

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

July 7, 2014

A public hearing and regular meeting of the County Council of Darlington County was held July 7, 2014, 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 Courthouse Annex/EMS Building.

A Notice of Public Hearing for Ordinance No. 14-10 was published in the Hartsville Messenger and the News and Press on June 11, 2014.

COUNCIL MEMBERS PRESENT

Chairman Wesley Blackwell, Vice Chairwoman Ms. Mozella "Pennie" Nicholson (arrived at 6:15 p.m.), 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 Surrent, County Attorney James C. Cox, Jr., Clerk to Council J. JaNet Bishop, Codes Enforcement Director Randy Evans, Planning Director Doug Reimold, Airport Manager Barry Kennett, Emergency Services Director Charles Stewart, Recreation Director Ken McRae, Library Director Jimmie Epling, Economic Development Director Frank Willis, Elections/Voter Registration Director Hoyt Campbell, Roads and Bridges Director Bobby Richardson, Corrections Director Mitch Stanley, Sheriff Wayne Byrd, and others.

REPORTERS PRESENT

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

PUBLIC HEARING

Ordinance No. 14-10, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Twelve (Communication Towers), Sections 12.3 And 12.5 To Increase The Fees For New Tower Construction And Co-Locations On Existing Towers In Darlington County, And To Establish The Effective Date Of This Ordinance

Chairman Blackwell declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 14-10.

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

### Recognition Of Retirees

Chairman Blackwell recognized Ms. Calperta Bacote who was retiring from Darlington County E-911/Central Communication Center. Ms. Bacote was not present at the meeting.

Chairman Blackwell recognized Mr. Wayne McGee who was retiring from the Darlington County Roads and Bridges Department. Mr. McGee was not present at the meeting.

Chairman Blackwell, along with Recreation Director Ken McRae and County Administrator Dale Surrett, recognized Ms. Sherrie Hanniford and presented her with a plaque in appreciation for 32 years of service with Darlington County Recreation Department.

Chairman Blackwell, along with County Administrator Dale Surrett, recognized Mrs. Carol Boyd and presented her with a plaque in appreciation for 19 years of service with Darlington County Probate Court.

Chairman Blackwell, along with County Administrator Dale Surrett, recognized Mr. David Sessoms and presented him with a Certificate of Appreciation for 12 years of service with Darlington County.

### **REGULAR MEETING**

#### Call To Order / Invocation / Pledge Of Allegiance

Chairman Blackwell called the meeting to order at 6:08 p.m. and announced that Mrs. Anne Shaw, the wife of former Councilman Alex Buz Shaw, died on Saturday, July 5, 2019.

Mr. Douglas presented the invocation and Mr. Brock led the Pledge of Allegiance.

#### Citizens' Comments

There were no citizen comments.

#### Approval Of Minutes - Minutes of Regular Meeting Of June 2, 2014

**MOTION** was made by Mrs. Johnson and seconded by Mr. Kilgo to approve the minutes of the regular meeting of June 2, 2014.

The motion carried unanimously.

#### Amendment To The Agenda For A Second Executive Session

**MOTION** was made by Mr. Hudson and seconded by Mrs. Johnson to amend the agenda to add an executive session for discussion of contractual and personnel matters.

Chairman Blackwell clarified that an executive session was already listed on the agenda, and Council would go into the second executive session at the end of the meeting. This would be Item B. under Executive Session.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Special Meeting Of June 26, 2014 (Carry Over Requested, Transcription Of Minutes Incomplete)

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to carry over approval of the minutes of the special meeting of June 26, 2014.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Darlington County's Municipal Councils, County Council, Board Of Education, And Legislative Delegation of June 30, 2014 (Carry over Requested, Transcription Of Minutes Incomplete)

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to carry over approval of the minutes of the joint meeting of June 30, 2014.

The motion carried unanimously.

Ordinances

Ordinance No. 14-10, An Ordinance To Amend The Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article Twelve (Communication Towers), Sections 12.3 And 12.5 To Increase The Fees For New Tower Construction And Co-Locations On Existing Towers In Darlington County, And To Establish The Effective Date Of This Ordinance - **SECOND READING**

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve second reading of Ordinance No. 14-10.

