

PUBLIC HEARING & REGULAR MEETING  
DARLINGTON COUNTY COUNCIL  
DARLINGTON, SC

September 13, 2021

A Public Hearing and Regular Meeting of the County Council of Darlington County was held this 13<sup>th</sup> day of September 2021, 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 distributed with the agenda and posted on the county website:

**"Darlington County Council Meeting Live Streamed** - 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.darcomsc.com](http://www.darcomsc.com). To access the live stream, go to the County website at [www.darcomsc.com](http://www.darcomsc.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.darcomsc.com](http://www.darcomsc.com), from the Government tab, click on County Council, then scroll to the Council Meeting Video tab on the left of the page.

**Darlington County Council Meeting Room Is Restricted To County Council Members & Required Staff. 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@darcomsc.net](mailto:jbishop@darcomsc.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@darcomsc.net](mailto:jbishop@darcomsc.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. M. Kirk Askins, Mr. David Coker, Mr. Albert Davis, III, Mrs. Angie Stone Godbold, and Ms. Joyce W. Thomas.

**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, and Finance Director Sherman Dibble.

**REPORTERS PRESENT**

Due to 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.

**PUBLIC HEARINGS**

**Ordinance No. 21-06, An Ordinance To Amend Darlington County Code of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7. (Fees), To Amend The Fee Schedule And Establish The Effective Date Of This Ordinance - SECOND READING**

Chairman Hudson declared the public hearing open at 6:02 p.m. to receive comments on Ordinance No. 21-06. There being no comments, the public hearing was closed.

**Ordinance No. 21-07, An Ordinance To Amend Ordinance No. 21-04, FY21/22 Budget Ordinance, To Receive And Expend American Rescue Plan (ARP) Funds And To Make Adjustments Related To The Amendment(s) In The Fee Schedule, And Other Matters Related Thereto - SECOND READING**

Chairman Hudson declared the public hearing open to receive comments on Ordinance No. 21-07. There being no comments, the public hearing was closed.

**REGULAR MEETING**

**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. John Payne introduced himself as the new City Manager for the City of Darlington. He expressed his appreciation for the county and the county administrator working with the City of Darlington.

Personal Appearances

There were no Personal Appearances.

Consent Agenda (Receive As Information)

Included in the Consent Agenda were the following:

6.A. *Pee Dee Workforce Development Board Quarterly Report, June 30, 2021*

6.B. *County Transportation Committee (CTC) Meeting Minutes (July 28, 2021) & Agenda (August 25, 2021)*

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

The motion carried unanimously.

Approval Of Minutes - Minutes Of Regular Meeting, August 9, 2021

**MOTION** was made by Ms. Thomas and seconded by Mr. Douglas to approve the minutes of the regular meeting held on August 9, 2021.

The motion carried unanimously.

Approval Of Minutes - Minutes of Special Meeting, August 16, 2021

**MOTION** was made by Mr. Douglas and seconded by Ms. Thomas to approve the minutes of the special meeting held on August 16, 2021.

The motion carried unanimously.

Amendment To The Agenda

Mr. Stewart asked Council to bring forward Executive Session since an attorney was present to provide legal advice regarding a matter.

Vote For Executive Session - Discussion Of Matters Relating 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

**MOTION** was made by Mr. Coker and seconded by Mr. Davis to amend the agenda to bring forth Executive Session for discussion of matters relating 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.

**MOTION** was made by Mr. Coker and seconded by Mr. Davis and for Council, the County Administrator, the County Attorney, and the visiting attorney to go into executive session for discussion of matters relating 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.

The motion carried unanimously.

### Executive Session

Council and the named individuals went into Executive Session at 6:08 p.m. and reconvened at 6:50 p.m. Upon reconvening, Chairman Hudson announced that no action was taken in executive session.

### Ordinances

Ordinance No. 21-06, An Ordinance To Amend Darlington County Code of Ordinances, Chapter 2 (Administration), Article V. (Finance), Division 7. (Fees), To Amend The Fee Schedule And Establish The Effective Date Of This Ordinance - SECOND READING

**MOTION** was made by Mr. Flowers and seconded by Mr. Douglas to approve second reading of Ordinance No. 21-06.

The motion carried unanimously.

