

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

June 2, 2014

A regular meeting of the County Council of Darlington County was held June 2, 2014, at 6 p.m., at the Darlington County Courthouse Annex/EMS Building, 1625 Harry Byrd Highway, Darlington, South Carolina.

NOTICE OF MEETING

In compliance with the Freedom of Information Act, a copy of the agenda, giving the date, time, and place of the meeting was mailed in advance to the local newspapers, persons requesting notification, and posted on the bulletin board at the entrance to the County Administrator's Office and the Courthouse Annex/EMS Building.

COUNCIL MEMBERS PRESENT

Chairman Wesley Blackwell, Vice Chairwoman Mozella "Pennie" Nicholson (*arrived at 6:06 p.m.*), Chaplain Dannie Douglas, Jr., Mr. Robbin Brock, Mr. Marvin Le Flowers (*arrived at 6:04 p.m.*), 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, Codes Enforcement Director Randy Evans, Tax Assessor Kyle Johnson, Interim Central Communications Director Rodney Tucker, Central Communications Director David Sessoms, Emergency Services Director Charles Stewart, Library Director Jimmie Epling, Prison Farm Director Jonathan McFadden, Jetport Manager Barry Kennett, Magistrate Josh Edwards, Corrections Director Mitch Stanley, Human Resource Director Ginger Winburn, Recreation Director Ken McRae, Roads and Bridges Director Bobby Richardson, Sheriff Wayne Byrd, Planning Director Doug Reimold, Fire Chief Kenny Stratton, and others.

Call To Order / Invocation / Pledge Of Allegiance

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

~ Councilman Marvin Le Flowers arrived at 6:04 p.m. ~

Citizens' Comments

Ms. Lettice Glenn and Ms. Leesa Campbell appeared on behalf of Pee Dee Mental Health. Ms. Glenn reminded County Council about the services provided by Pee Dee Mental Health and their funding request.

Mr. Brice Isgett thanked County Council for not removing the Codes Enforcement Department from the county's budget due to financial, regulatory, and safety reasons. He

stated that he has nothing to gain by the county maintaining the Codes Enforcement Department, except for his vested interest in the safety of his children.

~ Councilwoman Mozella Nicholson arrived at 6:06 p.m. ~

Councilwoman Wilhelmina Johnson read a prepared statement regarding the purpose of worksessions and the requirements for official meetings of County Council. Her issue was that the agenda for this Council meeting should show and explain the annual budget submitted to County Council at the budget worksession held on May 15, 2014. Mrs. Johnson said no action should have been taken at the budget worksession. The items should be on the agenda tonight. She stated that all actions not brought before Council tonight were being covered up in the budget ordinance. This was a major violation by County Council.

Approval Of Minutes - Minutes of Regular Meeting of May 5, 2014

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to approve the minutes of the regular meeting of May 5, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes of Budget Worksession of May 8, 2014

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve the minutes of the budget worksession of May 8, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Budget Worksession Of May 15, 2014

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve the minutes of the budget worksession of May 15, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes of Budget Worksession of May 22, 2014

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve the minutes of the budget worksession of May 22, 2014.

The motion carried unanimously.

Ordinances

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 - Carry Over Requested ~ THIRD READING

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to carry over third reading of Ordinance No. 14-03.

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 - **Carry Over Requested ~ THIRD READING**

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to carry over third reading of Ordinance No. 14-04.

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 - **Carry Over Requested ~ THIRD READING**

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to carry over third reading of Ordinance No. 14-05.

The motion carried unanimously.

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 ~ **SECOND READING**

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve second reading of Ordinance No. 14-02.

Mr. Kilgo confirmed that the information from the May 8th and May 15th budget worksessions would be included in second reading of Ordinance No. 14-02.

Mr. Cox's response was, "yes, unless there is a major change."

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to amend Ordinance No. 14-02 to include incentive pay for all employees, to transfer the seven remaining employees at the Prison Farm to the Detention Center, to close the Prison Farm, and to include a 1.15 percent pay raise for all employees, which would leave a balance of \$102,397.84.