The motion carried unanimously.

~ Councilwoman Nicholson arrived at 6:15 p.m. ~

Ordinance No. 14-11, Authorizing The Entry By Darlington County, As Lessor, Into An Agreement For The Lease Of A Building And Four Parking Spaces At 131 Cashua Street, Darlington, S.C., Authorizing The Chairman Of The County Council Of Darlington County To Sign Such Lease, And Other Matters Related Thereto - **FIRST READING**

Chairman Blackwell read the title of Ordinance No. 14-11 for first reading. No action required.

Presentation - Attorney Benjamin T. Zeigler, Haynsworth Sinkler Boyd, P.A. - 4 Mil General Obligation Bond For I-20/340 Industrial Park Infrastructure And Activities Involving The Courthouse

Mr. Ben Zeigler reported that Mr. Surrett had talked with him about the county doing a General Obligation Bond for industrial park improvements and improvements to the courthouse. They talked about a bond that could be achieved by levying four mills per year for five years and the possibility of paying off most, if not all, the county's remaining General Obligation debt so that within a year, the county would only have one outstanding bond.

Mr. Ziegler reviewed a handout he had prepared. He explained that the county was constrained by South Carolina Constitution to having general obligation debt in an amount up to eight percent of the county's assessed value. He talked about the county's assessed value, general obligation debt limit, and the amount the county has chargeable against that debt limit. He pointed out that the amount Council could borrow without going to the

voters was approximately \$15.3 million. The county has three outstanding general obligation bonds (a 1994 USDA bond for Darlington Library with a balance of \$245,000, an interest rate of 4.75 percent, and a pay out in 2018; a 1998 USDA bond for rental T-hangers at the airport with a balance of \$223,000, an interest rate of 5.128 percent, and a pay out in 2018; and a 2012 bond (at 1.292 percent interest rate) for general improvements to County facilities with an outstanding balance of \$525,000 and matures next year). The recent Fire District bond, which is payable only from taxes levied within the Fire district, would not count against the constitutional debt limit.

Mr. Zeigler provided information for a proposed tax-exempt bank loan for \$4,575,000 at 1.5 percent for five years using 3.997 mills. Most of the funds would be used for industrial park improvements and work on the courthouse. Mr. Zeigler talked about the option of paying off the two USDA bonds that have a much higher interest rate than the proposed bond. He also talked about the mills required for no refunding (without paying off the old debt) and the mills required and savings with paying off the two bonds. Mr. Zeigler indicated that the county has the capacity to issue a bond in the amount of \$3,575,000 and use all the proceeds for the projects or use about \$480,000 to pay off the 1994 and 1998 bonds with the 2012 bond ending next year. The net savings for refunding the two bonds would be about \$80,000 (approximately \$70,000 one bond and \$10,000 for the other).

Ordinance No. 14-12, An Ordinance To Provide For The Issuance And Sale Of A Not Exceeding Three Million Five Hundred Seventy-Five Thousand Dollar (\$3,575,000) General Obligation Bond Of Darlington County, South Carolina, To Prescribe The Purposes For Which The Proceeds Shall Be Expended, To Provide For The Payment Thereof, And Other Matters Relating Thereto - **FIRST READING**

Chairman Blackwell read the title of Ordinance No. 14-12 for first reading. No action required.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointments To Board/Commissions/Committees

Alcohol & Drug Citizen Advisory Committee. Mr. Flowers carried over his appointment to the Alcohol and Drug Citizen Advisory Committee.

Ambulance Commission. Ms. Nicholson carried over her appointment to the Ambulance Commission.

Board of Assessment Appeals. Chairman Blackwell nominated Mr. Julius L. Brown for appointment to the Board of Assessment Appeals. Mr. Brock seconded the nomination.

The vote carried unanimously to appoint Mr. Julius Brown to the Board of Assessment Appeals to serve an unexpired term through June 30, 2016.

Construction Board of Adjustment & Appeals. Mrs. Johnson, Mr. Flowers, and Mr. Blackwell carry over their appointment to the Construction Board of Adjustment Appeals.

