

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

AUGUST 8, 2022

A public hearing and regular meeting of the County Council of Darlington County was held this 8th day of August 2022 at the Courthouse Annex/EMS Building, 1625 Harry Byrd Highway (Hwy. 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 courthouse.

A Notice of Public Hearing for Ordinance No. 22-09 was published in the News and Press and the Hartsville Messenger on July 13, 2022, July 20, 2022, and July 27, 2022. A Notice of Public Hearing for Ordinance No. 22-11 and Ordinance No. 22-12 was published in the News and Press and the Hartsville Messenger on July 20, 2022.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. M. 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, Clerk to Council J. JaNet Bishop, Acting County Attorney Jacob Godwin, Central Communications Director Michelle Hall, Codes Enforcement Director Terri Cribb, Emergency Management Coordinator Molly Odom, Emergency Services Director Kenny Bowen, Environmental Services Director Gary White, Finance Director Sherman Dibble, Human Resources Manager Ginger Winburn, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, Sheriff James Hudson, Society Hill Mayor Dwayne Duke, Haynsworth Sinkler Boyd Attorney Benjamin Zeigler, Charter Communications' Liaison Joe Prater, and others.

REPORTERS PRESENT

None.

Public Hearings

Ordinance No. 22-09, An Ordinance Finding That The Palmetto Rural Fire District May Issue Not Exceeding \$1,600,000 General Obligation Bonds; To Authorize The Palmetto Rural Fire District Commission To Issue Such Bonds; And To Provide For The Publication Of Notice Of The Said Finding And Authorization - THIRD READING

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 22-09. There being no comments, the public hearing was closed.

Ordinance No. 22-11, An Ordinance To Amend Ordinance No. 22-08 (Darlington County FY22/23 Budget Ordinance) For A Supplemental Appropriation To All Funds For An Additional Three Percent Salary Increase For Employee Positions Budgeted Below \$50,000 And/Or Any First Responder Position Working 24 Hour Shifts Providing Emergency Scene Response As The Primary Position Duty; For An Adjustment To The Pay Scale For Class I Law Enforcement Officers To A Minimum Of \$42,000 And Class II Correctional Officers To A Minimum Of \$36,000; To Increase The County Monthly Premium Contribution For Retiree Health Insurance Assistance From \$100 Per Month Max To \$250 Per Month For Qualified Retirees; To Provide For The State Budget Adjustment In The Local Government Funds, Salary Supplement Program As Directed By The State Of South Carolina For The Sheriff Of \$15,000 For FY23, For The Clerk Of Court Of \$15,000 For FY23, For The Probate Judge Of \$15,000 For FY23, And The Coroner Of \$1,500 For FY23, And New Coroner Program Supplement As Directed By The State Of South Carolina For The Coroner Of \$35,000 For FY23; And Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 22-11. There being no comments, the public hearing was closed.

Ordinance No. 22-12, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 40 (Personnel), Article III, (Retiree Health Insurance Assistance Program), To Update The Definition Of Eligible Retirees And The Monthly Premium Contribution For The County's Retiree Health Insurance Assistance Program; And Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 22-12. 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. Mr. Douglas presented the invocation and Mr. Flowers led the Pledge of Allegiance.

Citizens' Comments

Ms. Carolyn Hannah appeared on behalf of New Vision Rice Festival. She thanked Council for Accommodations Tax funds and requested assistance to get the grass mowed along the side of the highway before the Rice Festival Parade which is scheduled for September 3rd at 10 a.m. The parade will begin at New Hopewell Baptist Church on New Hopewell Road, turn on Bethlehem Road, and end at New Hopewell Outreach Center on Bethlehem Road. Ms. Hannah indicated that SCDOT (South Carolina Department of Transportation) had been contacted about mowing the grass along the highway, but she does not know whether they will mow the grass in time for the parade. Although this was not the

county's responsibility, she was requesting the county's assistance to ensure that the grass is mowed. Ms. Hannah invited Council members to attend and participate in the parade.

Mr. Flowers asked Ms. Hannah to leave her contact information with the staff.

Mr. Stewart responded that the staff would contact South Carolina Department of Transportation. He mentioned that the county could mow the grass along the highway right-of-way but not on private property.

