Used Oil Grant award.

Mr. Surrett indicated that the grant would not require matching funds from the county.

The motion carried unanimously.

Department of Health & Environmental Control FY2015 Solid Waste Grant Award, \$9,500 - Environmental Services/Recycling

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the Solid Waste Grant award.

Mr. Surrett indicated that the grant would not require matching funds from the county.

The motion carried unanimously.

Department of Health & Environmental Control FY2015 Waste Tire Grant Award, \$36,750 - Environmental Services/Recycling

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the Waste Tire Grant award.

Mr. Surrett indicated that the grant would not require matching funds from the county.

The motion carried unanimously.

Ordinances

Ordinance No. 14-02, An Ordinance To Provide For The Levy Of Taxes For Corporate Purposes Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The General Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Provide For Budget Control Of Said Appropriations By The County Council; And To Make Provisions For The Fiscal Affairs Of Said County For Said Fiscal Year - **THIRD READING**

Chairman Blackwell stated that at Council's last meeting, Council approved second reading of Ordinance No. 14-02. This information was included in Council's agenda package as Exhibit A, General Fund Budget Workshop.

Mr. Hudson asked about the amount of Fund Balance used during the past several years as indicated in the agenda package as Exhibit C.

Chairman Blackwell commented on the amount of Fund Balance used over the past several years and the amount remaining. He stated that Council members need to be responsible and understand that the county was spending more money than it has.

Mrs. Johnson suggested following the current budget to eliminate all the proposed cuts.

Chairman Blackwell asked Mr. Cox to address whether the actions taken during the budget worksessions were valid.

Attorney Cox said the actions taken during the workshops were valid. For Council to come to a consensus, there has to be a motion and vote in a public session.

Mrs. Johnson stated that what was done in the workshop was not what was in the current budget.

**MOTION** was made by Mrs. Johnson to delete all the cuts that were made during the worksessions and go back to the management budget for fiscal year 2013/2014.

Chairman Blackwell clarified that Council could not make a motion until the Ordinance was read. There being no further general discussion for clarity, Mr. Kilgo read the title of Ordinance No. 14-02.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve third reading of Ordinance No. 14-02.

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to delete all the cuts and go back to Fiscal Year 2013/2014 budget without any cuts.

The staff provided information from the May 15, 2014 Budget Workshop which contained the figures before Council. The information represented the current year's budget with the required increases for health insurance, retirement, and workers compensation.

Mrs. Johnson indicated that she was requesting that the overage be taken from the Capital Fund Balance.

Chairman Blackwell and Mr. Flowers indicated that Mrs. Johnson's motion did not include the required increases for health insurance, retirement, and workers compensation. Mrs. Johnson's motion was to adopt the FY13/14 budget.

Mr. Surrett handed out information showing the current budget with the addition of \$200,000 in revenue as a result of increasing the building fees and the addition of \$209,035.30 for increases in health insurance, retirement, and workers compensation. This was where Council began prior to making any cuts. Mr. Surrett pointed out that the information assumes the \$200,000 increase in Building Code fees. Should Council decide not to increase the Building Code fees and keep the same schedule, the Capital Fund Balance amount would have to change from \$1,225,525.28 to \$1,425,525.28.

Ms. Nicholson clarified Mrs. Johnson's motion to adopt the current budget and balance it using funds from the Capital Fund Balance.

Mr. Flowers pointed out that the motion did not include the required increases. However, as she stated the motion, Council would adopt the FY13/14 budget.

Mrs. Johnson stated that the only changes in the amount from 2013/2014 would be the state required increases, which were not reflected in her motion because the amount would come from the Capital Fund Balance.

After some discussion, Chairman Blackwell pointed out that Mrs. Johnson did not say anything in her motion about the revenue from the building permit fee or the required increases. He requested that Mrs. Johnson's motion be restated.

Mr. Kilgo suggested that Council recess and let the County Attorney write the motion based upon what was said.

#### Recess

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson for Council to recess. Council consensually recessed at 10:13 a.m. and reconvened at 10:27 a.m.

#### Continuation - Ordinance No. 14-02, An Ordinance To Provide For The Levy Of Taxes For Corporate Purposes Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The General Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Provide For Budget Control Of Said Appropriations By The County Council; And To Make Provisions For The Fiscal Affairs Of Said County For Said Fiscal Year - **THIRD READING**

Upon reconvening, Chairman Blackwell asked Mr. Cox to read Mrs. Johnson's amendment to the motion.

