

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

August 7, 2023

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 7th day of August 2023, at 6 p.m., at the Courthouse Annex/EMS Building, 1625 Harry Byrd Highway (Highway 151), Darlington, South Carolina.

NOTICE OF MEETING

In compliance with the Freedom of Information Act, a copy of the agenda providing the date, time, and place of the meeting was emailed to the local newspapers, persons requesting notification, and posted on the county's website and on the bulletin board in the lobby of the courthouse.

A Notice of Public Hearing for Ordinance No. 23-11 was published in the News and Press and the Hartsville Messenger on July 19, 2023.

A Notice of Public Hearing for Ordinance No. 23-13, Ordinance No. 23-14, Ordinance No. 23-15, and Ordinance No. 23-15 was published in the News and Press on July 12, 2023, and July 19, 2023, and in the Hartsville Messenger on July 12, 2023.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice-Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. M. Kirk Askins, Mr. David Coker, Mr. Albert Davis, III, Mrs. Angie Stone Godbold, and Ms. Joyce W. Thomas.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James H. Lucas, Attorney Adam Gainey, Clerk to Council J. JaNet Bishop, Codes Enforcement Director Terri Cribb, Emergency Management Director Molly Odom, Emergency Services Director Kenny Bowen, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Detention Center Director Waddell Coe, and others.

REPORTERS PRESENT

None.

Recognition Of Retirees, Chairman Hudson

Chairman Hudson recognized and presented a plaque to Mr. Wayne Yarborough in appreciation for 32.62 years of service with Darlington County. He also recognized and presented a plaque to Ms. Julie Ritz in appreciation for 15.35 years of service with Darlington County.

PUBLIC HEARINGS

Ordinance No. 23-11, An Ordinance Authorizing The Sale Of The I-20 Industrial Park Pursuant To A Purchase And Sales Agreement Between Darlington County And Pee Dee Electricom, Inc. SECOND READING

Chairman Hudson declared the public hearing open at 6:02 p.m. to receive comments on Ordinance No. 23-11. There being no comments, the public hearing was closed.

Ordinance No. 23-13, 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-In-Lieu Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And Project Lotus; And Authorizing Other Related Matters – SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-13. There being no comments, the public hearing was closed.

Ordinance No. 23-14, An Ordinance Authorizing The Enlargement Of The Joint County Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina; And Other Matters Related Thereto (Project Lotus) - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-14. There being no comments, the public hearing was closed.

Ordinance No. 23-15, 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-In-Lieu Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And Project Vega; And Authorizing Other Related Matters – CARRY OVER PUBLIC HEARING & SECOND READING REQUESTED

The public hearing for Ordinance No. 23-15 was carried over as requested.

Ordinance No. 23-16, An Ordinance Authorizing The Enlargement Of The Joint County Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina; And Other Matters Related Thereto (Project Vega) – CARRY OVER PUBLIC HEARING & SECOND READING REQUESTED

The public hearing for Ordinance No. 23-16 was carried over as requested.

REGULAR MEETING

Call To Order / Invocation / Pledge of Allegiance

Chairman Hudson called the meeting to order at 6:04 p.m. Mr. Douglas presented the invocation and Mr. Askins led the Pledge of Allegiance.

Citizens' Comments

Mr. Don Strickland, Executive Director of Pee Dee Regional Transportation Authority (PDRTA), reported that PDRTA provides transportation in six counties including Darlington County. Darlington County averages about 3,500 trips per month with 44 percent of the trips

for individuals going to/from work daily. PDRTA plans to expand its services with the school district offering student-paid internships at nearby businesses. PDRTA services are available in Lamar, Society Hill, Dovesville, Hartsville, and Darlington City and have increased by 22 percent since last July. Mr. Strickland mentioned that PDRTA received about \$1 million in appropriations to provide public transportation but needs local support to access these funds to continue to grow their services and take people from Darlington County to places to work in Florence County. He stated that PDRTA had requested \$19,000 to be used to access approximately \$1 million in federal and state funds. However, he did not know whether these funds were included in the county's FY23/23 budget. Therefore, he requested the funds for local support.

