CITY OF DARLINGTON

BUDGET WORK SESSION

TUESDAY, MAY 19, 2020 AT 6:00 PM

The City of Darlington held a Budget Work Session on Zoom on Tuesday, May 19, 2020 at 6:00 PM. Present at the meeting: Mayor Boyd, City Manager Howard Garland; Council Members: Elaine Reed, Howard Nettles, John Milling, Bryant Gardner, Shelia Baccus and John Segars. Others in attendance included: Lisa Rock, Sheila Jones, Police Chief Kelvin Washington, Fire Chief Patrick Cavanaugh, Alex Gainey, Freddie Kinsaul and Lee Andrews.

Mayor Boyd called the meeting to order at 6:05 PM and opened up with a prayer.

Mr. Garland

Mr. Garland asked everyone to turn to page ten and start with the Legislative Branch. He said this branch encompasses the Mayor and Council. He said their salary and wages are $40,258 for this year and $41,063.16 for next year which includes a 2% adjustment. He said the retirement fund fluctuates a bit because some of the council members are not on State Retirement and others are. He said we have four that are on State Retirement and three that are not. Social Security goes up a little bit, insurance and bonds are only a hundred bucks. The tort insurance has gone up some. Mr. Garland said he sent out a text earlier today to Mayor and Council about the meeting being cancelled due to Covid-19 so there will not be a MASC annual meeting this year in Charleston. The Municipal Association will hold a virtual meeting on July 16th. They will send out more details for the agenda later for this session. Don't worry about any of the hotel reservations, the money will be refunded back to us. This will be a savings of about $8,500 for the City without having that expenditure. Mr. Milling asked a question about the first and second columns on the budget, the first column being the budgeted amount and the second column being the actual money being spent this year. Mr. Milling used the retirement fund as an example. Mr. Garland said that is the way to read it, line one is the budgeted and line two is the actual expenditures. Mr. Milling wanted to know through what date. Mr. Garland said through the end of this year, he said some are estimates and some are not. As I was telling you earlier as with retirement, the retirement is different because some Council members opted not to take it out of their salary. Mr. Milling said since we are not going to the Convention and you were talking about a savings, how do we handle carry overs when we don't spend items in a particular budget where does that money go. Mr. Garland said we do not carry those items over usually unless a motion by a Council member to do that, we zero everything out for the next year. Mr. Milling said will in theory we should have money in the bank. Mr. Garland said we do have money in the bank. Mr. Milling said where does the money we actually have accumulated show up. Mr. Garland said if you will go to page number eight to General Fund Recap, see where it says the cash on hand, that's the cash we had on hand July 1, 2019 which was $1,178,944, so that's where that money goes. Mr. Milling said at some point in time do we get a chance to look at that and see how

