

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

JUNE 1, 2015

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 1<sup>st</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 15-14, 15-15, 15-16, and 15-17 was published in the Hartsville Messenger and News and Press on May 13, 2015. A Notice of Public Hearing for the Proposed Lease for T-Hangar No. 7 was published in the Hartsville Messenger and the News and Press on May 6, 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, Library Director Jimmie Epling, Special Programs Director Mac McDonald, Fire Chief Kenny Stratton, Airport Manager Barry Kennett, Corrections Director Mitch Stanley, Janitorial/Building Maintenance Director Andrew Smith, Interim Finance Director Sherman Dibble, 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, Treasurer Belinda Copeland, Economic Development Director Frank Willis, Roads and Bridges Director Bobby Richardson, County Auditor Rosa Hudson, Tax Assessor Kyle Johnson, Haynsworth Sinkler Boyd Attorney Will Johnson, and others.

REPORTERS PRESENT

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

## **PUBLIC HEARINGS**

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

Chairman Hudson declared the public hearing open 6:04 p.m. to receive comments on Ordinance No. 15-14.

There being no comments, the public hearing was closed.

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

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

There being no comments, the public hearing was closed.

Ordinance No. 15-16, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), To Add Article 19 (Renewable Energy Systems) And Establish The Effective Date Of This Ordinance

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-16.

There being no comments, the public hearing was closed.

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

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 15-17.

There being no comments, the public hearing was closed.

Proposed Lease Authorizing The Entry By Darlington County, Lessor, Into An Agreement For The Lease Of T-Hangar No. 7 Consisting Of 1188 Square Feet Of Space For Aircraft Storage Located At Darlington County Airport, Hanger Access Rd, Darlington, South Carolina. The Lease Will Commence On June 1, 2015 And End On May 31, 2020

Chairman Hudson declared the public hearing open to receive comments on the proposed lease of T-Hangar No. 7 at Darlington County Airport.

There being no comments, the public hearing was closed.

Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:07 p.m. Douglas presented invocation and Coker led the Pledge of Allegiance

Amendment to the Agenda

**MOTION** was made by Ms. Nicholson and seconded by Mrs. Johnson to amend agenda for an executive session at the end of the meeting for discussion of personnel matters.

The motion carried unanimously.

Citizens' Comments

Mr. Lee Graham, a resident of Timberchase Subdivision, reported on the various meetings he/Timberchase residents attended trying to get the roads in Timberchase Subdivision repaired. He indicated that the Darlington County Transportation Committee (CTC) initially directed him to County Council, County Council directed him back to the CTC, and the CTC finally informed him of the CTC's list, but could not tell him the status of what would be done on Pine Haven Drive. He questioned whether County Council has anything to do with the roads in Darlington County and who appoints the CTC members.

Chairman Hudson responded that Council has to approve CTC's projects, and that Senator Malloy appoints the members of the CTC. It was suggested that he go back to the CTC.

Personal Appearances - Mr. Chuck McNeil, Pee Dee Regional Transportation Authority (PDRTA) Executive Director – Request For Support

Mr. McNeal provided information on the creation of PDRTA, their funding scheme for Federal funds, local funds and stat Mass Transit funds; reduction in service, current services, partnerships, ridership growth, the cost for service within the City of Darlington, funding partners, etc. He also reported that the City of Darlington has allocated \$12,000 to PDRTA. However, PDRTA was trying to find new funding partners such as the county.

Mr. James Stubs, Hartsville resident and recipient of PDRTA bus service, talked about how he had to relocate from Hartsville to Darlington in order to continue using PDRTA bus service to get to work in Florence. He requested the county's support of PDRTA's bus service.

Councilman Flowers arrived at the meeting at 6:25 p.m.

Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. NACo Prescription Drug discount Card Program Update, April 2015	Receive As Information

- |   |                        |
|---|------------------------|
| B. Pee Dee Workforce Investment Board Quarterly Report, July 1, 2014 – March 31, 2015 | Receive As Information |
| C. Airport Commission Minutes, April 16, 2015   | Receive As Information |
| D. Memo RE: Status of Solid Waste Collection Site In Mont Clare/Mechanicsville Area   | Receive As Information |
| E. Millage Caps FY2013-2016 And 2015-2016   | Receive As Information |
| F. FY2015/2016 Budget Calendar  | Receive As Information |
| G. Report On County Roads   | Receive As Information |
| H. Memo From County Auditor Rosa Hudson RE: Status Of Tax Roll Back                   | Receive As Information |
| I. Memo From Roads & Bridges RE: South Hartsville Drainage (Blanding Drive) Update    | Receive As Information |

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

The motion carried unanimously.

Approval Of Minutes - Public Hearing & Regular Meeting, May 4, 2015

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the minutes of May 4, 2015.

The motion carried unanimously.

Approval Of Minutes - Public Hearing & Regular Meeting, May 18, 2015

**MOTION** was made by Mrs. Johnson and seconded by Mr. Douglas to approve the minutes of May 18, 2015.

The motion carried unanimously.

Ordinances

Ordinance No. 15-12, Ordinance Authorizing (1) The Execution And Delivery Of A Fee Agreement By And Among Darlington County, South Carolina, Sonoco Products Company, Sonoco Flexible Packaging Co., Inc., Sonoco Protective Solutions, Inc., Sonoco Plastics, Inc., And Sonoco Recycling, LLC, Providing For The Payment Of A Fee In Lieu Of Taxes And Certain Special Source Revenue Credits, (2) The Execution And Delivery Of An

Infrastructure Credit Agreement By And Among The Aforementioned Parties And The City Of Hartsville, South Carolina Providing For Certain Special Source Revenue Credits, (3) The Inclusion Of Certain Property In A Multi-County Industrial Park, (4) The Extension Of The Term Of A Multi-County Industrial Park, And (5) Other Matters Related Thereto, AS AMENDED - THIRD READING (Initiated by the Staff)

**MOTION** was made by Mr. Kilgo and seconded by Mr. Coker to approve third reading of Ordinance No. 15-12.

The motion carried unanimously.

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

**MOTION** was made by Ms. Nicholson and second by Mrs. Johnson to approve third reading of Ordinance No. 15-14.

The motion carried unanimously.

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

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

The motion carried unanimously.

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

**MOTION** was made by Mr. Brock and seconded by Mrs. Johnson to approve third reading of Ordinance No. 15-16.

The motion carried unanimously.

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

**MOTION** was made by Mr. Kilgo and seconded by Mr. Douglas to approve third reading of Ordinance No. 15-17.

The motion carried unanimously.

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

**MOTION** was made by Mrs. Johnson and seconded by Mr. Brock to approve second reading of Ordinance No. 15-18.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to amend the motion to combine the Town of Society Hill's request with this request from the Town of Lamar.

Mr. Arrington pointed out that the ordinance for Society Hill Municipal elections was listed on the agenda for first reading.

Attorney Scott suggested that Council not combine the two ordinances.

Mr. Kilgo withdrew his motion and Mr. Flowers withdrew his second.

Chairman Hudson called for the vote. 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 - **SECOND READING** (Initiated by the Staff)

**MOTION** was made by Mr. Flowers and seconded by Mrs. Johnson to approve second 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 - **FIRST READING** (Initiated by the Staff)

Ordinance No. 15-20 was read for first reading.

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 - **FIRST READING** (Initiated by the Staff)

Ordinance No. 15-21 was read for first reading.

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

Ordinance No. 15-22 was read for first reading.

## Resolutions

### Resolution No. 655, A Resolution Authorizing The Extension Of The Project Period Under A December 1, 2010 Fee Agreement By And Between Darlington County, South Carolina, And Dixie Consumer Products LLC

**MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to approve Resolution No. 655.

The motion carried unanimously.

## Committee Reports

There were no committee reports.

