

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

MAY 4, 2015

A public hearing and regular meeting of the County Council of Darlington County was held this 4<sup>th</sup> day of May 2015, at 6 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 and the Darlington County Courthouse Annex/EMS Building.

A Notice of Public Hearing for Ordinance No. 15-11 and Ordinance No. 15-12 was published in the News and Press and the Hartsville Messenger on April 15, 2015.

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, Ms. Mozella "Pennie" Nicholson, and Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Terence Arrington, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Emergency Services Director Charles Stewart, Special Programs Coordinator Mac McDonald, Roads and Bridges Director Bobby Richardson, Recreation Director Ken McRae, Planning Director Doug Reimold, Environmental Services Director Renee Howle, Library Director Jimmie Epling, Elections/Voters Registration Director Hoyt Campbell, and others.

REPORTERS PRESENT

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

PUBLIC HEARINGS

Ordinance No. 15-11, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 54 (Streets, Sidewalks And Other Public Places), Article II. (Use Of Public Buildings), Section 54-26 (Criteria) And Section 54-28 (Rules, Procedures, Fees) To Require County, Municipal, State, Federal And Other Governmental Agencies To Pay A User Fee For Use Of Darlington County Government Facilities; Sections 54-27 (Buildings Available) And Section 54-28 (Rules, Procedures, Fees) To Delete Lamar Recreation Center; And To Establish The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 15-11.

There being no comments, the public hearing was closed.

Ordinance No. 15-12, Ordinance Authorizing The Execution And Delivery Of A Fee Agreement And An Infrastructure Credit Agreement By And Among Darlington County, South Carolina, Sonoco Products Company, Sonoco Recycling, LLC, Sonoco Flexible Packaging Co., Inc., And Sonoco Plastics, Inc. Providing For The Payment Of A Fee In Lieu Of Taxes, The Issuance Of Special Source Revenue Credits, The Inclusion Of Certain Property In A Multi-County Industrial Park, The Extension Of The Term Of A Multi-County Industrial Park, The Extension Of The Term Of A Prior Fee In Lieu Of Tax Arrangement, And Other Matters Related Thereto

Chairman Hudson declared the public hearing opened to receive comments on Ordinance No. 15-12.

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 at 6:03 p.m. Mr. Douglas presented the invocation and Mr. Flowers led the Pledge of Allegiance.

### Citizens' Comments

Mr. George Cannon talked about the drainage problem in the area south of Hartsville, outside the city limits.

Councilman Flowers talked about the amount of research conducted on the elevation of that area prior to Hartsville Middle School being built. He suggested that a committee be formed to look at this matter and to gather data from Darlington County School District, the City of Hartsville, the county's legislative delegation, the South Carolina Department of Transportation, and the Darlington County Water and Sewer Authority.

Ms. Nicholson talked about the county cleaning debris from the ditches in the area south of Hartsville several years ago.

Roads and Bridges Director Bobby Richardson confirmed that the county cleaned the ditches about five years ago. However, some of the drainage pipes were higher than the ditches.

Mrs. Joyce Thomas, Darlington County Board of Education, talked about drainage problems in Darlington and the need to revive the South Darlington Watershed Project. She suggested that Council members visit some of the low lying areas where the schools are located.

Mr. Brenton Dana expressed concerns about young professionals and an influx of people leaving Darlington County. He moved back home from Washington, DC but could not find employment.

Personal Appearances - Mr. Tony C. James, Sr., Timberchase Neighborhood Roads Committee – Condition Of Roads In Timberchase Subdivision, Hartsville

Mr. Billy White, a resident of Timberchase Subdivision, appeared on behalf of Mr. Tony C. James, Sr. to talk about the degraded county roads in Timberchase Subdivision and to request county support to repave them. Mr. White indicated that he had spoken with Senator Gerald Malloy and County Councilman David Coker about the condition of the roads in Timberchase Subdivision. He questioned whether these roads (Pine Haven Road and Timberchase Drive) were on the paving list.

