

PUBLIC HEARING & MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON COUNTY, SC

February 3, 2014

Darlington County Council held a Public Hearing and Regular Meeting on February 3, 2014, at 6 p.m., at the 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 Courthouse Annex/EMS Building.

NOTICE OF PUBLIC HEARING

A Notice of Public Hearing for Ordinance No. 13-31 was published in the Hartsville Messenger and the News and Press on January 15, 2014.

COUNCIL MEMBERS PRESENT:

Chairman Wesley H. Blackwell, Vice Chair Mozella Nicholson, Chaplain Dannie Douglas, Jr., Mr. Robbin Brock, Mr. Marvin Le Flowers, Mr. Bobby Hudson, Mrs. Wilhelmina P. Johnson, and Mr. Robert L. Kilgo, Jr.

ALSO PRESENT

County Administrator Dale Surrett, County Attorney James C. Cox, Jr., Clerk To Council J. JaNet Bishop, Corrections Director Mitch Stanley, Codes Enforcement Director Randy Evans, Central Communications Director David Sessoms, Emergence Services Director Charles Stewart, Chief Deputy Sheriff Jerry Thompson, Fire Chief Kenny Stratton, Jetport Manager Barry Kennett, Economic Development Director Frank Willis, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, Haynsworth Sinkler Boyd Attorney Will Johnson, and others.

REPORTERS PRESENT

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

PUBLIC HEARING

Ordinance No. 13-31, To Provide For The Issuance And Sale Of Not Exceeding Five Hundred Thousand Dollar (\$500,000) General Obligation Bond Of Darlington County Fire Protection District, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto

Chairman Blackwell declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 13-31.

There being no comments, Chairman Blackwell declared the public hearing closed.

REGULAR MEETING

Call To Order / Invocation / Pledge Of Allegiance

Chairman Blackwell called the meeting to order at 6:02 p.m. Mr. Douglas presented the invocation and Mr. Brock led the Pledge of Allegiance.

Citizens' Comments

Mr. C. Wayne Howle, 320 Kellybell Road in Hartsville, asked Council to consider second reading of Ordinance 13-31 pertaining to the proposed additional fire station in Kellytown area. He stated that because the county does not have total fire protection throughout the county, residents' homeowner insurance rates were increasing.

Mr. Will Black, Kelleybell Road, reported that his residence was within six miles of three different fire stations. However, because his residence was over five miles from a fire station, the cost for his homeowner's insurance had doubled. He questioned what could be done and what was being done to remedy this situation.

Mr. Glynn Willis, on behalf of Adams Outdoor Advertising, reported that Adams Outdoor Advertising owns two outdoor advertising structures beside Nettles Road. It was his understanding that Council would be looking at closing or abandoning part of the right-of-way. As a Real Estate Manager, Mr. Willis asked Council to look at the impact this would have on those who have property and rights along Nettles Road.

Mr. Gene Warr said he had the same concern as Mr. Glen Willis. He said several residences were on Nettles Road. He, along with a business partner, owns the property where Adams Outdoor Advertising sign is located. Mr. Warr asked that the county not abandon the property. The road was being used by the residents and for his business.

Mr. Kevin McHugh, 2649 Nettles Road, reported that Nettles Road recently came under a judge's decision for road maintenance to go from the state to county jurisdiction. On today, he found out that the county was considering abandoning this road. Mr. McHugh asked whether abandonment meant that the county would be abandoning the property or maintenance of Nettles Road. He emphasized that Nettles Road provided the only ingress and egress for his property and two other residences.

Mr. Gene Rasmussen said his property was adjacent to Mr. Kevin McHugh on Nettles Road. He questioned whether the maintenance of the road or the actual road would be abandoned.

