

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

March 6, 2023

A Regular Meeting of the County Council of Darlington County was held this 6th day of March 2023, 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 courthouse.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Mr. David Coker.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James "Jay" H. Lucas, Clerk to Council J. JaNet Bishop, Codes Enforcement Director Terri Cribb, Economic Development Director Lewis Brown, Emergency Management Director Molly Odom, Emergency Services Director Kenny Bowen, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Sheriff James Hudson, and others.

REPORTERS PRESENT

None.

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

Mr. Wayman Dublin, who resides in the Kelleytown area, appeared before Council to speak in favor of the funds for the Spay/Neuter Outreach Program. He felt that the Darlington County Animal Shelter is a kill shelter, but hopefully one day there will be funding to change this and reduce the number of unwanted animals. Mr. Dublin asked Council to approve the request for funds for the Spay/Neuter Outreach Program.

Society Hill Mayor Dwayne Duke talked about a meeting he attended on February 21st with EPA (United States Environmental Protection Agency) and DHEC (South Carolina Department of Health and Environmental Control) officials regarding the superfund cleanup at Galey and Lord property in Society Hill. There are two programs involved in the superfund cleanup – the sludge fields and Galey and Lord property. Mayor Duke also talked about the testing process, the areas being tested, the agencies that were notified about the property being placed on the EPA list, and the EPA being solely responsible for the cleanup of this project. He reported that criminal acts were occurring on the property including a fire this evening. He concluded by talking about the need for security of the property since criminals from other places were coming into Society Hill and entering the property.

Personal Appearances

There were no Personal Appearances.

Consent Agenda

Included in the Agenda Items were the following:

- 5.A. Beaver Program Report, January 2023;
- 5.B. Statement Of Economic Interest;
- 5.C. Report Of Vacancies & Term Expirations (As Of June 30, 2023) On Council Appointed Boards/Commissions/Committees;
- 5.D. Financial Report thru January 2023; and
- 5.E. Parks, Recreation & Tourism Activities/Schedule, March 2023.

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

Mr. Davis pointed out that according to the Financial Report, some of the departments had overspent their budgets.

Mr. Stewart responded that the Finance Department will balance the overall fund at the end of the year which is allowed in the ordinance. Therefore, each line item does not have to balance.

Mr. Davis asked whether the Financial Report was from the Treasurer.

Mr. Stewart responded that the Financial Report was from the Finance Department. The Treasurer provides the income from taxation which goes into the finance report under revenue.

The motion carried unanimously.

Approval Of Minutes – Minutes Of The Joint Meeting Of Darlington County's Municipal Councils, County Council, Board Of Education, & Legislative Delegation, January 30, 2023

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the Joint Meeting held on January 30, 2023.

The motion carried unanimously.

Approval Of Minutes – Minutes Of Public Hearing And Regular Meeting, February 6, 2023

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the public hearing and regular meeting held on February 6, 2023.

Ms. Thomas asked whether someone had followed up on the public comments made at the February 6th Council meeting.

Mr. Stewart confirmed that everything was looked at regarding the staff.

The motion carried unanimously.

Ordinances

Ordinance No. 23-01, 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 Hawfinch Solar, LLC And Certain Affiliates, And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve third reading of Ordinance No. 23-01.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-02, An Ordinance To Amend The Existing Agreement Governing The Darlington-Florence Industrial Park By And Between Darlington County, South Carolina And Florence County, South Carolina To Enlarge The Boundaries Of The Industrial Park To Include Certain Property Now Or To Be Hereafter Owned And/Or Operated By Hawfinch Solar, LLC; And Authorizing Other Related Matters - FIRST READING

The title of Ordinance No. 23-02 was read for first reading. No action required.

Resolutions

There were no Resolutions.

Committee Reports

There were no Committee Reports.

Other Items

Appointments To Boards/Commissions - Councilman Le Flowers

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

Mrs. Godbold nominated Ms. Carol Hill for appointment to fill an unexpired term on the Library Board.