Ordinance No. 21-07, An Ordinance To Amend Ordinance No. 21-04, FY21/22 Budget Ordinance, To Receive And Expend American Rescue Plan (ARP) Funds And To Make Adjustments Related To The Amendment(s) In The Fee Schedule, And Other Matters Related Thereto - SECOND READING

**MOTION** was made by Mr. Douglas and seconded by Mr. Flowers to approve second reading of Ordinance No. 21-07.

The motion carried with Ms. Thomas opposing.

Mr. Askins confirmed that Council was not adding any taxes or fees for the citizens.

Mr. Stewart explained that Ordinance No. 21-07 will not increase the taxes levied that were originally passed in the budget. He stated that there are additional dollars that are recognized as part of the levy, but Council was not increasing the millage. Therefore, the millage will provide the same tax bill as last year - the county's portion. He was not speaking to the municipalities or the school district. In fact, the citizens will see a few cents less on their tax bill on the county's portion because the credit factor awarded increased slightly because the amount of local option sales taxes collected increased slightly. Mr. Stewart went on the explained that a \$100,000 home assessed at 4% or 6% will have the same bill this year as it was last year as it was currently in the budget prior to this budget amendment.

Ordinance No. 21-08, An Ordinance Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Darlington County, South Carolina (The "County") And Pee Dee Electric Cooperative, Inc., Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); And (2) Other Matters Relating Thereto - FIRST READING

The title of Ordinance No. 21-08 was read for first reading. No action required.

## Resolutions

### Resolution No. 729, 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** was made by Mr. Flowers and seconded by Mr. Douglas to approve Resolution No. 729.

The motion carried unanimously.

### Resolution No. 730, A Resolution Authorizing (1) The Execution And Delivery Of A Fee In Lieu Of Tax And Incentive Agreement By And Between Darlington County, South Carolina (The "County") And Pee Dee Electric Cooperative, Inc., Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The "Company"), Pursuant To Which The County Shall Covenant To Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes With Respect To The Establishment And/Or Expansion Of Certain Facilities In The County (The "Project"); And (2) Other Matters Relating Thereto

**MOTION** was made by Mr. Flowers and seconded by Mrs. Godbold to approve Resolution No. 730.

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

**MOTION** was made by Mr. Davis and seconded by Mr. Flowers to appoint Ms. Erica Shante' Bacote to the Board of Assessment Appeals.

The motion carried unanimously. Ms. Bacote will replace Mr. Lawrence Manning in a term to expire on June 30, 2022.

Mr. Flowers and Mr. Askins carried over their appointments.

### City Of Darlington Fire Department's Request For Surplus Radios

**MOTION** was made by Ms. Thomas and seconded by Mrs. Godbold to approve the City of Darlington Fire Department's request for ten surplus 800 MHz radios.

The motion carried unanimously.

### Town Of Lamar's Request For Surplus Law Enforcement Vehicle {page 128}

**MOTION** was made by Mr. Douglas and seconded by Mr. Askins to approve the Town of Lamar's request for a 2017 Ford Explorer set up as a law enforcement vehicle from the Sheriff's Office fleet.

The motion carried unanimously.

Return Of A Portion Of Hewitt Street To The City Of Darlington {page 129}

**MOTION** was made by Mr. Davis and seconded by Mrs. Godbold to approve the return to the City of Darlington a portion of Hewitt Street between Carolina Bank & Trust Co. and property owned by Patricia B. McRae shown as 0.10 acres on a plat dated August 11, 2021.

The motion carried unanimously.

Repair To Lift Station Belt At The Landfill {page 132}

**MOTION** was made by Mr. Douglas and seconded by Mr. Flowers to approve the request to use Fund Balance to pay for repairs (\$188,790.92) to the lift station belt at the landfill.

The motion carried unanimously.

Administrative Update – County Administrator Charles Stewart

Mr. Stewart stated that in response to Ms. Thomas' request, the staff prepared several *Keep Darlington County Beautiful* bags containing information from the Fire District and E-911, Emergency Services, the Severe Winter Weather Guide, and various other information on county services that could be handed out. More bags can be prepared if needed.