County Administrator Dale Surrett explained that Nettles Road was once in the state highway system until they determined that it was an unnecessary road for state purposes. Therefore, the state went through a court procedure where a special referee assigned the maintenance of this road to the county. Mr. Surrett said this was being presented to Council with the staff's recommendation to make Nettles Road a private road. He talked about the state turning over roads to the county that they do not want to maintain and not providing the county with the revenue to take on the addition road maintenance. Therefore, the staff

was recommending that Nettles Road go through the abandonment process wherein state law requires notice to property owners via certified mail, newspaper advertisements regarding the abandonment, and a Circuit Court Judge to determine how the land (road) would be distributed. Mr. Surrett said the county would not maintain a private road.

Mr. Rasmussen said he wanted the road to remain open and someone to fill the potholes periodically.

Ms. Nicholson asked the County Attorney to provide Council members with a copy of the court order. She questioned why Council was not notified of the lawsuit.

Mr. Kevin McHugh gave Ms. Nicholson a copy of the order from the Special Referee. He presented concerns about his property becoming landlocked if the land (road) is given to the property owners from Highway 340 to his property.

Mr. Surrett explained that the court process would allow all parties to participate. He added that the county recently repaired the potholes that the state did not repair. He also explained that the county could not take the position to let state government dump such responsibilities on the county without funding for them.

Ms. Nicholson stated that Attorney Cox may want to look at the Special Referee order. She questioned why an attorney from Columbia was ruling on property in Darlington County. Ms. Nicholson stated that as a Council member and a lawyer, she should have known about this.

Attorney Cox responded that the lawsuit was brought and the court appointed an individual as master to make a recommendation to the court. He could not address what Ms. Nicholson did or did not know. However, this was a public case, people were present, witnesses were called, transcripts were kept, and he vigorously defended Darlington County. Attorney Cox explained that state law was applied wherein if the state abandons a road, it goes to the county. The next step was for the county to determine whether it wants to take on the responsibility for maintaining the road. If the county does not want to take on this responsibility, then the county would ask the court to allow the county to abandon the road. If the court allows the county to abandon the road, it would not be closed. There was a different procedure for closing a road. He said there were many private roads in the county that the county does not maintain, but no one can close them because they are private public roads.

Attorney Cox said Council has to make the decision as to whether the county wants to continue maintaining the road or ask the court to allow the county to abandon it. This would be similar to what was done with Sonovista Drive in Hartsville.

Ms. Christine Henigan reported that Council members had received a letter from Mr. Smiley Capers regarding Lide Spring Road. She said the residents still want help to fix the potholes. The road was tearing up their cars. Ms. Henigan said the residents were not asking the county to pave the road, just repair it.

Mr. Kenneth Evans also reported that Lide Spring Road was in terrible condition with large potholes. The residents need assistance from the county to repair this road.

Approval Of Minutes - Public Hearing & Regular Meeting, January 7, 2014

MOTION was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of the public hearing and regular meeting of January 7, 2014.

The motion carried unanimously.

Amended Agenda For Executive Session

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to amend the agenda to go to the Executive Session item on the agenda.

The motion carried unanimously.

Vote For Executive Session – (A) The Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body, and (B) The Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Purchase Of Property

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson to vote for executive session for (A) the discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body, and (B) the discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property

The motion carried unanimously.

Executive Session

MOTION was made by Mr. Kilgo and seconded by Mrs. Johnson for Council members, the County Administrator, the County Attorney, Economic Development Director Frank Willis, Haynsworth Sinkler Boyd Attorney Will Johnson, Airport Director Barry Kennett, and the LPA Group Representative(s) to go into executive session for (A) the discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body, and (B) the discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property.

The motion carried unanimously.

Council members, the County Administrator, the County Attorney, Economic Development Director Frank Willis, and Haynsworth Sinkler Boyd Attorney Will Johnson went into Executive Session at 6:23 p.m. Mr. Willis and Attorney Will Johnson left executive session at 6:35 p.m. as Airport Director Barry Kennett and LPA Group Representative(s) went into executive session.

