

**DILLON COUNTY COUNCIL  
REGULAR MEETING  
MAY 24, 2017  
4:00 PM**

**The Dillon County Council held a regular meeting on May 24, 2017 at 4:00pm in the County Council Chambers, 109 S 3<sup>rd</sup> 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 E911), Alan Lane, Steve Johnson and Randy Rouse (Hometown TV), Manufactured Housing Institute of SC, Ron Bartley and Cathy Pelfrey (NETC), Karl McColleston (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 – Farm 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 approve agenda. Jack Scott seconded and all voted in favor.**

**APPROVAL OF MINUTES – 04/26/17, 05/12/17 (called)**

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

**COMMENTS FROM JUDGE BURCH**

Judge Burch thanked the Council for letting him come and speak with them. He said he had some concerns and wanted to talk to them about their duties and hopefully keep them out of trouble. He reviewed the duties of the Council which included setting appropriate county policies, presenting a balanced budget, filling appointments and positions, enacting ordinances that are legal and reasonable and other statutory duties as required. He explained to Council that they had a highly qualified man serving as county administrator and that everything should go through him and specifically when dealing with county employees. Judge Burch told council that there was a complaint filed with the courts some months ago that alleges improper direction by some county council members of employees. He also said he received a verbal complaint of county councilmen or one council member trying to direct an elected official on a matter that should have been of no concern to him according to the duties outlined by state statutes. Judge Burch told the councilmen that if they had not reviewed the order to please do so. He said he wanted it clear on the record that each one of them had due notice of the order so he asked Sheriff Major Hulon to personally serve the order to each councilman.

**PUBLIC HEARINGS**

**TO AMEND ORDINANCE #12-07 PROVIDING FOR THE CLOSING OR DEMOLITION OF DWELLINGS UNFIT FOR HUMAN HABITATION**

There was no public comment. (The public hearing was properly noticed in The Dillon Herald's May 4<sup>th</sup>, 2017 edition.)

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**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 VALOREM TAXES INCENTIVE AND CERTAIN SPECIAL SOURCE REVENUE CREDITS; AND OTHER RELATED MATTERS.**

There was no public comment. (The public hearing was properly noticed in The Dillon Herald's May 4<sup>th</sup>, 2017 edition.)

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN DILLON COUNTY, SOUTH CAROLINA, AND PERDUE FOODS LLC WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CRDITS; AND OTHER MATTERS RELATED THERETO. (PROJECT VANILLA)**

There was no public comment. (The public hearing was properly noticed in The Dillon Herald's May 4<sup>th</sup>, 2017 edition.)

## **ADMINISTRATOR'S REPORT**

### **CLEAN UP DAY**

Administrator Berry told Council that Saturday June 3<sup>rd</sup>, 2017 is designated as clean-up day and we will work to clean-up the entrances and pick up areas on the right of ways throughout the County.

### **DEPARTMENT HEAD WEEKLY REPORTS**

Administrator Berry told Council that there was a Department Head Meeting today (May 24<sup>th</sup>, 2017) and that he gave out Weekly Reports for the Department Heads to fill out and turn in each Monday.

### **FEDERAL CONTRACT SEMINAR**

Rodney Berry explained that there would be a Seminar on June 20<sup>th</sup>, 2017 at the City of Dillon Wellness Center. He said that this seminar would be important to our constituents and business leaders. This seminar deals with obtaining Federal Contracts from Government.

Rodney also told Council that part of the A-Tax, subject to your approval, that we have no Welcome Signs in Dillon County. This is a rendition that we will propose Dillon County South Carolina Welcomes You / Alive on 95. This has been asked for within Accommodations Tax.

### **EMS LOCATION**

Chairman Scott said this item we would strike at this time.

### **NEW BUSINESS**

#### **LATTA HIGH SCHOOL GIRLS SOFTBALL STATE CHAMPIONS 2A**

Archie Scott and TF Finklea presented the plaque to the Latta High School Girls Softball team and TF Finklea told the girls how proud he is of them.

#### **LATTA HIGH SCHOOL BOYS BASEBALL LOWER STATE CHAMPIONS 2A**

Archie Scott presented the plaque to the Latta High School Boys and TF Finklea said that he felt like they were state champions. He thanked the Coach for all his hard work.

#### **LAKE VIEW HIGH SCHOOL BOYS LOWER STATE CHAMPIONS 1A**

Archie Scott and Jack Scott presented the plaque to the Lake View High School Boys. Jack Scott told the boys how proud he was of them.

