

**DILLON COUNTY COUNCIL
REGULAR MEETING
JUNE 28, 2017
4:00 PM**

The Dillon County Council held a regular meeting on June 28, 2017 at 4:00pm in the County Council Chambers, 109 S 3rd Ave, Dillon SC. Present were T.F. Finklea, Stevie Grice, Archie Scott, Robbie Coward, Jack Scott, Harold Moody and James Campbell. Also present were: Rodney Berry (County Administrator), Richard Gaddy (Finance Director), Alan Berry (County Attorney), Betsy Finklea (The Dillon Herald) and Jamie Sue Stephens (Clerk to Council).

The following were notified of the meeting and provided an agenda: By e-mail - Charles Curry, Randy Grimsley (Dillon County EMS), The Dillon Herald, Susan Norton (Perdue), Tim Ammons (Attorney), Tonny McNeil (Dillon County Economic Development), Yolanda McCormick (Dillon County Librarian), Gabriel Salmon (PDCAA), Larry Abraham (Chief Deputy), 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 (SCANA), Jamie Estes (Dillon County Treasurer), Dillon County Finance, Sonny McRae (Dillon County E91 I), Alan Lane, Steve Johnson and Randy Rouse (Hometown TV), Manufactured Housing Institute of SC, Ron Bartley and Cathy Pelfrey (NETC), Karl McCollester (Agenda Repository), Haywood Proctor, Bo McInnis, Helen & Carley Wiggins, Danny Holder (Dillon County IT), Florence Morning News Room, Kenneth Smith, Calvin Matthews, Charlie Bailey, Rhonda Leonard, Gerry Flemming, Tonie Martin, Rosco Oxendine, Delores Smith, Terry Brown, Winna Miller, Jacorie M., Melissa Thompson, Deborah Vann, Jennifer Ward, Corey Jackson, Bill Patel, Tonya Brown, S. Suber, Claire Hall, Charles Taylor, A. Humes, Ellen Hamilton, Bill Patel, Greg Ackerman, Vernon Grimsley, Lisa Morris, Brandon Norris and Mike Burns; By fax - Fam1 Bureau and Pee Dee Electric.

Chairman Archie Scott presided over the meeting.

PLEDGE OF ALLEGIANCE

Rodney Berry, County Administrator led the pledge of allegiance.

INVOCATION

Invocation was given by Archie Scott.

APPROVAL OF AGENDA

James Campbell motioned to amend agenda removing 10 F due to ordinance not being ready at this time. Jack Scott seconded and all voted in favor.

APPROVAL OF MINUTES- 05/24/17, 06/02/17 (called), 06/09/17 (called), 06/16/17 (called)

Robbie Coward motioned to approve the minutes. James Campbell seconded and all voted in favor.

PUBLIC HEARINGS

AN ORDINANCE TO AMEND AN ORDINANCE ESTABLISHING A PROCUREMENT CODE FOR DILLON COUNTY TO PROVIDE A CAP ON COUNTY CONTRACTS NOT SUBJECT TO COUNCIL APPROVAL AND TO PROVIDE A LOCAL VENDOR PREFERENCE. There was no public comment. (The public hearing was properly noticed in The Dillon Herald's June 8, 2017 edition.)

AN ORDINANCE TO AMEND ORDINANCE #09-03 (AN ORDINANCE TO PROVIDE FOR ANIMAL CONTROL AND PROVIDE FOR PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THE ORDINANCE) TO ADD SPECIAL REQUIREMENTS FOR PITBULLS WITHIN THE UNINCORPORATED AREAS OF DILLON COUNTY. There was no public comment. (The public hearing was properly noticed in The Dillon Herald's June 8, 2017 edition.)

AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 4 CHAPTER 1 AND 20 AND TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BETWEEN DILLON COUNTY, SOUTH CAROLINA AND HARBOR FREIGHT TOOLS TEXAS, L.P. AND HF THREE LANDLORD (SC) LLC (COLLECTIVELY, "THE COMPANY") IN CONNECTION WITH THE

**DILLON COUNTY COUNCIL REGULAR
MEETING JUNE 28, 2017
PAGE 2**

EXPANSION OF THE COMPANY'S OR ITS AFFILIATES' DISTRIBUTION FACILITIES IN DILLON COUNTY (THE "PROJECT"); EXECUTION AND DELIVERY OF AN AMENDMENT TO FEE AGREEMENT BY AND AMONG DILLON COUNTY, HARBOR FREIGHT TOOLS TEXAS, L.P. AND HF TWO LANDLORD (SC) LLC; THE EXECUTION AND DELIVERY OF ONE OR MORE GRANT AGREEMENTS RELATING TO THE PROJECT; THE ACQUISITION OF CERTAIN REAL PROPERTY BY THE COUNTY AND THE CONVEYANCE OF SUCH PROPERTY IN CONNECTION WITH THE PROJECT; THE PROVISION BY THE COUNTY OF CERTAIN PUBLIC AND PRIVATE INFRASTRUCTURE IN SUPPORT OF THE PROJECT; AND MATTERS RELATING THERETO.

There was no public comment. (The public hearing was properly noticed in The Dillon Herald's June 8, 2017 edition.)

AN ORDINANCE TO PROVIDE BUDGET APPROPRIATIONS FOR COUNTY PURPOSES IN THE COUNTY OF DILLON FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 AND ADOPT AND IMPLEMENT RATES AND FEES, AND FOR OTHER TAX PURPOSES AND COUNTY APPROPRIATION PURPOSES AND TO ESTABLISH THE TAX MILLAGE TO PROVIDE FOR THE BUDGET. Chairman Scott read the guide lines for the public hearing and they are as follows: 1) Each organization may have 3 people to speak on their behalf. Each speaker will have a maximum of 3 minutes for their presentation. 2) For the record each speaker should identify themselves and what organization they represent. 3) All comments should be addressed to the county council and pertain to the issue being discussed. 4) All potential speakers should sign up to speak as soon as entering the chambers. 5) If for any reason you were unable to make a presentation and would like to make a comment you can do so in writing to the county administrator within 5 days of the hearing. Chairman Scott asked that each person govern themselves according to the guide lines. There were six people signed up to speak on the budget.

Jacorie McCall - he told Council that he plans to go to USC and practice political science and study law and come back to Dillon County and practice law. He represented School District Four at Palmetto Boys State to expand his knowledge in government and the way our county and state runs. Chairman Scott told Jacorie to talk about the budget; he is just talking about issues. Jacorie continued, SC ranks 48 out of 50 states in education, with the Inland PoIt coming to Dillon we have the possibility of improving County economic development as well as educational growth taking money from local school district is taking a step back from government. The school has received money from the County for twenty years. Last year they received \$319,000.00; this money is pledged to repay debt for new County school building and to fully fund day to day operations. Chairman Scott told Jacorie that his time is up because he is not talking about the budget. **Richard Schafer** - He told Council that he was going to discuss the budget. He said he has been on the school board for 29 years and that he was fully involved in 1996 discussion on the referendum that was brought forth. Richard explained that the school has always been included in the budget of \$319,000.00. So far we have only been paid half. The budget that you are proposing reduces your contribution from the referendum to about half. Chairman Scott told Mr. Schafer that he was getting off the subject and his time was up.

Ray Rogers - Mr. Rogers told Council that dealing with the budget that he and Dr. Kirby met with the architects and the plans that they have depends on revenue that comes from the County. Mr. Rogers asked Council to take a hard look at the budget. He said that they are trying to do the best for the kids in Dillon County. He explained that he has been in it for 46 years trying to get better for the kids. Mr. Rogers said that he knew that the Council had a decision to make in the budget and he hopes that everything you can do you will do for the betterment of our kids and County.

