

REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

January 3, 2023

A Regular Meeting of the County Council of Darlington County was held this 3<sup>rd</sup> day of January 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.

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Chaplain Dannie Douglas, Jr., M. Kirk Askins, Mr. David Coker, Mr. Albert Davis, III, and Mrs. Angie Stone Godbold.

COUNCIL MEMBERS ABSENT

Vice-Chairman Marvin Le Flowers and Ms. Joyce W. Thomas.

ALSO PRESENT

County Administrator Marion Charles Stewart, III, County Attorney James "Jay" H. Lucas, Clerk to Council J. JaNet Bishop, Codes Enforcement Director Terri Cribb, Emergency Management Director Molly Odom, Emergency Services Director Kenny Bowen, Environmental Services Director Gary White, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Library Director Jimmie Epling, Probate Judge Marvin I. Lawson, Sheriff James Hudson, Mr. Howard Nettles, and others.

REPORTERS PRESENT - None

Oath Of Office/Swearing In Ceremony

The Honorable Marvin I. Lawson, Judge of Probate, administered the Oath of Office for County Council Members Dannie Douglas, Jr., Bobby Hudson, Albert Davis, III, and David Coker. Their term of office commences January 3, 2023, and expires December 31, 2026.

Call To Order / Invocation / Pledge of Allegiance

County Attorney James H. Lucas called the meeting to order at 6 p.m.

### Election Of Officers

Chairman. Attorney Lucas opened the floor for nominations for Chairman of County Council for 2023. Mr. Coker nominated Mr. Bobby Hudson for Chairman and Mr. Douglas seconded the nomination.

There being no other nominations, **MOTION** was made by Mr. Coker to close the floor for nominations and elect Mr. Hudson by acclamation. The vote was unanimous to elect Mr. Hudson as Chairman of County Council for 2023.

Vice Chairman. Attorney Lucas opened the floor for nominations for Vice Chairman of County Council for 2023. Mr. Coker nominated Mr. Marvin Le Flowers for Vice Chairman and Mr. Davis seconded the nomination.

There being no other nominations, **MOTION** was made by Mr. Coker to close the floor for nominations and elect Mr. Flowers by acclamation. The vote was unanimous to elect Mr. Flowers as Vice Chairman of County Council for 2023.

Chaplain. Attorney Lucas opened the floor for nominations for Chaplain of County Council for 2023. Mr. Coker nominated Mr. Douglas for Chaplain and Mr. Davis seconded the nomination.

There being no other nominations, **MOTION** was made by Mr. Coker to close the floor for nominations and elect Mr. Douglas by acclamation. The vote was unanimous to elect Mr. Douglas as Chaplain of County Council for 2023.

### Invocation / Pledge Of Allegiance

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

### Citizens' Comments

Mr. Howard Nettles talked about the influx of 18-wheeler trucks traveling on Rosenwald Road to bypass DOT (SC Department of Transportation) in Dovesville area. He also reported that DOT has indicated that they cannot write citations because there are no "No Trucks" signs erected. Although there is an established truck route, the trucks are using Rosenwald Road and there have been several near-miss incidents.

Mr. Douglas said there was a sign on the road at one time, but he does not know what happened to it.

Mr. Nettles stated that some of the "No Trucks" signs were replaced after he talked with Mr. Douglas about this matter. A sign was at the end of Mount Clare Road and Old Society Hill Road so that trucks would not travel through Darlington. However, the truckers are traveling up Society Hill Road and turning onto Rosenwald Road because they cannot go through Society Hill. He said the truck should go to Dovesville where the DOT person is, make a left, and go to the road designated for truck traffic.

Mr. Stewart confirmed that Rosenwald Road is a state road, and the county could not erect a sign without permission. The staff will follow-up to find out whether DOT will erect "No Truck" signs or allow the county to erect them.

### Personal Appearances

There were no Personal Appearances.

