

PUBLIC HEARING AND REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

NOVEMBER 2, 2015

A public hearing and regular meeting of the County Council of Darlington County was held this 2<sup>nd</sup> day of November 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 meeting notice, giving the date, time, and place of the meeting was mailed in advance to the local newspapers, individuals requesting notification, and posted on the bulletin board at the entrance to the County Administrator's Office.

A Notice of Public Hearing for Ordinance No. 15-29 was published in the News and Press and the Hartsville Messenger on October 14, 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 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, Fire Chief Kenny Stratton, IT Manager Arthur Moore, Codes Enforcement Director Randy Evans, Human Resources Manager Ginger Winburn, Planning Director Doug Reimold, Airport Manager Barry Kennett, Corrections Director Waddell Coe, Jr., Building Maintenance Director Andrew Smith, Emergency Preparedness Director Mac McDonald, Library Director Jimmie Epling, Roads and Bridges Director Bobby Richardson, Chief Deputy Sheriff James Hudson, Finance Director Sherman Dibble, Elections/Voter Registration Director Hoyt Campbell, Environmental Services Director Renee Howle, Assistant Environmental Services Director Paula Newton, Sheriff Wayne Byrd, Haynsworth Sinkler Boyd Attorney Ben Zeigler, Members of Hartsville Leadership Class, Greater Hartsville Chamber of Commerce President Quinetta Buterbaugh, and others.

REPORTERS PRESENT

Ms. Samantha Lyles of the News and Press, Mr. Jim Faile of the Messenger, a reporter from TV 13 and TV 15.

PUBLIC HEARING

Ordinance No. 15-29, An Ordinance To Designate That Agency In The County For Alcohol And Drug Abuse Planning For Programs And To Make Appropriations Pursuant To Sections 6-27-

40(B) And 12-33-245(B) And (C) Of The 1976 Code Of Laws Of South Carolina, As Amended, For Darlington County For The Fiscal Year Beginning July 1, 2015, And Ending June 30, 2016

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 15-29.

There being no comments, the public hearing was closed at 6:01 p.m.

**REGULAR MEETING**

Call to Order / Invocation / Pledge of Allegiance

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

Citizens' Comments

Ms. Quinetta Buterbaugh, President of Greater Hartsville Chamber of Commerce, reported that members of Hartsville Leadership Class were present at the meeting and asked them to introduce themselves. She stated that the class consists of concerned citizens and employees from the Hartsville area who are interested in learning about local government.

Mr. Tommy Euart talked about his family being displaced after the recent flood. He reported that during his cleanup process, he was stopped by Darlington County and told that to continue his cleanup and rebuilding efforts, he would have to purchase planning and building permits. Mr. Euart was concerned that Darlington County residents who were affected by the recent floods would have to purchase such permits. Therefore, on behalf of the citizens who were affected by the flood, he asked Council to waive the permit fees to rebuild.

Personal Appearances - Pastor William Stephens, U Pass It On Program

Pastor William Stephens reported that the *U Pass It On* Program was opening in Hartsville to help citizens in the county and from surrounding areas find jobs. This program provides training to job seekers who cannot find a job and individuals with no technical or college training. Pastor Stephens requested Council's support of the program.

Ms. Anita Dantzler – Formation Of A Community Relations Council Sponsored By The S.C. Human Affairs Commission

Ms. Dantzler handed out information and talked about the Human Affairs Commission. She reported that after the tragedies in Charleston, the South Carolina Human Affairs Commission reignited the Community Relations Team to establish Community Relations Councils in all 46 counties in the state. The Community Relations Councils play a vital role in promoting community understanding and open communications. Ms. Dantzler said the Human Affairs Commission was ready to work with County Councils, Chambers of Commerce, and citizens who are willing to establish this volunteer council. The training provided by the state would be at no cost to the county or participants. She said the Commission asks that a diverse group of at least eleven civic-minded citizens agree to come together for the betterment of the community. Ms. Dantzler also reported that the Governor

mandated the South Carolina Human Affairs Commission to create the Community Relations Councils in order to know how the communities are doing and to provide help when situations arise.

Mr. Flowers asked whether this would have to be established by ordinance or resolution. Attorney Cox responded, resolution.

Mr. Flowers talked about elected officials and certain individuals not being able to serve on the Community Relations Council because it would constitute dual office holding. He also mentioned that many of the citizens were already involved on other boards and commissions.

