

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

December 4, 2023

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 4th day of December 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 and persons requesting notification and posted on the county's website and on the bulletin board in the lobby of the courthouse.

NOTICE OF PUBLIC HEARING

A Notice of Public Hearing for Ordinance No. 23-15, Ordinance No. 23-16, Ordinance No. 23-18, Ordinance No. 23-19, Ordinance No. 23-20, Ordinance No. 23-21, and Ordinance No. 23-22 was published in the News and Press and the Hartsville Messenger on November 15, 2023.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice-Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. Michael 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, Detention Center Director Waddell Coe, Emergency Management Director Molly Odom, Finance Director Sherman Dibble, Human Resources Director Ginger Winburn, Library Director Jimmie Epling, Planning Staff Paula Newton, Roads and Bridges Director Bobby Richardson, Haynesworth Sinkler Boyd Attorney Will Johnson, and others.

REPORTERS PRESENT

Reporter from TV15 News.

Recognition Of Retirees

Chairman Hudson recognized and presented a plaque to Ms. Sonya Kay Jeffords in appreciation for 16.5 years of service with Darlington County. In their absence, he also recognized Mrs. Mary Farmer for 16 years of service and Ms. Tara Waddell for 50 years of service with Darlington County.

Service Recognitions

Chairman Hudson recognized and presented a service pin to Councilman Douglas for 20 years of service and Councilman Le Flowers for 30 years of service on Darlington County Council.

PUBLIC HEARINGS

Ordinance No. 23-15, An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Darlington County, South Carolina (The "County") And Remelt Sources, Incorporated, A Company Previously Identified As Project Vega, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities At One Or More Locations In The County (Collectively, The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto - THIRD READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-15. There being no comments, the public hearing was closed.

Ordinance No. 23-16, An Ordinance Approving An Amendment To The Agreement Governing The Darlington-Florence Industrial Park Between Darlington County, South Carolina And Florence County, South Carolina, And Other Matters Relating Thereto - THIRD READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-16. There being no comments, the public hearing was closed.

Ordinance No. 23-18, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 19 (Renewable Energy Systems), Section 19.6 (Solar Energy System/Wind Farm Permitting Process), To Delete The Wattage Designation And Require Approval By South Carolina Public Services Commission Only When Applicable During The Permitting Process For Solar Energy System/Wind Farming And To Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-18. There being no comments, the public hearing was closed.

Ordinance No. 23-19, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 7 (Administration, Enforcement, Appeal Complaints And Remedies), Section 7.8.3 (Appeals), To Comply With Section 6-29-1150 Of The South Carolina Code Of Laws, As Amended, Regarding Appeals From The Decision Of The Planning Commission And To Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-19. There being no comments, the public hearing was closed.

Ordinance No. 23-20, 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. Dated September 14, 2023, As Amended By The First Amendment To The Purchase And Sale Agreement Attached Hereto - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-20. There being no comments, the public hearing was closed.

Ordinance No. 23-21, 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 Duke Energy Progress, LLC; And Authorizing Other Related Matters - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-21. There being no comments, the public hearing was closed.

Ordinance No. 23-22, 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 - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-22. There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order / Invocation / Pledge Of Allegiance

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

Citizens' Comments

There were no Citizens' Comments.

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, October 2023
- 6.B. Darlington County Transportation Committee (CTC) November Agenda, October Meeting Minutes, & FY23/24 Forecasted Apportionment of One-Time Funds

- 6.C. Airport Commission Meeting Minutes, August 17, 2023
- 6.D. 2023 Full-Time Employees Service Recognition (5-Year Service Increments)
- 6.E. Financial Summary through October 2023
- 6.F. Fire District Call Volume Report, October - November 2023
- 6.G. Darlington County Parks, Recreation, & Tourism Activities, December 2023
- 6.H. 911 Call Volume Statistics, September and October 2023

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

The motion carried unanimously.

Approval Of Minutes - Minutes Of The Joint Meeting Of Darlington County's Municipal Councils, County Council, Board Of Education, & Legislative Delegation, October 30, 2023

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the joint meeting held on October 30, 2023.

