

REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

December 2, 2024

A Regular Meeting of the County Council of Darlington County was held this 2<sup>nd</sup> day of December 2024, 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, and persons requesting notification, and posted on the county's website and the bulletin board in the lobby of the Darlington County Government Building located at 1 Public Square in Darlington, South Carolina.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice-Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. Michael Kirk Askins, Mr. David Coker, Mr. Albert Davis, III., Mrs. Angie Stone Godbold, and Ms. Joyce W. Thomas.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James H. Lucas, Attorney Adam Gainey, Clerk to Council J. JaNet Bishop, Codes Enforcement Director Terri Cribb, Emergency Management Director Molly Odom, Emergency Services Director Kenny Bowen, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Library Director Jimmie Epling, Sheriff James Hudson, Sheriff-Elect Michael August, and others.

REPORTERS PRESENT

Mr. Stephan Drew of the News & Press.

Call To Order / Invocation / Pledge Of Allegiance

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

Citizens' Comments

Sheriff-Elect Michael August introduced himself and thanked Sheriff James Hudson for meeting with him to prepare for an easy transition. He looks forward to working with County Council over the next four years.

Personal Appearances

There were no personal appearances.

Amendment to the Agenda To Bring Forth The Vote For Executive Session

**MOTION** made by Mrs. Godbold and seconded by Ms. Thomas to amend the agenda to bring forth executive session for discussion of negotiations incident to proposed contractual arrangements and the proposed sale or purchase of property regarding property owned by the City of Darlington.

The motion carried unanimously.

Executive Session

**MOTION** made by Mrs. Godbold and seconded by Ms. Thomas for County Council, the County Administrator, the County Attorney, and Attorney Adam Gainey to go into executive session for discussion of negotiations incident to proposed contractual arrangements and the proposed sale or purchase of property regarding property owned by the City of Darlington.

The motion carried unanimously.

Council went into executive session at 6:04 p.m. and reconvened at 6:30 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 5.A. Notice Of Public Meeting RE: Darlington-Florence County Boundary Re-establishment Project.
- 5.B. SCAC Legislative Conference, December 5-6, 2024.
- 5.C. Darlington County Humane Society Board of Directors Meeting Minutes, September 9, 2024.
- 5.D. Darlington County Humane Society Board of Directors Meeting Minutes, October 14, 2024.
- 5.E. Darlington County Alcohol & Drug Advisory Board Meeting Minutes, October 31, 2024.
- 5.F. DCHC&M Board Member Packet with Visitor Stats and Board Minutes, November 7, 2024.
- 5.G. 911 Call Volume, October 2024.
- 5.H. Fire District November Call Volume.
- 5.I. Darlington County 911 Employees Received Three Awards At The 2024 SC PACO / NENA Conference.
- 5.J. COGnitive Connections Newsletter, November 5, 2024.
- 5.K. Darlington County Parks, Recreation, and Tourism Activities, December 2024.
- 5.L. Airport Capital Improvement Plan through 2030.
- 5.M. Financial update through October 2024.

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

The motion carried unanimously.

Approval Of Minutes – Minutes Of Public Hearing And Regular Meeting, November 4, 2024

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the public hearing and regular meeting held on November 4, 2024.

The motion carried unanimously.

Ordinances

Ordinance No. 24-20, An Ordinance Authorizing The Execution And Delivery Of A Fee In Lieu Of Ad Valorem Tax And Incentive Agreement By And Between Darlington County, South Carolina And A Company Known To The County As Project Infinity Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors; To Provide For A Fee In Lieu Of Ad Valorem Taxes, Certain Infrastructure Credits And Other Incentives; To Include The Project Within The Boundaries Of A Multi County Park; To Modify Building Permit And Review Fees Consistent With The Foregoing; And Other Matters Relating Thereto - THIRD READING - CARRY OVER REQUESTED - SPECIAL MEETING, TUESDAY, DECEMBER 10TH AT 9 A.M.

**MOTION** made by Mr. Flowers and seconded by Mr. Coker to carry over third reading of Ordinance No. 24-20 to the Special Meeting scheduled for Tuesday, December 10, 2024, at 9 a.m.

The motion carried unanimously.

Ordinance No. 24-21, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 6 (How Development Permits Are Reviewed And Approved), Section 6.7 (Variances) To Provide The Planning Commission With Authorization To Grant Variances And To Establish The Effective Date Of This Ordinance - FIRST READING

The title of Ordinance No. 24-21 was read for first reading. No action required.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions/Committees

Economic Development Partnership Board. Mr. Stewart explained that previously, there were four Council nominees and four Darlington Progress nominees on the Economic Development Partnership Board. With the update to the ordinance, County Council and Darlington Progress nominees changed from four each to five each with the requirement that at least two of Darlington Progress' nominees be top executives. He stated that there was never the intention of removing anyone from the Board due to the restructuring, and Mr. Tim Huntley was already on the Board as a top executive. Therefore, Darlington Progress was requesting that Mr. Danny Hogge, Jr. become their fifth nominee to give them two top executives to meet the requirements of the ordinance. Darlington Progress was also requesting that Mr. Jason Freidenberger, of Nucor, become County Council's fifth appointment to complete his term (June 30, 2026).

