

JAY BYARS
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY
CLERK TO COUNCIL



CONVERSE A. CHELLIS, IV

C. DAVID CHINNIS

WILLIE R. DAVIS

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
JANUARY 3, 2017
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. Jay Byars, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Con Chellis
Mr. Willie R. Davis
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. Tracey L. Langley, Clerk to Council

ABSENT: Mr. David Chinnis

Vice Chairman Bailey called the meeting of Dorchester County Council to order. He invited all to stand for the invocation and the Pledge of Allegiance by Councilman Hearn.

CHAIRMAN'S TIME

ELECTION OF CHAIRMAN

Vice Chairman Bailey opened the floor for nominations of a new Chairman of County Council to serve a two-year term. Councilman Hearn nominated Councilman Byars, seconded by Councilman Davis. In the absence of any additional nominations, Vice Chairman Bailey closed the floor for nominations.

1. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent (Chinnis), to elect Mr. Jay Byars as Chairman for a two-year term.

ELECTION OF VICE CHAIRMAN

Chairman Byars then opened the floor for nominations of a Vice Chairman of County Council to serve a two-year term. Councilman Davis nominated Councilman Bailey, seconded by Councilman Hargett. In the absence of any additional nominations, Chairman Byars closed the floor for nominations.

2. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Chinnis), to elect Mr. George Bailey as Vice Chairman for a two-year term.

REQUESTS TO ADDRESS COUNCIL

- Mr. Steven Wright, 102 Hammerback Road, Summerville, congratulated the new Chairman and the re-elected Vice Chairman. He spoke about attending the DCTA Meeting on December 12, 2016. He said that he was disturbed by what he saw. He said he did not agree with their proposal that public comment requests be submitted fifteen days in advance of the meeting. He said there seems to be a lot of secrecy and the lack of transparency is bad. He commended Councilman Chinnis' appointee Will Limehouse. He asked that Council consider replacing the members or disbanding it totally.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, congratulated the new Chairman and the re-elected Vice Chairman. She echoed Mr. Wright's comments and said she discourages more taxes and more government. She encouraged Council to talk with the Legislative Delegation members and asked that they be reminded that the Local Government Funds are not their funds, they are our funds and they belong to we the people.

MINUTES

3. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to adopt the minutes from the January 3, 2017, County Council Meeting.

PUBLIC HEARING REGARDING SUMMERS CORNER IMPROVEMENT DISTRICT

4. Chairman Byars announced Council would hold a public hearing regarding proposed Summers Corner Improvement District and the Summers Corner Improvement Plan.

Chairman Byars struck the gavel, opening the Public Hearing and read a prepared statement. He invited the public to come forward to speak on this issue. Ms. Peggy Bangle raised questions about the costs and advantages. Ms. Angie Crum also raised questions about whom the improvement district services would be provided to in the county. The County Attorney and County Administrator provided explanations to Ms. Peggy Bangle and Ms. Angie Crum.

Councilman Hargett asked what number of homes the assessment was based on. Nicole Ewing, attorney for WestRock, provided an explanation and said she would provide him additional information. In the absence of additional citizen requests to speak, Chairman Byars closed the Public Hearing.

Mr. Ward said that this information would be posted on the county's website.

CORRESPONDENCE: No correspondence received.

GUESTS

MR. CHRIS CAMPEAU, SEAMON, WHITESIDE AND ASSOCIATES

Mr. Campeau presented the plan and the estimated budget for the Ashley River Park project.

On the motion of Councilman Hargett seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve the Ashley River Park Master Plan.

MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO

Mr. Prentice gave a summary of revenues and expenditures for the county's major funds through November 30, 2016. He also included a summary of cash on hand in the major funds and status updates on major Water/Sewer and Stormwater projects.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REZONING REQUEST #733: 3rd READING

5. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Chinnis), to approve 3rd 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.

REZONING REQUEST #734: 3rd READING

6. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve 3rd 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.

REZONING REQUEST #735: 3rd READING

7. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve 3rd 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.

REZONING REQUEST #736: 3rd READING

8. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve Rezoning Request #736 by Sherri Seymour to Rezone 1.01 Acres at 9662 Jamison Road from Single Family Residential District (R-1) to Office and Institutional District (OI), TMS #154-03-00-012.

1st READING OF ORDINANCE TO AMEND ZONING AND LAND DEVELOPMENT STANDARDS

9. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent (Chinnis), to give 1st Reading and Referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as previously amended, with respect to Article XI: "Special Areas," Section 11.2.8: "Development Design and Architectural Review"- to delete and replace Subsection 11.2.8(D)(4); with respect to Article XII: "Environmental Performance Standards," Section 12.4.3: "Applicability"- to add a Subsection 12.4.3(A)(8); with Respect to Article XII, Section 12.4.4: "Tree Removal Permit," Subsection 12.4.4(D)(5)- to include the words "For Removal of Grand and Protected Trees" after the words "Mitigation Shall Be Required;" with respect to Article XII, Section 12.4.7: "Mitigation For Tree Removal; Fee In Lieu"- to add a Subsection 12.4.7(B)(L); with respect to Article XIII: "Site Development Standards," Section 13.3.4: "Required Canopy Coverage"- to add the words "Inches Of" before "Trees Per Acre," delete remainder of the sentence thereafter, delete and replace Subsection 13.3.4(A), and add a Subsection 13.3.4(D); and with respect to Article XIII, Section 13.3.5: "Required Landscape Elements", Subsection 13.3.5(D)(3)- to add the introductory phrase "Except as Applicable in Transitional Overlay Districts (§11.2.8)," replace "Two Thousand Square Feet (2,000)" with "Three Thousand Square Feet

(3,000)," replace "Eight (8)" with "Twelve (12)," and replace "Ninth (9th)" with "Thirteenth (13th).
(The purpose of this amendment is to relax tree protection and planting requirements, particularly in industrial zoning districts, while increasing incentives to retain middle-aged trees.)