The vote was unanimous. Ms. Hill will complete the term of Ms. Lynnette Moody which expires on June 30, 2024.

Mrs. Godbold's appointment to the Alcohol and Drug Advisory Committee was carried over.

Appointment To The FY23/24 Accommodations Tax Advisory Committee, Hospitality Business

Council did not have an appointment to represent Hospitality Business on the FY23/24 Accommodations Tax Advisory Committee.

Mr. Stewart mentioned that the Committee will do business without the Hospitality Business member since Council had already reappointed the other members to the Committee.

Request For Funds For Spay/Neuter Outreach Program

MOTION made by Mrs. Godbold and seconded by Mr. Davis to approve the request for a one-time payment of \$8,000 from Fund Balance to the Darlington County Animal Shelter earmarked for the Spay/Neuter Outreach Program.

The motion carried unanimously.

Support For The Transfer Of Parcels To South Carolina Governor's School For Science And Mathematics

MOTION made by Mr. Askins and seconded by Mr. Davis to approve the request for Council to support the transfer of parcel #056-11-03-003 owned by the Governor's School for Science and Mathematics Foundation to the Governor's School for Science and Mathematics for campus development and to support program growth.

The motion carried unanimously.

Consideration to Allocate 7,000,000.00 from ARPA (American Relief Plan Act) Loss Revenue allowance to New Courthouse Construction

MOTION made by Mr. Douglas and seconded by Mr. Askins to approve the allocation of \$7,000,000 in ARPA Loss Revenue towards the continued cost/payments of the new courthouse and replace the \$7,000,000 in assigned capital funds in the General Fund's Fund Balance to become a part of the unassigned fund balance in the General Fund to be used at the full discretion of Council without any restrictions from the Treasury as ARPA funds.

Mrs. Godbold wanted to know how this would be done since Council did not have a worksession regarding the allocation of ARPA funds.

Mr. Stewart explained that \$7,000,000 in ARPA funds would go towards the new courthouse and the current \$7,000,000 in courthouse funds would go to unassign funds which would be at the full discretion of the body of Council. He reported that the county received a total of \$12.9 million in ARPA funds and \$9,758,300.92 left after the premium pay to employees and the contract with Spectrum. Mr. Stewart was asking Council to allocate \$7 million to the courthouse pay-as-you-go capital project, alleviating the \$7 million that was set aside under capital project which will become available in unrestricted fund balance at the full discretion of Council with no reporting requirement of the Treasury. The County will hold \$2,758,300 that has not been allocated to a contract.

Ms. Thomas said she needed to look at the figures and suggested a special session to follow up on what Mr. Stewart was reporting.

Mr. Flowers responded that Ms. Thomas could request a special meeting during Council comments.

The motion carried with Mrs. Godbold and Ms. Thomas voting no.

Professional Service Agreement With SAFEbuilt Carolinas, LLC To Assist With Plan Reviews/Inspection Services

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve the Professional Service Agreement with SAFEbuilt Carolina to assist the Planning Department with plan reviews and inspection services.

Mr. Askins wanted to know how the services would be utilized.

Mr. Stewart explained that there will be a number of new permits for new homes in Summerville Subdivision and the county does not have sufficient staff to handle this surge in new homes being built. Rather than hire more inspectors or make contractors throughout the county wait for inspections, the county would use SAFEbuilt contractors as a secondary. The staff will continue to work and assign additional inspections to Safebuilt. After getting through the phases in Summerville, if the contractors are not needed, they will not be used.

Mr. Askins explained that according to SAFEbuilt fee structure, the county will lose money on every inspection.

Mr. Stewart responded that the county would not be able to get a cheaper contractor and this would cost less than adding an employee which would cost a minimum of \$80,000.

Mrs. Godbold asked about the cost of the plan reviews since the homes are not custom-built.

Mr. Stewart responded that the county does not plan to use the contractors for plan reviews, just inspections. The staff does not want contractors to have to wait for inspections. An updated state contract pricing fee schedule (Exhibit B) was placed at Council's desk. He reiterated that the main purpose of the contract is for inspections and the staff does not intend to use every service in the fee schedule.

