

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
JANUARY 10, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. WILLIE DAVIS**

- Election of Chairman of County Council
- Election of Vice Chairman of County Council
- Request to Address Council
- Adoption of the Minutes from the December 13, 2004, County Council Meeting
- Employee Recognition Program
- Recognition of Ms. Carolyn Tomlinson and Keep Dorchester County Beautiful
- Correspondence

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

- 1<sup>st</sup> Reading for Rezoning Request # 397 for General Engineering and Environmental
- 1<sup>st</sup> Reading for Rezoning Request # 401 for F. Compton McCurry
- 1<sup>st</sup> Reading for Rezoning Request # 402 Charles Tuten
- 3<sup>rd</sup> Reading Amendment to Ordinance #97-12 the Dorchester County Road Maintenance Ordinance
- 3<sup>rd</sup> Reading Amendment to Ordinance #94-03 Vehicle Usage
- 3<sup>rd</sup> Reading Ordinance to Create the Dorchester County Sales Tax Transportation Authority
- Summerville YMCA Land Use Agreement
- Resolution Dorchester County Board of Disabilities and Special Needs

**4. COMMITTEE REPORTS**

**Mr. Larry Hargett – Administrative and Intergovernmental Affairs Committee**

- Berkeley –Dorchester Counties Economic Dev. Corporation Endorsement Request
- Character Training Resolution and Program
- Elected Officials – Purchases and Reimbursements
- Retirement Issue – Dorchester County Solicitor's Office

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JANUARY 10, 2005**

**COMMITTEE REPORTS CONTINUED**

**Mr. Chris Murphy – Planning, Development and Building Committee**

- Public Hearing for Rezoning Request # 395 for Robin Todd
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 395 for Robin Todd
- Public Hearing for Rezoning Request # 398 for Roger and Beverly Goodman
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 398 for Roger & Beverly Goodman
- Public Hearing for Rezoning Request # 400 for Scott Drummond
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 400 for Scott Drummond
- Public Hearing for Historical Overlay District/Zoning Classifications Ordinance
- Recommendation 2<sup>nd</sup> Reading Historical Overlay District/Zoning Classifications Ordinance

**Mr. Willie Davis, Budget, Finance and Purchasing Committee**

- Consulting Services Federal Cost Sharing
- Public Defender's Corp. Funding Request
- Palmetto House Funding Request
- Supplemental Budget
- Black Expo Sponsorship

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Dorchester County Water and Sewer Advisory Board

**6. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session -Land Donation from Scott Free, LLC- Eagle Run Subdivision
  - Confidential Economic Development Project
  - Real Estate Contractual Matter

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
JANUARY 10, 2005  
7:03 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Davis called the meeting to order and Reverend Gerald Stiles gave the invocation.

**ELECTION OF CHAIRMAN OF COUNTY COUNCIL**

Chairman Davis opened the floor for nominations for Chairman of Dorchester County Council.

Mr. Elliott nominated Mr. Chris Murphy. Mr. Waggoner nominated Mr. Richard Rosebrock and Chairman Davis passed the gavel to Mr. Hargett and nominated Mr. Skip Elliott for Chairman.

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COUNTY COUNCIL MEETING  
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**ELECTION OF CHAIRMAN OF COUNTY COUNCIL CONTINUED**

1. Councilman Murphree motioned to close the nominations and Council unanimously agreed.
2. Council voted with a super majority to elect Councilman Chris Murphy as Chairman of County Council.

Chairman Murphy expressed his thanks and appreciation for the trust that Council has shown as electing him Chairman of Council.

**ELECTION OF VICE CHAIRMAN OF COUNCIL**

Chairman Murphy opened the floor for nominations for Vice Chairman of County Council.

Mr. Hargett nominated Mr. Skip Elliott. Mr. Davis nominated Mr. Kenneth Waggoner and Mr. Waggoner nominated Mr. Willie Davis for Vice Chairman of Council.

3. Councilman Murphree motioned to close the nominations and Council unanimously agreed.
4. Council voted unanimously in favor of electing Mr. Skip Elliott as Vice Chairman of County Council.

**MOTION TO AMEND THE AGENDA**

5. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to amend the agenda to consider another nomination, to include a recreation project requested by Mr. Rosebrock and to address an Election Commission issue requested by Mr. Ward.

**NOMINATION AND ELECTION OF CHAIRMAN EMERITUS**

6. Mr. Hargett motioned and received a second, to nominate and elect Mr. Rosebrock to serve as Chairman Emeritus of Council. Council voted unanimously in favor of electing Mr. Rosebrock Chairman Emeritus of Council.

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COUNTY COUNCIL MEETING  
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**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. George Charpia addressed Council regarding the widening of Yerby Road. Mr. Rosebrock, Chairman of the Public Works, Property and Utilities Committee along with Chairman Murphy informed Mr. Charpia until all the landowners grant the County an easement, there was no action that Council could take at this time.
- Mr. Myran Johnson, who lives on Shaftsbury Lane in Kings Grant, addressed Council regarding the odor from the sewer system in his area. Chairman Murphy informed him that the issue should be resolved in a short time.
- Mr. Don Furtado, with McNair Law Firm addressed Council regarding his representation of South Carolina Property Holdings, who owns the Watson Hill tract of property. He expressed many concerns with the Ashley River Historic Overlay District Ordinance in which Council had up for 2<sup>nd</sup> Reading later in the meeting and asked Council to consider the South Carolina Property Holdings concerns when taking action on the Ordinance.
- Mr. Stan Woorth addressed Council regarding the odor from the sewer system in his neighborhood in Kings Grant. This was the same item discussed by Mr. Johnson and as stated earlier this issue should be resolved in a short time.
- Mrs. Edna Chaplin addressed Council regarding the bad condition of Central Avenue and the lack of buffer zones in the area. Mrs. Chaplin, who worked in the Assessor's Office and retired from Dorchester County, also addressed the issue of the cost of gas wasted driving back and forth from St. George offices to work in the Summerville area.

**ADOPTION OF THE MINUTES FROM THE DECEMBER 13, 2004,  
COUNTY COUNCIL MEETING**

7. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt the minutes from the December 13, 2004, Council Meeting.

**EMPLOYEE RECOGNITION PROGRAM**

Dorchester County Council recognized 11 county employees with a special presentation for their loyal service to the citizens of Dorchester County. Employees were given a cash award based on years of service, a certificate of appreciation and a county lapel pin.

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**RECOGNITION OF CAROLYN TOMLINSON  
KEEP DORCHESTER COUNTY BEAUTIFUL**

Mrs. Carolyn Tomlinson received three awards on behalf of Keep Dorchester County Beautiful at the National Keep America Beautiful in Washington D.C. They won the 1st Place Rogers Award in partnership with Berkeley County for a joint Recycling Public Service Announcement, the 2<sup>nd</sup> Place Award in the Waste Reduction Category, and The Presidential Circle Award for our Keep America Beautiful Affiliation keeping in good standing with the national organization. Mrs. Tomlinson and Keep Dorchester County Beautiful were recognized for their outstanding achievements.

**CORRESPONDENCE**

There was no correspondence to report.

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

**1<sup>ST</sup> READING FOR REZONING REQUEST # 397 FOR GENERAL  
ENGINEERING AND ENVIRONMENTAL**

8. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #397 for General Engineering and Environmental and to place this item in the Planning, Development, and Building Committee. This is a request to rezone 52.31 acres on Orangeburg Road in Summerville from Residential Multi-Family District (R-4) to Planned Development (PD). At the time of application the property was zoned Development District (DE1), but changed to R-4 with the passage of Ordinance 04-13.

**1<sup>ST</sup> READING FOR REZONING REQUEST # 401 FOR F. COMPTON  
MCCURRY**

9. On the motion of Mr. Elliott, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 401 for F. Compton McCurry and to place this item in the Planning, Development, and Building Committee. This is a request to rezone 2 acres off Danberry Drive near Bacons Bridge Road in Summerville from Residential Multi-Family District (R-4) to Single Family Residential Manufactured Housing District (R-2M).

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**1<sup>ST</sup> READING FOR REZONING REQUEST # 402 CHARLES TUTEN**

10. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 402 for Charles Tuten and to place this item in the Planning, Development, and Building Committee. This is a request to rezone 1.56 acres on Hwy 17-A South in Summerville from Residential Multi-Family District (R-4) to Mixed Use Community District (MUC).

**3<sup>RD</sup> READING AMENDMENT TO ORDINANCE #94-03  
VEHICLE USAGE**

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give third reading to an Ordinance amending Ordinance #94-03. This amendment will assign home garaging privileges to the Deputy Administrator, Director of Public Works, Deputy Director of Public Works, Director of Planning and Codes, and the County Wrecker Operator who is on-call after normal work hours.

**3<sup>RD</sup> READING ORDINANCE TO CREATE THE DORCHESTER  
COUNTY SALES TAX TRANSPORTATION AUTHORITY**

12. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to the Ordinance to Create the Dorchester County Sales Tax Transportation Authority.

Recommended appointees were Mr. Mark Pilgrim by Councilman Rosebrock, Mr. Robbie Robbins by Chairman Murphy and Mr. Dickie Miler by Councilman Elliott.

Councilman Hargett recommended appointing Mr. Wallace Ackerman, who currently serves on the County Transportation Committee. The question was raised if Mr. Ackerman could serve on both the CTC and the Authority or would it be considered dual office holding. County Attorney, John Frampton, was asked to check in to this issue.

The remainder of the recommended appointments will be made at the next Council Meeting.

13. On the motion of Mr. Elliott, seconded by Mr. Murphree, Council voted unanimously in favor of the three nominated appointees to serve on the Dorchester County Sales Tax Transportation Authority. The new members are Mr. Mark Pilgrim, Mr. Robbie Robbins and Mr. Dickie Miler.

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**3<sup>RD</sup> READING AMENDMENT TO ORDINANCE #97-12  
THE DORCHESTER COUNTY ROAD MAINTENANCE ORDINANCE**

14. Mr. Rosebrock made the motion and Mr. Waggoner seconded to give 3<sup>rd</sup> Reading to an amendment to Ordinance #97-12 the Dorchester County Road Maintenance Ordinance. The new amendment reads, "No road shall be maintained by Dorchester County unless it is bordered by a minimum of two land owners or is bordered by heirs property with a minimum of two dwellings on the same parcel."

15. Mr. Rosebrock amended the motion and Mr. Murphree seconded to place the amendment to Ordinance #97-12 the Dorchester County Road Maintenance Ordinance back in the Public Works, Property and Utilities Committee for further study. Council voted three in favor and four opposed.

Mr. Waggoner, Mr. Davis, Mr. Hargett and Chairman Murphy were all opposed to the amendment.