### **RECOGNITION OF ED HORNE**

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Rodney Berry, Robbie Coward and Archie Scott presented Ed Horne with a plaque. Rodney Berry thanked him for his longtime service of forty five years and that he greatly appreciated all that Ed had done.

## AUDIT PROPOSAL BIDS

Richard Gaddy told Council that he had received three bids on the audit and they are as follows: Sheheen, Hancock, & Godwin, 2017 -\$28,250, 2018 - \$29,500, 2019 - \$30,000; Love, Bailey & Associates, 2017 -\$33,500, 2018 -\$33,500, 2019-\$33,500; Webster Rogers, 2017 -\$33,300, 2018- \$33,900, 2019 - \$34,600. Councilman Scott said that they would review these bids that they had received.

## NETC PRESENTATION

Mr. Berry told Council that they could not come today but would give a presentation at another time.

## RECREATION REQUESTS

**Robbie Coward motioned to approve the following requests: \$150.00 payable to Columbia Marriott Mikeya Murphy competing in the Miss South Carolina pageant \$50.00 each from Archie Scott , James Campbell and TF Finklea's recreation (this money was given to her last year but check was never cashed); \$1050.00 payable to High School Sports Report for placing an ad, \$150.00 each from Harold Moody, Stevie Grice, Robbie Coward, Archie Scott, James Campbell, TF Finklea and Jack Scott's recreation. Harold Moody seconded and all voted in favor.**

## DHEC PROPOSAL

Rodney Berry told Council that this was for information only. This pertains to the DHEC property. They have teamed with Care South and also have grant money. They have asked for Care South to buy the property for \$6000.00 and in return we give \$6000.00, opposed to our normal \$14,000.00 mandated to them next year. This will be put in an ordinance. We will not be responsible for maintenance.

## ACCOMMODATIONS TAX REPORT – CHARLES TAYLOR

Charles Taylor gave Council a list of projects that they want to fund this year and the money is already there. The projects are: Latta Springfest - \$4250.00; Edwards House Museum - \$1,000.00; Latta Community Singers - \$1,000.00; Harvest Day Celebration - \$500.00; Latta Christmas Tour of Homes - \$2,500.00; Latta Revitalization Projects - \$3,000.00; Lake view Christmas on the Boulevard - \$4,250.00; Pigs and Pearls - \$2,500.00; Farm to Table - \$2,500.00; Dillon County Celebrate Main Street - \$6,000.00; Taste of Dillon County - \$7,000.00; Dillon County Theatre - \$6,000.00; The Criterion Club - \$5,000.00; On – Going Public Awareness (Pop-Ups) - \$9,000.00. Total for all projects \$54,500.00. Then Mr. Taylor told of the welcome signs that they are \$7,220.00. He explained that there was a balance left of \$1,812.57 and that \$5,407.43 would be taken from the Advertising and Promotion for a total of \$7,220.00. **James Campbell motioned to approve Accommodations Tax. Jack Scott seconded and all voted in favor.**

## QUOTE FOR TRUCK FOR MAINTENANCE

Richard Gaddy told Council that Bobby Horne's truck had expired. Tony Caulder needs a utility truck to keep tools on and give his truck to Bobby Horne. On State Contract the utility truck will be in the amount of \$32,804.00. Archie Scott asked the Administrator about striking this due to lack of funds. Rodney Berry said this is a legitimate comment but this is a working truck and he driving an old van which impedes his duties. If Council chooses to do so until the budget is passed, that is understandable. Richard Gaddy said that it is not in the budget. Archie Scott commented that this would be looked at further.

## FINANCE REPORT

Richard Gaddy, Finance Director, gave the reconciled bank account balances as of May 24, 2017 with net available funds of \$2,936,023.32.

## ORDINANCES

**THIRD READING – AN ORDINANCE BY DILLON COUNTY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF DILLON COUNTY TO REZONE A PARCE OF LAND KNOWN AS TAX MAP NOS.; PORTION OF #80 (PARCEL92) 68.62 ACRES, PORTION OF 80 (PARCEL 17) 49.69 ACRES, PORTION OF 68**

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**PARCEL 130) 39.88 PREVIOUS PROPERTY OWNER(S): E. CULLEN BRYANT AND JOSEPH COWARD, CURRENT PROPERTY OWNER SOUTH CAROLINA STATE PORTS AUTHORITY, TAX MAP NO. 080-00-00-112. LOCATION IS ALONG WEST SIDE OF CSX RR FROM W. COUNTRYSIDE ROAD TO W. FAIRFIELD ROAD, DILLON, SC 29536 CHANGE FROM RURAL (RU) TO GENERAL COMMERCIAL (GC) IN ORDER TO OPERATE THE INLAND PORT.**

