

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

February 3, 2025

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 3<sup>rd</sup> day of February 2025, 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 and on the bulletin board in the lobby of the Darlington County Government Building located at 1 Public Square in Darlington, SC.

**NOTICE OF PUBLIC HEARING**

A Notice of Public Hearing for Ordinance No. 25-03 was published in the News and Press and the Hartsville Messenger on January 15, 2025.

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Chaplain Dannie Douglas, Jr. and Mr. David Coker.

**ALSO PRESENT**

County Administrator Marion Charles Stewart, III, County Attorney James H. Lucas, Attorney Adam Gainey, Clerk to Council J. JaNet Bishop, Emergency Management Director Molly Odom, Emergency Services Director Kenny Bowen, Finance Director Sherman Dibble, Fire District Interim Chief John Shoemake, Human Resources Director Ginger Winburn, Planning Staff Paula Newton, Sheriff Michael August, Chief Deputy Sheriff Cliff Howle, Pee Dee Regional Transportation Authority (PDRTA) Executive Director Don Strickland, and others.

**REPORTERS PRESENT**

News & Press.

**PUBLIC HEARINGS**

**Ordinance No. 25-03, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 3 (How Development Districts Are Established And Governed - Airport Districts And Flood Hazard Districts), To Update Section**

3.4 (Flood Hazard Districts), And Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 25-03. There being no comments, the public hearing was closed.

**REGULAR MEETING**

Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:01 p.m. Mr. Davis presented the invocation, and Mr. Flowers led the Pledge of Allegiance.

Citizens' Comments

Mr. Ted Beasley expressed opposition and concerns about two large 600-acre solar farms locating within one mile of each other in the county. He stated that the solar farms are too much, too big, and coming too fast with not much information about their impacts. Mr. Beasley reported that he had contacted several agencies and political leaders about future ground source/well water contamination, etc. from these facilities.

Ms. Belinda Valle commended the county's requirement for buffers around solar farms and commented about businesses contributing to the tax base and employing people. She also presented concerns about the solar farm near Underground Branch Road. Her concerns included environmental effects, the effects of chemicals being sprayed, the effects on animals, water, etc. Ms. Valle suggested that the county thoroughly investigate the solar companies before making a decision and notify the public and those in the areas where the solar farms will be located. She tried to research the companies but was unable to find where they were located, their contact information, etc.

Mr. Donnie Engelbert reported that he was surprised to find out that a solar farm was locating on Underground Branch Road on the corner of his front yard. He was not completely opposed to solar farms but did not feel that two large 600-acre solar farms should be located so close to each other. Mr. Engelbert questioned whether solar farms are in the county's best interest.

Personal Appearances

There were no personal appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 6.A. Pee Dee Regional Council Of Governments Year In Review, Special Edition, January 3, 2025
- 6.B. Pee Dee Regional Council Of Governments Monthly E-Newsletter, January 17, 2025

- 6.C. Veteran Affairs Office Toy Drive Report, December
- 6.D. Pee Dee Regional Transportation Authority (PDRTA) Quarterly Report, January 2025
- 6.E. Airport Commission Minutes, November 21, 2024
- 6.F. Library Board Minutes, November 20, 2024
- 6.G. Library System Calendar Of Events, January 2025
- 6.H. 2025 Meeting Schedules For Boards, Commissions, Committees, Etc.
- 6.I. Darlington County Parks, Recreation, and Tourism Activities, February 2025
- 6.J. Financial Update Through December 31, 2024
- 6.K. 911 Call Volume Reports, Year 2024 And December 2024
- 6.L. Fire District Call Volume Report, January 2025
- 6.M. DCHC&M Board Member Packet with Visitor Stats and Board Minutes - January 9, 2025

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

The motion carried unanimously.

Approval Of Minutes – Minutes Of Regular Meeting, January 7, 2025

**MOTION** made by Mr. Davis and seconded by Ms. Thomas to approve the minutes of the public hearing and regular meeting held on January 7, 2025.

The motion carried unanimously.

Ordinances

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 - THIRD READING

**MOTION** made by Mr. Davis and seconded by Mr. Askins to approve third reading of Ordinance No. 24-21.

The motion carried unanimously.

Ordinance No. 25-01, An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of A Fee Agreement Between Darlington County, South Carolina And IP Solar, LLC And Certain Affiliates Relating To A Proposed Solar Farm Development Located At Tax Parcels 050-00-01-004, 073-00-01-069, 074-00-01-001 Near Underground Branch Road, And 074-00-01-074 Near Persimmons Drive; And Authorizing Other Related Matters - SECOND READING - CARRY OVER REQUESTED

**MOTION** made by Mr. Davis and seconded by Mr. Flowers to carry over second reading of Ordinance No. 25-01.

The motion carried unanimously.

