CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT 400 PEARL STREET, DARLINGTON, SC TUESDAY FEBRUARY 7, 2023 - AT 6:00 PM

Present: Mayor Curtis Boyd, City Manager John Payne, Councilpersons John Segars, John Milling, Bryant Gardner, and Howard Nettles. Councilwoman Elaine Reed & Councilwoman Baccus arrived at 6:05 PM. Also present was Codes Enforcement Officer Ms. Sheila Jones, St. & Sanitation Superintendent Alex Gainey, Fire Chief Pat Cavanaugh, Police Chief Jimmy Davis, Ms. Jannie Lathan, City Planner Ms. Merry Morgan Smith, W&S Superintendent Mr. Charles Shugart, Recreation Director Mr. Lee Andrews, Mrs. Rosena James, Gloria Hines, Ms. Rosa Hudson, Mr. Linwood Epps, Mr. Vondell Brockington, and other visitors.

INVOCATION & PLEDGE OF ALLEGIANCE

Prayer by Mayor Boyd followed by the Pledge of Allegiance

APPROVAL OF MINUTES FROM REGULAR MEETING ON JANUARY 10, 2023

Councilman John Milling made a motion to approve the minutes of January 10, 2023, Council Meeting. Councilman Howard Nettles seconded the motion. Councilpersons Gardner, Segars and Mayor Boyd voted in favor of the motion.

APPROVAL OF MEETING AGENDA FOR FEBRUARY 7, 2023

Councilman Howard Nettles made a motion to approve the meeting agenda for tonight's meeting February 7, 2023. Councilman Bryant Gardner seconded the motion. Councilpersons Milling, Segars and Mayor Boyd voted in favor of the motion.

DEPARTMENT HEAD REPORTS

Street & Sanitation Supt. - Alex Gainey – St. & Sanitation Department said they have finally caught up with the yard debris routes. One of the drivers that have been on the routes have been running the sweeper truck so they may have seen the sweeper truck on Main Street, Pearl Street and those areas. Alex said, "I have been trying to get to some of the areas that have curbs and gutters swept as well. The grounds guys have been on Pearl Street, Broad Street and Main Street doing edging between the sidewalk and the edge of the road. Some of my grounds guys have been coordinating with…Mayor Boyd had some of the prison farm guys trying to level some of the ground between the sidewalk and road on Pearl Street and Main Street and they have been trying to coordinate with them to get that dirt hauled out".

Councilwoman Baccus & Councilwoman Reed arrived at the meeting.

Building & Codes Enforcement – Ms. Sheila – Ms. Sheila Jones said they have two more houses that they are getting ready to take down on Pine Street and S. Spain Street. She said they took a house down on 144 Bacote Street which has been a carryover for the last couple of years. Ms. Jones said, "I started a new project in the department because we found that there were a couple of locations where violation notices went out and they didn't actually own the property so I had to check deeds that were online with the county and a couple of times their site has been down so I couldn't access the deeds right away. She said she is going through the entire city and pdf filing and putting in digital files so that we can reference when we need to make sure properties are addressed properly and are on the GIS maps the way they are supposed to be. Councilman Milling asked, "Is there an exchange of information between your department and the water department? He said when people have sold property they are going to come in and get their name…get the accounts changed over from the prior owner to the new owner, is there any way to get you tied in to…when that happens so that you'll more immediately have the information about the change in ownership? Ms. Jones said, "There's not anything in our current software system that would allow us to do that, however in looking at the county's information I did find that we can print sales reports so ongoing once we have this it's going to be the responsibility of my department to print the sales reports and figure out which properties are our properties and get the most current deeds so we'll know when new ownership takes place. Councilwoman Reed said, "I know this might not be in your report because I think that was the situation on Tallulah Street and all I've known it was the …. house on Broad and Tallulah. Ms. Jones asked, "145. So, if I'm coming from your house….Is it the one that was burnt"? Councilwoman Reed said, "No, it's just been empty. It was on my side of the street right at the end of that….It was on the list to be torn down and then when it came time, we couldn't because of something about the ownership, right? Do you remember that"? Ms. Jones said, "I do remember that. The reason why we didn't tear that house down is because there is a lot more involved with that one. There was an occasion when the police department entered that property and when they did that, we saw the inside of the house and it seemed as though from what we saw, someone literally walked out, locked the doors, and never came back. She said it is pristine…china is on the table, there's a pledge bottle sitting on the piano. So, in order for us to….it is our practice and our policy and it's the law that when we go in we see what's in there. And the houses that we tear down is a travesty but this one's not. In order for us to tear this house down we would have to get a third-party to come in and remove all of those things from it, sell all of that; once that's all sold then we could go and tear the house down and whatever money that have been allocated from that would have to go toward the demolition of that property. She said because the is in the shape that its in, we have deferred that property. Councilwoman Reed said, "Folk are beginning to throw more trash back over there again. For it to even get on the condemned list, it came because of the complaints. Ms. Jones said it came because of the complaints and the from the condition of the exterior of the home. Ms. Jones said we're working actively to bring resolutions to that house without having to go through a third-party and sell everything in there and ……(inaudible) Councilwoman Reed said, "A lady called….I think it's the property on Guest Street…I think there's been a complaint about cleaning it up. She received a letter that it needed to be. I said please response and let her know that you're trying to do something about it. Councilwoman Reed said, 'She said she already contacted you all and had already kind of cleaned it up and she wanted to know what

the standards are because I had already cleaned it up". Do you remember? Do you know where I'm talking about"? Ms. Jones said, "I do know where you are talking about and the lady that you're speaking of had a third party landscaper come and clean her property up and he called me and asked me if I would go out there make sure what he is doing is proper and I told him that it was but that he would have to take all of his stuff with him. Councilwoman Reed said, "Ok. So that was the reason for the letter"? Ms. Jones said, "No, it had not been cleaned up prior to the letter. I have pictures. I take pictures of every property that I send a letter to. Councilwoman Reed said, "Oh, they left that part out".

