

REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

March 4, 2024

A Regular Meeting of the County Council of Darlington County was held this 4<sup>th</sup> day of March 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.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

Mr. David Coker.

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, Library Director Jimmie Epling, Sheriff James Hudson, and others.

REPORTERS PRESENT

None

Recognition Of Retirees

Chairman Hudson recognized and presented a plaque to the following retirees: Mr. Brian Jordan for 15 years of dedicated service (Codes Enforcement); Mr. Robert L. Kilgo for 29 years of dedicated service (Economic Development); Mr. Ralph Hoyt Campbell for 31 years of dedicated service (Elections/Voter Registration); and Ms. Helen McFadden for 32 years of dedicated service (E-911 Addressing).

### Call To Order / Invocation / Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:03 p.m. Mr. Douglas presented the invocation and Mr. Askins led the Pledge of Allegiance.

### Citizens' Comments

Mr. Tim Weaver, who resides in Councilman Flowers' council district, spoke in favor of Mrs. Godbold's proposal and talked about his research on dogs being tethered in Darlington County and the results of dogs being tethered. Mr. Weaver also mentioned other states and counties in South Carolina with laws regulating the tethering of dogs. He stated that the proposal was not trying to criminalize anyone. It is about the safety of the public and the health/well-being of animals. He also talked about partnering with the county and the Humane Society to educate pet owners.

Ms. Reagen Roberts, who also resides in Councilman Mr. Flowers' council district, spoke on behalf of the Darlington County Humane Society. She talked about animals living in subpar conditions and not criminalizing people who do not understand/comprehend proper animal care. Ms. Roberts also talked about working with Council and local law enforcement to educate people on animal welfare. She spoke about the shelter not having funds, manpower, and space; the average cost to care for an animal at the shelter; and the services provided at the shelter. Their goal is to keep owners with their pets.

Mr. Dylan Meggs, a resident of Hartsville, appeared on behalf of Darlington County Humane Society and commented about the dedicated staff and volunteers working tirelessly at the shelter. Despite their efforts, the shelter still sees a high number of stray and mistreated animals along with higher intakes each year. He felt that the animal population was out of control. Mr. Meggs also mentioned the need for spay/neuter laws or access to lower costs for these services.

Mr. Scott Stroup, who resides in Councilwoman Godbold's council district, mentioned that he had appeared before Council and sent emails during the past three years regarding the people on Crestwood Drive and Springvalley Road who have six to eight tethered dogs in their yard. He invited everyone to ride by this property to see the cruel and inhumane conditions of the dogs. Mr. Stroup felt that the current ordinance must be strengthened and improved because the Sheriff's Department could not do anything. He also mentioned that the Animal Shelter was overrun, and the volunteers were overworked.

Ms. Lucinda Hubbs talked about the condition of a dog that was tethered to a tree with six other dogs before being taken into the shelter and euthanized due to severe health reasons. She also talked about other dogs that were taken in at the shelter in bad condition. Therefore, she intends to fight for the cause.

### Personal Appearances

There were no Personal Appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 5.A. Beaver Management Report, January 2024
- 5.B. Animal Control Report, January 2024
- 5.C. Building Permit Report, January 2024
- 5.D. Inspections Report, January 2024
- 5.E. Darlington County Parks, Recreation, & Tourism Activity Report, March 2024
- 5.F. Darlington County Fire District Call Volume Report, February 2024
- 5.G. 911 Call Volume Statistics, Jan 2024
- 5.H. Financial Update through January 2024

**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 – Minutes Of Joint Meeting Of Darlington County's Municipal Councils, County Council, Board of Education, And Legislative Delegation, January 29, 2024

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to approve the minutes of the meeting held on January 29, 2024.

The motion carried unanimously.

Approval Of Minutes – Minutes of Public Hearing & Regular Meeting, February 5, 2024

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to approve the minutes of the meeting held on February 5, 2024.

The motion carried unanimously.

Ordinances

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 - THIRD READING

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) - THIRD READING

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to carry over third reading of Ordinance No. 24-01 and 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

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. Flowers and seconded by Mr. Douglas to carry over second reading of Ordinance No. 24-03 and 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 - SECOND READING

**MOTION** made by Mrs. Godbold to approve second reading of Ordinance No. 24-05. There was not a second to the motion.

There being no second to the motion, Ordinance No. 24-25 died.

Ordinance No. 24-06, 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 Pathfinder, 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 - FIRST READING - BY TITLE ONLY

The title of Ordinance No. 24-06 was read for first reading. No action required.

Ordinance No. 24-07, 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 Pathfinder) - FIRST READING

The title of Ordinance No. 24-07 was read for first reading. No action required.

### Resolutions

Resolution No. 775, Memorandum Of Agreement And Road Acceptance For Brighton Road And Continuation Of Westpark Drive And Eastpark Drive Located In Summerville Subdivision Phase IV

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 775 to accept Brighton Road, the continuation of Westpark Drive and Eastpark Drive, and the drainage system into the county road system.

The motion carried unanimously.

Resolution No. 776, 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 Pathfinder, 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. Davis to approve Resolution No. 776.