Mr. Johnson pointed out that such Council already exists in Darlington County.

Ms. Dantzler responded that the Commission has been in existence since the early 1980's. However, they were making their way to each county asking County Councils to set up the Community Relations Councils.

Mrs. Johnson insisted that a Community Relations Council already exists in the county. She said the Council normally meets in Hartsville three to four times a year with former State Representative Denny Neilson. She also stated that this local group, Darlington County Humanity Council, has been in existence in Darlington County for about seventeen to eighteen years.

Ms. Nicholson emphasized that she did not know that such Council exists in the county.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to receive this as information and for the County Administrator to find out whether such Council already exists in the county and report back to Council in December.

The motion carried unanimously.

### Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Historical Commission Minutes, September 3, 2015	Receive As Information
B. Building Permit Types Report, September 2015	Receive As Information
C. Animal Control Report, September 2015	Receive As Information
D. Animal Shelter Quarterly Report, July – September 2015	Receive As Information
E. Letter from US Department Of Commerce/US Census Bureau RE: Cost for Full Special Census for Darlington County	Receive As Information

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

The motion carried unanimously.

Approval Of Minutes - Public Hearing & Regular Meeting, October 5, 2015

**MOTION** was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of the public hearing and regular meeting of October 5, 2015.

The motion carried unanimously.

Approval Of Minutes - Worksession, October 14, 2015

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the minutes of the worksession of October 14, 2015.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to amend the fourth paragraph on page 1 to change the heading to *COUNCIL MEMBERS **NOT** PRESENT*.

The motion carried unanimously.

Chairman Hudson called for the vote to approve the minutes of October 14, 2015, as amended.

The motion carried unanimously.

Ordinances

Ordinance No. 15-29, An Ordinance To Designate That Agency In The County For Alcohol And Drug Abuse Planning For Programs And To Make Appropriations Pursuant To Sections 6-27-40(B) And 12-33-245(B) And (C) Of The 1976 Code Of Laws Of South Carolina, As Amended, For Darlington County For The Fiscal Year Beginning July 1, 2015, And Ending June 30, 2016 - **SECOND READING**

**MOTION** was made by Mr. Flowers and seconded by Mr. Brock to approve second reading of Ordinance No. 15-29.

The motion carried unanimously.

Ordinance No. 15-30, An Ordinance To Amend Ordinance No. 15-21 (Darlington County FY15/16 Budget Ordinance) For A Supplemental Appropriation To Receive And Expend Unclaimed State Lottery Funds For Darlington County Library System And Establish The Effective Date Of This Ordinance - **FIRST READING**

The title of Ordinance No. 15-30 was read for First Reading. No action required.

Resolutions

Resolution No. 658, Support Of Prescribed Fire

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve Resolution No. 658 in support of Prescribed Fire.

Mr. Kilgo asked whether this would place any liability on Darlington County. Mr. Cox's response was no.

The motion carried unanimously.

Amendment To The Agenda

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to amend the agenda to move Other Items - Item E to this point on the agenda.

The motion carried unanimously.

Request For The County To Waive Building Permit Fees For Repairs Associated With Damages Sustained During The Recent Floods

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve Resolution No. 659, a resolution approving the waiver of all planning and/or building permit fees for property affected by the recent floods.

The Resolution was handed out prior to the Council meeting.

The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Annual Appointments & Appointments To Fill Vacancies On County Boards & Commissions: Alcohol & Drug Citizen Advisory Committee (Hudson), Airport Commission (Flowers), Construction Board of Adjustment & Appeals (Douglas, Flowers), Library Board (Flowers), Parks & Recreation Commission (Flowers), Planning Commission (Douglas, Flowers)

Mr. Hudson, Mr. Flowers, and Mr. Douglas carried over their appointment(s).

Proposed Lease For T-Hangar 11

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to approve the lease for T-Hangar 11.

The hangar lease between the County and Rhonda Coker will commence on November 1, 2015 and end on October 31, 2020.

The motion carried unanimously.

Amendment To Annual Leave Accrual Policy

**MOTION** was made by Mr. Brock and seconded by Mr. Douglas to carry over the amendment to the annual leave accrual policy.

Mr. Flowers stated that this item needed to be carried over for more discussion among members of Council.

Mr. Kilgo requested the purpose of the proposed amendment.