Planning & Development – Ms. Merry Morgan Smith said, "I'm sorry to have to say we were not awarded The SC Great Communities Competition Grant but there's a bright side. We were invited by Commerce to reapply this year. Our project is so recent that it will meet the cutoff for this coming year. The funds are being appropriated for that now so the reward might be even greater Ms. Smith said, "for all of you that wrote letters, I will be reaching back out to you to put a "23" date on your letters so that we can stockpile those for the next time around. The towns that were awarded were Abbeville, Lane and Wahalla. She said she got an update from Hanna Engineering and Pee Dee COG today about the CDBG Grant so it says that four out of the five main project areas that they're working on, they have survey data now and they have preliminary plans for those that are at 60% complete. They are still working on the walking trail area of the project to be surveyed and that Nesbitt Surveying is trying to catch up and they hope that they will have the last survey done by the end of the month. She said as soon as all that's wrapped up they can work to get complete preliminary plans. Ms. Smith said, "I have one more release to go get signed from a final property owner and Dewey Tadlock called me this afternoon and said the weather turned around so he was going to start earlier than he said he told me he would and work in a few days to try and get some paint on those buildings as quickly as he could in between the rain". Ms. Smith said she is going to work with him tomorrow and get a plan together for that.

Fire Chief Pat Cavanaugh – Fire Department said, "I received notification that we received a grant from the State Fire Association for over $13,000. It can be used for radio equipment for the volunteers. Chief Cavanaugh said he has applied for a $50,000 grant from Motorola Corp. for training. He said his main goal with this is he's going to purchase some much needed equipment for training for the firefighters but we have in mind to start a Community Emergency Response Team or CERT as it's called. Chief Cavanaugh said if this grant is awarded we will be able to ask certain members of the community if they want to come out during a disaster. He said if you think about fires, you've got people coming out of the woodwork bringing them water, towels, food, everything we need. This will allow us to organize a group of volunteers in the area and we'll provide them with training, some equipment, a nice hat, a nice vest so if something big happens, we'll have the community to come in and help. They applied for their yearly FEMA Grant. They are trying to replace some radio equipment that they need. It will be around $100,000. The guys have been continuing to work on their training center to get it ready to start training guys as they need to. Councilman Milling asked, "On your $100,000 hopeful grant, when are we likely to hear something"? Chief Cavanaugh said, "If we apply now, they will announce in August or September". Councilman Gardner said, "When I was a child the fire

department or your liaisons had a vehicle that you all pulled around that did like a similiarize …smoke. Chief Cavanaugh said, “The County had one and Hartsville had one. Councilman Gardner asked, “Nobody has them anymore”? Chief Cavanaugh said, “No, but you can apply for them; they are hard to get but everybody’s getting rid of them. We thought about making one because we brought it to the station, and we had a lot of fun with the kids. That’s something we can work on. He said the U.S. Fire Administration and Spark Foundation and burn children sponsor those. He said they can look into that because that would be a great thing to take around.

Police Chief Jimmy Davis – Police Department said since our last meeting the police department has attended a couple of community meetings and couple of functions with the two elementary schools. They made a couple of arrests most notable from the incident that occurred at the high school. Chief Davis said we as a team did that rather quickly. He said in the near future they will have what they call “A Chat with The Chief” which is an invitation to the community to come out and meet him and other members of the police department. Chief Davis said they have applied for a couple of grants that may be coming in but he’s waiting on the word from them. Chief Davis said that’s all that’s going on with the Police Department.

Lee Andrews - Recreation Department

Lee said they are ending the basketball season. It has been a good season. They are getting ready to end baseball registration everybody has until Friday to get registered. He said the big thing this month is the daddy daughter dance which will happen Thursday night. Councilman Gardner asked, how young? Lee said there is no age limit on it. Lee said he wanted to take time tonight to tell city Council how appreciative he is as the county recreation Director and for the relationship we have between the City of Darlington and Darlington County Recreation. Councilwoman Reed said, I come to a lot of the games you all have out there, and I am very pleased at the participation and how the recreation department handles that. A lot of the parents know I’m on council and they come with a different request, and I do want to convey that to you to see what can be done about some of the things that they are asking. Lee said, “if you stop by the department you will see we’ve made a concerted effort on making it look a little better. we’ve started trimming out and painting doors and it’s made a world of difference. We are actively pursuing bids on painting the entire gym and that’s going to be asked later on after I get all that in place for you”.

Water & Sewer Department - Charles Shugart said on February 3rd we received permission from the Rural Infrastructure Authority to solicit bids for the Allen Street force main Old Florence gravity sewer project. He said we will open bids here at City Hall on March 8, 2023, at 2:00 PM for that project. We applied for this back in September 2021, and we had an estimate then of $500,000 to complete the project. We estimate now that it’s going to be more; With $750,000 we only have $500,000 in grant money so we’re $250,000 short on that project. Maybe because that’s an estimate. We don’t know yet until we get the bids in. Mr. Shugart said, I’ve got some bad news. Over on D Avenue at First Street there’s a sinkhole that opened up over the weekend and we opened that today and found that it’s Orangeburg pipe. Orangeburg pipe was made at the middle or end of World War II. He said it’s sawdust and coal oil and it’s illegal to make it and use it today. Mr. Shugart said the pipe there had disintegrated as most Orangeburg pipe has. He said this is the first he has seen in Darlington used as a mainline. He said they have run into some used for service lines. He said they opened up the ditch 25 to 30 feet and all of the whole top of the pipe is disintegrated and it has caved in so we are going to need to replace that where

