

PUBLIC HEARING & REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

SEPTEMBER 11, 2023

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 11th day of September 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.

A Notice of Public Hearing for Ordinance No. 23-11 was published in the News and Press and the Hartsville Messenger on August 23, 2023.

A Notice of Public Hearing for Ordinance No. 23-17 was published in the News and Press on August 16, 2023, and August 23, 2023, and in the Hartsville Messenger on August 16, 2023.

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

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, Codes Enforcement Director Terri Cribb, Emergency Management Director Molly Odom, Finance Director Sherman Dibble, Fire District Chief Ricky Flowers, Human Resources Director Ginger Winburn, Library Director Jimmie Epling, Sheriff James Hudson, Society Hill Mayor Dewayne Duke, Ms. Rosena James, Mr. Levon Rambo, Mr. Scott Stroup, Ms. Jasmine Blair, and others.

REPORTERS PRESENT

Mr. Stephan Drew of the News and Press.

PUBLIC HEARINGS

Ordinance No. 23-11, 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. - THIRD READING

Chairman Hudson declared the public hearing open at 6 p.m. to receive comments on Ordinance No. 23-11. There being no comments, the public hearing was closed.

Ordinance No. 23-17, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), And Chapter 6 (Animals), Section 6-17 (Redemption) And Section 6-18 (Adoption) To Update The Schedule Of Fees As Outlined In The Darlington County Humane Society's FY2023/2024 Animal Shelter Contract And Establish The Effective Date Of This Ordinance - SECOND READING

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 23-17. There being no comments, the public hearing was closed.

REGULAR MEETING

Call To Order / Invocation And Pledge Of Allegiance

Chairman Hudson called the meeting to order at 6:01 p.m. Mr. Douglas presented the invocation and Mr. Coker led the Pledge of Allegiance.

Citizens' Comments

Mr. Levon Rambo presented concerns about the establishment of a shooting range on Case Street near his property. He reported that the location of the shooting range presents a danger because it is within 100 yards of a house, several other properties, and one-half miles from Florence/Darlington Technical College's Cosmetology School. After contacting SLED (South Carolina Law Enforcement Division) and ATF (Bureau of Alcohol, Tobacco, Firearms & Explosives), he found out that they do not regulate shooting ranges and referred him to the county. Mr. Rambo thinks that the Department of Energy may regulate shooting ranges since he found a statute he referred to as Article 18-1 which states that the discharge of firearms in certain areas is unlawful within 300 yards of dwellings, businesses, subdivisions, etc. Since the County does not have zoning anywhere, he requested Council's help in stopping this shooting range from opening because it would endanger his properties, people, and animals.

Mr. Stewart requested a copy of the information Mr. Rambo had from the Department of Energy. He will review this information since the county Codes Enforcement Office and Sheriff's Office did not find anything.

Mr. Rambo clarified that Case Street is a dirt street located off Palmetto Road which is off Highway 52. He also stated that according to the Department of Energy, a shooting range should be secluded and permission from adjoining property owners must be obtained. However, none of the neighbors in this area gave permission for this shooting range.

Mr. Flowers added that the National Guard Maintenance Shop is also located in this area as well as Fibers Industries.

Mr. Rambo handed out an aerial photo of the property showing a house near the shooting range.

Mr. Stewart responded that the information from Mr. Rambo would have to be evaluated because SLED and the ATF have never heard of this, and the statute appears to be the criteria for the Department of Energy's firing ranges and not them regulating other people. However, he will look at the information although it appears to be about the Department of Energy's shooting ranges.

Mr. Scott Stroup reported that he resides off McIver Road in Council District 1 (Mrs. Godbold) and was appearing to report on animal cruelty and welfare. He had been working with Mrs. Godbold and had sent pictures to Council members about what had been going on in his neighborhood. He also invited Council members to drive by the residence on the corner of Springvalley Drive and Crestwood Drive to see the atrocity people are getting away with as it relates to animal cruelty. Mr. Stroup reported that there are eight dogs on this small corner lot on short cow chains year-round in makeshift dog houses. SLED removed several dogs. He also reported that the county ordinance needs to be strengthened to get rid of people like this – possibly dog breeders. He asked Council to ride by and see the condition that is bringing down the community. Springvalley Drive is located off E. McIver Road.

Mr. Stewart mentioned that SLED and the Sheriff's Office have investigated this matter.

Mr. Stroup said there was only so much that could be done because the county ordinance was not sufficient to take care of the problems. He also mentioned that when he calls for a wellness check, the person cleans up the place and puts out food and water. Later, the situation returns.

