

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

JUNE 15, 2015

A public hearing and regular meeting of the County Council of Darlington County was held this 15<sup>th</sup> day of June 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 Numbers 15-18 and 15-19 was published in the Hartsville Messenger and News and Press on May 27, 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, Acting County Attorney Chris Scott, Clerk to Council J. JaNet Bishop, Codes Enforcement Director Randy Evans, Special Programs Coordinator Mac McDonald, Corrections Director Mitch Stanley, Janitorial/Building Maintenance Director Andrew Smith, Interim Finance Director Sherman Dibble, Library Director Jimmie Epling, Fire Chief Kenny Stratton, Environmental Services Director Renee Howle, Tax Collector Mae Helen Burch, Human Resources Director Ginger Winburn, Sheriff Wayne Byrd, Chief Deputy Sheriff James Hudson, Recycling Coordinator Paula Newton, Planning Director Doug Reimold, Emergency Services Director Charles Stewart, Elections/Voter Registration Director Hoyt Campbell, Economic Development Director Frank Willis, Roads and Bridges Director Bobby Richardson, Recreation Director Ken McRae, Representatives from Clemson Extension Services, Representatives from Home Builders Association of the Greater Pee Dee, and others.

REPORTERS PRESENT

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

Recognition Of Retiree, Chairman Hudson

Chairman Hudson recognized Mr. Early Dundy who retired after 13 years of dedicated service with Darlington County Environmental Services. Mr. Dundy was not present at the meeting.

## **PUBLIC HEARINGS**

### **Ordinance No. 15-18, An Ordinance Authorizing Darlington County Board Of Elections And Registration To Conduct The Town Of Lamar Municipal Elections**

Chairman Hudson declared the public hearing open at 6:06 p.m. to receive comments on Ordinance No. 15-18.

There being no comments, the public hearing was closed.

### **Ordinance No. 15-19, An Ordinance To Amend Ordinance No. 14-04, FY14/15 Library System Fund Budget, For A Supplemental Appropriation To Receive And Expend Funds From State Aid And To Establish The Effective Date Of This Ordinance**

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-19.

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 6:07 p.m. Mr. Douglas presented the invocation and Mr. Flowers led the Pledge of Allegiance.

### **Citizens' Comments**

There were no citizens' comments.

### **Personal Appearances - Mr. Morgan Armstrong, Plan Benefit Services, Inc.**

Mr. Armstrong talked about his company and the fact that they work with 32 percent of the counties in South Carolina. His also talked about his company's knowledge and experience with active/retiree medical benefits where they maintain and operate benefits for employees, solicit Requests-for-Proposal for benefits, and provide wellness programs, enrollment benefits, claim analysis, and act as an extension to the Human Resources Department.

Mr. Arrington explained that Plan Benefit Services would function as a broker to help the county get started with the process. Currently, the county participates in the State Health Plan. To get out of the State Plan and become self funded or go with another provider, Plan Benefit Services would play a key role in obtaining the information needed from the State. Mr. Arrington mentioned that the staff had visited Lexington County's on-site facility.

Human Resources Director Ginger Winburn indicated that she visited Lexington County's facility, talked with their staff, and was very impressed.

Chairman Hudson pointed out that once the county leaves the State Health Plan, the county could not return for four years.

Mr. Arrington stated that Plan Benefit Services would provide assistance with the preliminary process of looking at the data and making sure that the county makes a good decision.

Mr. Armstrong and the staff talked about the modifier factors and claims experience for the State. He also pointed out that the county would have an increase of \$350,000 for the county's portion of Health Care.

Mr. Arrington stated that the question was whether the county wanted to look at other alternatives.

Personal Appearances - Mr. Gary Finklea, Home Builders Association of the Greater Pee Dee, Excessive Rates For Residential Housing Permit Fees

Mr. Darryl Hall, a home builder, developer, and realtor, talked about the housing impact on the economy. He pointed out that the cost for permits in Florence County were much lower than Darlington County. In reference to a parcel located in both Florence and Darlington Counties, Mr. Hall reported that the permit and plan review fees for that house was \$745 in Florence County compared to \$3,700 in Darlington County. He said Darlington County has one of the highest permitting fees in the State and requested that Council reassess the fees.