Council now voted on the main motion, with a vote of six in favor and one opposed. The main motion carried.

Mr. Murphree opposed.

**SUMMERVILLE YMCA LAND USE AGREEMENT**

16. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to authorize the Administrator to execute a 10 year extension agreement with the Summerville YMCA. The current land use agreement executed in 1992 expires on January 20, 2005. This agreement allows the YMCA to use 15 acres of a 52.39 acre track the county owns.

**RESOLUTION DORCHESTER COUNTY BOARD OF DISABILITIES  
AND SPECIAL NEEDS**

17. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to adopt a resolution designating Dorchester County Board of Disabilities and Special Needs as an entity in Dorchester County to provide transportation to the elderly and persons with disabilities. This resolution is needed for a DOT grant proposal.



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COUNTY COUNCIL MEETING  
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**COMMITTEE REPORTS**  
**ADMINISTRATIVE & INTERGOVERNMENTAL AFFAIRS**  
**COMMITTEE**  
**MR. LARRY HARGETT**

**BERKELEY-DORCHESTER COUNTIES ECONOMIC DEVELOPMENT**  
**CORPORATION ENDORSEMENT REQUEST**

18. Mr. Hargett reported that the Committee discussed the issue of Reverend Myers of the Berkeley-Dorchester Counties Economic Development Corporation who asked for Council's endorsement in the form of a letter of support for operating federal and state programs in the county. The Committee's recommendation to Council was not to endorse the program. Council voted four in favor, two opposed and one abstaining.

Mr. Davis and Mr. Waggoner were opposed.  
Mr. Murphree abstained.

**CHARACTER TRAINING RESOLUTION AND PROGRAM**

19. Mr. Hargett reported the Committee's recommendation to Council was to adopt the Resolution and to implement the Character Training Program, with the understanding any Elected Official can opt out for their respective Department. Council voted five in favor and two opposing.

Chairman Murphy and Mr. Waggoner were opposed.

**ELECTED OFFICIALS - PURCHASES AND REIMBURSEMENTS**

Mr. Hargett reported that the Committee discussed the issue of Elected Officials regarding purchases and reimbursements for their Department. Many Elected Officials attended the meeting. This item will be left in Committee for further discussion and no action was taken.

**RETIREMENT ISSUE – DORCHESTER COUNTY SOLICITOR'S**  
**OFFICE**

Mr. Hargett reported that the Committee discussed a retirement issue regarding Mr. Jimmy Messervy, who was employed by the Solicitor's Office which serves three counties, Dorchester, Orangeburg and Calhoun. Mr. Messervy worked for 12 years while being paid by Orangeburg County and for almost twelve years being paid from

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**RETIREMENT ISSUE – DORCHESTER COUNTY SOLICITOR'S  
OFFICE CONTINUED**

Dorchester County. Dorchester County's current policy requires retirees to have a minimum of 15 years of continuous service and to have worked their last 15 years with Dorchester County in order to be eligible for the county to pay the employer portion of insurance (health and dental). Additionally, the person must be eligible for state retirement (28 years of service or 65 years old).

20. The recommendation from the Committee was to allow Mr. Messervy to qualify for health benefits provided by Dorchester County upon retirement, provided he qualifies under the state program. Council voted unanimously in favor of the recommendation.

Chairman Murphy passed the gavel to Vice Chairman Elliott, in order to give his Committee report.

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE  
MR. CHRIS MURPHY**

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST  
#395 FOR ROBIN TODD**

Chairman Murphy reported that a Public Hearing was held for Rezoning Request #395 for Robin Todd. This request was to rezone .6 acres on Orangeburg Road from R1M (Single Family Residential Mobile Home District) to CN (Commercial Neighbor District). This request was left in Committee and no action was needed by Council.

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST  
#398 FOR ROGER AND BEVERLY GOODMAN**

21. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #398 for Roger and Beverly Goodman and the Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given. This is a request to rezone .66 acres on Dorchester Road and Circle Drive in Summerville from Single Family Residential District (R-2) to General Commercial (CG). Council voted unanimously in favor of the recommendation.

**PLANNING DEVELOPMENT & BUILDING CONTINUED**

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST  
#400 FOR SCOTT DRUMMOND**

22. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #400 for Scott Drummond and the Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given. This is a request to rezone 2.6 acres on Central Avenue in Summerville from (DE-1) Development District to (CLI) Commercial Light Industrial District. Council voted unanimously in favor of the recommendation.

**2<sup>ND</sup> READING FOR AN ORDINANCE TO CREATE A  
HISTORICAL OVERLAY DISTRICT**

23. Chairman Murphy reported that an extensive Public Hearing was conducted and the majority of the citizens that attended were overwhelmingly in favor of the Ordinance. However, there are concerns from the members of the Committee regarding the vagueness of the statute of the Ordinance. The recommendation to Council from the Committee was to give 2<sup>nd</sup> Reading to the Ordinance and place it back in the Planning, Development and Building Committee. Council voted unanimously in favor of the recommendation.

**BUDGET, FINANCE AND PURCHASING COMMITTEE  
MR. WILLIE DAVIS**

Mr. Davis was delayed and unable to attend the Budget, Finance, and Purchasing Committee. He asked Councilman Rosebrock to give the report of the Committee Meeting.

**CONSULTING SERVICES FEDERAL COST SHARING**

Mr. Rosebrock reported the Consulting Services regarding Federal Cost Sharing was discussed and left in Committee for further study. No action needed by Council.

**PUBLIC DEFENDER'S CORP. FUNDING REQUEST**

Mr. Rosebrock reported that the additional funding of \$20,000 requested by the Public Defender Corporation was discussed. The Committee recommends funding this request from the Supplemental Budget. This item would be brought up later under the Supplemental Budget recommendation.

**BUDGET, FINANCE & PURCHASING REPORT CONTINUED**

**1<sup>ST</sup> READING SUPPLEMENTAL BUDGET**

24. Mr. Rosebrock reported that the Committee voted to recommend to Council to give 1<sup>st</sup> Reading to the Supplemental Budget, to include the \$20,000 requested by the Public Defender Corporation. Council vote unanimously in favor of the Committee's recommendation.

**PALMETTO HOUSE FUNDING REQUEST**

25. Mr. Rosebrock reported that the Committee voted to recommend to Council to fund \$10,000 to the Palmetto House, from the Council Contingency Fund, contingent upon the towns matching the \$10,000. Council voted unanimously in favor of the recommendation.

**BLACK EXPO SPONSORSHIP**

26. Mr. Rosebrock reported that the Committee recommends to Council to fund the Black Expo in the amount of \$6,000 from the County Council Contingency fund. Council voted unanimously in favor of the recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**WATER AND SEWER ADVISORY BOARD**

Mr. Ward addressed Council regarding the Dorchester County Water and Sewer Advisory Board. The Board has been inactive for a couple of years and Council needs to make a decision on appointing new members or abolishing the Board. The reason the Board has not met was that no meetings were scheduled.

27. On the motion of Mr. Murphree, seconded Mr. Elliott, Council voted unanimously in favor to give 1<sup>st</sup> Reading to Repeal Ordinance Number 81-07 as amended by Ordinances 81-12 and 82-23 and all sections related to said Ordinance and place this item in the Public Works, Property and Utilities Committee.

Mr. Murphree also stated that when repealing an existing Ordinance it was considered a "legislative action" thus must be done in accordance with the procedures outline in 4-9-120: "Procedures for Adoption of Ordinances" 1976 Code. The County Attorney stated that to repeal an Ordinance it would require three readings and no public hearings.

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JANUARY 10, 2005**

**RECREATION REQUEST FOR PARKS LITTLE LEAGUE**

Mr. Rosebrock addressed the issue of a request from Parks Little League. This Recreational Request will be placed on the agenda for the next County Council Meeting.

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

The County Attorney requested an Executive Session with Council to discuss a land donation matter, three confidential Economic Development Projects and to give legal advice regarding a contractual matter and also regarding a state statute.

**EXECUTIVE SESSION 8:40 P.M.**

28. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:20 P.M.**

The County Attorney reported that in Executive Session Council discussed and received legal advice concerning a land donation from Scott Free, LLC, discussed Economic Development Prospects and discussed a contractual matter concerning the purchase of real estate, and also received legal advice concerning voting machines. No action was taken on any items.

**PURCHASE OF VOTING MACHINES**

29. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to accept the new voting machines.

**LAND DONATION FROM SCOTT FREE, LLC- EAGLE RUN  
SUBDIVISION**

30. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to accept a land conveyance from Scott Free, LLC.

**ADJOURNMENT**

31. On the motion Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 9:23 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JANUARY 24, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the January 10, 2005, County Council Meeting
- Resolution for Senator Randy Scott
- Correspondence

**3. GUEST**

- Ms. Angie P. Crum, President of Ridgeville Branch NAACP

**4. COUNCIL MEMBER'S TIME**

- Councilman Richard Rosebrock – Recreation Funds Request for Parks Field

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

- Convenience Site Lease
- 2<sup>nd</sup> Reading Dorchester County Supplemental Budget
- 3<sup>rd</sup> Reading Rezoning Request # 398 for Roger & Beverly Goodman
- 3<sup>rd</sup> Reading Rezoning Request # 400 for Scott Drummond
- Sheriff's Office IT Infrastructure

**6. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Assigning the Sheriff Millage

**Mr. Skip Elliott, Planning, Development and Building Committee**

- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 397 General Engineering and Environmental
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 401 F. Compton McCurry
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 402 Charles Tuten
- Recommendation for 2<sup>nd</sup> Reading Dorchester County Comprehensive Plan

**COUNCIL AGENDA  
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**COMMITTEE REPORTS CONTINUED**

**Mr. Richard Rosebrock, Public Works Property and Utilities Committee**

- Obsolete Computer Equipment
- Wastewater System/Carolina Water Service
- Convenience Sites Status
- Applewood
- Quail Arbor Drainage Update
- Pigeon Bay Road Ditch Update
- Baron Road ROC
- Sewer on Orangeburg Road/Ancrum Lane
- Suburban Disposal Service Rate Increase
- 2<sup>nd</sup> Reading Repeal of Ordinance #82-23 Dorchester County Water and Sewer Advisory Board
- Closing of Yerby Road
- 1<sup>st</sup> Reading Ordinance to Amend the DC Water Ordinance #92-07
- 1<sup>st</sup> Reading Ordinance to Amend the DC Sewer Ordinance #84-08

**Chairman Chris Murphy, Budget, Finance and Purchasing Committee**

- Dorchester County Audit for FY 2003-2004
- Consulting Services Federal Cost Sharing

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Appointment to Dorchester County Social Services Bd. by Chairman Murphy
- \*Appointments to the Dorchester County Sales Tax Transportation Authority  
(\*Appointments to be made after County Attorney's Time)