Mr. Kilgo explained that this amendment was the same proposal he presented at the last budget worksession, except the pay raise increased from one percent to 1.15 percent. He also pointed out that this proposal would not cut jobs; every employee would receive incentive pay and a pay raise, and no funds would be used from the Fund Balance. It was Mr. Kilgo's understanding that funds would be available in Environmental Services Budget and Roads and Bridges Budget to hire people to replace inmate labor. Funds to hire individuals to replace inmate labor for maintenance could be found in the \$100,000 at third

reading after the County Administrator determines what would be needed to help the Building Maintenance/Janitorial Department. Mr. Kilgo emphasized that this would provide for a balance budget ahead of schedule with no one losing his/her job.

Ms. Nicholson stated that the people at the Prison Farm would lose their job.

Chairman Blackwell clarified that the employees at the Prison Farm would be transferred to the Detention Center.

Mr. Kilgo confirmed that his motion included closing the Prison Farm.

Mr. Brock questioned whether the motion would replace the nine deputies and the overtime in the Sheriff's budget.

Mr. Kilgo responded that it would put back the nine deputies, but not the overtime. He added that his proposal would treat everyone the same; everyone would get compensatory time.

County Administrator Dale Surrett suggested that Council begin with the figures presented at the May 22nd budget worksession showing cuts made at the May 15th worksession. This information was included in Council's agenda package.

Mrs. Johnson pointed out that there must be a place on the agenda for the specific items.

County Attorney James C. Cox, Jr. explained that with public notice, Council had workshops and minutes from the workshops. The minutes of the three workshops had been approved by Council. Tonight, Council was moving to the main agenda with the item on it, and Mr. Kilgo had made a motion to amend it. He said Council could not have any more notice than that.

Mrs. Johnson presented her disagreement. She questioned other items having to be placed on the agenda for approval.

Mr. Cox said his legal definition of public notice had been given. He said he could not dictate the addition that Mrs. Johnson wanted. However, he felt that County Council had followed the rules. He recapped that Council had matters that were discussed in the workshops, minutes of the workshops, which were public meetings, and tonight, Council has an agenda with the matter on it - second reading of the budget. Mr. Cox said this was the appropriate time for anyone to make an amendment with a motion, a second, and a vote.

Mrs. Johnson expressed disagreement for closing the Prison Farm without any consideration. She said there was a lot of "stuff" to discuss at the workshops that Council did not discuss.

Ms. Nicholson stated that the effect of Mr. Kilgo's motion was to close the Prison Farm. She requested that Council members receive a copy of the statute that prevents the Prison Farm from being under the control of the Sheriff's Department. She said the motion gives the appearance of fairness, but the impact was not. Ms. Nicholson stated that during the budget worksessions, Council discussed whether to close the Prison Farm. Now, she has changed her position on this. However, the public needs to know about the law that the county was operating under. Ms. Nicholson also mentioned that she had requested the amount of money the county has spent on lawsuits, of which most were lost or settled out of court with taxpayers' money. Ms. Nicholson stated that she would not support Mr. Kilgo's amendment, and she wanted to see the state statute. She asked Council to look at the impact of the motion, which gives the appearance of fairness to balance the budget.

Mr. Kilgo stated that the employees currently employed at the Prison Farm would be transferred to the Detention Center to meet the requirements of PREA (Prison Rape Elimination Act). He said the only way the county could fund the additional employees would be through the transfer of employees from the Prison Farm.

Ms. Nicholson said PREA was not an issue until it was used to get rid of the Prison Farm. She asked whether PREA would circumvent state statute, which would make this a federal issue. Therefore, she requested an opinion from the Attorney General's Office.

Chairman Blackwell indicated that he had seen a copy of the state statute, which states that the Prison Farm would be separate from the Sheriff's supervision. He explained that if the motion is approved, there would not be a Prison Farm, and therefore, should not affect the state statute.

Mr. Douglas said the results of the May 22nd worksession would take away from the entire county. He suggested that Council adopt last year's budget.

Mr. Flowers suggested that the discussion end, Council members vote, and move on.

Ms. Nicholson stated that she would not vote until she receives an opinion.

Mr. Flowers commented that Council had not voted to request an opinion. He also commented about how Councilwoman Johnson had "hijacked" every budget session and Council had not gotten anything done.

Recess

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo for Council to recess. The motion carried with no objections.