Economic Development Partnership Board. **MOTION** was made by Mr. Flowers and seconded by Mr. Kilgo to appoint Mrs. Becky Askins-Weaver of Integrated Systems (Existing Industry Top Executive Appointee), Mr. Charles Hardin of Dedicated Community Bank (Existing Industry Top Executive Appointee), and Mayor Tony Watkins of the City of Darlington (Municipal Appointee) to the Economic Development Partnership Board for a term to expire June 30, 2016.

The motion carried unanimously.

Historical Commission. Mr. Brock carried over his appointment to the Historical Commission.

Jetport Commission. Mr. Flowers carried over his appointment to the Jetport Commission.

Mr. Kilgo request that an ordinance be drafted to change the name of the Jetport Commission to Airport Commission since Council had changed the name of the Jetport to Darlington County Airport.

Library Board. Mr. Flowers carried over his appointment to the Library Board.

Ms. Nicholson stated that interest had been shown by Mrs. Davita Malloy to complete the term of her mother, the late Mrs. Juanita McFarland. However, Mrs. Malloy does not reside in Council District 6. Ms. Nicholson stated that if Council could not approve this, she had another person to nominate.

Attorney Cox pointed out that Mrs. McFarland's term on the Library Board expired on June 30, 2014.

Chairman Blackwell added that Council had voted for each Council member to appoint from his/her Council District.

Mr. Douglas nominated Ms. J. Gail Gandy for appointment to the Library Board. Ms. Nicholson nominated Ms. Carolyn Marine for appointment to the Library Board. Mr. Hudson seconded the nominations.

The vote carried unanimously to appoint Ms. J. Gail Gandy and Ms. Carolyn Marine to the Library Board for a term to expire June 30, 2018.

Parks & Recreation Commission. Ms. Nicholson said Ms. Deloris Gibson Patterson had requested to serve another term. However, Ms. Nicholson carried over the reappointment of Ms. Patterson to the Parks and Recreation Commission.

Mrs. Johnson, Mr. Flowers, and Mr. Blackwell also carried over their appointment to the Parks and Recreation Commission.

Pee Dee Workforce Investment Board (Private Industry Sector). The appointment to the Pee Dee Workforce Investment Board was carried over awaiting nominations from Darlington Chamber of Commerce.

Urban & Community Forestry Financial Assistance & Partnership Program Grant #2013U01, Memorandum Of Agreement Between S.C. Forestry Commission And Darlington County

Mr. Brock requested to be recused from this matter since he was applying for funds to plant trees on his property.

**MOTION** was made by Mr. Kilgo and seconded by Ms. Nicholson to approve the agreement between the South Carolina Forestry Commission and Darlington County regarding the management of timber and development of a park/nature trail on Lake Darpo property.

The motion carried with Mr. Brock recusing himself from the vote.

Contract With Tax Management Associates For Audit Services To Ensure Accuracy & Legitimacy Of Taxpayers' Legal Residence Qualifications & Homestead Exemptions

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to approve the contract with Tax Management Association.

Mr. Kilgo stated that people needed to know that Tax Management Associates would receive thirty percent of all funds recovered.

The motion carried unanimously.

Federal Aviation Administration (FAA) Grant Award For Airport Apron & Taxi Lane Rehabilitation Project, Phase III - \$492,375

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the FAA grant award for the Airport Apron and Taxi Lane Rehabilitation Project, Phase III.

Mr. Kilgo asked whether the county would have to provide a match.

Mr. Surrent responded that the county would provide a five percent match (\$27,354), which was included in the budget.

The motion carried unanimously.

Bid Report For Airport Apron & Taxi Lane Rehabilitation Project, Phase III

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to award the bid for Phase III of the Airport Apron and Taxi Lane Rehabilitation Project to Palmetto Corporation in the amount of \$455,983.

Mr. Brock questioned why the lowest bidder was not being recommended.

Mr. Surrent indicated that the lowest bidder did not meet the specifications of the bid package. As a part of this grant, the Federal government requires a percentage of a company's work be done by a disadvantage business enterprise. The low bid vendor did not meet this quota.

