

**DILLON COUNTY COUNCIL  
REGULAR MEETING  
NOVEMBER 20, 2013  
4: 00 PM**

**The Dillon County Council held a regular meeting on November 20, 2013 at 4:00 pm in the County Council Chambers, 109 S 3<sup>rd</sup> Ave, Dillon SC. Present were: Randy Goings, T.F. Finklea, Archie Scott, Harold Moody, Bobby Moody and Andrew Graves. Not present was Joe Johnson. 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 McColleston (Agenda Repository), Haywood Proctor, Frank Brockington, Bo McInnis, Brandon Norris, Mike Burns, Dan McLeod, Kathy Dawson and Lisa Morris (preceding five with McNair Law Firm), Will Johnson (Haynesworth Sinkler Boyd, PA), George Wolfe (Nelson Mullins Riley & Scarborough LLP), Michelle Block and; By fax – Farm Bureau and Pee Dee Electric.

Chairman Archie Scott presided over the meeting and told that the November meeting date was moved up due to the Thanksgiving holiday.

**INVOCATION**

Invocation was given by Andrew Graves.

**APPROVAL OF AGENDA**

**Andrew Graves motioned to approve the agenda. Harold Moody seconded and all were in favor.**

**APPROVAL OF MINUTES –10/23/13**

**Andrew Graves motioned to approve the minutes. Bobby Moody seconded and all were in favor.**

**PUBLIC HEARING**

**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**

There was no public comment. (The public hearing was properly notice in The Dillon Herald's November 5, 2013 edition.)

**ORDINANCE AUTHORIZING GO BONDS NOT EXCEEDING \$2,500,000, SERIES 2014 AND GO BONDS NOT EXCEEDING \$1,300,000, SERIES 2015**

There was no public comment. (The public hearing was properly notice in The Dillon Herald's October 29, 2013 edition.)

**NEW BUSINESS**

**COURTHOUSE TREE REPLACEMENTS (2)**

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Mr. Young told that two of the trees around the Courthouse have died and need to be replaced this winter. He stated he thought the cost would be over \$10,000 and would need Council's approval. However, the quote received was less than anticipated. He also told that bids will be requested and funds are already budgeted for the expense

**RECREATION REQUESTS**

**T. F. Finklea motioned to approve the following: \$250.00 payable to New St. Mark Missionary Baptist Church for their recreation department from (\$150.00) Archie Scott's and (\$100.00) from Randy Goings' recreation; \$150.00 payable to Dillon County Boys and Girls Youth Center from Randy Goings' recreation; \$50.00 payable to Dillon County Free Medical Clinic from Joe Johnson's recreation; and \$25.00 payable to Sistercare, Inc. for their domestic violence fundraising campaign from Archie Scott's recreation. Randy Goings seconded and all were in favor.**

**OLD BUSINESS**

**COURTHOUSE REPAIR AND SECURITY/DOOR**

Mr. Young asked Council to wait to discuss this at the next meeting since the information was not yet ready.

**FINANCE REPORT**

Richard Gaddy told that the report reflects approximately \$840,000 (\$838,154.49) expenses over revenues and that revenues should pick up since the tax notices have been sent out.

**COMMITTEE REPORTS**

None

**ADMINISTRATOR'S REPORT**

None

**ATTORNEY'S REPORT**

None

**ORDINANCE READINGS**

**THIRD 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 (TABLE)**

Tabled

**THIRD READING - ORDINANCE AUTHORIZING GO BONDS NOT EXCEEDING \$2,500,000, SERIES 2014 AND GO BONDS NOT EXCEEDING \$1,300,000, SERIES 2015**

Chairman Scott read the ordinance title. **T.F. Finklea motioned to have third reading and approve the ordinance. Harold Moody seconded and all voted in favor.** Mr. Young explained that the two bonds, 2014 and 2015, were included in one ordinance to save on expenses.

**SECOND READING –ORDINANCE OF DILLON COUNTY, SOUTH CAROLINA AMENDING CERTAIN ORDINANCES OF DILLON COUNTY WITH RESPECT TO THE DISPOSITION OF REVENUES REPRESENTING FEE IN LIEU OF TAX PAYMENTS RECEIVED AND RETAINED BY DILLON COUNTY FROM CERTAIN REAL AND PERSONAL PROPERTY LOCATED IN DILLON COUNTY AND IN ONE OR MORE JOINT COUNTY INDUSTRIAL AND BUSINESS PARKS**

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**ESTABLISHED BETWEEN DILLON COUNTY AND ONE OR MORE PARTNER COUNTIES  
PURSUANT TO AGREEMENTS FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL AND  
BUSINESS PARKS; AND OTHER MATTERS RELATED TO THE FOREGOING**

Chairman Scott read the ordinance title. **Bobby Moody motioned to approve second reading by title only as set forth in the agenda and waive the actual reading. Andrew Graves seconded and all voted in favor.**

**SECOND READING - AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED  
INDUSTRIAL AND BUSINESS PARK IN CONJUNCTION WITH MARION COUNTY, SOUTH  
CAROLINA, SUCH INDUSTRIAL AND BUSINESS PARK TO INCLUDE PROPERTY INITIALLY  
LOCATED IN MARION COUNTY AND ESTABLISHED PURSUANT TO SECTION 4-1-170 OF THE  
CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO PROVIDE FOR A WRITTEN  
AGREEMENT WITH MARION COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE  
PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD  
VALOREM TAXATION; AND OTHER MATTERS RELATED THERETO**

Chairman Scott read the ordinance title. **Harold Moody motioned to approve second reading by title only as set forth in the agenda and waive the actual reading. Andrew Graves seconded and all voted in favor.**

**RESOLUTIONS**

**IN OPPOSITION TO HOUSE BILL 3290 AND SENATE BILL 203 CURRENTLY PENDING BEFORE  
THE SOUTH CAROLINA GENERAL ASSEMBLY (RELATED TO SOLID WASTE)**

**Harold Moody motioned to approve the resolution. Bobby Moody seconded and all were in favor.**

Discussion was held concerning the bill limiting the authority of local governments to regulate locations of solid waste facilities.

**PANCREATIC CANCER AWARENESS MONTH**

**Harold Moody motioned to approve the resolution. Andrew Graves seconded and all were in favor.**

**APPOINTMENTS**

**DILLON COUNTY ZONING BOARD OF APPEALS – REPLACEMENT OF RICHARD D. GADDY  
T.F. Finklea asked to table the appointment until the next meeting.**

**GRIEVANCE COMMITTEE MEMBER - DISTRICT 5**

**Harold Moody asked to table the appointment until the next meeting.**

**ADJOURNMENT**

**Harold Moody motioned to adjourn. Bobby Moody seconded the motion and all were in favor.**

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**Robert Archie Scott, Chairman**

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**Lisa B. Gray, Clerk to Council**

**Date approved \_\_\_\_\_**