Council recessed at 6:39 p.m. Although Council recessed, Mrs. Johnson continued to speak about the budget items not being on the agenda tonight. Upon reconvening at 6:44 p.m., Councilwoman Johnson continued speaking.

Ordinance No. 14-02, FY14/15 General Fund Budget - Discussion Continued

Chairman Blackwell called for the vote on Mr. Kilgo's motion to amend Ordinance No. 14-02 to include incentive pay for all employees, to transfer the seven remaining employees at the Prison Farm to the Detention Center, to close the Prison Farm, and include a 1.15 percent pay raise for all employees, which would leave a balance of \$102,397.84.

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

The motion failed.

MOTION was made by Mr. Flowers and seconded by Mr. Brock to amend Ordinance No. 14-02 to replace the \$250,000 for overtime in the Sheriff's budget and place a hiring freeze on the current four or five vacant positions in the Sheriff's Department.

Mr. Flowers said these positions would not be cut from the Sheriff's Department. This would be a hiring freeze so funds would not be included in the budget for the positions.

Mr. Kilgo commented that all employees should be treated the same by getting compensatory time.

Mr. Surrentt indicated that the five positions would be approximately \$40,000 in salaries and benefits, plus about \$7,000 in vehicle operations per position for a total of approximately \$235,000 for five positions.

Ms. Johnson questioned whether the budget was a management budget based upon FY2013/2014, including the overtime for the Sheriff's Department. She stated that the budget could be balanced using a little more than \$1 million from the Fund Balance. She said everything was included in the budget that Council failed to read.

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

The motion failed.

There being no further amendments, Chairman Blackwell called for the vote on second reading of Ordinance No. 14-02.

Those voting in favor of the motion were Mr. Brock, Mr. Hudson, Mr. Douglas, Mr. Blackwell, Mr. Flowers, and Mr. Kilgo. Mrs. Johnson opposed. Ms. Nicholson did not vote.

The motion carried.

As Chairman Blackwell declared the motion carried, Ms. Nicholson questioned the vote of each Council member. Mr. Brock and Mr. Hudson commented that they did not know what they were voting on. Therefore, Chairman Blackwell called for a roll call vote.

Mr. Brock stated that he voted wrong and wanted to make a motion to reconsider Mr. Flowers' motion regarding overtime for the Sheriff's budget. Since he was on the winning side, he made a **MOTION** to reconsider replacing the \$250,000 for overtime in the Sheriff's budget and placing a hiring freeze on the current four or five vacant positions in the Sheriff's Department.

As a point of order, Mr. Kilgo pointed out that Chairman Blackwell had called for the question on the main motion to approve second reading of Ordinance No. 14-02, and that Mr. Brock's matter could be addressed at third reading.

Mr. Cox explained that the Chair had called for discussion and there was no discussion. Then the Chairman called for the question, and Council voted on the call for the question. The question was Ordinance No. 14-02. He said Council now has three options; to abstain, vote yes, or vote no.

Mr. Flowers stated that if there were a tie vote on this motion, Council would have to start the process over beginning with first reading. Without a majority decision on the question, Council would not have a budget. Therefore, if Council was not sure that this was going to pass, someone could move to carry over second reading of the budget. If not, Council would have to go back to first reading.

It was Mrs. Johnson's understanding that if there were a tie vote, you would go back to the original. She said that if a group is already in and there is a tie vote, the group would remain.

Mr. Cox clarified that a tie vote on second reading of Ordinance No. 14-02 would mean that it failed to pass second reading.

Chairman Blackwell clarified that Council could approve second reading of Ordinance No. 14-02 and still make changes before third reading. If second reading were not approved, Council would have to start over with first reading, which could be done, but would take some time.

Chairman Blackwell ruled that Council had voted, but would have a roll call vote on the motion to approve second reading of Ordinance No. 14-02 since there were some questions on the aye votes.

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

The motion carried.

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 ~ **SECOND READING**

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve second reading of Ordinance No. 14-06.

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

The motion carried.

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 ~ **SECOND READING**

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve second reading of Ordinance No. 14-07.

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

The motion carried.

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 ~ **SECOND READING**

MOTION was made by Mr. Blackwell and seconded by Mr. Flowers to approve second reading of Ordinance No. 14-08.

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

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 ~ **SECOND READING**

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve second reading of Ordinance No. 14-09.

