

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

NOVEMBER 3, 2014

A public hearing and regular meeting of the County Council of Darlington County was held November 3, 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 at the entrance of the Darlington County Courthouse Annex/EMS Building.

**COUNCIL MEMBERS PRESENT**

Chairman Wesley Blackwell, Vice Chair Mozella "Pennie" Nicholson, 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**

Interim County Administrator Thomas W. Edwards, Jr., County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Codes Enforcement Director Randy Evans, Emergency Services Director Charles Stewart, Roads and Bridges Director Bobby Richardson, Economic Development Director Frank Willis, Finance Director Perry Strickland, Prison Farm Director Jonathan McFadden, Recreation Director Ken McRae, Library Director Jimmy Epling, Corrections Director Mitch Stanley, Magistrate Josh Edwards, Planning Director Doug Reimold, Fire Chief Kenny Stratton, and others.

**REPORTERS PRESENT**

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

**PUBLIC HEARINGS**

**Ordinance No. 14-16, An Ordinance To Set The Millage Rate For Bond Indebtedness For FY14/15**

Chairman Blackwell declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 14-16.

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

Ordinance No. 14-17, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, For A Supplemental Appropriation To Provide Funds For CTC PIN# P027982 And To Establish The Effective Date Of This Ordinance

Chairman Blackwell opened the public hearing to receive comments on Ordinance No. 14-17.

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

Ordinance No. 14-18, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, For A Supplemental Appropriation To Carry Over Grant Balances To FY14/15 Budgets To Provide Funds For CTC PIN# 42153, CTC PIN# 42154, CTC PIN# P027750, Land Purchase Airport Grant, Apron Taxilanes Rehabilitation Grant, Apron Rehabilitation Construction Grant, Airport Improvement Program Grant, And Justice Assistance Grant (JAG), And To Establish The Effective Date Of This Ordinance

Chairman Blackwell opened the public hearing to receive comments on Ordinance No. 14-18.

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

Ordinance No. 14-19, Authorizing An Amendment To The Agreement Governing The Joint County Industrial And Business Park By And Between Darlington County, South Carolina And Marlboro County, South Carolina, In Order To Expand The Boundaries Of The Park To Include Certain Property Located In Marlboro County And Other Matters Related Thereto

Chairman Blackwell opened the public hearing to receive comments on Ordinance No. 14-19.

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

**REGULAR MEETING**

Call To Order / Invocation And Pledge Of Allegiance

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

Citizens' Comments

There were no citizens' comments.

Approval Of Minutes - Minutes Of The Joint Dinner Meeting Of Darlington County's Municipal Councils, County Council, Board of Education & Legislative Delegation Held On September 29, 2014

**MOTION** was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of the joint dinner meeting held on September 29, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing & Regular Meeting Of October 6, 2014

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the minutes of the public hearing and regular meeting held on October 6, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Council Planning Retreat, October 23-25, 2014 – CARRY OVER REQUESTED, Minutes Incomplete

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to carry over approval of the minutes of Council Planning Retreat held October 23-25, 2014.

The motion carried unanimously.

**ORDINANCES**

Ordinance No. 14-16, An Ordinance To Set The Millage Rate For Bond Indebtedness For FY14/15 - THIRD READING

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 14-16.

The motion carried with Mrs. Johnson opposing due to a lack of understanding.

Ordinance No. 14-17, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, For A Supplemental Appropriation To Provide Funds For CTC PIN# P027982 And To Establish The Effective Date Of This Ordinance - **SECOND READING**

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

The motion carried unanimously.

Ordinance No. 14-18, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, For A Supplemental Appropriation To Carry Over Grant Balances To FY14/15 Budgets To Provide Funds For CTC PIN# 42153, CTC PIN# 42154, CTC PIN# P027750, Land Purchase Airport Grant, Apron Taxilanes Rehabilitation Grant, Apron Rehabilitation Construction Grant, Airport Improvement Program Grant, And Justice Assistance Grant (JAG), And To Establish The Effective Date Of This Ordinance - **SECOND READING**

**MOTION** was made by Mr. Douglas and seconded by Mr. Brock to approve second reading of Ordinance No. 14-18.

The motion carried unanimously.

Ordinance No. 14-19, Authorizing An Amendment To The Agreement Governing The Joint County Industrial And Business Park By And Between Darlington County, South Carolina And Marlboro County, South Carolina, In Order To Expand The Boundaries Of The Park To Include Certain Property Located In Marlboro County And Other Matters Related Thereto - **SECOND READING**

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to approve second reading of Ordinance No. 14-19.

The motion carried unanimously.

Ordinance No. 14-20, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, To Amend The Appropriations From The General Fund And Establish The Effective Date Of This Ordinance – **FIRST READING - BY TITLE ONLY**

Chairman Blackwell read the title of Ordinance No. 14-20 for first reading.