The motion carried unanimously.

Approval Of Minutes - Minutes Of Public Hearing And Regular Meeting, November 6, 2023

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the Public Hearing and Regular Meeting held on November 6, 2023.

The motion carried unanimously.

Amendment To The Agenda To Bring Forth Executive Sessions

MOTION made by Mr. Flowers and seconded by Mr. Coker to amend the agenda to bring forward the Executive Sessions.

The motion carried unanimously.

Vote For Executive Session - Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body - Project Vega (Remelt Sources Incorporated), Pee Dee Electricom, Inc., Project Apollo (Duke Energy Progress, LLC), & Sam Carbis Asset Management, LLC

MOTION made by Mr. Flowers and seconded by Mr. Coker for Council, the County Administrator, the County Attorney, Attorney Adam Gainey, and Attorney Will Johnson (Haynsworth Sinkler Boyd) to go into executive session for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body - Project Vega (Remelt Sources Incorporated), Pee Dee Electricom, Inc., Project Apollo (Duke Energy Progress, LLC), & Sam Carbis Asset Management, LLC.

The motion carried unanimously.

Vote For Executive Session - Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries

Or Other Businesses In The Area Served By The Public Body - Project Hearth And Other Matters Related Thereto

MOTION made by Mr. Flowers and seconded by Mr. Davis for Council, the County Administrator, and the attorneys to go into executive session for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body - Project Hearth and other matters related thereto.

The motion carried unanimously.

Vote For Executive Session - Discussion Of Matters Relating To The Proposed Location, Expansion, Or The Provision Of Services Encouraging Location Or Expansion Of Industries Or Other Businesses In The Area Served By The Public Body - Project Tree And Other Matters Related Thereto

MOTION made by Mr. Flowers and seconded by Mr. Coker for Council, the County Administrator, and the attorneys to go into executive session for discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body - Project Tree and other matters related thereto.

The motion carried unanimously.

Executive Session

Council, the County Administrator, the County Attorney, Attorney Adam Gainey, and Attorney Will Johnson (Haynsworth Sinkler Boyd) went into Executive Session at 6:12 p.m. and reconvened at 6:26 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Ordinances

Ordinance No. 23-15, An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Darlington County, South Carolina (The "County") And Remelt Sources, Incorporated, A Company Previously Identified As Project Vega, Acting For Itself, One Or More Affiliates And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities At One Or More Locations In The County (Collectively, The "Project"); (2) The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; (3) Certain Special Source Revenue Credits In Connection With The Project; And (4) Other Matters Relating Thereto - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-15.

The motion carried unanimously.

Ordinance No. 23-16, An Ordinance Approving An Amendment To The Agreement Governing The Darlington-Florence Industrial Park Between Darlington County, South

Carolina And Florence County, South Carolina, And Other Matters Relating Thereto - THIRD READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve third reading of Ordinance No. 23-16.

The motion carried unanimously.

Ordinance No. 23-18, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 19 (Renewable Energy Systems), Section 19.6 (Solar Energy System/Wind Farm Permitting Process), To Delete The Wattage Designation And Require Approval By South Carolina Public Services Commission Only When Applicable During The Permitting Process For Solar Energy System/Wind Farming And To Establish The Effective Date Of This Ordinance - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 23-18.

The motion carried unanimously.

Ordinance No. 23-19, An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 7 (Administration, Enforcement, Appeal Complaints And Remedies), Section 7.8.3 (Appeals), To Comply With Section 6-29-1150 Of The South Carolina Code Of Laws, As Amended, Regarding Appeals From The Decision Of The Planning Commission And To Establish The Effective Date Of This Ordinance - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 23-19.

The motion carried unanimously.

Ordinance No. 23-20, 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. Dated September 14, 2023, As Amended By The First Amendment To The Purchase And Sale Agreement Attached Hereto - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 23-20.

The motion carried unanimously.

Ordinance No. 23-21, 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 Duke Energy Progress, LLC; And Authorizing Other Related Matters - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 23-21.

The motion carried unanimously.