**TF Finklea motioned to have third reading. Harold Moody seconded and all voted in favor.**

**THIRD READING – TO AMEND ORDINANCE #12-07 PROVIDING FOR THE CLOSING OR DEMOLITION OF DWELLINGS UNFIT FOR HUMAN HABITATION**

**Robbie motioned to have third reading. James Campbell seconded and all voted in favor.**

**THIRD READING – AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN DILLON COUNTY, SOUTH CAROLINA, AND PERDUE FOODS, LLC WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.**

**Robbie Coward motioned to have third reading. James Campbell seconded and all voted in favor. Rodney Berry told Council that at the request of the company, make no comment at this time.**

**SECOND 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.**

Attorney Berry told Council that the procurement code now there is some ambiguity, what limits are that the Council approves versus what limits the Administrator can approve. With this ordinance, anything over \$5,000.00 has to be approved by Council and also provides for local vendor preference. **Robbie Coward motioned to have second reading. Jack Scott seconded and all voted in favor.**

**SECOND 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.**

Attorney Berry told Council that this is the same as the City of Dillon uses, at the direction of the Council, but it adapts to County Animal Control Officer in charge to carry out provision of ordinance if passed. He also explained that there are pretty stringent regulations of those that have pit bulls. **James Campbell motioned to have first reading. TF Finklea seconded and all voted in favor.**

**FIRST READING – PRESERVATION TAX INCENTIVE ORDINANCE FOR THE COUNTY OF DILLON**

Administrator Berry told Council that in short summary the City is passing an ordinance if you have a building downtown and you renovate the facade outside or any upgrades that we and the city would give individually tax breaks, they would only pay taxes on assessed value before improvements. **Harold Moody motioned to have first reading by title only. TF Finklea seconded and all voted in favor.**

**FIRST 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.**

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Alan Berry told Council to approve this by title only. Rodney Berry explained that this is not enlarging geographical area of the Tri-County Park; this just makes it available for Multi County Park. **James Campbell motioned to have first reading by title only. Robbie Coward seconded and all voted in favor.**

## **FIRST READING – BUDGET FY 2017 -2018**

**Robbie Coward motioned to have first reading by title only. TF Finklea seconded and all voted in favor.**

## **RESOLUTIONS**

**AUTHORIZING EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BETWEEN DILLON COUNTY, SOUTH CAROLINA AND HARBOR FREIGHT TOOLS USA, INC., A DELAWARE CORPORATION (THE “COMPANY”) IN CONNECTION WITH THE PROVISION BY DILLON COUNTY OF CERTAIN INCENTIVES TO THE COMPANY RELATING TO THE COMPANY’S EXPANSION OF ITS EXISTING FACILITIES IN DILLON COUNTY; AUTHORIZING AND RATIFYING PRIOR AND FUTURE ACTS OF CERTAIN DILLON COUNTY OFFICIALS WITH REGARD TO THE FOREGOING; AND OTHER MATTERS RELATED THERETO.**

Rodney Berry told Council that there were some concerns with this resolution. He said I ask that you sign the red line document, this is protection that we need. Section 2 strike “and directed” there is an issue that needs to be worked out and also an exhibit needs to be included. There is \$1 million shortfall for Project Badger and we have talked with the engineers who estimate what the road will cost. The exhibit that we are presenting back to Project Badger is that all we are committing to a \$1 million SSRB for commercial loan to make up downfall. Agreeing to the changes with our attorney gives us security. If it happens to be more than what the engineer said it would be then we would not have to make it up. **Robbie Coward motioned to accept the resolution. Harold Moody seconded and all voted in favor.**

## **APPOINTMENTS**

**DILLON COUNTY PUBLIC PRIVATE ECONOMIC DEVELOPMENT PARTNERSHIP BOARD – DISTRICT TWO – JACK SCOTT**

**Jack Scott motioned to appoint Alan Strickland to the Dillon County Public Private Economic Development Partnership Board. Robbie Coward seconded and all voted in favor.**

## **COUNCIL COMMENTS**

James Campbell asked the administrator if we had the forms for the demolition and Rodney replied yes. James then said we can move forward with the demolition.

## **EXECUTIVE SESSION – LEGAL MATTER**

**Rodney Berry told Council that this was not needed at this time.**

## **RESULTS OF EXECUTIVE SESSION**

None

## **ADJOURNMENT**

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

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**Archie Scott, Chairman**

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**Jamie Sue Stephens, Clerk to Council**

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**Date Approved**