The motion carried with Mr. Kilgo opposing.

S.C. Department Of Commerce Rural Infrastructure Fund Grant Award #C-14-2370 And Performance Agreement For Infrastructure Improvement For Roger Brothers Peanuts, Inc. - \$100,000

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to approve the grant award for Roger Brothers Peanuts.

The motion carried unanimously.

Bid Report For Preventive Maintenance On Fire Trucks

**MOTION** was made by Mr. Brock and seconded by Mrs. Johnson to award the fire truck preventive maintenance contract to Fire Equipment Sales and Services in the amount of \$16,835.

The motion carried unanimously.

Designated Facilities Agreement To House State Inmates At The Prison Farm

**MOTION** was made by Mrs. Johnson and seconded by Mr. Hudson to approve the Designated Facilities Agreement.

The motion carried with Mr. Kilgo opposing.

Cooperative Service Agreement Between Darlington County And United States Department Of Agriculture (USDA)/Animal & Plant Health Inspection Service (APHIS)/Wildlife Services (WS) For Beaver Program, \$31,250

**MOTION** was made by Mr. Douglas and seconded by Mrs. Johnson to approve the Cooperative Service Agreement for the Beaver Program.

The motion carried with Mr. Kilgo opposing.

Donald L. Hughes' Request For The County To Close A 20 Foot Wide, Undeveloped, Right-Of-Way Adjacent To His Property Located Off Blanding Drive In Hartsville

**MOTION** was made by Mrs. Johnson and seconded by Ms. Nicholson to approve Mr. Hughes' request for the county to close a 20 foot undeveloped right-of-way adjacent to his property located off Blanding Drive.

Mr. Hudson wanted to know what would happen to the undeveloped right-of-way.

Ms. Nicholson stated that the County Attorney addressed this matter in his letter dated May 19, 2014. She also stated that she would support what Attorney Cox had reported to the County Administrator. Ms. Nicholson said the neighbors would need to receive notice of this. She questioned what it would cost the county to bring an action on Mr. Hughes' behalf.

Attorney Cox did not know what the cost would be because Council did not know how the surrounding property owners will react. He said County Council could approve doing this and the landowner pay for it.

Mr. Surret pointed out that the question tonight was whether the county wants to take action to ask for the right-of-way to be closed. If Council wants to ask for the right-of-way to be closed, then the question would be whether the county would bear the cost or whether the county will do it with the condition that the person requesting would bear the cost.

Ms. Nicholson said Rev. Hughes had explained to her that this created problems with people crossing their property, plus there had been a number of robberies and break-ins.

She thought Rev. Hughes was going to explain in his letter why he wanted the right-of-way closed.

Mr. Surrett reported that Rev. Hughes explained that he was trying to restrict unwanted traffic and people from crossing that area. He pointed out that should Council decide to move forward with this, regardless of who will bear the cost, it still has to be heard by a Judge, and the Judge has to actually make the decision as to who would receive the right-of-way. There would be a hearing and the judge would contact the prevailing side and ask them to write an order.

Ms. Nicholson asked whether it would be appropriate for Council to vote on whether Rev. Hughes would pick up the cost.

Mr. Cox stated that it would be proper for the county to vote in favor of closing the undeveloped right-of-way, because the county would be a party. Next, Council would decide whether to bear the expenses for this.

Chairman Blackwell called for the vote to approve Mr. Hughes' request for the county to close a 20 foot undeveloped right-of-way adjacent to his property located off Blanding Drive.

Mrs. Johnson stated that there was a lot of abandoned property belonging to the county. Therefore, there would be other situations.

Ms. Nicholson clarified that this was not abandoned property. It was a small strip of land with homes bordering it.

The motion carried with Mr. Douglas abstaining.

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson that if this matter proceeds to legal action, Mr. Hughes would bear the cost.

The motion carried unanimously.

#### Cancellation Of Lease Of Building And Six Parking Spaces At 131 Cashua Street, Darlington

**MOTION** was made by Mr. Kilgo and seconded by Mr. Flowers to approve the lease cancellation for the building and six parking spaces at 131 Cashua Street.

