

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

March 2, 2015

A public hearing and regular meeting of the County Council of Darlington County were held March 2, 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 at the entrance to the County Administrator's Office.

A Notice of Public Hearing for Ordinance No. 15-03, Ordinance No. 15-04, and Ordinance No. 15-05 was published in the News and Press and the Hartsville Messenger on February 11, 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, Finance Director Perry Strickland, Codes Enforcement Director Randy Evans, Planning Director Doug Reimold, Roads and Bridges Director Bobby Richardson, Tax Collector Mae Helen Burch, Emergency Services Director Charles Stewart, Environmental Services Director Renee Howle, Corrections Director Mitch Stanley, Airport Manager Barry Kennett, Human Resources Director Ginger Winburn, Recreation Director Ken McRae, Chief Deputy Sheriff James Hudson, Sheriff Wayne Byrd, and others.

REPORTERS PRESENT

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

PUBLIC HEARINGS

Ordinance No. 15-03, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, Section 18 (Fee Schedule), To Include The Increased Delinquent Tax Fees For Real Estate And Mobile Homes And Establish The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open at 6:02 p.m. to receive comments on Ordinance No. 15-03.

There being no comments, the public hearing was closed.

Ordinance No. 15-04, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, To Transfer The Roads and Bridges Department And The Road Maintenance Fees To A Newly Established Fund For Roads And Bridges, And Establish The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-04.

There being no comments, the public hearing was closed.

Ordinance No. 15-05, An Ordinance To Create A New Road Maintenance Fund For The Roads And Bridges Department And Establish The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-05.

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 6:05 p.m. Mr. Douglas presented the invocation and Mrs. Johnson led the Pledge of Allegiance.

Citizens' Comments

Ms. Shauna Curry, of 613 Indian River Drive off McIver Road, requested the removal of trees from the county's right-of-way at the corner of her property. She reported that the trees were hanging over the road obstructing the view and had grown into the power lines.

Chairman Hudson indicated that he would talk with the Roads and Bridges Director to find out what could be done.

Ms. Diane Delucia, of Pine Acres Community, asked Council to amend the county's Noise Ordinance to establish a timeframe and to find out whether generators were included. She also requested that Council authorize the Planning Department to work with Pine Acres Community to create a zoning ordinance for densely populated areas. Ms. Delucia talked about public health issues at 221 South Mary Street.

Personal Appearance - Mr. John Bonnoitt - Yellow Bags & Regulations Regarding Commercial Dumping At Solid Waste Centers

Mr. Bonnoitt was not present at the meeting.

Personal Appearance - Ms. Jessica Cohen, Tourism Director - Darlington County Tourism Update

Ms. Cohen presented information about tourism initiatives for Darlington County and upcoming meetings and events.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. NACo Prescription Drug Discount Card Program Update, January 2015	Receive As Information
B. Marlboro/Darlington County Beaver Program Report, January 15, 2015	Receive As Information
C. Animal Control Report, January 2015	Receive As Information
D. Building Permit Report, January 2015	Receive As Information

MOTION was made by Mr. Brock and seconded by Ms. Nicholson to receive the Consent Agenda items as information.
The motion carried unanimously.

Approval Of Minutes - Public Hearing & Regular Meeting, February 2, 2015

MOTION was made by Mrs. Johnson and seconded by Mr. Coker to approve the minutes of the public hearing and regular meeting held on February 2, 2015.
The motion carried unanimously.

Approval Of Minutes - Budget Work session, February 11, 2015

MOTION was made by Ms. Nicholson and seconded by Mrs. Johnson to approve the minutes of the budget worksession held on February 11, 2015.
The motion carried unanimously.

Ordinances

Ordinance No. 14-32, An Ordinance To Amend Ordinance No. 14-02 (FY14/15 General Fund Budget), Section 18, To Reduce The Fee For Copies Of Documents Made By County Personnel On County Equipment From One Dollar Per Page To Twenty-Five Cents Per Page And Establish The Effective Date Of This Ordinance (Initiated by Councilman Hudson) -
THIRD READING

MOTION was made by Mr. Douglas and seconded by Mr. Coker to approve third reading of Ordinance No. 14-32.
The motion carried unanimously.

