

SPECIAL MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

July 20, 2015

A special meeting of the County Council of Darlington County was held this 20th day of July 2015, at 5 p.m., at the Darlington County Courthouse Annex/EMS Building, 1625 Harry Byrd Highway, Darlington, South Carolina.

NOTICE OF MEETING

In compliance with the Freedom of Information Act, a copy of the agenda, giving the date, time, and place of the meeting was mailed in advance to the local newspapers, persons requesting notification, and posted on the bulletin board at the entrance to the County Administrator's Office.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice Chairman Robbin Brock, Chaplain Dannie Douglas, Jr., Mr. David Coker, Mr. Marvin Le Flowers, Mrs. Wilhelmina P. Johnson, and Mr. Robert L. Kilgo, Jr.

COUNCIL MEMBERS PRESENT

Ms. Mozella "Pennie" Nicholson.

ALSO PRESENT

County Administrator Terence Arrington, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Codes Enforcement Director Randy Evans, Special Programs Coordinator Mac McDonald, Elections/Voter Registration Director Hoyt Campbell, Prison Farm Director Jonathan McFadden, Corrections Director Waddell Coe, Fire Chief Kenny Stratton, and others.

REPORTERS PRESENT

Mr. Jim Faile of the Messenger and Ms. Samantha Lyles of the News and Press.

Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 5 p.m. Mr. Kilgo presented the invocation and Mr. Flowers led the Pledge of Allegiance.

Items For Consideration

Change Order For New Fire District Station 6 Located At 109 Kingston Road

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson to approve the change order for the new fire station.

Information was included in the agenda package requesting to delete the crush and run gravel driveway and add additional concrete, due to restrictions imposed by South Carolina Department of Transportation regarding the driveway location. Additional funds (\$23,700) were being requested to change the gravel driveway/parking area to concrete, which will bring the project total to \$117,000 and allow sufficient funds for construction of the additional two sub stations.

The motion carried unanimously.

Designated Facilities Agreement To House SCDC Inmates At Darlington County Prison Farm

MOTION was made by Mrs. Johnson and seconded by Mr. Brock to approve the Designated Facilities Agreement to house State inmates at Darlington County Prison Farm.

Mr. Brock called Council's attention to Section 35 of the agreement which states, "*The Designated Facility shall adopt and shall comply with the federal Prison Rape Elimination Act (PREA) Standards...*" He stated that during the budget worksession, Council was told that it would take four to eight additional officers to become compliant with PREA standards.

Attorney Cox responded that federal guidelines have to be followed to try prevent prison rape.

Mr. Kilgo pointed out that the proposed agreement was the same agreement as last year. He also stated that if the county enters into the contract, the contract binds the county.

Attorney Cox agreed and stated that the county would have to monitor the standards. He also stated that the county would not be able to house the prisoners at the Prison Farm without entering into the agreement.

Mr. Brock indicated that he could not vote for the agreement because in several weeks, the Department of Corrections could say that the county has to hire more people.

Attorney Cox suggested that Council carry over the agreement and he would make a discreet inquiry.

Chairman Hudson asked Prison Farm Director Jonathan Mcfadden whether State prisoners help various towns and communities.

Mr. McFadden's response was "yes." He pointed out that PREA standards govern county and State inmates, and the standards have been a part of the agreement for several years. Mr. McFadden also reported that a staff analysis was conducted which indicated that the Prison Farm needed more officers. The staffing analysis did not pertain to PREA standards. He said the Prison Farm had guidelines in place for PREA.

Mr. Arrington suggested that the matter be carried over so that he could contact Mr. Blake Taylor (South Carolina Department of Corrections) for clarity.

Those voting in favor of the motion to approve the Designated Facilities Agreement were Mr. Hudson, Mr. Douglas, and Mrs. Johnson. Opposing were Mr. Brock, Mr. Flowers, Mr. Kilgo, and Mr. Coker. The motion failed.

School District's Request For Reconsideration For Charges To Dispose At The Darlington County Landfill

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to deny the School District's request for reconsideration for charges to dispose at the Darlington County landfill.

The motion carried with Mrs. Johnson and Mr. Hudson opposing.

Mr. Flowers clarified that this was not double taxation. The citizens were paying taxes to the School District and Darlington County. He said it costs money to dispose of waste. This was just transferring the tax dollars that the School District collects to the landfill.

Chairman Hudson asked Mr. Arrington to read the text he received from Mr. Larry Stegner, the School District's Director of Operations.

Mr. Arrington read the text wherein Mr. Stegner stated that there were other considerations that County Council needs to be aware of such as the District providing the county no charge for extended leases for ballfields and parks, no charge lease for the East McIver Recycling Center, no charge for utilities for public hearings, or for the use of the schools for elections.

Mr. Flowers said this would be the same tax dollars from the same people.

Mr. Cox clarified that the fees would stand.

Service Contract With Rubicon, Inc. for Darlington County Employee Assistance Program, \$2,500

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to approve the Service Contract with Rubicon for Darlington County Employee Assistance Program.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Animal Shelter Quarterly Report, April – June 2015	Receive As Information
B. Animal Control Report, June 2015	Receive As Information
C. Building Permits Report & Building Inspections Report July 2014 – June 2015	Receive As Information
D. Letter From Attorney Cox Regarding The City Of Darlington's Ordinance to Amend Their Corporate Limits	Receive As Information
E. Marlboro/Darlington County Beaver Program Report, June 2015	Receive As Information

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

The motion carried unanimously.

Ordinance

Ordinance No. 15-23, Authorizing The Issuance And Sale Of A Five Hundred Fifty Thousand Dollar (\$550,000) Airport Facilities Refunding And Improvement Revenue Bond, Series 2015 Of Darlington County, South Carolina, And Other Matters Relating Thereto - **FIRST READING**

Chairman Hudson read the title of Ordinance No. 15-23 for First Reading. No action required.

Adjournment

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to adjourn the meeting. There being no further discussion, the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

J. JaNet Bishop
Clerk to Council

Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of August 17, 2015.