373 OLD FORT DRIVE

10. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to authorize the sale of 373 Old Fort Drive in "As Is" condition.

On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted six in favor, with one absent (Chinnis), to amend the motion and to list the property with Robert Pratt.

TRANSFER OF PERSONNEL SAVINGS – FACILITIES AND GROUNDS MAINTENANCE

11. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve a one-time transfer of personnel savings of \$90,000 to operating to complete much needed building and grounds projects.

COMMITTEE REPORTS

VICE CHAIRMAN BAILEY – WATER AND SEWER COMMITTEE

Vice Chairman Bailey said the Committee met this evening to consider two requests, which the Committee recommends for Council approval.

12. On the recommendation of the committee, Council voted six in favor, with one absent (Chinnis), to approve a request for new sewer service by Hodge Road, LLC for 93 Residential Lots Located off Hodge Road Across from the Clemson Terrace Subdivision near the Town of Summerville, TMS #122-00-00-028 and TMS #122-00-00-179.
13. On the recommendation of the committee, Council voted six in favor, with one absent (Chinnis), to approve a request for new water and sewer service by Tuggle, LLC for 89 Residential Lots located off SC HWY 61 and Tuggle Lane near Givhans, TMS #150-00-00-007 and TMS #150-00-00-009.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

14. On the motion of Councilman Hargett, seconded by Councilman Bailey, Council voted six in favor, with one absent (Chinnis), to approve Council District #4 reappointments to Dorchester County Boards and Commissions as follows: Mr. Don Ruff, Dorchester County Transportation Committee; Dr. Tim Huber, Dorchester Seniors, Inc.; Mr. Tracey Todd, Dorchester County Accommodation Tax Advisory Committee; Dr. Jim Martin, Dorchester County Economic Development Board; Major Wendy Lee, Dorchester County Grievance Committee; Dr. Warren McCall, Dorchester County Library Board of Trustees; Dr. Rich Symuleski, Dorchester County Planning Board; Mr. Jim Friar, Aeronautics Board; Mr. Ted French, Board of Assessment Appeals; Mr. Myron Johnson, Procurement Appeals Board; Ms. Rita May Ranck, Dorchester County Parks & Recreation Commission; Dr. James Muscott, Dorchester County Alcohol & Drug Abuse Commission; Mr. Richard Kopfmüller, Dorchester County Conservation Commission.
15. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent (Chinnis), to appoint Mr. Roy Strickland, representing Council District #6, to the Sales Tax Transportation Authority (DCTA).
16. On the motion of Councilman Chellis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Chinnis), to approve Council District #5 reappointments and two new appointments to Dorchester County Boards and Commissions as follows: Mr. Edward Tupper, Dorchester County Parks & Recreation Commission; Gen. Hank Taylor, Dorchester County Economic Development Board; Mr. Web Charpia, Dorchester County Transportation Committee; Mr. Ben Perkins, Aeronautics Board; Tracie Tucker Ray,

Dorchester County Accommodation Tax Advisory Committee; Mr. Russ Touchberry, Dorchester County Planning Board; Mr. Mike Murphee, Sales Tax Transportation Authority (DCTA).

COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON

RESOLUTION – PROJECT GATEWAY

The County Attorney requested Council’s consideration in Adopting a Resolution Identifying Project Gateway and Expressing the Intent of Dorchester County, South Carolina, to Authorize and Enter Into a Fee in Lieu of Property Tax Agreement for Project Gateway and Other Related Matters, Between Dorchester County, South Carolina and Project Gateway, Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended, in order to Induce Project Gateway to Locate a Project in Dorchester County.

On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor with one absent (Chinnis), to adopt a Resolution Identifying Project Gateway and Expressing the Intent of Dorchester County, South Carolina, to Authorize and Enter Into a Fee in Lieu of Property Tax Agreement for Project Gateway and Other Related Matters, Between Dorchester County, South Carolina and Project Gateway, Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended, in order to Induce Project Gateway to Locate a Project in Dorchester County.

FILOT ORDINANCE – PROJECT GATEWAY

The County Attorney requested Council’s consideration for 1st Reading of an Ordinance Authorizing Certain Economic Development Incentives for Project Gateway, Including Entering Into a Fee In Lieu of Property Tax Agreement for the Project, and Other Related Matters, Between Dorchester County, South Carolina and Project Gateway, Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended.

On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor with one absent (Chinnis), to give 1st Reading of an Ordinance Authorizing Certain Economic Development Incentives for Project Gateway, Including Entering Into a Fee In Lieu of Property Tax Agreement for the Project, and Other Related Matters, Between Dorchester County, South Carolina and Project Gateway, Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended.

FILOT ORDINANCE – RISING PALMETTO

The County Attorney requested Council’s consideration for 2nd Reading of an Ordinance 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.

On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor with one absent (Chinnis), to give 2nd Reading of an Ordinance 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.

EXECUTIVE SESSION

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

- Personnel Matter
 - Appointment of Clerk to Council

17. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted unanimously to enter into Executive Session at approximately 7:53 p.m. to discuss the previously stated matter.

RECONVENE FROM EXECUTIVE SESSION

At approximately 8:17 p.m., Mr. Frampton reported that Council discussed the previously announced item, but no action was taken.

18. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted six in favor, with one absent (Chinnis) to appoint Mrs. Tracey Langley as Clerk to Dorchester County Council with a starting salary of \$48,000 and benefits.

ADJOURNMENT

19. On the motion of Councilman Chellis, seconded by Councilman Davis, Council voted unanimously to adjourn at approximately 8:18 p.m.


Tracey L. Langley, Clerk to Council