

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

March 7, 2022

A Regular Meeting of the County Council of Darlington County was held this 7th day of March 2022, 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, on the bulletin board in the lobby of the courthouse, and at the entrance of the Courthouse Annex/EMS Building.

The following notice was published on the agenda and posted on the county website: **"Darlington County Council Meeting Room Is Restricted To County Council Members & Required Staff** - Due to the COVID-19 threat, public and media access will be accomplished by live video stream. Darlington County Council meetings will be live-streamed on Darlington County Council Live Meetings Facebook page and archived on Darlington County website at www.darcosc.com.

To access the live stream, go to the County website at www.darcosc.com, scroll to the middle of the page to Feature, and click on the live stream link. To access the archived videos of Council meetings, go to the County website at www.darcosc.com, from the Government tab, click on County Council, then scroll to the Council Meeting Video tab on the left of the page.

Individuals Making Citizens' Comments Or Personal Appearances May Access The Meeting Room At The Appropriate Time - Individuals making Citizens' Comments (2 minutes) must enter the back area of the building through the bay door, sign in at the podium, and remain there until time to appear before Council. After the appearance, the individual will return to the back area of the building where the live stream of the meeting can be viewed or exit the building. Citizens' Comments will be governed by Section 2-85 of Darlington County Code of Ordinances.

For Personal Appearances (10 minutes), individuals must submit a written request specifically identifying the subject matter to be addressed along with their name and contact information. The request should be emailed to the Clerk to Council at jbishop@darcosc.net at least one week prior to the meeting. Individuals must enter the back area of the building through the bay door and remain there until time to appear before Council. After the appearance, the individual will return to the back area of the building where the live stream of the meeting can be viewed or exit the building. Personal Appearances will be governed by Section 2-83(d-e) of Darlington County Code of Ordinances.

Citizens' comments are also accepted in writing. Written comments should be emailed to the Clerk to Council at jbishop@darcosc.net or mailed to the County Administrator's Office at 1

Public Square, Room 210, Darlington, SC 29532. Written comments must include the individual's name and contact information and received by noon on the date of the meeting."

COUNCIL MEMBERS PRESENT

Chairman Bobby Hudson, Vice Chairman Marvin Le Flowers, Chaplain Dannie Douglas, Jr., Mr. 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 C. Cox, Jr., Clerk to Council J. JaNet Bishop, Emergency Management Coordinator Molly Odom, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Historical Commission Director Brian Gandy, IT Contractor Brian Stanley, Library Director Jimmie Epling, and Mr. Grant Davis of Mauldin & Jenkins CPA.

REPORTERS PRESENT

Due to the COVID-19 threat, public and media access to Darlington County Council meeting was via live video stream on Darlington County Council Live Meetings Facebook page.

Call to Order / Invocation / Pledge of Allegiance

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

Citizens' Comments

There were no citizens' comments.

Personal Appearances

There were no personal appearances.

Consent Agenda

Included in the Consent Agenda were the following:

- 5.A. *Beaver Management Program Report, January 2022*
- 5.B. *Beaver Management Program Report, February 2022*
- 5.C. *Information For Filing Statement Of Economic Interest*
- 5.D. *SLFRF Compliance Report Due January 31, 2022, For Period Ending December 31, 2021*
- 5.E. *SC Dept. Of Natural Resources Commencement Of Efforts To Develop A Regional Water Plan For The Pee Dee River Basin*

- 5.F. *Newspaper Article About Darlington County Homes & Businesses Getting Internet And How To Inquire About Receiving The Services*
- 5.G. *Darlington County Budget Timeline*
- 5.H. *County Monthly Year-To-Date Financial Report, February 2022*
- 5.I. *Updated Status Of Marquee/Electronic Sign On The Square*
- 5.J. *Board Of Fire Control, Purpose & Powers*
- 5.K. *Status Of The County Code Of Ordinances*

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 Regular Meeting, February 7, 2022

MOTION made by Mr. Douglas and seconded by Ms. Thomas to approve the minutes of the regular meeting held on February 7, 2022.

The motion carried unanimously.