## Other Items

### Annual Appointments & Appointments To Fill Vacancies On County Boards & Commissions

**MOTION** was made by Mr. Brock and seconded by Mr. Flowers to appoint Mr. Bill Segars to replace Ms. Rachel Tanner on the Historical Commission.

The motion carried unanimously.

*Mr. Segars will serve an unexpired term through June 30, 2017.*

### Lease Agreement Between Darlington County, Lessor, And Lee C. Marshall, Lessee, To Lease T-Hangar No. 7 Consisting Of 1,188 Square Feet Of Space For Aircraft Storage, Darlington County Airport

**MOTION** was made by Mr. Brock and seconded by Mr. Douglas to approve the lease agreement for lease of Hangar No. 7.

The motion carried unanimously.

### Cooperative Service Agreement Between Darlington County & USDA/Animal and Plant Health Inspection Service (APHIS) and Wildlife Services (WS) For Beaver Management Program, \$31,250

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve the Cooperative Service Agreement for the Beaver Management Program.

The motion carried unanimously.

### Request For Proposals For Courthouse Janitorial Services

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to accept the offer submitted by Intercontinental Commercial Services for janitorial services for the county.

Mr. Brock expressed concerns about contracting with a vendor from Georgia instead of a local vendor.

Mr. Arrington explained that of the proposals received, only two of the vendors were bonded; one being the lowest bidder - Intercontinental Commercial Services. The local vendor was not bonded or the lowest bidder.

Mr. Brock suggested that the County should give the local vendor a chance to get bonded.

Mrs. Johnson questioned whether the janitorial services contract would be for the courthouse only or all the county buildings.

The agenda incorrectly listed courthouse janitorial services. However, the information in the agenda package indicated janitorial services for Darlington County.

Mr. Arrington indicated that he would provide Council with a copy of the RFP. He clarified that the contract for janitorial services was for all county buildings and not just the courthouse.

Mrs. Johnson requested a copy of the Request For Proposal. She was concerned about the proposed savings.

Mr. Arrington elaborated on the timeframe for the bid solicitation, the number of buildings (ten) included for janitorial services, and the costs with and without supplies. The janitorial services contract would be for one year.

The motion carried with Mrs. Johnson opposing.

#### Request For Proposal For Inmate Medical Services For The Detention Center

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to accept the offer submitted by Hartsville Medical Enrichment Services for inmate medical services for the Detention Center.

Mr. Arrington reported that a proposal was received from the current vendor and one other vendor. The current vendor's cost would provide for a \$5,000 savings.

The motion carried unanimously.

#### Assignment Of Perpetual Ditch Right-of-Way Easement From The County to the City of Darlington, Patience Street

**MOTION** was made by Mrs. Johnson and seconded by Mr. Brock to approve the Assignment of Perpetual Ditch Right-of-Way Easement along Patience Street.

The motion carried unanimously.

#### Bid Report For Inmate Communication Services At Prison Farm

**MOTION** was made by Mr. Brock and seconded by Mr. Flowers to award the bid for inmate communication services at the Prison Farm to Legacy Inmate Communications.

Prison Farm Officer April Marshall briefly described the telephone services for the inmates. Legacy Inmate Communications will provide 76 percent guaranteed call commission to the county as opposed to 33 percent offered by the current vendor.

The motion carried unanimously.

#### FY15/16 Animal Shelter Contract

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve the FY15/16 Animal Shelter Contract.

The motion carried unanimously.

Administrative Update - Proposed FY2015/2016 Budget & Budget Message – Mr. Terence Arrington, County Administrator

Mr. Arrington handed out the proposed budget document which included the departments' requests and the changes made by the staff. He pointed out the total revenues, total expenditures, revenues and expenditures by fund, and presented an overview of the major changes as a result of trends and actual expenditures. Mr. Arrington emphasized that cuts were made in order to meet the projected revenues.