Attorney Cox explained that it would be appropriate for Mrs. Johnson to withdraw her amendment and the second be withdrawn. Then make a new amendment motion to approve the FY2014/2015 budget, adding to it \$209,035.30 for the health insurance, retirement, and workers compensation increase mandates, which would provide for a budget with \$25,768,369.94 in expenses. If Council approves the amendment, Council would be taking \$1,225,525.28 from the Capital Fund Balance, for a total budget of \$25,768,369.94. Mr. Cox said Council should take into consideration that Council had tabled a motion for \$200,000 increases in building permit fees. If this motion does not pass, then the Capital Fund Balance deduction would be \$1,425,525.28.



Mrs. Johnson withdrew her motion and Ms. Nicholson withdrew her second. However, Mrs. Johnson did not agree to the motion as stated by Attorney Cox because she wanted all the proposed cuts dropped from the ordinance.

Attorney Cox clarified that what he stated would do what Mrs. Johnson was requesting. He said the proposed motion would put back into the budget what was deducted. If Council approves what he read as the amendment and the main motion, Council would have done that. The only thing left would be to go back to the motion regarding the building permit fee schedule. If Council approves the proposed building permit fee schedule, the Capital Fund Balance would remain the same. If the building permit fee schedule is not approved, then \$200,000 would have to be added from the Capital Fund Balance.

Chairman Blackwell clarified that what Mr. Cox read was Mrs. Johnson's amendment *(to approve the FY2014/2015 budget, adding to it \$209,035.30 for the health insurance, retirement, and workers compensation increase mandates, which would provide for a budget with \$25,768,369.94 in expenses. If Council approves the amendment, Council would be taking \$1,225,525.28 from the Capital Fund Balance, for a total budget of \$25,768,369.94. Council should take into consideration that the motion for \$200,000 increases in building permit fees. If this motion does not pass, then the Capital Fund Balance deduction would be \$1,425,525.28).*

Mrs. Johnson said, "yes." Ms. Nicholson seconded the amendment.

Mr. Brock and Mr. Hudson clarified that there were no cuts in overtime.

Chairman Blackwell also clarified that the budget did not contain funds for the nine or ten people for the Detention Center as recommended as a result of the study.

Chairman Blackwell called for the vote. Those voting in favor of the motion were Mr. Brock, Mr. Hudson, Mr. Douglas, Ms. Nicholson, and Mrs. Johnson. Opposing were Mr. Blackwell, Mr. Flowers, and Mr. Kilgo.

The motion carried.

**MOTION** was made by Mr. Blackwell and seconded by Mr. Flowers to amend the General Fund Budget to increase Council's pay by \$3,000 annually and increase the County Administrator's pay by ten percent.

Mrs. Johnson stated that Council members did not deserve the pay they were receiving.

Chairman Blackwell announced that he would not be on Council next year, so the increase would not be for him. However, Council members deserved an increase. He explained that Council makes \$7,000 per year, and it costs more than this to serve on Council when looking at mileage, expenses, etc. He said Council members do not get reimbursed for mileage to attend Council meetings or to go places to serve on committees. Chairman Blackwell said serving on Council has cost him the amount of money that he was paid.

Mr. Douglas mentioned that Darlington County Council was the lowest paid County Council in the State.

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

The motion failed.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to amend the General Fund Budget to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

Mr. Flowers confirmed that the line item budget would be available at the libraries.  
The motion carried unanimously.

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo for Council members, who are appointed by County Council to serve on Committees, to be reimbursed for mileage to attend Committee meetings.

**MOTION** was made by Mr. Kilgo for the mileage reimbursement to apply to any travel outside Darlington County. Since Mr. Brock agreed to the amendment, this was made a part of Mr. Brock's motion.

Chairman Blackwell called for the vote for Council members, who are appointed by County Council to serve on a Committee, be reimbursed for mileage to travel to committee meetings outside Darlington County.

The motion carried unanimously.

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to amend Section 18(A.) of the Budget Ordinance (Ordinance No. 14-02) to increase the cost for photocopy from twenty-five cents per copy to one dollar per copy.

Mr. Kilgo talked about his experience in obtaining a deed from Horry County. He had to pay an access fee to look up the deed and \$1 per page. Mr. Kilgo stated that people expect to pay for copies and this was a place where the county could get a little money back.