Ms. Thomas asked whether the contract contained a blanket statement.

Mr. Stewart said the contract will be "as needed" and there will not be a minimum cost, except for what the contractors do and they will only do what the staff asks them to do.

The motion carried unanimously.

Administrative Update – Sheriff James Hudson

Sheriff Hudson provided an update on yearly stats which included the number of calls for service, reports written, arrests, traffic stops, traffic tickets, mental patients transports, funeral escorts, assistance to others, burglaries, domestics, break-ins, stolen vehicles, larceny, assaults, weapons and firearm calls, suspicious person calls, animal calls, harassment and stalking calls, civil papers served, general sessions court, probate and magistrate court, homicides solved, shootings, suicides, attempted murders, gang investigations, fire deaths, etc.

Ms. Thomas asked whether the Sheriff's report was broken down by demographics.

Sheriff Hudson responded that the report could be broken down by zones/demographics, age, etc. He also reported that currently, there was only one vacancy at the jail.

Mr. Flowers mentioned that the driving factor for most of the crimes seems to be drug abuse. He briefly talked about there being a severe drug abuse problem in Darlington County.

Administrative Update – Mr. Charles Stewart, County Administrator

Mr. Stewart pointed out that Council received at their desk a copy of NACo's survey regarding access to opportunities with responses from the Economic Development Department, along with a copy of the FY23/24 Budget Process Timeline. He reviewed the timeline and noted that the staff was waiting for confirmation on the location for the budget worksession -- Pee Dee Regional Council of Governments Conference Room on May 3rd unless otherwise instructed.

Mr. Stewart also reported that the staff was waiting for a response from Rubicon regarding the Opioid Committee. This matter will be on Council's April agenda for consideration.

Mr. Stewart provided a brief update on the new Courthouse rooftop unit which had been delayed. More detailed information will be presented at the April Council meeting along with an update on the construction status of the Historical Commission addition.

Mr. Davis asked about the status of Spectrum's project.

Mr. Stewart responded that Spectrum was still working all over the place. Their work should be complete by the end of 2024.

Requests / Comments – Members Of Council

Mr. Davis thanked everyone for their work and thanked citizens for attending the meeting.

Mr. Douglas thanked everyone for attending the meeting.

Ms. Thomas thanked the public for their input and attendance.

Mr. Askins thanked the Sheriff for his report and work.

Mrs. Godbold thanked the Sheriff's Department and Mayor Duke for the information presented. However, she did not know about the meeting that Mayor Duke referenced and asked to be notified of future meetings. Mrs. Godbold thanked Council for approving the \$8,000 for the Spay/Neuter Outreach Program and requested an update from the Recreation Department and whether there will be a follow-up with the parents.

Mr. Stewart indicated that the matter involving the Recreation Department was a personnel matter and not a public update.

Mr. Davis asked whether the firefighter who was injured was from the County Fire District.

Fire Chief Ricky Flowers responded that the individual was with the City of Darlington Fire Department.

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

Vote For Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: The I-20 Industrial Park

MOTION made by Mr. Flowers and seconded by Mr. Davis to vote for executive session for discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property regarding the I-20 Industrial Park.

The motion carried unanimously.

Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: The I-20 Industrial Park

MOTION made by Mr. Flowers and seconded by Mr. Douglas that after a five-minute recess, Council, the County Administrator, the County Attorney, and the Economic Development Director go into executive session for discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property regarding the I-20 Industrial Park.

The motion carried unanimously.

Council and the individuals named above went into executive session at 7 p.m. and reconvened at 7:13 p.m. Upon reconvening, a **MOTION** was made by Mr. Flowers and seconded by Mr. Davis to approve a letter of intent for the proposed contractual arrangements or proposed sale or purchase of property regarding the I-20 Industrial Park with Pee Dee Electric Company.


The motion carried unanimously.

Adjournment

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

Respectfully submitted,


J. Janet Bishop, Clerk to Council


Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of April 3, 2023.