we can utilize the surplus on hand for these expensive projects that we got coming up. Mr. Garland said that is a possibility, but we won't know what cash we have on hand until July 1st. Mr. Milling said it gives him a better understanding of we got in our budget but we also got some money that is left on hand that we will know effective July 1, then we can start determining what we want to do with it if anything. Mr. Garland said that is correct. Mr. Garland said continuing on with the Legislative breakdown, we were talking about the traveling expenses, cell phone for the Mayor, meals for the work session is something that we added for next year because Council had said that they wanted to have more work sessions. Mr. Garland discussed the line items in detail and explained the decreases and increases in the department. Mr. Garland said if there are not any questions, we will move onto Municipal Court page eleven. Mr. Garland said that we went over on the salaries due to using an associate Judge that we have because we have conflict sometimes with our current Judge Robert Stucks because he is an attorney in Florence and sometimes there is a conflict when someone comes before him in court, so the salaries are over about $10,000.00. He said Insurance and Bonds $13,732 will go down some next year because we were able to consolidate some savings for that line item. Mr. Garland went over the budget for the Municipal Court by line items. He said $136,573 was actually what we adopted, and we paid out $149,109, we estimate for next year $139,909 for personnel services for Municipal Court. Mr. Garland went over the Operating Expenses by line item explaining increases and decreases. Mr. Garland said the Jury trial we had planned for this year was cancelled due to Covd-19, everything will be moved to next year, there will not be any court until July 12th. The final totals for Municipal Court $152,723 and we actually spent $166,054, we budgeted for next year $155,419. Mr. Garland asked if there were any questions about Municipal Court. Mr. Gardner asked has the Judge been recusing himself less lately. Mr. Garland said not as much this calendar year as in 2019, there was a considerable amount in 2019. I think we have been able to work it out where the load is not as heavy on the associate judge this year. Mr. Garland went over Elections and there were no questions. Mr. Garland said let's look at Professional Services which is Kevin Etheridge with the Gardner Law Firm, we had budgeted $35,000 but the services had cost us $45,000 this year. He discussed Legal Operating Expense and there were no questions. Mr. Garland discussed all line items under Community Promotions. The totals for Community promotions for this year 23,862 and next year $21,350. Mr. Garland asked if there were any questions. Mr. Garland discussed the increases and decreases for Accommodation tax. Total for Accommodation Tax $1,650.00 spent for this year and $3,250.00 budgeted for next year. Mr. Milling asked do we have any kind of report coming from these entities as to what they are doing with the funds that we are providing so that we can have some kind of ideal of what is taking place and how the money is being spent. Mr. Garland said some yes and some no sir. Mr. Garland said that The Sweet potato festival is good about giving us a report and I believe looking on the previous page we get a report from PDRTA. PDRTA actually sends us an audit. He is not sure about some of the others. He said we usually try to work with the folks that are based in Darlington City or Darlington County. Mr. Nettles asked if we can ask for that going forward from each entity that we provide dollars for. Mr. Garland said yes. Mr. Garland moved to the Finance Department which is the Administrative Department. Mr. Gardner said under Hospitality, Accommodation, and Community Promotions budgets we previously in the past four years have been going and giving money for the Race Fest for instance, will we start reflecting that in the budget because it's kind of repetitive. Mr. Garland said monies that is requested to Council let's say $15,000 or $10,000 comes directly out of the Hospitality Tax account, so that Hospitality budget is not reflected in Accommodation Tax or Community Promotions, the monies that we gave last year it was, $5,000 for the cotton museum memorial and $10,000.00 for the veterans memorial $5,000 for the sweet potato

festival and $15,000 for Freedom Fest it all came from the Hospitality Tax Collections Account. Mr. Gardner said is there no where we could reflect it, or should we start reflecting it for the future so that at least the community knows where we are spending our funds. Mr. Garland said that he and Lisa Rock has researched that quite a bit. He suggested that it can be a topic for a work session, because he hated to get off course tonight. Mr. Garland said what we have been looking at doing was taking a chunk of Hospitality money that was collected each year and budgeting that for some of those requests whatever that amount would be what Council would decide on and that would be independent of Community Promotions or Accommodation Tax. That is just a thought, certainly what we could do is put out a request for any event that is held in the City if they wanted to receive funding from the Hospitality Tax Account, you can look at that and judge it yourself or assign a committee as other towns do. Darlington County does theirs through assignment funding. Then you vote on what's requested from the committee. Mr. Gardner said he doesn't know if we have enough excess fund in that to start soliciting grant opportunities through, he would want to keep it tight and use it as hardscapes actual parks and playground right now minus the project that we are supporting. Mr. Garland said that would be an idea there, nothing gets harder and fast is to how we do that we just had always taken those larger requests and taken them directly out of Hospitality Tax Collection Account. Mr. Gardner said he understands he just didn't know if we could reflect it anywhere so we can show what we've done in the previous years. Mr. Garland said that the auditor asked us several years ago to take the Hospitality account out of the regular budget because he felt like we were using it to balance the budget so that's why it's not reflected in the regular budget. Mr. Gardner thanked him for his time. Mr. Garland said the Finance Department, which included City Manager, Clerk & Treasurer, Assistant Clerk & Treasurer, and Lacy who handles the Business Licenses and Hospitality Tax. Mr. Garland discussed each line item and explained the decreases and increases in the Finance Department. The total amount for that department for 2019-2020 actual spent was $435,297.00, the budgeted amount for next year is $435,361.00. Mr. Milling said the Finance Department sounds like it covers the salaries of the people who work inside the main administrative building but if there is physical work that needs to be done to that building, an office needed to be painted, or the restrooms in that building needed to be rehab where does that show up within the budget, is that separate because he knows things like that have to be paid for. Mr. Garland said it comes under the Public Building Department. Mr. Nettles said under item number 570-226 if we had for 2019-2020 $16,000 then the actual was $14,021 and we are gearing up to $20,000 why the disparity between the $16,000 and the $20,000 when there was a decrease in the actual. Mr. Garland said that he did not have an answer, but he would find out tomorrow. Mayor Boyd wanted to know who the wages and salaries include. Mr. Garland said that would be myself, the clerk treasurer, assistant clerk treasurer and the person who handles the business licenses and hospitality tax, there is four of us. The Mayor wanted to know who we have contracts with. Mr. Garland said that would be our copier contracts, termite letter for the main building for City Hall, spectrum cable, road runner service and anything else like security cost for the administration building things like that. The Mayor wanted to know what professional services was. Mr. Garland said that was for the audit, we had three audits done in the last thirteen months. The Mayor said if later on if we wanted to get all the line items for 570-226 to see where the $16,000 is going is there a way that we can get that. Mr. Garland said you can call him or Ms. Pridgen and say I would like a printout of 570-226 for budget year 2019-2020 or Mr. Garland or Ms. Pridgen I want a printout of 570-265 for 2019-2020. Mr. Nettles asked if we can go ahead and have it on record as asking for that now. Mr. Milling said rather than make a phone call we are all together here let's just get it. Mayor Boyd said that those are big numbers and we are kind of just flying by them