Ordinances

Ordinance No. 22-01, 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 Company Known To The County As Project Scarlet II, 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 - CARRY OVER REQUESTED

Ordinance No. 22-02, 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 Company Known To The County As Project Jefferson II, 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 - CARRY OVER REQUESTED

Ordinance No. 22-03, 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 Company Known To The County As Project Fairfield II, 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 - CARRY OVER REQUESTED

Ordinance No. 22-04, 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 Company Known To The County As Project Bell II, 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 - CARRY OVER REQUESTED

MOTION made by Mr. Flowers and seconded by Mr. Douglas to carry over second reading of Ordinance Nos. 22-01 through 22-04.

The motion carried unanimously.

Ordinance No. 22-05, 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 Cedar Lake SS, LLC And Certain Affiliates, Thereby Replacing The 2018 Ashley Solar Fee Agreement And The 2019 Luz Solar Fee Agreement; And Authorizing Other Related Matters - FIRST READING

Ordinance No. 22-05 was read for first reading. No action required.

Resolutions

Resolution No. 735, Resolution Supporting The South Carolina American Revolution Sestercentennial Commission And Authorizing The Darlington County Historical Commission And Museum To Serve As The Darlington County 250 Committee

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 735.

The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Appointments To Boards/Commissions/Committees Due To Vacancies & Term Expirations As Of June 30, 2021

Mr. Flowers carried over his appointments.

Mr. Askins nominated Mr. Clay Parker for appointment to the Alcohol and Drug Citizen Advisory Committee. The nomination was seconded by Mr. Flowers.

The vote was unanimous. Mr. Parker will replace Ms. Beth Weaver-Hampton.

Appointment To The Board Of Fire Control

MOTION made by Mr. Flowers and seconded by Mr. Davis to appoint Mr. Andy Rheuark to replace Mr. Lucas Reed on the Board of Fire Control to represent Mechanicsville Station 4.

The motion carried unanimously. Mr. Rheuark will serve an unexpired term through June 30, 2023.

Appointments To The FY22/23 Accommodations Tax Advisory Committee

MOTION made by Mr. Askins to reappoint Mr. Ashley James Flowers (hospitality business) and appoint Ms. Leah Raja (lodging) to the Accommodations Tax Advisory Committee for FY22/23. The motion was seconded by Mr. Davis.

The motion carried unanimously.

Bid Award For Relocation Of Staff Parking Lot Driveway At Darlington Library

MOTION made by Mr. Douglas and seconded by Mrs. Godbold to approve awarding the bid to relocate the staff parking lot driveway at Darlington Library to Kirven Construction Inc., the lowest responsive bidder, in the amount of \$53,859.

The motion carried unanimously.

Bid Award For Fire & Security System Replacement At Darlington & Hartsville Branch Libraries

MOTION made by Mr. Douglas and seconded by Mr. Askins to approve awarding the bid for the fire and security system replacement for Darlington and Hartsville libraries to Safeway Signaling, in the amount of \$99,159.

The motion carried unanimously.

Bid Award For Roof Replacement On Society Hill Community Center

MOTION made by Mr. Askins and seconded by Mr. Douglas to approve awarding the bid for the roof replacement on Society Hill Community Center to Robert W. Nunnery Roofing Company, the lowest responsive bidder, in the amount of \$49,675.

Ms. Thomas asked whether the Society Hill Community Center building was being used.

Mr. Stewart explained that the Council on Aging uses this building for their feeding programs. However, the community use of the building was suspended due to COVID and has not reopened due to roof leaks. Once the roof is repaired, the building will be available for community use.

Mrs. Godbold questioned whether the pricing on this project would remain as listed since the date on the RFP was July 2021.

It was Mr. Stewart's understanding that the price will hold.

The motion carried unanimously.

Memorandum Of Understanding Between H. B. Robinson Steam Electric Plant And Darlington County

MOTION made by Mr. Douglas and seconded by Mr. Flowers to approve the Memorandum of Understanding between H.B. Robinson Steam Electric Plant and Darlington County.

The motion carried unanimously.