Chairman Blackwell explained that the lease was for the former Carolina Power and Light building that formerly housed the Darlington County Economic Development Office and currently houses the Election/Voter Registration Office. The second floor of the building was subleased to Dargan King and Knight, LLC who have been paying the lease. Now, Council was cancelling the lease with Darlington Progress and entering a new lease with Darlington County.

The motion carried unanimously.

#### Memorandum Of Agreement For The Provision Of Secure Detention Services With S.C. Department Of Juvenile Justice's (DJJ) Detention Center, FY14/15

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to approve the Memorandum of Agreement for the provision of secure detention services with the Department of Juvenile Justice for fiscal year 2014/2015.

The motion carried unanimously.

Hearing Officer's Ruling Regarding Appeal Of Darlington County Sign Ordinance

Mrs. Johnson reported that she attended the hearing and commended the work of the staff and the attorney.

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to concur with the findings of Special Referee John Milling.

*Special Referee/Hearing Examiner John M. Milling's Summary of Findings And Recommendations dated June 27, 2014 concluded with the following recommendation: "It is the recommendation of the undersigned that the subject sign owned by Mr. Wilhelm not be entitled to be grandfathered pursuant to the Ordinance, and that the sign not be allowed as an outdoor advertising sign, as defined by the Ordinance."*

Mr. Flowers stated that this could be appealed to a court, but County Council was out of it.

The motion carried unanimously.

Submission Of Application And Maps Containing Urbanized Areas Added Only For DHEC (South Carolina Department of Health and Environmental Control) Permit For Enlargement Of The Stormwater (MS4) District

**MOTION** was made by Mr. Douglas and seconded by Mr. Kilgo to approve submission of the application and maps containing only the urbanized areas added for DHEC permit for enlargement of the Stormwater (MS4) District.

Mr. Surrett reported that the staff and civil engineers were present to present an overview of the issue. This was a continued effort by the Federal government and regulations from the Department of Health and Environmental Control to shift regulatory responsibilities from the State to the County.

Planning Director Doug Reimold presented a map of the Darlington County MS4 Stormwater Management Protection District with Urbanized Areas. The map showed the mandated addition and the original MS4 area. Mr. Reimold introduced Mr. Martin Fox, a consultant with Davis and Brown, the company that has been helping the county remain in compliance with the regulations.

Mr. Surrett pointed out that the county was currently in the area between US Highway 52 and I-95 near Florence as a result of the population density in Florence.

Mr. Fox presented a PowerPoint presentation to provide an overview of the MS4 stormwater program. Highlights of the presentation included information about DHEC's general permit for stormwater discharge from regulated small municipal separate storm sewer systems; the objective of the program to reduce the discharge of pollutants, better water quality, and satisfying the requirements of the Clean Water Act; Darlington County officially becoming an MS4 in 2007 under the 2006 permit based upon the urbanized area per the 2000 census; the area being expanded based upon the 2010 census; the six minimal control measures, which includes public education, public participation, illicit detection and discharge detection and elimination, pollution prevention and good housekeeping, etc.; the timeline beginning in 2003 when the general permit became effective; and the MS4 being split into three different phases and the work to be done in each phase to include

looking for facilities and outfalls and placing them on a master map and looking for illicit discharges.

Mr. Surrett stated that the county has to submit, to DHEC, a plan for the new permit. The staff was proposing that the submission includes only the areas that the county must take in. The county would not voluntarily take in anything else. This permit would include the required territory only. This would expand the area where the county has to get involved with construction, detection of pollution, testing for potential pollution, etc.

Chairman Blackwell mentioned that the county would fund this by establishing a stormwater fee to help offset the cost. This was not included in the FY14/15 budget.

Mr. Surrett clarified that the staff was proposing to continue funding this using General Fund tax revenue to pay the engineers. However, in the future, Council may want to consider a stormwater utility fee.

Mrs. Johnson reported that there was water on Coker Street and someone needs to determine where the water was coming from and where it should go.

Ms. Nicholson mentioned that the Water and Sewer Authority had distributed notices with water bills indicating that carcinogenic agents were in the water.

