CITY OF DARLINGTON
SPECIAL MEETING/ BUDGET WORK SESSION
HELD IN THE OLD COUNCIL CHAMBERS
400 PEARL STREET, DARLINGTON, SC
TUESDAY, JULY 29, 2025 – 6:00 PM

Present: Mayor Curtis Boyd, City Manager Hawkins, Councilpersons Reed, Milling, Baccus, Segars and McRavin. City employees Hunter Thomas, Fire Chief Pat Cavanaugh, Lucas Reed, Lee Andrews, Steve Abbott, and Luke Carter were present at the meeting.
Councilman Gardner arrived at 6:32 PM

Also present was Mr. Stephan Drew with the News & Press.

The invocation was by Mayor Boyd followed by the Pledge of Allegiance.

Old Business

a)Second Reading on Housing Incentives – Mayor Boyd said we've already approved the First Reading. Ms. Hawkins said, "I do have a question about the reimbursement and the fees. Will the City be putting these funds in escrow where they are earning income and we're going to pay them back out of … once the closing is processed and finalized .. will they be set apart from the revenues that we budget. Mayor Boyd said, "I think my suggestion would be that … my original thought for this is that Hunter would promote it. Mayor Boyd said There needs to be a form that they fill out once they apply for the permit. We said there should be some form filled out that they are applying for a permit for this incentive plan. And then when they apply for the permits, that money is put aside for the water fee, tap fee, etc. And put in escrow and filed separately so that when that person comes back six months or a year from now when the house is finished and then it shows that they have the proof from the County showing that it is their primary residence. At that point they will get reimbursement back. Mayor Boyd said Mr. Milling suggested that the money be put into an escrow account. He said if they don't finish the house and it's sold to someone else, then they don't get the money back and that money can be pulled out of escrow and out back into general fund. Councilman Milling said we will get the interest. Ms. Hawkins said, "I do have some concern that if we are moving the money, it's not available to us to spend and we're budgeting all the dollars that come in. Ms. Hawkins said, "If they apply and say they want to be a part of this incentive program, we would take those proceeds and put it into an escrow account or one of our interest-bearing accounts we have at the State and then once they close and it becomes their primary residence, we will reimburse all eligible fees. Mayor Boyd said, "If my son goes and builds a house before October, he won't be eligible, but if he starts building it after October ….and he comes into town …. If there's already a tap there, he wouldn't Get a tap fee. He would have to pay for permit fees and those fees would be put to the side. Ms. McRavin asked, "What about the person who in January of 2027 pulls these permits to build a home, but that might be the person who is trying to pay for everything out of pocket because they don't want a mortgage, but it's five years from now before they finish. Are we basing this on you getting a permit before this or …. Mayor Boyd said, "I would say for example

