CITY OF DARLINGTON
SPECIAL CITY COUNCIL MEETING / WORK SESSION
HELD IN THE OLD COUNCIL CHAMBERS
400 PEARL STREET, DARLINGTON, SC
TUESDAY, MAY 13, 2025 – 5:00 PM

Present: Mayor Boyd, City Manager Lenessa Hawkins, Councilpersons Sheila Baccus, Angela McRavin, John Milling, Bryant Gardner, and Elaine Reed. Hunter Thomas.

Councilman John Segars arrived at 5:29 PM.

Also present at the meeting was Mr. Stephen Drew with the News & Press.

Prayer was led by Mayor Boyd followed by the Pledge of Allegiance.

Council Workshop

Updates/Discussion/Action
Approval of Application to PARD for updating Darlington Swimming Pool
Ms. Hawkins said she was contacted by Mayor Boyd some weeks ago when there was an opportunity to apply for appropriations, but as you know the state legislature decided not to do appropriations this year. She said we did submit a $250,000 request to not only update but renovate the pool. As you know, if we do not update it and put it into use, there are some grant funds that we are not eligible to apply for through the Parks and Recreation Department. She said she was contacted by the mayor later on to work with representative Williams to work towards …. He explained to me that he wanted to help us get it back into use, and he would work on an opportunity to do that and that is through the PARD grant. Representative Williams was not only able to talk with Ms. Cushman but also got the delegation to sign off on it to give us $50,000, which is 80% of the number that would be $62,500. In order to apply for this grant, I have to let them know that you all are in agreement, and therefore we are asking for a motion of agreement and to move positively to approve our parks and recreation development fund application. Mayor Boyd said, Representative Williams asked a while back about doing the pool and about possibly taking it over as a donation from the city to his Nonprofit group, and I told him that I felt like that the city Council would, but it wasn't up to me. The council would have to decide. Mayor Boyd said he never confirmed whether he wanted to actually take it as a…. how he wanted it. Does he want it as a donation, or does he want us to show a dollar lease? When I talked with him yesterday, he still didn't confirm with me how he wanted it. I told him how I felt but then again, the council hasn't discussed it yet. The few that I mentioned this to I feel like most of you don't want to take it on as any type of responsibility on our part. We haven't used it since 2020 and so I would like for something to still be able to go there but we just need to know for sure if he's going to take on all of the responsibility and how we're going to do that. Mayor

