

**DILLON COUNTY COUNCIL
REGULAR MEETING
SEPTEMBER 25, 2013
4: 00 PM**

The Dillon County Council held a regular meeting on September 25, 2013 at 4:00 pm in the County Council Chambers, 109 S 3rd Ave, Dillon SC. Present were: Randy Goings, T.F. Finklea, Archie Scott, Joe Johnson, Harold Moody, Bobby Moody and Andrew Graves. Also present were: Clay Young (County Administrator), Ken DuBose (County Attorney), Betsy Finklea (The Dillon Herald) and Lisa Gray (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), Jamie Rogers (Morning News), Karl McCollester (Agenda Repository), Haywood Proctor, Frank Brockington, Bo McInnis, Barbara Kemp (CGA Facilities Services), Melissa Thompson (Dillon County GIS), Chris Clark (Clark Eustice Wagner PA), Shannon Munoz (PDCOG), Brandon Norris, Mike Burns, Dan McLeod, Kathy Dawson and Lisa Morris (McNair Law Firm) and; By fax – Farm Bureau and Pee Dee Electric.

Chairman Archie Scott presided over the meeting.

INVOCATION

Invocation was given by Randy Goings.

APPROVAL OF AGENDA

Andrew Graves motioned to approve the agenda. Joe Johnson seconded and all were in favor.

APPROVAL OF MINUTES –08/28/13

Andrew Graves motioned to approve the minutes. Randy Goings seconded and all were in favor.

NEW BUSINESS

BIDS – BINGHAM FIRE STATION

Mr. Young told that the bids (six received) were reviewed with assistance from Larry Jones, Code Enforcement Officer. He asked Council to reject all bids and re-bid the project to include everything, a turn- key job. Discussion was held concerning asking for a Butler brand building. **Randy Goings motioned to reject all bids received. T.F. Finklea seconded and all were in favor.**

BIDS – DILLON COUNTY JUDICIAL CENTER

Barbara Kemp, CGA Facilities Services, explained that seven qualified bids were received. She told that the low bidder, FBI, had contacted her with an issue with one of their sub-contractors (site contractor). She stated FBI is asking to withdraw their low bid without a penalty (without revoking the bid bond). T. F. Finklea stated that Council needs to have a full Council workshop to discuss. Mr. DuBose suggested Council have a workshop and called meeting to take action at the same time, as the contractor is obligated to a 30 day bid guarantee. Council agreed to have the workshop/called meeting on the next Wednesday, October 2, 2013.

ABANDONED CEMETERY PROPOSALS (2) – (BOB) HAYES & MILLER-WIGGINS CEMETERIES

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Mr. DuBose explained that the research revealed the need to get land owners permission to go across the property to access the cemeteries. **Bobby Moody motioned to approve both cemeteries be placed in the County system (to clean). Joe Johnson seconded the motion.** Councilman Graves stated that he was concerned about the court order. Mr. DuBose noted that all cemeteries are private property and that State statute allows for the County to work on them (as long as abandoned) if Council so desires. **All voted in favor.**

RECREATION REQUESTS

Andrew Graves motioned to approve the following: \$500.00 payable to Floyd Dale Rescue and Fire Department for their annual fundraiser on to be held October 11 and 12, 2013, from Joe Johnson's recreation; \$60.00 payable to Lake View High School for ad in the year book from Bobby Moody's recreation; \$100.00 payable to Dillon County First Steps for their annual fundraiser to be held on October 8, 2013 from Joe Johnson's and Archie Scott's (\$50 each) recreation (*paid from other County funds instead); and \$100.00 payable to City of Dillon for Golf Tournament sponsor held September 21, 2013 from Harold Moody's recreation (*paid from other County funds instead). Bobby Moody seconded and all were in favor.

OLD BUSINESS

DILLON COUNTY PUBLIC PRIVATE ECONOMIC DEVELOPMENT PARTNERSHIP REQUEST

Haywood Proctor told that most of the board members had signed a conflict of interest form, per Council's request. He spoke of the 501C3 status and the need for start-up funds, stating he doesn't anticipate coming back for more funds. Richard Schafer spoke on behalf of the schools. He thanked Council for the School Resource Officer funding and stated that the program was working well. He told that the Public Private Economic Development Partnership Board is currently working hard to bring industry into the County. Tonny McNeil spoke concerning the \$25,000.00 request and asked that the funds requested be handled like the budget for his department, with the ability to transfer funds between line items. **Bobby Moody motioned to approve the request. Randy Goings seconded the motion.** T.F. Finklea stated he would rather fund them as needed, not giving the \$25,000.00 up front. He and Mr. Graves also asked Mr. Young if funds were available upon which Mr. Young said there were, with a line item transfer such as from Council capital account. Harold Moody stated it should be contingent upon all board members signing the conflicts of interest. Mr. Proctor stated that the purpose and use of the funds spent are in their by-laws. **Bobby Moody restated his motion to approve the request up to \$25,000.00 (on an as-needed basis) and contingent upon all board members signing the conflict of interest forms. Archie Scott seconded. Voting in favor were: Bobby Moody, Randy Goings, T.F. Finklea and Archie Scott. Voting against were: Harold Moody, Joe Johnson, and Andrew Graves.**

