

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

October 1, 2018

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 1st day of October 2018, 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.

The Notice of Public Hearing for Ordinance No. 18-12 was published in the News and Press and the Hartsville Messenger on September 12, 2018.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Chaplain Dannie Douglas, Jr., Mr. J. Lewis Brown, Mr. David Coker, Mr. Robert L. Kilgo, Jr., and Ms. Joyce W. Thomas.

COUNCIL MEMBERS ABSENT

Vice Chairman Marvin Le Flowers and Ms. Mozella Nicholson.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Development Services Director Terri Cribb, Emergency Medical Services Director Kenny Bowen, Environmental Services Director Renee Howle, Finance Director Sherman Dibble, Fire Chief Ricky Flowers, Human Resources Manager Ginger Winburn, Library Director Jimmie Epling, Recreation Director Le Andrews, Roads and Bridges Director Bobby Richardson, Tax Assessor Kyle Johnson, Emergency Management Coordinator Molly Odom, Chief Deputy Sheriff Josh Edwards, US Senator Tim Scott's Regional Director A.D. Jordan, Ms. Rosena James, Mr. George Cannon, Mr. Jimmy Bruce, and others.

REPORTERS PRESENT

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

PUBLIC HEARING

Ordinance No. 18-12. To Amend The Allocation Of Multi-County Park Revenues Within Darlington County Under The Agreement Governing The Darlington-Florence Industrial Park Dated April 21, 2016. With Respect To Project Watauga; And Authorizing Other Related Matters - SECOND READING

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 18-12. There being no comments, Chairman Hudson declared the public hearing closed.

REGULAR MEETING

Call to Order / Invocation / Pledge of Allegiance

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

Citizens' Comments

Mr. Jimmy Bruce, of Pleasantview Drive, reported that there was standing water in the Pleasantview Drive area and asked whether the county would spray for mosquitoes.

Mr. Stewart reported on the number of calls the staff has received since the storm and the number of miles the county has sprayed, plus additional miles that will be covered. He stated that Codes Enforcement Director Terri Cribb would check to see whether Pleasantview Drive was on the list for mosquito spraying.

Mr. George Cannon complained that his area has received anything for a number of years. He mentioned an annexation plan. Mr. Cannon said he was told that his area would be sprayed for mosquitoes on Saturday. However, nothing has happened. He felt that his area was being neglected and the media do not say anything about it. However, he pays taxes.

Personal Appearances

There were no Personal Appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

6.A. Historical Commission Board Minutes, Stats and Updates, September 6, 2018

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

The motion carried unanimously.

Approval Of Minutes – Public Hearing & Regular Meeting, September 10, 2018

MOTION was made by Mr. Kilgo and seconded by Ms. Thomas to approve the minutes of September 10, 2018.

The motion carried unanimously.

Amendment to the Agenda for Executive Session

MOTION was made by Mr. Brown and seconded by Mr. Coker to amend the agenda to bring forward Executive Session.

The motion carried unanimously.

Executive Session For (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Multi-County Park With Lee County Authorizing The Inclusion Of Certain Property Located In Darlington County (Hartsville), (2) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Amendment To The Florence/Darlington County Multi-County Park Revenues (Watauga Project), and (3) Discussion Of Personnel Matters Regarding The County Administrator's Employment Contract

MOTION was made by Mr. Kilgo and seconded by Ms. Thomas for Council and the appropriate individuals to go into executive session for (1) discussion of negotiations incident to proposed contractual arrangements regarding the Multi-County Park with Lee County authorizing the inclusion of certain property located in Darlington County (Hartsville), (2) discussion of negotiations incident to proposed contractual arrangements regarding the amendment to the Florence/Darlington County Multi-County Park revenues (Watauga Project); and (3) discussion of personnel matters regarding the County Administrator's employment contract.

The motion carried unanimously.

Executive Session

County Council, the County Administrator, and the County Attorney went into executive session at 7:07 p.m. Upon reconvening at 6:40 p.m., Chairman Hudson announced that no action was taken in executive session.

Ordinances

Ordinance No. 18-09, An Ordinance Approving And Ratifying The Inclusion Of A Site Located In Marlboro County In A Multi-County Industrial Park Agreement With Marlboro County; And Other Matters Related Thereto - THIRD READING

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 18-09.

The motion carried unanimously.

Ordinance No. 18-10, An Ordinance To Amend Ordinance No. 18-04 (Darlington County FY18/19 Budget Ordinance) For A Supplemental Appropriation To The Library Fund To Receive And Expend State Library Grant Funds For Darlington County Library System And Establish The Effective Date Of This Ordinance - THIRD

MOTION was made by Ms. Thomas and seconded by Mr. Brown to approve third reading of Ordinance No. 18-10.

The motion carried unanimously.