Mr. Keith Evans, a builder, said lower priced houses had been drawing people to Darlington County. The cost of homes in Florence County had been higher for years. Now, the county's prices have increased due to higher permit fees, which will slow down development. He asked Council to look at the numbers.

Mr. Gene Warr, of West Florence Investment Group, talked about the amount of property taxes for homes along the Florence/Darlington County line. He said Darlington County was at a disadvantage regarding the lots along the Florence/Darlington County line because the permitting fees were much higher. He asked Council to change the fees, which places the county at a disadvantage. He also stated that the county's permit fees were one of the highest in the State.

Mr. Gary Finklea, member of Home Builder Association of the Greater Pee Dee, talked about the information he provided on houses being priced above the market by \$1,000 due to unintended consequences such as permit fees. He talked about a study they conducted which indicated that for every \$1,000 increase in a house, the number of households that would be priced out of the market. This affects individuals building \$100,000 to \$175,000 homes. Mr. Finklea said this was about providing affordable housing. He offered his assistance in trying to come up with a solution to this matter.

Codes Enforcement Director Randy Evans stated that many counties would be increasing their permit fees. He said the purpose of the permit fees was to pay for the inspection department so that General Fund would not have to be used to operate this department. Mr. Evans reported that there has not been a decrease in permits since the fees were increased during last year's budget process. The increase in permit fees did not stop the construction of houses.

Personal Appearances - Mrs. Alma Harris, Clemson Extension Service – Request For Funds

Mrs. Alma Harris, Clemson Extension Service 4-H and Youth Developer, talked about the services and projects provided by Clemson Extension. She encouraged Council's continued support of Clemson Extension Service.

Ms. Patricia DeHond, Agriculture and Row Crops Agent, talked about the history of Clemson Extension, programs and services provided to the community, row crop

productions, the new farm bill, and the need to keep the Extension office open five days per week in the Mazingo Building. She requested that Council restore funding (\$11,470) for Clemson Extension Office.

Ms. Jennifer Boyles, Community and Economic Agent for the Pee Dee, talked about various projects, the letters of support for Council to fund Clemson Extension Service, and the fact that Darlington County would be the only county in the State not providing funds to Clemson Extension.

Mr. Kilgo requested a copy of Clemson Extension Office's operating budget for Darlington County.

Mrs. Johnson expressed her support for Clemson Extension Services.

### Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Janitorial Services Request For Proposal Document	Receive As Information
B. Memo From Roads & Bridges RE: Follow Up On Juleswood Drive & Chalmers Street	Receive As Information
C. Letter From Fire District RE: SC Bill 3670 Whereby West Florence Fire District Will Acquire A Portion Of Darlington County Fire District	Receive As Information
A. Historical Commission Minutes, June 2015	Receive As Information
B. Marlboro/Darlington County Beaver Program Report, June 2015	Receive As Information
C. Email & Letters Of Support For Clemson Extension Services	Receive As Information

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

The motion carried unanimously.

### Approval Of Minutes - Public Hearing & Regular Meeting, June 1, 2015

**MOTION** was made by Mr. Douglas and seconded by Mr. Flowers to approve the minutes of June 1, 2015.

The motion carried unanimously.

### Approval Of Minutes - Special Meeting, June 5, 2015

**MOTION** was made by Mrs. Johnson and seconded by Mr. Brock to approve the minutes of June 5, 2015.

The motion carried unanimously.

Ordinances

Ordinance No. 15-18, An Ordinance Authorizing Darlington County Board Of Elections And Registration To Conduct The Town Of Lamar Municipal Elections (Initiated by the Staff & Town of Lamar)- **THIRD READING**

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 15-18.

The motion carried unanimously.

Ordinance No. 15-19, An Ordinance To Amend Ordinance No. 14-04, FY14/15 Library System Fund Budget, For A Supplemental Appropriation To Receive And Expend Funds From State Aid And To Establish The Effective Date Of This Ordinance (Initiated by the Staff)- **THIRD READING**

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve third reading of Ordinance No. 15-19.

The motion carried unanimously.

Ordinance No. 15-20, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), To Add A Section Establishing The County's Fee Schedule And The Effective Date Of This Ordinance (Initiated by the Staff)- **SECOND READING**

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to approve second reading of Ordinance No. 15-20.

The motion carried unanimously.