CHRIS CLARK ADDITIONAL INDEPENDENT AUDIT REPORT PROPOSAL

Mr. Young told that Mr. Clark (with Clark Eustace Wagner, PA) provided a proposal, for additional forensic agreed upon procedures, to Council. Chairman Scott asked to defer the matter and ask for the cost.

FINANCE REPORT

Richard Gaddy told that department heads are doing a good job. He told that the report reflects \$273,933.65 revenues over expenses. He also stated the payroll functions are now handled in the finance office. Discussion was held concerning where checks are printed and separation of duties.

COMMITTEE REPORTS

None

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ADMINISTRATOR'S REPORT

Mr. Young told that he will go over any issues at the workshop/called meeting next Wednesday, October 2, 2013.

ATTORNEY'S REPORT

None

ORDINANCE READINGS

FIRST READING - ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN DILLON COUNTY, HARBOR FREIGHT TOOLS TEXAS, LP AND HF TWO LANDLORD (SC) LLC; APPLICATION OF INFRASTRUCTURE CREDIT TO FEE-IN-LIEU; EXTENSION OF THE FEE TERM BY AMENDMENT TO THE 2001 FEE AGREEMENT, AS AMENDED AND REVISED, BETWEEN DILLON COUNTY, HARBOR FREIGHT TOOLS TEXAS, LP AND HF LANDLORD (SC) LLC; AND MATTERS RELATING THERETO

Chairman Scott read the ordinance title. Mr. DuBose explained that the terms were already set forth in the incentive agreement Council had approved. **Bobby Moody motioned to approve first reading by title only as set forth in the agenda. Harold Moody seconded and all voted in favor.**

FIRST READING – ORDINANCE AMENDING DILLON COUNTY ORDINANCES NO. 11-09 AND NO. 12-09 WITH RESPECT TO DISPOSITION OF REVENUES REPRESENTING FEE-IN-LIEU PAYMENTS RECEIVED AND RETAINED FROM CERTAIN REAL AND PERSONAL PROPERTY LOCATED IN DILLON COUNTY AND IN A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK ESTABLISHED BETWEEN DILLON , MARLBORO AND MARION COUNTIES PURSUANT TO AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL AND BUSINESS PARK DATES DECEMBER 12, 2012; AND OTHER MATTERS RELATED TO THE FOREGOING.

Chairman Scott read the ordinance title. Mr. Young recommended Council approve and explained funds would be reimbursed to Dillon County to offset (economic development related) expenses incurred. This would occur before the other entities are disbursed their funds. **Harold Moody motioned to have first reading by title only as set for in the agenda. Joe Johnson seconded and all were in favor.**

FIRST READING – GO BONDS, SERIES 2014

Mr. Young explained the bonds (to be used to fund the Judicial Center). **Joe Johnson motioned to approve first reading by title only as set forth in the agenda. T.F. Finklea seconded and all were in favor.**

APPOINTMENTS

DILLON COUNTY PUBLIC-PRIVATE ECONOMIC DEVELOPMENT PARTNERSHIP BD – REPLACEMENT OF DOUG MILLER (TABLE)

Tabled

DILLON COUNTY ZONING BOARD OF APPEALS – REPLACEMENT OF RICHARD D. GADDY

Tabled

GRIEVANCE COMMITTEE MEMBER - DISTRICT 5

Tabled

EXECUTIVE SESSION – CONTRACTUAL AND ECONOMIC DEVELOPMENT MATTERS

Mr. DuBose stated the purposes were: (1) Discussion of use of Mega site funds for the Harbor Freight project within the Mega site (2) Discussion of cost and contract for the industrial building being built by the Marlboro Development Team. **Harold Moody motioned to go into executive session. Randy Goings seconded and all were in favor.**

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Bobby Moody motioned to come out of executive session. Andrew Graves seconded and all were in favor.

RESULTS OF EXECUTIVE SESSION

None

ADJOURNMENT

Bobby Moody motioned to adjourn. Andrew Graves seconded the motion to adjourn and all were in favor.

Robert Archie Scott, Chairman

Lisa B. Gray, Clerk to Council

Date approved _____