Mr. Arrington explained that currently, employees are given a bulk of annual leave time at the beginning of the year for the entire year. If an employee leaves employment early in the year, the employee is paid for that time. With the proposal, as of January 2016, annual leave will accrue each month throughout the year. Whatever amount of annual leave an employee should receive would be divided among a 12-month period, and each month the employee would earn his/her annual leave time versus receiving a bulk of annual leave time in January.

Mr. Arrington also mentioned that retirees sometimes extend their retirement date to January instead of retiring in December so that they can receive payment for the bulk of annual leave time allotted for the year. He indicated that this strategy was being used to get additional paid days from the organization. Mr. Arrington also stated that if employees are not going to accrue annual leave time, this was not fair to employees who work from January through December. Therefore, from a fiscal standpoint, everyone should accrue annual leave time throughout the year and not receive a bucket of time at the beginning of the calendar year.

Mrs. Nicholson questioned whether the proposal was a standard and acceptable procedure in organizations. She confirmed that if an employee terminates in February, he/she would receive payment for the days given for the entire year as opposed to the number of hours for January and February.

Mr. Arrington referred to the revised information that was handed out prior to the Council meeting. With the proposal, he pointed out that if an employee has 10 plus years of service, the employee would receive 7.5 hours of vacation time per month (30-hour employee). Other scenarios were presented in the information. Currently, an employee with 10 plus years of service will received 15 days in January.

Mr. Coker requested information as to how state employees accrue time. Mr. Arrington indicated that he would obtain the requested information.

The motion carried unanimously.

#### Purchase Of New MSA G1 Self Contained Breathing Apparatus From Newton's Fire And Safety, Fire District

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to approve the purchase of new MSA G1 self-contained breathing apparatus from Newton's Fire and Safety.

Chairman Hudson indicated that he was told that other departments were obtaining grant funds for such purchases.

Mr. Arrington talked about the County Fire District not meeting certain parameters for grants.

Fire Chief Kenny Stratton stated that with the change in how the Fire District can utilize their funds, they were beginning to look for grants.

The motion carried unanimously.

#### Administrative Update - Mr. Terence Arrington, County Administrator

Directors Retiring & Promotions. Mr. Arrington reported that he had sent Council members a memo indicating that Planning Director Doug Reimold would be retiring on January 2, 2016 and Codes Enforcement Director Randy Evans retiring on January 8, 2016. He announced that Michelle Moore was now the county's Emergency Medical Services Director and Mac McDonald was now the Emergency Management Director. Mr. Arrington commended Airport Manager Barry Kennett for getting tenants into the vacant hangars at the airport.

Goggle Apps for Email. Mr. Arrington reported that IT Manager Arthur Moore would be migrating county emails to Goggle Apps. There would be addition discussions regarding this process.

Environmental Services. Mr. Arrington announced that Paula Newton was recently reclassified from Recycling Coordinator to Assistant Environmental Services Director with core functions focused on the recycling centers and operations. This was done in an effort to streamline functions and transition to a data driven approach to manage the landfill and services.

Courthouse Design Committee. Mr. Arrington recommended that Council begin thinking about individuals to appoint to the Courthouse Construction Committee in January. He did not know whether the City will play a key role in this process. However, the County has funds budgeted to get through the design phase of the project. Mr. Arrington said he had some recommended participants for the Committee, such as Mr. Scott Suggs who is responsible for a lot of the courthouse duties. He also suggested that he serve on this committee with whomever else Council appoints.

Reorganization Of The Planning and Codes Enforcement Departments. Mr. Arrington pointed out that there had already been some discussion about the reorganization of the Planning and Codes Enforcement Departments as the directors retire. He handed out proposed information for combining the departments, which will become the Department of Development Services. In the proposal, someone would be recruited to manage both divisions (Planning and Codes Enforcement). There would be a senior lead person for each division reporting to the Development Services Director. Mr. Arrington pointed out that this was being done in other municipalities and in Florence. This was a matter of streamlining processes and making sure everyone has a job description. More information will follow regarding this matter.

Administrative Update - Fire District's Purchase Of 18 P-25 Compliant Motorola 800 MHz Portables

Fire Chief Kenny Stratton stated that this was placed under the Administrator's Update because the purchase came in under \$15,000 and only needed the County Administrator's approval. However, the staff wanted to inform Council of the purchase.