Mr. Coker said a representative from Timberchase Subdivision attended the CTC (County Transportation Committee) meeting and was directed to go to County Council.

Planning Director Doug Reimold indicated that he was in attendance at the CTC meeting where it was mentioned that Timberchase Drive was on the paving list and was on the list for some time.

Mr. Coker stated that he was told that CTC members toured the roads and prioritized the list of roads. He felt that the roads in Timberchase Subdivision were so bad that they kept getting pushed off. He suggested that the county look at the main entrance roads (Pine Haven Road and Timberchase Drive) and find out the cost to pave them.

It was pointed out that the Senator Gerald Malloy appoints the members of the CTC and was present at the CTC meeting when the condition of the roads in Timberchase Subdivision was discussed.

Amendment To The Agenda

**MOTION** was made by Mr. Brock and seconded by Ms. Nicholson to amend the agenda to move to the Proclamation for Teen Pregnancy Prevention Month.

The motion carried unanimously

Proclamation For Teen Pregnancy Prevention Month

Ms. Darnell McPherson, of Darlington County First Steps, requested Council's consideration of the Proclamation for Teen Pregnancy Prevention Month. She also recognized Mr. Jimmie Epling, Darlington County Library Director and member of the First Steps Board.

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to approve the Proclamation for Teen Pregnancy Prevention Month.

Mr. Kilgo asked and Ms. McPherson confirmed that Teen Pregnancy Month does not encompass the idea of abortions.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Letter From County Administrator RE: Cancellation Of Darlington County Vision 2025 Worksession	Receive As Information

- |   |                        |
|---|------------------------|
| B. Letter From Hartsville Housing Authority To Clarify Statements Regarding Dumping Fees Paid At The Landfill | Receive As Information |
| C. Email RE: SCAC's Webinar, <i>Staying Power: Planning For Lifelong Communities And Solar Energy</i>         | Receive As Information |
| D. Letter From USDA RE: Funding For The South Darlington Watershed Project                                    | Receive As Information |
| E. Emails Re: Historical Commission Staffing  | Receive As Information |

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

Mrs. Johnson stated that there needed to be discussion and Council's consideration of the items listed in the Consent Agenda.

The motion carried unanimously.

#### Approval Of Minutes - Public Hearing & Regular Meeting, April 20, 2015

**MOTION** was made by Mr. Douglas and seconded by Mr. Coker to approve the minutes of the public hearing and regular meeting of April 20, 2015.

The motion carried unanimously.

#### Ordinances

Ordinance No. 15-11, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 54 (Streets, Sidewalks And Other Public Places), Article II. (Use Of Public Buildings), Section 54-26 (Criteria) And Section 54-28 (Rules, Procedures, Fees) To Require County, Municipal, State, Federal And Other Governmental Agencies To Pay A User Fee For Use Of Darlington County Government Facilities; Sections 54-27 (Buildings Available) And Section 54-28 (Rules, Procedures, Fees) To Delete Lamar Recreation Center; And To Establish The Effective Date Of This Ordinance (Initiated by the Staff) - **THIRD READING**

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 15-11.

Mr. Kilgo questioned why Lamar Recreation Center was being deleted from the ordinance.

Chairman Hudson explained that Lamar Recreation Center building was converted into Lamar Magistrate Office and was no longer available to be used by individuals/agencies on a user fee basis.

The motion carried unanimously.

Ordinance No. 15-13, Authorizing The Hartsville Community Center Building Commission To Issue Not Exceeding \$2,000,000 General Obligation Bonds, In One Or More Series; Providing For The Publication Of Notice Of The Said Findings And Authorization; And

Generally Approving Other Matters Relating Thereto (Hartsville Community Center Building Commission) - **FIRST READING**

Ordinance No. 15-13 was read for First Reading.