Ordinance No. 18-11, An Ordinance Developing A Multi-County Park With Lee County; Authorizing The Execution And Delivery Of An Agreement Governing The Multi-County Park; Authorizing The Inclusion Of Certain Property Located In Darlington County In The Multi-

County Park; Authorizing The Execution Of An Intergovernmental Agreement; And Other Matters Related Thereto - SECOND READING

MOTION was made by Mr. Brown and seconded by Mr. Coker to approve second reading of Ordinance No. 18-11.

The motion carried unanimously.

Ordinance No. 18-12, To Amend The Allocation Of Multi-County Park Revenues Within Darlington County Under The Agreement Governing The Darlington-Florence Industrial Park Dated April 21, 2016, With Respect To Project Watauga; And Authorizing Other Related Matters - SECOND READING

MOTION was made by Mr. Kilgo and seconded by Mr. Brown to approve second reading of Ordinance No. 18-12.

The motion carried unanimously.

Resolutions

Resolution No. 695, A Resolution Approving The Waiver Of All Planning And/Or Building Fees For Property Affected By Hurricane Florence

MOTION was made by Mr. Kilgo and seconded by Mr. Coker to approve Resolution No. 695 approving the waiver of all Planning and/or Building Fees for property affected by Hurricane Florence.

The motion carried unanimously.

Committee Reports

There were no Committee Reports.

Other Items

Appointments To Boards & Commissions To Fill Vacancies & Expired Terms

Mr. Hudson carried over his appointment to the Construction Board of Adjustment/Appeals and the Parks & Recreation Commission.

Mr. Flowers was absent. Therefore, his appointment was carried over for the Airport Commission, Alcohol and Drug Citizen Advisory Committee, Ambulance Commission, Board of Assessment Appeals, Construction Board of Adjustment/Appeals, and Historical Commission.

Ms. Nicholson was absent. Therefore, her appointment was carried over for the Airport Commission, Board of Assessment Appeals, Construction Board of Adjustment/Appeals, Historical Commission, Library Board, and Parks & Recreation Commission.

Mr. Brown reported that he had spoken with Mr. Richard Atkinson about the importance of attending the Airport Commission meetings. Mr. Atkinson indicated that he would like to continue serving on this Commission. Therefore, Mr. Brown recommended that

Mr. Richard Atkinson remain on the Airport Commission, which was seconded by Mr. Coker. The vote was unanimous. Mr. Atkinson will continue serving his term on the Airport Commission which will expire June 30, 2019.

Mr. Brown carried over his appointment to the Alcohol and Drug Citizen Advisory Committee and the Construction Board of Adjustment/Appeals.

Mr. Brown nominated Mr. Bob Puechl for appointment to the Planning Commission to fill an unexpired term through June 30, 2019. He reported that Mr. Puechl had retired from Sonoco and had served on various Boards to include the Economic Development Board in Indiana. Mr. Kilgo seconded by nomination and the vote was unanimous.

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

Contract Agreement And Memorandum Of Understanding With Clemson University Cooperative Extension Service For Stormwater Education And Public Involvement Programming

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve the Contract Agreement and Memorandum of Understanding with Clemson University Extension Service for stormwater education and public involvement programming.

Mr. Kilgo stated that the cost for this service was about \$3,000 annually, but the service is worthwhile.

The motion carried unanimously.

Easement To Duke Energy Progress, LLC - Property At Darlington Library

MOTION was made by Mr. Douglas and seconded by Mr. Brown to approve the Easement Agreement to Duke Energy Progress for an easement at Darlington Library.

Mr. Kilgo asked whether the power lines would be underground.

Mr. Stewart explained that the easement was being requested since the street was being moved back due to the South Carolina Department of Transportation US52 Bridge Replacement Project on North Main Street. He stated that on tomorrow, Library Director Jimmie Epling will identify where the poles will be moved. However, the county does not have a choice in this matter.

The motion carried unanimously.

Administrative Update – Mr. M. Charles Stewart, County Administrator

Finance Review Committee. Mr. Stewart reported that at the last Council meeting, it was inquired as to who was on the Finance Review Committee. Since a new Committee had not been appointed this year, the same individuals would serve unless the Chairman appoints a different committee. Those serving on the previous Finance Review Committee were Chairman Bobby Hudson, Mr. Dannie Douglas, Mr. Lewis Brown, and the County Auditor, Treasurer, Finance Director, and Administrator. The committee will meet during the next couple weeks to review the audit.

Courthouse Walk Through. Mr. Stewart reported that the staff has invited all elected officials (county, municipal, school district, and county legislative delegation) to attend a walkthrough of the county courthouse on Wednesday, October 10, 2018 from 3 p.m. to 5 p.m. to see the problems and issues with the courthouse and hear why the county is seeking to request funds from the public to replace or refurbish the facility.

