

**DILLON COUNTY COUNCIL
REGULAR MEETING
AUGUST 22, 2012
4:00 PM**

The Dillon County Council held a regular meeting on August 22, 2012 at 4:00 pm in the County Council Chambers, 109 S 3rd Ave, Dillon SC. Present were: Archie Scott, Aron Gandy, Andrew Graves, Joe Johnson, Bobby Moody and Harold Moody. Also present were: Clay Young (County Administrator), Ken DuBose (County Attorney), and Lisa Gray (Clerk to Council). Betsy Finklea (The Dillon Herald) was not present.

The following were notified of the meeting and provided an agenda: By e-mail – Charles Curry, Randy Grimsley (Dillon County EMS), Harold Moody, The Dillon Herald, Susan Norton (Perdue), Tim Ammons (Attorney), Tonny McNeil (Dillon County Economic Development), Yolanda McCormick (Dillon County Librarian), Randy Rouse (Hometown TV), Gabriel Salmon (PDCAA), Larry Abraham (Chief Deputy), Ken Dubose (County Attorney), Joe Johnson, Les Jackson (County Deputy), Terry Morris, Alvin Nobles, Dillon County Planning/Code Enforcement Office, WMBF News, Sheriff Major Hulon, Jerry Rivers, Dan Gruszka, Bobby Holland (SCANNA), Jamie Estes (Dillon County Treasurer), Dillon County Finance, Sonny McRae (Dillon County E911), Alan Lane, Steve Johnson (Hometown TV), Manufactured Housing Institute of SC, Ron Bartley (NETC), Jamie Rogers (Morning News), Karl McColleston (Agenda Repository), Mike Burns, Dan McLeod, Lisa Morris and Kathy Dawson (McNair Law Firm), and Archie Scott; By fax – Farm Bureau and Pee Dee Electric.

INVOCATION

Invocation was given by Andrew Graves.

APPROVAL OF AGENDA

Archie Scott motioned to approve the agenda. Andrew Graves seconded and all were in favor.

APPROVAL OF MINUTES – 07/25 & 08/08/12 (Called)

Archie Scott motioned to approve the minutes. Bobby Moody seconded and all were in favor.

PUBLIC HEARING

ORDINANCE AUTHORIZING ISSUANCE AND SALE OF NOT EXCEEDING \$1,500,000 GENERAL OBLIGATION BONDS, SERIES 2012B

Mr. Young told that he will ask Council to table final reading of this ordinance until the committee can discuss some matters. There was no public input concerning the ordinance. The public hearing was properly noticed in the August 7, 2012 edition of The Dillon Herald.

ORDINANCE TO AUTHORIZE AND APPROVE AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN DILLON COUNTY AND HORRY COUNTY

There was no public input concerning the ordinance. The public hearing was properly noticed in the August 7, 2012 edition of The Dillon Herald.

ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND HARBOR FREIGHT TOOLS USA, INC.

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There was no public input concerning the ordinance. The public hearing was properly noticed in the August 7, 2012 edition of The Dillon Herald.

NEW BUSINESS

RECREATION REQUESTS

Andrew Graves motioned to approve the following: \$100.00 payable to Barnhill's Pumping & Port-a-John for the Minturn Reunion taking place on August 18, 2012 from Andrew Graves' recreation; \$110.00 payable to Latta High School for ½ page ad in the Lattitude from Aron Gandy's recreation; \$150.00 payable to Dillon Wildcat Booster Club for ad in the football program from Harold Moody's, Joe Johnson's, Archie Scott's, and Andrew Graves' (\$37.50 each) recreation accounts; \$110.00 payable to Lake View High School for ½ page ad in the football program from Bobby Moody's recreation . Archie Scott seconded and all were in favor.

LANDFILL BACKHOE REPAIR

Mr. Young told that the repair was originally estimated at \$9500 and that the invoice came in at a total of \$10,383.27. **Harold Moody motioned to approve the repair invoice. Joe Johnson seconded and all were in favor.**

BIDS – GO BONDS, SERIES 2012A

Mr. Young told that bids were received as follows: First Citizens Bank 1.77%; BB&T 1.90%; Sun Trust Bank 2.02%. **Harold Moody motioned to approve the First Citizens Bank bid of 1.77%. Joe Johnson seconded and all were in favor.** Harold Moody stated that the County needs to rebid some of the current bonds to obtain a better rate. Mr. Young told that he will get with McNair Law Firm to consolidate and reissue them.

