

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

February 5, 2024

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 5th day of February 2024, 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.

NOTICE OF PUBLIC HEARING

A Notice of Public Hearing for Ordinance No. 24-01, Ordinance No. 24-02, Ordinance No. 24-03, and Ordinance No. 24-04 was published in the News and Press and the Hartsville Messenger on January 10, 2024.

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 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, Library Director Jimmie Epling, and others.

REPORTERS PRESENT

None.

PUBLIC HEARINGS

Ordinance No. 24-01, 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 Project Known To The County As Project Hearth, 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

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 24-01. There being no comments, the public hearing was closed.

Ordinance No. 24-02, 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 Hearth) - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 24-02. There being no comments, the public hearing was closed.

Ordinance No. 24-03, An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended: (1) The Execution And Delivery Of A Fee-In-Lieu Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And A Company Identified For The Time Being As Project Tree, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors; (2) Other Related Economic Development Incentives, Including Special Source Revenue Credits; And (3) Other Matters Related Thereto - SECOND READING - CARRY OVER REQUESTED

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 24-03. There being no comments, the public hearing was closed.

Ordinance No. 24-04, 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 Tree) - SECOND READING - CARRY OVER REQUESTED

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 24-05. 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. Mr. Douglas presented the invocation and Mr. Coker led the Pledge of Allegiance.

Citizens' Comments

Mr. Tim Weaver, a resident of County Council District 5 (Councilman Flowers), talked about the number of animals that have been surrendered to Darlington County Animal Shelter since January and the county continuing to have less stringent animal ordinances. He also talked about there not being any enforcement for people with animals on chains, no shelters, and running free. However, County Council now has the opportunity to look at the proposed ordinance that will help remedy some of the issues.

Mr. Wayman Dublin, a resident of County Council District 7 (Councilman Askins), spoke in favor of the proposed animal care ordinance submitted by Councilwoman Godbold. He said the county needs more stringent ordinances for animal control, animal abuse, and tethering. Mr. Dublin felt that the penalty for animal abuse should be a mandatory jail sentence. He also felt that more funds should be designated for the Spay/Neuter Outreach Program which could help alleviate the problem of unwanted animals and reduce the overcrowding in the animal shelter.

Ms. Connie Ford expressed support for the proposed changes to the animal control ordinance. She particularly supports fines for inhumane care of animals and hopes that it leads to Animal Control and the Sheriff's Department being able to enforce the guidelines.

Ms. Teresa Lott, a volunteer for Darlington County Humane Society, talked about the cycle of over crowdedness in the animal shelter. She asked Council to put this issue at the forefront of their agenda and suggested the implementation of a registration fee to generate funds for the Spay/Neuter Outreach Program. Ms. Lott expressed support for the proposed animal welfare ordinance because she felt that the current language was extremely vague, making it impossible to determine if there was a violation.

Ms. J. Blair asked County Council to support the proposed animal welfare ordinance. She read a verse from Proverbs and asked everyone to pray and watch the comments regarding this matter on social media.

Ms. Lucinda Hubbs, a volunteer at Darlington County Animal Shelter and a Darlington County resident, talked about pet care, abuse, neglect, and carelessness of animals. She hopes to see support from leadership to create enforceable regulations for animals. Ms. Hubbs encouraged County Council and the public to participate in the Animal Shelter's orientation on the first Saturday of each month.

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, December 2023
- 6.B. Darlington County Humane Society Animal Shelter Quarterly Report, October - December 2023
- 6.C. USDA Farm Service Center Lease Termination
- 6.D. Darlington County Transportation Committee (CTC) January 24, 2024, Agenda, December 27, 2023, Minutes, & December C Fund Statement
- 6.E. Status Report On County Council Appointed Boards & Commissions
- 6.F. Darlington County Parks, Recreation, & Tourism Activities
- 6.G. Financial update through December 2023

6.H. Fire District Call Volume Report, January 2024

6.I. E-911 Call Statistics for December 2023 And Yearly Statistics for 2023

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

The motion carried unanimously.

Approval Of Minutes – Public Hearing And Regular Meeting, January 2, 2024, and Special Meeting, January 24, 2024

MOTION made by Mr. Douglas and seconded by Mr. Coker to approve the minutes of the Public Hearing and Regular Meeting held on January 2, 2024, and the minutes of the Special Meeting held on January 24, 2024.

The motion carried unanimously.

Ordinances

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 - THIRD READING

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

The motion carried unanimously.

Ordinance No. 24-01, 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 Project Known To The County As Project Hearth, 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

MOTION made by Mr. Davis and seconded by Mr. Douglas to approve second reading of Ordinance No. 24-01.