**8. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session -Confidential Economic Development Prospects
  - Dual Office Holding
  - Sewer Extension
  - Land Purchase

**9. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERSVILLE  
JANUARY 24, 2005  
7:20 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summersville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Floyd Baker gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Larry E. Kinard addressed Council about the illegal operation of a business and a zoning issue with regards to zoning map discrepancies.  
(Attachment A is a copy of Mr. Kinard's remarks)



**PUBLIC ADDRESS TO COUNCIL – CONTINUED**

- Ms. Sandy Liberstein addressed Council regarding the re-routing of truck traffic from Central Avenue on to Orangeburg Road. (Chairman Murphy requested that the Administrator look into this matter and contact Ms. Liberstein)
- Mr. John Templeton addressed Council regarding the proposed Historic Overlay District.
- Mr. Ernest Williams addressed Council regarding taking the Sand Pits out of the proposed Historic Overlay District.
- Dr. John W. Cordray, Jr. addressed Council regarding the proposed Historic Overlay District. (Attachment B is a copy of Dr. Cordray's remarks)
- Mrs. Elaine Murray addressed Council regarding the proposed Historic Overlay District and the R-8 zoning. (Attachment C is a copy of Ms. Murray's remarks)
- Mr. Al Walters addressed Council regarding the building colors of the Money Man Pawn Shop. (Chairman Murphy asked the Administrator to look into this issue and he placed this issue in the Planning, Development and Building Committee)

**ADOPTION OF THE MINUTES FROM THE JANUARY 10, 2005  
COUNTY COUNCIL MEETING**

1. On the motion of Mr. Murphree, seconded by Mr. Elliott, Council voted unanimously to adopt the minutes from the January 10, 2005, Council Meeting.

**ADOPTION OF RESOLUTION FOR SENATOR RANDY SCOTT**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt Resolution #05-03 in honor of Senator Randy Scott.

**CORRESPONDENCE**

There was no correspondence to report.

**GUEST**

Ms. Angie Pinckney Crum, President of the Ridgeville Branch NAACP, addressed Council regarding a vote by Council, taken at the January 10<sup>th</sup>, 2005 County Council Meeting. The action taken on January 10<sup>th</sup> was a vote not to endorse the Berkeley-Dorchester Counties Economic Development Corporation supporting the agency and the programs that they operate in Dorchester County. Ms. Crum stated that she felt the decision not to endorse the agency was a bias influenced decision. Ms. Crum requested that Council revisit the request for endorsement of the BDC-EDC.

**COUNCIL MEMBER'S TIME**  
**RECREATION REQUEST FOR PARKS FIELD**

Mr. Rosebrock addressed the issue of a request from Parks Field for \$33,500. The project application was received after the deadline for recreation project grant applications. The balance of the funds left in the Recreation Account is \$24,922.

3. Mr. Rosebrock motioned and Mr. Hargett seconded, to give \$10,000 towards the request from Parks Field.
4. Mr. Elliott made an amendment to the motion, seconded by Mr. Davis, to place the request from Parks Field into the Public Safety, Health and Human Services Committee for further study. Council voted four in favor and three opposed to the amendment.

Mr. Rosebrock, Mr. Hargett and Chairman Murphy opposed.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**CONVENIENCE SITE LEASE**

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the Administrator to execute a 5-year lease agreement with Mary B. Wagers to continue using a 1 acre tract of land in Rosinville for a convenience site at a cost of \$600.00 per year.

**2<sup>ND</sup> READING SUPPLEMENTAL BUDGET FY 2004-2005**

6. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor and one abstention to give 2<sup>nd</sup> Reading to the Supplemental Budget for FY 2004-2005. The original requested amount has been amended by Council to include \$20,000 for the Public Defender Corporation & has been reduced by \$63,627 by cutting fuel, oil, part-time contingency, and cell phone usage. The total for the Supplemental Budget is \$447,507.

Mr. Waggoner abstained.

**3<sup>RD</sup> READING FOR REZONING REQUEST #398 FOR ROGER AND BEVERLY GOODMAN**

7. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #398 for Roger and Beverly Goodman. This is a request to rezone .66 acres on Dorchester Road and Circle Drive in Summerville from Single Family Residential District (R-2) to General Commercial (CG).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING FOR REZONING REQUEST #400 FOR SCOTT  
DRUMMOND**

8. On the motion of Mr. Elliott, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #400 for Scott Drummond. This is a request to rezone 2.6 acres on Central Avenue in Summerville from (DE-1) Development District to (CLI) Commercial Light Industrial District.

**SHERIFF'S OFFICE IT INFRASTRUCTURE**

Mr. Ward addressed Council regarding the Sheriff's Office request for a separate IT function. According to Gerald M. Finkel, an attorney who provides legal counsel to the Sheriff, privileges granted by the exemptions for law enforcement under the S C Freedom of Information Act are waived because disclosure has been made to non-law enforcement. Therefore, the Sheriff's Office has expressed a desire to have a separate information technology network (hardware and software), its own information technology support staff and its own Internet, E-mail, and Computer Resources Policy.

Mr. Frampton addressed Council regarding his review of Mr. Finkel's letter which contains the statement about SC FOIA and the law enforcement exemptions and he does not agree with Mr. Finkel's opinion. Michael Boatwright, IT Director, reviewed the information and believes the County is meeting the FOIA requirements. Providing the Sheriff's Office with a separate IT function would be an expensive proposition. Mr. Ward's recommendation was for Council to refer this issue to the Administrative and Intergovernmental Affairs Committee for further consideration.

9. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to place the issue in the Administrative and Intergovernmental Affairs Committee.

**COMMITTEE REPORTS**

**PUBLIC SAFETY HEALTH AND HUMAN SERVICES COMMITTEE**

**MR. MIKE MURPHREE**

**ASSIGNING THE SHERIFF MILLAGE**

Councilman Murphree reported the Committee discussed a macro project regarding the assignment of the Sheriff's millage. The intent of the project is to break down each item and this would let the citizens know what the County spends tax dollars on. This is how Lexington County funds its Sheriff's operations and the Committee would like to see if their methodology might be worth considering for Dorchester County.

**PUBLIC SAFETY HEALTH AND HUMAN SERVICES CONTINUED**  
**ASSIGNING THE SHERIFF MILLAGE CONTINUED**

Mr. Ward stated that the Committee also discussed looking at the Sheriff's budget for this year and looking at future growth. This would help Council in making an accurate determination when assigning a millage, which takes into consideration future growth. No action was needed by Council.

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE**  
**MR. SKIP ELLIOTT**  
**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 397**  
**GENERAL ENGINEERING AND ENVIRONMENTAL**

10. Mr. Elliott reported the Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to rezoning request #397 for General Engineering and Environmental and to leave this request in Committee for a public hearing. This is a request to rezone 52.31 acres on Orangeburg Road in Summerville from Residential Multi-Family District (R-4) to Planned Development (PD). Council voted six in favor and one opposed on the recommendation of the Committee.

Mr. Rosebrock opposed.

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 401**  
**F. COMPTON MCCURRY**

11. Mr. Elliott reported the Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to rezoning request #401 for F. Compton McCurry and leave this request in Committee for a public hearing. This is a request to rezone 2 acres off Danberry Drive near Bacons Bridge Road in Summerville from Residential Multi-Family District (R-4) to Single Family Residential Manufactured Housing District (R-2M). Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 402**  
**CHARLES TUTEN**

12. Mr. Elliott reported the Committee's recommendation to Council was to give 2<sup>nd</sup> Reading to rezoning request #402 for Charles Tuten and to leave this request in Committee for a public hearing. This is a request to rezone 1.56 acres on Hwy 17-A South in Summerville from Residential Multi-Family District (R-4) to Mixed Use Community District (MUC). Council voted unanimously in favor of the recommendation.

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COUNCIL MINUTES  
JANUARY 24, 2005

**PLANNING DEVELOPMENT AND BUILDING CONTINUED**  
**RECOMMENDATION FOR 2<sup>ND</sup> READING DORCHESTER COUNTY**  
**COMPREHENSIVE PLAN**

13. Mr. Elliott reported the Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to Dorchester County Comprehensive Plan. The demographic data in the plan has been updated to reflect 2000 Us Census figures. The County is required to update the plan every five years by the Planning Enabling Act of 1994. This is an update of the 1999 Comprehensive Plan. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE**  
**MR. RICHARD ROSEBROCK**  
**OBSELETE COMPUTER EQUIPMENT**

14. Mr. Rosebrock reported that the obsolete computer equipment was discussed. He stated all central processing units have been wiped clean of operating systems, software and files. Of the 70 computers that have been refreshed only 17 would run the Windows XP operating system. The Committee's recommendation was to donate the computers to various educational organizations. Council voted unanimously on the recommendation.

**WASTEWATER SYSTEM/CAROLINA WATER SERVICE**

Mr. Rosebrock reported that the wastewater system/Carolina Water Services was discussed. Mr. Tompkins reported to the Committee that the permit from the Public Service Commission has not been granted yet. No action was taken.

**CONVENIENCE SITES STATUS**

Mr. Rosebrock reported that Mr. Tompkins has visited all of the sites and progress was being made. No action was needed.

**APPLEWOOD**

Mr. Rosebrock reported that Applewood Road was now under the jurisdiction of the CTC and was to be paved. This item would now be removed from Committee.

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COUNCIL MINUTES  
JANUARY 24, 2005

**PUBLIC WORKS, PROPERTY AND UTILITIES CONTINUED**  
**QUAIL ARBOR DRAINAGE UPDATE**

Mr. Rosebrock reported that according to Mr. Tompkins, the County has approval from the Army Corps of Engineers regarding re-routing the ditch and holding up on the ponds until needed. This has satisfied the residents of Quail Arbor and a meeting has been scheduled to meet with the Quail Arbor Cove residents. No action was needed by Council.

**PIGEON BAY ROAD DITCH UPDATE**

Mr. Rosebrock reported the easements have not been signed over to the County and this item would remain in Committee.

**BARON ROAD ROC**

Mr. Rosebrock reported that Baron Road was now under the jurisdiction of the CTC and they have planned to put ROC on the road. This item would now be removed from Committee.

**SEWER ON ORANGEBURG ROAD/ANCRUM LANE**

Mr. Rosebrock reported on the sewer problem on Orangeburg Road and Ancrum Lane. DHEC has not given permission to the County to use the new sewer line that is replacing the pump station on Bacons Bridge Road, but Mr. Tompkins informed the Committee that the County should be getting the permission soon. Once the County has received permission, Public Works will be connecting the residents who live on Ancrum Lane and removing the pump station on Bacons Bridge Road.