Personal Appearances

There were no personal appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 6.A. Monthly Financial Report, June 2022
- 6.B. Darlington County Transportation Committee (CTC) Meeting Agenda (July 27, 2022) & Minutes (June 22, 2022)

MOTION made by Mr. Flowers and seconded by Mr. Coker to receive the Consent Agenda items as information.

Ms. Thomas asked about the process for getting roads on the list to be resurfaced.

Mr. Stewart explained that the request must be made before the CTC (County Transportation Committee), and then they have a process. The CTC Board is independent of County Council and is not a subcommittee of County Council. It was confirmed that the CTC Board was still meeting via teleconference. When the Clerk to Council receives their meeting information, she will forward it to Ms. Thomas.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing And Regular Meeting, July 11, 2022

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the public hearing and regular meeting held on July 11, 2022.

The motion carried unanimously.

Ordinances

Ordinance No. 22-09, An Ordinance Finding That The Palmetto Rural Fire District May Issue Not Exceeding \$1,600,000 General Obligation Bonds; To Authorize The Palmetto Rural Fire District Commission To Issue Such Bonds; And To Provide For The Publication Of Notice Of The Said Finding And Authorization - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Coker to approve third reading of Ordinance No. 22-09.

Mr. Flowers requested that Attorney Ben Zeigler be allowed to present pertinent information regarding this ordinance.

Attorney Ben Zeigler recapped that Palmetto Rural Fire District is a Special Purpose District created in 1976 by referendum under South Carolina laws to provide fire protection

service in the southeastern part of the county and has been providing services for almost 50 years. A Special Purpose District, like the county, has the authority to levy taxes for operations and debt/capital items. According to the constraints of state law, their referendum, and amendments, Palmetto Rural Fire District has a cap on its operating millage. Under general laws of South Carolina, when Palmetto Rural Fire District issues a bond, it must go through the county first. When the bond is issued, it will be their debt and not Darlington County's debt. When the legislature enacted Home Rule in 1976, this special purpose district was post Home Rule. The legislature allowed special purpose districts to continue to borrow money but wanted the county to be informed and approved anything a special purpose district does by way of general obligation debt. Therefore, according to the law, when Palmetto Rural Fire District issues a bond, it has to go through the county for approval and a public hearing. With Council's approval, Palmetto Rural Fire District will go back to its board which will decide whether to issue the bonds. A petition was filed in June; it was discussed in executive session; and this will be the third reading of the ordinance approving the issuance of the bonds. The bonds will be in the principal amount of about \$1.3 million to purchase fire equipment and move Palmetto Rural Fire District's existing capital items from their operating side to their debt service side. In the 50 years that Palmetto has been in existence, they have not borrowed money through the issuance of general obligation bonds. They financed certain improvements and equipment through bank loans which was not the optimum way to do it under state law and were not tax exempted. Therefore, in reviewing their current capital needs, it was suggested that it would be better to move everything to one bond and there be a debt service levy and an operating levy. With this, they would not have to worry about capital items taking up the operating levy. This bond issuance will take care of all their existing debt which includes their main fire station as well as new debt. The net effect of this on taxpayers will be minimal. The countywide fire district levy is five mills for debt and once this is done, Palmetto Rural Fire District's levy will be about 5.5 mills for debt which equates to about a one-half mill increase in taxes to pay for the new equipment. Attorney Zeigler mentioned that a public meeting was held at the fire station in July where the proposal was presented and favorably received. Palmetto Rural Fire Chief Thomas Spivey and some of his team members were present at the meeting.

Palmetto Rural Fire Chief Thomas Spivey mentioned that this will be for new debt only. They will move the old debt over and purchase a tanker at about \$400,000.

The motion carried unanimously.

Ordinance No. 22-10, An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Darlington County, South Carolina (The "County"), Pee Dee Electric Cooperative, Inc., And MPD Electric Cooperative, Inc. (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); And (2) Other Matters Relating Thereto - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 22-10.

The motion carried unanimously.