Ordinance No. 23-22, 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 - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 23-22.

The motion carried unanimously.

Ordinance No. 23-23, An Ordinance Authorizing The Conveyance Of Certain Property From Darlington County, South Carolina To The Darlington County Water & Sewer Authority To Correct An Erroneous Deed Filed By A Private Taxpayer And Addressing Other Matters Related Thereto - FIRST READING BY TITLE ONLY

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

Resolutions

Resolution No. 768, Identifying A Project To Satisfy The Requirements Of Title 12, Chapter 44 Of The South Carolina Code, So As To Allow Investment Expenditures Incurred By A Company Known To The County As Project Hearth, Its Affiliates And Related Entities, To Qualify As Expenditures Eligible For A Fee-In-Lieu Of Ad Valorem Taxes Arrangement With Darlington County, South Carolina; Providing For Other Related Economic Development Incentives, Including Special Source Revenue Credits; And Other Matters Related Thereto

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 768.

The motion carried unanimously.

Resolution No. 769, Ratifying The Reconveyance Of Certain Property Subject To An Existing Lease Agreement Between Darlington County, South Carolina And Sam Carbis Asset Management, LLC; And Other Matters Related Thereto

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 769.

The motion carried unanimously.

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 Adjustment and Appeals since both of the current members had moved.

Ms. Thomas requested the reappointment of Mr. Sherwood Hamilton to the Construction Board of Adjustment and Appeals (term to expire June 30, 2027) and Ms. Vernessia Patterson to the Library Board (term to expire June 30, 2027).

The vote was unanimous to reappoint Mr. Hamilton to the Construction Board of Adjustment and Appeals and Ms. Patterson to the Library Board.

MOTION made by Chairman Hudson and seconded by Mr. Coker to reappoint Mrs. Bobbie Gardner to the Library Board (term to expire June 30, 2027). The motion carried unanimously.

Chairman Hudson carried over his appointment to the Board of Assessment Appeals and the Alcohol and Drug Citizen Advisory Committee.

Mr. Flowers carried over his appointment to the Board of Assessment Appeals and the Alcohol and Drug Citizen Advisory Committee.

In reference to the appointment to the Economic Development Partnership Board, Mr. Stewart explained that the staff was waiting to receive something from Darlington Progress Board regarding their appointment before County Council makes its appointment so that there are no duplications. Darlington Progress Board will meet next week, and County Council should receive their suggested appointment by January. Therefore, Council's appointment to the Economic Development Partnership Board was carried over.

MOTION made by Mr. Davis and seconded by Mr. Coker to appoint Mr. Sylvester Wilson to the Planning Commission to fill the unexpired term (expires June 30, 2025) of Mr. Travis Bishop. The motion carried unanimously.

Proposed Airport Capital Improvement Plan FY25 - FY29

MOTION made by Mr. Flowers and seconded by Mr. Davis to approve the Airport Capital Improvement Plan for FY25-FY29.

Mr. Flowers asked how much adjustment would happen in the next 4 years.

Mr. Stewart explained that there would be quite a bit of adjustments during the next four years. This plan is presented to Council, the FAA (Federal Aviation Administration), the South Carolina Aeronautics Commission, and the county's consultants annually so that they will have an idea of the proposed projects and know what grants the county will seek. Anything in the plan that Council does not take action on to fund will be postponed for another year. The plan will be adjusted based on the availability of federal, state, and local government funds. Nothing will be executed from the plan or money obligated without another action of Council for a specific project. This does not authorize money to be spent.

The motion carried unanimously.

Continuation Of Summerville Subdivision Phase I & II (+/- 74 lots) & Acceptance Of Eastpark Drive & Windermere Road

Mr. Stewart requested carryover of this matter because the title does not match the action needed and all of the information was not available for Council to consider Phase 3 of Summerville Subdivision. The information listed had already been approved by Council.

MOTION made by Mr. Douglas and seconded by Mr. Davis to carry over the continuation of Summerville Subdivision.

The motion carried unanimously.