Ordinance No. 15-01, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Six (How Development Permits Are Reviewed And Approved), Section 6.1 (Development Exempt From Permit) By Adding A Provision To Guide Subdivision Developments, Deleting Repetitive Language, And

Establish The Effective Date Of This Ordinance (Initiated by the Planning Commission & Staff) - **THIRD READING**

MOTION was made by Mr. Kilgo and seconded by Mr. Flowers to carry over third reading of Ordinance No. 15-01 to Council's April meeting.

Mr. Kilgo mentioned that he had been approached by several contractors who had a problem with the ordinance and wanted more time to look at it.

The motion carried unanimously.

Ordinance No. 15-02, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Twelve (Communication Towers), Section 12.3 (Co-Location On Existing Towers And Structures) To Add A Section To Provide Guidelines And Requirements For Communication Tower Foundational And Structural Upgrades And Repairs; To Set The Fee For The Planning Review Of These Modifications To Existing Towers In Darlington County; And To Establish The Effective Date Of This Ordinance (Initiated by the Planning Commission & Staff) - **THIRD READING**

MOTION was made by Mr. Douglas and seconded by Ms. Nicholson to approve third reading of Ordinance No. 15-02.

The motion carried unanimously.

Ordinance No. 15-03, An Ordinance To Increase The Delinquent Tax Fees For Real Estate And Mobile Homes, To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7. (Fees) To Add A Section For Delinquent Tax Fees, And Establish The Effective Date Of This Ordinance, **AS AMENDED** (Initiated by the Staff) - **SECOND READING**

MOTION was made by Mr. Brock and seconded by Ms. Nicholson to approve second reading of Ordinance No. 15-03, as amended.

The motion carried unanimously.

Ordinance No. 15-04, An Ordinance To Amend Ordinance No. 14-02, FY14/15 General Fund Budget, To Transfer The Roads and Bridges Department And The Road Maintenance Fees To A Newly Established Fund For Roads And Bridges, And Establish The Effective Date Of This Ordinance, **AS AMENDED** (Initiated by the Staff) - **SECOND READING**

MOTION was made by Mr. Hudson and seconded by Mr. Brock to approve second reading of Ordinance No. 15-04, as amended.

The motion carried unanimously.

Ordinance No. 15-05, An Ordinance To Create A New Road Maintenance Fund For The Roads And Bridges Department And Establish The Effective Date Of This Ordinance (Initiated by the Staff) - **SECOND READING**

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to carry over second reading of Ordinance No. 15-05.

Mrs. Johnson stated that she had questions regarding this ordinance and therefore, requested that it be carried over.

The motion carried unanimously.

Ordinance No. 15-06, An Ordinance To Amend The Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), Section 2-401 (Road Maintenance Fee Required; Vehicle Owners) To Increase The Road Maintenance Fee And To Establish The Effective Date Of This Ordinance (Initiated by the Staff) - **FIRST READING**

The title of Ordinance No. 15-06 was read for first reading.

Ordinance No. 15-07, An Ordinance To Create A Debt Service Fund For Darlington County And To Establish The Effective Date Of This Ordinance (Initiated by the Staff) - **FIRST READING**

The title of Ordinance No. 15-07 was read for first reading.

Ordinance No. 15-08, An Ordinance To Transfer Debt Service Activities From Various Accounts To The Newly Created Debt Service Fund For Reporting Purposes (Initiated by the Staff) - **FIRST READING**

The title of Ordinance No. 15-08 was read for first reading.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointments To Board/Commissions - Alcohol & Drug Citizen Advisory Committee (Coker, Flowers), Ambulance Commission (Nicholson), Construction Board of Adjustment & Appeals (Johnson, Flowers), Airport Commission (Flowers), Library Board (Flowers), Parks & Recreation Commission (Flowers, Coker)

Mr. Flowers nominated Mr. Robert A. Singletary for appointment to the Alcohol and Drug Citizen Advisory Committee. Mr. Coker nominated Mr. Mark A. Watkins for appointment to the Parks and Recreation Commission.