### Consent Agenda

Included in the Agenda Items were the following:

6.A. *Beaver Management Program Report, November 2022*

6.B. *Financial Report thru November 2022*

6.C. *Recreation Department Activities/Schedule, January 2023*

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

The motion carried unanimously.

### Approval Of Minutes – Minutes Of Regular Meeting, December 5, 2022

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the regular meeting held on December 5, 2022.

The motion carried unanimously.

### Ordinances

Ordinance No. 23-01, 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 Hawfinch Solar, LLC And Certain Affiliates, And Authorizing Other Related Matters - FIRST READING

The title of Ordinance No. 23-01 was read for First Reading. No action required.

### Resolutions

Resolution No. 752, An Inducement Resolution Supporting And Providing For Incentives For A Proposed Investment By Hawfinch Solar, LLC, And Other Matters Related Thereto

**MOTION** made by Mr. Davis and seconded by Mr. Douglas to approve Resolution No. 752.

The motion carried unanimously.

### Committee Reports

There were no Committee Reports.

### Other Items

Appointments To Boards/Commissions - Councilman Le Flowers

Mr. Flowers was not present at the meeting. Therefore, his appointment to the Board of Assessment Appeals and the Construction Board of Adjustment & Appeals was carried over.

County Council 2023 Meeting Schedule

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve County Council 2023 Meeting Schedule as presented.

The motion carried unanimously.

Bid Award For HVAC System Replacement At Hartsville Outreach Building

**MOTION** made by Mr. Douglas and seconded by Mr. Coker to approve acceptance of the bid from Johnson Refrigeration, Inc. of Hartsville in the amount of \$91,246 for a 40-ton HVAC system for the Hartsville Outreach Building.

The motion carried unanimously.

Bid Award For Food Service At W. Glen Campbell Detention Center

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve acceptance of the bid from Trinity Services Group, Inc. for food service at W. Glen Campbell Detention Center.

In response to Mr. Coker's question as to how this bid compared to the cost last year, Mr. Stewart and Finance Director Sherman Dibble confirmed that there was a small percentage increase. Bids were solicited and two were received. One from Trinity Services and two from Summit. Summit submitted a bid for menu with inmate labor and menu without inmate labor and both were higher than Trinity Services Group. Trinity Services Group is currently providing food service at the Detention Center.

The motion carried unanimously.

2023 Holiday Schedule For Environmental Services Department

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve Environmental Services 2023 Holiday Schedule.

The motion carried unanimously.

Administrative Update – Mr. Charles Stewart, County Administrator

Council Meeting Videos. Mr. Stewart reported that there is a limited amount of space on the county website and without paying a considerable amount for additional space to hold council meeting videos/audio recordings, videos from the past two years will remain on the website and videos past two years will be held by the Clerk to Council. Two years of videos can easily post on the county website without having to purchase additional storage space. Unless Council, as a body, instructs otherwise, the staff plans to move forward with this. He also mentioned that according to state law, audio recordings are only required to be held for two years. The minutes will still be available on the website.

Opioid Recovery Act. Council members received at their desks a booklet of information regarding the South Carolina Opioid Settlement Process which has been going on for quite some time. The first sponsor of the bill is former Representative Jay Lucas who is now the County Attorney. The booklet included a copy of the statute, a copy of the pamphlet - *South Carolina's Guide to Approved Uses For Investing Opioid Settlement Funds* -

from DAODAS (South Carolina Department of Alcohol and Other Drug Abuse Services) which is responsible for overseeing this process for the State, the Settlement Report for December 8, 2022, and FAQ. Mr. Stewart explained that the settlement will occur over the next 30 years with accelerated payments for the first three to five years. The funds are set aside for approved purposes for opioid abatement. Some counties may set up separate advisory panels and others may use their alcohol advisory panel that is already in place and others may just deal with it just like any other procurement item. According to the report, as of December 8, 2022, no one has expenditures. It was Mr. Stewart's understanding that about eleven counties/cities have requested funds in the first round of requests. Many, like Darlington county, plan to watch and see how this first round of requests goes. There is no rush other than to get the funds and distribute them to provide assistance.