The motion carried unanimously.

Ordinance No. 24-02, 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 Hearth) - SECOND READING

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve second reading of Ordinance No. 24-02.

The motion carried unanimously.

Ordinance No. 24-03, An Ordinance Authorizing Pursuant To Chapter 44 Of Title 12, South Carolina Code Of Laws, 1976, As Amended: (1) The Execution And Delivery Of A Fee-In-Lieu

Of Ad Valorem Taxes Agreement Between Darlington County, South Carolina And A Company Identified For The Time Being As Project Tree, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors; (2) Other Related Economic Development Incentives, Including Special Source Revenue Credits; And (3) Other Matters Related Thereto - SECOND READING - CARRY OVER REQUESTED

MOTION made by Mr. Flowers and seconded by Mr. Coker to carry over second reading of Ordinance No. 24-03.

The motion carried unanimously.

Ordinance No. 24-04, 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 Tree) - SECOND READING - CARRY OVER REQUESTED

MOTION made by Mr. Douglas and seconded by Mr. Coker to carry over second reading of Ordinance No. 24-04.

The motion carried unanimously.

Ordinance No. 24-05, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 6 (Animals) By Revising Various Sections Of This Chapter And Establishing The Effective Date Of This Ordinance - FIRST READING - BY TITLE ONLY

The title of Ordinance No. 24-05 was read for first reading. No action required.

Resolutions

Resolution No. 773, Resolution Consenting To An Extension Of The Investment Period Of A Fee Agreement Between Darlington County, South Carolina And Nucor Corporation, And Other Matters Related Thereto

MOTION made by Mr. Flowers and seconded by Mr. Coker to approve Resolution No. 773. Mrs. Godbold recused herself.

Mr. Stewart pointed out that County Council members had received at their desks a written statement from Nucor's Vice President/General Manager regarding the investment and the reason for the Fee-In-Lieu-Of Tax extension.

The motion carried with Mrs. Godbold recusing herself from the vote.

Resolution No. 774, Adopting The 2023 Pee Dee Regional Hazard Mitigation Plan

MOTION made by Mr. Douglas and seconded by Mr. Flowers to approve Resolution No. 774 adopting the 2023 Pee Dee Regional Hazard Mitigation Plan.

Mr. Davis commented on the size of the Mitigation Plan booklet that was included in the agenda package.

The motion carried unanimously.

Committee Reports

There were no Committee Reports.

Other Items

Appointments To Boards/Commissions/Committees

Economic Development Partnership Board. Mr. Coker nominated Ms. Keri Hancock, of North Industrial Machine in Hartsville, to fill the vacancy on the Economic Development Partnership Board created by the resignation of Mr. Barry Taylor. Mr. Flowers seconded the nomination.

The vote was unanimous to appoint Ms. Hancock to the Economic Development Partnership Board to fill the unexpired term through June 30, 2026.

Construction Board of Adjustment & Appeals. Mrs. Godbold nominated Mr. Adger Watkins, a licensed builder/contractor, to replace Mr. Parker Howle on the Construction Board of Adjustment & Appeals since Mr. Howle had relocated to Columbia. Mr. Coker seconded the nomination.

The vote was unanimous to appoint Mr. Adger Watkins to the Construction Board of Adjustment & Appeals to fill the unexpired term through June 30, 2025.

Appointments Carried Over. Chairman Hudson carried over his appointment to 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; and Mr. Coker carried over his appointment to the Board of Assessment Appeals and the Construction Board of Adjustment & Appeals.

Pee Dee Regional Council of Governments (COG) Board. Mr. Flowers stated that there were several openings on Pee Dee Regional Council of Governments Board due to expired terms. Therefore, he **MOVED** to accept the Chairman's recommendations on the appointees to Pee Dee Regional Council of Governments Boards as indicated in the information placed at Council's desk. Mr. Douglas seconded the motion.

The motion carried unanimously.

Chairman Hudson's recommendation stated: *"The Darlington County Administrator will remain on the COG board filling the position of the expired term of Mr. Leon Johnson and recommend the Administrator represent Darlington County on the COG executive committee. Council member Kirk Askins will represent Darlington County as an elected official from Hartsville, the other elected official already on the COG board is Mrs. Joyce W. Thomas from Darlington, and will remain on the COG board. Mr. Jim Ramsey will be reappointed to another term as his previous term had expired without reappointment."*

Appointments To The FY24/25 Accommodations Tax Advisory Committee

MOTION made by Mr. Askins and seconded by Mr. Flowers to replace Ms. Leah Raja with Ms. Desiree Garza to represent lodging on the FY24/25 Accommodations Tax Advisory Committee.