MOTION was made by Mrs. Johnson and seconded by Mr. Coker to appoint Mr. Singletary to the Alcohol and Drug Citizen Advisory Committee and Mr. Watkins to the Parks and Recreation Commission.

The motion carried unanimously.

Mr. Singletary will serve on the Alcohol and Drug Citizen Advisory Committee until he is replaced by Council. Mr. Watkins will fill an unexpired term on the Parks and Recreation Commission through June 30, 2016.

Budget Transfer Request, Prison Farm

MOTION was made by Mrs. Johnson and seconded by Mr. Douglas to approve the budget transfer request for the Prison Farm.

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to amend the motion to transfer the funds from salaries instead of Fuel/Oil.

The motion carried unanimously.

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson to approve the budget transfer request, as amended.

The motion carried unanimously.

According to the motion, \$8,200 will be transferred to Prison Farm Overtime (27-42350-13000) line item from Prison Farm Salaries line item.

Amendment To County Council 2015 Meeting Schedule To Add Monthly Work sessions

MOTION was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the amendment to Council's 2015 Calendar.

After discussions regarding the time of the proposed meetings, a **MOTION** was made by Mr. Douglas to schedule Council meetings for the first and second Mondays.

Mr. Arrington explained the purpose of the proposed worksessions.

Mrs. Johnson withdrew her motion.

MOTION was made by Mrs. Johnson and seconded by Mr. Flowers to reestablish a second Council meeting each month. Mr. Flowers and Mrs. Johnson clarified that these meetings would be regular County Council meetings where voting would take place. Worksessions would be scheduled as needed.

Mr. Arrington clarified that his recommendation was for one regular meeting and a worksession to provide an opportunity for the staff to present information to Council to gain Council's feedback prior to the matter being placed on the agenda.

MOTION was made by Mr. Kilgo for the meetings to begin at 5 p.m. The motion died for lack of a second.

Chairman Hudson called for the vote. The motion carried unanimously to have a second regular Council meeting each month.

Amendment To County Employees' Bereavement Policy

Human Resource Director Ginger Winburn explained that the current Bereavement Policy states three consecutive days, which causes confusion as to whether employees would be given time after the funeral or before the funeral. The policy was being clarified to state that employees would be given three working days -- the day before the funeral, the day of the funeral, and the day after the funeral, if scheduled to work those days.

MOTION was made by Mr. Flowers and seconded by Mr. Coker to approve the amendment to the employees' Bereavement Policy.

The motion carried unanimously.

Mutual Aid Agreement Between Darlington County Sheriff's Department And The City Of Myrtle Beach

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to approve the Mutual Aid Agreement between Darlington Sheriff's Department and the City of Myrtle Beach.

The motion carried unanimously.

Agreement For Pee Dee Region To Be Re-Designated As A Local Area Under The Workforce Innovation And Opportunity Act (WIOA)

MOTION was made by Mr. Flowers and seconded by Mr. Coker to authorize the Chairman to sign the following documents: the Workforce Development Area Designation Petition to allow the consortium to be the grant recipient of WIOA funds for workforce development activities in the Pee Dee Region; the Consortium Agreement forming the six-county consortium known as the Pee Dee Region; and the agreement to re-designate Pee Dee Regional Council of Governments as the fiscal agent for WIOA funds.

The motion carried unanimously.

Administrative Update – Mr. Terence Arrington, County Administrator

Mr. Arrington indicated that he will present, in the near future, things that would be happening, some at no cost to the county. He mentioned the preparation status of the proposed budgets.

Mr. Arrington asked Council to reconsider the ordinance to establish a business registration fee and allow him the opportunity to present it in reference to economic development.

Mr. Kilgo stated that he would introduce the ordinance when it is ready. Ms. Nicholson stated that she would second this because surrounding counties were doing this.

Mr. Flowers talked about a bill for an equitable fee structure for business licenses which may affect revenue from business license fees.

Mr. Kilgo clarified that Mr. Flowers was talking about business licenses as opposed to a business registration fee. The \$10 fee for businesses would, at least, identify what businesses are in the county. A business license fee would be based upon what the legislature decides.