Council reconvened at 7:10 p.m. Upon reconvening, Chairman Blackwell announced that no action was taken in executive session.

Ordinances

Ordinance No. 13-29, Ordinance Authorizing The Execution And Delivery Of A Fee Agreement By And Between Darlington County, South Carolina And Project Rockford Providing For A Payment Of A Fee In Lieu Of Taxes, The Issuance Of A Special Source Revenue Credit, And Other Matters Related Thereto - **THIRD READING**

Chairman Blackwell read the title of Ordinance No. 13-29 and added that the company involved was Birdsong Corporation and the project was conditional, pending approval of a state grant.

MOTION was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 13-29.

The motion carried unanimously.

Ordinance No. 13-30, Ordinance To Amend The Agreement For Development Of Joint County Industrial And Business Park Dated April 14, 1998 By And Between Darlington And Lee Counties So As To Enlarge The Park (Project Rockford) - **THIRD READING**

MOTION was made by Mrs. Johnson and seconded by Mr. Hudson to approve third reading of Ordinance No. 13-30.

The motion carried unanimously.

Ordinance No. 13-31, To Provide For The Issuance And Sale Of Not Exceeding Five Hundred Thousand Dollar (\$500,000) General Obligation Bond Of Darlington County Fire Protection District, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto - **SECOND READING**

MOTION was made by Mr. Flowers and seconded by Mrs. Johnson to approve second reading of Ordinance No. 13-31.

Ms. Nicholson said the amount of the ordinance was reduced to \$500,000. She questioned whether these funds would be used for the construction of two firehouses.

Mr. Surratt clarified that there would be three firehouses.

Mr. Douglas questioned whether this matter would go before the people for a vote or whether Council was doing it.

Chairman Blackwell responded that this would be approved by Council upon third reading of the ordinance.

Mr. Flowers and Mr. Hudson stated that the five mills would be placed on a referendum and not this ordinance.

Mr. Surratt added that if Ordinance No. 13-31 receives third reading, there would be a one-mill increase for bonds for the Fire District for five years. A mill of taxes in the Fire District would equate to about \$111,000 per year, and a \$4 increase on a \$100,000 value home. This would not include municipalities or Palmetto Rural Fire District. Mr. Surratt said the firehouses would be very basic buildings to house one truck. There would be no bathrooms, living quarters, tv room, etc.

Mr. Douglas requested that restrooms/bathrooms be included.

Mr. Surratt said the staff would plan for septic tanks, etc. Nevertheless, the initial building would be a substation affiliated with a main station.

The motion carried unanimously.

Ordinance No. 14-01, An Ordinance To Amend Ordinance No. 13-11, FY13/14 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 - **FIRST READING**

Chairman Blackwell read the title of Ordinance No. 14-01 for First Reading. No action required.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards & Commissions - Alcohol & Drug Citizen Advisory Committee (Hudson, Flowers, Blackwell), Board Of Assessment Appeals (Nicholson), Construction Board Of Adjustment & Appeals (Flowers), Parks & Recreation Commission (Blackwell), Planning Commission(Blackwell)

Planning Commission. Chairman Blackwell nominated Mr. Larry Frankie Jernigan for appointment to the Planning Commission.

MOTION was made by Mr. Blackwell and seconded by Mr. Kilgo to appoint Mr. Jernigan to the Planning Commission.

The motion carried unanimously. Mr. Jernigan will serve an unexpired term through June 30, 2016.

Board of Assessment Appeals. Ms. Nicholson nominated Mr. Lawrence Manning for appointment to the Board of Assessment Appeals.

MOTION was made by Ms. Nicholson and seconded by Mr. Kilgo to appoint Mr. Lawrence Manning to the Board of Assessment Appeals.

The motion carried unanimously. Mr. Manning will serve an unexpired term through June 30, 2016.

There were no further appointments to the above listed Boards & Commissions.