and I sure don't want the public to think that I'm just saying hey ok, I don't want to be the bobbling doll. The Mayor said those things will be looked at clearly to see if we are doing the best, we can with that. Councilwoman Baccus said there is a line item she wants a breakdown on, but she will have to find it and send it to him. Mr. Garland asked did she want to give it to him now. Councilwoman Baccus said it was one on the line items that we went over yesterday. Councilwoman Baccus said it was 801-279 on page five, she would like to have a breakdown on 801-279. Mr. Garland told Ms. Pridgen what Councilwoman Baccus said. Mr. Garland said that a breakdown was listed on page fifty-two of the budget of this line item. The Mayor asked will the printout show them broken down more. Mr. Garland said they would be broken down. Councilwoman Baccus said that was fine with her. Mr. Garland discussed each line item in Public Buildings on page 19 and explained the decreases and increases for each. Mayor Boyd asked how many payments the GEO Bond payment is for? Mr. Garland said this was number 3 out of 10 payments. He said it was a $1 million bond that was used to do all the roofs for the gyms and all municipal buildings. Councilman Milling said we got this bond payment of $123,900, we have a bond payment of $181,000 in Freddie's department, and when we get to storm water, we got a bond payment of about $180,000. He said we talked previously about checking on the refinancing some of these outstanding bonds to see what kind of savings we could achieve; and I have not heard anything further about that, so what's the status on looking to see if we can save money on these bond payments? Mr. Garland said some of these bonds have a payment penalty due. He said in other words, we would have to pay 1% over whatever that is actual is left on the Bond. Mr. Millings said that's during the first five years or something, he is wondering what the status is for these various bonds, some may have it, and some may not. Councilman Milling said, "My question would be where are we in looking at whether we can successfully do it or whether it will save us money even if there is a 1%? He said, "Or, what is the story on that so that as we are building these budgets, we know whether or not we can actually squeeze a little bit more money from the department if we can do the bond refinancing? He said, "I don't know that we can, but it just seems like it would be good to know that when you're going into a budget, to know what your bond payments are going to be. Mr. Garland said we looked at that with our Bond Attorney Ben Zeigler within the last six weeks, but everything was put on hold due to the fee in lieu of tax agreement which we signed recently with Project Peach. Mr. Garland said those numbers are being accessed right now as to how it's going affect all the bonding. Councilman Milling said those fees in lieu will come in and we will have that money, but we still got the issue of whether or not we can save money on the bonds or the fee in lieu would not affect the bond payments, would they? Mr. Garland said, "Down the road it could. It just depends on when the actual fee in lieu of taxes is going to take effect. We are still waiting to get some type of opinion as to when the fee in lieu tax payment is going to be credited. It won't be this year or next year, but hopefully it will be 2022". Councilman Milling said, "My request is, I would like to know if these bonds, whether or not if there are any savings that can be made by refinancing the bonds; which I guess will occur now in the 2021 fiscal year just to see if we can pick up some money". Mr. Garland said, "We looked at that in March and according to Ben Zeigler, at that time with the fluctuation of the interest rates it was a very unstable time because of the Covid-19. He did not actually give us a discernible opinion other than things that we need to talk about in executive session as it relates to the Water & Sewer Department. Mr. Garland said he doesn't feel comfortable talking about it on the virtual meeting. Councilman Milling said, "Let's then make arrangements to get that information so it can be made available to us when we next meet and can go into executive session". Mr. Garland said we need to meet in executive session to go over the agreement for Project Peach because we have had that information about a month now. Mr. Garland