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

Ordinance No. 14-10, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Twelve (Communication Towers), Sections 12.3 And 12.5 To Increase The Fees For New Tower Construction And Co-Locations On Existing Towers In Darlington County, And To Establish The Effective Date Of This Ordinance ~ **FIRST READING**

Chairman Blackwell read the title of Ordinance No. 14-10 for 1st reading. No action required.

Resolutions

Resolution No. 644, Posting of Salaries of All Darlington County Employees Earning Over \$50,000 Per Year on Darlington County Website (darcosc.com)

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to approve Resolution No. 644.

Chairman Blackwell said he did not feel that it was necessary to place the salaries on the counties' website. If someone wanted to know the salary of anyone working for the county, the salary was available.

Mr. Kilgo stated that the county would be complying with what the State of South Carolina does in posting salaries on their website. He said this makes it easier for people to get to the salaries without searching the Ethics Commission or calling the staff. The salaries would be on the county's website in a drop box. He said anyone earning that kind of money or in that kind of position should want that transparency.

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

Committee Reports

There were no committee reports.

Recognition of Guests

Mr. Flowers indicated that there were guests present in the audience. He suggested that Council amend the agenda to recognize them.

Mr. Andrew D. (A.D.) Jordan, Regional Director for U.S. Senator Tim Scott. Mr. Jordan introduced himself and offered the assistance of Senator Scott's office. He mentioned that Senator Scott had served on Charleston County Council for fifteen years, eight of which he served as Chairman.

Mr. Blake Taylor, Director of Compliance Standards and Inspections with the South Carolina Department of Corrections.

Mr. Surrett introduced Mr. Taylor, who was consulted by the staff regarding the various proposals. He invited Council members to talk with Mr. Taylor regarding questions about PREA, staffing studies, inspections, etc.

Other Items

Appointments to Board/Commissions/Committees

Alcohol & Drug Citizen Advisory Committee {Flower}. Mr. Flowers carried over his appointment to the Alcohol and Drug Citizen Advisory Committee.

Ambulance Commission {Nicholson}. Ms. Nicholson carried over her appointment to the Ambulance Commission.

Board of Assessment Appeals {Blackwell}. Mr. Blackwell carried over his appointment to the Board of Assessment Appeals.

Construction Board of Adjustment & Appeals {Johnson, Flowers, Brock, Blackwell}. Mr. Brock nominated Mr. Samuel Phillips for reappointment to the Construction Board of Adjustment and Appeals.

The vote was unanimous to reappoint Mr. Samuel Phillips to the Construction Board of Adjustment and Appeals for a term to expire June 30, 2017.

Mrs. Johnson, Mr. Flowers, and Mr. Blackwell carried over their appointment to the Construction Board of Adjustment and Appeals.

Economic Development Partnership Board. Although the terms of County Council four appointees to the Economic Development Partnership Board were not expiring, a **MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to reappoint County Council's four appointees (Mr. Edward Krajack, Mr. Leo Bonaparte, Mr. Mitchell Tyner, and Mr. Ben Kilpatrick).

The motion carried unanimously to reappoint Mr. Krajack, Mr. Bonaparte, Mr. Tyner, and Mr. Kilpatrick to the Economic Development Partnership Board. They will continue their four year term that began February 6, 2012 to expire February 2016.

Fire Board (Dovesville Station 13) {County Council}. **MOTION** was made by Mr. Douglas and seconded by Ms. Nicholson to reappoint Mr. Wyllie Owens to the Board of Fire Control for a term to expire June 30, 2018.

The motion carried unanimously.

Historical Commission {Brock}. Mr. Brock carried over his appointment to the Historical Commission.

Jetport Commission {Kilgo, Flowers, Brock}. Mr. Kilgo nominated Mr. William Fleming, Sr. for reappointment to the Jetport Commission.

The vote was unanimous to reappoint Mr. Fleming to the Jetport Commission for a term to expire June 30, 2017.

Mr. Brock nominated Mr. Richard Atkinson for reappointment to the Jetport Commission.

The vote was unanimous to reappoint Mr. Atkinson to the Jetport Commission for a term to expire June 30, 2017.

Mr. Flowers carried over his appointment to the Jetport Commission.

