

**DILLON COUNTY COUNCIL
REGULAR MEETING
DECEMBER 11, 2013
4: 00 PM**

The Dillon County Council held a regular meeting on December 11, 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, Harold Moody, Bobby Moody, Joe Johnson, 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 McColleston (Agenda Repository), Haywood Proctor, Frank Brockington, Bo McInnis, Danny Holder (Dillon County IT) 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), Sabrina Davis and Tim Harper (Marion County) and; By fax – Farm Bureau and Pee Dee Electric.

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

INVOCATION

Invocation was given by Randy Goings.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES –11/20/13

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

PUBLIC HEARING

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

There was no public comment. (The public hearing was properly notice in The Dillon Herald's November 7, 2013 edition.)

NEW BUSINESS

2014 COUNCIL REGULAR MEETING SCHEDULE

Andrew Graves motioned to approve the schedule. T.F. Finklea seconded and all were in favor.

2014 COUNTY HOLIDAY CLOSINGS SCHEDULE

Bobby moody motioned to approve the schedule, followed by a second from Joe Johnson. All voted in favor.

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OLD BUSINESS

LANDFILL PROPERTY PURCHASES

Mr. DuBose told that he would like to update Council on this matter in executive session.

FIRE HYDRANTS FUND

Mr. Young gave a brief update and explained the better insurance ratings from ISO when hydrants are within 1,000 feet of the insured. He told that approximately \$28,000 (includes carry-over from 2012-2103) is budgeted per council district and Trico Water is working with the County on placement and size of hydrants needed. Councilman Finklea asked for a balance available for each district. Councilman Graves told that funds are needed to put a hydrant at the new Bingham Fire Station. Mr. Young told that funds left from the capital projects sales tax may be used.

Discussion was held concerning replacement of the blue reflectors on roads which indicate the location of a fire hydrant. Mr. Young told that he will take care of getting it done.

NEW PHONE SYSTEM

Danny Holder told the new system went live the prior week and explained the auto attendant. He noted that more training is needed for users but so far department heads were pleased with it. He also stated a few items needed to be worked out such as the main number, 774-1400, showing up on the other end when any office makes a call. Mr. Young and Mr. Holder explained why a new system was needed. Mr. Holder told that most industries and governments were going with voice over IP through networks (internet) and that long distance was now free for those lines on the system. Some Council members noted concerns that constituents have had trouble getting through. Suggestion was made to put each department's phone number in The Dillon Herald.

FINANCE REPORT

Mr. Gaddy stated that he hopes this will be the last month to report a negative figure as more revenue is coming in now. (Revenues over expenses equaled -\$1,354,511.44 on the November 30, 2013 report) Discussion was held concerning the Treasurer's duties and responsibilities related to check writing and bank accounts. Mr. DuBose told of an Attorney General's opinion given concerning Abbeville County. Mr. Gaddy was asked to explain the process of accounts payable and payroll. Chairman Scott also asked Mr. Gaddy if he were able to see all transactions, upon which Mr. Gaddy replied yes.

Discussion was held concerning vendors and the procurement policy. Mr. Gaddy stated that he keeps an eye on the process and also depends on the department heads to use best practices. Suggestion was made to put a notice in The Dillon Herald inviting local vendors to bid on projects. Mr. DuBose stated Council would have to change the procurement policy if they determined this is needed. Harold Moody stated we need to hire a full time maintenance person, as a replacement was never hired a couple of years ago. Chairman Scott questioned the check register not showing all information concerning travel expenses. Mr. Gaddy told that he can track that information.

COMMITTEE REPORTS

PUBLIC SAFETY

Mr. Finklea told that the committee had met to discuss an issue concerning the Latta Fire Department. He told that a petition was circulated to request an elected fire chief. The committee decided to leave this procedure as is (county administrator appoints). He stated they also discussed the 1152 fire training and the upcoming class to be offered in January. He told that if the firemen refuse to take the class, they will no longer be allowed to be on the fire department.

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ADMINISTRATION

Chairman Scott told that discussion was held at their meeting concerning fire hydrants. Mr. Young told that it was agreed to apply for a water and sewer grant regarding the spec building at the Northeastern Commerce Park.

ADMINISTRATOR'S REPORT

Mr. Young told that he would like to give an update on projects to Council in January, possibly in a work session.

ATTORNEY'S REPORT

Mr. DuBose told that he had two matters to discuss in executive session; C & D Landfill property and Incentives for Harbor Freight.

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

Chairman Scott read the ordinance title. Harold Moody motioned to have third reading and approve the ordinance. Randy Goings seconded and all voted in favor.

THIRD 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 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

Tabled pending public hearing.

THIRD 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. Mr. DuBose told that Dillon County's portion is 1% and identified the industry as Precision Southeast. He stated the project is subject to approval of the SC Department of Commerce grant funding. Bobby Moody motioned to approve third reading and approve the ordinance. Harold Moody seconded and all voted in favor.

FIRST READING - AN 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 WITH PROPERTY LOCATED IN HORRY COUNTY (PROJECT ORBIT); TO REQUIRE THE PAYMENT OF A FEE IN LIEU OF AD VALOREM TAXES BY BUSINESSES AND INDUSTRIES LOCATED IN THE PARK; TO APPLY ZONING AND OTHER

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**LAWS IN THE PARK; TO PROVIDE FOR LAW ENFORCEMENT JURISDICTION IN THE PARK;
AND TO PROVIDE FOR THE DISTRIBUTION OF PARK REVENUES WITHIN THE COUNTY**

Mr. DuBose told that this is another joint park with Dillon County's portion being 1%. Chairman Scott read the ordinance title. **T.F. Finklea motioned to approve first reading by title only as set forth in the agenda and waive the actual reading. Joe Johnson seconded and all voted in favor.**

APPOINTMENTS

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

T. F. Finklea recommended James L. Hayes (1955 Catfish Church Rd, PO Box 734 Latta SC) be appointed. **Joe Johnson motioned to appoint Mr. Hayes, followed by a second from Andrew Graves. All voted in favor.**

GRIEVANCE COMMITTEE MEMBER - DISTRICT 5

Harold Moody stated he would like to appoint Bobby Horne. **Joe Johnson motioned to appoint Mr. Horne, followed by a second from Randy Goings. All voted in favor.**

EXECUTIVE SESSION – CONTRACTUAL AND ECONOMIC DEVELOPMENT MATTERS

Andrew Graves motioned to go into executive session. Joe Johnson seconded and all were in favor.

Mr. Young asked Tonny McNeil and Richard Gaddy to stay for executive session.

Harold Moody motioned to come out of executive session. Randy Goings seconded and all were in favor.

RESULTS OF EXECUTIVE SESSION

None

ADJOURNMENT

Bobby Moody motioned to adjourn. Randy Goings seconded the motion and all were in favor.

Robert Archie Scott, Chairman

Lisa B. Gray, Clerk to Council

Date approved _____