Mr. Arrington confirmed that quotes were solicited and the purchase amount was under the threshold whereby the County Administrator could approve the purchase. Therefore, it was being presented to inform Council that responses were received and the price was under the threshold.

Amend The Agenda For Executive Session Before Comments

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to amend the agenda to go to Vote for Executive Session and Executive Session.

The motion carried unanimously.

Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding Environmental Services

**MOTION** was made by Mr. Brock and seconded by Mr. Flowers to vote to go into executive session for the discussion of negotiations incident to proposed contractual arrangements regarding Environmental Services. The executive session would include Council, Haynsworth Sinkler Boyd Attorney Ben Zeigler, County Administrator Terence Arrington, Finance Director Sherman Dibble, Assistant Environmental Services Director Paula Newton, Environmental Services Director Renee Howle, and County Attorney Jim Cox.

The motion carried unanimously.

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas for Council and the above named individuals to enter into executive session for the discussion of negotiations incident to proposed contractual arrangements regarding Environmental Services.

The motion carried unanimously.

Council went into executive session at 6:47 p.m. and reconvened at 7:16 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Vote For Executive Session-Receipt Of Legal Advice Regarding The Animal Shelter/Humane Society

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to vote for executive session for receipt of legal advice regarding the Animal Shelter/Humane Society.

The motion carried unanimously.

**MOTION** was made by Mr. Brock and seconded by Mr. Kilgo for Darlington County Humane Society Representative Kathy McDonald, Finance Director Sherman Dibble, IT Manager Arthur Moore, Building Maintenance Director Andrew Smith, County Administrator Terence Arrington, County Attorney Jim Cox, and Council members to go into executive session for the receipt of legal advice regarding the Animal Shelter/Humane Society.

The motion carried unanimously.

Council went into executive session at 7:18 p.m. and reconvened at 7:38 p.m. Upon reconvening, a **MOTION** was made by Mr. Kilgo and seconded by Mr. Coker to amend the current Animal Shelter contract to remove the requirement that they (the Humane Society) provide the county a report before payment, and that the payment is automatically made on the first Friday of each quarter.

Mr. Coker clarified that County would receive a quarterly report.

The motion carried unanimously.

Requests / Comments – Members Of Council

Mr. Coker thanked Hartsville Leadership Class for attending the meeting.

Mr. Brock stated that he would like Council to look at the health insurance provider again to see what the county can do so that employees can save on health insurance.

Mrs. Johnson commended the work of the Roads and Bridges Department. She asked the County Administrator to find out why the CTC (County Transportation Committee) was taking over Council's job.

Mr. Arrington responded that the Senator appoints the CTC. However, he would submit a letter to Senator Malloy. Mr. Arrington also indicated that the CTC recently funded another project for the county, and he would like to keep this relationship in good standing.

Mr. Douglas added that the matter regarding the CTC came up at the County Council Coalition meeting last Friday. He said counties do not like the Senators being in control of this.

Mrs. Johnson said she wanted to find out what was going on with the new Wal-Mart involving Patience Street. She also mentioned the need for a stop sign leading out of the back parking lot at Taco Bell at the intersection of Juleswood Drive. Mrs. Johnson said she recently talked with Mr. Parnell, of the State Highway Department, about this matter. However, she wanted the county staff to follow-up.

Mr. Arrington stated that Mrs. Johnson was asking the staff to follow-up on a matter in the City of Darlington. Mrs. Johnson clarified that Franklin Drive was in the county and Patience Street was in the City.

Mrs. Johnson said Dad Brown Cemetery was a public place and belongs to the City and the County. She said there were memorandums indicating who was in charge and what needed to be done.

Mr. Arrington stated that he would look into this to see if he could find some legislation.

Mr. Flowers announced that he would be volunteering his services with Darlington County Recreation Department with the winter basketball league. He will not be volunteering as a Council member.

Mr. Kilgo asked the status of the smoke-free policy.

Mr. Arrington indicated that Council carried over this matter and no further action was taken. However, he would gladly place this item back on the agenda for more discussion.

Mr. Kilgo requested that the Smoke Free Policy be placed on the agenda for the December meeting.

Chairman Hudson thanked the staff and employees for their work.

### Adjournment

**MOTION** was made by Mr. Flowers and seconded by Mrs. Johnson to adjourn the meeting. There being no further comments, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

---

J. JaNet Bishop  
Clerk to Council

---

Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of December 7, 2015.