Ordinance No. 15-21, An Ordinance To Make Appropriations For Ordinary County Purposes For Darlington County For The Fiscal Year Beginning July 1, 2015 And Ending June 30, 2016, And To Provide For The Expenditures And Revenues Thereof (Initiated by the Staff)- **SECOND READING**

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve second reading of Ordinance No. 15-21.

Ms. Nicholson questioned whether the budget included an increase for the Animal Shelter.

Mr. Arrington responded that the proposed budget included an increase in funds for the Animal Shelter, minus two percent. He also noted that the final numbers did not change because the difference was taken from the Contingency line item. The proposed budgeted included funds for the Animal Shelter as well as Clemson Extension Service. This change was made as a result of the budget worksession.

Ms. Nicholson stated that Council needed to be more concerned about human needs than the needs of cats and dogs. She expressed her disagreement with the county not funding the Community Action Agency, not fully funding law enforcement, and increasing funds for the Humane Society. Ms. Nicholson stressed that she was not in support of funding the Humane Society.

Mrs. Johnson talked about the county balancing the budget at the expense of people in poverty. She expressed disagreement with cutting seven positions in the Janitorial Department due to contracting out janitorial services. Mrs. Johnson stated that she would not support the budget and suggested that the county use funds from Fund Balance since it belongs to the people.

The motion carried with Mrs. Johnson and Ms. Nicholson opposing.

Ordinance No. 15-22, An Ordinance Authorizing Darlington County Board Of Elections And Registration To Conduct The Town Of Society Hill Municipal Elections (Initiated by the Staff)-  
**SECOND READING**

**MOTION** was made by Mr. Brock and seconded by Mr. Douglas to approve second reading of Ordinance No. 15-22.

The motion carried unanimously.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Annual Appointments & Appointments To Fill Vacancies On County Boards & Commissions - Airport Commission (Flowers, Coker), Ambulance Commission (Brock, Nicholson), Board of Assessment Appeals (Kilgo, Johnson, Hudson), Construction Board of Adjustment & Appeals (Douglas, Flowers), Board of Fire Control (Council - Reappointments Recommended), Historical Commission (Nicholson), Library Board (Johnson, Hudson, Flowers), Parks & Recreation Commission (Kilgo & Flowers), Planning Commission (Douglas, Flowers), Pee Dee Regional EMS (Council), Pee Dee Resource Conservation & Development Area Council (Council)

Ambulance Commission. Mr. Brock nominated and Council appointed Mrs. Diane Wilkes to the Ambulance Commission to replace Mr. Larry Logan, Jr. Her term will commence on July 1, 2015 and end June 30, 2018.

Board of Assessment Appeals. Mr. Kilgo nominated and Council appointed Ms. Stephany Benjamin to the Board of Assessment Appeals to replace Mr. Burt Jordan. Her term will commence on July 1, 2015 and end on June 30, 2018.

Board of Fire Control. It was the consensus of Council to reappoint Mr. Dan McManus, Mr. Harry Tarlton, Mr. Jacob Patrick, and Mr. David Astralla, and appoint Mr. Andy Rheuark to the Board of Fire Control. Mr. Rheuark will replace Mr. Troy Pearson as a representative from Mechanicsville Station 4. These individuals' term will commence on July 1, 2015 and end on June 30, 2019.

Historical Commission. Ms. Nicholson nominated and Council appointed Mr. Robert Harriett to the Historical Commission to replace Mrs. Jannie Harriett who had served two

consecutive terms. Mr. Harriett's term will commence on July 1, 2015 and end on June 30, 2018.

Library Board. Mrs. Johnson nominated Mrs. Elaine Reed, Mr. Hudson nominated Mrs. Bobbie Gardner, and Council reappointment both individuals to the Library Board. Their term will commence on July 1, 2015 and end on June 30, 2019.

Parks & Recreation Commission. Mr. Kilgo nominated and Council appointed Mr. Wesley R. Folsom, Jr. to the Parks and Recreation Commission to replace Mr. Benny Buck. His term will commence July 1, 2015 and end June 30, 2018.

Pee Dee Regional EMS. Mr. Stewart pointed out that the by-laws for Pee Dee Regional EMS was amended so that the terms on this board would not end. Members will serve until they are removed by Council.