Mr. Kilgo asked the status regarding the roll back on taxes. Finance Director Perry Strickland stated that once Treasurer Belinda Copeland and Auditor Rosa Hudson compiles the figures, they would meet with Mr. Arrington and him before they present the millage for the budget to make sure that it is taken care of. Mr. Arrington added that he would find out more information and email Mr. Kilgo on tomorrow.

Chairman Hudson asked Mr. Arrington to follow-up on why a refund check was cut in December but was not available until today. Chairman Hudson will provide Mr. Arrington with the individual's name, etc.

Requests / Comments – Members Of Council

Mr. Coker welcomed Mr. Arrington.

Ms. Nicholson reported that Council members had received a letter from Pee Dee Healthy Start Infant Mortality Program requesting emergency funds. She requested that this matter be placed on Council's April 6th agenda. Ms. Nicholson also requested that the Chairman of that Healthy Start Board appear before Council to provide statistical information.

Ms. Nicholson reported that for the past several years, Hartsville Housing Authority has been paying thousands of dollars in dumping fee at the landfill to dispose of large items that people leave behind in apartments. She requested that Council consider not charging this agency that provides housing for citizens in the county. It was her understanding that Darlington Housing Authority does not pay this fee. Ms. Nicholson announced that she was elected by the Housing Authority Board to be their General Counsel. She requested that this item also be placed on Council's next agenda with the Housing Authority's Executive Director appearing before Council.

Mr. Douglas clarified that the City of Darlington hauls and disposes of such items for Darlington Housing Authority. If the City of Hartsville would haul the items for Hartsville Housing Authority, then Hartsville Housing Authority would not have to pay.

Mr. Brock commended the staff members who worked during the recent ice storm.

Mrs. Johnson stated that she was the only Council member who submitted a plan of work for the County Administrator. She said the Administrator does not tell Council what will be done.

Chairman Hudson clarified that the County Administrator would lay out his plan and Council would talk about it and add to it.

Mr. Flowers requested information regarding the special purpose tax district for the South Darlington Watershed Project.

Mr. Kilgo and Chairman Hudson welcomed Mr. Arrington.

Vote For Executive Session (A) Discussion Regarding Personnel Matters and (B) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Darlington County Airport

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to vote for executive session for (A) discussion regarding personnel matters.

The motion carried unanimously

MOTION was made by Mr. Flowers and seconded by Mr. Douglas to vote for executive session for (B) discussion of negotiations incident to proposed contractual arrangements regarding the Darlington County Airport.

The motion carried unanimously.

Executive Session - (A) Discussion Regarding Personnel Matters and (B) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Darlington County Airport

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson for County Council, the County Administrator, and the County Attorney to go into executive session for discussion regarding personnel matters.

The motion carried unanimously.

Council recessed at 7:13 p.m. prior to going into executive session and reconvened at 7:45 p.m.

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson to create a county IT (Information Technology) position.

The motion carried unanimously

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to accept Mr. Arrington's recommendation for a new job description and pay scale for the Finance Director's position.

The motion carried with Ms. Nicholson and Mr. Coker recusing themselves.

Executive Session - (B) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Darlington County Airport

MOTION was made by Mr. Flowers and seconded by Mr. Coker for Council members, the County Administrator, the County Attorney, members of the Airport Commission, and the Airport Consultant to go into executive session for (B) discussion of negotiations incident to proposed contractual arrangements regarding the Darlington County Airport.

The motion carried unanimously.

Council went into executive session at 7:48 p.m. and reconvened at 8:11 p.m.

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas that in reference to the airport acquisition properties, item 4, tax map 13800-01-036, to offer Mr. Easterling the sum of \$59,400 for outright purchase of the area indicated on the map for that property or the alternative with a ten day right to answer the offer, and the alternative to authorize Mr. Cox to proceed with imminent domain proceeding of the airspace only.

The motion carried unanimously

Adjournment

MOTION was made by Mr. Brock to adjourn the meeting. There being no further discussion, the meeting was adjourned at 8:13 p.m.

Respectfully submitted,

J. JaNet Bishop, Clerk to Council

Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of April 6, 2015.