Ms. Carolyn Hannah appeared on behalf of New Vision Community Development Corporation for the Rice Festival which is scheduled for September 2nd. She thanked Council for the funds (Accommodations Tax Funds) received which provided the opportunity to add a second night (Friday night) to the Annual Rice Festival. An old-school block party will be held on Friday night and the Sound of Motown on Saturday. The festival will also feature food, vendors, a parade, and other activities. Ms. Hannah extended an invitation for everyone to attend this event. She also requested that the grass along the side of the roads in this area (New Hopewell area) be cut because people will be standing along the highway for the parade.

Personal Appearances

There were no personal appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 6.A. Beaver Management Program Report, June 2023
- 6.B. Animal Shelter Quarterly Report Thru June 2023
- 6.C. Rubicon Family Counseling Center's Reports As Required By County Ordinance (Ordinance No. 23-04) Governing Alcohol And Drug Abuse Planning For Programs Funded By Excise Tax Revenue
- 6.D. 911 Call Volume Report, June 2023
- 6.E. Financial Statement, May 2023
- 6.F. Financial Statement, June 2023
- 6.G. Darlington County Parks, Recreation, and Tourism Activities
- 6.H. Thank You Letter From The Town Of Lamar RE: Matching Funds For Railroad Avenue Project

MOTION made by Mr. Flowers and seconded by Mr. Davis to receive the Consent Agenda items as information.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing And Regular Meeting, July 3, 2023

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve the minutes of the public hearing and regular meeting held on July 3, 2023.

The motion carried unanimously.

Amendment To The Agenda To Bring Forth Executive Session

MOTION made by Mr. Flowers and seconded by Mr. Davis to amend the agenda to bring forth executive session for discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property regarding the I-20 Industrial Park.

The motion carried unanimously.

Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: The I-20 Industrial Park

MOTION made by Mr. Flowers and seconded by Mr. Davis for Council to go into executive session with the county administrator and the county attorney for discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property regarding the I-20 Industrial Park.

The motion carried unanimously.

County Council and the individuals named above went into executive session at 6:12 p.m. and reconvened at 6:44 p.m.

Ordinances

Ordinance No. 23-05, 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 Culpepper Solar, LLC And Certain Affiliates, Thereby Replacing The 2018 Culpepper Solar Fee Agreement; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Davis to approve third reading of Ordinance No. 23-05.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-06, 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 Rollins Solar, LLC And Certain Affiliates, Thereby Replacing The 2018 Rollins Solar Fee Agreement; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-06.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-07, 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 GEB Solar, LLC And Certain Affiliates, Thereby Replacing The 2019 GEB Solar Fee Agreement; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-07.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-08, 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 B&K Solar, LLC And Certain Affiliates, Thereby Replacing The 2018 B&K Solar Fee Agreement; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-08.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-09, 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 Ross Solar, LLC And Certain Affiliates, Thereby Replacing The 2019 Ross Solar Fee Agreement; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-09.

The motion carried with Ms. Thomas opposing.

Ordinance No. 23-11, An Ordinance Authorizing The Sale Of The I-20 Industrial Park Pursuant To A Purchase And Sales Agreement Between Darlington County And Pee Dee Electricom, Inc. - SECOND READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve second reading of Ordinance No. 23-11.

MOTION made by Mr. Flowers and seconded by Mr. Davis to amend Ordinance No. 23-11 for second reading.

The motion carried unanimously.

Mr. Flowers presented the following amendments:

1. The title of this ordinance shall be changed to read: AN ORDINANCE AUTHORIZING THE SALE OF THE I-20 INDUSTRIAL PARK PURSUANT TO A PURCHASE AND SALE AGREEMENT BETWEEN DARLINGTON COUNTY AND PEE DEE ELECTRICOM, INC.
2. The fourth WHEREAS clause shall be amended to read: WHEREAS, representatives for the County and the Company have negotiated the Purchase and Sale Agreement attached hereto as Exhibit 1 (the "Agreement") for the sale of the Property.
3. In paragraph 4, the word "separable" shall be changed to the word "severable." Therefore, the fourth paragraph shall read: Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed severable.

MOTION made by Mr. Coker and seconded by Mr. Davis to approve the amendments as presented by Mr. Flowers.

Chairman Hudson called for the vote to approve the amendments to Ordinance No. 23-11.

The motion carried unanimously.

Chairman Hudson then called for the vote to approve second reading of Ordinance No. 23-11 as amended.

The motion carried unanimously.

Ordinance No. 23-13, 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-In-Lieu Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And Project Lotus; And Authorizing Other Related Matters - SECOND READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve for second reading of Ordinance No. 23-13.