Ordinance No. 15-14, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 6. (How Development Permits Are Reviewed And Approved), Section 6.3. (Conditions For Subdivision Or Development Plan Approval) To Add Language To Clarify Requirements And Add/Modify Fees For Plan Review And Development Applications In The Unincorporated Areas Of Darlington County, And Establish The Effective Date Of This Ordinance (Initiated by the Planning Commission & Staff) - **FIRST READING**

Ordinance No. 15-14 was read for First Reading.

Ordinance No. 15-15, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Two (Activities Governed By The Ordinance), To Add A Provision To Guide Plat Approval And Recordation And Plat Or Plan Submission Appeal, To Delete Unnecessary Language, And To Establish The Effective Date Of This Ordinance (Initiated by the Planning Commission & Staff) - **FIRST READING**

Ordinance No. 15-15 was read for First Reading.

Ordinance No. 15-16, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), To Add Article 19 (Renewable Energy Systems) And Establish The Effective Date Of This Ordinance (Initiated by the Planning Commission & Staff) - **FIRST READING**

Ordinance No. 15-16 was read for First Reading.

Ordinance No. 15-17, To Provide For The Issuance And Sale Of Not Exceeding Two Million One Hundred Thousand Dollar (\$2,100,000) General Obligation Bond Of Darlington County, South Carolina (Darlington County Fire Protection District), To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto (Initiated by the Staff) - **FIRST READING**

Ordinance No. 15-17 was read for First Reading.

#### Resolutions

Resolution No. 652, Calling For A Public Hearing To Be Held Upon The Question Of The Issuance Of A Not Exceeding \$2,000,000 General Obligation Bond Of The Hartsville Community Center Building Commission; Providing For The Publication Of The Notice Of Such Public Hearing; And Other Matters Relating Thereto

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve Resolution No. 652.

Attorney Lawrence Flynn, of Pope Zeigler Law Firm, briefly explained that this resolution was requesting a public hearing prior to third reading of the ordinance to provide for the issuance and sale of not exceeding \$2 million General Obligation Bonds. This matter was being presented to Council because Hartsville Community Center

Commission is an independent special purpose district. Under the statute, Hartsville Community Center Commission has to go to an elected body for approval of their general obligation bonds.

The motion carried unanimously.

#### Committee Reports

There were no committee reports.

#### Other Items

Appointments To Board/Commissions (Airport Commission – Flowers; Ambulance Commission – Nicholson; Construction Board of Adjustment & Appeals – Flowers; Library Board – Flowers; Parks & Recreation Commission – Flowers)

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to carry over appointments to the various Boards and Commissions.

The motion carried unanimously

#### FY15/16 Accommodations Tax Advisory Committee Funding Recommendations And Requests For Lump Sum Appropriations

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve the Accommodations Tax Advisory Committee Funding Recommendations (see attached) as submitted and the request for lump sum appropriations.

The motion carried unanimously.

#### Administrative Update – Mr. Terence Arrington, County Administrator - Request to transfer funds from the payroll, benefit, and E-Waste line items to pay for repairs to the REX compactor at the landfill

Mr. Arrington explained that the transfer request he was presenting involved a transfer of funds due to salary savings that could be used to make repairs to the REX compactor at the landfill.

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to place the recommendation for the County landfill on the agenda for Council's consideration.

The motion carried unanimously

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve the transfer of funds from payroll, benefits, and E-Waste line item accounts to pay for repairs to the REX compactor at the landfill.

Mr. Arrington reported that staff was able to find the money in salary savings for positions that were not filled. If these funds are not spent, they would roll over to fund balance/surplus.

Environmental Services Director Renee Howle reported that the staff had received three quotes for the repair work. This piece of equipment had been down for several years

and DHEC (South Carolina Department of Health and Environmental Control) and the engineers have recommended that it be placed back in service.

The motion carried unanimously.