Library Board {Douglas, Flowers, Nicholson, Brock}. Mr. Brock nominated Mr. Warren Arthur for reappointment to the Library Board.

The vote was unanimous to reappoint Mr. Warren Arthur to the Library Board for a term to expire June 30, 2018.

Mr. Douglas, Mr. Flowers, and Ms. Nicholson carried over their appointment to the Library Board.

Mr. Surrent stated that Library Director Jimmie Epling had expressed the need for appointments to the Library Board so that the Board may have a quorum for meetings.

Parks & Recreation Commission {Johnson, Hudson, Flowers, Nicholson, Blackwell}. Mr. Hudson nominated Mr. Doug Evans for reappointment to the Parks and Recreation Commission.

The vote was unanimous to reappoint Mr. Evan to the Parks and Recreation Commission for a term to expire June 30, 2017.

Planning Commission {Brock}. Mr. Brock nominated Mr. Ralph Segars for reappointment to the Planning Commission.

The vote was unanimous to reappoint Mr. Segars to the Planning Commission for a term to expire June 30, 2017.

Pee Dee Workforce Investment Board (Private Industry Sector) {County Council}.

MOTION was made by Ms. Nicholson and seconded by Mrs. Johnson to reappoint Ms. Charlotte Adams to Pee Dee Workforce Investment Board as recommended for a term to expire June 30, 2017.

The motion carried unanimously.

Council did not receive a nomination from the Chamber of Commerce for a private sector appointment to replace Mr. Matt Manelli who did not wish to be reappointed. This appointment was carried over.

Pee Dee Resource Conservation & Development Area Council {County Council}.

MOTION was made by Mr. Hudson and seconded by Ms. Nicholson to reappoint Mrs. Anne C. Warr to the Pee Dee Resource Conservation and Development Area Council for a term to expire June 30, 2018.

The motion carried unanimously.

Budget Transfer Request, Corrections

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve the budget transfer request for Corrections.

The motion carried unanimously.

The Corrections Director was requesting to transfer \$22,000 to Food/Food Prep Supplies (21-42320-63000) from the following line items: \$15,000 from Fuel-Oil/Coal/Gas (21-42320-62300) and \$7,000 from Electricity (21-42320-62200) to complete the fiscal year due to increase cost for food and supplies in the Detention Center Kitchen Department.

Aviation Consultant And Engineering Firm, Airport

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to continue with Michael Baker Group for aviation consultant.

The motion carried unanimously.

Schedule Public Hearing For Budget Ordinances

MOTION was made by Mr. Kilgo to schedule the public hearing and third reading of the budget ordinances for Monday, June 30th, at 9 a.m.

After some comments, Mr. Kilgo withdrew his motion and made another **MOTION** to schedule the public hearing and third reading of the budget ordinance for Thursday, June 26th at 9 a.m. Mr. Douglas seconded the motion.

The motion carried unanimously.

Pee Dee Regional Council Of Governments Program Certifications

MOTION was made by Mr. Brock and seconded by Mr. Hudson to approve the County Administrator signing the Program Certification and Conflict of Interest Certification as required by South Carolina Department of Commerce and requested by Pee Dee Regional Council of Governments.

The motion carried unanimously.

New Building Permit Fee Schedule

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to carry over consideration of the new Building Permit Fee Schedule to the June 26th meeting.

Mr. Surrett explained that the approach was to generate additional revenue within the Building Codes Department to pay for the Building Codes Department minus one of the two clerks, the Animal Control Officer, and the Litter Control Officer. The fee schedule would generate the additional revenue so that the Building Codes Department would be paid for through the fee schedule. Mr. Surrett also mentioned that many of the smaller permits require one, two, or more visits. Charging such a small amount would be used up when making several revisits (gas, time, etc.). Therefore, the staff's focus was trying to ensure that the department would recover the cost of those activities.

Mr. Surrett pointed out that the proposed fee schedule was less than the International Code Fee recommendations as shown in the information in the agenda package.

The motion carried unanimously.

2014 Loan Agreement For Static Display Aircraft At The County Airport - Aircraft, T-33A

MOTION was made by Mr. Kilgo and seconded by Mr. Hudson to approve the 2014 Loan Agreement for the static display aircraft at the Darlington County Airport.