The motion carried unanimously.

Ordinance No. 23-14, An Ordinance Authorizing The Enlargement Of The Joint County Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina; And Other Matters Related Thereto (Project Lotus) - SECOND READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve second reading of Ordinance No. 23-14.

The motion carried unanimously.

Ordinance No. 23-15, 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-In-Lieu Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And Project Vega; And Authorizing Other Related Matters - CARRY OVER PUBLIC HEARING & SECOND READING REQUESTED

MOTION made by Mr. Flowers and seconded by Mr. Davis to carry over second reading of Ordinance No. 23-15.

The motion carried unanimously.

Ordinance No. 23-16, An Ordinance Authorizing The Enlargement Of The Joint County Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina; And Other Matters Related Thereto (Project Vega) - CARRY OVER PUBLIC HEARING & SECOND READING REQUESTED

MOTION made by Mr. Flowers and seconded by Mr. Douglas to carry over second reading of Ordinance No. 23-16.

The motion carried unanimously.

Ordinance No. 23-17, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), And Chapter 6 (Animals), Section 6-17 (Redemption) And Section 6-18 (Adoption) To Update The Schedule Of Fees As

Outlined In The Darlington County Humane Society's FY2023/2024 Animal Shelter Contract And Establish The Effective Date Of This Ordinance - FIRST READING BY TITLE ONLY

The title of Ordinance No. 23-17 was read for first reading. No action required.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions/Committees

Mr. Coker carried over his appointment to the Board of Assessment Appeals and the Construction Board of Adjustments and Appeals.

Mr. Davis carried over his appointment to the Planning Commission.

Mr. Flowers carried over his appointment to the Board of Assessment Appeals.

Mr. Askins carried over his appointment to the Airport Commission and Planning Commission.

Ms. Thomas carried over her appointment to the Construction Board of Adjustments and Appeals and the Library Board.

Chairman Hudson carried over his appointment to the Library Board.

The council did not make an appointment to the Economic Development Partnership Board or the Opioid Recovery Act Funds Committee.

CTC Bid Award For Type C Asphalt Paving For S. Myrtle Drive, Myrtlewood Drive, Longleaf Drive, and Lookout Drive

MOTION made by Mr. Coker and seconded by Mr. Davis to approve acceptance of the bid in the amount of \$279,274 from C.R. Jackson, Inc. of Darlington County for Type C Asphalt Paving of S. Myrtle Drive, Myrtlewood Drive, Longleaf Drive, and Lookout Drive.

The motion carried unanimously.

Bid Award For Information Technology Consultant

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve acceptance of the bid in the amount of \$172,548 from RussCo Networks, LLC to provide information technology consultant services to the county.

Mrs. Godbold announced that she would recuse herself from the vote/discussion.

The motion carried with Mrs. Godbold recusing herself. There were no opposing votes.

Animal Shelter Contract With Darlington County Humane Society

MOTION made by Mr. Coker and seconded by Mr. Davis to approve the Animal Shelter Contract between Darlington County and Darlington County Humane Society for Fiscal Year 2023/2024.

Mrs. Godbold questioned whether \$12,000 for outreach was included in the county funds for the Darlington County Humane Society since she did not see this in the Animal Shelter Contract.

Mr. Stewart responded that the Darlington County Humane Society approved the contract as presented to Council. The outreach funds might be included in the funds from the county. However, he will follow up.

The motion carried unanimously.

W. Glen Campbell Detention Center Food Service

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve acceptance of the bid in the amount of \$248,614 from Trinity Food Service for food service at the Detention Center.

The motion carried unanimously.

Administrative Update – Mr. Charles Stewart, County Administrator

CDBG Mitigation Buyout Program/South Carolina Office of Resilience (SCOR). Mr. Stewart read a statement from SCOR indicating that they were still focusing on intake and eligibility, duplication of benefits, and certifying the environmental reviews which should be finalized soon.

In reference to the Infrastructure Grant, Mr. Stewart reported that the SC Office of Resilience plans to award the notification in November for the three areas (Moses Drive and Chestnut Street in Darlington and Martin Luther King Drive in Hartsville) that the county was instructed to apply for construction and a fourth area (Sampit) the county was asked to work on the study for. SCOR has acknowledged that this process has been much longer than their agency's usual notification time and appreciates the county's patience as they work through the process with their steering committee.