if somebody came in September 1st of 2027 they are not going to be finished by the end of September with their home. He said we can put a stipulation that the house needs to be built within a year period, year and a half period or something of that nature because anything can happen. He said if somebody comes in September 1st of 2027 and builds …gets their permits fees they are going to pay it and then a year and a half down the road it past that time, but they started it during that period of time, so to me they would be eligible. Mayor Boyd said I think maybe we should add the verbiage that it's a year and a half so you're not holding that money for five years. The incentive is that we get them in here and we get them built, and we can move on. Sometimes it takes a year to build a house, so I would say. A year and a half from the day they pulled the permits. Councilman Milling asked, "Don't they have a limited period of time in which to build a house under a general permit. Aren't the permits only good for some period of time? Mayor Boyd said, "He didn't know, but he didn't think so. Councilman Milling said, "I remember something about permits just didn't last forever. Mayor Boyd said, "I'm sure they don't last forever, but I would be fine to say a year and a half. Councilwoman McRavin said, "Any permit that was pulled that the property would have to be built by the end …so what you're saying is September of 2027…. I mean by the end of 2029 you should have … I mean. We shouldn't be sitting on these funds forever. Mayor Boyd and council discussed what the verbiage should be concerning the time for completion. Councilman Milling asked, "Do we want to hold this off and make the fine tunes and then vote on it on the 12th? Mayor Boyd asked the council if they want to have the attorney add in a year and a half or two years after completion. Mayor Boyd and the council agreed to have the attorney add in 18 months from the day of the first permit. Ms. Hawkins asked, "And it would be the person who pulled the permit or who owns the home, that would get the money back. Mayor Boyd said, "I would say the person who pulled the permit. Having a contract to build the house for me, the contractor would pull the permit. And then it would be between me and the contractor whether he would get the money back or I would get the money back. Councilman Milling said, "I don't want us to get into a fight between the contractor and the homeowner. What if he abandons the project and the homeowner completes it? Who gets the refunds then? Mayor Boyd said …. (Both Reed and Mayor speaking… cannot hear) Councilwoman McRavin said when they bring their proof in that it's their residence at that time it needs to be stated who we are making this check payable to. Councilman Milling said, "I think we ought to do that at the time of the application and both parties sign (both the homeowner and the contractor). Councilman Milling said, "I would put a portion in the application that calls for a designation as to whether it's the contractor, the homeowner, or some percentage split. And they sign something that says I hereby agree to this division of the refund, and it's notarized or at least witnessed by two people. Councilwoman McRavin asked if we have an application. Mayor Boyd said, "No we don't have an application, but we'll get him to work on the application and have it ready for the meeting in two weeks. He said they need the application, they need to add 18 months, and they need the signatures of who is going to get the money. Councilman Milling said, "We need something in one of those documents that says the city is going to get the interest earned on it. He said I would put something in there too that they would agree that they would hold the city harmless in connection with any dispute that might arise. Councilman Milling said, "As you mentioned if it's not done in a certain period of time, we need to have it somewhere in the ordinance and the application that those funds are being forfeited to the city. The city keeps not only the interest

but the fees that have been paid. Councilwoman McRavin said, “So, if he's building 20 or 40 houses and he's the contractor who's pulling this, so that person he sells the house to is going to have to come in and bring their document or he can bring the documentation saying that it’s their primary residence. Mayor Boyd said, If he wants to build 20 houses, there’s going to be no homeowner, it’s going to be his incentive to go ahead and build to get his money back and he’s going to sell the house, and he will sell it at whatever price he wants to sell it for. And when he sells it, they get no incentive. Councilwoman McRavin said, “We said here that if it's their primary residence…. but the person who buys the house could be buying the house to rent it out though. (Council continued to discuss the incentives and who would get the money back and how many months they should include in the ordinance. Councilman Milling asked, “Do we need the final closing statement where it shows who paid what? Or do we need a statement from the tax assessor? He said the trigger documentation is the documentation from the tax assessor’s office giving the 4% and not just saying I sold her the house, and she paid me $150,000 and these were the attorney’s fees, and these were the origination fees. Councilman Milling said, oftentimes the seller doesn’t know what the buyer’s fees are and the buyer doesn't know what the seller’s fees are. So that kind of stuff is usually kept confidential. We could request the attorney to provide an affidavit that the sale has been completed and require that the tax assessor provide us with a statement as to whether it's going to be 4% as a primary residence or 6% as a secondary residence. Mayor Boyd said, “All we’re looking for is the 4% but what she was questioning is if I build a house and I get ready to move into it, I got a year, and a half and it should be done. But if a contractor comes in and builds 40 homes or 10 homes and they are done in six months, then all of a sudden, he sells 10 of them in a year and then all of a sudden there’s ten more sitting there and it takes him two and a half years to sell them. It’s past the year and a half to sell and he didn’t get his incentive even though he got them up and got them built. Mayor Boyd and the councilmembers discussed the amount of time they need to give the builder/contractor …. Councilman Milling said, “While we are considering what is a proper time frame …. I’m sure there are realtors around here that know what the average time is needed to sell a house in Darlington. Before we put a date, we ought to get a sense of …. We’ve got Angie Suggs that sells houses. Mayor Boyd said, “Our goal of this is to get an individual to come build a house. Also, our goal is to get a contractor to come in and decide to build forty houses…. If comes and builds forty houses, we don’t want to punish them, and the house is done and finished but yet he hasn’t quite got them sold. You wouldn’t want him to be punished for that even though he’s got the house finished but you don’t want to give him the money back if the house is not finished.” The council continued to discuss at length individuals or contractors building multiple homes in town and how to word it so that the time frame will be sufficient for building and selling the homes. Councilman Milling said, “What may end up happening is some of these builders will build in phases and they may not build eighty houses to start with. They just might start on fifteen, and we've got this time frame in here. He said three years from now, we may have to re-address this situation in order to help that person make the decision to build a house. Mayor Boyd said, “To me this is like a spark. It's not something that I would think we would want to continue. We hope that this would get them coming. Councilman Milling said, “Let’s make these modifications and see where it goes. Councilman Gardner apologized for his late arrival. He said he was listening on the way to the meeting, and he wanted to know if they were settling on three years after the build … after the time out period.