Mr. Kilgo recommended and Council approved not removing Mr. Stewart from Pee Dee Regional EMS Board.

Mr. Stewart will provide the staff with the updated by-laws.

Pee Dee Resource Conservation & Development Area Council. Council reappointed Ms. Joyce Franklin to Pee Dee Resource Conservation & Development Area Council. Her term will commence on July 1, 2015 and end on June 30, 2019.

Janitorial Services Contract With Intercontinental Commercial Services, Inc.

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve the janitorial services contract with Intercontinental Commercial Services, Inc.

The motion carried with Mrs. Johnson opposing.

Amendment To Contract No. 693474 With Duke Energy

**MOTION** was made by Mr. Douglas and seconded by Mr. Brock to approve the amendment to Duke Energy's contract for the Sheriff's Department to provide traffic control outside Robinson Nuclear Plant before and during refueling outage.

Sheriff Byrd explained that this was strictly for during the refueling outage.

The motion carried unanimously.

Proposed Vehicle List For "On Call" Employees And Individuals Permitted To Drive A County Vehicle Home And/Or Outside The County

**MOTION** was made by Mr. Flowers and seconded by Mr. Brock to accept the vehicle list with stipulations as presented.

The motion carried unanimously.

Authorization For The County To Pay For Survey, Design, Permitting, And Construction Costs For Frazier Industrial Forklift Access Project

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to authorize the county to pay for survey, design, permitting, and construction costs for Frazier Industrial Forklift Access Project.

It was Mr. Kilgo's understanding that Frazier needed to connect two buildings in order to use them more effectively, and the county owns the land between them where there is a holding pond. He added that Frazier currently has about 128 welders and about 50 to 60 staff members.

The motion carried unanimously.

CTC Funds To Pave Cross Swamp Road (CPCN P028848), \$751,170

**MOTION** was made by Mr. Brock and seconded by Mr. Douglas to approve CTC (County Transportation Committee) funds to pave Cross Swamp Road.

The motion carried with Mrs. Johnson opposing.

Administrative Update - Ms. Caroline Dunlap, County GIS/Mapping Technician – GIS App

Ms. Carolina Dunlap, the County's GIS/Mapping Technician in the Planning Department, demonstrated the geospatial data portal she created since her employment with the county in October 2014. This portal is a free extension of the county's current mapping software that allows data to be accessed by the public. She showed Council and the audience how to utilize the Darlington County Parcel Viewer. This software is available for public use (<https://darco.maps.arcgis.com>).

Mr. Kilgo commended and expressed his excitement about the app. He hopes that training will be provided to, for example, lawyers, title examiners, real estate agents, etc.

Mr. Arrington also commended the geospatial data portal and pointed out that it would also show who owns and maintains the roads.

Administrative Update - Mr. Terence Arrington, County Administrator – Proposed Employee Incentive Pay Analysis

In reference to the budget, Mr. Arrington indicated that he included the numbers for the Animal Shelter and Clemson Extension Services minus two percent of what they received last year since all departments had reduced their budgets. He also provided information regarding incentive pay as was discussed in the workshop. The information compared the incentive pay at one-half percent, one percent, \$200, \$250, and \$500. This was being presented for Council's review. He also pointed out that because of the numbers included for the Animal Shelter and Clemson Extension Service, the contingency line item was reduced to about \$51,000. Therefore, the only alternative for the incentive pay would be to pay it from the current fiscal year if there are funds remaining after considering Mr. Brock's request to hold up to \$50,000 for overtime for the Detention Center. This was Mr. Arrington's request in order to not use all the funds from the contingency line item.

Mr. Kilgo requested that for next week, Mr. Arrington provide Council with some language that would allow Council to make this disbursement by the end of the year. He suggested a Resolution.

Mrs. Johnson questioned whether funds for PDRTA (Pee Dee Regional Transportation Authority) were included in the budget.

Mr. Arrington confirmed that the budget did not include funds for PDRTA. He stated that if Council added everyone wanting donations, the contingency line item would be "wiped out." He reminded Council that the purpose of the contingency line item was to

operate the county in the event of an emergency or unexpected event. Mr. Arrington asked how Council wanted to proceed.