Grant For Sidewalks/Pee Dee Regional Council of Governments. Mr. Stewart also reported that the Council of Government was working on a grant for sidewalks in Councilwoman Joyce Thomas' area that may be eligible for funds. Hopefully, this process will be completed by the Fall. The Council of Government will administer this grant.

Brownfield Grant/Pee Dee Regional Council of Governments. Mr. Stewart reported that the Council of Government was also working on a Brownfield Grant through the State, and the county Planning Department was working to submit a site (an old trucking terminal) off Highway 52 that has been in delinquent tax status for many years. If a grant and study could be obtained to ensure there is nothing toxic or dangerous on this site, there may be funds to clean it up and make it more desirable for someone to purchase at the tax sale.

Opioid Committee. Mr. Stewart reported that the staff was waiting on Rebecca (Roberta) Branek, of the South Carolina Opioid Recovery Board, to provide dates in September that she can attend the first meeting of the county Opioid Committee to brief the members on what they should be looking for before they making funding recommendations.

Courthouse And Historical Commission Addition Construction. Mr. Stewart reported that there has been no change/update on the plans for the new courthouse and the Historical Commission to open the second week of November. However, things could happen during this last final stage.

Ms. Thomas asked about the status of the flood study. Mr. Stewart responded that the South Carolina Office of Resilience has asked that the county give them until November to make awards on the projects for the three areas (Moses Drive and Chestnut Street in Darlington and Martin Luther King Drive in Hartsville). They may or may not have funds for the fourth area (Sampit in Pine Ridge area).

Mr. Coker asked about the status of buyouts. Mr. Stewart responded that the South Carolina Office of Resilience was still working on duplication of benefits, certifying environmental reviews, etc. which is a long and slow process. He also mentioned that the county staff will not be privy to the list of people in the process until an agreement is finalized with the state. The county has the original list of qualified properties but does not have rights to the list at this time.

Mr. Coker asked about the status of the Spectrum Project. Mr. Stewart responded that he continues to follow up with Spectrum. However, Spectrum has several years after the last pole permits were pulled, and the contract has been good for several years. Spectrum had reported to Council that they were moving faster than they seem to be moving. However, they are doing work all across the state and nation.

Requests / Comments - Members Of Council

Mr. Coker commended Attorney Lucas and the staff on the I-20 Industrial Park contract. He also thanked the staff for their work, especially Roads and Bridges.

Mr. Davis thanked everyone for attending the meeting and asked everyone to stay cool and check on their neighbors and pets since it was so hot.

Mr. Douglas mentioned that the roads involved with the Rice Festival were state roads.

Mr. Stewart responded that the county did part of this work (grass cutting) for SCDOT (South Carolina Department of Transportation) the last time to ensure that the festival did not have any problems. He asked to Clerk to Council to make a note to ensure that this is on SCDOT's agenda. If SCDOT does not cut the grass, the county will.

Ms. Thomas commended the South Carolina Association of Counties' Annual Conference and thanked the Clerk to Council for her assistance during the conference. She expressed concerns about the grass along Highway 52 from the Florence County line.

Mr. Stewart responded that the staff would let SCDOT (South Carolina Department of Transportation) know there has been a complaint about the grass. He also stated that the staff had submitted a complaint to SCDOT today regarding vines along a state highway.

Mr. Askins commended the retirees who were recognized during this Council meeting. He asked Mr. Stewart to let the other employees, especially those who have been with the county for 20 or 30+ years, know how much Council appreciates them.

Mrs. Godbold asked whether the county would try to fund PDRTA's request or whether the funds were already included in the county's approved budget.

Mr. Stewart mentioned that he did not know that Mr. Strickland was coming to the Council meeting. However, he had scheduled to meet with Mr. Strickland and the county Economic Development Director, but due to a knee injury, he was not able to attend the meeting. Therefore, he told the Economic Development Director to ask Mr. Strickland to compile and submit a report which he has not yet received. This information needs to be placed on Council's agenda for a special appropriation.

Mrs. Godbold asked about PDRTA running routes for internships for high school students.

Mr. Stewart indicated that this information should be included in Mr. Strickland's report and funding request.

Chairman Hudson thanked everyone for their work and for attending the meeting.

Adjournment

MOTION made by Chairman Hudson to adjourn the meeting. There being no further comments, the meeting was adjourned at 7:08 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of September 11, 2023.