Mr. Fox clarified that the MS4 dealt with stormwater and not drinking water.

Mr. Surrett said that before submitting the information to DHEC, the staff wanted Council to know that the area was expanding and were asking that the expansion be as minimal as possible.

The motion carried unanimously.

#### Bid Report For Construction Of Lamar Library Expansion

**MOTION** was made by Mr. Hudson and seconded by Mr. Douglas to award the contract for construction of Lamar Library addition to Complete Building Corporation for \$299,998.

The motion carried unanimously.

#### Consent Agenda

Included in the Consent Agenda were the following:

<u>ITEMS</u>	<u>ACTION</u>
A. Parks and Recreation Monthly Report, May 2014	Receive As Information
B. Historical Commission Minutes, May 1, 2014	Receive As Information
C. Board of Fire Control Minutes, May 8, 2014	Receive As Information
D. Articles From The Post And Courier RE: Berkeley County's Impact Fee/Stormwater Utility	Receive As Information

- |   |                        |
|---|------------------------|
| E. Request From Darlington Branch NAACP And County Administrator's Response   | Receive As Information |
| F. NACo Prescription Drug Discount Card Program Update, May 2014  | Receive As Information |
| G. Performance Agreement (Rural Infrastructure Fund Assistance) C-14-2307, For Road Improvements For Birdsong Peanuts | Receive As Information |

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

The motion carried unanimously.

### Personal Appearances

There were no personal appearances.

### Administrative Update - Review Of Employee Compensation And Approval Of Format

Mr. Surrett said he wanted to make sure that Council has full access to all the information about the vote to place employee compensation on the website. It was his understanding that the request by Council was for the following salaries to be listed on the county's website: the salary of all elected and appointed officials, all department heads, and all individuals making more than \$50,000 per year. He explained that in some cases, an employee's base pay is less than \$50,000, but with overtime, the employee's pay will go beyond \$50,000. Also, an employee may be new to a position that pays \$50,000 or more and would need to be listed. Therefore, he requested clarification as to who should be listed as making over \$50,000.

Council received a list of employees showing their gross wage, which included all payroll, incentive pay, overtime, and in some cases, additional one time compensation from a lawsuit.

Mr. Kilgo stated that whatever was reported on last year's w-2 (the gross salary).

Mr. Surrett pointed out that the W-2 form deducts retirement contributions, etc.

Mr. Kilgo confirmed that the gross salary should be used to list those making \$50,000 or more. The salary shown before the deduction for retirement, etc. He suggested using the salary for Social Security.

Mr. Surrett said the information would be posted as a pdf file on the county's website in several days. He also mentioned that there was nothing that would preclude the listing of all salaries regardless of the amount. The law states that if someone makes a request for someone making less than \$50,000, the reply can be in a range of about \$4,000 or the exact amount.

### Administrative Update - Budgets

Mr. Surrett said the budget ordinances had been signed, finalized, and were in the process of being recorded and posted on the website. The audits and millage sheets for a number of years were already listed on the website.

### Administrative Update - Fire in Lamar

Mr. Surrett talked about the fire in Lamar area that involved almost every resource of the County Fire Service, the municipality, and addition resources from the State. The Prison Farm and Roads and Bridges also provided assistance at the fire. The hay involved in the fire was now outside the building and turned over to the owner to salvage. Mr. Surrett briefly talked about the need to encourage people to participate and volunteer in the fire departments and rescue squads.

### Administrative Update - General Obligation Bond & I-20/Highway 340 Industrial Park

Mr. Surrett stated that any questions about the bond could be directed to Mr. Ben Zeigler of Haynsworth Sinkler and Boyd. Questions regarding the status of the I-20/340 Industrial Park could be directed to Economic Development Director Frank Willis. He mentioned that the Darlington County Water and Sewer Authority would apply for grant funds and there would be \$750,000 in the State Budget should State revenue come in at a certain level. He briefly talked about the need for a turn lane and drainage at the industrial park. Mr. Surrett indicated that if construction began today, it would take six months to get everything thing in place, depending upon the weather which could delay efforts until Spring or Summer.