Mr. Stewart also reported that the State now has a full-time staff position who started work today and will be asked to appear before County Council to discuss the process for utilizing these funds. Council members were asked to review the information until the State's staff person can appear to answer questions.

Dominion Energy. Council members also received a copy of a letter from Dominion Energy announcing possible Utility Tax Credit Funds that Dominion would like to place towards the I-20 Industrial Park. The county requested and Dominion Energy has provided \$50,000 towards infrastructure improvements at the I-20 Industrial Park.

Marlboro Pee Dee Electric. Mr. Stewart also announced but did not have in print, that Marlboro Pee Dee Electric is providing \$100,000 of Utility Tax Credit Funds for infrastructure improvement at the I-20 Industrial Park as well. There will be a news/press release tomorrow morning.

NACo Survey. Also included in the information at council's desk was a survey from NACo (National Association of Counties) that Councilwoman Angie Godbold sent to the staff. The survey closed on the same date it was received by the staff. Therefore, Mr. Stewart printed the survey about Entrepreneurship and Small Business Assistance so that each council member will have a copy. The County Economic Development staff will answer the questions and provide a copy of the answers to Council.

SCOR's Buy Out Meetings. Mr. Stewart reminded Council that SCOR (South Carolina Office of Resilience) will hold meetings on January 11<sup>th</sup> to discuss the Buyout Program as a result of the watershed project which is still ongoing for the engineering portions. One meeting will be held from 10 a.m. to noon at Hartsville Library and another from 3 p.m. to 5 p.m. at Darlington Library. Homeowners and those who were given the opportunity for a buyout will have the opportunity to hear/discuss details about the Buyout Program with SCOR's representatives since they are administering the funds. This meeting was also mentioned at the last Council meeting. Mr. Stewart confirmed that anyone who contacted the county about the Buyout Program was notified about this meeting.

Requests / Comments – Members Of Council

Mr. Coker welcomed Mr. Lucas as the County Attorney and looks forward to working with Council.

Mr. Davis wished everyone a Happy New Year and asked everyone to be safe. He also welcomed Mr. Lucas as the County Attorney.

Mr. Douglas welcomed Mr. Lucas back home. Regarding the truck traffic on Rosenwald Road, Mr. Douglas stated that as an alternative route, the trucks could turn on Gandy Siding Road and not cross the overhead bridge. He wished everyone a Happy New Year.

Mrs. Godbold wished everyone a Happy New Year and welcomed Mr. Lucas as County Attorney. She looks forward to working with Mr. Lucas and having a productive year.

Mr. Askins and Chairman Hudson welcomed Mr. Lucas as County Attorney.

Vote For Executive Session – (1) Discussion Of Matters Related 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 - Hawfinch Solar, LLC And Certain Affiliates, and (2) Discussion Of Negotiations Incident To Proposed Contractual Arrangements Regarding A Proposed Lease For Space At Society Hill Neighborhood Center

**MOTION** made by Mr. Coker and seconded by Mr. Davis to vote for Executive Session for (1) discussion of matters related 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 - Hawfinch Solar, LLC and certain affiliates, and (2) discussion of negotiations incident to proposed contractual arrangements regarding a proposed lease for space at Society Hill Neighborhood Center.

The motion carried unanimously.

**MOTION** made by Mr. Coker and seconded by Mr. Davis for Council, the County Administrator, and the County Attorney to go into executive session for (1) discussion of matters related 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 - Hawfinch Solar, LLC and certain affiliates, and (2) discussion of negotiations incident to proposed contractual arrangements regarding a proposed lease for space at Society Hill Neighborhood Center.

The motion carried unanimously.

Council went into Executive Session at 6:26 p.m. and reconvened at 6:39 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. Davis to adjourn the meeting. There being no further comments, the meeting was adjourned at 6:39 p.m.

Respectfully submitted,



J. Janet Bishop  
Clerk to Council



Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of February 16, 2023.