Ms. Hawkins said, “From the date of application.” Mayor Boyd said, “They never said exactly but the determination date … I said If a contractor builds a house and there is no homeowner…. If you build a house and there's a homeowner he should definitely, have it built and finished within three years. We were saying 18months. But if you come in as a contractor building One to ten or more houses in town and whatever day he starts, he has three years to get his money back. If after three years of application, it's over. So, by 2030, it's over. Councilman Milling said, “Do we want to have something in there that provides that the city can take the interest out of the escrow account as it determines proper”? Mayor Boyd said, “I'll tell him to put that the interest is available to be withdrawn at any time. *The council discussed the time limit for building the houses and then selling them and when they would get the incentive back and the funds that are being held in an escrow account.* Mayor Boyd said, “I will just leave it at three years after the application that the house has to be built and sold; within a three-year period.” He said we can ask some contractors and see if that would be an issue. Maybe they have a different thought process than we do and then we can bring that back two weeks from now. But for now, we will leave it at three years.

Second Reading on Golf Cart Ordinance

Councilwoman Baccus had a question about Item (I). She wanted to know why the lights have to be on in the daytime. Councilman Gardner said if my memory is correct, we pulled that from North Myrtle Beach or one of the Grand Strand cities that did that. He said I think the Chief wanted that in there just from a safety perspective. Councilman Gardner said, “As long as you have your lights on you get seen. I understand the principal behind it, and I don’t think it’s a bad idea, but I’ll leave that to the Chief. Police Chief Davis said, “For safety. He said on most golf carts, if the lights aren’t on then the taillights and the break lights aren’t working either. Chief Davis said we can change it to say “taillights” or “tail lamps,” but if it doesn’t have any break lights then it’s like a car without a break light. Councilwoman McRavin asked, “Are you ok with “midnight” because State law says 10:00 PM. She said midnight sounds a little scary. Councilwoman McRavin looked up the law online and she said it actually says, “Daylight hours only.” Councilman Milling said, “Seems like we should reflect the same language that the state statute says. Councilman Gardner said, “The reason they set it up was so that different communities. who have different needs…. Councilwoman Reed asked, “Is there any place that it that says midnight other than this? She said let’s just go with languages that’s already set. Councilwoman Baccus said, “It says golf carts are generally limited to daylight hours - secondary roads ….Councilman Gardner said, if you go down to (c) it says a municipality or county within its incorporated may by ordinance stipulate the hours, methods, and the location of golf cart operations provided the golf carts may be operated only on a highway where the speed limit is. 35 mph or less. By ordinance permit the operation of golf carts at night provided they are equipped with working headlights and taillights and provided golf carts can only be operated on highways where the speed limit is 35 mph or less. Councilman Gardner read two other ordinances, but there was nothing about the hours of operation. Councilwoman McRavin still had concerns about the “midnight” time limit. Council members discussed the time limit and the age limit and what they thought it should be. Chief Davis said, “My interpretation of the law is it’s the same restrictions that’s on the driver’s license would apply to the golf cart if you were restricted to straight to work and straight back or a provisional license. Councilwoman Reed

said, “Let’s be considerate and change it from midnight to an earlier time. Councilman Gardner asked council if they would be comfortable with 10 pm on primary roads and leave it at 12 midnight in neighborhoods because people just ride around in the neighborhoods being social and golf carts are becoming another vehicle that you are seeing in communities. He said if we see that this is an issue then we can revisit it. Councilwoman Reed said, “I see it as ... as you said … an issue that it will be a potential thing that we will have to do it … and I just want us to be proactive and start right now giving them that leeway because all neighborhoods are not like what you are perceiving, driving your golf cart to your neighbor’s house for dinner and coming back home at midnight. It’s not like that all over the City of Darlington and this will be our effort in considering that. Councilman Gardner said, “So 10 pm is what you all would like”.
Councilman Milling made a motion to approve Second Reading as amended with the hours. Councilman Gardner seconded the motion. Councilpersons McRavin, Segars, Baccus, Reed and Mayor Boyd voted in favor of the motion.