SC COUNTIES WORKERS' COMPENSATION TRUST PREMIUMS

Mr. Young explained that this was appropriated in the budget. **Joe Johnson motioned to approve the invoice (\$313,363 total in four quarterly payments of \$78,343). Bobby Moody seconded and all were in favor.**

SC COUNTIES PROPERTY & LIABILITY TRUST PREMIUMS

Mr. Young explained that this was also appropriated in the budget. **Harold Moody motioned to approve the payment of the total invoice (\$291,872 total). Bobby Moody seconded and all were in favor.**

OAKLAND VOLUNTEER FIRE DEPARTMENT – FORESTRY GRANT MATCH REQUEST

Mr. Young told that these grant matches are included in the budget. **Bobby Moody motioned to match the grant in the amount of \$1,000. Archie Scott seconded and all were in favor.**

OLD BUSINESS

MOHAWK BUILDING REPAIRS/IMPROVEMENT

Mr. Young explained the work needed to accommodate Harbor Freight moving in. It consists of road work; docks, doors, sprinkler system, lighting and office improvements; boilers, other equipment & some duct work removed. He stated we would have to bid out (will advertise in SCBO at no cost plus in the local newspaper) some work and that county employees/inmates were doing some of the work. He told that we will apply for a Progress Energy grant to help

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with the lighting. Mr. Graves asked who would oversee the work. Mr. Young stated the work will be bid out to specifications and that Sammy Bracey will be paid on an hourly basis for overseeing the projects and Tonny McNeil will also help. He stated we may have to have a called meeting but no action is necessary today.

FINANCE REPORT

Mr. Young told that the report is in line and as of July 31st revenues were \$1,373,661.77 and expenses were \$786,205.79. Council was provided a written revenue and expenditure statement. Mr. Young stated we are just now getting state checks for last quarter and will post a final June report, which will include that, on the website. Mr. Scott asked who looks at the financial reports between Mr. Young and Jamie Estes. Mr. Young explained the process of who signs off on invoices, etc. Mr. Johnson asked about a fund balance statement. Mr. Young stated he will get that.

COMMITTEE REPORTS

BUILDING COMMITTEE - LAW ENFORCEMENT CENTER UPDATE

Harold Moody told that the committee had met with Bill Clarke to discuss the project. He also told that the City of Dillon has notified us that they will not participate in being included in the building. Mr. Clarke is to meet with all department heads involved next Friday, August 31st.

Mr. Moody also reported that the committee walked through the Mohawk building and noted the work done by county employees has saved us some money. He explained to the public that we are working on the building because Harbor Freight is looking to lease it.

ADMINISTRATOR'S REPORT

MARLBORO ELECTRIC SPEC BUILDING PROPOSAL

Mr. Young told of having met with a representative of Marlboro Electric and looked at potential sites for the building. He stated that Marlboro Electric wants to partner with us to build a spec building. Bill Fleming, CEO, and Bo McInnis, Board Chairman, spoke about the project stating this was a win/win situation for both the County and the Coop and its members. Mr. Fleming told that this will be a continuation of the County and Coop working together. Mr. Young thanked the coop for all of their past support. Mr. McInnis stated that they are flexible and both attorneys will work out what is best and fair for both parties. Mr. Scott congratulated Mr. McInnis on being the new Marlboro Electric Board Chairman. Mr. McInnis told that as he was the delegation's representative on the Dillon County Public-Private Economic Development Board, he has asked Representative Hayes and the other delegation members to take him off because of any conflict of interest that may arise. He stated he enjoyed serving on the board and will help behind the scene in anyway that he can.

ATTORNEY'S REPORT

DILLON COUNTY HISTORICAL SOCIETY - MT. HOLLY CEMETERY MAINTENANCE REQUEST

Mr. DuBose told of the letter of request sent to the County by the DCHS about maintaining the cemetery where the founder of Dillon County, Mr. J.W. Dillon, is buried. He wrote them back explaining the court order and giving them his opinion relating to the Public Purpose Doctrine. He asked for them to furnish information to him concerning ownership of the grave plots and cemetery. Mr. Graves and Mr. Gandy stated we need to address this with Judge Birch again. Mr. DuBose told that the consent order was agreed upon and thinks the only way to address it

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further with the court would be to file a new petition for relief. Mr. DuBose told that one option, which is quite common, could be for the county to grant funding to an organization, possibly the DCHS, and let them take care of the work. He suggested that Council not pick and choose but rather let an organization, such as the DCHS, do that as they would be most knowledgeable about these matters. Discussion was held concerning church cemeteries. Bobby Moody suggested at least giving DCHS funds to maintain the JW Dillon cemetery (Mt. Holly). Mr. DuBose stated the guidelines would have to be met. Mr. Scott stated that he would like for DCHS to look at other cemeteries also, such as historical church cemeteries. Mr. Young suggested discussing this with DCHS without any obligations.