Ordinance No. 22-11, An Ordinance To Amend Ordinance No. 22-08 (Darlington County FY22/23 Budget Ordinance) For A Supplemental Appropriation To All Funds For An Additional Three Percent Salary Increase For Employee Positions Budgeted Below \$50,000 And/Or Any First Responder Position Working 24 Hour Shifts Providing Emergency Scene Response As The Primary Position Duty; For An Adjustment To The Pay Scale For Class I Law Enforcement Officers To A Minimum Of \$42,000 And Class II Correctional Officers To A Minimum Of \$36,000; To Increase The County Monthly Premium Contribution For Retiree Health Insurance Assistance From \$100 Per Month Max To \$250 Per Month For Qualified Retirees; To Provide For The State Budget Adjustment In The Local Government Funds, Salary Supplement Program As Directed By The State Of South Carolina For The Sheriff Of \$15,000 For FY23, For The Clerk Of Court Of \$15,000 For FY23, For The Probate Judge Of \$15,000 For FY23, And The Coroner Of \$1,500 For FY23, And New Coroner Program Supplement As Directed By The State Of South Carolina For The Coroner Of \$35,000 For FY23; And Establish The Effective Date Of This Ordinance - SECOND READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve second reading of Ordinance No. 22-11.

Mr. Davis asked whether he could instruct the County Administrator to remove the clause for employees making under \$50,000 and include everyone across the board in the three percent salary increase.

Mr. Flowers suggested that Council handle second reading, and during Council Comments/Remarks, Mr. Davis could make a motion for Council to vote on. Then the County Administrator would be instructed to bring the information for Council to amend the Ordinance for third reading to include everyone in the three percent salary increase.

The motion carried unanimously.

Ordinance No. 22-12, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 40 (Personnel), Article III. (Retiree Health Insurance Assistance Program), To Update The Definition Of Eligible Retirees And The Monthly Premium Contribution For The County's Retiree Health Insurance Assistance Program; And Establish The Effective Date Of This Ordinance - SECOND READING

MOTION made by Ms. Thomas and seconded by Mr. Davis to approve second reading of Ordinance No. 22-12.

The motion carried unanimously.

Ordinance No. 22-13, An Ordinance To Reconstitute and Reestablish The Hartsville Fire Protection District In Darlington County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto - SECOND READING

MOTION made by Mr. Askins and seconded by Mr. Douglas to approve second reading of Ordinance No. 22-13.

The motion carried with Mrs. Godbold recusing herself from the vote.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions - Mr. Le Flowers & Mrs. Joyce W. Thomas

Mr. Flowers carry over his appointment to the Board of Assessment Appeals and the Construction Board of Adjustment and Appeals.

MOTION made by Ms. Thomas and seconded by Mr. Flowers to appoint Mr. Reginald Gardner to the Airport Commission.

The motion carried unanimously. Mr. Gardner will replace Mr. Frances Hood and serve a term to expire on June 30, 2026.

Bid Award For Posting Notice Of Levy For Delinquent Taxes

MOTION made by Ms. Thomas and seconded by Mr. Flowers to approve awarding the bid to Palmette Posting to post Notices of Levy for delinquent taxes for the Tax Collector's Office at \$25 per posting.

The motion carried unanimously.

Bid Award For Title Abstracting For Delinquent Tax Sale

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve awarding the bid for title abstracting for delinquent tax sale properties to Evans M. Bunch, III & Associates at \$85 per title search for the Tax Collector's Office.

The motion carried unanimously.

Bid Award For Paving Kewanee Avenue, Hawk Drive, and Eagle Eye Drive

MOTION made by Mr. Douglas and seconded by Mrs. Godbold to approve awarding the bid to CR Jackson, Inc. for \$173,150.45 to pave Kewanee Avenue, Hawk Drive, and Eagle Eye Drive.

The motion carried unanimously.

Bid Award To Resurface Welling Farm Road, Mallard Duck Drive, Wood Duck Drive, and Railroad Avenue

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve awarding the bid to CR Jackson for \$338,009.50 to resurface Welling Farm Road, Mallard Duck Drive, Wood Duck Drive, and Railroad Avenue.

The motion carried unanimously.