it actually ends. I don't know. But quickly today….because it's a main thoroughfare…..it's where all the big trucks drive to Dixie Cup. Mr. Shugart said, I've got Sam Evans over there and I've got our contractor that's completing the other project we've got going on right now which is the Allen Street Pump Station/Farm Street and S. Main Street Sewer upgrades. Mr. Shugart said pipe bursting, they can complete that, but that is somewhat of a roll of the dice, and he is given me a price for that with the current hole that's there. That price is about $74,000 to pull a new line all the way through the whole street. Sam Evans, with us purchasing the materials, material cost and patching is at $57,000. If we decide to pave the whole road, it's $67,000 and it's probably what we're going to have to do. He said it's a DOT road and there's a lot of traffic on it so I'm asking you all tonight to go ahead and do that and he can start in the morning if you want to do that. Councilwoman Reed asked, Is that the same hole that we….last year. Is that the same hole"? Mr. Shugart said, "No, it's a new hole. I haven't seen this hole. He said it's right at First Street where First Street crosses D Avenue. Councilwoman Reed said, when I'm coming down D Avenue….Mr. Shugart said, "there was one over on B Avenue. Last year there was a storm drain coming off that building that opened up a huge sinkhole. Councilwoman Reed said, D Avenue when we come down past First, Second and there was Third. Not Third Street. Mr. Shugart said I know the one you're talking about. It's at C Avenue and Third Street; or E and Third Street. He said we had one there that we patch through. We had one on one side of the manhole, and we fixed it. and in the last council meeting Ms. Baccus asked me about it and I said it would be done in two weeks and in two weeks we patched the other side of that one which is on Third Street and B Avenue. Councilwoman Reed said, here's my whole thing because it's still D Avenue and you're on First Street now and you're saying that it's like a big intersection and this, that and the other, that whenever you went down you're just discovering a certain type of pipe and I'm saying from the last time on D Avenue…..Mr. Shugart said, I don't remember doing anything else on D Avenue. Mr. Shugart said this particular sewer line ends at First Street and it runs a short distance down First street and it flows back to South main. The rest of D Avenue flows back to Third Street and goes over to Old Florence Highway and it's a completely different construction than this particular pipe. Mr. Shugart reiterated the same thing to Councilwoman Reed….(Both Councilwoman Reed and Mayor Boyd speaking at the same time) Mayor Boyd asked does the rest of D Avenue have the same type of pipe? Mr. Shugart said, I haven't seen it there. I can't guarantee that all of it is not the same without digging it up and looking at it. Mayor Boyd said, that would be my question. If you're line bursting it…he's going to line burst this part… Mr. Shugart said, "No we're not. Line bursting is a good bit more expensive and it's somewhat of a roll of the dice in this. Mayor Boyd said, so he's not going to line burst, he's going to have to replace the pipe. Mr. Shugart said, we're going to dig it up and we're going to put in pvc pipe and that's the least expensive way. Councilwoman Reed said, "So when you were putting in this pipe, were you putting in the pipe from D Avenue to Main Street"? Mr. Shugart said, "Yes". Mayor Boyd said, "My question is now I walked down there and looked at the hole and from the Terrace Carraway Memorial Park from Main Street to First Street is what you're going to tear up. Now past that, would we not think that that's the same type of pipe? Mr. Shugart said, "Like I said, it's two different constructions. That particular pipe we're going to replace runs out to Main Street. I haven't seen "Orangeburg pipe" the other way, but we'll open the manholes and look to make sure". Mayor Boyd said, "While he's there……this isn't broke but if this is broken and all those trucks are coming down there I would say it would be better to at least look to see if we can repair that in a better way without having to tear the road up. If it's possible to do line bursting on it if that same pipe is there. Mr. Shugart said, I would like to do the pipe bursting but it's going to be a gamble. It's a gamble in that we don't know how far down the street it's bad and how far we are actually going to have to dig it up. Mayor Boyd said that hole is right in the middle of the intersection and down toward Third Street and if you go down there and it's not decayed yet, as far as we know, my question is if we camera that and it's not decayed and it is the same pipe it would make more logical sense to go