*The staff was requesting to transfer \$80,000 to Repairs/Maint. & Svc. Contracts/Vehicles & Equipment (010-080-43211-43700) from the following line items: \$10,000 from E-Waste (010-083-43213-80500); \$1,000 from Reg. FT Salaries (010-080-43211-11100); \$3,000 from Overtime (010-080-43211-13000); \$215.30 from State Retirement (010-083-43211-23400); \$5,000 from Reg. FT Salaries (010-083-43213-11100); \$30,000 from Reg. PT Salaries (010-083-43213-11200); \$5,000 from Health Insurance (010-083-43213-21200); \$5,000 from State Retirement (010-083-43213-23400); \$15,000 from Reg. FT Salaries (010-084-43216-11100); \$4,000 from Reg. PT Salaries (010-084-43216-11200); \$921.86 from Incentive Pay (010-083-43213-14400); and \$862.84 from Incentive Pay (010-084-43216-14400) to repair REX compactor at the landfill.*

Administrative Update – Mr. Terence Arrington, County Administrator - Request to transfer funds from four capital line items to make a capital purchase of a tractor for use at the landfill

Mr. Arrington briefly talked about the needs at the landfill. A transfer was being requested to transfer funds to purchase a tractor for the landfill.

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to amend the agenda to place the request to transfer funds for the purchase of a tractor on the agenda.

The motion carried unanimously.

Mr. Arrington reported that the tractor was on State Contract.

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to approve the budget transfer request to purchase a tractor from State Contract for use at the landfill.

The motion carried unanimously.

*The staff was requesting to transfer \$49,500 to Machinery over \$500 (010-183-43213-74100) from the following line items: \$25,000 from Buildings ( 010-183-43213-72000); \$3,500 from Furn./Fixture over \$500 (010-183-43213-74500); \$1,000 from Furn/Fixture under \$500 (010-183-43213-74600); and \$20,000 from Land (010-183-43215-71000) for a tractor to mow at the landfill.*

Consent Agenda Item A. Letter From County Administrator RE: Cancellation Of Darlington County Vision 2025 Worksession

Mr. Arrington pointed out that that the Consent Agenda contained a letter regarding the changes to the Visioning Workshop. As previously discussed, this would be a two-day workshop with the first day being a meeting with the business community to talk about a vision plan or a 2025 vision plan for Darlington County. The second workshop would involve Council staff and individuals from the community to talk about the visioning plan or an initiative for Darlington County. Mr. Arrington explained that he was still having discussions with Progress Darlington County due to confusion regarding the funding component. There would be no cost to Darlington County for Council's worksession since it

would be held in Council Chambers. However, because of the magnitude of the meeting with the business community, Progress Darlington County was going to pay for the facility and the visioning consultant to facilitate the meeting the first day. Therefore, he wrote a letter to cancel the meeting for the first day. This will be discussed at a later date once everything is clarified.

#### Appointments To The Planning Commission

Planning Director Doug Reimold pointed out that the term of several Planning Commission members would expire June 30, 2015. These members are not eligible for reappointment. He requested Council's appointment to fill these slots so that the new members will have an opportunity to attend a meeting and meet the outgoing commissioners.

Mr. Arrington stated that he would discuss with Council ways to keep a list of individuals who have expressed an interest in serving on a board/commission/committee.

#### Email Address For Council Members

Mr. Arrington reported that at the next Council meeting, he would provide a county email address for each Council member.

#### Requests / Comments – Members Of Council

Mr. Coker asked Roads and Bridges Director Bobby Richardson to get with him on what he finds out about the roads in Timberchase Subdivision.

Ms. Nicholson requested a copy of the rules concerning information discussed in executive session. She stated that she learned about an executive session discussion from the public and in writing. Ms. Nicholson questioned whether the staff members attending executive session are aware of the rules they must follow regarding distribution of information discussed or read in executive session.

Mr. Arrington will follow up.

Mr. Douglas asked that the staff look at all county roads and provide a report to Council.

Mr. Brock commended staff regarding a recent search.

Mrs. Johnson commented that that county's budget should reflect Council's vision and funds to operate and address the problems with roads. She felt that there still were things that Council needed to discuss regarding Hartsville Housing Authority. Mrs. Johnson mentioned the Planning Commission's upcoming workshop, which Council members need to attend, and the fact that the South Darlington Watershed Project was gone after 25 years of work. She commented about and commended the Historical Commission. Mrs. Johnson requested \$6 million for the budget and funds for PDRTA (Pee Dee Regional Transportation Authority).