The motion carried unanimously.

Resolution No. 777, Memorandum Of Agreement And Road Acceptance For The Continuation Of Carnoustie Lane Located In Westbrook Subdivision Phase VII-B

**MOTION** made by Mr. Douglas and seconded by Mr. Davis to approve Resolution No. 777 to accept the continuation of Carnoustie Lane into the county road system.

The motion carried unanimously.

#### Committee Reports

There were no Committee Reports.

#### Other Items

##### Appointments To Boards/Commissions/Committees

Economic Development Partnership Board. **MOTION** made by Mr. Flowers and seconded by Mr. Askins to approve the following appointments and reappointments to the Economic Development Partnership Board as recommended by Darlington Progress:

- Appointment of Curry Dawkins to replace Roger Buckley; Brianna Douglas to replace Ryan Nettles; Danny Hogge, Jr. to fill the vacancy; and Tim Huntley to replace Danny Hogge, Jr. as Top Executive.
- Reappointment of James Ivey, Jr.; Jason Freidenberger; Jason Speake (Duke Energy Progress); and Jeff Singletary (Pee Dee Electric).

Mrs. Godbold questioned the term limits and moving a person from one board to another board. She asked why a person would serve an additional term when their term limit had been reached.

Mr. Stewart stated that Mr. Hogge had served as a top executive. He was now a member of Darlington Progress, and Darlington Progress has asked him to serve as one of their appointees. Mr. Stewart also explained that there was an attempt to update this ordinance to mimic other county boards and commissions. Because of the way this ordinance was written, it had never been practiced since it was put in place. It is practiced that this

board functions like the other boards and commissions in that a person continues to serve until their appointee is duly qualified and replaced by Council. The term limits have never been practiced.

Mrs. Godbold suggested that the county should mimic Florence County's animal ordinance. She also mentioned that she had pictures of animal abuse.

Ms. Thomas mentioned that she had a lady in Pee Dee Electric's service area in Darlington County.

Mr. Stewart added that Pee Dee Electric and Duke Energy Progress representatives are those companies' request of who they want on the Board, and the term limits were never used for them.

Mrs. Godbold asked that if the term limits are not used, why not amend the ordinance and fix it?

Mr. Stewart responded that a few years ago, proposed amendments that would have fixed this problem were brought before Council. It was proposed that this board would be just like the other boards and commissions so that individuals could serve until Council appoints someone else, but the proposal failed. Mr. Stewart stated that the staff could contact Pee Dee Electric and Duke Energy Progress to let them know that they cannot have the same person whom they have chosen as well as Darlington Progress regarding Mr. Hogge. However, Council may not receive a favorable response.

Chairman Hudson called for the vote on the motion to approve the appointments and reappointments to the Economic Development Partnership Board as recommended by Darlington Progress.

The motion carried with Mrs. Godbold and Ms. Thomas opposing.

*(Mr. Curry Dawkins was appointed to a full term to expire June 30, 2028; Ms. Brianna Douglas was appointed to an unexpired term through June 30, 2025; Mr. Danny Hogge, Jr. was appointed to an unexpired term through June 30, 2027; Mr. James Ivey, Jr. was reappointed to a full term to expire June 30, 2026; Mr. Tim Huntley was appointed to a full term to expire June 30, 2026; Mr. Jason Freidenberger and Mr. Jason Speake were reappointed to a full term to expire June 30, 2026, and Mr. Jeff Singletary was appointed for a 7<sup>th</sup> term to expire June 30, 2026.)*

Chairman Hudson carried over his appointment to the Alcohol & Drug Citizen Advisory Committee. Mr. Flowers carried over this appointment to the Board of Assessment Appeals and the Alcohol & Drug Citizen Advisory Committee. Mr. Coker carried over his appointment to the Board of Assessment Appeals and the Construction Board of Adjustment & Appeals.

Ms. Goldbold questioned the attendance expectations of board members and asked whether the Board of Assessment Appeals had met within the last six years.

Mr. Stewart mentioned that the Board of Assessment Appeals only meets when someone files an appeal. However, they may have met within the last six years for training. The Clerk to Council could provide an attendance report.

Mr. Flowers stated that he would be happy to appoint anyone who would be interested in serving on the Board of Assessment Appeals.

Appointment To The FY24/25 Accommodations Tax Advisory Committee - Representative For Cultural Organizations

Mr. Askins nominated Ms. Allison Pederson, Director of Black Creek Arts Council, to represent Cultural Organization on the county Accommodations Tax Advisory Committee. Mr. Davis seconded the nomination.

Mr. Douglas nominated Ms. Carol Bishop to represent Cultural Organization on the Accommodations Tax Advisory Committee. Mr. Davis seconded the nomination.

In response to Mrs. Godbold's question about who Ms. Carol Bishop would replace, Mr. Stewart clarified that there was only one position open for a cultural organization representative and there were two nominations – Ms. Allison Pederson and Ms. Carol Bishop.