The motion carried unanimously.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to amend Section 18(I.) of the Budget Ordinance (Ordinance No. 14-02) to increase EMS Category 1 - Basic Life Support Emergent from \$350 to \$500; to amend Section 18(J.) to increase EMS Category 2 - Advance Life Support (1) from \$450 to \$750; and amend Section 18(K) EMS Category 3 - Advance Life Support (2) from \$750 to \$1,000.

Emergency Services Director Charles Stewart indicated that this would have no effect on the primary collections from Medicare, Medicaid, and primary insurances. Increasing the fees would only affect private payers who have no way of paying. He explained that the county would bill private payers and go after their State income tax return if they do not pay. He pointed out that the county was already above Medicare, Medicaid, and third party insurance companies' maximum allowable.

Mr. Surrett added that when the county accepts participation in Medicare and Medicaid, the county has to agree to their fee schedule. Therefore, if the amount exceeds what they will reimburse, the county has to write off the remainder. Private insurance may pay a certain amount and the patient will be responsible for any remaining amount. The increased fee would be applicable to private payers wherein the patient pays the entire bill. Medicare and Medicaid represent about 65 percent of EMS's revenue.

Mr. Stewart also stated that there were some limitations on private insurance companies. If the county accepts their payment, there are limitations on the amount of the copay to the patient.

Mr. Kilgo stated that this would bring in some additional revenue.

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

Due to a tie vote, the motion failed.

**MOTION** was made by Mr. Douglas and seconded by Mr. Kilgo to amend Section 18(N. - Mobile Home Permits) of the General Fund Budget (Ordinance No. 14-02) to increase the mobile home sticker (license/permit) fee from \$5 to \$10 and increase the mobile home moving permit fee from \$10 to \$25.

The motion carried unanimously.

Mrs. Johnson questioned whether Council had a Discretionary Budget. She saw that the line item name was printed in the information provided to Council. After Chairman Blackwell confirmed that Council did not have a Discretionary Account, Mrs. Johnson requested that this line item name be deleted.

Chairman Blackwell called for the vote to approve Ordinance No. 14-02 as amended. Those voting in favor of the motion were Mr. Brock, Mr. Hudson, Mr. Douglas, Ms. Nicholson, and Mrs. Johnson. Those opposing were Mr. Blackwell, Mr. Flowers, and Mr. Kilgo.

The motion carried.

Ordinance No. 14-03, An Ordinance To Provide For The Levy Of Fees For The Countywide Enhance 9-1-1 Emergency Telephone System For Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Emergency Telephone System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council - **THIRD READING**

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve third reading of Ordinance No. 14-03.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Mr. Flowers to amend Ordinance No. 14-03 to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-03, as amended.

The motion carried unanimously.

Ordinance No. 14-04, An Ordinance To Provide For The Levy Of Taxes For The County Library System Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Library System Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And

To Provide For Budget Control Of Said Appropriations By The County Council - **THIRD READING**

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve third reading of Ordinance No. 14-04.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to amended Ordinance No. 14-04 to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-04, as amended.

The motion carried unanimously.

Ordinance No. 14-05, An Ordinance To Provide For The Levy Of Taxes For The County Environmental Services Fund For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Environmental Services Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council - **THIRD READING**

**MOTION** was made by Mr. Blackwell and seconded by Mr. Kilgo to approve third reading of Ordinance No. 14-05.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to amend the narrative in Section 2 of Ordinance No. 14-05 to clarify that the annual recycling/solid waste service charge is \$53 instead of \$51.

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-05, as amended.

The motion carried unanimously.

Ordinance No. 14-06, An Ordinance To Provide For The Levy Of Taxes For The County Fire District Of Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Fire District Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council - **THIRD READING**

**MOTION** was made by Ms. Nicholson and seconded by Mrs. Johnson to approve third reading of Ordinance No. 14-06.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

Mr. Brock asked whether the 13.4816 mils included the mils for the bond.

Mr. Surrett said, "no." The mils for the bond would be separate. The mils indicated were the operational millage. He said that there would be a fire operation millage and a fire bond millage.

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-06, as amended.

The motion carried unanimously.

Ordinance No. 14-07, An Ordinance To Provide For The Levy Of Fees For The Development Partnership Fund For Darlington County For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Make Appropriations From The County Development Partnership Fund Of Said County For Such Purposes For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; And To Provide For Budget Control Of Said Appropriations By The County Council - **THIRD READING**

**MOTION** was made by Mr. Douglas and seconded by Mr. Hudson to approve third reading of Ordinance No. 14-07.

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to amend Ordinance No. 14-07 to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-07, as amended.

