

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

February 4, 2019

A Regular Meeting of the County Council of Darlington County was held this 4th day of February 2019, at 6 p.m., at the Courthouse Annex/EMS Building, 1625 Harry Byrd Highway (Highway 151), Darlington, South Carolina.

NOTICE OF MEETING

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

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS PRESENT

Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Airport Manager Barry Kennett, Development Services Director Terri Cribb, Emergency Medical Services Director Kenny Bowen, E-911 Coordinator Michelle Moore, Elections/Voter Registration Director Hoyt Campbell, Finance Director Sherman Dibble, Fire Chief Ricky Flowers, Historical Commission Director Brian Gandy, Human Resource Manager Ginger Winburn, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, Sheriff Tony Chavis, Tax Assessor Kyle Johnson, Emergency Management Coordinator Molly Odom, Sheriff Tony Chavis, Chief Deputy Sheriff Josh Edwards, Lieutenant Robby Kilgo, Ms. Rosena James, Mr. George Cannon, Mrs. Doris Gandy, members of the Darlington County Historical Commission, Ms. Kim Gardner, Mr. Brian Atkinson, Mr. Richie Stevens, Mr. Linwood Epps, Mr. Paul Bell, and others.

REPORTERS PRESENT

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

Special Presentation To Darlington County Library System - *A Legacy That Lives On* Book Presentation

Darlington County Fire Chief Ricky Flowers talked about Darlington County being blessed with a rich history in the fire service. Darlington County is home to one of the oldest community fire departments in South Carolina (Lydia Fire Station) and has had numerous

officers who began their careers within the county and later served in leadership roles with other departments and the State and have assisted with the birth of South Carolina Fire Academy and other academies throughout the State. Chief Flowers noted that the auditorium at the South Carolina Fire Academy is named in honor of Hartsville Fire Chief Charles Denny who also served as Past President to the Southeastern Association of Fire Chiefs. Retired Hartsville Fire Chief Tommy Livingston also served as President to the South Carolina State Firefighters Association, and the Southeastern Association of Fire Chiefs Association and as Darlington County Fire Chaplain. Darlington City Retired Fire Chief Jim Stone served over 50 years in the community.

Chief Flowers then recognized Mr. Carter Jones, one of the most influential people in the fire service who currently serves as Special Projects Coordinator for the South Carolina Firefighters Association. He reported that Mr. Jones recently compiled the stories of South Carolina's rich history regarding the birth, growth, and contributions to the fire service. His book entitled, *The Legacy That Lives On*, shares the stories from across the state, which until recently were only known by a few. Chief Flowers presented four copies of the book to Darlington County Library Director Jimmie Epling for Darlington County Library System so that others may enjoy the history of the fire service.

Also present for the book presentation were South Carolina State Firefighters' Association Executive Director Kyle Minick and South Carolina State Firefighters' Association Director of Operations Ashley Boltin.

REGULAR MEETING

Call to Order / Invocation / Pledge of Allegiance

Chairman Hudson called the meeting to order at 6:04 p.m. Mr. Douglas presented the invocation and Mr. Coker led the Pledge of Allegiance.

Citizens' Comments

Ms. Kim Gardner, of Pineridge Community, asked that Council look at having a larger budget for the Sheriff's Department. She complained that the Sheriff's Department does not have the deputies to patrol the areas to help the steadily increasing crime. Ms. Gardner asked Council to find more money in the budget to allocate to the Sheriff's Department.

Mr. Brian Atkinson, of Hartsville, also requested that Council help the community by providing more deputies. He offered to donate his time to help the Sheriff's Department. Mr. Atkinson mentioned that money could be saved if the citizens would buy and place cameras in various areas since the Sheriff's Department was already doing everything that it can.

Mr. Richie Stevens stated that the citizens are victims of what appears to be an escalating crime rate in the county. He announced that he recently created a Facebook page designed to bring transparency and awareness to the plight that Darlington County is facing, which has been revealing. Mr. Stevens wanted to know the actual shortage among patrol and

investigators and the plans to fill the vacancies. He commented that this was not meant to be an attack on anyone and commended those who are placing their lives on the line. However, the citizens were tired of the common excuses that they (the Sheriff's Department) are doing all that they can.

Mr. Linwood Epps briefly talked about the records for the Darlington and Hartsville basketball and football teams. He mentioned that he recently met the new football coach for Darlington High School.