Administrative Update – Sheriff James Hudson, Monthly Activity Report

Sheriff James Hudson introduced Mrs. Joyce Everett, the Sheriff's Office Community Liaison Officer. He then presented a report of the Sheriff's Department's activities for the month of July which included the numbers for calls, reports written, arrests, warrants served, uniform tickets written, mental patient transports, funerals, assistance to other agencies, domestics, burglaries, car break-ins, stolen vehicles, larcenies, robberies, assaults, aggravated assaults, murders, weapon involved violations, malicious damage to property, suspicious persons, trespassing calls, animal calls, fire calls, harassment calls, alarm calls, run-a-ways/missing persons, custodial/domestic issues, fraud cases, shoplifting cases, mental patient, assistance for motorists, EMS assistance, civil papers served, narcotic search warrants, narcotic arrests, narcotic arrest warrants/citations, general public welfare checks, abandon property calls, school resource officers, and court sessions.

Ms. Thomas asked about the age group for certain crimes.

Sheriff Hudson responded that this type of information is compiled at the end of the year with the assistance of E-911 staff.

Ms. Thomas commended Mrs. Everett for working with the seniors and indicated that she would meet with the Sheriff later.

Mr. Coker asked whether all schools have School Resource Officers.

Sheriff Hudson responded that every school in the county where the Sheriff's Office works have a School Resource Officer and marked vehicle. A staff officer is also responsible for going by the school to check the parking lots and check on the School Resource Officer. The cities of Hartsville and Darlington govern the schools within their municipality. The only schools that the Sheriff's Office governs within city limits are the schools in the towns of Lamar and Society Hill. Sheriff Hudson will find out whether there are School Resource Officers in the schools within the cities of Hartsville and Darlington.

Administrative Update – Mr. Charles Stewart, County Administrator, Status of Courthouse Construction

Mr. Stewart did not have a detailed update on the courthouse. However, he reported that the lightweight concrete roof had been poured. He will receive an update from the contractor tomorrow and another update before the next Council meeting. The county website contains videos of the progression of the construction.

Administrative Update – Mr. Charles Stewart, County Administrator, Hiring Event

Mr. Stewart reported that the county held a hiring event held last month at the American Legion Post where twelve county departments participated; approximately sixty people attended; thirty-three applications received; fourteen drug screens performed; and nine people hired. The staff received positive feedback and will probably host another event in January provided there are a number of open positions. This event was coordinated by the directors of Human Resources, Central Communications, and Emergency Management.

Administrative Update – Mr. Charles Stewart, County Administrator, Countywide Stormwater Drainage Study

Mr. Stewart reported that next month, the South Carolina Office of Resilience will provide a detailed update on the watershed study and an opportunity for the county to participate in a voluntary buyout program. He explained that it appears in the preliminary data that there will be areas where there is no particular/reasonable mitigation. Therefore, the engineer will likely recommend buyouts for those areas. There will be no out-of-pocket cost to the county for this voluntary buyout program. The money for the actual buyouts will come through a federal program. Since this information was received today, the location of the September 12th meeting has not been determined because the meeting location will need to be large enough to accommodate the public.

Administrative Update – Mr. Joe Prater, Spectrum/Charter Communications, Darlington County Broadband Update

Mr. Prater presented a map showing Charter Communications' current network area; the area of another provider; unserved areas obtained from federal data and from working directly with the county; and the areas Charter was awarded through the federal RDOF auction that they will build at no cost to the county using federal funds. Charter's original contract contained 1,339 addresses. After working with Council and other individuals, additional addresses were identified which brought the total to 1,374, plus 2,313 RDOF addresses for an overall total of 3,687 unserved addresses to receive fiber services. Charter recognizes that there could be more addresses.

Mr. Prater talked about aspects of the project's buildout process which includes the walkout phase (completed), design and permitting phases (in progress), make-ready phase (pending receipt of permits), construction phase (September/October), and activation phase (December/January). The contract is a two-year build from the end of the permitting process. He then presented the RDOF status wherein 1,467 locations have been activated in the southern part of Darlington and an additional 399 locations to be activated by the end of the year at no cost to the county. The RDOF team will come back in about four months to complete the remaining areas in the northwestern part of the county, hopefully no later than early 2024.

Ms. Thomas asked whether Charter will access students in certain areas. She also suggested that Mr. Prater work with the school district for information regarding the location of students.