Ordinance No. 25-02, An Ordinance Authorizing The Enlargement Of The Joint County Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina Relating To A Proposed Solar Farm Development Located At Tax Parcels 050-00-01-004, 073-00-01-069, 074-00-01-001 Near Underground Branch Road, And 0074-00-01-074 Near Persimmons Drive; And Other Matters Related Thereto (IP Solar, LLC) - SECOND READING - CARRY OVER REQUESTED

**MOTION** made by Mr. Davis and seconded by Mr. Askins to carry over second reading of Ordinance No. 25-02.

The motion carried unanimously.

Ordinance No. 25-03, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 3 (How Development Districts Are Established And Governed - Airport Districts And Flood Hazard Districts), To Update Section 3.4 (Flood Hazard Districts), And Establish The Effective Date Of This Ordinance - SECOND READING

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to approve second reading of Ordinance No. 25-03.

The motion carried unanimously.

Ordinance No. 25-04, An Ordinance To Amend The Agreement For Development Of A Multi-County Industrial And Business Park By And Between Darlington County And Marlboro County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park So As To Include Additional Property In Darlington County And Marlboro County As Part Of The Joint County Industrial Park, And Other Matters Relating Thereto - FIRST READING

The title of Ordinance No. 25-04 was read for first reading. No action required.

Ordinance No. 25-05, An Ordinance Authorizing Darlington County To Accept Ownership And Responsibility Of Property Through The Buyout Program With South Carolina Office Of Resilience (SCOR) - FIRST READING

The title of Ordinance No. 25-05 was read for first reading. No action required.

### Resolutions

Resolution No. 789, A Resolution Authorizing The County Administrator And County Council To Execute A Community Development Block Grant - Mitigation (CDBG-MIT) Stormwater Infrastructure Program Agreement Between Darlington County And The South Carolina Office Of Resilience To Fund A Stormwater Infrastructure Improvement Project That Will Mitigate The Impact Of Future Disasters

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to approve Resolution No. 789.

The motion carried unanimously.

Resolution No. 790, An Inducement Resolution Supporting And Providing For Incentives For A Proposed Investment By IP Solar, LLC Relating To A Proposed Solar Farm Development Located At Tax Parcels 050-00-01-004, 073-00-01-069, 074-00-01-001 Near Underground Branch Road, And 074-00-01-074 Near Persimmons Drive, And Other Matters Related Thereto - CARRY OVER REQUESTED

Resolution No. 792, Identifying A Project To Satisfy The Requirements Of Title 12, Chapter 44 Of The South Carolina Code, So As To Allow Investment Expenditures Incurred By A Company Known To The County As Project Beaver, Its Affiliates And Related Entities, To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes Arrangement With Darlington County, South Carolina For The Development Of An Utility Scale Solar Generating Facility Located Between Society Hill Road And N Governor Williams Highway; Providing For Other Related Economic Development Incentives, Including Special Source Revenue Credits; And Other Matters Related Thereto - CARRY OVER REQUESTED

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to carry over Resolution No. 790 and Resolution 792.

The motion carried unanimously.

#### Committee Reports

There were no Committee Reports.

#### Other Items

##### Appointments To Boards/Commissions/Committees

Recreation Commission. Mr. Flowers reappointed Mr. Linwood Epps to the Recreation Commission. The vote was unanimous to reappoint Mr. Epps. He will serve a second term that will commence on July 1, 2025, and expire on June 30, 2029.

##### Appointments To The FY25/26 Accommodations Tax Advisory Committee

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to reappoint the current members to the Accommodations Tax Advisory Committee for FY25/26.

The motion carried unanimously. Members reappointed were Ms. Desiree Fogle (Lodging), Mr. John Templin Hardee (Lodging), Mr. Dan Moses( Hospitality Business), Mr. James Ashley Flowers (Hospitality Business), Ms. Allison Pederson (Cultural Organization), Mr. Winfred Herrington (Citizen At Large), and Mr. John Crawley (Citizen At Large).

##### Bid Award To Build Three (3) Tennis/Pickleball Courts At The Lamar Dixie Youth Fields In Lamar, South Carolina

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to approve acceptance of the bid in the amount of \$236,263 (from Hospitality Tax funds) from Kiren Construction to build three tennis/pickleball courts at Lamar Dixie Youth fields.