Mr. Flowers stated that years ago, Council approved an ordinance preventing non-departmental (PDRTA, Red Cross, etc.) spending. Therefore, should the county fund any agency outside county government, there would need to be a vote of Council to repeal the ordinance preventing non-departmental spending.

Mrs. Johnson requested \$1 million from Fund Balance so that the county would not have to contract out janitorial services and have extra money available.

Mr. Arrington cautioned the use of Fund Balance. He stated that should there be a catastrophe or natural disaster, Fund Balance would be used to continue operating the county. He also mentioned that funds in the contingency line item were available as a cushion. Mr. Arrington stated that if Council wishes to use funds from Fund Balance to operate government, he would need Council's directive and approval. According to Resolution No. 629, the County Administrator was directed to present a balanced budget, as was presented.

#### Requests / Comments – Members Of Council

Mr. Kilgo presented information from the *New York Times* on the 800<sup>th</sup> anniversary of Magna Carta. He requested that this be read into the minutes (attached). Mr. Kilgo commended the Governor's veto of the West Florence Fire District Bill. However, there could be attempts to override the veto.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers for the Chairman, on behalf of the Council members, to write a letter to the county's legislative delegation requesting that they support the Governor's veto.

The motion carried unanimously.

Mrs. Johnson talked about poverty in America and giving the municipalities whatever they need. She presented her opposition to the proposed budget, especially contracting out janitorial services and reducing the funds for DSS. Mrs. Johnson said she saw where there should be \$150 million for CTC funds for use on secondary roads. She commended Mr. Arrington's efforts.

Mr. Coker requested the date for the next CTC meeting.

Mr. Brock, Mr. Douglas, and Ms. Nicholson commended the staff for the budget presented. Ms. Nicholson mentioned that the county had been deficit spending for the past several years.

Mr. Coker thanked the people for lobbying for the various services/agencies.

Mr. Hudson commended the budget and staff.

#### Vote For Executive Session - Discussion Of Negotiations To Proposed Contractual Arrangements Involving Plan Benefit Services, Inc.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock for Council, along with Human Resources Director Ginger Winburn, Interim Finance Director Sherman Dibble,

County Administrator Terence Arrington, Acting County Attorney Chris Scott, Mr. Morgan Armstrong and Mr. Branford Armstrong of Plan Benefit Services, to go into executive session for discussion of negotiations to proposed contractual arrangements involving Plan Benefit Services, Inc.

The motion carried unanimously.

Council recessed at 7:55 p.m. prior to going into executive session and reconvened at 8:30 p.m. Upon convening, Chairman Hudson announced that no action was taken in executive session.

Vote For Executive Session - Discussion Of Personnel Matters Regarding The Parks & Recreation Department

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock for Council, along with Recreation Director Ken McRae, Interim Finance Director Sherman Dibble, County Administrator Terence Arrington, and Acting County Attorney Chris Scott, to go into executive session for discussion of personnel matter regarding the Parks and Recreation Department.

The motion carried unanimously

Council and the individuals listed went into executive session at 8:32 p.m. and reconvened at 8:55 p.m.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock for Council to receive the information presented during executive session.

The motion carried unanimously.

Vote For Executive Session - Discussion Of Personnel Matters Relating To The County Nepotism Policy

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo for Council, along with Human Resources Director Ginger Winburn, County Administrator Terence Arrington, and Acting County Attorney Chris Scott, to go into executive session for discussion of personnel matters relating to the county's Nepotism Policy.

The motion carried unanimously

Council and the individuals listed went into executive session at 8:56 p.m. and reconvened 9:07 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Vote For Executive Session - Discussion Of Personnel Matters Regarding the Environmental Services Department

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson for Council, along with Environmental Services Director Renee Howle, Recycling Coordinator Paula Newton, Interim Finance Director Sherman Dibble, County Administrator Terence Arrington, and Acting County Attorney Chris Scott, to go into executive session for discussion of personnel matters regarding the Environmental Services Department.

Council and the individuals listed went into executive session at 9:08 p.m. and reconvened at 9:13 p.m. Upon reconvening, Mr. Kilgo announced that no action was taken in executive session.

Adjournment

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to adjourn the meeting. There being no further discussion, the meeting was adjourned at 9:14 p.m.

Respectfully submitted,

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J. JaNet Bishop  
Clerk to Council

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Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of July 6, 2015.