said he doesn't want the numbers to get out without you all knowing about it in person. He said he does not feel comfortable with the format for sharing a lot of this information. Councilman Milling said, "But that is Project Peach, but the numbers on refinancing, he has read them in the paper for other communities, they are refinancing and saving money, so there is nothing really about Executive Session for the refinancing". Mr. Garland said, "Yes there is, because the Bond Attorney had an opinion about the Water & Sewer Department. Mr. Garland stated again that he does not feel comfortable talking about it on the virtual meeting. Councilman Milling said, "That's fine if the Bond Attorney has an opinion on whether something can or cannot be done that is legal advice. Councilman Milling said for those where there is just a matter of figuring out whether we can save money not whether or not we can legally do it, it might be helpful to have him send you something with the opinion as to whether or not it's Executive Session or Open Session. Mr. Garland said ok. Mr. Garland said line item 580-388 is where we put the money that we had from the millage increase for paving our City own streets. We had 64,900 budgeted, $3,500 spent out of that account, so it leaves us with $61,677. He said if you want to, we can certainly put out the bid for some of these smaller streets to be done or for one large street, but we are not going to get much done for the amount of money that we have added to the millage which was around $57,000. Mr. Garland said he would be interested in their opinions on whether they would want to do several small streets or one large street amongst our City owned streets. Councilman Milling asked, "Is the $3,500 added to something to give us the $61,677 or should we have $64,900 less $3,500 plus $61,000"? Mr. Garland said, "What's left over which we have not spent yet is around $61,677.00. He said the math might not quite add up. Councilman Milling asked if the $61,677 is simply left-over money, it's not any new money"? Mr. Garland said $3,500 is what we spent this year and $61,677 is budgeted for next year. Councilman Milling asked, "With that in theory gives us $120,000 for next year"? Mr. Garland said if you want to carry over the amount that we have not spent from this year, yes it would. Mr. Garland said you would have to vote to carry it over. Councilman Milling said ok. Councilman Gardner said, "With the carrying over like that, then we would be able to pay for projects we originally said we were going to do last year". Mr. Garland said, "That is correct". Mr. Garland said we also have a large paving project coming up on East Broad Street whenever that sewer project is done, so it may pay to bid that out along with some of our smaller streets and get a better deal because the paving project for East Broad Street could be north of $150,000 or more, or it could be as much as a quarter of a million dollars. Mr. Garland said he just don't know what the DOT specs will be for that street as to how much asphalt we have to put down and how much impaction has to be, so we might be able to get a better deal if we include East Broad Street with some of our City own streets, just a thought. Councilman Milling said it is a good thought. Mr. Garland gave the final totals for Public Buildings.

PLANNING AND BEAUTIFICATION BUDGET PRESENTATION

Mrs. Rock asked everyone to go to page 22 of the budget. Mrs. Rock discussed each line item in detail and explained the decreases and increases. Mayor Boyd said that he is not in agreement with the two part-time people because one has not showed up to his understanding and the other one stays up here