### Resolutions

Resolution No. 647, To Express Darlington County's Request That The South Carolina General Assembly Increase The Allocation To The Local Government Fund To Both Provide Property Taxpayers With The Relief They Have Been Promised And Allow County Government The Ability To Provide The State And Local Government Services Required Under State Law

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve Resolution No. 647.

The motion carried unanimously.

Resolution No. 648, Memorandum Of Agreement And Road Acceptance & Escrow Agreement For Summerville Subdivision, Formally Known As Ansley Park

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 648.

The motion carried unanimously.

### Committee Reports

There were no committee reports.

### Other Items

Appointments To Board/Commissions - Alcohol & Drug Citizen Advisory Committee (Flowers), Ambulance Commission (Nicholson), Construction Board of Adjustment & Appeals (Johnson, Flowers), Historical Commission (Brock), Airport Commission (Flowers), Library Board (Flowers), Parks & Recreation Commission (Flowers, Blackwell), Pee Dee Workforce Investment Board - Private Industry Sector (Darlington Chamber Nominated Mr. Douglas S. Orr of Pee Dee Electric Coop.)

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to carry over all the appointments, except for the appointment of Mr. Douglas S. Orr to Pee Dee Workforce Investment Board as recommended by Darlington Chamber of Commerce.

The motion carried unanimously. Mr. Orr will serve a term to expire June 30, 2017.

### Rubicon's Strategic Plan For Darlington County, FY2015

Mr. Winston McElveen, Rubicon's Executive Director, was not present.

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to accept Rubicon's FY2015 Strategic Plan for Darlington County as information.

Mr. Kilgo suggested that Council have a discussion about these funds going to other places before they are appropriated next year and establish an ad hoc committee to investigate how the funds are being used.

The motion carried unanimously.

Bid Proposals For Fire District Substation, Ashland Area

Motion was made by Mr. Flowers and seconded by Mrs. Johnson to approve the recommendation to award the bid to Eagle Construction, in the amount of \$93,300, for the construction of the Fire District Substation for Ashland area.

The motion carried with Ms. Nicholson abstaining.

Bid Award For Resurfacing Stanley Circle And Full Depth Patching Of Various Roads

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to approve the recommendation to award the bid contract to CR Jackson, in the amount of \$81,216.25, to resurface Stanley Circle and full depth patching of various roads.

The motion carried unanimously.

Acceptance Of CTC Funds For Construction Of Boat Landing At Lowther's Lake, Paving Of Parking Area, & Paving Of Whipple Landing Drive, \$25,000 – PCN #P028209

**MOTION** made by Mr. Douglas and seconded by Ms. Nicholson to accept \$25,000 in CTC funds for the construction of a boat landing at Lowther's Lake and pave the parking area and Whipple Landing Drive.

The motion carried unanimously.

2014 State Homeland Security Grant (14HSSP50) To Upgrade PAL800 Radio System, \$20,000 – Sheriff's Office

**MOTION** was made by Mrs. Johnson and seconded by Mr. Brock to approve the 2014 State Homeland Security Grant, in the amount of \$20,000, to upgrade the PAL800 Radio System for the Sheriff's Office.

The motion carried unanimously.

LSTA Summer Reading Program Grant, \$1,000 - Library

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the LSTA Summer Reading Program Grant.

The motion carried unanimously.

Bid Award For Purchase Of Two Compactors Using Funds Remaining From Lease Purchase Agreement

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to accept the bid from Baker's Waste Equipment, in the amount of \$17,919, for two compactors.

The motion carried unanimously.

Consent Agenda

There were no Consent Agenda items.

Personal Appearance - Mr. Winston McElveen, Rubicon Executive Director, Rubicon's FY2015 Strategic Plan For Darlington County

Mr. McElveen was not present at the meeting.

Personal Appearance - Ms. Edell George, Request For Easement To Sewer Line On 528 Cartersville Highway To Allow Access For A Proposed Assisted Living Facility To Be Built Beside The County's Robert L. Grooms Building In Lamar

Rev. Brown reported that Ms. Edell George was proposing to build an Assisted Living facility in Lamar near the Robert L. Grooms Building. The proposed facility will accommodate 39 individuals and provide for about 30 jobs. In developing the plan/design, they realized that they would need an easement from the county to connect their sewer to one of the manholes on county property.

Chairman Blackwell indicated that Planning Director Doug Reimold had provided a picture showing the two and one half acre parcel owned by the county and the location of the manholes.

Attorney Cox recommended that the county provide a Letter of Intent indicating that once all the criteria are met, that Council would approve the easement.

**MOTION** was made by Mr. Hudson and seconded by Mr. Flowers for the County Administrator to write a Letter of Intent for Ms. George to proceed, subject to final approval of the drawings and specifications for the Assisted Living facility.

The motion carried unanimously.