The motion carried unanimously.

Ordinance No. 14-08, An Ordinance To Provide For The Levy Of Taxes For Fire Control Purposes Within The Hartsville Fire Protection District For The Fiscal Year Beginning July 1, 2014, And Ending June 30, 2015; To Appropriate Said Funds For Payment To The City Of Hartsville As Authorized By Chapter 26, Article III, Of The Darlington County Code Of Ordinances (Hartsville Fire Protection District) And Pursuant To An Agreement With The City As Authorized Therein; And To Establish The Effective Date Of This Ordinance - **THIRD READING**

**MOTION** was made by Mr. Hudson and seconded by Mrs. Johnson to approve third reading of Ordinance No. 14-08.

Mr. Kilgo questioned why the County did not have a similar ordinance for the City of Darlington.

Mr. Surrett explained that after the lawsuit, the City of Hartsville requested that a special district be set up for the five-mile area to assist them in collecting the fees. The

funds for the City of Darlington are collected by the treasurer and given directly to them. This had something to do with the secondary litigation.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-08, as amended.

The motion carried unanimously.

Ordinance No. 14-09, 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, 2014, And Ending June 30, 2015 -  
**THIRD READING**

**MOTION** was made by Mr. Brock and seconded by Mr. Hudson to approve third reading of Ordinance No. 14-09.

Mr. Kilgo asked whether Rubicon had provided the county with their report as required in Section 6(4) of Ordinance No. 14-09.

Mr. Surrett indicated that the staff had not received the report. He said the county would probably receive the report after Rubicon ends the fiscal year. Mr. Surrett also explained that this involved the old mini-bottle tax designated for alcohol and drug abuse services.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to add the following to the budget narrative: *"This budget in its entirety shall be published on the Darlington County website (darcosc.com) by August 1, 2014."*

The motion carried unanimously.

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to select Pee Dee Mental Health to handle the alcohol and drug abuse planning funds.

Mr. Surrett pointed out that Pee Dee Mental Health could not spend these funds on mental health. The funds would have to be spent on alcohol and drug abuse programs.

Attorney Cox explained that County Council could designate the recipient and monitor the funds.

Mr. Brock and Mrs. Johnson suggested that Council table this change until Council could receive information on the impact from Rubicon and Pee Dee Mental Health.

Chairman Blackwell recognized Treasurer Belinda Copeland who was in the audience. It was her understanding that the plan of the proposed agency has to be approved by the State before that agency could be designated as the official agency. Mrs. Copeland explained that she could not disburse the funds until the State approves the agency to receive the funds. The funds are received quarterly in the same amount.

Ms. Nicholson asked whether Pee Dee Mental Health's plan for Darlington would be different from their plan with Marion and Florence Counties.

Ms. Copeland was not sure about their plans.

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

The motion failed.

Chairman Blackwell called for the vote to approve third reading of Ordinance No. 14-09, as amended.

The motion carried with Mr. Kilgo opposing.

#### Building Code Fee Structure

**MOTION** was made by Mr. Flowers and seconded by Mrs. Johnson to bring forth the Building Code Fee Schedule.

The motion carried unanimously.

A proposed fee schedule, the current fee schedule, and the ICC (International Code Council) recommended fee schedule were included in the agenda package.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve the proposed building code fee structure as submitted.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to amend the fee schedule as follows:

- For \$5,000 project, leave the fee at \$104 as recommended by the staff;
- For \$50,000 project, increase the fee to \$577 as recommended by ICC;
- For \$100,000 project, increase the fee to \$1,027 as recommended by ICC;
- For \$500,000 project, increase the fee to \$3,827 as recommended by ICC; and
- For \$5,000,000 project, increase the fee to \$18,327 as recommended by ICC.

The motion carried with Mr. Flowers opposing.

Chairman Blackwell called for the vote to approve the Building Code fee schedule as amended.

The motion carried with Mr. Flowers opposing.

#### Adjournment

**MOTION** was made by Mr. Flowers and seconded by Mr. Hudson to adjourn the meeting. There being no further business, the meeting was adjourned at 11:18 a.m.

Respectfully submitted,

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Mrs. J. JaNet Bishop, Clerk to Council

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Mr. Wesley Blackwell, Chairman  
Darlington County Council

Approved at meeting of August 18, 2014.