

C. DAVID CHINNIS  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY  
ACTING CLERK TO COUNCIL



JAY BYARS

WILLIE R. 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**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**DECEMBER 5, 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. Willie R. Davis  
Mr. Larry S. Hargett  
Mr. William R. Hearn, Jr. (Arrived at 8:00 P.M.)  
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. Tracey L. Langley, Acting Clerk to Council

Chairman Chinnis called to order the meeting of Dorchester County Council. He invited all to stand for the invocation, given by Councilman Davis, and followed by the Pledge of Allegiance.

### **CHAIRMAN'S TIME**

#### **REQUESTS TO ADDRESS COUNCIL**

- Ms. Sherri Seymour, 9640 and 9662 Jamison Road, Summerville, in favor of rezoning property at 9640 and 9662 Jamison Road to Office and Institutional District (OI) and .

**MINUTES**

1. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Hearn), to adopt the minutes from the November 21, 2016, County Council Meeting.

**CORRESPONDENCE:** Staff forwarded items of correspondence as received. Mr. Ward reported that a positive report was received from the Army Corps of Engineers as it relates to Eagle Creek. This report chronicled the cleaning and condition of structures and buildings that subsequently were removed by Public Works staff.

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

**RECLASSIFICATIONS FIRE DEPARTMENT**

2. On the motion of Councilman Bailey, seconded by Councilwoman Duncan, Council voted six in favor, with one absent (Hearn), to approve reclassification of six full-time firefighters to six full-time Engineers take effect the first full pay period in January 2017.

**POSITION CHANGES SHERIFF'S DEPARTMENT**

3. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Hearn), to approve the combining of two part-time positions and to create one fulltime Admin III with benefits. The savings from the two part-time positions will cover the costs.

**PAY INCREASES FOR ELECTED OFFICIALS**

4. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted six in favor, with one absent (Hearn), to approve the following:
  1. A 5% increase on the county portion of the salary for the Clerk of Court, County Auditor, County Treasurer, Register of Deeds, and Sheriff.
  2. A 3% increase for the Probate Judge on the county portion of her salary.
  3. That certain elected/appointed officials are provided increases whenever Dorchester County employees receive an increase.
  4. Wages of certain elected/appointed officials are reviewed yearly and provided merit, if it is awarded to regular full-time employees and the certain elected/appointed official is performing at a level acceptable to County Council.

**TRANSFER OF PERSONNEL SAVINGS - SHERIFF'S OFFICE**

5. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent (Hearn), to approve a one-time transfer of personnel savings of \$20,000 to allow the Sheriff to recruit and hire certified officers from other agencies.

**ASHLEY RIVER PARK FLOOD REPAIRS**

6. On the motion of Councilman Davis, seconded by Councilman Byars, Council voted six in favor, with one absent (Hearn), to authorize the County Administrator to execute a contract with John Guerry Taylor and Associates for Ashley River Park flood repairs at a cost not to exceed \$168,961. FEMA Public Assistance and funding from the State of South Carolina is expected to cover most of the costs.

**REZONING REQUEST #737: 1<sup>ST</sup> READING**

7. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #737 by Bruce Boysen to Rezone 40 Acres at the Intersection of Dorchester Road and Highway 17A from General Commercial (CG) to Planned Development District (PD), TMS #151-00-00-033.

**REZONING REQUEST #738: 1<sup>ST</sup> READING**

8. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #738 by RHH Land Investors, LLC to Rezone 33.05 Acres on Orangeburg Road at East Butternut Road from General Commercial (CG) and Multi-Family Residential District (R-4) to Planned Development District (PD), TMS #128-00-00-045, #128-00-00-126, #128-00-00-128.

**REZONING REQUEST #739: 1<sup>ST</sup> READING**

9. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #739 by Jimmy and Charlene Tucker to Rezone 0.99 Acre at 130 Tucker Road from Multi-Family Residential District (R-4) to Single-Family Residential District (R-1M), TMS #143-06-00-040.

**REZONING REQUEST #740: 1<sup>ST</sup> READING**

10. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #740 by Jimmy Tucker to Rezone 1.22 Acres at 125 Tucker Road and 127 Tucker Road from Multi-Family Residential District (R-4) to Single-Family Residential District (R-1M), TMS #143-06-00-027.

**REZONING REQUEST #741: 1<sup>ST</sup> READING**

11. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #741 by Alphonso Tucker to Rezone 0.76 Acres at 131 Tucker Road from Multi-Family Residential District (R-4) to Single-Family Residential District (R-1M), TMS #143-06-00-033.

**REZONING REQUEST #742: 1<sup>ST</sup> READING**

12. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted six in favor, with one absent (Hearn), to approve 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #742 by Mildred Tucker to Rezone 0.56 Acres at 129 Tucker Road from Multi-Family Residential District (R-4) to Single-Family Residential District (R-1M), TMS #143-06-00-026.

**1<sup>ST</sup> READING OF ORDINANCE TO AMEND ZONING AND LAND DEVELOPMENT STANDARDS**

13. On the motion of Councilwoman Duncan, seconded by Councilman Davis, County Council voted six in favor, with one absent (Hearn), to give 1<sup>st</sup> Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council.

**COMMITTEE REPORTS**

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

Chairwoman Duncan reported that the Committee met at 6 p.m. to hold four public hearings and consider recommendations for 2<sup>nd</sup> Reading.

1. On the recommendation of the Committee, Council voted six in favor, with one absent (Hearn), to approve 2<sup>nd</sup> Reading of Rezoning Request #733 by Shannon Raynard to Rezone 1.00 Acre on Jedburg Road from Multi-Family Residential District (R-4) to Mixed Use Community District (MUC), TMS #122-00-00-079.

