

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

January 7, 2025

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 7th day of January 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. 24-21 was published in the News and Press and the Hartsville Messenger on December 11, 2024.

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, Central Communications Director Michelle Hall, Codes Enforcement Staff Mary Tunstall, Emergency Management Director Molly Odom, Emergency Medical Services Director Kenny Bowen, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Planning Staff Paula Newton, Library Director Jimmie Epling, the Honorable Marvin I. Lawson, Judge of Probate, and others.

REPORTERS PRESENT

None

Swearing-In Ceremony

At 6 p.m., the Honorable Marvin I. Lawson, Judge of Probate, administered the Oath of Office to Councilwoman Angie Stone Godbold (County Council District 1), Councilwoman Joyce W. Thomas (County Council District 3), Councilman Marvin Le Flowers (County Council District 5), and Councilman Michael Kirk Askins (County Council District 7). Their term of office - January 7, 2025, through December 31, 2028.

PUBLIC HEARING

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 - SECOND READING

Attorney James Lucas presided and declared the public hearing open to receive comments on Ordinance No. 24-21.

There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order / Election Of Officers

Attorney Lucas called the meeting to order at 6:03 p.m. and presided over the election of officers.

Chairman. Attorney Lucas opened the floor for nominations for Chairman of Darlington County Council for 2025.

Mr. Flowers nominated Mr. Bobby Hudson to serve as Chairman of County Council for 2025. Mr. Coker seconded the nomination. There being no further nominations, Mr. Flowers moved to close the floor for nominations and elect Mr. Hudson as Chairman by acclamation.

The vote was unanimous. Mr. Hudson was elected as Chairman of Darlington County Council for the 2025 calendar year.

Vice Chairman. Attorney Lucas opened the floor for nominations for Vice Chairman of Darlington County Council for 2025.

Mr. Coker nominated Mr. Flowers to serve as Vice Chairman of County Council for 2025. Mr. Davis seconded the nomination. There being no further nominations, Mr. Douglas moved to close the floor for nominations and elected Mr. Flowers by acclamation.

The vote was unanimous. Mr. Flowers was elected as Vice Chairman of Darlington County Council for the calendar year 2025.

Chaplain. Attorney Lucas opened the floor for nominations for Chaplain of Darlington County Council for 2025.

Mr. Davis nominated Mr. Dannie Douglas to serve as Chaplain of County Council for 2025. Mr. Hudson seconded the nomination. There being no further nominations, Mr. Coker moved to close the floor for nominations and elect Mr. Douglas by acclamation.

The vote was unanimous. Mr. Douglas was elected as Chaplain of Darlington County Council for the calendar year 2025.

Attorney Lucas congratulated all the officers of Darlington County Council and relinquished to gavel to Chairman Hudson.

Invocation And Pledge Of Allegiance

Mr. Douglas presented the invocation, and Mr. Flowers led the Pledge of Allegiance.

Citizens' Comments

There were no citizen's comments.

Personal Appearances

There were no personal appearances.

Presentation to Councilman Albert Davis

Chairman Hudson presented Councilman Al Davis with his 5-year service pin.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 7.A. Planning Commission Meeting Minutes, August 21, 2024
- 7.B. Library Board Of Trustees Meeting Minutes, September 18,
- 7.C. Airport Commission Meeting Minutes, August 22,
- 7.D. Workforce Innovations & Opportunity Act (WIOA) 2024-2027 Regional Plan, 2024-2028 Local Plan, & Executive Summaries
- 7.E. Darlington County Humane Society Meeting Minutes, November 11, 2024
- 7.F. COG's Monthly Newsletter, December
- 7.G. Darlington County Parks, Recreation And Tourism-January 2025 Activities
- 7.H. 911 Call Volume Report, November
- 7.I. Fire District Call Volume Report, December 2024
- 7.J. Financial Update Through November 30, 2024
- 7.K. Darlington County Audit Report For Fiscal Year Ended June 30,
- 7.L. Darlington County Solar Site Status Overview
- 7.M. FY26 Budget Timeline Process

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 Regular Meeting, December 2, 2024

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the regular meeting held on December 2, 2024.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Special Meeting, December 10, 2024

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the special meeting held on December 10, 2024.

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 - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second 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, And 0074-00-01-074 Near Honeysuckle Road And Running Brook Road; And Authorizing Other Related Matters - FIRST READING

The title of Ordinance No. 25-01 was read for first reading. No action required.

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, And 0074-00-01-074 Near Honeysuckle Road And Running Brook Road; And Other Matters Related Thereto (IP Solar, LLC) - FIRST READING

The title of Ordinance No. 25-02 was read for first reading. No action required.