ORDINANCE READINGS

THIRD READING – ORDINANCE AUTHORIZING FEE-IN-LIEU AND CERTAIN CREDITS FOR “PROJECT SQUEEZE”

Tabled

THIRD READING – ORDINANCE AUTHORIZING ISSUANCE AND SALE OF NOT EXCEEDING \$1,500,000 GENERAL OBLIGATION BONDS, SERIES 2012B

Mr. Young asked Council to table the reading.

THIRD READING – ORDINANCE TO AUTHORIZE AND APPROVE AN AGREEMENT FOR THE DEVELOPMENT OF A JOINT INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN DILLON COUNTY AND HORRY COUNTY

Mr. DuBose told that this is a commercial venture in the City of Myrtle and involves a fee in lieu of tax. He stated all of the property is in Horry County. Mr. Young told that the Myrtle Beach Regional Economic Development Corporation requested Dillon County partner with them offering 1% of the revenue. He stated it would be a good venture to work with Horry County and help them qualify as a multi-county park. **Archie Scott motioned to have third reading and approve the ordinance. Joe Johnson seconded and all were in favor.**

THIRD READING – ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND HARBOR FREIGHT TOOLS USA, INC.

Mr. Young told that Harbor Freight, McNair Law, Ken DuBose, Tonny McNeil and himself had worked to develop the lease on the old Mohawk building (owned by Dillon County). He explained the lease and told that it is tied to an expansion at the Tri-County Park. He also told that he hopes to have the two other counties partner with us to negotiate a fee in lieu and possibly also have an inducement agreement by the next meeting. Mr. DuBose stated he would like to discuss the inducement agreement in executive session. **Archie Scott motioned to have third reading and approve the ordinance. Joe Johnson seconded and all were in favor.**

SECOND READING – PROVIDING FOR CLOSING OR DEMOLITION OF DWELLINGS UNFIT FOR HUMAN HABITATION

Joe Johnson motioned to have second reading by title only as set forth in the agenda. Bobby Moody seconded. Mr. Scott questioned who would make the determination as to whether the property was not clean or suitable. Mr. DuBose told that this was tied back into minimum building code standards as it relates to safety and that it usually is abandoned property. He asked Council not to finalize the ordinance until all matters are clear. **Voting in favor were:**

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Aron Gandy, Andrew Graves, Joe Johnson, Bobby Moody and Harold Moody. Archie Scott was opposed.

APPOINTMENTS

DILLON COUNTY PUBLIC-PRIVATE ECONOMIC DEVELOPMENT PARTNERSHIP BOARD – REPLACEMENT OF CHARLES VANCE

Harold Moody expressed appreciation to Charles Vance for his service and motioned to nominate Charles Scott. Joe Johnson seconded and all were in favor.

PEE DEE REGIONAL TRANSPORTATION AUTHORITY BOARD

Archie Scott motioned to appoint Yolanda McCormick. Andrew Graves seconded and all were in favor.

PEE DEE REGIONAL COUNCIL OF GOVERNMENT BOARD MEMBER – REPLACEMENT OF MACIO WILLIAMSON

Harold Moody explained that each County has four appointments, consisting of two council members and two from the community/general public. He also stated that the four appointments decide who would serve on the executive committee from among themselves. He indicated he would like to be the one to serve on the executive committee. He mentioned that Buzzy Finklea is already on the board and will be coming onto Council in January. Mr. Gandy recommended tabling the matter. Mr. Scott stated that an African American needs to replace Macio on the board. **Archie Scott motioned to appoint Andrew Graves. Harold Moody made the second. Voting in favor were: Archie Scott, Aron Gandy, Andrew Graves, Bobby Moody and Harold Moody. Joe Johnson did not vote.** Harold Moody stated he will obtain the by-laws so that in January we will know what kind of decision to make concerning Mr. Finklea serving on the board.

EXECUTIVE SESSION – PERSONNEL MATTER

Archie Scott motioned to go into executive session. Andrew Graves seconded and all were in favor.

Joe Johnson motioned to come out of executive session, followed by a second from Harold Moody. All voted in favor.

RESULTS OF EXECUTIVE SESSION

Harold Moody requested Council be furnished monthly with the following: credit card statement, gas report, check register, general ledger/finance report, and fund balance.

ADJOURNMENT

Joe Johnson motioned to adjourn. Andrew Graves seconded and all were in favor.

Aron Gandy, Chairman

Lisa B. Gray, Clerk to Council

Date approved _____