

REGULAR MEETING
DARLINGTON COUNTY COUNCIL
DARLINGTON, SC

October 2, 2023

A Regular Meeting of the County Council of Darlington County was held this 2nd day of October 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, 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, Finance Director Sherman Dibble, Library Director Jimmie Epling, Sheriff James Hudson, Mr. Tim Weaver, and others.

REPORTERS PRESENT

A reporter from the local television news.

Call To Order / Invocation And Pledge Of Allegiance

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

Citizens' Comments

Mr. Tim Weaver, who resides in Council District 5 (Councilman Mr. Flowers), asked Council to revisit the Animal Control Ordinance to look at tethering. He reported that about thirty minutes ago, the Humane Society's intake had reached 2,448 intakes for the year, an increase of 400 animals as compared to last year at this time. Animal Control had just dropped off three animals and was going on another call. Mr. Weaver said one of the key components of the Animal Welfare Law would be well served by Council revisiting tethering laws. He suggested that Council look at Florence County's tethering ordinance.

Personal Appearances - Mr. Tommy Capotosti, Emergency Services Vehicle Fee

Mr. Stewart reported that he met with Mr. Capotosti and his concerns were resolved, except for one thing that has to be obtained from the County Auditor. Therefore, Mr. Capotosti decided not to appear before Council tonight.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

- 5.A. South Carolina Association of Counties' Fall Advocacy Meeting & Institute of Government Classes
- 5.B. 911 Call Volume Report, August 2023
- 5.C. Darlington County Parks, Recreation, and Tourism Activities, October 2023
- 5.D. Financial Report through August 2023
- 5.E. Darlington County Fire District Call Volume Report, September 2023

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

The motion carried unanimously.

Approval Of Minutes - Minutes of Public Hearing And Regular Meeting, September 11, 2023

MOTION made by Mr. Douglas and seconded by Mr. Flowers to approve the minutes of the public hearing and regular meeting held on September 11, 2023.

The motion carried unanimously.

Ordinances

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 - THIRD READING

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

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

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. Douglas to carry over second reading of Ordinance No. 23-15 and Ordinance No. 23-16.

The motion carried unanimously.

Resolutions

There were no resolutions.

Committee Reports

There were no committee reports.

Other Items

Appointment Of A Local Pharmacist To The Opioid Recovery Act Funds Committee

MOTION made by Mr. Douglas and seconded by Mr. Flowers to carry over the appointment of a local pharmacist to the Opioid Recovery Act Funds Committee.

The motion carried unanimously.

Appointments To Boards/Commissions/Committees

Mr. Flowers carried over his appointment to the Board of Assessment Appeals and the Alcohol and Drug Citizen Advisory Committee.

Mr. Davis carried over his appointment to the Planning Commission.

Ms. Thomas carried over her appointment to the Construction Board of Adjustment & Appeals, the Library Board, and the Airport Commission.

Chairman Hudson carried over his appointment to the Library Board and the Alcohol and Drug Citizen Advisory Committee.

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

Mr. Douglas and Mrs. Godbold did not have appointments listed.

Opioid Remediation Planning Program Request

MOTION made by Mr. Flowers and seconded by Mr. Douglas to approve the Committee's request to utilize \$50,000 of Darlington County's Guaranteed Political Subdivision (GPS) funds from the South Carolina Opioid Recovery Act Fund for an Opioid Remediation Planning Program.

Mr. Stewart reported that Ms. Roberta Braneck, with South Carolina Opioid Recovery Act Fund, addressed the county's Opioid Recovery Act Funds Committee on September 21, 2023, and explained that five to six other counties had requested funds to do this as well. They did not want to spend money without conducting a remediation study to see what they already had in place. Therefore, the county will solicit bids for someone to determine what opioid tactics are in place, receive suggestions on how to improve what is in place, identify new things the county may want to put in place, and review any applications for new money that the county has received. Then the Committee will receive guidance on best practices to place these funds and make recommendations for Council's consideration as to where to spend the funds.

Mrs. Godbold asked whether the county had received any funding requests.

Mr. Stewart responded that the county had received a request from an outside agency for one-half of the funds available, about \$500,000 of the \$1 million that is available. However, this request has not been considered because the Committee wants the study conducted first to understand what is currently functioning in the county before one-half of the funds are awarded.

Godbold asked whether the county was at liberty to share who requested the funds.

Mr. Stewart's response was the House of Hope. This organization operates out of Florence and is planning to have an opioid recovery site/treatment center at the Old Camp Sexton. This was the only application received and Mr. Stewart did not know all the details regarding this application. The Sheriff's Department will request to keep Narcan in the Sheriff's Office, Detention Center, and EMS.

The motion carried unanimously.