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 - FIRST READING

The title of Ordinance No. 25-03 was read for first reading. No action required.

Amendment To The Agenda To Bring Forth Executive Session - (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: Property Owned By The City Of Darlington 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

MOTION made by Mr. Askins and seconded by Mr. Coker to bring forth executive session for (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: Property Owned By The City Of Darlington 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.

Executive Session

MOTION made by Mr. Askins and seconded by Mr. Coker for Council members, the county administrator, and the county attorneys to go into executive session for (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: Property Owned By The City Of Darlington 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 members, the county administrator, and the county attorneys went into executive session at 6:14 p.m. and reconvened at 6:50 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Resolutions

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, And 0074-00-01-074 Near Honeysuckle Road And Running Brook Road, And Other Matters Related Thereto

MOTION made by Mr. Coker and seconded by Mr. Davis to carry over Resolution No. 790.
The motion carried unanimously.

Resolution No. 791, Memorandum of Agreement And Road Acceptance For Shallowford Road And The Continuation Of Brighton Road

MOTION made by Mr. Flowers and seconded by Mr. Coker to approve Resolution No. 791.
The motion carried unanimously.

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

MOTION made by Mr. Coker and seconded by Mr. Davis to carry over Resolution No. 792.
The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions/Committees

There were no appointments/reappointments to the various Boards and Commissions as listed in Council's agenda package.

2025 Meeting Schedule For Darlington County Council

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve the 2025 meeting schedule for Darlington County Council.

The motion carried unanimously.

Environmental Services 2025 Holiday Schedule

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve the 2025 holiday schedule for Environmental Services.

The motion carried unanimously.

Summerville Subdivision Phase V (+/- 35 lots)

MOTION made by Mr. Flowers and seconded by Mr. Coker to approve Summerville Subdivision Phase V (+/- 35 lots).

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 Mrs. Godbold to authorize the purchase offer to the City of Darlington for 116 acres along Highway 151 and the Carnegie Library located at 109 N. Main Street in Darlington. There was not a second to the motion.

The motion failed for lack of a second.

Matching Funds For The Volunteer Fire Assistance Grant

MOTION made by Mr. Douglas and seconded by Mr. Coker to approve matching funds (\$1,735) for the Volunteer Fire Assistance Grant to be used toward the purchase of a brush unit to be housed at Mechanicsville Station 4.

The motion carried unanimously.

Proposal For South Carolina Opioid Relief Fund For Darlington County

MOTION made by Mr. Coker and seconded by Mr. Davis to approve the proposal for the South Carolina Opioid Relief Fund. The proposal was included in the agenda package.

Mrs. Godbold stated that it looked like the funds would be used to add positions for a number of years, which made her concerned about the longevity of the services, especially if the county does not have a plan to continue them.

Mr. Stewart explained that the committee and the working groups determined that the positions would have the most impact in interacting with and catching individuals with opioid problems and getting the individuals treatment to help with the opioid problems in Darlington County. The idea was that within three years, it could be determined whether the funds were actually making a difference. The Committee only requested \$1.5 million of the \$2.3 million. Therefore, \$800,000 would be left to decide which programs would continue, plus additional funds would go into the pot during that time period. The additional funds would not be another \$1.5 million because, with each large lawsuit settlement, 30 percent of the settlement was paid upfront, and the remainder was paid over 15 to 18 years. By leaving \$800,000, the Committee can evaluate which programs worked best and with more money added, those programs could continue for another 3 to 4 years. At some point in the future, as with any program, Council would have to decide whether tax dollars or some other funding source will handle it.

Mrs. Godbold expressed that she did not agree with just paying salaries, and she did not see how the programs would impact where they need to.

Mr. Stewart explained that the proposal contained salary funds for peer support in the detention center, at the OXFORD House in Darlington County, Rubicon services in Darlington, a

counselor for identifying, training, and teaching kids to avoid opioid problems in the schools, someone in the emergency department, law enforcement, etc. The Committee and the working groups submitted this proposal from the committee that was formed by County Council to look into this matter. He stated that in the study, it was authorized for Rubicon to prepare a proposal for Council's consideration to be submitted to the state office to utilize the funds in this manner. However, Council could change the proposal.

Mrs. Godbold questioned whether the proposal had to be approved tonight.

Mr. Stewart explained that some of the earliest funds need to be obligated, and he did not think that the Opioid Committee could meet by February and change the course of action. However, the staff would do as Council instructs.

Mr. Coker asked who would evaluate the effectiveness of the programs and decide which person or persons would stay.

Mr. Stewart responded that Rubicon and each counselor would report on their interactions, successes, etc. Then the Opioid Committee would evaluate again and advise Council with recommendations. The Opioid Committee was formed to advise Council on how to spend the funds. Council will receive an evaluation report.