New Business

Discussion of Zoning for Property located on W. Broad & Tallulah Streets – Mayor Boyd

Mayor Boyd said there’s a piece of property in the V of the road at Tallulah & West Broad Street that used to be a corner neighborhood store. He said Ms. Reed is saying some people are interested in possibly renovating that building, but there's a hold back that it's zoned where they can't reopen it as a store because it's in the neighborhood. Mayor Boyd said, “We’re looking to see if council is fine with it being renovated and used as a store. Councilwoman Reed said, “The couple was planning to come to the August meeting. She said no one knew that it was zoned where you couldn’t operate the store anymore. Councilwoman Reed said, “Because of what we did last year where the gentleman came that wanted to have a tire shop at Chestnut & Washington Street and it needed to be rezoned to residential/commercial. She said the rezoning that they are following now is what was in our “master plan” and we have not passed that, but that’s what they are operating on. Councilman Gadner asked who is operating on that” Mayor Boyd said, “Safe Built and they are supposed to tell them that they couldn’t. Councilman Gardner said, “If that’s new law, that’s not a law and they can’t operate on that. Ms. Hawkins said, “that’s not my understanding.” Councilman Gardner said, “Let first check on that. (He asked Ms. Hawkins to check on this). He said “I have no problem with this if they just make sure they go through the proper zoning, put signs out to make sure that the neighbors know in case they have a problem with it. Councilwoman Reed said, all they want to do is … it’s a sandwich shop. Councilman Milling said, “It sounds good, but if it violates rules against spot zoning, even if it’s good, we can’t do it. He said what we’ve got to do is get Kevin to take a look at this with Ms. Hawkins just to be sure that we are not violating appropriate laws that say I'm going to do it for you, but I’m not going to do it for you type stuff. We’ve got to be careful. Councilwoman Reed said, and what I'm proposing … the reason that it is here and so that we can so …just what you pointed out we don't do for this one and we don't do for that one, we’ve already done it in this ward. Councilman Milling said, “Well, that doesn't mean it's right.” Councilwoman Reed said, “The issue will come, if you did it for one and now you don't with the saying there hasn’t been any changes in the rules or nothing, but we did it last year for someone that came before us and ask us, and we did it. Councilwoman McRavin said, “They came before the Board of Zoning Appeals because I was at that meeting. They didn’t come before the council for that; they had a

hearing in front of the Board of Zoning Appeals in order to get that changed. Which is what it sounds like that is what they need to do. They need to pay that fee and go before the Board of Zoning Appeals to have that done. Councilwoman Baccus said, “They did come to council because Sheila …… (*several members talking at the same time*) there was conversation and discussion about whether it needed to be done or not. Councilwoman McRavin said, “And they ended up having the hearing as well. She said we also need to pass our zoning ordinance. We need to finish our zoning ordinance because the lot you‘re talking about passing, these incentives and this and any other place, until we pass that zoning ordinance where we corrected those setbacks and, etc. all of this is …. Councilman Gardner said, “I think we settled everything under that minus the tree size. Councilwoman Baccus said, “There was also a discussion about the trailers in the zoning ordinance.” Councilman Gardner said, “I think we changed that to what you all wanted.” Mayor Boyd said, “I don't think there was any time zone. He said you can't put any more in, but if you have one that burnt down or something …. Ms. Hawkins said there were some comments made on your Agricultural Designation of Developmental Districts. The suggestion was, for a price, that they would look at that to make sure it was within the legal limits of state law.