Charles Curry - Mr. Curry passed out documents to each councilman. He told Council that the school is asking to be put back in the budget, whether budget is proper or not. Chairman Scott told Mr. Curry that we have seen all of this, if you choose this would be for a court to look at. Mr. Curry said they are asking to put back in the budget which is what this meeting is about, asking to put money back in that is supposed to go to Dillon County Board of Education. Chairman Scott told Mr. Curry that we have no proof where the money is supposed to go. Chairman Scott told Mr. Curry that if he has nothing to add about the budget then his time is up.

Doug Broome - Mr. Broome told Council that he is the business manager for Dillon County Board of Education and has been since 1998. He explained that during and before they have collected a portion of "LOST" funds from County Council budget. Chairman Scott told Mr. Broome that this did not pertain to the budget so his time would be up also. Alan Berry told Council that in his opinion the speakers at the public hearing should have the full time to speak but you, Mr. Scott are the Chairman and you run the meeting. Archie Scott replied that the speakers have had an opportunity to speak but when they bring something that is not related to our budget is uncalled for.

DILLON COUNTY COUNCIL REGULAR MEETING JUNE 28, 2017 PAGE 3

NEW BUSINESS

JERRY HUGGINS RETIREMENT

County Administrator, Rodney Berry, recognized Jerry Huggins for his twenty years of service with the Veterans Affairs. He presented him with a plaque and a gift. Rodney also recognized Valerie Graves who will be taking Mr. Huggins place at Veterans Affairs.

GENERATOR BIDS FOR IT DEPARTMENT

Richard Gaddy told Council that the generators serve the IT department at the Courthouse. He explained that this is a grant and will be reimbursed 75 percent of the cost of the generator. There are three bids and they are as follows: Millers Plumbing and Electric - \$99,208.31; J. Northcutt, LLC - \$94,774.00; Power Protech - \$109,270.00. **Robbie Coward motioned to approve the lowest bid, J. Northcutt, LLC -\$94,774.00. James Campbell seconded and all voted in favor.**

CONTRACT WITH KENNETH COBB TO ASSIST IN AUDIT PREPARATION

Richard Gaddy told Council that Walda Wildman has retired and that advertising was done through the SCAC and there was only one that was interested and that was Kenneth Cobb from Mullins, \$22,500.00. Rodney Berry told Council that this is in line with our previous vendor. **Harold Moody motioned to hire Kenneth Cobb to assist in audit preparation. Robbie Coward seconded and all voted in favor.**

REPAIR BILL TO BLANCHARD FOR COMPACTOR

Richard Gaddy told Council that this is the big compactor at the landfill which crushes up C&D. Blanchard replaced the tracks and under carriage of the compactor. **James Campbell motioned to approve the repair bill to Blanchard for compactor. Harold Moody seconded and all voted in favor.**

SALKEHATCHI CAMP MISSION GROUP- DUMPSTERS FOR HOMES

Rodney Berry explained that this is usually done each year. It is sponsored by Main Street United Methodist Church and they bring people in to renovate homes. This helps people in our community. **Robbie Coward motioned to supply dumpsters for homes for the Salkehatchi Camp Mission Group. TF Finklea seconded and all voted in favor.**

RECREATION REQUESTS

Robbie Coward motioned to approve the following requests: \$100.00 payable to Mary Katherine Bethea Foundation for Cancer Awareness from Stevie Grice's recreation and \$100 payable to Mary Katherine Bethea for Cancer Awareness from Archie Scott's recreation from new budget; The following will come from Stevie Grice's recreation -\$100.00 payable to Viqueen Softball Team; \$100.00 payable to Heartbreakers Softball Team; \$100.00 payable to Mike McRae's AAU Basketball Team; \$220.00 payable to Dillon Rescue; \$220.00 payable to Floydale Fire; \$220 payable to Floydale Ladies Auxiliary; \$220 payable to Neighbors helping Neighbors for total amount \$1180.00. The following will come from Robbie Coward's recreation - \$500.00 payable to Neighbors Helping Neighbors; \$500.00 payable to Cook's for Christ; \$700.00 payable to Y.A.N.A. for a total of \$1700.00. \$1000.00 payable to Station #4, Gaddy's Mill Fire Department from Harold Moody's recreation. \$575.00 payable to Y.A.N.A. from Archie Scott's recreation. \$690.00 payable to Y.A.N.A. from James Campbell's recreation. \$477.50 payable to Latta Fire Department; \$477.50 payable to Oak Grove Neighborhood Watch from TF Finklea's recreation for a total of \$955.00. James Campbell seconded and all voted in favor.