Boyd said, on the $50,000 you're saying with $62,500, do we have to come up with the additional $12,500? Ms. Hawkins said, "Yes, that's how the PARD works unless you want to reduce it to where the project is capped out at $50,000, but he set the delegation's endorsement for the $50,000. Ms. Hawkins said we can adjust it down. It doesn't have to be …. there are some things that …just to get it in use can be a lot lower than that, but that's what he said he would do towards getting it back into use. Mayor Boyd asked, "Should we have an agreement whether we're going to give it to him first or not? Councilwoman Reed said, "He approached me right after the appropriations that he allowed for the splash pad, letting me know that yes that went on, but the one thing he would like to do following this would be to get the pool operating in Ward 2." The one thing that has been made clear, and with representative Williams as far as whatever they do that I would not be in favor, and the council would not be in favor of any responsibility that the city would have with that because of our past history. I made it very clear, and he understands that and at this point I have been in touch with the organization that has agreed to be able to operate it to do the repairs; they have all of the questions and the insurance ..… all of this has been outlined …. Councilman Milling asked, "Do we have to spend $62,500 of the city's money as a part of this application process? Councilwoman Reed said, "I just want to make sure that the city would not be responsible for this. we're bidding it out to… it's not being bidded out because they are offering and bringing it to us and guiding us through the financing for that." Councilman Milling said, "My thought process would be after Kevin Etheredge reviewed the documentation as to the legal ramifications that we then …. In theory, I'm fine with it. It seems to me that if the city is being requested to serve as a focal point, we're being requested to spend money. He said if the organization would come to us with the $12,500 and the grant provides that we get the $50,000 upfront and not like it did for the splash pad where we had to spend the money and wait, I would be happy for there to be a nominal lease worked out, but I don't want us to run the risk of applying for something and there be something that he didn't pick up on because he didn't have the documentation in front of him or there was a failure in his communicating to you what the city's responsibility would be. I just don't want to get trapped into the city, having some obligation to spend any money that we don't have. Mayor Boyd said, "I'm fine with spending the money, but will we get it back in a timely manner? Mayor Boyd asked if we had gotten the money back for the first phase of the splash pad. I told him I hadn't seen any money. Mayor Boyd said, if we've got the money to do it, I don't mind following it through, but I feel like we're putting the cart before the horse because he hasn't confirmed that he's going to lease it and we haven't confirmed with him because we haven't discussed it. We just talked on the sidewalk that he's interested in doing it. Councilwoman Reed said, "Seems to me it's a little bit more than him confirming it. We've got an application, and she has already said that she saw approval from the state legislator about this, right? Ms. Hawkins said, "The delegation." Mayor Boyd said, "Confirming how we're going to …. (Councilwoman Reed speaking at the same time.) his nonprofit group. Councilman Gardner asked, "Who is the nonprofit group? One of the councilmembers said, "It's called Communities something …. Mayor Boyd said we haven't met with them or done anything with them to confirm that they are going to get it. He said we haven't signed an agreement or anything with them, so I feel like we need to sign some sort of agreement with them and then we can do the PARD Grant because he has approved the grant, but to me that would be the correct order to do it. Councilwoman McRavin said just for clarity, what is the deadline for the PARD Grant? Ms. Hawkins said it's on

a rolling basis by every 15th of the month. She said I need your OK before I can submit it. Councilwoman McRavin asked, are we guaranteed these funds? Ms. Hawkins said I don't expect them to decline. Councilwoman McRavin said, so it's not like we are coming up with this money right now Ms. Hawkins said what happens with the grant, and I was waiting for Ms. Pridgen to answer, is that once you've …. It's a reimbursement. You have to spend it and then request 80% back. Councilwoman McRavin asked Ms. Hawkins about the time frame and the process. Councilwoman McRavin said, if we don't get this pool up and running, we will no longer be eligible for any of these land trust funds. Councilman Gardner said, "I don't understand that, so I want that language given to us. He said it sounds like none of us are educated on this; we can't apply for funds if the pool's not running? Ms. Hawkins said, at the parks and recreation level, they have different funding flows, and one of those is PARD and one is land trust, and I think they have one other. Apparently, this particular facility used the Land Trust Funds, and it is supposed to be in operation for that particular recreational function. Mayor Boyd said, it hasn't run in five years. Ms. Hawkins said, "My understanding is when we stopped running the pool and it's no longer in use, you cannot apply for those funds. Councilman Gardner asked if all the council could get that in writing so they could read it. Councilwoman Baccus said, "This came up before. This is not the first time this has come up and now all of a sudden, they have amnesia. She said when they closed the pool, I brought it up and when Lisa Rock was here, she also brought this up at one time." Councilwoman Reed said, "Do you all mind if we approve the application? This is all she is asking for because the application gets us the money to do this. Councilman Gardner asked, Will we lose the opportunity for the money if we wait 15 days? Councilwoman Reed asked, why delay? Councilman Gardner had questions about items on the list that was provided to them and the cost. Ms. Hawkins said, let me explain where those numbers came from. The former building official pulled this together for us for the $250,000 budget, so from that budget we pulled these numbers and rounded them up. I feel confident that when she priced those out those are pretty legitimate and good numbers. Mayor Boyd asked about some of the numbers. Councilwoman McRavin said, if we apply for this grant, and we get approved for the grant, we will have time to work out this other stuff on exactly what you are going to be doing with it before any money is spent. Councilwoman Baccus said, That's the same process that we've done on everything else that's been done, but now it's an issue. Councilman Milling asked, "If we are approved for the grant, are we obligating ourselves to spend the money first? So, we could be required to spend up to $50,000". Ms. Hawkins said $62,500 if you want the entire $50,000 back. Ms. Hawkins went over what was cut from the initial $250,000. Mayor Boyd wanted to know if we agree on this, is the city responsible for maintaining the pool? Will we have to go ahead and go through with this, or we can just not do it or we still gotta come back and vote to do it? Ms. Hawkins said, you have to be awarded first, and then you have to agree to those terms. I do believe that at some point you can say we've changed our minds. So, in the interim, I do believe we can get the lease worked out among yourselves and the nonprofit organization. She said $62,500 is a considerable amount but I hope that you all will do as you've done with the splash pad and float $62,500 with the expectation of returning $50,000 to the H-tax fund. I don't think you can give away all the responsibility, but you can in the lease agreement require certain things to be done, such as bonds, insurance, etc. I feel like City attorney Kevin Etheridge can work out a suitable lease agreement with them. Councilman Milling asked, "Is the organization going to be responsible for