Chairman Hudson called for the vote. The motion carried with Mrs. Godbold opposing.

Repair To Pisgah Road Bridge

Mr. Stewart pointed out that Pisgah Road Bridge is located half in Darlington County and half in Florence County. This was not a state bridge.

MOTION made by Mr. Flowers and seconded by Mr. Davis to accept the offer to repair Pisgah Road Bridge.

Mr. Stewart explained that the bridge crosses High Hill Creek in the Palmetto area. One-half of the bridge was in Darlington County and one-half in Florence County. Florence County would like Darlington County to split the cost. He explained that Darlington County Roads and Bridges staff obtained a quote. The quote was so high that would require the project to go through the bid process. Bids were solicited but nothing was received. Florence County wanted to move forward. Since Darlington County had hit a dead end, Darlington County let Florence County pick up the information and attempted to solicit bids. They only received the original quote that Darlington County staff had received. Therefore, under Florence County's procurement ordinance, they were able to establish under their rules that they had done their due diligence to let people know about the project to bid on it. Mr. Stewart reported that Florence County will enter a contract with the one person who had submitted a quote and call it "sole source" under Florence County's rules and split the funding with Darlington County. Darlington County has the same process but worked with Florence County. Council has received the original quote to do the work plus up to twenty (20) percent overrun matched dollar for dollar (50/50) for Florence and Darlington counties. The max that Darlington County would pay is \$126,240.

Mr. Flowers was concerned about the possibility of the project going over the cost. He wanted to know whether the county would be compelled to finish the project even if the price went up to \$400,000.

Mr. Stewart did not know. However, Florence County was holding the contract. The proposal would authorize Darlington County to spend up to \$126,240 with Florence County to repair the bridge based on the information given to Darlington staff from Florence County. This would be the original cost plus up to a 20 percent overrun. If the cost is more than this, Darlington County would not have authorized more money from Darlington County.

Mr. Flowers said he was willing to spend up to \$126,240 after the completion of the project. He did not want to put this amount in, and it is still not enough to complete the project. Mr. Flowers indicated that he would like a completed project and then the county pay its share since it was Florence County's contractor, project, etc.

Mr. Stewart explained that the way it was currently written, Darlington County would pay up to \$126,240. Darlington County would spend this money along with Florence County up to that amount and not that Florence County completes the project and Darlington County reimburse them. However, the project was capped at \$126,24 for Darlington County.

Mr. Douglas confirmed that the road was currently closed.

Mr. Stewart stated that Darlington County did not receive any calls about this road until after discussions with Florence County. Then two calls were received about the road being closed eight months after its closure. The bridge was closed when SCDOT (South Carolina Department of Transportation) inspected the bridge and found that it needed additional reinforcement.

As a point of procedure, Mr. Flowers asked whether he could amend his motion to state that the maximum amount of \$126,240 be paid to Florence County upon completion of the project.

Mr. Stewart suggested changing the motion from "up to \$126,240 for the project" to "up to a maximum reimbursement of \$126,240 to Florence County for a completed project."

To ensure a clear and specific motion, Attorney Lucas suggested that Mr. Flowers withdraw his motion and make a second motion.

Mr. Flowers withdrew his motion, and Mr. Davis withdrew his second to the motion.

MOTION made by Mr. Flowers and seconded by Mr. Coker to fund up to a maximum of \$126,240 from the Capital Project Fund Balance for the Pisgah Road Bridge Repair Project to reimburse Florence County upon completion of the bridge project.

The motion carried unanimously.

Transfer Of 2007 Dodge 2500 To The Town of Lamar

MOTION made by Mr. Douglas and seconded by Mr. Coker to approve the transfer of a 2007 Dodge 2500 truck (VIN: 3D7KR28D37G766656) to the Town of Lamar.

The motion carried unanimously.

Administrative Update

There was not an Administrative Update.

Requests / Comments - Members Of Council

Mr. Davis thanked everyone for attending the Council meeting.

Mr. Flowers talked about individuals who impacted his life 46 years ago. He specifically thanked Thomasina Scott, Coach Norman Singletary, Wilhelmina P. Johnson, and Alex Yarborough.

Ms. Thomas pointed out that her picture was on the front of South Carolina Association of Counties' Counties Connect Legislative Action Day postcard. She encouraged Council members to attend this event in February. She also mentioned that she was concerned about future projects

for seniors. Ms. Thomas extended her appreciation regarding Council's cooperation and positive attitude.

Adjournment

MOTION made by Chairman Hudson and seconded by Mr. Douglas to adjourn the meeting. There being no further comments, the meeting was adjourned at 7:11 pm

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of February 3, 2025.