Mr. Arrington also explained the modification to the Incentive Pay Policy whereby employees will have to work at least one year to be eligible to receive incentive pay. Other changes included savings from the janitorial services contract (\$89,000); the deletion of funds for Pee Dee Coalition and Clemson Extension Services; a reduction in funds for the Animal Shelter and DSS; an increase in the cost for health insurance; and the deletion of funds for three positions (one Sheriff's Deputy position, one position in the Auditor's Office and one position in the Tax Assessor's Office). The three positions were not eliminated, just not funded for the proposed fiscal years. Mr. Arrington emphasized that the changes were made in order to close the gap of about \$300,000 and not over project the revenues. He talked about the need for long term planning to meet capital needs. Mr. Arrington asked Council to call him with any suggestions or comments prior to the budget worksession scheduled for June 9, 2015.

Mr. Arrington mentioned that Council previously met in executive session to discuss changes in the operating hours for the landfill/solid waste collection centers and the fee structure adjustments. He said this would be a six month trial, and the proposed budget was based upon a six month projection as opposed to a full year. Therefore, if the projections are met within the six month period, a projection would be made for the following six months.

Ms. Nicholson questioned whether the proposed budget was a balanced budget.

Mr. Arrington explained that the lease payment on equipment that was purchase prior to his arrival and the payments for the parcels of land for the Airport Project would be taken from Fund Balance as approved by County Council. The proposed budget was balanced on paper. Mr. Arrington recommended that should Council pull out of one line it, it be placed somewhere else. He mentioned that if projected revenues are not met, the funds would have to come from Fund Balance.

Mrs. Johnson requested clarification regarding the budget totals.

Mr. Arrington pointed out the total for the operating budget as was printed in the proposed budget document and the total for the General Fund as was printed in the document that was handed out at the meeting.

Requests / Comments – Members Of Council

Mr. Flowers thanked the staff for compiling the information regarding the flooding problem in the area south of Hartsville. He mentioned that the county could not solve this large, complex problem with many players.

Mrs. Johnson reported that Jewels Wood Drive was a county road that was not being taken care of. She also reported that people were becoming sick from the water along Chalmers Street. Mrs. Johnson said DHEC (South Carolina Department of Health and Environmental Control) and the news media had been in this area, but no one knew who owns the property. However, someone had been placing something in the water, the water had been backing up, and everyone was getting sick. Mrs. Johnson questioned whether any work would be done on the roads. She also requested \$10,000 for PDRTA (Pee Dee Regional Transportation Authority).

In reference to the janitorial services contract, Mr. Brock expressed disagreement with the county accepting a contract from a vendor outside the county when there were businesses within the county that could provide the same services.

Mr. Arrington questioned whether Council wanted him ask the local vendors whether they could match the price of the low vendor. He would need Council's direction to proceed in this direction.

Mr. Coker pointed out that the local vendor was not bonded.

Mr. Flowers mentioned that such negotiations would question the reliability of the bid process.

Mr. Brock indicated that he would be satisfied with the bid this year.

Chairman Hudson suggested that Council move forward with the vote on the contract.

Mr. Arrington talked about negotiation tactics for hiring locally. He pointed out that Council could ask, but the vendor does not have to hire locally.

Mr. Douglas wanted to know who would provide the supplies for the janitorial services contract.

Mr. Arrington pointed out that the county would provide the supplies. If the county bought the vendor's supplies, there would be an up-charge on the cost of the supplies so that the vendor could make additional revenue.

Mr. Coker commended the work on the proposed budget.

#### Vote For Executive Session

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock to vote for Executive Session for discussion of personnel matters.

The motion carried unanimously.

#### Executive Session

**MOTION** was made by Mr. Kilgo and seconded by Mr. Brock for Council and the County Attorney to go into executive session for discussion of personnel matters.

The motion carried unanimously

Council recessed at 7:27 p.m. prior to going into executive session and reconvened at 8:07 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Adjournment

**MOTION** was made by Mr. Flowers and seconded by Ms. Nicholson to adjourn the meeting. There being no further discussion, the meeting was adjourned at 8:08 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 June 15, 2015.