ahead and see if we can fix that because it's probably going to break. Mr. Shugart said, they don't connect and that's what the gamble is because the dirt's falling in there, they can't pull any pipe through, so we'll have to dig it up anyway. So, if you dug it up anyway you might as well replace it with pvc rather than pull a piece of the pipe through. Councilwoman Reed said, last week with all of the thing with Reed Street but I'm seeing you have a big hole on Main Street in front of the Patterson house. Mr. Shugart said we've opened up another one on E Avenue beside the liquor store. Councilwoman Reed said, "So, all this system because it's like two blocks, there's nothing connected….Mr. Shugart said, both of those…the one at Reid at 701 S. Main and the one on E Avenue beside the liquor store are in the scope of work for the Allen Street pump station/Farm Street/S. Main Street sewer upgrade project that we've already got approved. He said they are going to be repaired in that project. Mayor Boyd asked, so what you need right now is how much? Councilwoman Baccus asked, "What is the status of that lift station on Joe Louis that we spent millions of dollars to fix and all of a sudden there's a temporary pump in there"? Mr. Shugart said, "We have contacted the manufacturer; they have gotten the pumps and the contractor is insuring…the contractor has not been paid his final bill on this so it's still under warranty". Mr. Shugart said he is dealing with the manufacturer as well, but the pumps have been sent off. We have been assured we will get one pump back this week, but I'm not sure exactly when the next ones are supposed to come back but they are supposed to come back pretty soon. Councilwoman Baccus said, "So you're saying…were the pumps that they put in originally supposed to have been new pumps"? Mr. Shugart said, "They are brand new pumps, yes ma'am". Councilwoman Baccus said, "So they went bad in two months"? Mr. Shugart said they had a manufacturing flaw. Councilwoman Baccus said, "So, they are going to try to repair it instead of replacing it"? Mr. Shugart said, "They are going to repair one of them where there was a nut that came off and allowed the impeller to fall off". Mayor Boyd asked Mr. Shugart how much money he needs. Mr. Shugart asked, "For the D Street project"? Mayor Boyd said, "Yes sir". Mr. Shugart said, "If we repave the whole Street, I need $67,000". Councilwoman Baccus said, "Wouldn't it be more logical….I'm just asking a question. If we brought a brand-new lift station why aren't we getting a brand-new pump instead of a repaired pump? Mr. Shugart said, we are getting a brand-new pump. Councilwoman Baccus said, you just said they are going to repair it. Mr. Shugart said, they are going to repair the new pump Councilwoman Baccus said, "Well then it's not new it's repaired. Mr. Shugart said it will still be under warranty just like a new pump. Mr. Shugart said, like you buy a new car, and the wheel falls off. They give you back the new car and put the wheel back on. Councilwoman Baccus asked how long this is going to take to repair that. Mr. Shugart said, "He has assured us we'll get one back this week……(several people talking at the same time) Councilman Gardner said, so the total you're asking for tonight is $67,000? Mr. Shugart said, "At maximum. If we have to pave the whole street, it's $67,000". Councilman Milling said, "You are talking about paving D Street after you put in the new sewer line"? Shugart said, "Yes sir". Councilman Milling said, "And then you're going to explore and hope that the "Orangeburg pipe" was not from Third Street going back towards Dixie Cup". Mr. Shugart said, "We'll take a look at that and if it is, that will be another project we will discuss in the future". Councilman Milling said, "I understand that, but the street connects so I'm trying to decide at this point and time does it make sense to pave the whole street in the event we may have to turn around and dig it up if that's "Orangeburg pipe" that you find". Mr. Shugart said, in the respect of being a larger project, the asphalt would cost us less if we pave the whole street rather than paving part of it, is that where….Councilman Milling said, "No, really my question is, if we pave the whole street and you have to then turn around and dig up from…you would be digging up the paving we just put down". Mr. Shugart said, "Well, being that that sewer flows, I would want to pipe burst because it flows good". Councilwoman Reed said, "When you said the entire road, you did mean from Main Street all the way to Third…all across that. You were just talking about a block weren't you"? Mayor Boyd said, "No, Main Street to First". Councilman Gardner said, "We're probably going to need to amend the agenda".

Councilman Gardner made a motion to amend the agenda and add D Street and First Street emergency sewer repair and add as Item 6. Councilman Nettles seconded the motion. Councilwoman Reed said, “This was your report. My thing is, if it’s that important how come we didn’t….you didn’t try to get this on the agenda”? Mr. Shugart said, “It only happened since lunch time”. **Councilpersons Baccus, Reed, Milling, Segars and Mayor Boyd voted in favor of amending the agenda. Councilman Gardner made a motion to approve up to $67,000 for item 6 D Street & First Street emergency sewer repair. Councilman Nettles seconded the motion. Councilpersons Milling, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.** Councilwoman Baccus said, “I want to understand Reid Street because I’m getting calls about that pump that don’t seem to work very well on the corner of Reid and Main Street. Citizens are calling me about sewage and their bathrooms bubbling up and all these things going on between Reid and Allen Street and Main Street and….so what is the issue with that other than a blockage”? Mr. Shugart said, “That is a project that you all approved, and we got pushed through last year for the Allen Street pump station / Farm Street and South Main Street sewer upgrades and the contractor is working in that area to replace the sewer lines and we’re going to rebuild the Allen Street pump station in that project”. Councilman Nettles asked, “So what is your completion date for those two pieces of the puzzle”? Mr. Shugart said they have about seven months left. Councilwoman Baccus said, “That still didn’t answer the question”. Councilman Nettles asked, “Is that correct what she’s asking you about or is that something…..Mr. Shugart said, “That whole project is going to correct all of that. They will be through with Reid Street in the next week or so. That’s just part of it. They’ve got to go down E Avenue and they’ve got to go”…..Councilwoman Baccus said, “They are running down S. Main St. replacing pipes I understand this. My question again: what is causing the sewage backing up on Allen Street, Reid Street, S. Main Street”? I understand they are working putting down lines, but those lines should not be creating a problem for these citizens having sewage backing up in their houses”. Mr. Shugart asked, “They should not be creating a problem”? Councilwoman Baccus said, “I’m asking you a question”. Mr. Shugart said, “They will correct the problems. That’s what they’re doing”. Councilwoman Baccus said, “I didn’t say anything about correcting the problems. That’s not the question”. Mr. Payne said, “Charles wasn’t there a collapse”. Councilwoman Baccus said, that’s not the question. Are you paying attention”? Mr. Shugart said, “You said they’re not correcting the problem three times”. Councilwoman Baccus said, “I did not say that”. Mr. Shugart said, “That’s exactly what you said”. Councilwoman Baccus said, “I asked you a simple question; it’s not rocket science”. Councilman Nettles said, “Yes she said what is the cause for that”. Mr. Shugart said, “The whole sewer collection system in Darlington is aged and most of it is rotten to the point where it’s deteriorating and we’re working to replace as much of that as possible and that area is to be replaced with this project, most of that area. Most of these folks' problems will be solved with the completion of this project, so what's causing that is the sewer lines are corroded and deteriorating”. Councilwoman Baccus said, “And you say we’ve got a blockage, or something is causing…because they can’t flush the toilet or anything”. Mr. Shugart said, “Every time they fix a blockage another part deteriorates and corrodes and caves or something happens to it because of the age of it. Mr. Shugart said that’s why we started these projects”. Councilwoman Baccus said, “I’m saying that because Ms……..on the corner of Main and Farm Street right beside the barbershop across from the store….Allen Street is on this end of Main, this is on this end of Main; this lady is having the same problem, sewage is backing up in her house. This has been going on for two months so is it a problem that’s on Main Street itself that’s creating everybody’s problem or”? Mr. Shugart said, “Yes ma’am”. Councilwoman Baccus said, when she had the problem at her house, y’all came out and dug all of it up, supposedly saying there’s a blockage somewhere down Main Street, but we can’t fix it right now. Now, that’s what she was told. They came out and put in a few pipes, cleaned it out with the vac truck but this lady is still having this same problem”. Mr. Shugart said, “the project’s not finished and we have a second project on Main Street also.