Appointments To Ad Hoc Committees - Chairman Blackwell

Chairman Blackwell reappointed the members from the 2013 Ad Hoc Committees to the 2014 Ad Hoc Committees as follows:

- Animal Shelter Committee – Wesley Blackwell & Robert Kilgo, Jr.
- Benevolent Committee – Wilhelmina Johnson & Finance Director Perry Strickland

- Finance Review Committee – Wesley Blackwell (Chairman), Dannie Douglas, Jr., Robert Kilgo, Jr., Treasurer Belinda Copeland, Auditor Rosa Hudson
- Pee Dee Regional Council of Governments – Billy Baldwin (Business/Executive Committee), Wesley Blackwell (Council), Mozella Nicholson (Council), Leon Johnson (Business)
- Solid Waste Study Committee – Dannie Douglas, Jr., Bobby Hudson, & Robbin Brock
- South Darlington Watershed Project – Bobby Hudson, Le Flowers & Wilhelmina Johnson
- NESA (North Eastern Strategic Alliance) Senator Gerald Malloy

Appointment Of The FY14/15 Accommodations Tax Advisory Committee

Mr. Kilgo nominated Mr. Joseph J. Saleeby Jr. to represent Hospitality Business (replacing Mr. Kanti Patel of Fairfield Inn), Ms. Carol Bishop to represent Hospitality, and Mr. Scotty Jeffords as Citizen At Large; Ms. Nicholson nominated Mr. David McFarland as a Citizen At Large; Ms. Johnson nominated Mrs. Joyce Wingate to represent Cultural Organizations; Chairman Blackwell nominated Mr. Steve Tinney of Oak Manor Inn to represent Lodging; and Mr. Hudson nominated Mrs. Gaye Tallon to represent Lodging.

Chairman Blackwell called for the vote on the individuals nominated for appointment to the FY14/15 Accommodations Tax Advisory Committee.

The vote was unanimous.

Appointment Of A County Council Member To Attend The Department Of Commerce's SC Economic Development Institute

Mr. Hudson nominated Mr. Robert Kilgo to attend the Department of Commerce's South Carolina Economic Development Institute training classes.

Chairman Blackwell explained that a scholarship would pay for one Council member to attend the Economic Development Institute.

Mr. Willis added that an additional individual could have registered if he/she paid his/her own way. However, the registration period had gone by.

Chairman Blackwell called for the vote.

The vote carried with Mr. Kilgo abstaining.

Donation Of A Vehicle To The County For Use In The Sheriff's Department

Chairman Blackwell stated that a revised Donation Agreement was included in Council's agenda package. This item was carried over from Council's January 7th meeting.

MOTION was made by Mr. Kilgo and seconded by Mr. Hudson to approve the agreement for the donation of a vehicle from Darlington Raceway for use in the Sheriff's Department.

Mr. Hudson asked whether the car would be parked at the Sheriff's Office.

Chairman Blackwell responded that the car would be at the disposal of the Sheriff.

The motion carried with Mr. Douglas and Ms. Nicholson opposing. Mr. Douglas stated that the county could not keep up with the cars it already owns and should not accept a car that it has “say so” over.

Raceway Automotive, Inc., DBA Raceway Ford of Darlington, was donating a 2011 Ford Crown Victoria, serial number 2FABP7BV9BX103160, with 66,229 miles.

Clarification To Implement Steps For Salary Increases, Sheriff's Department

Mr. Surrett reported that in the current budget, the Sheriff made a proposal for several salary increases. The request tonight would clarify how the salary increases would be implemented. This would have no fiscal impact on this year's budget because Council had already funded it. However, as deputies achieve the accomplishments as outlined in the agenda package, this would cause some deputies to get raises as a result of the structure. Mr. Surrett said this was a common structure driven towards the officers receiving accreditations, training, and experience creating a career pathway. This would actually lay out training steps and accomplishments for officers to move to another level.