**SUBURBAN DISPOSAL SERVICE RATE INCREASE**

Mr. Rosebrock reported that Suburban Disposal Service did not have a rate increase; it was only a typographical error in the printing of the statements. This item would now be removed from this Committee.

**2<sup>ND</sup> READING REPEAL OF ORDINANCE #82-23 DORCHESTER**  
**COUNTY WATER AND SEWER ADVISORY BOARD**

15. Mr. Rosebrock reported the proposed ordinance would abolish the Dorchester County Water and Sewer Advisory Board and the Committee's recommendation was for Council to give 2<sup>nd</sup> Reading to this Ordinance. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY AND UTILITIES CONTINUED**  
**CLOSING OF YERBY ROAD**

16. Mr. Rosebrock reported the recommendation of the Committee was to close the short portion of Yerby Road by legal action. The County Attorney stated that by closing the short portion of Yerby Road the County would no longer be liable and it would be owned by the property owners.

17. Mr. Murphree amended the Committee's recommendation, seconded by Mr. Rosebrock, to have a certified letter mailed to each property owner abutting the road, informing them that Council intends to close this road unless the appropriate easements, to maintain the road adequately, are received within 60 days. Council voted six in favor and one abstention on the amendment to the recommendation.

Mr. Waggoner abstained.

**1<sup>ST</sup> READING ORDINANCE TO AMEND THE DC WATER ORD. #92-07**

18. Mr. Rosebrock reported that the Committee's recommendation to Council was to give 1<sup>st</sup> Reading to an Ordinance to amend the Dorchester County Water Ordinance #92-07 to allow the Water Department to charge a \$25 fee for late water payments. Council voted unanimously in favor of the Committee's recommendation.

**1<sup>ST</sup> READING ORDINANCE TO AMEND THE DC SEWER ORD. #84-08**

19. Mr. Rosebrock reported that the Committee's recommendation to Council was to give 1<sup>st</sup> Reading to an Ordinance to amend the DC Sewer Ordinance #84-08. The proposed amendment to Section 508 would allow the County to establish wholesale rates for other utilities, such as Carolina Water Service, based upon our cost. The proposed amendment to Section 509 will allow the Water and Sewer Department to charge a \$25 fee for late sewer payments. Council voted unanimously in favor of the recommendation.

**CHARLES SNIPES**

Mr. Rosebrock reported that Mr. Charles Snipes had requested an as built plan for the sewer line and Mr. Tompkins reported that he had given Mr. Snipes a copy of the plan earlier. Mr. Ward will be in touch with Mr. Snipes regarding the request.

**PUBLIC WORKS, PROPERTY AND UTILITIES CONTINUED**  
**LARRY E. KINARD**

Mr. Rosebrock reported that Mr. Larry Kinard addressed the PWPU Committee and Mr. Rosebrock referred him to full Council. Mr. Kinard did address Council with his issues at the beginning of the Council Meeting.

**STOP SIGN AT CORSAIR STREET AND MEADOW RUN**

Mr. Ward stated that a Ms. Bigelow did address the PWPU Committee regarding a stop sign at Corsair Street and Meadow Run Subdivision. Mr. Ward stated that he would pass this on to Mr. Tompkins to check on and see if a stop sign was needed.

**VISION OF WATER AND SEWER FOR THE FUTURE**

Mr. Murphree addressed the issue regarding the planning or vision for water and sewer for the next 10 years in Dorchester County. He stated that he would like to see a Committee put together to look at this issue for long term growth. Mr. Rosebrock addressed Mr. Murphree and stated that he thought this should be looked at by full Council instead of the Public Works, Property and Utilities Committee, and he would like to see it discussed at the upcoming Council Retreat.

Chairman Murphy passed the gavel to the Vice Chairman to make his Committee Report.

**BUDGET, FINANCE AND PURCHASING COMMITTEE**  
**CHAIRMAN CHRIS MURPHY**  
**DORCHESTER COUNTY AUDIT FOR FY 2003-2004**

Chairman Murphy reported that Ms. Charlotte Allen of Bryan, Truesdale, Adkins, and Williams, PA, presented the findings of the independent Dorchester County Audit for FY 2003-2004. The year ended on June 30, 2004.

**CONSULTING SERVICES FEDERAL COST SHARING**

20. Chairman Murphy reported that the Consulting Services regarding Federal Cost Sharing was discussed and the recommendation to Council was to send out for bid the Consulting Services for the Federal Cost Sharing Plan. Council voted six in favor and one opposed.

Mr. Waggoner opposed.



**BUDGET, FINANCE AND PURCHASING CONTINUED**  
**CHARACTER TRAINING**

Chairman Murphy reported that the Budget and Finance agenda was amended to discuss funding for the Character Training Program. Chairman Murphy reported that with a vote of five in favor and two opposed the Committee would keep this item in the Budget, Finance and Purchasing Committee. No action was needed by Council on this subject.

Vice Chairman Elliott passed the gavel back to Chairman Murphy

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Chairman Murphy passed the gavel back to Vice Chairman Elliott to make a recommendation for an appointment to a Board.

**APPOINTMENT TO THE DC SOCIAL SERVICES BOARD**

21. Chairman Murphy made a motion, seconded by Mr. Rosebrock, to appoint Ms. Pam Stonier, as his appointee to the Dorchester County Social Services Board. Council voted unanimously in favor of the motion.

Vice Chairman Elliott passed the gavel back to Chairman Murphy.

**APPOINTMENT TO THE DC AERONAUTICS BOARD**

22. Mr. Hargett made a motion, seconded by Elliott, to appoint Mr. Ray Huber, as his appointee to the Dorchester County Aeronautics Board. Council voted unanimously in favor of the motion. Mr. Huber will no longer serve on the Economic Development Bd.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Councilman Murphree made several nominations as his appointees to various Boards and Commissions. Listed below:

Alcohol and Drug Abuse Commission	Ms. Bali Cuthbert
Board of Zoning and Appeals	Mr. Steve Rudd
Codes Board of Appeals	Mr. John Dumas
Planning Board	Mr. Robert Pratt
Solid Waste Recycling & Disposal	
User Fee Appeals Board	Mr. Victor Usher
County Transportation Commission	Dr. Robert Randall

**APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED**

23. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously in favor of all appointments made by Councilman Murphree.

**APPOINTMENTS - DC SALES TAX TRANSPORTATION AUTHORITY**

Chairman Murphy stated that the remaining nominations for the appointments to the Dorchester County Sales Tax Transportation Authority will be addressed after Executive Session.

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

The County Attorney requested an Executive Session with Council to discuss three Confidential Economic Development Prospects, to receive legal advice concerning dual office holding, to discuss a contractual matter concerning sewer extension, and a contractual matter concerning a Real Estate Purchase.

**EXECUTIVE SESSION 8:55 P.M.**

24. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:50 P.M.**

The County Attorney reported that in Executive Session Council discussed three Confidential Economic Development Prospects, received legal advice concerning dual office holding, discussed a contractual matter concerning sewer extension, and a contractual matter concerning the purchase of Real Estate and no action was taken on any of these items.

**APPOINTMENTS TO THE DORCHESTER COUNTY SALES TAX  
TRANSPORTATION AUTHORITY**

Mr. Waggoner nominated Mr. Marshal Murdaugh, Mr. Davis nominated Mr. Ralph James, Mr. Hargett nominated Mr. Wallace Ackerman and Mr. Murphree nominated Mr. Ron Turner.

25. On the motion Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to approve the above appointments to the Dorchester County Sales Tax Transportation Authority.

**ECONOMIC DEVELOPMENT PROJECT # 04-59**

26. On the motion Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to approve economic development incentives detailed in the Chairman's letter of January 11, 2005 to Confidential Project # 04-59. The new company is buying an industrial building in St. George and will create 20-25 jobs in our community. A formal announcement of the project is expected soon.

**ECONOMIC DEVELOPMENT PROJECT # 03-25**

27. On the motion Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to approve additional funds in the amount \$12,885 to assist project # 03-25 with its ROC access road to cover unexpected cost of soil removal and replacement in the roadway. The project plans to create 60 new jobs in St. George.

**CONFIDENTIAL INDUSTRIAL PARK**

28. On the motion Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to request the Economic Development Board to proceed with the preparation of a draft development agreement for a proposed new industrial park. The draft agreement will more fully identify and detail the responsibilities of the parties to the agreement.

**ADJOURNMENT**

29. On the motion Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 9:58 P.M.

\_\_\_\_\_  
Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**FEBRUARY 7, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the January 24, 2005, County Council Meeting
- Resolution Hazard Mitigation Plan
- Public Hearing for Dorchester County Supplemental Budget FY 2004-2005
- 3<sup>rd</sup> Reading Dorchester County Supplemental Budget FY 2004-2005
- Correspondence

**3. GUEST**

- Mr. Larry Snipes – Youth Challenge Program

**4. COUNCIL MEMBER'S TIME**

- Mr. Richard Rosebork – Appointing Ad Hoc Committees

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

- 1<sup>st</sup> Reading Rezoning Request #403 for Marlena Franklin
- 1<sup>st</sup> Reading Rezoning Request #404 for Donald M. Collins
- Resolution Almega Cable Franchise Agreement
- 3<sup>rd</sup> Reading Ordinance to Repeal Ordinance #82-23  
The Dorchester County Water and Sewer Advisory Board
- Use of St. George Council Chambers – District Four School Board
- Convenience Site Lease

**6. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Ground Level Ozone Standards Update
- Calomet Valley Update
- Amendment to Ordinance 82-01 (regarding cross bows and long bows)
- Assigning the Sheriff Millage
- Request for Recreation Funds Parks Field
- Road Hunters
- Web Site/Flyers for Tax Notices

**Mr. Larry Hargett, Administrative and Intergovernmental Affairs Committee**

- Elected Officials Purchases and Reimbursements

**PAGE TWO**  
**FEBRUARY 7, 2005**  
**COUNTY COUNCIL MEETING**

**Mr. Skip Elliott. Planning, Development and Building Committee**

- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Rezoning Request # 397  
General Engineering and Environmental
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Rezoning Request # 401 F.  
Compton McCurry
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Rezoning Request # 402  
Charles Tuten
- Proposed Ad Hoc Committee for the Historic Overlay District

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**8. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session -Legal Advice
  - Land Matter
  - Contractual Matter

**9. ADJOURN**

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**COUNTY COUNCIL CHAMBERS**  
**KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE**  
**FEBRUARY 7, 2005**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Mullins gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Richard Dash addressed Council regarding the repair of roads especially Mulberry Road. Chairman Murphy asked the Administrator to discuss this issue with the Public Works Director and to get back with Mr. Dash.
- Dr. John Cordray, Jr. addressed Council regarding his opposition of R-8 Zoning on County Line Road.