and there and he's kind of tired of buying cheeseburgers, crackers and stuff for all the people doing volunteer work on the side of the road. Mayor Boyd said that area needs to be addressed strongly. Councilman Gardner said he agrees completely with Mayor Boyd. Mrs. Rock said she would address that further when she gets further in the budget. Mrs. Rock explained why the increase in the postage. Mrs. Rock said, "I feel like with the one person coming in, we kind of changed up the duties to have them when they come in to check all the spots for big trash or big problems rather than just going through one day to do this spot, and the next day do this spot or today maybe the rose garden". Mrs. Rock explained the different things that goes under advertising. Mayor Boyd said he thinks the newspaper was sold, but if the newspaper had closed then how would you handle it. Mrs. Rock said if they had closed, we would have to go with the next paper of record which would have been the Hartsville Messenger. She said occasionally we would get to a point where we are not on schedule because the News & Press is once a week so sometimes, we have to run it in the Morning News depending on how things occurred and when we have to have it posted. Mrs. Rock said the Morning news is probably twice as expensive, so it would have hurt our budget considerably if the News & Press had closed. Mayor Boyd wanted to know have we looked at adding the insert for an advertisement. Mrs. Rock said, "We have not discussed that, we have to have a formal policy I think on that to decide how we would charge everyone because I'm certain that you can get into a lot of sticky situations with that, and of course our deadline is somewhat ridiculous because it's the 15th – 20th. They already have the file for the June insert because I already had to send it to them today. Mayor Boyd asked, "If you get six restaurants, you can put on one sheet of paper and we agree to do it for six months to be on an insert, can you find out what it would cost to add that insert in there"? Mrs. Rock wanted to know if he was saying to add a second page. Mayor Boyd said, "Yes to add another page". Mayor Boyd said he guess that page would be just for advertisement and then at that point, let's say it costs $500 a month to add it, then we know if the sheet cost us $500, then we have to sell it for more than $500 for the advertisement". It could be a six-month or twelve-month contract for people to be on there to bring revenue back into the department. Mrs. Rock said we could certainly look at that. Mayor Boyd asked Councilman Nettles were they doing that on other locations with Genesis? Councilman Nettles said, "We sometimes do inserts with the water bills in other areas we service, and we work out a rate with them and they put it in there for us and we pay for the printing. Councilman Nettles said, "It is very doable, and it hits quite a few people. Anyone who gets a water bill basically gets one". Mayor Boyd said it could be individually or with a company, it's promoted out and however many we could get on that sheet. Councilman Nettles said he would be glad to help with his limited knowledge. Mrs. Rock said if we decide to go forward on that, she will need to bring a schedule of some kind of rules on how we would determine who can and can't be on the advertisement. Councilman Nettles said we first need to find out if it is doable and how feasible it is". Mrs. Rock said, "It's just a matter of how much it cost and if people are willing to pay that much". Mayor Boyd said to find out how much another sheet would cost. Mrs. Rock said we certainly can do that. Mayor Boyd asked if the line item 590-269 (Downtown Master Lease) is where the company we pay that doesn't pay us back. Mrs. Rock said that is correct. Mayor Boyd said we strongly need to address that because we have been paying somebody for years and they are not paying us. He said that whole situation needs to be addressed and he wants that to be publicly known. Mrs. Rock said she hate to put those bad scenarios out there, but she tries to think of what could happen. She said you're talking about they are going to raise the rent because you pretty much know it's a private entity trying to make money, so you may be talking about businesses shutting down and you may be talking about buildings being emptied; and when we get seventeen years down

the road and get handed back all those businesses and if they are empty for seventeen years they will not be in good shape. The Mayor said the situation as he see it at this moment, it's like the buildings that I have for my Gyms, If I owe Darlington County Bank for that money and I went seven or ten years and I only paid three out of the ten years and just collected the money and didn't have to pay anything at the end of the term and I just send them the bill back thirty years later and I kept all the money, I would have done pretty good. He said somewhere down the line, I would think there should be some penalties for them for not paying that. Mrs. Rock said she totally agrees. Mrs. Rock said she doesn't know the details of that agreement to tell you what the penalties would be. Mayor Boyd wanted to know if she could find out if we are paying their water bill and paying their rent. Mayor Boyd said he thinks there is a big red flag there that needs to be strongly addressed. Councilman Milling said, "It seems like one of those things that Kelvin Etheridge can take a look at-the Master Lease and look at finding ways we can benefit ourselves somewhat". Mr. Etheridge said that he and Mr. Garland briefly talked about it this morning. He said they knew they didn't have time to address it before tonight's meeting, but they will take a look at it. The Mayor thanked the City Attorney. Councilman Milling asked Mrs. Rock about line item 590-271. He asked, "When do you need us to respond and send you a picture"? Mrs. Rock said, "Probably in the next week or two". Mayor Boyd asked about line item 590-273.3 for the $7,000; is it possible that line item 590-221 where you got $125 and line item 590-226 where you got $2,500 that was not spent last year, can we move any of that to allow the Beautification Board to have more funds to work with because they do a wonderful job. Mrs. Rock said that's a question for Mr. Garland. Mr. Garland said certainly. Mayor Boyd asked, "Is that something that has to be voted on"? Mr. Garland said, "It doesn't have to be voted on, we can move that money". Councilwoman Reed wanted to know what the Mayor was proposing. Mayor Boyd explained the proposal. Mrs. Rock said that the Beautification Board will be happy to hear that. Mayor Boyd asked if there is word on the Library that you can share tonight? Mr. Garland said we are working with the County on a possible deal on that. Mr. Garland said he does not know if they are ready for anything formal yet but certainly, we can discuss it when we have a face to face executive session. Mrs. Rock said she has shown that building to every investor that comes to town and anybody who is even slightly interested. Mrs. Rock said she tries to show the building because we owned that building and we will own it for several years to come. She said we cannot sell it for fifty years unless we were able to repay hundreds of thousands of dollars to the Federal and State Government. She said we can lease it to somebody, but we can't sell it at this point. Mrs. Rock said the improvements that we have put in the building has saved the building from further deterioration. We took out the asbestos, put a new roof on, and a French drain so there is no water coming in. Mrs. Rock said we have done those things to preserve it in a state so once we get some kind of investment we can move that into a usable facility; and of course if the County does not work out for whatever reason with the Carnegie Library, we do have an interested party in the upstate pre Covid-19 that was one of the things that they were very interested in and I would hope that you know that would be one we could revisit at some point. Mrs. Rock asked if there were any questions.