Mr. Flowers reported that he had met with the previous Environmental Services Director and talked about a spraying program to remove small trees and brush that should not be growing in certain areas at the landfill. He said the current Environmental Services Director does not have this background, the staff, or the expertise regarding the spraying program. Therefore, he talked with Elections/Voter Registration Director Hoyt Campbell, who has farmed many years and possesses the expertise in chemical, calibrating equipment, etc. Mr. Flowers requested Council's approval to work with Mr. Campbell and Environmental Services Director Renee Howle to get the landfill back on a spraying program to get back in compliance regarding long-term maintenance of trees. He explained that it sets a bad example having Council members work directly with staff without the other Council members knowing about it. Mr. Flowers said that if Council had no issue with this, he would continue communicating with Ms. Howle and Mr. Campbell.

Ms. Nicholson questioned DHEC's (South Carolina Department of Health and Environmental Control) involvement in this matter.

Ms. Howle explained that DHEC performs various inspections and the small trees and shrubs need to be removed.

Due to her concern about the possibility of pollution, Ms. Nicholson requested a copy of the report from DHEC regarding the chemicals that would be used to remove the trees/shrubs.

Mr. Kilgo asked County Attorney Cox and Mr. Arrington about getting the old dilapidated recycling center located on Highway 52 next to Marlow Trailer Park torn down and the area cleaned up and placed on the landowner's tax bill.

Chairman Hudson commended Mr. Arrington and asked him to follow-up on the landfill spraying program and the roads in Timberchase Subdivision. He indicated that Council would also follow-up on Mr. Cannon's request regarding drainage problems in the area south of Hartsville.

#### Vote For Executive Session

There was not a vote for executive session.


#### Adjournment

**MOTION** was made by Ms. Nicholson to adjourn the meeting. There being no further discussion, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,



J. Janet Bishop  
Clerk to Council

  
Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of June 1, 2015.

## FY15/16 Accommodations Tax Process

	<u>Project</u>	<u>/</u>	<u>Sponsor</u>	<u>Requests</u>	<u>Committee Recommend</u>
1	Bogangles Southern 500 Parade/Greater Darlington Chamber of Commerce			\$1,000	\$1,000
2	Darlington Car Hauler Parade / Florence Convention & Visitors Bureau			\$5,000	\$3,500
3	Darlington County Cultural Realism Complex			\$29,000	\$3,700
4	Eastern SC Heritage Region/Florence Convention & Visitors' Bureau			\$5,000	\$3,000
5	Freedom Fest / Greater Darlington Chamber of Commerce			\$3,000	\$2,300
6	Hartsville Community Center Building Commission			\$9,246	\$5,800
7	Hartsville Genealogical Research Library/Old Dton Dist. Chapter SC Genealogical			\$3,000	\$1,600
8	Market on Darlington Square /Darlington Downtown Revitalization			\$1,200	\$900
9	Lamar Egg Scramble Jamboree			\$3,500	\$3,000
10	Gospel In The Park & Marker / SC African American Heritage Foundation			\$7,750	\$3,800
11	Community Rice Festival / New Vision Community Development Corp.			\$8,580	\$2,100
12	Players Championship / SC Junior Golf Foundation			\$10,000	\$7,500
13	RenoFest / Hartsville Arts Council			\$13,000	\$10,400
14	Society Hill Catfish Festival			\$3,000	\$3,000
15	Sweet Potato Festival / Pilot Club			\$4,000	\$3,200
16	Taste of Darlington / Darlington Downtown Revitalization Asso.			\$2,500	\$2,000
17	YMCA's Loop da Ville, Lickety Split, Turkey Trot, Triathlon, Swim Meets / YMCA of the Upper Pee Dee			\$5,000	\$3,200
	<b>TOTALS</b>			\$113,776	\$60,000