Approval to Purchase Truck for Street & Sanitation Departments – City Manager Lenessa Hawkins

Ms. Hawkins said according to our CPA we are still under the acceptable level for debt service. She said we had a vehicle down a couple of weeks ago and it has since been fixed. However, you know I have been asking and trying to figure out a way that we can purchase a new truck for sanitation purposes. She said my plan was to use the capital improvement fund to partially fund the purchase of a truck for $225,000. We would take half ($112,500) out of the street and sanitation capital and we would sell the truck that's sitting and hope to get at least $50,000 for it. And then we would finance the remainder. However, you are also responsible for paying the vac truck payment of $30,000 back to the water department for the street department’s portion. Ms. Hawkins said we won’t be finished with that until 2029. She said when Ms. Vinson Explained to me that our availability is not that much more than $112,500, that idea was shot. She feels we need to make sure. In case something happens, and the city needs to extend some debt, we would have the monies available. Ms. Hawkins said I can’t see purchasing a truck. Ms. Hawkins shared information with the council about a truck that became available and it’s around at or around that same amount from a local vendor. A gentleman ordered the truck, but it came back out of spec, so he turned it down. She said it is a new truck and according to what we have, we cannot extend the debt. Lucas said he can shed a little more light on it. Councilman Gardner said, “The only thing I did want to ask is that the trash trucks that pick up the bins and empty it themselves …. Mr. Reed said, “This one is not. This truck was ordered and spaced out by Timmons Waste, however, when they built the specs …. The only difference in this truck and what Mr. Timmons normally purchased is it came with a 50-gallon fuel tank whereas their spec is a 90-gallon fuel tank. It is spec out the way the city would build one. Councilman Milling said, “I thought Capital Waste Group was going to come back and talk about getting residential and commercial.” Lucas Reed said, “Whenever we have to send bids out again in a few months they will include all those prices. Councilman Milling said, But if they are going to be including all of that stuff it doesn't make sense if we're sitting here with a brand new $200,000 trash truck. Mr.

Reed said, we will still be able to utilize that within these small commercial routes that we still utilize and recycle routes. And we also had the option of selling it to them. Councilman Gardner asked if this truck is any cheaper if we were to spec it out ourselves. He said if you don't mind can we also get a spec out on a truck that picks up the can individually. Mr. Reed said he will get with our sales Rep at Amick as well as reach out to a few more vendors. Mr. Reed said Amick is about the only vendor in South Carolina, but I will reach out beyond South Carolina. Mr. Reed said he will be sending RFPs by September and hopefully getting them bank by the end of October. The contract for Capital Waste doesn't expire until next July. Mayor Boyd said, "From what you just said, my understand is this truck is sitting here, but if it was to sell, we still could go back out and spec it out and get the truck for basically the same price." Mr. Reed said, "No, Sir, because talking to the sales manager at Velocity, however another 2026 model, due to the tariffs and because of everything going up, you're looking at another $20,000 to $30,000. Mr. Reed said, "If we were to build one and spec it out, we wouldn't get a 2026, it would be a 2027 because that is how long it takes to build a truck.

Executive Session

In accordance with South Carolina Code 30-4-70 (b) (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. ***(The Council may act following the executive session.)***

Councilman Segars made a motion to go into Executive Session at 7:23 PM.
Councilman Gardner said he has a Conflict of Interest on the subject about to be discussed. He excused himself from the meeting and signed a "Conflict of Interest Form." **Councilwoman McRavin seconded the motion. Councilpersons Reed, Milling, Baccus and Mayor Boyd voted in favor of the motion**.

Councilman Gardner made a motion to end the executive session at 8:35 PM. Councilman Segars seconded the motion. Councilpersons McRavin, Reed, Baccus, Milling and Mayor Boyd voted in favor of ending executive session.

REMINDERS / ANNOUNCEMENTS

Tuesday, August 5th, 2025, National Night Out from 6:00 PM to 8:00 PM.
Tuesday, August 12th, 2025, Regular City Council meeting 6:00 PM.
Tuesday, August 26, 2025, Council work session, 6:00 PM.
Monday, September 1st, 2025, City offices closed for Labor Day.
Tuesday, September 2nd, 2025, Regular City Council meeting 6:00 PM.

ADJOURNMENT

Upon motion of Councilman Gardner, seconded by Councilman Segars the meeting adjourned at 8:36 PM. All approved the motion to adjourn.

Mayor

ATTEST:

Clerk & Treasurer