Chairman Blackwell stated that Council might be able to do something to get the ordinance approved quicker.

Mr. Kilgo asked whether there were \$80,000 or \$90,000 from Pee Dee Electric Cooperative available for use now.

Mr. Surrett said the staff brought to Council, in the past, the ability to get a small loan (\$150,000 to \$18,000) from Pee Dee Electric Coop. This was not executed because the county did not have the permits in place. He said the staff could move forward with this since it was approved by Council. However, Council would have a bond to do the work as well. Mr. Surrett also stated that Council could direct the start of the work and set the bond to refund money spent on the project. If this was the direction Council wanted to take, the staff could direct the engineer to begin the bidding process for the necessary construction. Some of the work would be done in-house and some with outside contractors. Anything to do with crossing Highway 340 would be done by an outside contractor. The work would be coordinated with the water and sewer installation.

**MOTION** was made by Mr. Kilgo to move forward with whatever needs to be done to get the park done, including borrowing money or getting it prior to the bond.

Mr. Surrett clarified that going forward would involve taking out and replacing soils and creating drainage and retention, which would be done in-house.

Mr. Kilgo restated his motion to **MOVE** to proceed with the preparing the land and soil contents. Mr. Hudson seconded the motion.

Mrs. Johnson asked about available manpower in the Roads and Bridges Department.

Mr. Surrett listed the various crews in the Roads and Bridges Department.

Mr. Hudson asked about the location of the spec building and road.

Mr. Willis reported that the Water and Sewer Authority would not submit their grant application until September, and he did not know when the grant would be awarded. Therefore, the water and sewer would not be done until the Winter. He indicated that the location of the spec building could be where ever Council wants it to be. However, Pee Dee

Electric Coop had previously selected a site. He suggested that the county keep the site selected by Pee Dee Electric Cooperative as the main site and build the road to that point. Hopefully, Pee Dee Electric Cooperative would come back to build the spec building at some point in the future. Mr. Willis explained that the first order of business would be to get a road without asphalt or stone base because it would be cut for the installation of water and sewer. He pointed out that if the county were not going to use the funds from the Bond to pay for the installation of the water and sewer, then the county would have to wait a period of time for Darlington County Water and Sewer Authority to receive the grant funds.

Mr. Surrett indicated that Pee Dee Electric Coop was ready to build the spec building. The county needed to install the infrastructure, and the Water and Sewer Authority's grant would not pay for all of the infrastructure. This was the reason the county was moving forward with the bond. He also mentioned that Senator Malloy had placed \$750,000 in the State budget, which was on the list if the revenue comes in. The county has had the required permit for several months.

Chairman Blackwell called for the vote to move forward with preliminary work and to use county funds that will be reimbursed by the \$2.3 million bond.

The motion carried unanimously.

#### Requests / Comments – Members Of Council

Ms. Nicholson commented on the success of Butler Heritage Foundation's events.

Mrs. Johnson reported that a tree was in the ditch on Chalmers Street, but no one was claiming the ditch.

Mr. Surrett responded that a title search showed no easements or record that the county or state ever maintained the ditch. He said the water flow through the ditch from a State road, which intersects with a county road. He added that the property record mentions that the properties meet in the middle of the canal. Mr. Surrett said that probably at one time, the area was fields and the ditch dug for agricultural purposes. Later the fields became parcels for houses.

Mrs. Johnson talked about the increasing number of crimes and bind spots. She also talked about someone using Roundup to kill grass, which could potentially cause a fire if someone drops a match.

Mr. Flowers talked about who may have spayed the chemicals to kill the grass, which was not a fire hazard.

Vote For Executive Session - (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Cancellation Of Lease Of Building And Six Parking Spaces At 131 Cashua Street In Darlington, (2) Ordinance No. 14-11 Authorizing The Entry By Darlington County, As Lessor, Into An Agreement For The Lease Of A Building And Four Parking Spaces At 131 Cashua Street In Darlington, and (3) Discussion Of Personnel Matters And Contractual Agreements (as was voted on earlier in the meeting as an amendment to the agenda)

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to vote for executive session for the discussion of negotiations incident to proposed contractual arrangements regarding the cancellation of lease of building and six parking spaces at 131 Cashua Street

in Darlington, Ordinance No. 14-11 authorizing the entry by Darlington County, as Lessor, into an agreement for the lease of a building and four parking spaces at 131 Cashua Street in Darlington, and for the discussion of personnel matters and contractual agreements as was voted on earlier in the meeting as an amendment to the agenda.