**PUBLIC ADDRESS TO COUNCIL – CONTINUED**

- Mr. John Halley addressed Council regarding “Open Burning”. Chairman Murphy placed this issue in the Public Safety, Health and Human Services. (Copy of Mr. Halley’s remarks –Attachment A of the Minutes)
- Mr. John S. Templeton addressed Council regarding zoning.
- Mr. Bill Norton addressed Council regarding a rezoning change. Chairman Murphy requested the Administrator look into this issue.
- Mr. Heyward Hutson addressed Council regarding his opposition to the appointment of an Ad- Hoc Committee to study the proposed Historic Overlay District.
- Ms. Sandra Salmon addressed Council regarding R-8 zoning and her opposition to the Ad- Hoc Committee to study the proposed Historic Overlay District. (Copy of Ms. Salmon’s remarks – Attachment B of the Minutes)
- Ms. Mary Lou Cordray addressed Council regarding her opposition of R-8 zoning.
- Mr. George McDaniel and Ms. Susan Munn addressed Council regarding the Ad- Hoc Committee to study the proposed Historic Overlay District.
- Mrs. Lucy Anne Cathcart addressed Council regarding her support of the proposed Historic Overlay District.
- Mr. Phillip Ford addressed Council regarding his support of the R-8 zoning and the proposed Historic Overlay District Ad-Hoc Committee.
- Mr. Mark Nix, Executive Director of the South Carolina Land Owners Association, addressed Council regarding the proposed Historic Overlay District and offered his services at no cost to the County.
- Mr. Ben Coker addressed Council regarding his support of an Ad-Hoc Committed to study the proposed Historic Overlay District.
- Mr. Richard KopfmueLLer addressed Council regarding the proposed Historic Overlay District.
- Mr. Howard Bridgman addressed Council regarding the proposed Historic Overlay District.

**ADOPTION OF THE MINUTES FROM THE JANUARY 24, 2005  
COUNTY COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the minutes from the January 24, 2005, Council Meeting.

**RESOLUTION HAZARD MITIGATION PLAN**

2. On motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to adopt a Resolution adopting the Berkeley –Dorchester Hazard Mitigation Plan.



PAGE THREE  
COUNCIL MINUTES  
FEBRUARY 7, 2005

**PUBLIC HEARING FOR SUPPLEMENTAL BUDGET FY 2004-2005**

Chairman Murphy opened the Public Hearing for public comments on the Dorchester County Supplemental Budget for FY 2004-2005.

Hearing no comments the Public Hearing was closed.

**3<sup>RD</sup> READING DORCHESTER COUNTY SUPPLEMENTAL BUDGET  
FY 2004-2005**

3. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to the Ordinance for the Supplemental Budget for Fiscal Year 04-05.

**CORRESPONDENCE**

There was no correspondence to report.

**GUEST**

Mr. J. Larry Snipes, Deputy Director of South Carolina Youth Challenge Academy, addressed Council regarding the program which is designed to help at-risk youth between 16 and 18 years of age. Mr. Snipes stated there are currently three graduates from the Academy in Dorchester County that now need mentors. Mr. Snipes encouraged Council and any citizens to become a mentor.

**COUNCIL MEMBER'S TIME**  
**APPOINTMENTS OF AD-HOC COMMITTEES**

Councilman Rosebrock expressed his displeasure with the way Committee items have been referred to Council's sub committees with no regards to the Rules of Council. Also he expressed his displeasure regarding the appointment of ad hoc committees. Councilman Rosebrock noted the appointments, which are being made, are by the committee members only and not full Council. He asked that all members become familiar with the Rules of Council.

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted four in favor and three opposed, for all Council Committees to be informed of these rules and any actions adopted or pursued prior to this notice, such as appointments to Ad-Hoc Committees and new issues not properly referred to the Committee, be halted and the matter be referred to the full Council for resolution or further action.

Chairman Murphy, Mr. Murphree, and Mr. Elliott opposed.

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

**1<sup>ST</sup> READING REZONING REQUEST #403 FOR MARLENA FRANKLIN**

5. On motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #403 for Marlena Franklin and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone .64 acres at the corner of Summer Street and Ladson Road in Ladson from Single Family Residential District (R-2) to Office and Institutional District (OI).

**1<sup>ST</sup> READING REZONING REQUEST #404 FOR DONALD M. COLLINS**

6. On motion of Mr. Hargett, seconded by Mr. Waggoner, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #404 for Donald M. Collins and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone .70 acres on Boone Hill Road from Residential Multi-Family District (R-4) to Commercial General (CG).

**RESOLUTION ALMEGA CABLE FRANCHISE AGREEMENT**

7. On motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to adopt a Resolution approving transferring a cable franchise for L.B. Cable to Almega Cable and increasing the franchise fee from 3% to 5%.

**3<sup>RD</sup> READING ORDINANCE TO REPEAL ORDINANCE #82-23 THE DORCHESTER COUNTY WATER AND SEWER ADVISORY BOARD**

8. On motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an ordinance to repeal Ordinance #82-23 the Dorchester County Water and Sewer Advisory Board. This Ordinance abolishes the board.

**USE OF COUNCIL CHAMBERS – DISTRICT 4 SCHOOL BOARD**

9. On motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to allow the District Four School Board to use the Council Chambers and conference room in St. George to hold their regular meetings on the third Tuesday of each month from February 2005 to July 2005.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**CONVENIENCE SITE LEASE**

10. On motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to authorize the Administrator to execute a 6-year lease agreement with Thomas Ross to continue using a 1 acre tract off Limestone Road Day Lane in Dorchester for a convenience site at a cost of \$1,000 per year.

**COMMITTEE REPORTS**

**PUBLIC SAFETY HEALTH AND HUMAN SERVICES COMMITTEE**

**MR. MIKE MURPHREE**

**GROUND LEVEL OZONE STANDARDS UPDATE**

Mr. Murphree reported that the Committee was provided an update stating Dorchester County was in compliance with the EPA National Ambient Air Quality Standard of .08 parts per million over an eight hour period. No action was required by Council.

**CALOMET VALLEY UPDATE**

Mr. Murphree reported that the Committee received an update regarding a report from Albrecht Environmental stating the trailer should be safe to occupy on January 31, 2005. This item was removed from the Committee Item list.

**AMENDMENT TO ORDINANCE 82-01 (REGARDING CROSS BOWS AND LONG BOWS) AND ROAD HUNTERS**

Mr. Murphree stated the Committee combined the subjects of an amendment to Ordinance 82-01 and Road Hunters and would forgo forming an Ad-hoc Committee to stay within the Rules of Council. This item was left in Committee.

**REQUEST FOR RECREATION FUNDS PARKS FIELD**

11. Mr. Murphree reported the Committee looked at the issue of a request from Parks Field for \$33,500. The Committee's recommendation to Council was to appropriate \$15,000 to Parks Field from the Recreation Fund Account. Council voted unanimously in favor of the recommendation.

**WEB SITE/FLYERS FOR TAX NOTICES**

12. Mr. Murphree reported on the Committee's recommendation to Council, which was to place this item in the Budget, Finance and Purchasing Committee. Council voted unanimously in favor of the recommendation.

**ASSIGNING THE SHERIFF MILLAGE**

13. Mr. Murphree reported the Committee's recommendation to Council was to place this item in the Budget, Finance and Purchasing Committee and changing the subject to include all Elected Officials. Council voted unanimously in favor of the recommendation.

**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS  
COMMITTEE- MR. LARRY HARGETT**

**ELECTED OFFICIALS PURCHASES AND REIMBURSEMENTS**

Mr. Hargett reported that in the Committee meeting the Centralized Purchasing Procedures document, the Centralized Procurement Ordinance and procurement cards were all discussed and left in Committee for further study.

**OTHER BUSINESS DISCUSSED**

Mr. Hargett also reported that a contractual matter was addressed and will be discussed later in Executive Session.

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE  
MR. SKIP ELLIOTT**

**RECOMMENDATION FOR 3<sup>RD</sup> READING REZONING REQUEST # 397  
GENERAL ENGINEERING AND ENVIRONMENTAL**

14. Mr. Elliott reported the Committee held a Public Hearing for Rezoning Request #397 for General Engineering and Environmental. The Committee's recommendation to Council was to give 3<sup>rd</sup> Reading to Rezoning Request #397. Council voted six in favor and one opposed to the recommendation. This was a request to rezone 52.31 acres on Orangeburg Road in Summerville from Residential Multi-Family District (R-4) to Planned Development (PD).

Mr. Rosebrock opposed.

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE REPORT  
CONTINUED**

**RECOMMENDATION FOR 3<sup>RD</sup> READING REZONING REQUEST # 401  
F. COMPTON MCCURRY**

15. Mr. Elliott reported that the Committee held a Public Hearing and no public comments were received for Rezoning Request #401 for F. Compton McCurry. The Committee's unanimous recommendation to Council was to give 3<sup>rd</sup> Reading to Rezoning Request #401. This is a request to rezone 2 acres off Danberry Drive near Bacons Bridge Road in Summerville from Residential Multi-Family District (R-4) to Single Family Residential Manufactured Housing District (R-2M). Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 3<sup>RD</sup> READING REZONING REQUEST # 402  
CHARLES TUTEN**

16. Mr. Elliott reported that the Committee held a Public Hearing and no public comments were received for Rezoning Request #402 for Charles Tuten. The Committee's unanimous recommendation to Council was to give 3<sup>rd</sup> Reading to Rezoning Request #402. This is a request to rezone 1.56 acres on Hwy 17-A South in Summerville from Residential Multi-Family District (R-4) to Mixed Use Community District (MUC). Council voted unanimously in favor of the recommendation.

**PROPOSED AD HOC COMMITTEE FOR THE HISTORIC OVERLAY  
DISTRICT**

Mr. Elliott reported that after the proposed Historic Overlay District was given 2<sup>nd</sup> Reading by Council, it was placed back in the Planning, Development and Building Committee. The subject was discussed by the Committee and a motion was made to create an Ad-Hoc Committee of ten members to allow the citizenry to review very carefully the R-8 designation and the boundaries of the district. The motion carried two to one in Committee. This item was left in Committee.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

17. Mr. Hargett motioned to nominate Mr. Ben Cole to the Economic Development Board and Mr. Elliott seconded the motion. Council voted unanimously in favor of the motion for the appointment of Mr. Ben Cole.

**APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED**

18. Mr. Murphree motioned to nominate Mr. Craig Turner to the Economic Development Board and Mr. Elliott seconded the motion. Council voted unanimously in favor of the motion for the appointment of Mr. Craig Turner.