Ms. Jasmine Blair commended Council for beginning the Council meeting with a prayer and the Pledge of Allegiance. She talked about the importance of animal care and managing animals in the community. Unfortunately, some people do not know how or care to manage animals. Therefore, policies need to be in place for the benefit of the community and the animals. She asked Council to support the tethering laws that were presented several months ago. Ms. Blair talked about research and reports indicating that tethering is not the right thing for animals for an extended period. She hopes that Council will consider tethering and follow some of the pages on social media about animals and tethering.

Society Hill Mayor Dewayne Duke appeared to thank all the first responders in the county for helping with the fire that recently occurred in Society Hill. He talked about concerns regarding the smell from the smoke and the boil water advisory. The boil water advisory was due to the low water pressure and not contamination. Some people wanted to know whether they needed to evacuate because of the smell from the fire. Mayor Duke thanked everyone for their service to protect the people in the Town of Society Hill. He also

announced that there will be a public meeting with the EPA (United States Environmental Protection Agency) on September 27th at 6:30 p.m. at Society Hill Neighborhood Center.

Personal Appearances - Mayor Curtis Boyd, City of Darlington

Mayor Boyd was not present at the meeting.

Personal Appearances - Mr. Jimmie Epling, Darlington County Library Director, Request For County Council's Approval Of A Resolution Recognizing The Month Of September As Library Card Sign-Up Month

Mr. Jimmie Epling thanked Council for consideration of the National Library Card Sign-Up Month proclamation. He talked about the importance of the library and the services and programs offered.

Councilwoman Angie Godbold arrived at the meeting at 6:20 p.m.

Mr. Epling provided Council members with a packet of information about the county library system and welcomed everyone to visit the libraries.

Mr. Davis asked whether library cards could be obtained online.

Mr. Epling responded that individuals could obtain an electronic library card online. However, physical library cards have to be obtained at the library.

Chairman Hudson asked whether a physical card could be obtained at any one of the branch libraries.

Mr. Epling responded that physical cards are handled at the Darlington Library to ensure there are no duplicates. However, the physical card can be sent to a branch library to be picked up.

Amendment to the Agenda to bring forth Resolution No. 765, Proclaiming The Month Of September As Library Card Sign-Up Month

MOTION made by Mr. Flowers and seconded by Mr. Davis to amend the agenda to bring forth Resolution No. 765, proclaiming the month of September as Library Card Sign-Up Month.

The motion carried unanimously.

Resolution No. 765, Proclaiming The Month Of September As Library Card Sign-Up Month

MOTION made by Mr. Flowers and seconded by Mr. Davis to approve Resolution No. 765, proclaiming the month of September as Library Card Sign-Up Month.

The motion carried unanimously. Mr. Flowers read the resolution.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 6.A. Pee Dee Workforce Development Board Quarterly Report, June 30, 2023
- 6.B. Beaver Management Program Report, July 2023

- 6.C. 2022-2023 Year-End Report On Permits Issued
- 6.D. 2022-2023 Year-End Animal Control Report
- 6.E. Airport Commission Meeting Minutes, April 20, 2023
- 6.F. Darlington County Parks, Recreation, And Tourism Activities for September
- 6.G. Florence Area Transportation Study (FLATS) Metropolitan Planning Organization 2023 Annual Newsletter
- 6.H. Letter From SC Department of Transportation RE: Speed Limit Assessment For US 52 (Governor Williams Hwy.), Dovesville Highway (S-41), And Jeffords Mill Road (S-717) In Darlington County
- 6.I. Financial Update, July 2023
- 6.J. 911 Call Volume Report, July 2023
- 6.K. Darlington County Fire District Call Volume, August 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 - Minutes Of Public Hearing And Regular Meeting, August 7, 2023

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve the minutes of the public hearing and regular meeting held on August 7, 2023.

The motion carried unanimously.

Amendment to the Agenda to bring forth the Vote For Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: The I-20 Industrial Park

MOTION made by Mr. Flowers and seconded by Mr. Davis to bring forward executive session due to the nature of third reading of one of the ordinances.

The motion carried unanimously.

Executive Session - Discussion Of Negotiations Incident To Proposed Contractual Arrangements And Proposed Sale Or Purchase Of Property RE: The I-20 Industrial Park

MOTION made by Mr. Flowers and seconded by Mr. Davis for Council to go into executive session with the county administrator and the county attorney for the discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property regarding the I-20 Industrial Park.

The motion carried unanimously.

Council and the individuals named went into executive session at 6:30 p.m. and reconvened at 6:41 p.m.

Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

Ordinances

Ordinance No. 23-11, 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. - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-11.

The motion carried unanimously.

Ordinance No. 23-13, 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 Project Lotus; And Authorizing Other Related Matters - THIRD READING

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve third reading of Ordinance No. 23-13.

The motion carried unanimously.

Ordinance No. 23-14, 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 Lotus) - THIRD READING

MOTION made by Mr. Douglas and seconded by Mr. Coker to approve third reading of Ordinance No. 23-14.

The motion carried unanimously.

Ordinance No. 23-15, 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 Project Vega; And Authorizing 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 No. 23-15.

The motion carried unanimously.

Ordinance No. 23-16, 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 Vega) – SECOND READING - CARRY OVER REQUESTED

MOTION made by Mr. Flowers and seconded by Mr. Davis to carry over second reading of Ordinance No. 23-16.

The motion carried unanimously.

Ordinance No. 23-17, An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7 (Fees), And Chapter 6 (Animals), Section 6-17 (Redemption) And Section 6-18 (Adoption) To Update The Schedule Of Fees As

Outlined In The Darlington County Humane Society's FY2023/2024 Animal Shelter Contract And Establish The Effective Date Of This Ordinance - SECOND READING

MOTION made by Mr. Flowers and seconded by Mr. Davis to approve second reading of Ordinance No. 23-17.

The motion carried unanimously.

Resolutions

Resolution No. 764, A Resolution Authorizing Submission Of An Application By Darlington County To The Division Of Community Grant Programs Of The South Carolina Department Of Commerce

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve Resolution No. 764, authorizing submission of an application in the amount of \$750,000 by Darlington County to the Division of Community Grant Programs of the South Carolina Department Of Commerce to purchase a fire engine for Mechanicsville Station 4 with the county providing a local match of not less than ten percent of the total CDBG costs plus any overage needed to complete the project.

The motion carried unanimously.

Committee Reports

There were no committee reports.

Other Items

Appointment Of A Local Pharmacist To The Opioid Recovery Act Funds

MOTION made by Mr. Flowers and seconded by Mr. Davis to carry over the appointment to the Opioid Recovery Act Funds Committee.

The motion carried unanimously.

Appointments To Boards/Commissions/Committees

Chairman Hudson, Mr. Flowers, Mr. Davis, and Mr. Coker requested carry-over of their appointment(s). Ms. Thomas was not present at the meeting.

Appointment To Airport Commission And Planning Commission. **MOTION** made by Mr. Askins and seconded by Mr. Davis to reappoint Mr. Richard Atkinson to the Airport Commission and Mr. Robert Puechl to the Planning Commission.

The motion carried unanimously. Mr. Atkinson will serve a fourth term through June 30, 2027, and Mr. Puechl will serve a second term through June 30, 2027.

Economic Development Partnership Board. **MOTION** made by Mr. Flowers and seconded by Mr. Davis to carry over the appointment to the Economic Development Partnership Board.

The motion carried unanimously.

MOTION made by Mr. Flowers and seconded by Mr. Davis to carry over the other Council members' appointments as listed.

The motion carried unanimously.

Collaborative Agreement With Pee Dee Regional Transportation Authority (PDRTA)

MOTION made by Mr. Davis and seconded by Mrs. Godbold to approve the Collaborative Agreement with Pee Dee Regional Transportation Authority whereby the county will provide \$19,000 to PDRTA as local support for over \$365,000 in federal dollars used in Darlington County, contingent upon PDRTA receiving in aggregate a sufficient amount of funds from federal and state grants and other local sources necessary to support the DART, HART, Society Hill, and Commuter route services through June 30, 2024.

The motion carried unanimously.

Support For The Transfer Of Parcels To South Carolina Governor's School For Science And Mathematics

MOTION made by Mr. Askins and seconded by Mr. Davis to approve a letter of support for the transfer of parcel number 056-07-01-032 from the Governor's School of Science and Mathematics Foundation to the South Carolina Governor's School for Science and Mathematics to support program growth.

The motion carried unanimously.

Cashua Ferry Boat Landing Maintenance & Repair

MOTION made by Mr. Douglas and seconded by Mr. Davis to approve an additional \$30,055.75 from Hospitality Tax as matching funds for the Cashua Ferry Boat Landing Maintenance and Repair project. This will bring the total commitment for this project to \$63,250 from Hospitality Tax.

The motion carried unanimously.