Councilman Baccus said, “No, no, this project has nothing to do with her house. Her house is on this end of Main. You’re not coming down that far to her house. Her house is in front of Farm Street. Mr. Shugart said, “We’re starting at Bacote and Kirven Street. Farm Street is in this project also, yes ma’am”. Councilwoman Baccus said, “I know that. I’m asking you does it come all the way out to Farm cross to the other side of the street. Mr. Shugart said, “Yes ma’am”. Councilwoman Baccus said, Farm is on this side. She’s on this side”. Mr. Shugart said, “I don’t know. I know it goes to Farm Street and it solves part of Farm Street. Councilwoman Baccus said, “It’s your job to know. You’re running this project and you can’t tell me where it goes”? Mr. Shugart said, “Well I don’t know…..what’s her address”? if you had an address for me I could probably tell you. Without an address I can’t tell you”. This project is solving the sewer problems on S. Main Street and Farm Street. Councilwoman Baccus said, “So you don’t know whether it will contain the right side or the left side of Farm Street. Mr. Shugart said, “I don’t know where her sewer tap is. If it comes out on the Farm Street side or if it come out on the S. Main Street side. He asked, “Do you know”? Councilwoman Baccus said, “I don’t know Farm Street. I don’t know Main Street. I’m just asking you the question because she’s having such a big problem. Mr. Shugart said, “I don’t know either. Do you know the address? I can’t answer your question without having the specific location”. Mayor Boyd told Mr. Shugart to get the address and then we’ll look it up. Councilwoman Baccus said, “This is twice that this has come up. I asked this same question at the last council meeting. Mr. Shugart said, “If you get me an address, I can tell you. Mayor Boyd said, I know the other day I was out there with them with all the workers working that night and the lines in the road just past Wanda Wingate’s yard and all through there were not collapsed then all of a sudden collapsed and collapsed even larger. The guys were out there working tremendously hard to get it done in the middle of the night and dug it out, hooked up the system to by-pass it so therefore it wouldn’t block up and as it by-passed you could see all of the stuff starting to come out so therefore everything was starting to flow otherwise it would continue to backup even further. He said as some of those workers out there said, this should have been done fifteen plus years ago. These pipes are old and everywhere you look something’s collapsing and we’re fixing pipes that are sixty plus years old. Mayor Boyd said, “So I wanted to say thank you for the tremendous work from all of the water department and all of our city employees for doing a great job”.

CITIZENS WISHING TO APPEAR BEFORE COUNCIL (5 MINUTES PER PERSON, 30 TOTAL MINUTES MAXIMUM)

***Neither personal attacks nor disruptive behavior are permitted**

No one sign up to speak.

OLD BUSINESS

a)2nd Reading Ordinance 2022-14, Change Residential Uses in GC to include Multifamily and Apartments – Sheila Jones, Codes Enforcement

Ms. Jones said this is the 2nd Reading of Ordinance 2022-14 to make apartments allowed in general commercial. You asked at the 1st Reading that we add the same language as we did with the signs, and we did that in Section 4-20. **Councilman John Milling made a motion to approve the 2nd Reading for Ordinance 2022-14, Change Residential Uses in General Commercial to include Multifamily and Apartments. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Gardner, Segars and Mayor Boyd voted to approve 2nd Reading on Ordinance 2022-14.**

b)2nd Reading Ordinance 2023-01, Change Minimum Lot widths in R6, Sheila Jones, Codes Enforcement – Ms. Sheila Jones said this was to change the minimum lot width in R6 from sixty feet (60') to fifty feet (50') to accommodate previously surveyed and recorded lots in the city that are currently 50 feet wide (50'). It will completely exclude any future division of property; those will have to be divided at sixty feet (60'). **Councilwoman Elaine Reed made a motion to approve 2nd Reading on Ordinance 2023-01, Change Minimum Lot Widths in R6. Councilman Bryant Gardner seconded the motion. Councilpersons Nettles, Milling, Baccus, Segars and Mayor Boyd voted to approve 2nd Reading on 2023-01.**