operations? Ms. Hawkins said yes, sir. **Councilwoman McRavin made a motion to approve the application for the PARD grant for the updating of the Darlington Swimming Pool. Councilwoman Reed seconded the motion.** Councilman Gardner said he still wanted to talk about it. He said, so what you were saying is if we approve this tonight, we are not spending the $62,500, but we are sending this list into the state. Ms. Hawkins said, not yet to spending the money. Councilman Gardner said, “And then we would have to alter that list if we wanted to change anything. Ms. Hawkins said if you want it to make it where it topped out much less. Council continued to discuss if changes could be made …. Councilman Gardner said, I feel more comfortable voting on this if we have the agreement with the nonprofit done, signed and then we allocate it. Council continued to discuss contract options with the nonprofit, who will be responsible …. Councilman Gardner said, “If the organization wants to take it over, I love the idea, but I just got notified about this yesterday and I got the numbers 10 minutes ago they don’t add up in my mind. I don’t have any kind of paperwork from the nonprofit saying they are going to take over and I'm obligating the city for $62,500 per the motion. It seems like we are doing things backwards.” Councilwoman Baccus said you are not obligating the city for anything, because all she is asking for is permission to apply for the application. Councilman Gardner asked where the funds were going to come from. Ms. Hawkins said H-Tax. The council started discussing the H-Tax funds and what is received each month and our obligations for completion of the splash pad and any payments due. Councilman Segars said, “I came in late, but it appears to me that the arithmetic is not working out to where you’ve got the money to pay for it. You are hoping you will have it. It sounds to me like we need to put this project and try to get it finished for next summer rather than this summer.” (Several Councilmembers talking at the same time) *Councilman Gardner asked, would you be interested in amending your motion so that we put stipulations of what is paid first; we have a bond, and we have to finish the splash pad, and then we have the pool.* Councilwoman McRavin asked, “If we were allocated the PARD funds next month, is there a timeframe in which those funds have to be used? I’m asking that because if we don’t have our share of the funds to be able to pay for it …if we have been awarded the grant, and we have to wait six months because you can’t get everything ready. Would it be an issue if six months down the road they are working to fix everything, are we going to be beyond the deadline for using these funds? Ms. Hawkins said I believe that is a correct statement. Councilman Milling said he thinks it would be good regardless of whether it’s the Community Engagement Organization or any other organization that wants to partner with the city on something that a representative come to us before we get into a grant application process just so all of the council can hear what you have heard. And all of the council will have a chance to ask the questions and get the project so that there is an understanding among all of us as to what is going to be involved, and who is going to be responsible for what. I think that would help us in going forward with various organizations that may want to partner with us. Ms. Hawkins said, “May I offer my apologies, Mayor, and Council. When the Mayor called and talked to me about working with representative Williams it didn’t dawn on me that you all weren’t aware, so I apologize that that didn’t happen up front. I apologize that I didn’t have Mr. Caldwell and if Mr. Williams could visit today to be here to give you some sort of assurances that you’re looking for. Had I thought that this would be the topic of this meeting that was supposed to be 15 minutes and we’re almost on an hour I would not have done that. And that is why if I would take this moment I ask you all to move together. That is why I don’t take one person’s word that