**MOTION** made by Mr. Flowers and seconded by Ms. Thomas to approve the recommendation to appoint Mr. Jason Freidenberger as County Council's fifth appointment to the Economic Development Partnership Board and Mr. Danny Hogge, Jr. as Darlington Progress' nominee to serve as a top executive on the Economic Development Partnership Board.

The motion carried unanimously.

Bid Award For Walk-In Cooler And Freezer Replacement, W. Glen Campbell Detention Center

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve acceptance of the bid from ICE Service Company, LLC of Darlington, in the amount of \$52,586.28, to replace the walk-in cooler and freezer at the Detention Center.

The motion carried unanimously.

Bid Awards To Renovate/Remodel Office Space To Relocate Probate Court/Office To Room 404 Of Darlington County Government Building, 1 Public Square, Darlington

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve (1) acceptance of the bid from American Specialty, in the amount of \$86,012.73, for Probate's filing system; (2) acceptance of the bid from Carolina Construction, in the amount of \$285,196, to renovate/remodel Room 404 in the Darlington County Government Building to relocate Probate Court/Probate Office; (3) acceptance of the bid from ECH Consultants, in the amount of \$24,540, for asbestos abatement in Room 404 in the Darlington County Government Building to relocate Darlington County Probate Court/Probate Office; (4) and approve the purchase of new light fixtures, at a cost of \$2,132, for Room 404 in the Darlington County Government Building to relocate Probate Court/Probate Office.

Mr. Askins asked whether the county only received one bid for the remodel/renovation.

Mr. Stewart confirmed that only one bid was received although three people attended the pre-bid meeting.

Mrs. Godbold asked whether floor plans for Probate Court/Office were available to view.

Mr. Stewart described how the space would be partitioned to include a courtroom, file room, waiting area, and offices for Probate Court. This area was once used for the Law Library and most recently housed the Clerk of Court/Family Court and judge offices before they moved to the new courthouse.

Mrs. Godbold asked about plans to renovate each floor of the old courthouse.

Mr. Stewart responded that the staff was working on getting bids/proposals to begin the remaining renovations. However, this request was for one individual move. Before any additional floor space remodeling occurs, the boiler and chiller will be updated and asbestos removed from the remainder of the building.

The motion carried unanimously.

Authorize Purchase Offer To The City Of Darlington For 116 Acres Of Property Along Highway 151 (Parcel #126-00-02-063) And The Carnegie Library At 109 N Main Street, Darlington (Parcel #164-14-02-039)

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to adjourn debate on this item until receipt of further information.

The motion carried unanimously.

Administrative Update

Darlington County/Florence County Boundary Line Re-establishment. Mr. Stewart reported that County Council previously met in executive session for legal advice regarding the Darlington County/Florence County boundary line re-establishment. He noted that South Carolina Revenue and Fiscal Affairs Office Geodetic Survey Group will hold a public meeting regarding this matter on Wednesday, December 11<sup>th</sup>, at 6 p.m., at Florence Darlington Technical College SiMT Building. The meeting notice was sent to Council members and posted on the county's website with a link to other details regarding the project. Mr. Stewart explained that Darlington County Council approved a resolution in June 2021 and Florence County Council approved their resolution in May 2021 to petition the state legislature to codify the county boundary line between the two counties as practiced. With the new hyper-accurate survey, the way the county boundary line had been practiced between the two counties was not 100% accurate, but the parcels were figured out in the 1950s before the availability of the hyper-accurate survey. He noted that the state charged the South Carolina Revenue and Fiscal Affairs Office to form a Geodetic Survey Office to help clarify boundaries where there may be disputes. Not by Darlington County's request, but somehow the Darlington/Florence County boundary line came up in 2020 to be reviewed. After the review, it was found that the boundary line was off in some places. Darlington County Council and Florence County Council took action on the same request to the state to codify. Darlington County did this so that it would be on the government to fix county line problems and not the citizens having to change their voting places, driver's licenses, plats and deeds, etc. Unfortunately, in December 2023, Florence County rescinded its resolution and insisted on moving forward, which placed the county back into the standard resolution process. Part of the process is a public meeting which is not required but is scheduled for December 11<sup>th</sup>. Several processes and unclear steps must be undertaken to assist people who want to be in one county or the other.