Mr. Prater responded that the data they use from the federal government does not include such information. However, the state has allotted data and surveys to show where students are located. A copy of the maps can be provided to Council for review. Mr. Prater said he would engage the school district as long as the areas are not being served by another provider.

Chairman Hudson asked whether Charter would bring in extra crews.

Mr. Prater's response was yes. He talked about crews they will hire and their underground crew from Florence. When the network is built, they will also hire additional maintenance people who will probably be local/local jobs.

Mr. Prater talked about there being funds set aside for additional addresses that are identified along the way, and hopefully, everything will be done without any cost to the county. He also mentioned that Charter will accommodate additional addresses found farther off the path depending upon access to infrastructure which will be reviewed on a case-by-case basis.

Mr. Stewart stated that the Clerk to Council will email a copy of Mr. Prater's presentation to Council members tomorrow.

Administrative Update – Mr. Charles Stewart, Amendment To Ordinance No. 22-11 (FY22/23 Budget Amendments)

Mr. Stewart stated that because of comments that were surfacing, he wanted to advocate on behalf of approximately 22 to 23 employees who would be excluded from the additional three percent raise, for Council to consider including them since it sounded like this was something to be considered. A quick look shows that it would take about \$64,000 to do this. However, from what he has heard, Council would be asking for this information in detail. Mr. Stewart also mentioned that a number of employees make more than \$50,000 because they have been with the county for more than 28 years and have received raises. Some make more than \$50,000 because they are departmental managers but started on the street. He advocated that if there is any way to make this work, he would like to see it happen.

MOTION made by Mr. Flowers and seconded by Mr. Davis to instruct the County Administrator to bring back the necessary numbers and changes to amend Ordinance 22-11 for third reading.

The motion carried unanimously.

Requests / Comments - Members Of Council

Mr. Coker said earlier in the meeting, he asked Sheriff Hudson about school resource officers within the cities of Hartsville and Darlington. He wanted to report that Sheriff Hudson had texted him back confirming that the City of Hartsville and the City of Darlington have someone covering every school within their municipality.

Mr. Davis said he did not want to overlook anyone and would like to make the additional three percent salary increase across the board for everyone. He especially did not want to overlook the county's senior employees who have worked 20 and 30 plus years. Mr. Davis thanked the employees for what they do.

Mr. Douglas thanked Society Hill Mayor Dwayne Duke and his wife for attending the meeting.

Mr. Flowers encouraged everyone to visit Hartsville Museum, a small gem in the county that is often overlooked. He then talked about attending the Lydia Red Sox Luke Arthur Installment Ceremony held at Hartsville Museum where Mr. Luke Arthur was recognized for 50 years of service to the community through sports, recreation, and community leadership.

Ms. Thomas commended the meetings held at the South Carolina Association of Counties Annual Conference and reported that she was compiling information that will show that Darlington County is not up to par with other counties with similar population. She also talked about the need for the county and the South Carolina Department of Transportation to work together regarding stormwater drainage, ditches, and things that have not been done over the years.

Mr. Askins recognized teachers, administrators, coaches, etc. as they begin a new school year. He is hoping for a healthy and productive school year.

Mrs. Godbold announced the death of Mr. ^{David g/A}~~Eugene~~ Vaughan who had been very active in the community. She asked that everyone keep his family in prayers. Mrs. Godbold thanked everyone for attending the meeting and for the updates.

Chairman Hudson thanked Mr. Prater and the employees for attending the meeting and for their work.

Mr. Stewart reminded everyone of Council's special meeting scheduled for Monday, August 15th, at 6 p.m., at the Courthouse Annex/EMS Building.

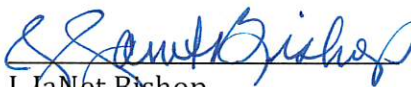
Vote For Executive Session

There was not a vote for executive session.

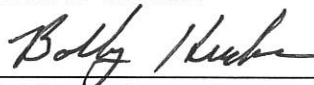
Adjournment

MOTION was made by Mr. Flowers to adjourn the meeting. There being no further comments, the meeting was adjourned at 6:58 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of September 12, 2022.