NEW BUSINESS

a)Presentation of City Audit for FY 2021-2022, Bill Hancock, CPA – Mr. Bill Hancock, CPA of the Brittingham Group in Columbia, SC said the city received a "clean opinion". On page 46 of the audit is a letter from the firm to the City describing their opinion on two things 1) internal control systems for financial reporting and 2) their opinion on whether or not they found any instances of noncompliance with externally imposed rules, regulations, grants, contracts, etc. While examining this they look for opportunities where our internal controls can be strengthened and then they have to come to the opinion of the changes we feel like could be made. We didn't find any instances where the benefits out weight the cost of changing. He said we have a pretty good system of approval before the transaction and review after. Page 47 is where they talk about compliance and other matters. Mr. Hancock said you folks have to be in compliance with a lot of stuff from day to day (payroll taxes, health insurance, retirement) He said you've got DHEC looking at your water and wastewater system. You've got your police department that has to abide by your state and federal law enforcement guidelines. He said you are under a lot of scrutiny from a lot of different eyes. Councilwoman Reed asked, "But you didn't look at…I mean you said you didn't….what did you do"? Mr. Hancock said, "For an example, You all issue lots and lots of business licenses, so we took the population of all the business licenses you issued and randomly selected twenty five and tested those. He said while we checked twenty five and we didn't any errors, then the standard say that we can assume the five hundred is ok too because we are using the same process. Councilwoman Reed said, "I just wanted to know what you did". Mr. Hancock said it's the same thing with the water and sewer department. Mr. Hancock said they didn't fund any errors in the testing that they did so there weren't any errors to extrapolate to make us believe there was a systemic problem. Mr. Hancock said on page 48, this year the City of Darlington had to have a single audit which means we spent more than $750,000 of federally source funds. If you break down all of the grant funds we got from the feds which is illustrated on page 44 by source and by use as well. The biggest source of federal money is passed through the Department of Administration and that's the Coronavirus relief funds that you got (ARP money) otherwise we would not have been over the 750,000 thresholds. Mr. Hancock said for a single audit there is additional testing to be done. He said whenever you spend more than $750,000 of federal money, the feds put another layer of compliance testing on top of what we normally do. Mr. Hancock said they did their testing on these and they looked at a sample and didn't find any problems. He said they explicitly say that on page 51 which is a required statement called "The Schedule of Findings and Question Cost". He said the name sounds like something bad, but we don't have either in this particular schedule. We are described as a high-risk auditee because we didn't have a single audit last

year. Mr. Bill said there were no financial statement findings, there were no federal awards findings and question costs, no status of prior year findings to be recorded. On page 10 shows the revenues by source and the expenditures by department. He said at the end of the day we brought in about $500,000 more revenue than predicted. Mr. Hancock said we didn't have a whole lot of visibility on the kind of revenue we would get because of coronavirus. He said we spent $330,000 more than we had budgeted to spend because we took in $500,000 more than we expected to get. He said, so we had a budget surplus of $122,000 more than we spent on a $7.3 million budget. Mr. Hancock said in the water & sewer fund page 12 we had approximately $3.1 dollars in service revenue in the water department. Operating income in the water & sewer fund was $561,000 so we made money this year. He said we have capital grants a little over $1 million dollars but that's not part of water/sewer service so we can't count that as operating or service revenue. Mr. Hancock said we had a positive operating income in the water/sewer fund. Mr. Hancock said on page 35 he breaks down all of the city's long-term debt. Councilwoman Baccus said, "My question at the end of the day is, if I reading this and understanding this correctly, after is said and done what was the profit in the water department"? Mr. Hancock said, "Councilwoman Baccus the most important number on this page and probably the one that makes most sense to answer your question is the $523,000". Councilwoman Baccus said, "In 2022 this water department profited $523,038"? Mr. Hancock said, "From just the operations from sending the bills out…..Councilwoman Baccus said, "Y'all heard that citizens? $523,038 was what that water department profited last year. Mayor Boyd said, "To clarify that as Mr. Shugart just got up there and said we don't know what's in the funds so if you don't have any money in the pot when grants come up you won't be able to fix anything. We applied for a $10 million grant and there will be no reason to apply for a $10 million grant…we would look like clowns in the circus applying for a $10 million grant if we didn't have the ARP money that came in sitting to the side to apply for the $10 million grant to be able to fix all the sewers and lines that are backing up in people's houses and yards and everything else. He said $500,000 is a drop in the bucket that he can spend in moment's time. He said we have done good, and we are now fixing to come out of the red. Mayor Boyd said, "If you look back at the numbers in 2014 the water department was in the hole $15,000; 2015 the water department was in the hole $217,000; 2016 the water department was in the hole $321,000; 2017 the water department was in the hole $418,000; 2018 the water department was in the hole $640,000; 2019 the water department was in the hole $444,000; 2020 the water department was in the hole $784,000; 2021 the water department was in the hole $29,000; 2022 the water department is ahead $500,000 plus dollars. Councilwoman Baccus said, "And I'm questioning that because if we're making money already then I don't understand why we have to keep raising the citizens water bill because the citizens are struggling to pay these water bills. We're not losing money, but we can afford to give somebody a $30,000 raise, then I question why we are raising the citizens water bills. Councilman Gardner said, "One of the reasons why we're raising citizens water bills is because we have a requirement by State Law that we maintain a certain amount of revenue to pay our debts that you see. We were briefed about that last year". Councilwoman Baccus said, "We could have used some of that American Rescue money to relieve some of the pressure off of some of those citizens". Mr. Payne said, "We cannot do that". Mr. Payne asked Mr. Hancock to explain for the citizens the financial distress that the city was in (just the water & sewer department) in the past why the increase in revenues has gotten us to this point and what