POLICE DEPARTMENT BUDGET PRESENTATION

Chief Washington discussed his budget line items in detail and explained the decreases and increases. Mayor Boyd said its kind of like the Water Department, we will ask for a breakdown. Mayor Boyd asked, "Do you think that the extra money that you are paying by bringing other ones in could we possibly (me and you have talked about this) try to get it to where officers are making more money; to where we could keep the officers stable here; and along with better insurance for them"? Mayor Boyd asked, "Do you think there is a strong possibility that if they could work it out to where if we were able to look at raising their fees, to keep them here"? Chief Washington said, "In all honesty, that's a possibility, I would hate to tell you that yes, raising the salaries would be able to keep officers here in our agency". He said, "There are agencies that offer their personnel much more money than we make here, and they are having the same problem". Chief Washington said he would hate to say that, but he believes that would definitely help. Councilman Nettles asked, "Line item 600-220, how did it go from $4,000 projected to no use; to $4,000 projected again"? Chief Washington said he had no earthly idea, he thinks what Mr. Garland does is that he splits those bills among all the departments is what he is assuming, so he has no idea what his portion is. Councilman Nettles asked Mr. Garland if that's what he's been doing, separating it out"? Mr. Garland said, "That may have been the case. I believe it has been rolled together in another line item. Mr. Nettles asked are we duplicating numbers or we not accounting for numbers. Mr. Garland said we could roll that into line item 600-226 if you wanted to, he said he thinks it's just a manner of accounting it for neither 570 or 580. Mr. Nettles said he wanted to make sure we were not counting it twice or not accounting for it at all. Mayor Boyd asked about line item 600-250 (Physicals) whether it was done locally in the City. Chief Washington said, "Yes sir, that is one of the reasons it was done late because there was some discussion at one point". He said we were considering using another vendor but decided to remain with the local vendor". Mr. Garland asked, "When would the new vehicles be delivered and has USDA given us any guidance on that"? Chief Washington said USDA is actually ready to go to be totally honest with you Mr. Garland, I am the hold up and I am supposed to call the gentleman back next week with Dodge. He said we are waiting to see if there will be a few chargers for us to get otherwise we will have to go with SUV's and the SUV's are about $3000 - $4,000 more per vehicle. But that may be the only vehicle we will be able to get, so I'm holding out to see if we can pick up a couple of Chargers, since our order is so small compared to a lot of the other larger agencies. Chief Washington said the gentleman advised him that quite a few agencies because of everything that went on with Covid-19 cancelled their Charger orders and went on ahead and upgraded and got the SUV's. He seems to think there may be a few Chargers left over that we may be able to pick up three of them, which would be great for us. Councilman Milling said, "Seems like a year or so ago you were having problems with the Chargers not holding up, as well as some of the other vehicles, if that's still the case, would it be good to go back with Chargers or do we need to go with the SUV's"? Chief Washington said, Mr. Milling you are correct. There are two versions of the Chargers; the ones that were purchased before was V6's, the ones we are considering purchasing are V-8's. The air intake on the V-6 models was very low to the ground; I think it was maybe 6-8 inches off the ground and we get a lot of flooding here. In the V-8's the air intake is quite a bit higher, so we won't have that problem". Chief Washington said, "The suspensions on the V-6's was also for whatever reason are not that well-built either". He said quite a few people had problems with the V6's, there are not really as many complaints with the V-8's. Mayor Boyd asked, "Do we own all the vehicles now or are we leasing any of them"? Chief Washington said, "We do have five leased vehicles from Enterprise, and we are trying to pay them off as quickly as we can". Chief Washington said he stand corrected, please accept my apology. Mayor Boyd asked which was better to go ahead and purchase the vehicles or lease them?