Administrative Update

Courthouse Construction. Mr. Stewart reported that the furniture delivery for the new courthouse has been pushed back by two weeks. Therefore, the opening of the new courthouse has also been pushed back to the first of February, provided there are no additional delays.

Administrative Action Memo Regarding The Animal Shelter. Council members received at their desks an Administrative Action Memo temporarily suspending the intake of owner/citizen surrendered animals and suspending the trapping/intake of animals by Darlington County Animal Control effective December 1, 2023, through January 2, 2024. There will be an exception for those animals determined to be dangerous, injured, or the victims of neglect and/or abuse.

Mr. Stewart explained that the Animal Shelter had requested the suspension for volunteer surrender during the month of December because of what they consider an unprecedented number of animal intakes over the last several months as well as an unprecedented lack of spay/neuter availability and volunteers to deal with all the intakes. This was also done about 20 months ago when the Humane Society/Animal Shelter was overloaded. It was emphasized that citizens would not be turned away with an injured or dangerous animal. The difficulty with setting traps around the holidays was mentioned because the traps cannot be left unattended.

An updated list of Darlington Area Recreation Upcoming events was placed on Council's desk.

A map of Darlington County Buyout Properties was placed at Council desk. Mr. Stewart reminded Council that the South Carolina Office of Resilience (SCOR) had indicated that until a buyout is complete, it is not subject to Freedom of Information to reveal exactly who it is. However, SCOR was willing to provide a map of dots indicating the general location of the buyouts. The dots represent people who are in the buyout process. SCOR recently announced that slots are still available for buyout, but they need to be in a general cluster. Anyone interested in the Buyout Program may contact the county Planning Office staff who will get them in contact with SCOR. The staff does not know when the first buyout will be complete.

FEMA Flood Maps. Council members also received a copy of a letter distributed by the City of Darlington and a copy of the letter distributed by the county regarding the FEMA Floodplain map update. This information and information regarding the appeals process have been and/or will be published in the local newspapers. The appeals period for the City of Darlington and the County will end on March 5th. Individuals residing within Darlington

City limits will submit their appeals to the City of Darlington and those residing in the unincorporated areas of the county will submit their appeals to the County Planning Department.

Ms. Thomas commended the Planning Staff for their assistance last week.

Holiday Schedule / January Council Meeting. Mr. Stewart reviewed the Christmas holiday and New Year's Day schedule for county operations as listed at the bottom of the agenda. He announced that the next County Council meeting will be held on Tuesday, January 2nd as indicated in the County Code of Ordinances.

Mr. Davis asked whether county employees received a holiday gift from the county.

Mr. Stewart responded that in November prior to the Thanksgiving Holiday, county employees received the customary 2.5 percent of their gross wages as an incentive bonus.

Requests / Comments - Members Of Council

Mr. Coker expressed his thankfulness to the staff and constituents for a great year. He is hoping for another great year next year.

Mr. Davis wished everyone a happy holiday and thanked all the employees and citizens.

Mr. Douglas thanked everyone for attending the meeting and wished them a Merry Christmas. He mentioned that the County had a good year, and he hopes that it continues.

Mr. Flowers agreed with what had been said regarding the employees and the type of year the county had. He recognized Library Director Jimmie Epling and asked him to talk about upcoming events at the Library.

Library Director Jimmy Epling briefly talked about upcoming children's programs/activities scheduled in December at Darlington and Hartsville libraries. This information is available on the library's website.

Mr. Flowers thanked the library staff for their efforts to serve the community.

Ms. Thomas said she was happy to be a part of Darlington County Council and hopes that more will be done for senior citizens and human services.

Mr. Askins wished everyone a happy holiday and urged everyone to support local charities, constituents, and friends.

Mrs. Godbold thanked everyone for a great year.

Chairman Hudson invited everyone to visit the Town of Lamar to see the Christmas lights across Main Street and to Lamar's Christmas Parade (with vendors) on Saturday at 5 p.m. He wished everyone a happy holiday and thanked them for attending the meeting.

Adjournment

MOTION made by Chairman Hudson to adjourn the meeting. There being no further comments, the meeting was adjourned at 6:57 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of January 2, 2024.