Ms. Thomas asked whether any more courts would be built at other locations.

Chairman Hudson responded that this was the only field the county owned.

Mr. Flowers commented that other pickleball courts may be built, but they will not be on county property.

The motion carried unanimously.

Bid Award To Replace 40-Ton HVAC Unit At The Hartsville Outreach Building

**MOTION** made by Mr. Davis and seconded by Mr. Flowers to approve acceptance of the bid in the amount of \$99,600 (from General Fund) from Johnson Refrigeration for a 40-ton HVAC system for the Hartsville Outreach Building. *(Hartsville Outreach Building is located on the corner of South 4<sup>th</sup> Street and E. Camden Street in Hartsville.)*

The motion carried unanimously.

Vehicle Loan Agreement With Darlington Raceway For Fire Engine From Fire District

**MOTION** made by Mr. Davis and seconded by Mrs. Godbold to approve the Vehicle Loan Agreement with Darlington Raceway to use the county's Class A Pumper Truck during the NASCAR Cup Series events on May 10<sup>th</sup> – 12<sup>th</sup> and August 31<sup>st</sup> – September 1<sup>st</sup>.

The motion carried unanimously.

Request To Purchase A 2019 Caterpillar 816K Landfill Compactor For Environmental Services

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to approve the purchase of a used 2019 Caterpillar 816K compactor for Environmental Services.

Mr. Stewart reported that the staff started researching on Thursday and did not receive the final information until today. The staff found a better piece of equipment than the used equipment listed on the agenda. Initially, the staff was looking to purchase an 816K type caterpillar compactor for the landfill and was comparing it to the price of an 836K, which, according to the sales representative, would cost between \$1.1 million and \$1.2 million. Therefore, with this comparison, the 2019 used equipment at \$434,000 was the best deal for the county.

However, while conducting the research, the staff found out that an 816K was only \$615,339.65 brand new, which was much less than the previous price the staff was comparing, and it was the right size for the county C&D landfill. Also, this brand new equipment was less than \$200,000 above the price of the used equipment and had a full warranty and the same features plus slightly better features. Therefore, the staff was proposing that Council replace the used equipment listed on the agenda with the brand new equipment as listed in the handout from Blanchard that was placed at Council's desk and accept the state contract price of \$615,339.65.

Mr. Stewart also noted that the exigent circumstance would be that the county was currently renting a heavy-use bulldozer that was costing over \$7,000 per month to do partially what the brand-new landfill compactor can do. He also pointed out that the initial equipment has a large front blade like a dozer but does not have the huge round steel compacting wheels nor the weight of the new equipment. The initial equipment was about one-half the weight of the proposed new equipment. The new equipment will crush and

compact the material so that there is less air in the county landfill and will give the county more space, time, and use of the landfill and less potential for a fire.

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to amend the motion and substitute the state contract new compactor (Cat Model: 816 Wheel Dozer/Compactor for \$615,339.65 from Blanchard) instead of the 2019 used caterpillar.

The motion was carried with Ms. Thomas opposing. Ms. Thomas would like to see the equipment when it comes in.

Chairman Hudson called for a vote on the motion as amended. The motion carried with Ms. Thomas opposing.

Community Development Block Grant - Mitigation Infrastructure Program (CDBG-MIT) Project Application Award Determination

**MOTION** made by Ms. Thomas and seconded by Mr. Davis to approve the CDBG-MIT Stormwater Infrastructure Program with SCOR to fund a stormwater Infrastructure Improvement Project – Chestnut Street area.

The motion carried unanimously.

Administrative Update - Mr. Don Strickland, PDRTA Executive Director – Update & Proposal

Mr. Don Strickland presented information regarding PDRTA's services and growth in Darlington County. He also presented the data from their recent passenger ridership survey regarding the number of trips, the purpose of those trips, the types of services, etc. The number of riders has continued to grow in Darlington County. Mr. Strickland also talked about the financing model that PDRTA has been using but has to change in order for them to provide the services that are needed. If nothing changes before July 1<sup>st</sup>, services will have to be reduced by 25 percent, with the number of calls increasing. Two proposed funding options (Vehicle Registration Fee or Penny Sales Tax) were listed in the handout given to Council members.

Mr. Strickland talked about federal funds, their existing budget for Darlington County, and the amount required to expand the services as needed. He also talked about the possibilities with dedicated funding, as listed in the handout. This type of conversation was being held in all five of their service counties.

Mrs. Godbold asked about the 60-day notice for service reduction.

Mr. Strickland noted that certain notifications to the public must be given if services are reduced.