The motion carried unanimously.

Executive Session - (1) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The Cancellation Of Lease Of Building And Six Parking Spaces At 131 Cashua Street In Darlington, (2) Ordinance No. 14-11 Authorizing The Entry By Darlington County, As Lessor, Into An Agreement For The Lease Of A Building And Four Parking Spaces At 131 Cashua Street In Darlington, and (3) Discussion Of Personnel Matters And Contractual Agreements (as was voted on earlier in the meeting as an amendment to the agenda)

**MOTION** was made by Mr. Kilgo and seconded by Mrs. Johnson to include County Council, the County Attorney, and the County Administrator in the executive sessions.

The motion carried unanimously.

#### Recess / Executive Session

Council recessed at 8:12 p.m. prior to going into executive session. Mr. Surrett left executive session at 8:32 p.m. Council reconvened at 9:12 p.m.

#### Lease Of A Building And Four Parking Spaces At 131 Cashua Street In Darlington to Dargan King and Knight.

Upon reconvening, a **MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to lease to Dargan King & Knight, LLC the second floor of the Elections/Voter Registration Building for \$300 per month on a month-to-month basis.

The motion carried unanimously.

#### Adjournment

**MOTION** was made by Mr. Douglas to adjourn the meeting.

Mr. Hudson stated that he wanted to make a motion to find out whether Council would renew the County Administrator's contract.

Mr. Kilgo asked whether a motion to adjourn was superior to any other motion.

Mr. Cox replied that the motion to adjourn was superior to all motions.

Therefore, Chairman Blackwell called for the vote on the motion to adjourn. Those voting in favor of the motion were Mr. Flowers, Mr. Blackwell, and Mr. Kilgo. Opposing were Mr. Brock, Mr. Hudson, Mr. Douglas, Ms. Nicholson, and Mrs. Johnson.

The motion failed.

#### Renewal of the County Administrator's Contract

**MOTION** was made by Mr. Hudson and seconded by Mr. Brock to not renew the County Administrator's contract.

Mr. Kilgo asked that Mr. Hudson's motion be made in the affirmative to make some sense out of it. He requested that the motion state, "to renew the contract," which Mr. Hudson could vote against.

Mr. Hudson agreed to reverse his motion.

Chairman Blackwell restated Mr. Hudson's **MOTION**, which now was, to renew the County Administrator's contract. Mr. Brock seconded the motion.

Mr. Flowers pointed out that a tie vote would result in a non-renewal of the contract, which was confirmed by Attorney Cox.

**MOTION** was made by Mrs. Johnson and seconded by Mr. Kilgo for Council members to write their grievances to discuss with Mr. Surrett at a later time, then determine whether his contract would be renewed.

Chairman Blackwell called for the vote. Those voting in favor of the motion were Mr. Blackwell, Mrs. Johnson, Mr. Flowers, and Mr. Kilgo. Opposing were Mr. Brock, Mr. Hudson, Mr. Douglas, and Ms. Nicholson.

Due to a tie vote, the motion failed.

Chairman Blackwell called for the vote on the original motion to renew the County Administrator's contract. Those voting in favor of the motion were Mr. Blackwell and Mr. Flowers. Opposing were Ms. Nicholson, Mr. Douglas, Mr. Hudson, Mr. Brock, and Mr. Kilgo. Mrs. Johnson abstained.

The motion carried.

#### Adjournment

**MOTION** was made by Mr. Kilgo and seconded by Mr. Hudson to adjourn the meeting. There being no further business, the meeting was adjourned at 9:21 p.m.

Respectfully submitted,

---

Mrs. J. JaNet Bishop  
Clerk to Council

---

Mr. Wesley Blackwell, Chairman  
Darlington County Council

Approved at meeting of August 18, 2014.