

JAMES LEX BYARS, III
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
FEBRUARY 6, 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. George H. Bailey, Vice Chairman
Mr. Con Chellis
Mr. David Chinnis
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. Jay Byars, Chairman

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 Davis.

CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL

– Mr. David Stevens, 668 Marina Drive, Rezoning Request 743 and 744.

- Mr. John Nichols, 102 Greenhurst Avenue, Summerville, spoke about the poor condition of Bailey Drive. He is in support of County accepting maintenance responsibilities of Bailey Drive.
- Mr. Troy Hodge, 115 Bailey Drive, Summerville, spoke about poor condition of Bailey Drive. He requested timeline for planned maintenance of Bailey Drive.
- Mr. Doug Richardson, 124 Saddle Trail, Summerville, he is concerned about lack of retail stores at Highway 165 and Highway 61.
- Ms. Marina Sharts, 104 Chalmers Lane, Summerville, spoke about traffic concerns on Bailey Drive. She is in support of County accepting maintenance responsibilities of Bailey Drive.
- Mr. Sherwood Miler, 413 Glen Eagles Drive, Summerville, in support of rezoning request.
- Mr. Richard Darling, 116 Oak Drive, Summerville, stated concerns about work vehicles parked at rental homes.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, encouraged Council to be good stewards of money and stated concerns about lack of funding for the Local Government Fund.

MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adopt the minutes from the January 17, 2017, County Council Meeting.

PROCLAMATION #17-01

2. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adopt Proclamation #17-01, proclaiming February 28, 2017, Rare Disease Day in Dorchester County.

RECOGNITION OF EMPLOYEE OF THE QUARTER, MRS. AMY DIXON

At this time, Council recognized Mrs. Amy Dixon as the Employee of the Quarter during the second quarter of the 2017 fiscal year. Mrs. Dixon was nominated by Mr. Doug Warren, Director of Emergency Medical Services for her outstanding service to the County by ensuring a vehicle damaged in an accident was returned to service in record time.

CORRESPONDENCE: No correspondence received.

GUESTS

CHECK PRESENTATION TO DORCHESTER COUNTY EMS

Ms. Kelly Hazel and organizers of the Sweet Tea Half Marathon presented Mr. Doug Warren, Dorchester County EMS Director, and County Council with a \$5,000 check, which will be used to purchase training equipment, including a high-fidelity training manikin.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING OF AN ORDINANCE TO ADD A NEW SECTION 38-2

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

ROAD MAINTENANCE AGREEMENT: BAILEY DRIVE AND GREENHURST AVENUE

4. On the motion of Councilman Chinnis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to approve the acceptance of these road segments from SCDOT with the understanding that SCDOT will complete resurfacing of these road segments as currently scheduled.

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

5. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Byars), to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council.

1ST READING OF ORDINANCE TO AMEND THE CAPITAL IMPROVEMENTS PLAN FOR ROADWAYS

6. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Byars), to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council.

REZONING REQUEST #743: 1ST READING

7. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #743 by Mallard Gateway Associates, LLC to Rezone 23.12 Acres on Orangeburg Road from General Commercial (CG) to Single-Family Residential District (R-2), TMS #128-00-00-194.

REZONING REQUEST #744: 1ST READING

8. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to give 1st Reading and referral to the Planning, Development and Building Committee for a public hearing and recommendation to County Council for Rezoning Request #744 by Mallard Gateway Associates, LLC to Rezone 13.36 Acres Located at the Intersections of Orangeburg Road and Mallard Road from General Commercial (CG) to Single-Family Residential District (R-2), TMS #128-00-00-046.

REZONING REQUEST #739: 3RD READING

9. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Byars), to give 3rd Reading and final approval to 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: 3RD READING

10. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Byars), to give 3rd Reading and final approval to 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: 3RD READING

11. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Byars), to give 3rd Reading and final approval to 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: 3RD READING

12. On the motion of Councilman Davis, seconded by Councilman Hargett, Council voted six in favor, with one absent (Byars), to give 3rd Reading and final approval to 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.

3rd READING OF ORDINANCE TO AMEND ZONING AND LAND DEVELOPMENT STANDARDS

13. On the motion of Councilman Chinnis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to give 3rd Reading to an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VII, Section 7.11.5(a): "Suburban Residential Communities," to Change the Allowed Land Use Maximums and to Add New Land Uses; With Respect to Article VII, Section 7.11.5(b): "Traditional Communities," to Limit the Amount of Agricultural Land Allowed; With Respect to Article VII, Section 7.11.5(f): to Establish a New Urban Community Type; With Respect to Article VII, Sections 7.11.6(a) and (b): to Allow Additional Community Service Uses and Disallow Quick Service Business Uses; With Respect to Article VII, Section 7.11.10(c): to Correct an Incorrect Code Reference; With Respect to Article VII, Sections 7.11.10(d)(2) & (3): to Establish Design Parameters for the Newly Created Urban Community Type and Revise the Commercial Separation Requirement in Residential and Traditional Communities. *(The purpose of this amendment is to facilitate the development of property with a true mixture of uses, as required in a PDD.)*

TRANSFER OF OWNERSHIP OF A SURPLUS 2009 TRANSPORT VAN

14. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one absent (Byars), to approve the transfer of ownership of a surplus 2009 transport van to the Metro Narcotics Task Force.