Mr. Douglas mentioned that the aircraft needed painting. Mr. Surrett responded that an Eagle Scout had repainted the aircraft several years ago.

The motion carried unanimously.

Request For Prison Farm Staffing Study

MOTION was made by Mr. Hudson and seconded by Ms. Nicholson to approve the Prison Farm's request for a staffing study.

Mr. Kilgo stated that the county had not funded the positions in the jail as required in their staffing analysis. Now, Council would be opening another door.

The motion carried with Mr. Kilgo opposing.

Budget Transfer Request, Prison Farm

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the budget transfer request for the Prison Farm.

The motion carried with Mr. Kilgo opposing.

The Prison Farm Director was requesting to transfer \$6,500 to Overtime (27-42350-13000) from Health Insurance (27-42350-21200) due to officers taking annual leave and an officer on maternity leave.

Budget Transfer Request, Sheriff's Office

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the budget transfer request for the Sheriff's Department.

The motion carried with Mr. Kilgo opposing.

The Sheriff was requesting to transfer 30,000 to Overtime (035-42100-13000) from Salaries (035-42100-11100) due to personnel shortage and to maintain minimum staffing levels.

Purchase Of Materials To Install Drainage Appurtenances At Hartsville EMS & Health Department Buildings To Drain Yard

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the purchase of materials to install drainage appurtenances at Hartsville EMS and Health Department buildings to drain the yard.

Mr. Surrect stated that this building, which is located next to the Hartsville Outreach Building in Hartsville, was renovated about four years ago for EMS and the Sheriff's Office. He explained that when it rains, the area holds water. With Council's approval, the staff will install a drain system to connect to the existing road drain and do some landscaping on the front of the building.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Pee Dee Workforce Investment Board Quarterly Report For Darlington County, July 1, 2013 - March 31, 2014	Receive As Information
B. Historical Commission Minutes, April 3, 2014	Receive As Information
C. Library Board Minutes, December 18, 2013 & Library Monthly Report, January 2014	Receive As Information
D. Building Permit Types Report, April 2014	Receive As Information
E. Pee Dee Workforce Investment Board Minutes, May 6, 2014	Receive As Information
F. Letter From County Attorney James C. Cox, Jr. - Response RE: Darlington County Fire Board & Volunteer Shawn Melton	Receive As Information

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| G. NACo Prescription Drug Discount Card Program Report, April 2014 | Receive As Information |
| H. Animal Shelter Committee Meeting Minutes, April 24, 2014 | Receive As Information |
| I. Technical Bulletin From S.C. Association Of Counties RE: US Supreme Court Opinion On Public Meeting Invocations | Receive As Information |
| J. S.C. General Assembly Legislative Actions RE: West Florence Fire District | Receive As Information |
| K. S.C. Counties Workers Compensation Trust (SCCWCT) 2014 - 2015 Workers' Compensation Renewal | Receive As Information |

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

The motion carried unanimously.

Personal Appearances - Mr. Brice Isgett - Budget Proposal For Darlington County Codes Enforcement Department

Mr. Brice appeared before County Council during the Citizen Comments section of the agenda.

Administrative Update - Mr. Dale Surrett, County Administrator

Mr. Surrett indicated that the staff would publish for the budget public hearing what was passed tonight. He asked Council members to give him any scenario they would like the staff to run. He suggested starting with the current year budget and move from there.

Mr. Surrett mentioned that one of the elements of PREA that was troubling to the State was that 17 year olds were considered adults under the criminal code. According to PREA, a 17 year old cannot be in contact with those 18 years of age and older. Therefore, PREA could possibly require the county to keep 17 year olds away from juveniles and from those who are 18 years old and older. He said the staff has expressed to federal counterparts to allow the county to use the State guidelines for what is considered an adult rather than what was in PREA. He thanked Mr. Jordan for getting this information back to the staff.

Mr. Surrett announced that 911/Central Communications Director David Sessoms would retire in ten days. As this position is being advertised, Senior Planner Rodney Tucker will fill in as Interim 911/Central Communications Director. Mr. Tucker was recognized.