Mr. Paul Bell requested that Council vote for an ordinance that will allow the citizens, especially veterans and seniors, to pay their property taxes in installment payments. He pointed out that Chesterfield County enacted a similar ordinance two years ago which has provided relief for the taxpayers.

Personal Appearances

There were no Personal Appearances.

Amendment To The Agenda To Move Forward To Executive Session

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to amend the agenda to move forward to Executive Session for the discussion of personnel matters and discussion of negotiations incident to proposed contractual arrangements.

The motion carried unanimously.

Executive Session For The Discussion Of Personnel Matters And Discussion Of Negotiations Incident To Proposed Contractual Arrangements

MOTION was made by Mr. Flowers and seconded by Mr. Douglas for Council, the County Attorney, the County Administrator, and others as may be necessary, to go into executive session for the discussion of personnel matters and discussion of negotiations incident to proposed contractual arrangements.

The motion carried unanimously.

Executive Session

Council and the individuals named went into executive session at 6:15 p.m. and reconvened at 6:42 p.m.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 5.A. FY19/20 Notice Of Accommodations Tax Application & Accommodations Tax Advisory Committee Tentative Calendar
- 5.B. Historical Commission Board Minutes, Stats and Updates, January 3, 2019

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

The motion carried unanimously.

Approval Of Minutes – Public Hearings & Regular Meeting, January 2, 2019

MOTION was made by Mr. Flowers and seconded by Mr. Brown to approve the minutes of the public hearings and regular meeting held on January 2, 2019.

The motion carried unanimously.

Ordinances

There were no ordinances.

Resolutions

Resolution No. 696, Resolution Accepting Bequest Of Carolyn Norment Phillips To And For The Darlington County Historical Commission

MOTION was made by Mr. Flowers and seconded by Mr. Davis to approve Resolution No. 696 accepting the four million dollars bequest of Carolyn Norment Phillips for the Darlington County Historical Commission, subject to all the terms and conditions of the bequest.

The motion carried unanimously.

Resolution No. 697, Resolution Assigning \$1.5 Million Dollars Of Unassigned Fund Balance To Capital Project Replacement For County Fleet Vehicles

MOTION was made by Mr. Brown and seconded by Mr. Douglas to approve resolution No. 697 assigning \$1.5 million dollars of unassigned fund balance from the General Fund for the purchase/lease of fleet vehicles by the Darlington County Administrator.

The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards & Commissions To Fill Vacancies & Expired Terms

Mr. Kilgo was absent. Chairman Hudson, on Mr. Kilgo's behalf, nominated Ms. Lynette Moody for appointment to the Library Board.

MOTION was made by Mr. Flowers and seconded by Mr. Davis to appoint Ms. Lynette Moody to the Library Board. The motion carried unanimously. Ms. Moody will fill the unexpired term of Ms. Jennie Peze through June 30, 2020.

Mr. Hudson carried over his appointment to the Construction Board of Adjustment/Appeals.

Mr. Flowers carried over his appointment to the Airport Commission, Ambulance Commission, Board of Assessment Appeals, Construction Board of Adjustment/Appeals, and Historical Commission.

Mr. Coker carried over his appointment to the Board of Assessment Appeals.

Appointments To The Economic Development Partnership Board

MOTION was made by Mr. Brown and seconded by Mr. Flowers to appoint Darlington Progress' nominees, Mr. James "Jim" Ivey, Jr. and Mr. Donald Clark, to the Economic Development Partnership Board.

The motion carried unanimously. Mr. Ivey will serve an unexpired term through June 30, 2022, and Mr. Clark will serve a term to commence July 1, 2019, and end June 30, 2023.

MOTION was made by Mr. Brown and seconded by Mr. Coker to appoint the nominees, Mr. Danny Hogged, Jr., and Mr. Doyle Hopper, as submitted to represent Top Executives on the Economic Development Partnership Board.

The motion carried unanimously. Mr. Hogged and Mr. Hopper will complete unexpired terms through June 30, 2020.

Appointments To The FY19/20 Accommodations Tax Advisory Committee

MOTION was made by Mr. Flowers and seconded by Mr. Coker to reappoint the members on the Accommodations Tax Advisory Committee.

It was clarified that Mr. Joseph Saleeby, Jr. was no longer associated with hospitality business but was now serving as a Citizen at Large.