OLD BUSINESS

AUDIT BIDS

Richard Gaddy told Council that there are three bid proposals for audit services and they are as follows: Love & Bailey- June 30, 2017: \$33,500; June 30, 2018: \$33,500; June 30, 2019: \$33,500 Webster Rogers - June 30, 2017: \$33,300, June 30, 2018: \$33,900; June 30, 2019: \$34,600 Sheheen, Hancock and Godwin- June 30, 2017: \$28,250; June 30, 2018: \$29,500; June 30, 2019: \$30,000 **Robbie Coward motioned to accept lowest bid of Sheheen, Hancock and Godwin. Jack Scott seconded and all voted in favor.**

DILLON COUNTY COUNCIL REGULAR MEETING JUNE 28, 2017 PAGE 4

FINANCE REPORT

Richard Gaddy, Finance Director, gave the reconciled bank account balances as of June 27, 2017 with net available funds of \$3,233,479.26.

ADMINISTRATOR'S REPORT BARRETT LAWRIMORE aWARD

Rodney Berry explained that at the SCAC Conference he will present a package that Melissa Thompson has helped with. This is the Barrett Lawrimore Award which is the most covenant award. We have an excellent chance at this award due to great partners surrounded by the Inland Port. Other partners are NESAs, Duke Energy, Marlboro Development Team, Ports Authority, CSX, and Commerce.

FAIRFIELD ROAD

Rodney Berry told Council that Fairfield road serves Inland Port to Industrial Park Boulevard. CTC has put in money, SCOOT already had money designated to resurface the road which we will do more than resurface it will be strengthened considerably and the Port will put in money. Rodney explained that the reason he has mentioned this is because the County may have to take this road in.

EMPLOYEE AND DEPARTMENT OF THE MONTH

Rodney Berry told Council that this is the first time doing employee and department head of the month but that he felt these individuals worked hard and should be recognized. This month the department head of the month goes to Steve Moody, Supervisor at Roads and Bridges. Employee of the month for June is Delores Smith, Human Resource for the County.

ORDINANCES

THIRD READING - AN ORDINANCE TO AMEND AN ORDINANCE ESTABLISHING A PROCUREMENT CODE FOR DILLON COUNTY TO PROVIDE A CAP ON COUNTY CONTRACTS NOT SUBJECT TO COUNCIL APPROVAL AND TO PROVIDE A LOCAL VENDOR PREFERENCE.

Alan Berry explained that this ordinance brings changes to the procurement code, as it stands now the cap is \$10,000 which the administrator can approve without Council's approval and this would change the amount to \$5,000.00. Also this ordinance provides local vendor preference which means that is a local vendor and an outside vendor bid same amount, local vendor will get contract. **TF Finklea motioned to have third reading. Harold Moody seconded and all voted in favor.**

THIRD READING - AN ORDINANCE TO AMEND ORDINANCE #09-03 (AN ORDINANCE TO PROVIDE FOR ANIMAL CONTROL AND PROVIDE FOR PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THE ORDINANCE) TO ADD SPECIAL REQUIREMENTS FOR PITBULLS WITHIN THE UNINCORPORATED AREAS OF DILLON COUNTY.