Mr. Flowers pointed out that there are very specific requirements for the cultural organization representation on the Accommodations Tax Advisory Committee. Of the individuals nominated, Ms. Pederson heads a cultural organization and Ms. Carol Bishop would fall under hospitality business or citizen at large. Although he would like to support Mr. Douglas in his efforts, because of the requirement for this position, this limited him to vote only for the person representing a cultural organization, Ms. Allison Pederson. Mr. Flowers referred to the Accommodations Tax Procedures, (Item C.) which states, "One member representing the cultural organizations of the county..."

Chairman Hudson called for the vote to appoint Ms. Allison Pederson to represent cultural organization on the Accommodations Tax Advisory Committee.

Those voting in favor of Ms. Pederson were Mr. Askins, Mr. Flowers, Mrs. Godbold, Mr. Davis, and Chairman Hudson.

Ms. Pederson received a majority of the votes for appointment to the Accommodations Tax Advisory Committee to represent Cultural Organization.

Bid Award For Paving Cashua Ferry Boat Landing Parking Lot

**MOTION** made by Mrs. Godbold and seconded by Mr. Douglas to approve acceptance of the bid from Evans Pavement Services, Inc., in the amount of \$211,014.00 for full-depth patching and paving of the parking lot at Cashua Ferry Boat Landing.

The motion carried unanimously.

Summerville Subdivision Phase IV (+/- 56 lots)

**MOTION** made by Mr. Flowers and seconded by Mr. Davis to approve Summerville Subdivisions Phase IV for development. This subdivision is located in Councilman Flowers' council district off Hoffmeyer Road near Trinity Collegiate School.

The motion carried unanimously.

Westbrook Subdivision Phase VII-B

**MOTION** made by Mr. Flowers and seconded by Mr. Douglas to approve Westbrook Subdivision Phase VII-B development.

Ms. Thomas asked how long this development had been going on and whether this would complete the subdivision.

Mr. Stewart responded that according to the staff, this would be the last road planned for this subdivision.

The motion carried unanimously.

#### Administrative Update – Mr. Charles Stewart, County Administrator

Courthouse Construction. Mr. Stewart reported that paving around the new courthouse is expected to take place March 11<sup>th</sup> – 14<sup>th</sup>, and the contractors were still waiting on columns and various other smaller items.

#### Requests / Comments - Members Of Council

Mr. Davis thanked everyone for attending the meeting and thanked the retirees for their dedication over the years. He commented that he did not vote for the amendments to the animal ordinance because he does not agree with certain things in the amendments, and he does not want the Sheriff's Office to be tied up. However, he was breaking down the amendments himself and asked Mrs. Godbold not to give up.

Mr. Douglas thanked everyone for attending the meeting. He commented that he has dogs, and it is hard to tell people what to do with their dogs.

Ms. Thomas reported that she was still working with SCDOT (South Carolina Department of Transportation) on an alternative transportation grant and will meet with the Florence Area Transportation Study Committee. The grant will help people in the South Darlington area who are going to Walmart in wheelchairs.

Mr. Askins thanked the individuals who spoke about animals and mentioned that he adopted four animals from the shelter. He agreed with the intent of the proposal but has trouble with the application and enforcement of it. Mr. Askins stated that if an ordinance is created and it cannot be enforced, it would not be much of an ordinance. He also was concerned about staffing and whether people would have to be hired. Until such questions are answered, he would not be ready to vote on the amendment. Mr. Askins also pointed out that the amendment does criminalize people through fines and imprisonment. Therefore, these things need to be flushed out before he would feel comfortable voting on the amendment. He said there needs to be more work on the implementation of the proposal.

Mrs. Godbold apologized to those who came to support the amendments. She stated that she was disappointed and mentioned the need for a discussion about the proposal. She said the amendments were not a way to criminalize or target anyone. If the Council wants to take pieces out of the amendments, such as fines, etc., there must be discussion. This was her second attempt and the second time that this had happened. She and the county attorney had put in a lot of work. Mrs. Godbold stated that animal welfare is a countywide concern, and the ordinance should reflect perimeters that indicate that County Council cares about

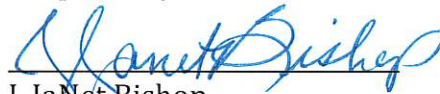


animals and their wellbeing. This was an overwhelming burden and she had pictures of animals that found their way into the shelter. Then the shelter has to spend money to fix those problems. This was also a burden on the staff and the shelter's budget. These funds could be spent on spay/neuter to help reduce the animal population, rescue expenses, etc. Mrs. Godbold said things would not get better because County Council did not have conversations. She emphasized that she was disappointed and mad about this and would not give up. Mrs. Godbold also stated that if County Council wants to have a conversation and wants to make changes, she would suggest a task force consisting of the Humane Society board members, the Sheriff's Department, volunteers, veterinarians, and a couple of people from County Council.

Adjournment

**MOTION** made by Chairman Hudson and seconded by Mr. Davis to adjourn the meeting. There being no further questions, the meeting was adjourned at 6:49 p.m.

Respectfully submitted,



J. Janet Bishop  
Clerk to Council



Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of April 1, 2024.