Mrs. Godbold asked whether Council needed to decide how to fund PDRTA and whether the funding would be through a registration fee or penny sales tax. She also asked about the amount of funds needed.

Mr. Strickland explained that for PDRTA to sustain existing services and not add anything else or do anything differently as of July 1<sup>st</sup>, about \$100,000 would be needed from Darlington County to maintain their \$1.4 million budget. He also confirmed that in order to add services for workforce development, demand response, or any additional services in

areas that are not being served well will require additional funds. The next step would involve the county administrator explaining the proposed funding options.

Ms. Thomas asked about PDRTA's funding sources.

Mr. Strickland stated that PDRTA's local partners in Darlington County were providing nearly one-half of their \$1.4 million budget through local partnerships. However, the proposed funding would allow PDRTA to move forward and continue its services, especially in areas that are currently underserved.

Ms. Thomas talked about seniors depending on PDRTA's services.

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

Mr. Stewart reported that the proposed funding options for PDRTA would be a part of the county budget process.

Mr. Stewart also reported that Darlington County Animal Shelter Quarterly Reports for the past two quarters were placed at Council's desk and will be included in the next agenda package. The individual submitting the reports did not realize that the reports needed to be sent to the Clerk to Council.

Council members also received at their desk information from the State Ethics Commissions about filing their Statement of Economic Interest by March 30<sup>th</sup>.

#### Requests / Comments - Members Of Council

Mr. Davis thanked the citizens for attending the meeting and asked them to take care of each other. He also thanked the employees for their work.

Ms. Thomas referred to her handout containing information regarding economic development and neighborhood/community revitalization programs. She would like for the city and the county to work together and with PDRTA. Ms. Thomas briefly talked about seniors needing transportation and for council members to be more involved. She asked Council members to review the information and then discuss and make recommendations for an action plan.

Mr. Askins thanked the individuals who spoke about the solar farms. He reported that over the past several months, he attended several meetings and received calls from individuals who are opposed to solar farms. The individuals are concerned about environmental impacts, loss of wildlife/habitat, loss of farmland, the appearance of the area, property values, etc. He reported that currently, there are thirteen (13) solar/energy facilities and thirteen (13) more that have received FILOT (Fee In Lieu Of Tax) agreements. Mr. Askins questioned whether Council should continue to incentivize solar farms since there is so much opposition towards them. He was in favor of landowners being able to do whatever they want to with their property, but he questioned whether Council should be encouraging these facilities when there is so much opposition against them. Mr. Askins pointed out that a vote of Council will be coming up in March, and he urged Council members to talk with their constituents and get feedback before voting.

Mrs. Godbold reported that nothing has happened at/near the intersection of Cashua Ferry Road and Springville Road (regarding signage), and there was another accident. She also reported that there needs to be signage providing directions from the Georgetown Road area to Interstate 95. She briefly talked about how people and truckers were getting lost in the Georgetown Road area trying to get to Interstate 95.

Mrs. Godbold commented that she, along with Councilwoman Thomas, attended the City of Darlington meeting on Saturday, where interest was expressed about the Darlington County Historical Commission Museum being open on Saturdays or possibly one Saturday per month or quarter so that people who work during the week will have an opportunity to visit it. She questioned how the county would respond to PDRTA's request for financial support, especially since the County was contributing the least amount compared to other entities.

Mr. Stewart responded that PDRTA's request would be a part of the county's budget. The penny sales tax option could not be placed on the ballot until next year, but adding to the vehicle registration fee could be considered during the budget process to get \$100,000. The options will be discussed during the budget process.

Chairman Hudson thanked everyone for attending the meeting and commended the staff for their work.

Vote For Executive Session (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property Regarding The Mineral Springs Park Property (2) Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body - Solar Facilities In Darlington County

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to vote for executive session for (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property Regarding The Mineral Springs Park Property, and (2) Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body - Solar Facilities In Darlington County.

The motion carried unanimously.

**MOTION** made by Mr. Flowers and seconded by Mr. Davis for Council, the County Attorneys, and the County Administrator to go into executive session for (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property Regarding The Mineral Springs Park Property, and (2) Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body - Solar Facilities In Darlington County.

The motion carried unanimously.

Council, the County Attorneys, and the County Administrator went into executive session at 6:51 p.m. and reconvened at 7:28 p.m.

Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

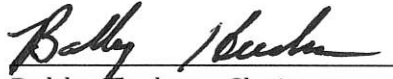
Adjournment

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:29 p.m.

Respectfully submitted,



J. Janet Bishop  
Clerk to Council



Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of March 3, 2025.