Mr. Surrett said the staff was beginning to wrap up the current budget with some minor adjustments. He pointed out that Darlington County was being taxed 7.6 mils more than Florence County for Florence Darlington Technical College - a decision of the School

Board. He asked Council to look at balancing this millage at the rate that Florence County was paying so that Darlington County could have millage available to do a General Obligation Bond for the I-20/340 Industrial Park Project and begin the renovation process for the courthouse. Mr. Surrett said this message would have to come from County Council to the School Board while they are looking at their budget. Once the School Board's budget is approved, it would be next year. Mr. Surrett said he could not find anything in the law to explain why it was this way. He assumed that they were trying to have Darlington County contribute the same amount of dollars as Florence County. However, this was a lot more millage that could be used for bonding purposes for other projects. Mr. Surrett stated that he would be presenting Council with, at least, a two-mil bond for the infrastructure in the I-20/340 Industrial Park.

Requests / Comments – Members Of Council

Mr. Brock apologized and stated that he made a terrible mistake with all the confusion regarding the raises and placing the deputies back into the budget. He said he would do everything to correct this.

Mr. Brock also stated that he was concerned about the amount of information that was being "shoved" to Council. He asked everyone to give Council at least 12 hours to look at any information presented. For the next meeting, Mr. Brock requested the amount of projected funds that will be left in the Fund Balance this year and the amount projected for next year. He also requested the amount of Fund Balance used the past two years.

Ms. Nicholson requested the Fund Balance used for the past five years, the highs and the lows for each of the five years, and the definition of Fund Balance.

Mr. Johnson commended Florence County's unified Fire District. She stated that at one of the budget worksessions, Council talked about increasing the millage. After some research, she found that County Council sets the millage rate; the county assessor appraises real property; the county auditor maintains the property tax roll and calculates individual property taxes; the county treasurer collects property taxes, invests the proceeds, and disburses county funds; and the South Carolina Department of Revenue sets the assessments for certain types of property, equalizes assessments, and regulates property tax assessment. Mrs. Johnson said someone had indicated that County Council has nothing to do with the millage. However, County Council sets the millage rate. Mrs. Johnson commended the employees. However, she did not like how the roadsides look.

Mr. Flowers wanted to know what could be done to the county building on Main Street in Darlington where the roof was falling in.

Mr. Surrett indicated that he had talked with DHEC (South Carolina Department of Health and Environmental Control) officials who indicated that pushing down the building would be considered demolition because of the asbestos. The entire site has to be treated as if asbestos is there. However, if the building just falls in, DHEC would not go after anyone.

Chairman Blackwell explained that the Fund Balance was like a personal bank account. And during the months of December and January when the taxes come in, Darlington County has the most money in its bank account. According to the South Carolina Association of Counties, the fund balance is best measured at the end of November before the taxes come in. He reported that in November 2013, the Fund Balance was about \$9 million; Council voted to make a \$459,000 loan payment from FY14/15 budget from Fund Balance; it was being estimated that by the end of June 2014, the County will have to spend \$350,000 from Fund Balance; and last year, the county spent \$192,000 from Fund Balance and \$300,000 the previous year. This equates to \$1.3 million. Chairman Blackwell also presented the amounts other counties keep in their fund balance. He pointed out that the Fund Balance impacts the county's credit rating and should be available for unexpected, catastrophic events and natural disasters. Chairman Blackwell challenged Council members to look carefully at the Fund Balance before spending it.

Vote For Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Tax Assessor's Office

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to vote for executive session for the discussion of negotiations incident to proposed contractual arrangements regarding the Tax Assessor's Office.

The motion carried unanimously.

Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Tax Assessor's Office

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson for Council, the County Attorney, the County Administrator, Tax Assessor Kyle Johnson, and Tax Management Associates to go into executive session for the discussion of negotiations incident to proposed contractual arrangements regarding the Tax Assessor's Office.

The motion carried unanimously.

Recess

Council recessed at 8:06 p.m. prior to going into executive session. Mr. Kilgo and Ms. Nicholson left during executive session. Upon reconvening at 8:34 p.m., Chairman Blackwell announced that no action was taken in executive session.

Adjournment

MOTION was made by Mr. Douglas and seconded by Mr. Brock to adjourn the meeting. There being no further business, the meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Mrs. J. JaNet Bishop
Clerk to Council

Mr. Wesley H. Blackwell, Chairman
Darlington County Council

Approved at meeting of July 7, 2014.