2. On the recommendation of the Committee, Council voted six in favor, with one absent (Hearn), to approve 2<sup>nd</sup> Reading of Rezoning Request #734 by Charles Reeves to Rezone 2.01 Acres on Boonehill Road from Multi-Family Residential District (R-4) to Mixed Use Community District (MUC), TMS #152-01-01-010.
3. On the recommendation of the Committee, Council voted six in favor, with one absent (Hearn), to approve 2<sup>nd</sup> Reading of Rezoning Request #735 by Sherri Seymour to Rezone 1.06 Acres at 9640 Jamison Road from Single Family Residential District (R-1) to Neighborhood Commercial District (CN), TMS #154-03-00-016.
4. On the recommendation of the Committee, Council voted six in favor, with one absent (Hearn), to approve 2<sup>nd</sup> Reading of Rezoning Request #736 by Sherri Seymour to Rezone 1.06 Acres at 9662 Jamison Road from Single Family Residential District (R-1) to Office and Institutional District (OI), TMS #154-03-00-012.

**CHAIRMAN HARGETT – PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE**

Chairman Hargett said the Committee met at 6:45 p.m., held a public hearing and unanimously voted to adjourn debate on 2<sup>nd</sup> Reading and of an Ordinance, Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, by Deleting Section 36-180, Chapter 36, Article VI and Substituting in Lieu Thereof a New Section 36-180, Chapter 36, Article VI (Stormwater Fee).

On the recommendation of the Committee, Council voted six in favor, with one absent (Hearn), to adjourn debate until the next meeting. The item remains in Committee.

On the motion of Chairman Chinnis, seconded by Councilman Davis, Council voted six in favor, with one absent (Hearn), to amend the agenda to recognize Councilwoman Duncan for her four years of service. At this time, the Chairman presented Councilwoman Duncan with a plaque and thanked her for her commitment to the citizens of Dorchester County. He led a round of applause and standing ovation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:** There were no appointments.

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

**ORDINANCE: ROBERT BOSCH, LLC**

The County Attorney requested Council’s consideration to open the public hearing so County Council can receive public comments, for an Ordinance Authorizing, Under Certain Conditions, the Execution and Delivery by Dorchester County, South Carolina of a Fee in Lieu of Taxes Agreement with Robert Bosch, LLC with Respect to a Project in the County Whereby the Project Would be Subject to Payment of Certain Fees in Lieu of Taxes and Would be Provided Certain Special Source Credits Against Fee Payments; and Related Matters.

Chairman Chinnis struck the gavel, opening the public hearing.

Chairman Chinnis invited the public to come forward to speak on this issue.

In the absence of any requests to speak, Chairman Chinnis struck the gavel, closing the public hearing.

On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent (Hearn), to give 3<sup>rd</sup> Reading for an Ordinance Authorizing, Under Certain Conditions, the Execution and Delivery by Dorchester County, South Carolina of a Fee in Lieu of Taxes Agreement with Robert Bosch, LLC with Respect to a Project in the County Whereby the Project Would be Subject to Payment of Certain Fees in Lieu of Taxes and Would be Provided Certain Special Source Credits Against Fee Payments; and Related Matters.

**EXECUTIVE SESSION**

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

- Contractual Matter
    - Potential purchase of real estate, Teal on the Ashley
    - Sale of county-owned painting
  - Legal Advice
    - Condemnations of TMS #135-00-00-083, #135-00-00-067, #135-08-00-058, #138-08-00-086 for right of way for the Orangeburg and Butternut intersection improvement project
  - Confidential economic development projects
14. On the motion of Councilman Davis, seconded by Councilwoman Bailey, Council voted six in favor, with one absent (Hearn), to enter into Executive Session at approximately 7:34 p.m. to discuss the previously stated matters.

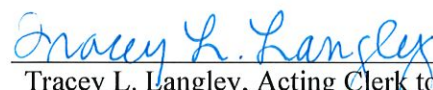
**RECONVENE FROM EXECUTIVE SESSION**

At approximately 8:20 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

15. On the motion of Councilman Davis, seconded by Councilwoman Duncan, Council voted unanimously to authorize the Condemnations of TMS #135-00-00-083, #135-00-00-067, #135-08-00-058, #138-08-00-086 for right of way for the Orangeburg and Butternut intersection improvement project. The condemnations will be handled by David Pagliarini.
16. On the motion of Councilman Byars, seconded by Councilwoman Duncan, Council voted unanimously to authorize the sale of the Carsten Jantzen oil painting to Russ Touchberry for the sum of \$500.00, which is its appraised value.
17. On the motion of Councilwoman Duncan, seconded by Councilman Hearn, Council voted unanimously to authorize the purchase of TMS #151-11-00-076 and #151-11-00-079 in Teal on the Ashley for the total sum of not to exceed \$21,500.00 and authorize the County Administrator to execute all documents necessary to consummate the purchase. Funding would come from savings from previously approved projects.
18. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted unanimously to adopt a Resolution identifying a project to satisfy the requirements of Title 12, Chapter 44 of the South Carolina Code, so as to allow investment expenditures incurred by a company known to the County as Project Rising Palmetto, its affiliates and related entities, to qualify as expenditures eligible for a Fee-in-Lieu of Taxes Agreement with Dorchester County, South Carolina; providing for other related economic development.
19. On the motion of Councilwoman Duncan, seconded by Councilman Hearn, Council voted unanimously to give 1<sup>st</sup> Reading of an Ordinance (By Title Only) 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 Dorchester County, South Carolina and a company known to the County as Rising Palmetto, as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive and certain special source revenue credits; and other related matters

**ADJOURNMENT**

20. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adjourn at approximately 8:34 p.m.

  
Tracey L. Langley, Acting Clerk to Council