The motion carried unanimously. The following individuals were reappointed to serve on the FY19/20 Accommodations Tax Advisory Committee:

Ms. Hannah Stanley, Lodging
Mr. Steve Tinney, Lodging
Ms. Carol Bishop, Hospitality Business
Mr. James Ashley Flowers, Hospitality Business
Mr. David McFarland, Citizen At Large
Mr. Joseph Saleeby, Jr., Citizen At Large
Mrs. Joyce Wingate, Cultural

Appointments To Pee Dee Regional Council Of Governments Board

Chairman Hudson recommended the appointment of Councilwoman Joyce W. Thomas and Councilman Robert Kilgo as Council's appointees to Pee Dee Regional Council of Governments Board.

MOTION was made by Mr. Brown and seconded by Mr. Coker to appoint Councilwoman Joyce Thomas and Councilman Robert Kilgo, Jr. to Pee Dee Regional Council of Governments Board.

The motion carried unanimously. Mr. Leon Johnson (Executive Committee) and Mr. Jim Ramsey will continue serving.

Appointments To County Council Committees - Chairman Hudson

Chairman Hudson reappointed the previous Council Ad Hoc Committees. The committees and reappointments were as follows:

Animal Shelter Committee

David Coker, Bobby Hudson

Benevolent Committee

Joyce Thomas, Finance Director (Sherman Dibble)

Courthouse Construction Advisory Committee

Bobby Hudson, Robert Kilgo, Jr.

Finance Review Committee

Bobby Hudson (Chairman), Dannie Douglas, Jr., J. Lewis Brown
Darlington County Auditor (Margaret Rogers)
Darlington County Treasurer (Jeff Robinson)

NESA (North Eastern Strategic Alliance)

Senator Gerald Malloy

Prison Camp Committee

Joyce Thomas, J. Lewis Brown, David Coker

Solid Waste Study Committee

Dannie Douglas, David Coker, Le Flowers

Florence Area Transportation Study (FLATS) Policy Committee

Robert Kilgo, Jr.

Enterprise Fleet Management Contract

MOTION was made by Mr. Brown and seconded by Mr. Douglas to approve entering into Enterprise Fleet Management Contract to be utilized by the County Administrator to direct management of the county's capital fleet assets.

The motion carried unanimously.

Statewide Mutual Aid Agreement For Emergency And Disaster Response/Recovery

MOTION was made by Mr. Flowers and seconded by Mr. Davis to approve the requested authorization for the Chairman or the County Administrator to sign the SC Statewide Mutual Aid Agreement for Emergency and Disaster Response/Recovery.

The motion carried unanimously.

Request For The Landfill & Recycling/Solid Waste Collection Centers To Close At 4:30 p.m. On Saturday, March 2, 2019

MOTION was made by Mr. Douglas and seconded by Mr. Davis to approve the request for the landfill and solid waste collection centers to close at 4:30 p.m. on March 2, 2019, so that employees can attend the County Employees' Appreciation Banquet on that evening.

Mr. Coker requested that signs be erected in advance. Mr. Stewart indicated that signs would be erected this week.

The motion carried unanimously.

Sole Source Purchase Of Seven (7) Thermal Imaging Cameras For Fire District, \$54,432

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to approve the sole source purchase of seven thermal imaging cameras from Newton's Fire & Safety Equipment, Inc. for \$54,432.

The motion carried unanimously.

Forest Management At Lake Darpo

MOTION was made by Mr. Douglas and seconded by Mr. Brown to approve the contract with Carolina Timber Brokers, LLC, Richard Howard, for thinning and clear cutting the timber at Lake Darpo, with the option of contracting for re-harvesting.

Mr. Flowers stated that he does not work for Mr. Richard Howard and Mr. Howard does not work for him. However, they share the same clients. Therefore, he asked the County Attorney whether he needed to recuse himself from voting.

Attorney Cox did not think that Mr. Flowers needed to recuse himself. However, he stated that since Mr. Flowers brought it up, Mr. Flowers may want to recuse himself, but was not required to.

The motion carried with Mr. Flowers abstaining. Mr. Flowers recused himself because he shares the same clients as Mr. Richard Howard.