19. Mr. Waggoner motioned to nominate Mr. Samuel G. Stephens, Sr. to the County Transportation Committee and Mr. Elliott seconded the motion. Council voted unanimously in favor of the motion for the appointment of Mr. Sammy Stephens.

20. Mr. Rosebrock motioned to nominate Mr. Jim Tuten to the County Transportation Committee and Mr. Elliott seconded the motion. Council voted unanimously in favor of the motion for the appointment of Mr. Jim Tuten.

21. Mr. Davis motioned to nominate Mr. Reginald Cusack to the County Transportation Committee and Mr. Elliott seconded the motion. Council voted unanimously in favor of the motion for the appointment of Mr. Reginald Cusack.

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

The County Attorney requested an Executive Session with Council to receive legal advice concerning boundaries with Berkeley County, and two contractual matters.

**EXECUTIVE SESSION 8:50 P.M.**

22. On the motion of Mr. Hargett, seconded by Mr. Waggoner, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:28 P.M.**

The County Attorney reported that in Executive Session Council discussed and received legal advice with a boundary issue with Berkeley County and two contractual matters and no action was taken on any of these items.

**ADJOURNMENT**

23. On the motion Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 9:30 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
FEBRUARY 22, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the February 7, 2005, County Council Meeting
- Proclamation - Plant A Row for the Hungry Month
- Correspondence

**3. GUEST**

- Mrs. Jackie Jenkins – DSS Recognition of Old Fort Fire Department

**4. COUNCIL MEMBER'S TIME**

- Councilman Mike Murphree- E911 Calls
- Councilman Richard Rosebrock – Historic Overlay District and R-8 Zoning

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

- Reimbursement Resolution

**6. COMMITTEE REPORTS**

**Mr. Richard Rosebrock – Public Works, Property and Utilities Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Ordinance to Amend the DC Water Ordinance #92-07
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Ordinance to Amend the DC Sewer Ordinance #84-08
- Convenience Sites Status Update
- Quail Arbor Drainage Update
- Sewer on Orangeburg Road/Ancrum Lane Update
- Closing Short Part of Yerby Road

**Mr. Skip Elliott - Planning, Development and Building Committee**

- Public Hearing & Recommendation for 3<sup>rd</sup> Reading for DC Comprehensive Plan

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**8. COUNTY ATTORNEY'S TIME-JOHN FRAMPTON**

- Executive Session- Legal Advice:
  - Fire Protection
  - Zoning Matter
  - Contractual Matter
  - Confidential Economic Development Prospects

**9. ADJOURN**

CHRISTOPHER J. MURPHY  
CHAIRMAN

WALTER H. "SKIP" ELLIOTT, III  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS

LARRY HARGETT

MIKE MURPHREE

RICHARD ROSEBROCK

KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
FEBRUARY 22, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Ms. Gina R. Sams – Sr. Admin. Asst. to Council

Chairman Murphy called the meeting to order and Reverend Griffin gave the invocation.

### PUBLIC ADDRESS TO COUNCIL

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Larry Kinard, resident of Dorchester County, addressed Council regarding an alleged illegal business that is in operation at 1406 Central Avenue.



**PUBLIC ADDRESS TO COUNCIL – CONTINUED**

- Mr. Teddy Trotter with Palmetto Pride gave appreciate for Council's participation with Palmetto Pride.
- Ms. Lucy Ann Cathcart addressed Council regarding the growth and planning for areas that needs to see growth occurring, yet preventing growth in the areas that is no longer desired.
- Ms. Ingrid Williams addressed Council regarding the Historical Overlay District.
- Mr. Ernest Williams, resident of Dorchester County, requested Council to do what is right for the people of Dorchester County.
- Mr. Billy Fox, resident of Ravenel, addressed Council regarding the R-8 Zoning.
- Ms. Georgia Toney, resident of Dorchester County, addressed Council regarding property rights and the R-8 Zoning and the financial ramification it could have on the citizens.
- Mr. Tracey Todd addressed Council regarding the proposed Historic Overlay District/R-8 Zoning and the Ad Hoc Committee that is to be formed to review this issue.
- Mrs. Cashion Drolet, with the Charleston Trident Association of Realtors, addressed Council on her concerns regarding the R-8 Zoning and its effect on the housing affordability in Dorchester County.
- Mr. Eddie Morris, resident of Dorchester County, addressed Council regarding the apprehension within the community regarding R-8 Zoning and the limitations it would put on citizens.
- Mr. Neil Robinson, Attorney that represents the Home Builders Association, addressed Council regarding the proposed Historical Overlay District/ R-8 Zoning and suggested that an economic analyst be performed to determine the impact on the tax base and individual owners.
- Mr. John W. Cordray, Jr., addressed Council regarding his opposition to the R-8 Zoning and requested that a mailed notice to all affected property owners be sent as soon as possible.
- Mr. John Templeton addressed Council regarding the medium price of housing in the Tri-County area and the impact that the R-8 Zoning will have in Dorchester County.
- Mr. Phillip Ford, Executive Director for Charleston Trident Home Builders Association and representative of the Family First Coalition, addressed Council regarding his support for the AD HOC Committee that will be reviewing the R-8 Zoning and inquired as to what type of impact the R-8 Zoning would have on tax payers of Dorchester County.
- Mr. Ben Coker addressed Council regarding his opposition to the proposed Historical Overlay District/R-8 Zoning.

**PUBLIC ADDRESS TO COUNCIL – CONTINUED**

- Mr. Mark Nix, Executive Director of the South Carolina Land Owners Association, addressed Council regarding the proposed Historical Overlay District/R-8 Zoning and offered his services at no cost to the County.
- Ms. Mary Lou Cordray, resident of Dorchester County, addressed Council regarding her opposition to the R-8 Zoning and requested Council not to pass the R-8 Zoning at this time.
- Mr. Meghan Terebus, with the Coastal Conservation League, addressed Council regarding her support for the proposed Historic Overlay District/R-8 Zoning.

**ADOPTION OF THE MINUTES FROM THE FEBRUARY 7, 2005 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to adopt the minutes from the February 7, 2005, Council Meeting.

**PROCLAMATION-PLANT A ROW FOR THE HUNGRY**

2. On motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation No. 05-01 and declaring March 2005, as “Plant a Row for the Hungry Month” in Dorchester County.

**CORRESPONDENCE**

There was no correspondence to report.

**GUEST**

Item was withdrawn from the Agenda.

**COUNCIL MEMBER’S TIME**  
**COUNCILMAN MIKE MURPHREE – E911 CALLS**

Councilman Murphree requested Council to put the issue of E911 Calls into the Public Safety, Health, & Human Services Committee in order to study the non-emergency calls that are received.

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COUNCIL MINUTES  
FEBRUARY 22, 2005

**CONTINUED-COUNCIL MEMBER'S TIME**  
**COUNCILMAN RICHARD ROSEBROCK – HISTORICAL OVERLAY**  
**DISTRICT AND R-8 ZONING**

Councilman Rosebrock requested to postpone his topic until later in the meeting, providing it were necessary.

**1<sup>ST</sup> READING FOR ORDINANCE #97-05, SECTION 8-7.1 AMENDMENT**  
**OF THE ORGANIZATION AND RULES OF DORCHESTER COUNTY**  
**COUNCIL**

Mr. Rosebrock addressed Council regarding amending Ordinance # 97-05, Section 8-7.1 of the Organization and Rules of Dorchester County Council. Section 8-7.1 deals with items which may be referred to as Sub-Committees, in two ways, (*One*) by Council as a whole or (*Two*) by joint action of the Administrator and Chairman of Council, hereby letting the motion of the amended section to include and reflect the following:

3. On the motion by Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously in favor of the 1<sup>st</sup> Reading for Amendment of the Organization and Rules of Dorchester County Council, Section 8-1.7, hereby including and reflecting that should any standing Committee of County Council desire to create an AD HOC Committee to assist it in making a recommendation or advice for County Council, for any matter, the said AD HOC Committee shall consist of equal number of appointees, appointed by all County Council representatives to the AD HOC Committee of the standing Committee of Council.

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

**REIMBURSEMENT RESOLUTION**

Mr. Ward addressed Council regarding being able to increase the County's ability to recuperate debt up to 9 million dollars if a bond issuance occurs when constructing buildings. Mr. Ward requested Council to adopt a resolution confirming the intention of Dorchester County to be reimbursed for certain expenditures related to capital projects that are to be financed by the issuance of bonds.

4. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously in favor to adopt the Reimbursement Resolution.

**CONTINUED-ADMINISTRATOR'S TIME**

**AMENDMENT OF AGENDA**

5. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to discuss a personnel matter in executive session.

**COMMITTEE REPORTS**

**PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE**

**MR. RICHARD ROSEBROCK**

**PUBLIC HEARING & 2<sup>ND</sup> READING FOR ORDINANCE TO AMEND THE DC WATER ORDINANCE # 92-07**

6. Mr. Rosebrock reported that a Public Hearing for Ordinance to Amend the DC Water Ordinance # 92-07 was held at an earlier meeting. Mr. Rosebrock also reported that the Committee voted unanimously in favor of recommending the 2<sup>nd</sup> Reading for Ordinance to Amend the DC Water Ordinance # 92-07 to Council which would allow the Water and Sewer Department to charge a \$ 25 fee for late water payments. Council voted unanimously in favor of the Committee's recommendation.

**PUBLIC HEARING & 2<sup>ND</sup> READING ORDINANCE TO AMEND THE DC SEWER ORDINANCE # 84-08**

7. Mr. Rosebrock reported to Council that a Public Hearing regarding the Ordinance to Amend the DC Sewer Ordinance #84-08 was held at an earlier meeting. Mr. Rosebrock reported that the Committee voted unanimously in favor to recommend to Council the 2<sup>nd</sup> Reading for Ordinance to Amend the DC Sewer Ordinance # 84-08 which would allow the County to establish wholesale rates for other utilities and allow the Water Sewer Department to charge a \$25 fee for late sewer payments. Council voted unanimously in favor of the Committee's recommendation.

**COMMITTEE REPORTS**  
**PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE**  
**MR. RICHARD ROSEBROCK**

**CONVENIENCE SITES STATUS UPDATE**

Mr. Rosebrock updated Council on the status of the convenience sites which are being renovated and reported that no action was taken by the Committee.

**QUAIL ARBOR DRAINAGE UPDATE**

Mr. Rosebrock updated Council on this subject and reported that no action was taken by the Committee.

**SEWER ON ORANGEBURG ROAD/ANCRUM LANE UPDATE**

Mr. Rosebrock updated Council on this matter and reported that this item would remain in Committee and that no action was taken.

**CLOSING SHORT PART OF YERBY ROAD**

Mr. Rosebrock requested Mr. Johns Frampton to provide an update for Council.