TRANSFER OF PERSONNEL SAVINGS – UPGRADE TO CAMA SYSTEM

15. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one absent (Byars), to approve a one-time transfer of personnel savings of \$23,000 to fund a critical upgrade to the Computer Assisted Mass Appraisal (CAMA) System that will allow automated changes to residential assessment ratio changes and right-of-way/plat recording.

PART-TIME TEMPORARY PART-TIME BILLING ASSISTANT

16. On the motion of Councilman Hargett, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to approve the establishment of a temporary part-time billing assistant (Grade 6) in the EMS Department for the remainder of FY17 at a cost of \$8,015.

COMMITTEE REPORTS

CHAIRMAN CHELLIS – PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE

Chairman Chellis reported that the Committee met on January 26, 2017 at 5:00 p.m., and voted unanimously to recommend 3rd Reading 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).

17. Council voted four in favor, with two opposed (Hargett and Bailey), with one absent (Byars), to approve the Committee's recommendation.

CHAIRMAN DAVIS – ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Chairman Davis reported that the Committee met at 5:00 p.m. to hear from Mrs. Leonitta Turner, Dorchester County Human Services Director, regarding the adoption of the Human Resources Policies and Procedures Manual. Councilman Davis reported that the Committee voted unanimously to recommend that the Human Resources Policies and Procedures Manual be sent to full council for review and approval.

18. Council voted six in favor, with one absent (Byars), to approve the Committee's recommendation.

CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairman Chinnis reported that the Committee met at 6 p.m. and held a Public Hearing on Rezoning Request #732. No one from the public spoke at the public hearing.

19. On the recommendation of the committee, Council voted six in favor, with one absent (Byars), approve 2nd Reading of Rezoning Request #732 by Kevin Coffey to Rezone 1.07 Acres at 9652 Jamison Road from Single Family Residential District (R-1) to Office and Institutional District (OI), TMS #154-03-00-014.

CHAIRMAN BYARS – WATER AND SEWER COMMITTEE

Vice Chairman Bailey passed the gavel to Councilman Hearn before giving his Committee report. He said the Committee met this evening to consider two requests, which the Committee recommends for Council approval.

20. On the recommendation of the Committee, Council voted six in favor, with one absent (Byars), to approve a request for new water and sewer service by Orangeburg Redi-Mix Concrete, Inc., for concrete production only located off Judge Street, Seven Mile Road near Harleyville, TMS #025-00-00-047.
21. On the recommendation of the Committee, Council voted six favor, with one absent (Byars), to approve use of the Water and Sewer fund balance for replacement of the SCADA System.

Councilman Hearn returned the gavel to Vice Chairman Bailey.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

22. On the motion of Councilman Hargett seconded by Councilman Davis, Council voted six in favor, with one absent (Byars), to appoint Mr. Myron Johnson, to the Board of Zoning Appeals.
23. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor, with one absent (Byars), to appoint Mrs. Tracey Langley to the Grievance Committee.
24. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent (Byars), to appoint Councilman Bailey and Councilman Chellis to serve as appointees on the Berkeley, Charleston, Dorchester Council of Governments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

ORDINANCE – KION NORTH AMERICA CORPORATION

The County Attorney requested Council's consideration to open the public hearing so County Council can receive public comments, for 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 Kion North American Corporation, as Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; and Other Related Matters.

Vice Chairman Bailey struck the gavel, opening the public hearing.

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

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

On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted six in favor, with one absent (Byars), to give 3rd 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 Kion North American Corporation, as

Sponsor, to Provide for a Fee-In-Lieu of Ad Valorem Taxes Incentive and Certain Special Source Revenue Credits; and Other Related Matters.

RESOLUTION – PROJECT OMEGA

On the motion of Councilman Chinnis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adopt a Resolution Authorizing an Amendment to the Amended and Restated Agreement for Development of Joint County Industrial Park (“Restated Agreement”) By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, in Order to Expand the Boundaries of the Park to Include Certain Property Located in Orangeburg County, Bearing TMS #0170-00-03-003 and Other Matters Related Thereto.

RESOLUTION – PROJECT PALMETTO PLAINS

On the motion of Councilman Chinnis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adopt a Resolution Authorizing an Amendment to the Amended and Restated Agreement for Development of Joint County Industrial Park (“Restated Agreement”) By and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, in Order to Expand the Boundaries of the Park to Include Certain Property Located in Orangeburg County, Bearing TMS #247-00-01-006, #247-00-01-008, #231-00-01-003, #246-18-01-005, #246-14-06-008, #246-00-06-018, #246-00-06-007, #246-00-06-015, #246-18-01-003, #246-00-06-017, #231-00-01-004, #246-00-06-016 and Other Matters Related Thereto.

EXECUTIVE SESSION

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

- Real Estate Matter
 - Offers to Purchase 373 Old Fort Drive
 - Contractual Matter
 - Lease for 1st Circuit Public Defenders Office
 - Legal Advice
- Update on Library/Recreation Bond Question Litigation

RECONVENE FROM EXECUTIVE SESSION

At approximately 8:35 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

25. On the motion of Councilman Hargett, seconded by Councilman Davis, Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute the Agreement to sell with Katelyn Selin as Buyer, for 373 Old Fort Drive, contingent upon the public hearing being held as required by law no later than March 6, 2017.
26. On the motion of Councilman Hearn, seconded by Councilman Davis, Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute the lease for the Public Defender’s Office for 1,500 additional square feet at its current location.

ADJOURNMENT

27. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to adjourn at approximately 8:38 p.m.


Tracey L. Langley, Clerk to Council