Administrative Update, Mr. Stewart, County Administrator

Mr. Stewart reported that Council received at their desk an email from Mr. Don Bockoven, on behalf of Darlington County Progress (the private arm of Darlington County Economic Development), requesting Council to carry over the appointment to the Economic Development Partnership Board until after Darlington Progress' Annual Meeting. Council members also received at their desk an invitation to Darlington County Progress' Annual Meeting scheduled for October 25, 2023, at Hartsville Country Club.

The agenda for the joint meeting of Darlington County's Municipal Councils, County Council, Board of Education, and Legislative Delegation was placed at Council's desk. This meeting is scheduled for Monday, October 30, 2023, at 6 p.m. at Lake Darpo. Ms. Meghan Walker Dayson, with the South Carolina State Ethics Commission, will make a presentation to Council members and other elected officials. All municipal councils and elected officials are invited to attend this meeting.

Councilmembers also received an Attorney General's opinion dated June 27, 2018. Mr. Stewart explained that during Council's September meeting, Mr. Rambo presented concerns about a shooting range. The Sheriff, the County Attorney, and he had looked into this matter and came to this Attorney General's Opinion that indicates that at the current time and based on what the county has in place, there is nothing for the county to do to regulate or stop this shooting range. He stated that the County codes have nothing that would stop the operation of a shooting range. The shooting range is legal within the county's current codes. Mr. Stewart also clarified that the document that was referred to during the September Council meeting has been confirmed to be an internal document of the Department of Energy that governs their shooting ranges. Another document referred to was the South Carolina Department of Transportation's rules on putting up signage for shooting ranges which they will do, if necessary. The last document was from Richland County's Code of Ordinance which has no regulatory authority in Darlington County. Therefore, under the County's current Code of Ordinances, there was nothing for the county to enforce or restrict. The county could not stop the operation of this shooting range. However, Council could put new ordinances in place to govern shooting ranges, but the ordinances would not apply to

the current shooting range unless it shuts down and someone restarts it. This current shooting range would be grandfathered in. Mr. Stewart welcomed comments from the Sheriff and Attorney Lucas.

Requests / Comments - Members Of Council

In reference to the Opioid Remediation Planning Program Request, Ms. Thomas asked about the Guaranteed Political Subdivision fund amount.

Mr. Stewart explained that according to the settlement agreement, a certain amount of funds goes to the state and a certain amount goes to the local subdivisions (counties, cities, towns) called Guaranteed Political Subdivision. Guaranteed Political Subdivision is the designation for these funds that are guaranteed unless the county does not use them. He referred to a list of Guaranteed Political Subdivision Fund amounts that was included in the agenda package. Darlington County was listed with a current balance of \$1,066,402.26 as of September 15, 2023.

Mr. Davis thanked everyone for attending the meeting and asked them to take care of their neighbors and friends.

Ms. Thomas announced her appointment to the South Carolina Association of Counties' Land Use, Natural Resources and Transportation Steering Committee. She welcomed comments from other members to take back to the Committee.

Ms. Thomas asked about the status of the flood mitigation project and home buy-outs.

Mr. Stewart responded that Council received information at a couple of meetings ago that the State Office of Resilience was planning to make awards in November, but due to the vast amount of work they were doing, it will be May 2024 before they make awards. The home buy-outs are also in the hands of the State Office of Resilience, and the county is not privy to any additional information until the public paperwork is signed. The county currently does not have access to this information.

Mrs. Godbold thanked Mr. Weaver for sharing his thoughts and stated that she missed Mr. Rambo's presentation at the September meeting because she arrived late. However, she wanted to hear more about what he had to say although she watched the live stream of that portion of the council meeting. Mrs. Godbold also stated that she had a question regarding the county's Landfill and the current condition of the equipment.

Mr. Stewart assumed Mrs. Godbold was talking about an email that involved a personnel matter. He stated that at the time of the email, the equipment was running, and the information was misleading and incorrect.

Mrs. Godbold asked whether equipment at the landfill was taken to the shop for repairs or whether the shop personnel went to the landfill to repair the equipment.

Mr. Stewart responded that it would depend upon what type of equipment needed repairing. Shop personnel would probably go to the landfill to repair a bulldozer on the hill. However, a truck would be taken to the shop for repairs.

Ms. Thomas asked whether the landfill ever gets new equipment and discards the old equipment.

Mr. Stewart mentioned that it was about time to purchase some new trucks. Some of the equipment is new and some not so new.

Vote For Executive Session

There was no vote for an executive session.

Adjournment

MOTION made by Mr. Flowers to adjourn the meeting. There being no further comments, the meeting was adjourned at 6:22 p.m.

Respectfully submitted,



J. Janet Bishop
Clerk to Council



Bobby Hudson, Chairman
Darlington County Council

Approved at meeting of November 16, 2023.