Attorney Lucas explained that county boundary is assigned in state statute. Whenever there is a dispute involving where a particular boundary is located, the South Carolina Geodetic Group, that works under the South Carolina Revenue and Fiscal Affairs Office in Columbia, handles the process for the dispute. The initial process is to notify the county administrator, and then the group conducts historical research, performs field work, and shares administrative findings with county officials (mainly the county administrator). This group shared information with Mr. Stewart three times because of the level of detail he sought from them. The next step in the process is a public meeting, which is not a requirement in the statute. This is something the South Carolina Revenue and Fiscal Affairs Office does to get input from citizens about where the proper boundary line should be and

whether the historical research is accurate. Attorney Lucas pointed out that this process began long before he became the county attorney. When he was in the General Assembly, this was a matter that some counties would handle between themselves. It would be a process where the counties agree to and change the statute by agreement, such as with Spartanburg and Union counties and Horry and Georgetown counties. Attorney Lucas stated that the process is a tremendous inconvenience to the people who are involved in the boundary line change. He expressed his gratitude to Darlington County Council for seeing the wisdom of coming to an agreement with Florence County to exercise the boundary that they have all known over time and not change it which would create issues with real estate, driver's licenses, schools, addresses, etc. Attorney Lucas noted that Darlington County Council did not want to create such issues for the citizens and wanted to leave the boundary as it was practiced. There was talk about introducing legislation in the General Assembly to do this but unfortunately, Florence County Council did not see it as Darlington County saw it. Therefore, a public meeting is scheduled for December 11<sup>th</sup> to obtain feedback. He encouraged council members and any constituents who may be affected by this matter to attend this meeting along with him and the county administrator. Attorney Lucas also stated that there is a legislative fix, but County Council members cannot do it. The General Assembly can change state laws on occasion which can be a fix or there can be an appeal from an affected party (an affected county, an elected official, a property owner, etc.). He mentioned the possibility of annexation where a portion of the county can go through this tedious process.

Mr. Stewart pointed out that there are no actions of County Council that would have any effect on this matter at this time.

Chairman Hudson questioned whether Darlington County had given land to Florence County some time ago.

Mr. Stewart responded that around the 1800s, a portion of Florence County was cut out of Darlington County. He also stated that there was a codified line with a pin in the swamp in Cartersville, a pin in the swamp somewhere near Florence Darlington Technical College, and a straight line between the two. From that far back, knowing where the straight line existed was not reasonable. That is why the two counties worked out the location of the line. However, with the hyper-accurate survey and GIS, what is and what is not can be seen. That was why Darlington County Council and Florence County Council took action several years ago agreeing to solicit state legislature that both counties were in agreement to use the current practice line, survey it, and codify it. This would have given the government all of the responsibility for the changes and not the citizens. Unfortunately, Florence County rescinded its agreement in December 2023 and now there is not a joint county agreement going to the state legislature to ask for the boundary to be codified.

Chairman Hudson questioned the number of times this has happened with Florence County regarding the boundary line.

Mr. Stewart did not know. However, the lines may have been changed when counties were formed. He did not think this particular situation had ever happened.

Requests / Comments - Members Of Council

Mr. Davis thanked everyone for their work and wished everyone a happy holiday.

Mr. Douglas wished everyone a Merry Christmas and a safe holiday.

Mr. Flowers commended the Library for the activities scheduled in December and the Historical Commission for having 807 visits in October. He also commended the employees for their work.

Ms. Thomas also commended the Library's events/programs and the Recreation Department's pickleball program. She thanked everyone for attending the meeting and wished them a happy holiday.

Mr. Askins reported that he recently received a lot of feedback about solar farms and how they affect property value. He said County Council did a great job with the ordinance but needs to revisit it to look at setbacks and vegetation requirements for solar farms to make them a little more attractive. Mr. Askins stated that County Council does not want to tell landowners what they can and cannot do with their property and solar farms bring in revenue but needs to be respectful of the neighbors adjacent to their property. He announced that the Planning Commission will hold a public hearing on December 18<sup>th</sup> at 4 p.m. at the Courthouse Annex/EMS Building to receive input about solar farms that County Council has voted on. He encouraged anyone with concerns about the solar farms or what needs to be done going forward to present them at this public hearing.

Mrs. Godbold stated that at the last meeting, she mentioned the need for something to be done at the intersection of Highway 34/Cashua Ferry Road and Springville Road. She asked whether there was an update.

Mr. Stewart will get information from South Carolina Department of Transportation (SCDOT) as to whether they have plans or will do anything at that intersection.

Mrs. Godbold requested a timeline and the exact area for paving along McIver Road.

Mr. Stewart will follow up with South Carolina Department of Transportation for a copy of their plan/engineer plan to include in the next agenda.

Mrs. Godbold thanked everyone for attending the meeting and wished them a happy holiday.

Chairman Hudson wished everyone a happy holiday and recognized County 911 employees for answering 7,912 calls in October. He also mentioned that several of the 911 employees recently competed and won awards in Columbia.

Central Communication Director Michelle Hall announced that Darlington County won the Team 911 Merit Award, received an honorable mention for training and the Palmetto Award. This information was included in the Consent Agenda.

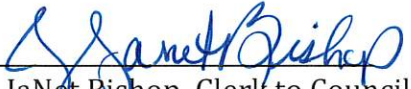
Chairman Hudson congratulated the 911 employees for receiving the various awards and wished everyone a safe holiday.


Adjournment

**MOTION** made by Chairman Hudson and seconded by Mrs. Godbold to adjourn the meeting.

The motion carried unanimously. The meeting was adjourned at 6:56 p.m.

Respectfully submitted,

  
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J. JaNet Bishop, Clerk to Council

  
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Chairman  
Darlington County Council

Approved at meeting of January 7<sup>th</sup>, 2025.