y'all are in agreement and that's what should happen because of this. I had no idea that you all didn't know this was coming. You all have had conversations about the pool, I'm sure before my coming to this chair, but I promise you it won't happen again. So anytime any of you want something done you need to make an action in this body in a public hearing setting and make that action known and then that way I can know this is an agreed upon or the majority has ruled upon set of actions, because I have had conversations with both representative Williams and Mr. Caldwell, and there was at no time that I felt like y'all weren't on board". Councilman Gardner said, "We have had side conversations about the pool and there were groups who were interested in getting it back running, but nothing formally has ever been brought to council." Mayor Boyd said, "He (Rep. Williams) has talked about it for a year or more. I spoke with him yesterday, and he still couldn't confirm …. I told him about the meeting today. I didn't know about the PARD grant. All we talked about was he was interested in getting it. I told him the same thing that Mrs. Reed told him that we aren't responsible for it … we don't want to be responsible for it, and I feel sure that the council would be more than willing to give him the property or lease him the property or something, but we didn't know. So, I told him to come and talk with you and after that point I had no idea. I just feel like we're still putting the cart before the horse. I have no problem with agreeing with this if we don't have to get a "black eye" with the PARD grant for looking like we applied for something we didn't go for it. We still don't know if we have talked with DHEC; if they would go out there and say it's functional or not functional. We know it hasn't been used in five years. Is it going to be able to be used to be able to get up to this point? I don't want to mislead the public to think we're going to go and it's going to be fixed and all of a sudden, it's more. I don't understand at this point who is going to delegate where to make sure that they go out there with DHEC to make sure the plumbing …. again, I thought all of that would be left up to the nonprofit group." Councilman Segars asked, "Is this organization going to be liable for the day-to-day operations and any accidents that may occur? Councilman Gardner said, "And insurance." Some councilmembers said, "Yes, they will be responsible" **Councilman Milling said, "I'm going to call to question and I'm going to vote in favor of it but I'm also going to put you on notice that if we don't have the money when it comes time or we can't work out a deal that absolves the city from liability, I am going to vote not to accept the grant, even if it's awarded to us, but I will go along with the application. Councilman Gardner said, exactly as Judge Milling stated. Councilman Segars said if you can make the arithmetic work, I am in favor of it. Mayor Boyd said I am in favor of applying for the application as long as we make sure that the nonprofit group has the lease signed and all before we start anything. The motion passes.** Councilwoman Reed said, I can promise you it will not be like the problems we're having with the splash pad.

Update and Approval of Final Expenses to Complete the Darlington Splashpad

Mayor Boyd said according to Lee the 2nd phase of the PARD grant had not been approved. He said he doesn't have the exact numbers. (Council members speaking at the same time) Councilman Milling made a motion to reaffirm that we have approved to pay the final expenses to complete the splash pad. Mayor Boyd said. I don't think we need to make a motion. He said I think everything is fine, but Lee said we had to …. Again, we need to have Lee here next time to verify that we've got everything approved. And then if Ms. Pridgen can find out for sure if

everything is in line to where, when and what we've got to do to make sure we get our money back for the first phase. Councilman Milling said let's handle that on May 20th.

Event Reminders:
Tuesday May 20, 2025, City Council Workshop Session, 6:00 PM

Adjournment
Upon motion of Councilman Gardner, seconded by Councilman Segars, the meeting adjourned at 6:09 PM. Approved the motion to adjourn the meeting.

_____
Mayor

ATTEST:

_____
Clerk & Treasurer