Alan Berry said that this is the third reading amending animal control ordinance to provide special provisions for Pitbull dogs. This ordinance mirrors City Ordinance which deals with Pitbull dogs that have in place and works well with them. Residents have to register dogs, have them tagged and keep in a certain type of pen so they cannot get out. **James Campbell motioned to have third reading. Jack Scott seconded and all voted in favor.**

THIRD READING - AN ORDINANCE AUTHORIZING, PURSUANT TO TITLE 4 CHAPTER 1 AND 20 AND TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAXES AND SPECIAL SOURCE REVENUE CREDIT AGREEMENT BETWEEN DILLON COUNTY, SOUTH CAROLINA AND HARBOR FREIGHT TOOLS TEXAS, L.P. AND HF THREE LANDLORD (SC) LLC (COLLECTIVELY, "THE COMPANY") IN CONNECTION WITH THE EXPANSION OF THE COMPANY'S OR ITS AFFILIATES' DISTRIBUTION FACILITIES IN DILLON COUNTY (THE "PROJECT"); EXECUTION AND DELIVERY OF AN AMENDMENT TO FEE AGREEMENT BY AND AMONG DILLON COUNTY, HARBOR FREIGHT TOOLS TEXAS, L.P. AND HF TWO LANDLORD (SC) LLC; THE EXECUTION AND DELIVERY OF ONE OR MORE

**DILLON COUNTY COUNCIL REGULAR
MEETING JUNE 28, 2017
PAGE 5**

GRANT AGREEMENTS RELATING TO THE PROJECT; THE ACQUISITION OF CERTAIN REAL PROPERTY BY THE COUNTY AND THE CONVEYANCE OF SUCH PROPERTY IN CONNECTION WITH THE PROJECT; THE PROVISION BY THE COUNTY OF CERTAIN PUBLIC AND PRIVATE INFRASTRUCTURE IN SUPPORT OF THE PROJECT; AND MATTERS RELATING THERETO.

Rodney Berry told Council that this ordinance deals with executing the deal with Harbor Freight. Still negotiating one word that pertains to the road. I am looking to sign the MOU and have everything is squared away this week. Robbie Coward motioned to have third reading. Jack Scott seconded and all voted in favor.

THIRD READING - AN ORDINANCE TO PROVIDE BUDGET APPROPRIATIONS FOR COUNTY PURPOSES IN THE COUNTY OF DILLON FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 AND ADOPT AND IMPLEMENT RATES AND FEES, AND FOR OTHER TAX PURPOSES AND COUNTY APPROPRIATION PURPOSES AND TO ESTABLISH THE TAX MILLAGE TO PROVIDE FOR THE BUDGET.

Stevie Grice said that he did not feel like the budget should be voted on today. He said that he did not know exactly what was in the budget; he had not seen it since it has been revised and things put in and taken out. Stevie Grice motioned to not pass third reading of the budget. Harold Moody seconded. Voting for the motion were Harold Moody, Stevie Grice, Robbie Coward and TF Finklea. Voting opposed were Archie Scott, James Campbell and Jack Scott.

THIRD READING - AN ORDINANCE AUTHORIZING PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT, BY AND BETWEEN DILLON COUNTY, SOUTH CAROLINA, AND A COMPANY KNOWN TO THE COUNTY AS PROJECT FREEDOM, AS SPONSOR, AND ONE OR MORE SPONSOR AFFILIATES TO PROVIDE FOR A FEE-IN-LIEU OF AD VALORM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS. Robbie Coward motioned to have third reading. Jack Scott seconded and all voted in favor.

SECOND READING - PRESERVATION TAX INCENTIVE ORDINANCE FOR THE COUNTY OF DILLON. Amended agenda and removed this item from agenda.