Administrative Update – Mr. Charles Stewart, County Administrator

Recreation Department. Council received at their desk information from the County Recreation Department about past and current programs. Program information will be listed on the Recreation Department's website, including electronic registration and payment processing. The staff will continue to register and accept payment in person in the office.

Codes Enforcement. Information was also placed at Council's desk about the Codes Enforcement Department's new online permitting. This information is being distributed to contractors and is posted in several places on the county's website.

Ordinance Nos. 22-01 Thru 22-04. The attorney handling the county's FILOT will appear at the April meeting and be available for an executive session for legal advice regarding the FILOT.

Treasurer's Office Drive-Thru. The Treasurer's Office drive-thru window has provided an option for people who do not want to go into the courthouse to pay their taxes. Over 9,000 people have used the drive-thru and this number is expected to increase because a notice about the drive-thru is being placed in every tax bill.

Countywide Watershed Study. South Carolina Office of Resilience has contracted the countywide watershed study with E.L. Robinson for \$440,000. They will contact the county once all the documents are signed and schedule a kickoff meeting to begin the countywide watershed study.

Courthouse Construction. The primary slab construction was completed in February. It is expected that steel will be erected in March.

Communication Tower Appeals Hearing. The communication cell tower issue will be heard on Wednesday, March 9th at 10 a.m. in the Grand Jury Room in the Courthouse. The expectation is that Council will have recommendations to consider at its next meeting.

Budget Timeline. The budget process timeline was included in the Consent Agenda. First reading of the budget (by title only) is scheduled for April 4th. The Administrator's proposed budget will be presented at the Budget Worksession on April 6th at 9:30 a.m. at Darlington Raceway Media Center. After the budget discussion, Council will discuss the American Rescue Plan money.

Auditor's Discussion & Analysis. In response to previous questions about the Auditor's Discussion & Analysis report, Mr. Chad Davis, of Mauldin & Jenkins CPA, will discuss what the Auditor's Discussion & Analysis is, what the recommendations mean and do not mean, and answer any questions Council may have.

Mr. Grant Davis of Mauldin & Jenkins, CPA. Mr. Davis explained that they issue two documents, the audited financial statements with their opinion and the Auditor's Discussion & Analysis. The information in the Auditor's Discussion & Analysis does not have to be communicated to the county, but they include it because it could be helpful. He talked about the items they are required to report and the location in the audit where any findings and/or internal control deficiencies would be listed if there were any. Mr. Davis stated that there were no findings in the audit dated June 30, 2021. However, there were 15 findings in the audit in 2015, 12 findings in 2016, nine findings in 2017, two findings in 2018, and no findings in 2019, 2020, and 2021.

Mr. Davis explained that the Accounting Recommendations And Related Matters are constructive suggestions or best practices as developed over the years. He reviewed the seven recommendations listed in the report. (1) Accounting Policies and Procedural Manual - The county does not have a comprehensive manual or one centralized document to guide the staff in day-to-day accounting matters and general business protocol. (2) Integration of Accounting Functions - The accounting and financial reporting system of the Treasurer's Office and the Finance Department is not required but a best practice so that when the Treasurer makes a transaction, it would go directly into the general ledger on the Finance side, which may not be feasible. (3) Aged Outstanding Accounts Receivable - An analysis of aged outstanding EMS billing was recommended to clean up old records. However, this was not a requirement. (4) Maintenance of Capital Asset Activity - Many clients maintain their capital asset records in excel spreadsheets and there is not an issue with doing this. However, there are accounting systems with specific modules to handle the accounting for capital assets and will create additional checks and controls for assets. (5) Excess Funds in the Clerk of Court and Sheriff's Office - It was suggested that the Clerk of Court and the Sheriff's Office disburse funds collected from fines and fees to the appropriate payees in a timely manner. (6) Old Outstanding Checks - It was suggested that old outstanding checks in the Magistrate's Office be turned over to the State Treasurer's Office Unclaimed Property Program. (7) Cash and Investment held by Treasurer's Office - It was suggested that the Treasurer's Office disburse certain funds owed to other agencies (school district, etc.) to eliminate opportunities for misappropriations or errors. Mr. Davis noted that the remaining information contained in the Auditor's Discussion & Analysis referenced new governmental accounting standards forthcoming and free continuing education and newsletters for their governmental clients.