it means to what the citizens are able to experience in the future as we replace this old dilapidated infrastructure. Mr. Hancock said, “Speaking from a non-financial standpoint if you don’t keep clean water and process the water take away properly DHEC will come down and “fine” you out of existence. From a financial standpoint there’s several best practices, the Municipal Association sponsors all kinds of training seminars on how much the system should generate and then hold back every year to plan for future projects. He said when I say future projects there’s the grant funded major projects that almost always require a match. There are the internally funded major projects that you all have to pay for on your own. And then there’s normal maintenance. He said there’s a lot of best practices like putting so much back a month to replace vehicles; put so much back a month to replace pumps & equipment; put so much back a month to replace the system as it ages. If you go to the capital market and we issue revenue bonds to rehab or improve your existing system you will be placed under those covenants where you must do that and if you don’t do that then you are out of compliance with the bond agreement. If you’re out of compliance with the bond agreement the bond holder can technically call the bond right away. Mr. Payne asked, “Do you know if such covenants exist in our current bonds”? Mr. Hancock said, “Yes, they do”. Mr. Hancock said, “The only debt that you’re under covenants for right now is the S.C. Rural Authority. They list certain cash flow / ratio coverages you must maintain. He said as long as it’s getting paid back they are not really going to raise too big of an eyebrow, but if you go the capital markets or the USDA, they will examine this every year. Mr. Hancock said as a practical matter if you’re in violation of your bond covenant, typically I’ve never heard of them calling a debt, but where you’ll run into the problem is when you want to issue your next debt instrument to fund your next project your interest cost will go way up. Councilwoman Reed said, “Our Mayor just informed us from 2014 up until 2022 we have been drastically in debt….I mean we did not meet any of those standards. How come we didn’t get any of those people noticing or doing what you were just saying would happen”? Mr. Hancock said, “The State probably not going to raise an eyebrow until you’re late on a payment”. Councilwoman Reed said, “Charles comes a lot and tells us of the numerous grants that’s been able to bring in to be able to help. What I’m hearing is that raising the water bill is that our citizens is mostly the responsible party for us having this $500,000 and I was under the impression that it was mostly because we were getting these different grants in”. Mr. Hancock said the grant proceeds would not contribute to the profit that you’re seeing. Councilwoman Baccus said, “My issue with this is the first year we voted to raise the water bill a flat rate and it wasn’t done that way. Somebody, some people changed it after the vote was done and it was done a different way. My thing is, we’ve already raised it way past where it originally should have been the first time. So, I understand that the water bill needs to be raised at a certain time and all that’s understandable. I have no problem with that when it’s reasonable. When this council voted and said we are only going to raise it 1% and then you’ve got somebody go behind our backs and do something different and then it’s 10%, that’s an issue. So I feel like the citizens have already been overcharged on what this council originally voted for. Mr. Hancock said, “Councilwoman Baccus, I can speak to the process that we examined. We took your published rates and that’s how we did our testing”. Mr. Hancock asked, “Didn’t you have a rate study done by a regional utility rate monitoring outfit”? Mr. Payne said, “I believe there was several years ago. We are about to have another one.” Mr. Hancock said, “If you did, here’s what would happen, these people would come in (they have an engineering background) they

will consult with staff, and they take a look at stuff that's in the ground; they will come up with an amount they think it's going to take for you to maintain it. They are also going to come up with an estimate on how much they think everyday cost are going to go up. He said things go up every year so you're going to have to have an incremental increase just to keep up". Councilwoman Baccus said, "I can understand reasonable". Mr. Hancock said, "Last year most of the time that we reported here inflation actually was 9% and so the government is trying to get that inflation rate down. He said from the numbers standpoint, that's the logic behind. If you don't keep up with it on an incremental rate, not 1%, but probably 3%-4% a year you're going fall behind and then you'll going to have to suffer the big one". Mr. Payne said, "Mr. Hancock I've got another question. Does the city engage in loaning money to citizens"? Mr. Hancock said, "Not since I've been doing your audit". Mr. Payne asked, "Do we have any outstanding loans to citizens"? Mr. Hancock said, "No. Not that I know of". Mr. Hancock said, "Mr. Payne, it's flat out illegal to do that and if I had found it and if I would have alerted management to it and if you had not have ceased that practice, I would have resigned". Councilwoman Baccus asked, "Well does the city pay other citizens bills"? Mr. Hancock said, "We found no evidence of anything like that going on". Councilwoman Baccus said, "you didn't look at all of the invoices because I found it. I found the invoice so obviously you didn't look at the right invoices". Mr. Hancock said, "We would love for you to forward us whatever you found and we'll take a look at it. Councilwoman Baccus said, "Obviously you didn't look at all of the invoices". Mr. Hancock said, "No ma'am we just looked at a sample of them". Councilwoman Baccus said, "We need a forensic audit instead of a skim across". Mr. Hancock said, "Be careful what you wish for". Councilwoman Baccus said, "I wish for a forensic audit. I pray for a forensic audit. But I will show you the invoice. Mr. Hancock said, "We'll entertain any information we can get from any source that's got questions and we'll run it down to source documents that we can". Mr. Hancock thanked council for choosing his firm to do our audit.

b)1st Reading Ordinance 2023-02, Sale of 207 Siskron Street, John Payne, City Manager

Mr. Payne said late last spring we had a bid process to sell the old PoBoy's building at 207 Siskron. The individual that won that bid has never consummated the deal; there's never been a contract; there's never been money exchanged. They've demonstrated that they're not going to move forward with it so we have put the bid out again and we only had one bidder and that is Kevin Etheridge with a bid of $35,000. Councilman Milling said, "It's my memory that following the bid proposal we had somebody who submitted a bid but they thereafter chose not to go forward with it. There was never any contract for the purchase of real estate submitted or entered into between the parties. There was never any escrow amount that was paid to support a contract for the sale of property. It is my understanding that the proposed purchasers basically told us they were not going to go forward with that so that's why we resubmitted it".