Administrative Update - Mr. Charles Stewart, County Administrator

Opioid Recovery Act Funds Committee. Mr. Stewart reported that the Opioid Recovery Act Funds Committee will meet on September 21st at 6:30 p.m. Ms. Roberta Braneck, of the South Carolina Opioid Recovery Fund Board, will attend the meeting via ZOOM or Teams to provide an overview as to what the funds can and cannot be used for and some dos and don'ts. The Committee will discuss the process, and it will be recommended that the Committee schedule a meeting 30 days later to review any applications. According to the last report in May from the State Opioid Fund, there is about \$900,000 in Darlington County's account. However, the county probably will not receive this amount of funds every year. Ms. Braneck will provide an annual estimate for the county and rules for promoting applications. The Committee's recommendations will be sent to Council for final approval similar to the Accommodations Tax process.

Flood Map Plain Changes. Mr. Stewart reported that the public hearing for the flood map plain changes for Darlington will probably occur in November or December. When the

staff receives information as to when the public comment period will open, a second round of letters will be sent out so that people are aware of this.

Galey & Lord Plant Fire. Mr. Stewart reported that he met with Christopher Jones, of the EPA, last week to look at the site (Galey & Lord plant) after the fire. He also commented that the boil water advisory did not have anything to do with contamination. The flow of water used to put out the fire dropped the water pressure low enough in the lines that Darlington County Water and Sewer Authority, an independent authority, had to issue a boil water advisory which remained in place for about 48 hours. He also stated that as Mayor Duke had mentioned, there will be a public meeting with the EPA, Christopher Jones, on September 27th at 6:30 p.m., at the Society Hill Neighborhood Center located on Hall Street in Society Hill.

Courthouse Construction Status. Mr. Stewart reported that furniture delivery/build-ins for the new courthouse will not begin until FBi Construction has reached substantial completion of the building, which was originally scheduled to be in October but has been pushed out to mid-November. This pushes everything back about four weeks. Therefore, with Thanksgiving and Christmas holidays, the new courthouse will not be handed over to the county fully furnished and ready to open until about the first week in January 2024.

Flood Study. Mr. Stewart referred to an email from the South Carolina Office of Resilience that was placed at Council's desk. He had advised Council several meetings ago that the flood study and subsequent projects to mitigate flooding in Darlington County were postponed until November. However, the email states that it will now be May 2024 before awards are provided due to the receipt of so many applications and the amount of due diligence needed. No information on the awards will be provided until May 2024.

Requests / Comments - Members Of Council

Mr. Davis thanked everyone for attending the meeting. He also thanked the employees and first responders for their service. Mr. Davis asked everyone to remember this date, September 11th.

Mr. Douglas asked whether the county had received any bids on the Cashua Ferry Boat Landing project.

Mr. Stewart explained that last year, SCDNR (South Carolina Department of Natural Resources) had the responsibility of finding the money for this project. They found money through federal grants with the county providing the match. However, the bids came in too high for the original estimate that was provided. Currently, SCDNR is looking for additional funds, especially when the federal grant program opens again in October (the federal fiscal year begins in October). Therefore, the county will have to provide additional matching funds. Therefore, the staff increased the money by 15 percent, and one person has given the county prospectives of a bid so this would not eliminate them from submitting a sealed bid at the appropriate time. At DNR's request, a total of about \$235,000 should be enough to do

the repairs that they have agreed to do. Bids will be solicited once additional funds are received in October or November. There may be more money than was originally anticipated and, if so, more work can be accomplished.

Mr. Flowers stated that several weeks ago there was an event at the high school football game between Hartsville and Darlington. The game was suspended. As a result, the Sheriff, the Sheriff's Department, Darlington Chief of Police Jimmy Mr. Davis, Darlington City Police, and the School Board said this will not be tolerated and there will be a safe environment. Mr. Flowers works with the chain gang during the games, and this past Friday, Darlington High School played Cheraw and it was a safe, polite, friendly, and well-organized event for a high school football game. He thanked the Sheriff, the City, and the School District for taking this seriously and making changes, and it was a great place to be Friday night. Mr. Flowers encouraged everyone to attend their local high school sports for good entertainment and to see friends. This is a great place to build your community.

Chairman Hudson mentioned that Ms. Thomas had to attend another meeting but wanted everyone to know that she enjoyed the Rice Festival that was held this past weekend and hopes that it will be larger next year. He thanked the staff and the lawyers for making the I-20 project happen and commented on an article in the South Carolina Currents magazine (a publication of MPD Electric Cooperative) regarding the number of NFL players from Lamar and Darlington County. Chairman Hudson thanked those who attended the meeting.


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 7:03 p.m.

Respectfully submitted,



J. Janet Bishop, Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of October 2, 2023.