Administrative Update – Mr. Charles Stewart, County Administrator

Mr. Stewart reported that at Council's request, a Worksession has been scheduled for February 18th at 10 a.m., at Darlington Raceway Media Center, to review the courthouse situation, the audit, financial information, pending and upcoming projects, etc. He also announced that the Chairman has called for the Finance Review Committee to meet at 9 a.m. on February 18th to review the audit.

Mr. Stewart also reported that the June 30, 2018 audit was placed at Council's desk and is available on the county's website to download or view. He pointed out that the net position for the Enterprise Funds and the Fund Balance were in better shape and will continue to show improvements. Several notes were still on the audit about issues that need to be worked out.

Finance Director Sherman Dibble stated that the number of notes on the audit had reduced from thirteen (13) to ten (10) and now down to two (2).

Mr. Stewart said the county will continue to improve and Council will go through the details during the Finance Review Committee meeting.

Mr. Flowers requested that a hard copy of the audit be placed at the library.

Mr. Stewart responded that the audit was available on the web to view and/or print.

Library Director Jimmie Epling requested that the staff send a hard copy of the audit to the Library with the approved minutes.

Requests / Comments - Members Of Council

Ms. Thomas thanked the Sheriff's Department for having the metal detector at the meeting for safety purposes. She also mentioned that she had attended a recent meeting at Pee Dee Regional Council of Governments where South Carolina Disaster Recovery Group and EMS are studying/working on a stormwater project.

Mr. Flowers commented on the Resolution approved by Council to accept the bequest of Carolyn Normant Phillips for Darlington County Historical Commission. He recognized Darlington County Historical Commission Director Brian Gandy and members of the Historical Commission.

Historical Commission Director Brian Gandy stated that everyone can celebrate the goodness of one citizen who valued the history of Darlington County and bequeathed funds (\$4 million) to the county to establish a Darlington County Museum and use the residual funds for the care and maintenance of the facility. Status reports regarding the project will be submitted to Council as information.

Mr. Brown thanked Mr. Stewart and the staff for the audit information. He commended the employees and the public's feedback.

Mr. Douglas thanked the Administrator for his work and everyone who attended the meeting.

Mr. Davis thanked the citizens for allowing Council members to serve. He also thanked Mrs. Carolyn Norment Phillips' family, in their absence, for the bequeath to the Historical Commission.

Mr. Davis also pointed out that the Sheriff's Department has a new app that citizens can download on their cell phone and do various things to include leaving anonymous tips. He urged everyone to download and review the app. Mr. Davis thanked the Sheriff's Department for implementing the app.

In response to the three citizens who spoke about crime, Mr. Coker confirmed that Council is behind the Sheriff and will work with him. He also mentioned the need for Council to look at an ordinance to implement installment payments for property taxes. Mr. Flowers suggested that Council look at such ordinance during the budget process.

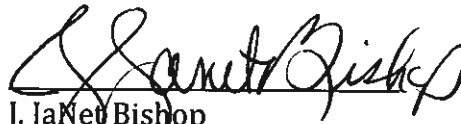
In response to Mr. Linwood Epps' comments during Citizens Comments, Mr. Coker stated that if Darlington High School goes to the State Championship, he will pull for them.

Chairman Hudson thanked Mr. Stewart and the staff for their work, especially Codes Enforcement.

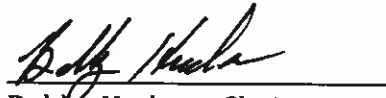
Adjournment

MOTION was made by Mr. Flowers to adjourn the meeting. There being no further comments, the meeting was adjourned at 7:02 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of March 4, 2019.

STATEMENT OF RECUSAL

Darlington County Council



In accordance with South Carolina Code of Laws, Section 8-13-700(B), I hereby abstain from all votes, deliberations, and other action on the following matter(s): _____

Lake Deepo timber

Reason(s) For Recusal: Possible Business connections
to Contractor

Le Flowers
Council Member Name (PRINTED)

[Signature]
Council Member Signature

2/4/19
Date

SECTION 8-13-700. Use of official position or office for financial gain; disclosure of potential conflict of interest.

(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use that does not result in additional public expense.

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:

(1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

(2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from votes, deliberations, and other action on the matter on which a potential conflict exists;

(3) if he is a public employee, he shall furnish a copy of the statement to his superior, if any, who shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take the action prescribed by the State Ethics Commission;

(4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes;

(5) if he is a public member, he shall furnish a copy to the presiding officer of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.