Chief Washington said, “Initially he and Mr. Garland thought that it was better to lease, but he thinks now it is better to purchase”. Chief Washington said when they really looked into this lease, where they get you at is year four or five, because the lease payments keep going up. The other thing is, if you damage one of those vehicles the resale price goes down and all of that is figured into the prices that they give you. He said he thinks over the years quite a few agencies are going to regret the Lease Project, so we did one year, and we decided that we were not going to continue with it, but we kept the vehicles and we are just paying for them. Mr. Garland said that Chief Washington is being nice. Mr. Garland said we had some problems with that company. We would pay our monthly lease payment on those vehicles then they would call and ask why we had not paid the bill. They did that for five months straight even though we showed them proof of cancelled checks. It seemed like the right hand did not know what the left hand was doing, so we got tired of dealing with their bill collection folks when we did not owe them anything and that is also one of the reasons, we cut the relationship with this company. Chief Washington said, “As eloquently as Mr. Garland put it, yes I am being nice”. Mayor Boyd said he wanted to make a note that he is working on finding more money for the officers. Chief Washington said he and the Mayor will be working on finding money for Police and Fire. Mayor Boyd asked was that budget for both police and fire? Chief Washington said that he only does the Police budget, Chief Cavanaugh will do the Fire budget. Mayor Boyd asked, “As far as Public Safety Director where does that fall”? Chief Washington said, “That puts me in charge of both Police and Fire Departments”. Mayor Boyd said, “Because we had a discussion before about the buildings being inspected. So, I’m trying to find out who I should questioned about that”? Chief Washington said as far as the buildings being inspected, the Fire inspections are done by the Fire Department. Any of the building inspections would be done by the Codes Enforcement office. Chief Washington said that does not fall under me, but the fire inspections they do fall under me. Chief Washington said he has met with Chief Cavanaugh and discussed the fire inspections and as soon as things clear up a little bit more with Covid-19 they are going to be a lot more regularly accessible than before as it relates to the fire inspections. Mayor Boyd said he spoke with both Chief Washington and Howard and this goes back years and years that our City has not inspected buildings for Fire codes. Mayor Boyd said, “As a personal business owner with locations in different places, ours have never been inspected where they have been in Florence, Hartsville and Bennettsville areas are inspected on a yearly basis”. Mayor Boyd said, “As I stated before about tearing the warehouse building down on Broad Street that should have never been left that way. That was before you even got here Chief. It should have been tackled and it wasn’t, so how many more buildings do we have like that is what I asked? Chief Washington said he and Chief Cavanaugh spoke last month and he will be able to elaborate on it a little more in his presentation, where we are considering some sort of schedule or some sort of plan where there are so many buildings/fire inspections done per week or within a time period and everyone will be checked at least once a year. Mayor Boyd thanked Chief Washington for doing the inspections and for police coming by inspecting the buildings because that’s a lot of extra work.

Fire Department Budget

Chief Cavanaugh discussed his budget lines items in detail and explained the increases and decreases. Councilman Nettles said Chief Cavanaugh did not have to breakdown budget item number 610-217, he said he does not think anyone would question Operating Expense like that if it is something that’s going to maintain the safety of the vehicles for the folks that are working with you, it is what it is. Mr. Garland