Mr. Stewart reported the following: that the Finance Director had been working on a Comprehensive Policy Manual which is almost ready for publication; it is the statutory right of the Treasurer to collect, receipt, and disperse funds has the Treasurer sees fit as an independently elected official; most of the comments regarding the integration of accounting functions related to an older method; currently, the Treasurer places transactions into his financial system, maintains a chart of accounts as he sees fit, and then provides the Finance Department with a report that is partially printed from the system and partially tabulated

from different parts of the system; the Finance Department then enters the information into the Finance side of the system which are checks and balances.

Mr. Stewart pointed out that in 2015, the audit was 18 months overdue and the 2016 audit was already late when it was started. Mr. Davis confirmed that when his agency was engaged to do the 2016 audit, they had to complete the 2015 audit that a prior CPA firm had begun but did not complete.

Mr. Stewart also reported that the county places all aged receivables in the debt setoff program every year and sometimes receives payment for seven and eight-year-old bills. Mr. Davis mentioned that carrying aged receivable do not pose a negative impact on the county from a financial reporting perspective. He recommended writing off aged outstanding accounts receivable to ease the administrative burden by not having to carry the amounts each year. However, if it is more of an administrative burden to write them off than it is to keep them on, then the county should keep them.

In reference to maintaining assets on an excel spreadsheet, Mr. Stewart said the county's current software program has a module that has been improved. Finance Director Sherman Dibble confirmed that the capital asset module has been improved, and he has obtained a quote to place the information from his excel sheet into the module to move forward. However, the staff has to make sure that the module will do what it needs to and be correct in a different formation. Mr. Davis confirmed that there were no weaknesses or problems in the way the staff tracked asset depreciation.

Mr. Stewart stated that the staff will continue to work with the Sheriff's Office and the Clerk of Court Office to distinguish and disburse excess funds because Council would not be able to do this. This would also apply to the Magistrate Office turning over unclaimed funds to the state Treasurer's Office. He talked about cash investments held by the Treasurer for the school district and pointed out that Council has no means to order this to be done differently due to the statutory right of the Treasurer in the State of South Carolina.

Mr. Davis explained that recommendations were made regarding elected offices because they are included in the county's financial statements. Their operations are a part of the county financial statements, and the auditors must look at them just as they look at the Finance Department. It is part of the auditor's responsibility in doing the entire county audit to address all elements.

Requests / Comments - Members Of Council

Ms. Thomas asked whether the Recreation Department will continue to produce and distribute flyers since seniors probably will not be able to go online. Mr. Stewart will make sure that the Recreation Department continues to produce flyers, but the information online will be available for those who would like to use it. Mr. Flowers added that people can also call the Recreation Department to find out about programs and events.

Mr. Davis thanked the employees for what they do and asked them to be safe.

Mr. Flowers commented that over 1,000 people had signed up for baseball/softball through the Spring.

Ms. Thomas will call Mr. Stewart about funds for senior activities in her council district.

Mrs. Godbold asked about the EMS training program at Florence-Darlington Technical College. Mr. Stewart explained that Florence-Darlington Technical College has emphasized training for EMTs. Tech will provide individual programs for Florence County, Darlington County, and Marion County. Darlington had two EMT classes over the past few years and will have another one partnered with Florence-Darlington Tech where the county will hire four to six individuals who will work on shifts to gain on-the-job training.

Mrs. Godbold asked whether there was a good response. Mr. Stewart responded that the county has as many as it can accommodate (six), and they are in their drug testing process.

Mrs. Godbold commended Historical Commission Director Brian Gandy and his staff and volunteers for the groundbreaking event held last week.

Ms. Thomas thanked Library Director Jimmie Epling for the programs at the library.

Chairman Hudson thanked the employees.

Vote For Executive Session

There was not a vote for Executive Session.

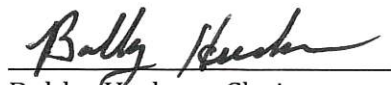
Adjournment

MOTION made by Chairman Hudson to adjourn the meeting. There being no further comments, 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 4, 2022.