Mr. Frampton, County Attorney, reported to Council that he had forwarded certified letters to the four adjoining property owners on the portion of Yerby Road that is located between Orangeburg Road and Amber Road. Mr. Frampton also explained that the closing of the short section of Yerby Road would not be obtainable because it would land lock the property.

**OTHER BUSINESS DISCUSSED-CONSTRUCTION AT SUMMERVILLE  
AIRPORT**

Mr. Rosebrock reported on Mr. Murphree's inquiry to the Committee as to when the construction to the T- Hangers would begin at the Summerville Airport. Mr. Rosebrock explained that this inquiry had been referred to Mr. Jason Ward for review and report back to the Committee.

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE**  
**MR. SKIP ELLIOTT**

**RECOMMENDATION FOR 3<sup>RD</sup> READING OF THE DORCHESTER**  
**COUNTY COMPREHENSIVE PLAN**

8. Mr. Elliott reported that the Committee held a Public Hearing for 3<sup>rd</sup> Reading of the Dorchester County Comprehensive Plan at an earlier meeting which is required to be updated every five years. Mr. Elliott reported the Committee's unanimous vote which was in favor of recommending to Council the 3<sup>rd</sup> Reading of the Dorchester County Comprehensive Plan. Council voted unanimously in favor of the Committee's recommendation.

**OTHER BUSINESS DISCUSSED- HISTORICAL OVERLAY DISTRICT &**  
**R-8 ZONING AD HOC COMMITTEE**

9. Mr. Elliott reported the Planning, Development and Building Committee's recommendation for each Council member to elect two appointees to serve on the Historical Overlay District and R-8 Zoning AD HOC Committee. Once appointed then the AD HOC Committee would report its finding back to the Planning, Development and Building Committee within 60 days. Council voted unanimously in favor of the Committee's recommendation.

Mr. Elliott yielded to Mr. Murphree.

Mr. Murphree addressed Council regarding the County's Comprehensive Plan and suggested studying what would happen if growth were to stop and how to become more proactive in planning if growth continues.

Chairman Murphy instructed the Administrator to place Mr. Murphree's addressed matter into the Planning, Development and Building Committee.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

No appointments were made.

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

The County Attorney requested an Executive Session with Council to receive legal advice concerning Fire Protection Services, a zoning matter, a contractual matter, a personnel matter and to review a confidential economic development prospect.

**EXECUTIVE SESSION 8:15 P.M.**

10. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:20 P.M.**

The County Attorney reported that in Executive Session Council discussed and received legal advice concerning Fire Protection Services, a zoning matter, a contractual matter, a personnel matter and reviewed a confidential economic development prospect and no action was taken on any of these items.

**ECONOMIC DEVELOPMENT PROJECT # 05-07**

11. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously in favor of Dorchester County offering a fee in lieu of taxes with a six percent assessment ratio to Project # 05-07, whereas the existing firm will soon announce its expansion of its Summerville facility that will add 10.5 million dollars of new investments, with 22 expanded jobs.

**ADJOURNMENT**

12. On the motion Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 9:41 P.M.

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Gina R. Sams, Sr. Admin. Asst. to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**MARCH 7, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the February 22, 2005, County Council Meeting
- Correspondence

**3. GUEST**

- Mrs. Jackie Jenkins – DSS Recognition of Old Fort Fire Department
- Mr. Jim Friar –Modification of Trident Area's Workforce Invest. Act 5 Yr. Strategic Plan

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

- Recommendation for 3<sup>rd</sup> Reading Ordinance to Amend the DC Water Ordinance #92-07
- Recommendation for 3<sup>rd</sup> Reading Ordinance to Amend the DC Sewer Ordinance #84-08
- Road Maint. Acceptance Application for Legend Oaks Plantation Phase 9-Section 1
- Road Maint. Acceptance Application for Legend Oaks Plantation Phase 9-Section 2
- Road Maintenance Acceptance Application for Highwoods Plantation Phase 2
- Request for Funds Transfer
- Sheriff's Request for Funds Transfer
- Governmental Consulting Services
- Recommendation for 2<sup>nd</sup> Reading Ordinance Amending Ordinance #97-05  
Rules and Organization of Dorchester County Council

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Amendment to Ordinance #82-01 (regarding cross bows and long bows) & Road Hunters
- Car Usage –Computer GPS System
- Open Burning
- Non-Emergency 911 Calls

**Mr. Skip Elliott, Planning, Development and Building Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request #403 for Marlena Franklin
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request #404 for Donald M. Collins
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request #395 for Robin Todd
- Ad Hoc Committee Appointments



**COUNCIL AGENDA  
PAGE TWO  
MARCH 7, 2005**

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

-Appointment to the Trident Workforce Investment Board - James H. Villeponteaux, III

**7. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session –Legal Advice
  - Confidential Economic Development Project
  - Carolina Water Service
  - Zoning Matter
  - Contractual Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
MARCH 7, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts, Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Elliott gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Mark Nix, Executive Director of the SC Landowners Association, addressed Council regarding the Historic Overlay District. He also informed Council of a meeting on March 30<sup>th</sup>, at 7:00 p.m. sponsored by the Landowner's Association. (The location of the meeting has not been determined.)

- Mr. Howard Bridgman addressed Council in favor of Councilman Hargett's proposal regarding the proposed Historic Overlay Ordinance.
- Mr. George L. Charpia addressed Council regarding a petition for the paving of Yerby Road and gave each Council member a copy of the petition.
- Mr. Dewey Jones of the SC Bow Hunters Association addressed Council regarding the issue of the proposed amendments to Ordinance 82-01.
- Mr. Rick Boyer, of the Palmetto Archery Federation, addressed Council regarding the issue of the proposed amendments to Ordinance 82-01 and asked Council to get more information before making a decision regarding the proposed changes.
- Mr. John Halley addressed Council regarding the issue of open burning. (Copy of Mr. Halley's remarks –Attachment A of the Minutes)
- Mr. Arthur Cordray Jr. addressed Council regarding R-8 Zoning.

**ADOPTION OF THE MINUTES FROM THE FEBRUARY 22, 2005  
COUNTY COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the minutes from the February 22, 2005, Council Meeting.

**CORRESPONDENCE**

There was no correspondence to report.

**WELCOME OF NEW DEPUTY ADMINISTRATOR**

Mr. Charles Potts the new Deputy Administrator was welcomed and introduced by Chairman Murphy.

**GUEST**

**MRS. JACKIE JENKINS – DSS RECOGNITION OF  
OLD FORT FIRE DEPARTMENT**

Mrs. Jackie Jenkins, Director of the Department of Social Services, along with two of her Board Members, presented a plaque to honor Chief Larry Hood and the Old Fort Fire Department for their support of the 10<sup>th</sup> Annual Magic of Christmas Carnival held for children in the care of Dorchester County DSS.

**MR. JIM FRIAR –MODIFICATION OF TRIDENT AREA’S WORKFORCE  
INVESTMENT ACT 5 YR. STRATEGIC PLAN**

This presentation will be at the next County Council meeting on March 21, 2005.

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

**RECOMMENDATION FOR 3<sup>RD</sup> READING ORDINANCE TO AMEND  
THE DC WATER ORDINANCE #92-07**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give third reading to an ordinance amending the Dorchester County Water Ordinance #92-07. This proposed amendment is to allow the Water and Sewer Department to charge a \$25 fee for late water payments.

**RECOMMENDATION FOR 3<sup>RD</sup> READING ORDINANCE TO AMEND  
THE DC SEWER ORDINANCE #84-08**

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give third reading to an ordinance amending the Dorchester County Sewer Ordinance #84-08. The proposed amendment to Section 508 will allow the county to establish wholesale rates for other utilities, such as Carolina Water Service, based upon the county’s cost. The proposed amendment to Section 509 will allow the Water and Sewer Department to charge a \$25 fee for late sewer payments.

**ROAD MAINT. ACCEPTANCE APPLICATION FOR LEGEND OAKS  
PLANTATION PHASE 9-SECTION 1**

4. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to accept Legacy Lane and Heart Pine Circle in Legend Oaks, as identified in the application, for County maintenance and to start the warranty period.

**ROAD MAINT. ACCEPTANCE APPLICATION FOR LEGEND OAKS  
PLANTATION PHASE 9-SECTION 2**

5. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to accept History Lane, Covey Rise Court, and Black Bay Court in Legend Oaks, as identified in the application, for County maintenance and to start the warranty period.

**ROAD MAINTENANCE ACCEPTANCE APPLICATION FOR  
HIGHWOODS PLANTATION PHASE 2**

6. On the motion of Mr. Hargett, seconded by Mr. Elliott, Council voted unanimously to accept Highwoods Plantation Avenue, Causeyside Court, Cableswynd Way, Delhaig Place, and Cannonsmill Lane in Highwoods Plantation, as identified in the application, for County maintenance and to start the warranty period.

**REQUEST FOR FUNDS TRANSFER**

7. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to authorize the Administrator to transfer current funds from personnel to operating to cover fuel and oil and other expenses as identified. The total amount to be transferred is \$66,388.

**SHERIFF'S REQUEST FOR FUNDS TRANSFER**

8. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to authorize the Administrator to transfer current funds from personnel and capital to operating in the Dorchester County Sheriff's Department. The funds to cover these various items come from attrition and savings from purchasing Impalas instead of Crown Victoria patrol cars. The total amount to be transferred is \$118,370.

**CONSULTING SERVICES FEDERAL COST SHARING**

Mr. Ward informed Council that three responses were received from the County's request for qualifications for "Professional Government Relations Service." Kinghorn, Hilbert, and Associates, LLC (KHA) was the only qualified responder. Council received this for information only.

**RECOMMENDATION FOR 2<sup>ND</sup> READING ORDINANCE AMENDING  
ORDINANCE #97-05 RULES AND ORGANIZATION OF DORCHESTER  
COUNTY COUNCIL**

9. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 2<sup>nd</sup> Reading to an ordinance amending Ordinance #97-05 Rules and Organization of Dorchester County Council. This amendment establishes that each Council Member is to appoint an equal number of appointees to ad-hoc committees.

**COMMITTEE REPORTS**

**PUBLIC SAFETY HEALTH AND HUMAN SERVICES COMMITTEE**  
**MR. MIKE MURPHREE**

**AMENDMENT TO ORDINANCE #82-01 (REGARDING CROSS BOWS**  
**AND LONG BOWS)& ROAD HUNTERS**

Councilman Murphree reported that at the Committee meeting the revised draft Councilman Hargett prepared was discussed, regarding the proposed amendment to Ordinance #82-01. The Committee decided they would compile all information regarding amending the Ordinance and have a Public Hearing on April 4<sup>th</sup> before the Council Meeting to discuss this issue and receive comments from the public. This item was left in Committee and no action was needed by Council.