Personal Appearance - Mr. Tom Lampack, Request For Darlington County Code of Ordinances To Be Amended To Place The Burden Of Erecting Privacy Fence On Junkyards, Recovery Services, And Towing Services In Residential Areas

Mr. Lampack was not present at the meeting.

Administrative Update - Mr. Frank Willis, Economic Development Director - South Darlington Watershed Project Update

Economic Development Director Frank Willis reported on a meeting held last week at Senator Gerald Malloy's Office regarding the South Darlington Watershed Project. The main issue was the design of the retention pond not being adequate and whether the county would be willing to bear the cost to have it redesigned. If redesigned, the Corps of Engineers projects that the county would receive the permit within 30 days. If not redesigned, it would take about a year to obtain the permit. However, the deadline for the project is September 2015. Council members will receive a summary of the meeting.

Mr. Willis indicated that redesign of the retention pond would require the acquisition of addition property.

Attorney Cox mentioned that the condemnation process was ongoing. He also mentioned that if the retention pond were moved, it would still be on the same family's land that currently has an issue with it. Attorney Cox encouraged Mr. Willis to make the necessary contacts and find out the costs associated with redesigning the retention pond.

Administrative Update - Mr. Perry Strickland, Finance Director - First Quarter Financial Report

Finance Director Perry Strickland provided information regarding the first quarter finances of the county.

Administrative Update - Mr. Tommy Edwards, Interim County Administrator, Update On County Council Planning Retreat Held October 23-25, 2014

Mr. Edwards asked Council members to be mindful of the information presented during the Planning Retreat. Council will hold a special meeting on November 12, 2014, at 5 p.m., to develop a plan in which he will work out the details with the staff.

Administrative Update - Mr. Tommy Edwards, Interim County Administrator, Letter From SCDOT, Removal Of Roads From State Highway Secondary System

Mr. Edwards pointed out that a letter from South Carolina Department of Transportation was included in Council's agenda package indicating that the State Highway Commission had removed several roads from the State Highway System. These roads would have to be maintained by the county.

Mr. Kilgo suggested that the roads be given to the School District since they were at various schools.

2013 LEMPG Supplemental Grant Award, \$30,000

Mr. Edwards reported that after the agenda was prepared, the staff received notification of an LEMPG Grant Award, in the amount of \$30,000, for IP Video Monitoring System, Multi-Media Podium, and Video Conference System for EMS.

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to approve acceptance of the 2013 LEMPG Supplemental Grant Award.

The motion carried unanimously.

Requests / Comments – Members Of Council

Mr. Kilgo commended the staff for the cleaning courthouse ground and removing five dead trees.

Mrs. Johnson thanked the staff for coordinating Council's Planning Retreat. She announced that the old post office was back on the market and could be used for a county museum.

Mr. Brock thanked the staff for the information presented at Council's Planning Retreat. He requested that a hawker's license be explored to require individuals to obtain a permit prior to selling items in the county. He also requested information regarding the county's use of local contractors and vendors for contractual services.

Mr. Edwards indicated that Council could amend the procurement policy to allow for preferential treatment to local vendors such as a percentage of a bid.

Chairman Blackwell commended the staff's efforts for the Planning Retreat.

Vote For Executive Session - (A) Discussion Of Personnel Matters Regarding The Employment Of A County Administrator, (B) Discussion Of Personnel Matters Per The Interim County Administrator, and (C) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Purchase Of Property For Darlington County Airport Land Acquisition Project

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to vote for executive session for the discussion of personnel matters regarding the employment of a County Administrator; for discussion of personnel matters per the Interim County Administrator;

and for discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property for Darlington County Airport Land Acquisition Project.

The motion carried unanimously.

Executive Session - (A) Discussion Of Personnel Matters Regarding The Employment Of A County Administrator, (B) Discussion Of Personnel Matters Per The Interim County Administrator, and (C) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Purchase Of Property For Darlington County Airport Land Acquisition Project

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson for County Council, the Interim County Administrator, and the County Attorney to go into executive session for the discussion of personnel matters regarding the employment of a County Administrator; for discussion of personnel matters per the Interim County Administrator; and for discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property for Darlington County Airport Land Acquisition Project.

The motion carried unanimously

Executive Session

Council recessed at 7:25 p.m. prior to going into executive session and reconvened at 8:26 p.m.

Upon reconvening, a **MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve Council's counter offer for six parcels as listed on the sheet entitled *Determination of Just Compensation* for the Darlington County Airport Land Acquisition Project.

The motion carried unanimously.

Adjournment

**MOTION** was made by Mr. Flowers and seconded by Mr. Brock to adjourn the meeting. There being no further business, the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

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J. JaNet Bishop  
Clerk to Council

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Wesley Blackwell, Chairman  
Darlington County Council

Approved at meeting of December 1, 2014.