said the FEMA Grants are a good deal for us as Chief Cavanaugh said. Mr. Garland said we have got a half dozen over the years and they are all 95% – 5% grants, so it's hard to beat that type of deal for the Fire Department. Councilwoman Baccus asked Chief Cavanaugh to explain line item 610-271. Chief Cavanaugh said that he uses Special Department Supplies if he has nowhere to put something. For instance, like four or five times a year he hosts a quarterly Fire Marshall Training for the State and what he does is bring Fire Marshalls from all over the State. That way, the few Fire Marshalls that we have here, I don't have to send them out and pay for hotel rooms and travel expenses. Chief Cavanaugh said they bring them in and feed them when we host the fire academy classes. He said if he doesn't have any other budget line item to put it in, that's what it's used for. Councilwoman Baccus thanked Chief Cavanaugh. Councilman Milling said, I know that we talked at another work session about problems you have at the building, getting in and out of the building. That's not here as a part of the budget but I'm assuming you are putting information together to help us when we have another work session on some of the long-range needs of the Fire Department"? Chief Cavanaugh said after the Council meeting, he talked with Chief Washington and Mr. Garland and they realize there is going to be an issue with the roads out and they are trying to figure out ways and money to try and get us out of here. He said, "It's not a matter of if, but when the next time the street collapses. He said they are working diligently trying to figure out ways to make this work. Mr. Garland said, "We are working on a donation of a piece of property in Darlington from a company that we would like to locate the fire station on". Mr. Garland said we have had several conversations with this company this calendar year and we would expect a gift hopefully no later than the end of the calendar year. It will then be a matter of coming up with the funding for a new building that would be sometime in 2021 or 2022. He said there is a Community Development Block Grant (CDBG) available for fire stations, so we will probably be pursuing that if we will be able to follow through with the gift of the property from a company in the City of Darlington. Councilman Milling thanked Mr. Garland. Mayor Boyd said he has a question for Mr. Etheridge. "Is there a way without using the "s" word sue-is there a legal matter that we can take against the State for knowingly leaving that road the way that it is"? Mayor Boyd said, "Not just for the Fire Department but for anybody that goes by there. Knowingly of preparing a road in a dangerous form and not properly fixing it"? Mayor Boyd said, "The road we were talking about doing (Broad Street) that seems like we are going to have to pack the dirt every 6 inches or 12 inches. The one on Broad Street I have on video of the guys down there, they placed the road sign and put a piece of material on top of a broken line knowing that it's not going to hold. There should be some legal ramifications for that". Mr. Etheridge said simply speaking, when someone does the job negligently and that leads to damages, then you can sue". Mr. Etheridge said, "As complicated as us lawyers like to make things, that's really all what a lawsuit is about. Someone does something negligent and causes damage; so, if they did not do their job in a way that they are supposed to and we can prove that it is negligent, then yes". He said I would assume there is something about suing municipalities, government and all that it's a totally different set of liability standards then it would be for suing an individual Mr. Etheridge said, "But simply speaking, yes if they did something negligent". Mayor Boyd said, "It should be a way we can hold them accountable to repair that road the way it should be repaired". Mr. Etheridge said they have certain standards that they have to adhere to and if they don't, then they are negligent. He said maybe something just as good as firing off a letter to them explaining our concerns. He said sometimes a letter from a law firm will get them off the snide so to speak, but I will assume there will be some recourse definitely. Mayor Boyd thanked Mr. Etheridge. Mayor Boyd asked about the fire inspections, was that something done on a normal bases over the pass years. Chief Cavanaugh said no sir it's been hard

getting man power to do this, we been meeting trying to figure a way to have it up. Chief Cavanaugh said he met with Chief Washington and Mr. Garland trying to figure out something to do the best way we can get it done. Councilman Gardner said he knows that they are some ordinance restrictions as far as what you are legally allowed to do. He said maybe we can research some of the other surrounding communities who have gotten a little more proactive on trying to keep their buildings up to standard or bringing them back up to standard; and if we need to adjust some of our ordinances, please let us know. Chief Cavanaugh said, "On that issue, when we go out and we find a violation or citation, all we do is write up a piece of paper". He said, "As far as legal ramifications, we do not have that. If we have an issue, we mainly contact the Police Department and then we will try to go ahead and write up on the ordinances and zones on what the violation is. We talked about giving the Fire Marshall the authority to write a court summons, but we would have to research that. Mayor Boyd said at this moment if you walked into a building and the exit signs aren't working and the doors blocked, and the fire extinguishers are out dated or they have no fire extinguishers we would just write a warning and that's all you are able to do at this moment. Chief Cavanaugh said we have a couple of options we can write them the warning and give the thirty days. most of the time we if walk in and find a violation the way we explain it to the owner to try to educate them and normally they comply with us; and if they don't, we usually call the Police Department to see if they can help us out because we are going to shut the place down but ninety nine times out of a hundred we don't have that issue once we confront the people and try to educate them. Chief Washington wanted to remind Mayor Boyd and members of Council that he and Chief Cavanaugh have had exhausted conversations about fire inspections and I think you all will see in the future that we will be doing more fire inspections than what we have done in the past. Mayor Boyd thanked Chief Washington.

Upon motion of Councilman Milling, seconded by Councilman Nettles, the meeting adjourned at 8:00 PM.

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Mayor

ATTEST:

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Clerk & Treasurer