Requests / Comments - Members Of Council

Mr. Davis asked everyone to be careful and to pray for each other.

Mr. Douglas reported that he received several complaints about trucks speeding along Dovesville Highway, Levensworth Road, and Highway 15. He asked the staff to find out whether something can be done about the trucks speeding on these roads and whether more speed limit signs could be erected.

Mr. Stewart will request the Highway Patrol and the Sheriff's Office to work traffic control along these roads and for SCDOT (South Carolina Department of Transportation) to erect additional speed limit signs.

Mr. Flowers suggested that the staff contact Mr. Chuck Norton with SCDOT regarding the trucks speeding along these roads.

Mr. Flowers confirmed that ARP (American Rescue Plan) funds can be used for eligible projects such as water, sewer, broadband, etc. However, it needs to be emphasized that broadband is available, but not for free.

Mr. Stewart elaborated that ARP funds can be used to make sure that broadband coverage is available in the county. However, ARP funds do not cover the cost of taking the services into homes to provide service inside the house. ARP funds can be used to help provide service to the pole outside the houses.

Mr. Flowers said there was some misunderstanding about countywide broadband. He pointed out that the service has to be subscribed to and paid for by the individual homeowner. A federal, state, or county program that will not pay for the subscription service.

Mr. Stewart stated that there may be some other program that will pay for the service into the home. However, the final rule from the Treasury should be available in the next few weeks. When it becomes available, Council will receive the information along with literature from NACo (National Association of Counties) with all the points of where the money can be spent. He also stated that Council will need to conduct a worksession once the final rules are received to establish priorities for spending the funds. Council has only obligated \$1.8 million for premium pay. All obligations to spend ARP funds will be a public action of the body of Council. Council has until December 31, 2024, to obligate the funds and December 31, 2026, to spend the funds.

Mrs. Godbold thanked Council for approving the City of Darlington's request for the surplus radio. She also expressed appreciation for the submission of the grant application for a fire truck. Mrs. Godbold requested a list of all potential grants that the staff is working on but have not been presented to council.

Mr. Stewart talked about the process for being the applicant for CDBG (Community Development Block Grant) grant, the number of grants per category, and the availability of the grants. He confirmed that there is no other CBDG grant that the county is applying for.

Mrs. Godbold talked about there being water and drainage problems on Blue Street and Smith Avenue and many high school students drive on these roads. When it rains, the water covers the road in several areas on the ballfield side of Blue Street and the opposite side of the road is eroding.

Mr. Stewart stated that the staff had previously informed SCDOT (South Carolina Department of Transportation) about this problem. These roads are state roads, and the county does not have rights-of-way in these areas. He mentioned that the county could ask permission for the county to go into these areas. However, the county does not want to start a precedent with handling everything SCDOT is supposed to handle. The staff will try to evaluate the area/problems and contact SCDOT.

Mr. Flowers talked about where the drainage should go and the outfall.

Ms. Thomas asked the Council to think about the South Darlington Watershed Project and about getting a study since she was still receiving complaints about drainage problems. She read a letter signed by William Hudson and Judy Alexander regarding problems in Sunrise Acres. The letter mentioned drainage problems with the water level being higher and retention being longer causing damage to their homes and septic tank problems resulting in sewage overflow. The letter also mentioned the need for sufficient street lighting for the safety of the community. Sunrise Acres is located off Highway 52 Bypass before the overpass in Darlington.

Mr. Stewart stated that he will have to find out whether the streets in Sunrise Acres are SCDOT streets. He also pointed out that the county does not provide streetlights.

Special Meeting, Monday, September 20, 2021

After confirming that Council members will be available to meet on Monday, September 20<sup>th</sup>, at 6 p.m., Chairman Hudson announced that there will be a Special Meeting on that date and time to consider the fee schedule amendment (Ordinance No. 21-06) and the budget ordinance amendment (Ordinance No. 21-07).

Adjournment

**MOTION** was made by Mr. Flowers and seconded by Mr. Davis to adjourn the meeting. There being no other comments, the meeting was adjourned at 7:16 p.m.

Respectfully submitted,



J. Janet Bishop  
Clerk to Council



Bobby Hudson, Chairman  
Darlington County Council

Approved at meeting of October 4, 2021.