The motion carried unanimously.

MOTION made by Mr. Flowers and seconded by Mr. Coker to approve the appointment of the FY24/25 Accommodations Tax Advisory Committee as amended (Ms. Desiree Garza (lodging), Mr. John Templin Hardee (lodging), Mr. Dan Moses (Hospitality), Mr. James Ashley Mr. Flowers (Hospitality), Mrs. Joyce Wingate (Cultural Organization), Mr. Winfred Herrington (Citizen At Large), and Mr. John Crawley (Citizen at Large.)

The motion carried unanimously.

Administrative Update

There was no Administrative Update.

Requests / Comments - Members Of Council

Mr. Coker thanked the individuals who spoke about the proposed animal ordinance. He mentioned that the County Council has to be careful when making laws/rules for animals to not make criminals out of people who are not criminals. He stated that the County Council will try to do the best it can for animals.

Mr. Davis thanked everyone for attending the meeting and speaking in support of the proposed ordinance. He asked whether County Council members could receive the agenda packet a week before the meeting since the current agenda packet included two large booklets.

Mr. Stewart responded that the agenda could not have been compiled any earlier. The Pee Dee Regional Hazard Mitigation Plan included in the agenda packet was a consensus of the body that meets to talk about general and natural hazards. This plan does not address specific problems or issues in the county and is required in order to apply for hazard mitigation grants. Pee Dee Regional Council of Governments compiled a regional plan versus each county trying to do an individual plan.

Mr. Davis asked for an update on the new courthouse construction.

Mr. Stewart did not have any new information on the status of the courthouse. They are waiting on several different items to complete the courthouse.

Mr. Davis thanked the employees and citizens for what they do.

Mr. Douglas thanked everyone for attending the meeting.

Ms. Thomas also commended the individuals for attending the meeting. She asked Mr. Stewart to give an update on the grant for sidewalks near Walmart.

Mr. Stewart explained that Councilwoman Thomas had been working with the staff at Pee Dee Regional Council of Governments (COG) on a grant proposal to South Carolina Department Of Transportation (SCDOT) for sidewalks in the area of Arthur Stanley Gym towards South Main Street to Walmart. However, SCDOT, who administers the grant, did not invite this project to move forward. The county has not received a written statement as to why SCDOT did not invite this grant proposal to move forward. This was not a Community Development Block Grant (CDBG).

Chairman Hudson asked whether the City of Darlington had applied for the same project area with SCDOT.

Mr. Stewart responded that the City of Darlington applied for a grant for this as well. All except one portion of the sidewalks in the county's proposal were inside the city limits. However, he did not know the criteria of the grant. The county and COG did not know that the City of Darlington had applied, too.

Mr. Askins thanked those for attending the meeting in support of the proposed ordinance. He stated that enforcement may be the biggest challenge. However, he hopes that County Council can come up with ways to help discourage animal abuse.

Mrs. Godbold thanked everyone for supporting her proposal. She said her proposal was not intended for people who take care of their animals, and County Council needs to give the Sheriff's Department something to enforce instead of just making suggestions. Things were out of control and the matter could not be dodged. Mrs. Godbold said there would have to be some compromises, and she was glad that County Council was open to having these discussions. Hopefully, some rules will come out of this that are better than what was currently on the books. Currently, it is written that animals are a nuisance. She also mentioned the need for suggestions about animal care.

Chairman Hudson thanked the individuals who attended the meeting to support the proposed ordinance. He stated that County Council members would look at it and see what they can come up with. He expressed appreciation to the staff.

Vote For Executive Session - The Receipt Of Legal Advice Where The Legal Advice Relates To A Pending, Threatened, Or Potential Claim

MOTION made by Mr. Flowers and seconded by Mr. Davis to vote for executive session to discuss the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim.

The motion carried unanimously.

Executive Session - The Receipt Of Legal Advice Where The Legal Advice Relates To A Pending, Threatened, Or Potential Claim

MOTION made by Mr. Flowers and seconded by Mr. Douglas that after a five-minute recess, County Council, the County Administrator, and the County Attorney to go into executive session for the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim.

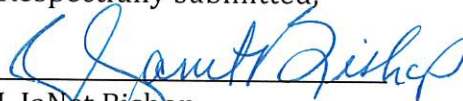
The motion carried unanimously.

County Council recessed at 6:36 p.m. prior to going into executive session and reconvened at 6:51 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Adjournment

MOTION made by Chairman Hudson and seconded by Mr. Coker to adjourn the meeting. There being no comments, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of March 4, 2024.