

**Darlington County Council**  
**Regular Meeting**  
**Monday, April 04, 2022**  
**6:00 PM**  
**Courthouse Annex/EMS Building**  
**1625 Harry Byrd Highway (Hwy. 151)**  
**Darlington, SC 29532**  
**www.darcosc.com**

**AGENDA**

**Darlington County Council meetings will be live-streamed on Darlington County Council Live Meetings Facebook page** - To access the live stream, go to the County website at [www.darcosc.com](http://www.darcosc.com), scroll to the middle of the page to Feature, and click on the live stream link. To access the archived videos of Council meetings, go to the County website at [www.darcosc.com](http://www.darcosc.com), from the Government tab, click on County Council, then scroll to the Council Meeting Video tab on the left of the page.

**RECOGNITION OF EMPLOYEES - Darlington County Fire Chief Ricky Flowers**

**1. PUBLIC HEARING**

1.A. *Ordinance No. 22-05, An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of A Fee Agreement Between Darlington County, South Carolina And Cedar Lake SS, LLC And Certain Affiliates, Thereby Replacing The 2018 Ashley Solar Fee Agreement And The 2019 Luz Solar Fee Agreement; And Authorizing Other Related Matters - SECOND READING*

[FILOT, Cedar Lake, Ord 22-05.docx](#)

[Fee Agreement, Cedar Lake, Ord 22-05.doc](#)

[Notice of Hearing 22-05.pdf](#)

**2. CALL TO ORDER**

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

**4. CITIZENS' COMMENTS** - Darlington County Code of Ordinances, Chapter 2, Section 2-85 governs Citizens Comments. The following rules shall apply:

(1) Any citizen will be allowed a maximum of 2 minutes during this 30 minutes.

(2) The order of speakers shall be on a first-come, first serve basis as recorded on a log provided before and during the meeting.

(3) Input must be in the form of suggestions, information or comments pertaining to programs or activities of county government. Rules of order and conduct shall apply. Comments should not be made, either complimentary or critical, naming any citizen, board or commission member, employee, or councilmember.

(4) Speakers' comments will be received only as information. This time is provided for citizens to state their suggestions, information or comments, not for a debate or interrogation involving councilmembers or staff. If a member of council wishes to have discussion of a topic initiated during citizen comments, a member can make a motion to have the topic scheduled for council discussion and possible action at a subsequent meeting.

(5) Speakers desiring more time for a presentation should seek to make a scheduled appearance as provided for by section 2-83(d).

5. **PERSONAL APPEARANCES** - Darlington County Code of Ordinances, Chapter 2, Section 2-83(d-e) governs appearances other than for public hearings. The length of scheduled appearances before Council shall be 10 minutes total for both presentations and questions/answers. The length of time can be extended or permitted at the end of the agenda by the unanimous consent of council or by a 3/4 vote; council may refer those wishing to communicate further to the county administrator or a committee of council; or individuals may be asked to come back at a later meeting. The purpose of appearances before council is for citizens to present their views and concerns in a manner consistent with the rules of order. This is not a forum for councilmembers to be interrogated or for a debate between parties to take place.

6. **CONSENT AGENDA (RECEIVE AS INFORMATION)**

6.A. *County Monthly Year-To-Date Financial Report, March 28, 2022*  
[Financial Summary as of 3.28.2022.pdf](#)

6.B. *Hearing Officer Report On The Appeal Regarding The Planning Commission Granting A Cell Tower Permit To Stetler Infrastructure, LLC*  
[Cell Tower Appeal.pdf](#)

7. **APPROVAL OF MINUTES**

7.A. *Minutes Of Regular Meeting, March 7, 2022*  
[March 7, 2022, minutes.pdf](#)

8. **ORDINANCES**

8.A. *Ordinance No. 22-01, An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Darlington County, South Carolina And A Company Known To The County As Project Scarlet II, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; And Other Related Matters - SECOND READING*  
[Scarlett II FILOT, Ord 22-01.docx](#)

[Scarlett II, Fee Agreement.docx](#)

8.B. *Ordinance No. 22-02, An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Darlington County, South Carolina And A Company Known To The County As Project Jefferson II, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; And Other Related Matters - SECOND READING*

[Jefferson II FILOT, Ord 22-02.docx](#)

[Jefferson II, Fee Agreement.docx](#)

8.C. *Ordinance No. 22-03, An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Darlington County, South Carolina And A Company Known To The County As Project Fairfield II, As Sponsor, And One Or More Sponsor Affiliates To*

*Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; And Other Related Matters - SECOND READING*

[Fairfield II FILOT, Ord 22-03.docx](#)

[Fairfield II, Fee Agreement.docx](#)

- 8.D. *Ordinance No. 22-04, An Ordinance Authorizing Pursuant To Title 12, Chapter 44 Of The Code Of Laws Of South Carolina 1976, As Amended, The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement, By And Between Darlington County, South Carolina And A Company Known To The County As Project Bell II, As Sponsor, And One Or More Sponsor Affiliates To Provide For A Fee-In-Lieu Of Ad Valorem Taxes Incentive And Certain Special Source Revenue Credits For The Benefit Of A Project In The County; And Other Related Matters - SECOND READING*