Michael Baker Reports Regarding The Courthouse. Mr. Stewart reported that the scheduled meeting with Michael Baker will have to be rescheduled due to Hurricane Florence. He stated that the staff has some of the material which was not in a presentable format, complete, nor accurate.

Council Members' Email. Mr. Stewart pointed out that Council members received, at his/her desk, instructions for accessing their emails.

Administrative Update – Ms. Molly Odom, Emergency Management Coordinator

Emergency Management Coordinator Molly Odom provided a brief synopsis of preliminary information regarding the storm. She reported that the staff have been surveying, identifying, and inquiring about damages sustained from the storm and will meet with FEMA (Federal Emergency Management Agency) and South Carolina Emergency Management regarding assistance to homeowners. She also reported on the number of affected homes that was used as a sampling for FEMA to make its determination which will be forthcoming, the number of county roads damaged by washouts, and damages to county property including vehicles. Ms. Odom stated that the damages can be submitted to the insurance company. However, if the county receives the declaration for public assistance, the county will recover 75 percent of the deductible. The preliminary damage assessment by FEMA representatives amounted to \$489,000 for buildings and equipment at the deductible price (\$1,000 per claim). Ms. Odom pointed out that the county has received the declaration for Emergency Protective Measures which FEMA will reimburse at 75 percent. There will be a briefing later this month, and the staff hopes to receive the Individual Assistance/Public Assistance Declaration.

Mr. Stewart clarified that the county has received public assistance on Emergency Protective Measures. Therefore, law enforcement, fire, EMS, and the time for operating the EOC (Emergency Operating Center) will be reimbursed at 75 percent. He also stated that in numerous events for a number of years, the State has provided 25 percent so that the county received 100 percent reimbursement. However, this was not guaranteed. The staff is hoping for individual assistance so that homeowners can receive direct assistance from FEMA.

Ms. Thomas asked whether there were less than 100 homes in the county with damages.

Ms. Odom explained how the preliminary numbers were obtained, and that many homeowners do not report their damages to the county.

Requests / Comments - Members Of Council

Mr. Coker commended the staff for their work and professionalism before and after the storm and at the EOC. He recognized Mr. Roger Scrum of Sonoco and commended Sonoco's executive team for getting the county involved before the storm.

Mr. Douglas commented about the county continuously pouring money into the current courthouse facility.

Mr. Stewart stated that he will provide Council with the Michael Baker reports as soon as they are received so that Council can have a worksession to determine how to proceed. He also pointed out that Council was waiting to see whether the public will approve the referendum.

Mr. Douglas questioned the worthiness of the vehicle maintenance shop. He felt that the county was throwing money away by using the shop.

Mr. Stewart reported that the staff was working on a proposal to ensure that the county would be saving the taxpayers money or not spending extra money just to have newer vehicles. He also mentioned that the shop would still be needed for maintenance on heavy equipment.

Mr. Brown said he would echo what Mr. Coker said about the professionalism and communication at the EOC during the storm. He talked about the billions of gallons of water that passed through the county in a day and steps taken to protect communities. Mr. Brown also mentioned that the 100-year floodplain map is available to view on the County website.

Ms. Thomas also commended the efforts of everyone during the storm. She requested a copy of the list of things people should get to prepare for a storm. Ms. Thomas was concerned that the referendum states "judicial center and county administrative building" instead of "courthouse."

Mr. Stewart said part of the wording was based upon state law and the other part based upon whether the county will build one building or two buildings (a judicial building separate from an administrative building). If only one building, the term "courthouse" could be used; if there are two buildings, the term "courthouse" would refer to the building the courts are in. Mr. Stewart also pointed out that the referendum question was written as is because no final decision had been made by the body. Once the Committee crafted, finalized, and submitted the question, Council the choice to accept or deny it.

Mr. Kilgo said he learned several years ago that the federal government had amended the flood statute so that homeowners who do not have to live in a flood zone could purchase flood insurance. He said homeowners can purchase Preferred Flood Insurance from local insurance agents at inexpensive rates. This may be something people want to look at.

Mr. Kilgo announced that Ms. Thomas and he will host a Town Hall meeting on Monday, October 15, 2018, at 5 p.m., at the Elections/Voter Registration Annex on Cashua Street in Darlington to discuss and answer questions about the condition of the current

courthouse and the upcoming referendum. He welcomed all citizens, especially those from Council Districts 1 and 3. Mr. Kilgo mentioned that Mr. Scott Suggs, Clerk of Court, will be present at the Town Hall meeting to answer questions.

Chairman Hudson thanked everyone and the municipalities for helping during the storm. He commended the volunteers who answered the telephones at the EOC.

Adjournment

MOTION was made by Mr. Kilgo to adjourn the meeting. There being no further comments, the meeting was adjourned at 7:13 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of November 5, 2018.