Councilman Milling said I do not feel we have any obligation towards the prior proposal so he would like to make a motion that we approve 1st Reading of Ordinance 2023-02 the sale of 207 Siskron Street for the sum of $35,000 plus closing costs. The sale being made to Kevin Ethridge. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Gardner, segars and Mayor Boyd voted in favor of the motion.

c)Bids for Police Radio Equipment – Jimmy Davis, Chief of Police

Police Chief Jimmy Davis said former Police Chief Washington applied for a JAG grant (for radios) and was awarded. He said he put out a request for bids and we only received one. The amount of the quote is a little short of the grant money and it will take additional city funds to acquire these radios. Chief Davis said he's asking council to approve the shortfall of $35,123.11. Mr. Payne said, that is part of the match. The total is just shy of $150,000 for 32 radios so that our radios will….in the future the system is going to change and our radios have to be updated or they're just not going to communicate. The bid is just shy of $150,000. The grant is $114,006; the match difference is $35,123.11. Councilman Milling said, "I will move to approve it, but I just want to know where the money is coming from". Mr. Payne said, "I will pull it from the ARP". **Councilman John Milling made a motion that we spend or authorize the expenditure of $35,123.11 to complete the purchase the police radio equipment that's needed in order to meet that proposal and being the difference between that and the grant. Councilman Bryant Gardner seconded the motion. Mr. Payne said to include the vendor name which is VEI. Councilpersons Nettles, Baccus, Reed, Segars and Mayor Boyd voted to approve the motion.**

c) Splash Pad – Lee Andrews, Recreation Director

Mr. Andrews said the quote from Bliss Products is $271,850 for a 50' x 50' splash pad. Mr. Andrews said that's the price with it being installed and it will be at Hampton Street Park. The price from Vortex installed is $361,074.65 and is approximately 60" x 70" feet. Councilwoman Baccus said, "Just out of curiosity why does this only include one park. Why doesn't it include at least the park over on….Terrance Carraway Park. Why we're only doing something on one side of town"? Mr. Andrews said, "I was told to centralize it and that's why we put it at Hampton Street because it's in the center of town. Councilwoman Baccus said, "Everybody don't…all citizens don't go downtown on Hampton Street". Mr. Andrews said, "I understand that, but it is the center of town. It's a block from the Square." Councilman Gardner said, "We can't afford to build them all over town as much as I'd like to". Councilwoman Baccus said, "Of course you can't. you want to build everything on one side of town. Every time you come with something, it's always on your side of town. You never come with anything on the other side of town. Councilman Gardner said, "Just for the record, it's on your side of town". Councilwoman Baccus said, "I don't live on that side of town. It's Hampton Street, it's not my neighborhood". Councilman Gardner said, "It's in your ward". Councilwoman Baccus said, "I don't care what ward it is. We're talking about where children live". Mr. Andrews said, "I'd be glad to price out anything you all want us to price out. Councilwoman Baccus said, "It's always on one side of town for everything. Why is it not on two different parks? Why does it have to be a $300,000 splash pad? Why can't it be a smaller splash pad for Hampton Street and a smaller splash pad for Terrance Carraway Park? Why does it need to be that big for Hampton Street? Mr. Andrews said, "It can be. You can price out whatever you want it to be". Councilwoman Baccus said I think it need to be two different parks. I don't think it needs to be for one park. Mayor Boyd said, "Representative Williams appropriated the money for this, and he approved for it to be for one park". Councilwoman Baccus said, "I'll talk to Robert Williams. I don't believe that. Obviously, that's what they brought to his attention and that's what he went along with". Mr. Andrews said, "In all seriousness, If you were to do two parks for $300,000, the bang for your buck so to speak, you wouldn't be able to do something as nice. You might get two or three fixtures in

there. He said whatever we put anywhere it's going to be used. Mayor Boyd said, "Representative Williams wants to redo the pool on that side where Terrance Carraway Park is". Councilwoman Reed said, "I do believe, in talking with Representative Robert Williams about it, yes, I know that he approved or made way for these funds but he in talking with me and saying the splash could go one place is because he permanently wants the pool open and that was the reason. I don't think he was aware of the struggles we had to try to get there. I explained to him what happened and the city just didn't want to take that responsibility because of the liability and things of that sort, but he is still on this thing about trying to get the pool open and I do believe that that's why he said if we put the money into this at one place that we would be able to find ways to get that pool open. So, I'm saying that to say, think about that". Councilwoman Baccus said, "And when the subject comes up down the road, this same council going to find a reason why they don't want to open that pool like they did last year". Councilwoman Reed said, "I'm for whatever. I have committed to my council, councilmembers that I'm going to support this splash pad and I still do. I would like to see a splash pad at both parks. If that's not possible, it's just not at this time**. Councilman Bryant Gardner made a motion to approve the Vortex bid in the amount of $361,074.65. Councilwoman Elaine Reed seconded the motion. Councilpersons Milling, Nettles, Segars and Mayor Boyd voted in favor of the motion. Councilwoman Sheila Baccus voted against the motion. Motion passes.**

Executive session

Pursuant to SC Code of Laws 30-4-40 (5) for proposed contractual arrangements incidental to a proposed purchase of property. Council may or may not act following the executive session.

Councilman Howard Nettles made a motion to go into Executive Session at 7:35 PM. Councilman John Milling seconded the motion. Councilpersons Reed, Gardner, Baccus, Segars and Mayor Boyd voted in favor of the motion.

5 Minute Break

Councilman Bryant Gardner made a motion to end the Executive Session at 8:41 PM. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.

Back In Session

Reminder

Tuesday March 7, 2023 - Regular Meeting of Darlington City Council, 6:00 PM

ADJOURNMENT

Councilman John Milling made a motion to adjourn the meeting at 8:45 pm. Councilwoman Reed seconded the motion. Councilpersons Nettles, Gardner, Baccus, Segars and Mayor Boyd voted in favor of the adjournment.

Mayor

ATTEST:

Clerk & Treasurer