

C. DAVID CHINNIS  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SALLY K. HEBERT  
CLERK TO COUNCIL



JAY BYARS

WILLIE DAVIS

CARROLL S. DUNCAN

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

## COUNTY COUNCIL OF DORCHESTER COUNTY

500 N. MAIN STREET, SUITE 2  
SUMMERVILLE, SOUTH CAROLINA 29483  
(843) 832-0196 or (843) 563-0196

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
OCTOBER 3, 2016  
7:00 P.M.**

Pursuant to the Freedom of Information Act, a notice was posted on the bulletin board 24 hours before the meeting, and the following media outlets were notified: The Eagle-Record, The Summerville Journal Scene, The Post and Courier, WCBD Channel 2, WCIV Channel 4, and WCSC Channel 5.

**PRESENT:** Mr. C. David Chinnis, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mrs. Carroll S. Duncan  
Mr. Larry S. Hargett  
Mr. William R. Hearn, Jr.  
Mr. Jason L. Ward, County Administrator  
Mr. Charlie Potts, Deputy Administrator/ Community Services  
Mr. Daniel Prentice, Deputy Administrator/ CFO  
Mr. John Frampton, County Attorney  
Mrs. Chantell M. Glover, Executive Assistant

**ABSENT:** Mr. Willie Davis  
Ms. Sally K. Hebert, Clerk to Council

Chairman Chinnis called to order the meeting at 7:02 p.m. He invited all to stand for the invocation, given by Chairman Chinnis, and followed by the Pledge of Allegiance.

### **CHAIRMAN'S TIME**

### **REQUEST TO AMEND THE AGENDA:**

At this time, a request was made by Councilman Byars to amend the agenda in order to move the Employee Longevity Program to the first item on the agenda.

1. On the motion of Councilman Byars, seconded by Councilman Hearn, Council vote six in favor, with one absent, to amend the agenda in order to move the Employee Longevity Program to the first item on the agenda.

**EMPLOYEE LONGEVITY PROGRAM**

County Council recognized ten Dorchester County Employees with 20 years or more of Full-Time consecutive service. Council presented service pins and certificates to these employees.

**REQUESTS TO ADDRESS COUNCIL:**

- Ms. Heather Tamayo, 672 Hodge Road, Summerville, expressed her concerns regarding aerial spraying and the negative effects she feels it has on pollinators.
- Mr. John Hayes, 319 Dupont Way, Summerville, expressed his concerns regarding aerial spraying and its history in the U.S.A. for over 30 years. He wants the county to continue spraying but use more prominent ads to provide notice.
- Mr. John Braund, 352 Bertram Road, Summerville, representing the Dorchester County Taxpayers Association, addressed council about the subject of an online article published last Friday in the Post & Courier, the subject of which was that the Attorney General of the State of South Carolina, in response to a request from Senator Paul Thurmond on behalf of his constituents in Dorchester County, has issued a legal opinion that the combination of a libraries question and a parks question in one referendum is illegal and unconstitutional in the State of South Carolina. (See attached statement)
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, expressed her concerns regarding the voting process along with voting dates and times for citizens of Dorchester County and asked how the citizens of Dorchester County can get storm related information.
- Mr. Bill Collins, 219 Sumter Avenue, Summerville, expressed his concerns regarding the upcoming bond referendum and thanked Council for listening to the people and putting it on the ballot.
- Ms. Donna Underwood, 102 Kings Court, Summerville, expressed her concerns regarding the right to vote; stated she is excited about the referendum, and having it on the ballot, and that she believed county council had done due diligence.

**MINUTES:**

2. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor, with one absent, to adopt the minutes from the September 19, 2016, County Council Meeting.

**CORRESPONDENCE:**

Mr. Ward stated that staff forwarded items of correspondence as received. Mr. Ward also provided council with a copy of a report from Clemson Universities Department of Pesticide Regulation regarding aerial spraying.

Councilman Hargett raised a point of personal of privilege and made a statement regarding his support of the referendum. Councilman Byars questioned Mr. Hargett about his knowledge of the request for an Attorney General's opinion regarding the legality of the referendum.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD:**

**REQUEST FOR APPROVAL TO USE \$12,500 FROM STORMWATER FUND BALANCE FOR A PRELIMINARY HYDRAULIC STUDY OF THE PEPPERIDGE NEIGHBORHOOD IN NORTH CHARLESTON**

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, Council voted six in favor, with one absent, to approve funding for a study to determine the improvements that are required in order to prevent flooding following moderate rain events.