[Bell II FILOT, Ord 22-04.docx](#)

[Bell II, Fee Agreement.docx](#)

- 8.E. *Ordinance No. 22-05, An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended, The Execution And Delivery Of A Fee Agreement Between Darlington County, South Carolina And Cedar Lake SS, LLC And Certain Affiliates, Thereby Replacing The 2018 Ashley Solar Fee Agreement And The 2019 Luz Solar Fee Agreement; And Authorizing Other Related Matters - SECOND READING*

[FILOT, Cedar Lake, Ord 22-05.docx](#)

[Fee Agreement, Cedar Lake, Ord 22-05.doc](#)

[Notice of Hearing 22-05.pdf](#)

- 8.F. *Ordinance No. 22-06, 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, 2022, And Ending June 30, 2023 - FIRST READING*

[Alcohol Drug Abuse Planning Budget, 22-06.doc](#)

- 8.G. *Ordinance No. 22-07, An Ordinance To Make Appropriations For Ordinary County Purposes For Darlington County For The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023; To Provide For The Expenditures Thereof; And To Provide For Revenues For The Payment Thereof - FIRST READING*

[Budget Ord, 22-07, Title Only.doc](#)

## 9. RESOLUTIONS

- 9.A. *Resolution No. 736, Resolution Honoring Former Hartsville Area Recreation Director Frank D. Burch*

[Frank D Burch, Res736.doc](#)

- 9.B. *Resolution No. 737, An Inducement Resolution Supporting And Providing For Incentives For A Proposed Investment By Cedar Lake SC, LLC, And Other Matters Related Thereto*

[Resolution, Cedar Lake SC.doc](#)

- 9.C. *Resolution No. 738, Inducement Resolution Inducing And Identifying A Proposed Investment Under Code Name Of "Project Scarlett II" And Other Matters Related Thereto*

[Scarlett II, Res 738, Inducement.docx](#)

- 9.D. *Resolution No. 739, Inducement Resolution Inducing And Identifying A Proposed Investment Under Code Name Of "Project Jefferson II" And Other Matters Related Thereto*  
[Jefferson II, Res 739, Inducement.docx](#)
- 9.E. *Resolution No. 740, Inducement Resolution Inducing And Identifying A Proposed Investment Under Code Name Of "Project Fairfield II" And Other Matters Related Thereto*  
[Fairfield II, Res 740, Inducement.docx](#)
- 9.F. *Resolution No. 741, Inducement Resolution Inducing And Identifying A Proposed Investment Under Code Name Of "Project Bell II" And Other Matters Related Thereto*  
[Bell II, Res 741, Inducement.docx](#)

## 10. COMMITTEE REPORTS

## 11. OTHER ITEMS

- 11.A. *Appointments To Boards/Commissions/Committees Due To Vacancies & Term Expirations As Of June 30, 2022*  
[Appointment List, April 2022.pdf](#)  
  
[Roster of B/C with attendance report.pdf](#)  
  
[Code of Ord, Boards Commissions.doc](#)  
  
[Description of Boards.doc](#)
- 11.B. *Purchase Of Replacement of MowerMax Mower From Atmax Equipment Company*  
[MowerMax Documents \(2\).pdf](#)
- 11.C. *Prime Contact Potential Change Order #011: Lightweight Insulated Concrete Roof For New Courthouse*  
[change order.pdf](#)  
  
[Darlington County Courthouse Roofing Letter 3-25-22.pdf](#)  
  
[Spann Letter new system.pdf](#)
- 11.D. *Hartsville Northern League Baseball Request For Funds For Repairs, \$19,450*  
[Hartsville Northern League Request 12-2021.pdf](#)
- 11.E. *Vehicle Loan Agreement With Darlington Raceway For Use Of A Class A Pumper Fire Truck*  
[2022 Darlington Raceway Agreement.pdf](#)
- 11.F. *Acceptance Of PARD Funds For Lake Darpo Playground Equipment As Approved By Senator Gerald Malloy & Darlington County Delegation*  
[PARD Grant.pdf](#)

## 12. ADMINISTRATIVE UPDATE

## 13. REQUESTS / COMMENTS - MEMBERS OF COUNCIL

**14. VOTE FOR EXECUTIVE SESSION**

14.A. *Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The FILOT Ordinances (Ordinance No. 22-01 Through Ordinance No. 22-04) And Other Matters Relating Thereto*

**15. EXECUTIVE SESSION - (There is the possibility that there may be a vote resulting from Executive Session)**

15.A. *Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding The FILOT Ordinances (Ordinance No. 22-01 Through Ordinance No. 22-04) And Other Matters Relating Thereto*

**16. ADJOURNMENT**

**Next Scheduled Meeting** - May 2, 2022, at 6 p.m., Courthouse Annex/EMS Building, 1625 Harry Byrd Highway (Hwy. 151), Darlington, SC 29532

Assistance will be provided to accommodate the special needs of handicapped persons attending the meeting upon request. Special assistance requests should be made to Janet Bishop, Clerk to Council, at 843-398-4100 seventy-two (72) hours prior to the meeting.