SECOND READING - AN ORDINANCE OF DILLON COUNTY, SOUTH CAROLINA TO AMEND AN AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BY AND AMONG DILLON COUNTY, MARION COUNTY, SOUTH CAROLINA AND MARLBORO COUNTY, SOUTH CAROLINA, SO AS TO ENLARGE THE PARK AND MODIFY THE DISTRIBUTION OF PARK REVENUES IN THE EVENT OF THE ISSUANCE BY DILLON COUNTY OF CERTAIN SPECIAL SOURCE REVENUE BONDS; AND OTHER MATTERS RELATED TO THE FOREGOING.

Rodney Berry told Council that this ordinance deals with Multi County Parks that are structured in order to provide incentives to companies coming in by the state. This is shared by Dillon, Marion and Marlboro. James Campbell motioned to have second reading. Robbie Coward seconded and all voted in favor.

RESOLUTIONS

RESOLUTION ADOPTING THE 2017 DILLON COUNTY HAZARD MITIGATION PLAN

Moses Heyward told Council that every five years the hazard mitigation plan has to be updated and do a resolution. In the event you have a disaster and declaration is declared then you will qualify for grant funding if the resolution is adopted. If you do not adopt resolution and something should happen then you cannot qualify for grant funding. This is for the Town of Latta, Town of Lake View and Dillon County. James Campbell motioned to adopt the 2017 Dillon County Hazard Mitigation Plan. Robbie Coward seconded and all voted in favor.

IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE SOUTH CAROLINA CODE, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY A COMPANY KNOWN TO THE COUNTY AS PROJECT FREEDOM, ITS AFFILIATES AND RELATED ENTITIES, TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES

**DILLON COUNTY COUNCIL REGULAR
MEETING JUNE 28, 2017
PAGE 6**

ARRANGEMENT WITH DILLON COUNTY, SOUTH CAROLINA; PROVIDING FOR OTHER RELATED ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING SPECIAL SOURCE REVENUE CREDITS; AND OTHER MATTERS RELATED THERETO.

James Campbell motioned to adopt resolution. Robbie Coward seconded and all voted in favor.

RESOLUTION TO APPROVE PARTIAL RELEASE OF LAND OPTION #058-00-00-021

Alan Berry told Council that there was a company interested in Solar panels near Harbor Freight at one time. The Hamilton property on Westside, Longstreet near 34. In option agreement County signed along with her children. Mrs. Hamilton has the right to sell up to five acres of that property out of the option and the County would have first refusal if they decide to buy what she offered. Someone has offered to buy 4.2 acres of land and she has asked the Council to give her approval to terms of option the right to sell. **Robbie Coward motioned to approve partial lease option. James Campbell seconded and all voted in favor.**

COUNCIL COMMENTS

Stevie Grice commented that the public is invited in and we want them to be involved, all we are is representatives of them. When we have public hearings they deserve the opportunity to speak whether we agree or disagree with what they are saying.

Archie Scott commented saying that he wanted to go on record saying that the general public was not deprived to speak. They had the opportunity to speak but you have to speak according to the budget and stay on line with the budget. To bring in other stuff not called for and permitted by me as the chair because it is a budget hearing not a hearing to hold court, not to look at documents and exhibits that is for court system. The guide lines were explained and when you get off guide lines it is the sole responsibility of the chairman to make sure the guidelines are followed.

TF Finklea commented that he had been on Council for five years and he knows that there are rules to go by but this is the first time that time has been called since he has been on Council. He explained that he has seen people get off subject and talk for fifteen minutes.

Robbie Coward commented that he was planning to vote on the budget but the reason he didn't was that he felt like every Councilman should know exactly what is in the budget and Councilman Grice raised issues that he did not know and had not had time to look at the budget.

EXECUTIVE SESSION -ECONOMIC DEVELOPMENT MATTERS

Rodney Berry told Council that an Executive Session was not necessary at this time.

RESULTS OF EXECUTIVE SESSION

ADJOURNMENT

James Campbell motioned to adjourn. Harold Moody seconded and all voted in favor.

Archie Scott, Chairman

Jamie Sue Stephens, Clerk to Council

Date Approved