**COMMITTEE REPORTS:**

**CHAIRMAN HEARN – AD HOC COMMITTEE ON MOSQUITO CONTROL**

Councilman Hearn reported the results of the Ad Hoc Committee Meeting on Mosquito Control held on September 26, 2016.

**CHAIRWOMAN DUNCAN – PLANNING, DEVELOPMENT & BUILDING COMMITTEE**

Chairwoman Duncan reported that the Committee met at 6:00 p.m. to hold public hearings on Rezoning Request #730 and Rezoning Request #731.

4. On the recommendation of the Committee, Council voted six in favor, with one absent, to approve 2<sup>ND</sup> Reading for Richfair Holdings, Inc., to Rezone 8.68 Acres at 4597 Appian Way in North Charleston from Neighborhood Commercial District (CN) to Commercial Light Industrial Two District (CLI-2), TMS #181-00-00-070.
5. On the recommendation of the Committee, Council voted six in favor, with one absent, to approve 2<sup>ND</sup> Reading for Rezoning Request #731 by Caroline Elizabeth Moore to Rezone 1.5 Acres on Clark Lane in Summerville from Multi-Family Residential District (R-4) to Transitional Residential District (TRM), TMS #143-00-00-119.

**CHAIRMAN CHINNIS - WATER AND SEWER COMMITTEE**

Chairman Chinnis passed the gavel to Vice Chairman Bailey.

Chairman Chinnis reported that the Committee met at 6:45 pm to consider four requests, which the Committee recommends for Council approval.

6. Council voted six in favor, with one absent, to approve the following four requests for new sewer service:
  - Request for New Sewer Service by Orion Capital Partners for West Butternut Road near the Town of Summerville, TMS #136-00-00-005 and 136-06-01-009
  - Request for New Sewer Service by Southeastern Country Club for 14 Residential Lots off of Hazeltine Bend in the Pine Forest – Linkside Village Subdivision in the Town of Summerville, TMS #129-00-00-152
  - Request for New Sewer Service by D.R. Horton for 75 Residential Lots in the Pine Forest Subdivision in the Town of Summerville, TMS #129-00-00-175, #129-00-00-178 and #129-00-00-179
  - Request for New Sewer Service by P&M Partnership for 18 Residential Lots off of Alpine Drive in the Summit Subdivision near the Town of Summerville, TMS #136-00-00-091

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

None

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**

Public hearing and 3<sup>rd</sup> reading. Mr. Frampton described the ordinance and the purpose of the public hearing. Chairman Chinnis opened the public hearing. Peggy Bangle addressed council on what the change in the fee in

lieu of taxes would cost the county. Mr. Frampton responded that there was no cost. Chairman Chinnis closed the public hearing.

7. On the motion of Councilman Hearn, seconded by Councilman Bailey, Council voted six in favor, with one absent, to authorize the Execution and Delivery of a Fee in Lieu of Ad Valorem Taxation Agreement Effecting a Conversion of That Certain Lease Purchase Agreement Date as of December 31, 1999, Amended as of December 8, 2003, between Strand-Tech Martin, Inc. (the "Sponsor"), and Dorchester County, South Carolina (the "County"), and also Evidencing the Consent of the County of the Transfer of the Control of the Sponsor and a Financing Arrangement of the Sponsor.

#### **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss the following:

- Contractual Matters
    - Summers Corner Improvement District
    - East Edisto Water Service
    - Economic Development Incentives – Project Harrington
  - Legal Advice
    - Zoning Designation, TMS #159-00-00-008
8. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor, with one absent, to enter into Executive Session at approximately 7:49 p.m. to discuss the previously stated matters.

#### **RECONVENE FROM EXECUTIVE SESSION**

At 8:44 p.m., the County Attorney reported that Council discussed the previously announced items, but no action was taken.

9. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to adopt an Inducement Resolution which provides for the execution and delivery of a Fee in Lieu of Tax Agreement together with certain special source credits against fee payments for Project Harrington.
10. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to give first reading by title only to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Taxes Agreement together with certain special source credits against fee payments for Project Harrington.
11. On the motion of Councilman Hargett, seconded by Councilman Hearn Council voted six in favor, with one absent, to authorize the County Administrator to execute the Agreement between Dorchester County, Dorchester County Water Authority, Westrock-Charleston Land Partners, LLC and MWV-East Edisto Summers Corner, LLC to provide water service to Summers Corner.

#### **ADJOURNMENT**

12. On the motion of Councilman Hargett, seconded by Councilwoman Duncan, Council voted six in favor, with one absent, to adjourn at approximately 8:46 p.m.



Chantell M. Glover, Executive Assistant