Mr. Kilgo asked whether those officers with stripes would be grandfathered.

Mr. Surrett responded that the officers would have to accomplish and receive the trainings in order to maintain their position.

MOTION was made by Mr. Flowers and seconded by Mr. Kilgo to approve the clarification to implement steps for salary increases for the Sheriff's Department.

Mr. Kilgo confirmed that there was no grandfather clause. Mr. Surrett said this was correct.

Mr. Hudson questioned whether this would affect next year's budget. Mr. Surrett indicated that this could affect the budget in the future as deputies gain experience and complete the classes and certifications to move to other levels.

Mr. Flowers said it would be the Sheriff's decision as to whether this would affect next year's budget.

Mrs. Johnson stated that a similar process was needed for all departments.

Mrs. Nicholson talked about the employees in the Sheriff's Department being labeled as county employees, which would involve Mr. Surrett's input. Mr. Surrett explained that his input would be limited to ensuring that the slots are authorized in the budget and the pay plan is followed. He said the information presented tonight would lay out the steps to internally move people within a grade when they accomplish certain qualifications, etc.

The motion carried unanimously.

Request To Abandon The County Maintained Section Of Nettles Road

MOTION was made by Mr. Kilgo and seconded by Mr. Hudson to carry over the request to abandon the county maintained section of Nettles Road.

Mr. Kilgo and Ms. Nicholson indicated that they wanted to look at the road.

The motion carried unanimously.

Appointment Of A Hearing Examiner Or County Council To Hear Appeal Regarding An Outdoor Advertising Sign

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to give the authority to the County Administrator to appoint a hearing officer to handle these matters and that the hearing officer's decision is appealable to the court and not council.

Mr. Flowers questioned whether the motion would be setting policy or would it only apply to this individual problem.

Mr. Surrett said this was about the case for this one sign.

Mr. Flowers question whether Council was creating a process for handling all future signage problems that the Planning Commission cannot handle because of appeals. He also questioned the length of time it would take to implement this process so that this one problem could be handled.

Attorney Cox emphasized that the process was already in place and the attorney representing the sign owner was waiting on transcripts of minutes that were taken during the Planning Commission meeting. When the attorney obtains the transcripts, the process would move forward. Attorney Cox said that if Council leaves things as they are, the appeal would come before Council. If Council votes to appoint a hearing officer, the appeal would go before the hearing officer.

Mr. Flowers requested clarification as to whether Council was voting for a hearing officer to hear this one particular sign issue or whether Council was setting policy that from now on, this would be how such matters would be handled.

Mr. Kilgo clarified that his motion would set a policy and not an individual case-by-case matter.

Attorney Cox explained that the county ordinance (*Appendix A - Development Standards Ordinance, Article 7, Section 7.8.3*) allows for an appeal, and County Council would have the final decision as to whether Council would hear the appeal or set a policy of using a hearing officer. It was Attorney Cox's legal opinion that if Council votes favorably for the motion, and unless Council change it later, everyone would go to a hearing officer appointed by the County Administrator.

MOTION was made by Mr. Flowers and seconded by Mr. Brock to amend the agenda to allow Attorney Paul Cannarella to speak.

The motion carried unanimously.

Attorney Paul Cannarella said he was helping the sign owner, Mr. Fred Wilhelm, with this one sign and was in favor of letting a hearing examiner or special referee hear the appeal. It was his understanding that once the special referee makes a decision, it would be final and they would not have to go before Council. If he loses, he would have to go before a circuit court judge such as Judge Baxley.

Mr. Flowers emphasized that Council was making a policy decision and not an individual case.

Mrs. Johnson questioned whether the county has anything to govern such matters.

Mr. Surrett explained that Council approved a sign ordinance (*Appendix A - Development Standards Ordinance, Article 15*) so that the Planning Commission and the Planning staff would first make the determination regarding the sign ordinance. If the determination does not

suit the person making the application or the sign owner, they could appeal to County Council or County Council could appoint a hearing officer. This was in place in the ordinance for a number of years. Mr. Surrett stated that the question tonight was simply whether Council would hear the appeal or appoint someone to hear it. The motion was for Council to authorize the County Administrator to seek a person to act as referee to hear the case. If the referee's determination is not satisfactory with the sign owner, the matter would be appealed to the Circuit Court.

Mrs. Johnson requested a copy of the sign ordinance.

The motion carried unanimously.

Salem United Methodist Church's Request For State Road S-16-486 (Salem Road) To Be Transferred To Darlington County To Enable Darlington County To Transfer It To The Church

MOTION was made by Mr. Hudson and seconded by Mr. Douglas to approve Salem United Methodist Church's request for State Road S-16-486 (Salem Road) to be transferred to the county to enable the county to transfer the road to the church.

Mr. Hudson indicated that Salem Road was located on the Florence County line.

Mr. Surrett reported that the State Department of Transportation (DOT) wanted to close this short dead-end road and the church would like to have it. However, the state could not give the road to an individual. The road has to go to the county and the county would have to go through the same process as was discussed with Nettles Road to give notification, provide publications in a newspaper, then go to a Circuit Court Judge for the determination of how the land would be distributed.

Mr. Kilgo asked who would cover the cost for going to Circuit Court. Mr. Surrett's response was the county.

Mr. Kilgo felt that the church should cover the court cost since the church would be the beneficiary. Mr. Surrett said this would be under the normal retainer.

The motion carried unanimously.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. NACo Prescription Drug Discount Card Program Report, December 2013	Receive As Information
B. Planning Commission Minutes, October 15, 2013	Receive As Information
C. County Building Inspections Reports, November & December 2013 And Permit Types Report, December 2013	Receive As Information
D. Marlboro/Darlington County Beaver Program Report, December 2013	Receive As Information

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| E. Historical Commission Minutes, December 5, 2013 | Receive As Information |
| F. Darlington County Animal Shelter Quarterly Report, October Through December 2013 | Receive As Information |
| G. Copy Of The Program For Sonoco Biomass Unveiling, January 17, 2014 | Receive As Information |
| H. Letter From Time Warner Cable RE: Change In Channel Lineup | Receive As Information |
| I. SCAC 27 th Annual Mid-Year Conference Brochure/Registration Information | Receive As Information |
| J. County's 2 nd Quarter Financial Reports, October Through December 2013 | Receive As Information |
| K. Parks & Recreation Department Monthly Report, January 2014 | Receive As Information |
| L. Article From The Post And Courier, <i>In Mount Pleasant, A Big Bill Coming Due</i> | Receive As Information |
| M. Letter From Smiley Capers & Lide Spring Road Residents Requesting A Motion To Reinstate Lide Spring Road Into County Road Maintenance System Or Community Health/Safety Project | Receive As Information |
| N. Pee Dee Workforce Investment Board Quarterly Report, July 1, 2013 through December 31, 2013 | Receive As Information |

Mr. Douglas requested Council's discussion of Consent Agenda Item M., *Letter From Smiley Capers & Lide Spring Road Residents Requesting A Motion To Reinstate Lide Spring Road Into County Road Maintenance System Or Community Health/Safety Project.*

MOTION was made by Mr. Flowers and seconded by Ms. Nicholson to receive as information Consent Agenda items A through N, with the exception of Item M.

The motion carried unanimously.

Letter From Mr. Smiley Capers & Residents of Lide Spring Road Requesting A Motion To Reinstate Lide Spring Road Into County Road Maintenance System Or Community Health/Safety Project

Chairman Blackwell mentioned that Council heard several individuals speak on this matter at the beginning of the meeting and information and pictures were included in Council's agenda package.

Mr. Douglas reported that about fourteen houses were along this one half mile stretch of road. He said the residents were not requesting that the road to be paved or rocked; they just want the county to work the road. Mr. Douglas pointed out that Mr. Cox previously stated tonight that a road could not be closed unless it goes through a court hearing.

Mr. Cox said this was correct. However, there had been no discussion by anyone to close Lide Spring Road.

Mr. Douglas explained that an individual had closed part of Lide Spring Road, which causes confusion for emergency vehicles because they usually enter at the wrong end of the road and would have to turn around.

Mr. Cox said that if this was true, then any citizen or landowner could bring an action to reopen the road.

Mr. Douglas said this was one of the things that Mr. Capers addressed in his letter. Mr. Douglas indicated that Lide Spring Road extends from Mont Clare Road to Old Georgetown Road and was paved, except for the section that the residents want the county to repair. He said that when the farmer purchased the land, the farmer closed part of the road. Therefore, motorist could not travel the road from one end to the other.

Mr. Cox stated that it would be reasonable for Council to ask Roads and Bridges to check this road to find out whether someone improperly closed it. From what he had heard, Mr. Cox said the residents want the road scraped, the ditches cleaned, and the potholes filled.

Mr. Douglas said the county stopped working the road when the farmer closed a portion of it. He also stated that this matter had gone before the Planning Department.

Mrs. Johnson suggested that Mr. Cox send a letter to the individual who closed the road since the individual did not have the authority to close it.

Mr. Cox said he would look at the road with Roads and Bridges. However, a letter from him, as County Attorney, would not have an effect unless Council was willing order him to proceed to reopen the road. Therefore, he would be hesitant about doing this unless the county was taking over maintenance of the road.

Mr. Douglas emphasized that Lide Spring Road was not a private road. The road extends from Georgetown Road to Society Hill Road. When the individual closed the road, the residents maintained one end and the other end was left out.

MOTION was made by Mr. Kilgo and seconded by Ms. Nicholson to instruct the County Attorney to conduct a title examination of the property to determine who owns what and report back to Council.

The motion carried unanimously.

Personal Appearances

There were no personal appearances.

Administrative Update - Mr. Dale Surrett, County Administrator

New Veteran Affairs Officer. Mr. Surrett announced that the Legislative Delegation had appointed a new Veterans Affairs Officer, Mr. Elve Williams. Mr. Williams is a retired

Air Force veteran who will appear before Council within the next few months to provide background on the Veterans Affairs Office.

Storm Update. Mr. Surrett reported that the staff would be having an "After Action" meeting to accept input on the recent winter storm event. He also mentioned that two employees were injured, the Emergency Operating Center (EOC) was activated, conference calls were held to provide updates, County offices were closed for one and one half days, and the staff was working on a system to provide automatic notification during such events. Everything went as planned. Mr. Surrett welcomed questions/comments regarding what went on during the storm to be incorporated in the "After Action" report.

Ms. Nicholson requested that the staff look at taking care of vulnerable people during emergency situations. Mr. Surrett talked about the efforts in Hartsville that provided for a shelter and efforts to determine whether there would be an ongoing shelter or a shelter on an as needed basis.

Ms. Nicholson commended the staff for keeping the roads clear during the storm.

Requests / Comments – Members Of Council

Mr. Kilgo thanked all county employees who helped during the snowstorm. He hopes that the two employees who were injured will recover quickly.

Mrs. Johnson commended the Employees' Appreciation Banquet that was held on January 25th in Hartsville and the Martin Luther King, Jr. celebration held in Darlington. She mentioned that a parent was in her office today and indicated that her child would be removed from school because the child was being bullied by other children. She said Council and the police department have a job to do.

Chairman Blackwell thanked the County Administrator for his efforts during the snowstorm.

Adjournment

MOTION was made by Mrs. Johnson to adjourn the meeting. There being no further business, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

J. JaNet Bishop, Clerk to Council

Wesley H. Blackwell, Chairman
Darlington County Council

Approved at meeting of March 3, 2014.