**CAR USAGE –COMPUTER GPS SYSTEM**

Councilman Murphree reported that at the Committee meeting the GPS system was discussed. The Committee will look at the cost of the system for each vehicle. This item will remain in Committee and no action was needed by Council.

**OPEN BURNING**

Councilman Murphree reported the Committee would take into consideration and look at DHEC's procedures and the procedures used by Richland County for open burning. The Committee will use these two documents and create a proposed Ordinance for Dorchester County regarding open burning. This item will remain in Committee for further study.

**NON-EMERGENCY 911 CALLS**

Councilman Murphree reported that the Committee received information from Mr. Franklin Smith of the Sheriff's Department regarding the non-emergency 911 calls. The Committee plans to educate the public on what really would be considered an actual emergency and what is not. The Committee hopes to do this through the press as a first step and also publish a list of the non-emergency phone numbers that can be utilized. This item was left in Committee for further study and development.

**COMMITTEE REPORTS**

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE**  
**MR. SKIP ELLIOTT**

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 403**  
**FOR MARLENA FRANKLIN**

10. Councilman Elliott reported that the Committee held a Public Hearing for Rezoning Request # 403 and no comments were received. The Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to rezoning request # 403 for Marlena Franklin. This is a request to rezone .64 acres at the corner of Summer Street and Ladson Road in Ladson from Single Family Residential District (R-2) to Office and Institutional District (OI). Council voted unanimously in favor of the Committee's recommendation.

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 404**  
**FOR DONALD M. COLLINS**

11. Councilman Elliott reported that the Committee held a Public Hearing for Rezoning Request # 404 and no comments were received. The Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to rezoning request # 404 for Donald M. Collins. This is a request to rezone .70 acres on Boone Hill Road from Residential Multi-Family District (R-4) to Commercial General (CG). Council voted unanimously in favor of the Committee's recommendation.

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST #395**  
**FOR ROBIN TODD**

Councilman Elliott reported 2<sup>nd</sup> Reading for Rezoning Request #395 for Robin Todd was left in Committee. This request was to rezone .6 acres on Orangeburg Road from RIM (Single Family Residential Mobile Home District) to CN. Ms. Todd did not show up for the meeting, so the Committee decided to leave the request in Committee. A certified letter will be sent to Ms. Todd, requesting her presence at the next meeting or otherwise the request will be sent to full Council with a recommendation.

**AD HOC COMMITTEE APPOINTMENTS**

Councilman Elliott read the names of the appointments to the Ad Hoc Committee for the Historic Overlay District/ Zoning Classification. Councilman Davis appointed Mr. Bert Judy and Reverend Eddie Morris; Chairman Murphy appointed Mr. Robert Fledderman and Ms. Georgia L. Toney; Councilman Waggoner appointed Ms. Margaret Goodwine,

**PLANNING DEVELOPMENT AND BUILDING COMMITTEE**

**AD HOC COMMITTEE APPOINTMENTS CONTINUED**

and Mr. Michael Cordray; Council Hargett appointed Ms. Debra Henson and Mr., George McDaniel; Councilman Rosebrock appointed Mr. Coy Johnson and Mr. George Neil; Councilman Murphree appointed Ms. Elaine Murray and Mr. Tracy Cooper; and Councilman Elliott appointed Mr. Arthur Bryngelson and Mr. John Cordray. Councilman Elliott announced that a Planning, Development and Building Committee Meeting would be held at the Services Building in Summerville on Wednesday, March 9<sup>th</sup>, 2005 at 5:30 P.M. The reason for the meeting was to receive the recommendation of another Ad-Hoc Committee on Ordinance #04-13 (an amendment to Ordinance 90-19) regarding PD lot size and R2 Designations and if the above appointees can be notified in time, they will meet with the PDB also. Councilman Elliott stated if the Historic Overlay Ad Hoc Committee can meet, then the 60 day period to report back would begin at that time.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

12. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to appoint Mr. James H. Villeponteaux, III to the Trident Workforce Investment Board.

13. Councilman Murphree requested to appoint Ms. Charlene Snowden to the Dorchester County Senior Citizen's Inc, Mr. John D. Allston to the Sales Tax Transportation Authority, and to reappoint Mr. Michael Knight to the Procurement Appeals Board. Council voted unanimously in favor of the appointments.

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

The County Attorney requested an Executive Session with Council to discuss a Confidential Economic Development Prospect and a contractual matter concerning Carolina Water Service, to receive legal advice concerning a Zoning Matter and to discuss a contractual matter regarding a sewer service.

**EXECUTIVE SESSION TIME 7:35 P.M.**

14. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to go into Executive Session.



Page Eight  
Council Meeting  
March 7, 2005

**RECONVENE FROM EXECUTIVE SESSION 8:35 P.M.**

The County Attorney reported that in Executive Session Council discussed a Confidential Economic Development Prospect and contractual matter concerning Carolina Water Service, and received legal advice concerning a zoning matter and no action was taken on any of these items.

**ADJOURNMENT**

15. On the motion Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to adjourn. Time of adjournment 8:36 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MARCH 21, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the March 7, 2005, County Council Meeting
- Resolution for Troy G. Knight
- Public Hearing for Justice Assistance Grant Award
- Correspondence

**3. GUEST**

- Mr. Bob Jones, Executive Director Tri-County Regional Chamber of Commerce

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

- Recommendation for 3<sup>RD</sup> Reading Rezoning Request #403 for Marlana Franklin
- Recommendation for 3<sup>RD</sup> Reading Rezoning Request #404 for Donald M. Collins
- Recommendation for 3<sup>RD</sup> Reading Ordinance Amending Ordinance #97-05  
Rules and Organization of Dorchester County Council
- Reimbursement Resolution for Transportation Bonds
- Stormwater Fee Update

**5. COMMITTEE REPORTS**

**Mr. Skip Elliott. Planning, Development and Building Committee**

- Report from Ad Hoc Committee on Ordinance # 04-13 (Amendment to Ordinance 90-19) regarding PD Lot size and R2 Designations

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Appointment - Board of Disabilities and Special Needs

**7. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session –Legal Advice
  - Confidential Economic Development Projects

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
MARCH 21, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts, Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Hargett gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Jimmy King addressed Council regarding a nuisance issue with a barking dog. (The Chairman requested the Administrator look into this issue.)
- Mr. Mark Nix on behalf of the South Carolina Landowners Association addressed Council regarding a “Families First Town Meeting” on March 30<sup>th</sup>, 2005, at 7:00 p.m. at Summerville High School.

PAGE TWO  
COUNTY COUNCIL MEETING  
MARCH 21, 2005

**ADOPTION OF MINUTES - MARCH 7, 2005 COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the minutes from the March 21, 2005, Council Meeting.

**RESOLUTION FOR TROY G. KNIGHT**

2. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #05-07 recognizing Mr. Troy G. Knight posthumously for his public service and naming the Judicial Building at the Carl Knight Law Enforcement Center in his honor. A framed copy of the Resolution will be presented to Mr. Knight's family at the dedication of the building, named in Mr. Knight's honor.

**PUBLIC HEARING FOR JUSTICE ASSISTANCE GRANT**

Chairman Murphy opened the floor for public comments regarding a Justice Assistance Grant that the Sheriff's Department has applied for. Hearing no public comments, the Public Hearing was closed.

**CORRESPONDENCE**

There was no correspondence to report.

**RECOGNITION OF GUEST**

Mr. Elliott recognized CW4 Douglas E. Drost for his loyal service to our Nation in the fight against terrorism. Mr. Drost serves in the Wyoming National Guard and served in Desert Storm and the present war in Iraq. Mr. Drost was recognized with a standing ovation for his loyal service.

**GUEST**

Mr. Bob Jones, Executive Director of the Tri-County Regional Chamber of Commerce addressed Council to introduce himself as the new director of the chamber. He also made a few brief remarks regarding the Chamber and thanked Council for their continued support.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**RECOMMENDATION FOR 3<sup>RD</sup> READING OF REZONING REQUEST**  
**# 403 FOR MARLENA FRANKLIN**

3. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 403 for Marlena Franklin. This is a request to rezone .64 acres at the corner of Summer Street and Ladson Road in Ladson from Single Family Residential District (R-2) to Office and Institutional District (OI).

**RECOMMENDATION FOR 3<sup>RD</sup> READING REZONING REQUEST # 404**  
**FOR DONALD M. COLLINS**

4. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 404 for Donald M. Collins. This is a request to rezone .70 acres on Boone Hill Road from Residential Multi-Family District (R-4) to Commercial General (CG).

**RECOMMENDATION FOR 3<sup>RD</sup> READING ORDINANCE AMENDING**  
**ORDINANCE #97-05 RULES AND ORGANIZATION OF DORCHESTER**  
**COUNTY COUNCIL**

5. Mr. Davis motioned and Mr. Rosebrock seconded, to give 3<sup>rd</sup> Reading to amend Ordinance #97-05 the Rules and Organization of Dorchester County Council. This amendment provides for an equal number of appointees to ad hoc committees from each Councilmember.

6. Mr. Elliott motioned to amend the proposed Ordinance, amending Ordinance #97-05, seconded by Mr. Hargett, which provides for an equal number of appointees to ad hoc committees from each Councilmember. Mr. Elliott's amendment would have the Chairman of Council make an additional appointment, in case of an Ad-Hoc Committee having an even number of appointees. Council voted six in favor and one opposed to the amendment.

Councilman Rosebrock opposed.

7. Council voted unanimously to give 3<sup>rd</sup> Reading to the amendment to Ordinance #97-05, The Rules and Organization of Dorchester County Council, as amended in motion #6.

PAGE FOUR  
COUNTY COUNCIL MEETING  
MARCH 21, 2005

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**  
**REIMBURSEMENT RESOLUTION FOR TRANSPORTATION BONDS**

8. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to adopt a Reimbursement Resolution for Transportation Bonds confirming the intention of Dorchester County, South Carolina to be reimbursed for certain expenditures related to capital projects to be financed by the issuance of bonds. This reimbursement resolution will allow the general fund to be reimbursed by bond proceeds for certain expenses incurred, such as, related design, construction, and engineering, of the one cent sales tax road projects.

**STORMWATER FEE UPDATE**

Mrs. Jackie Canaday, Deputy Director of Finance and Administration for the Public Works Department, updated County Council on the proposed stormwater fee calculations. The report was received by Council in the March 21, 2005, Council Packet. Mrs. Canaday stated the fee of \$20.16 is based on a single family lot of 1/3 acre. As per the Stormwater Ad-Hoc Committee that was created and met to help resolve this issue, there is no fee for vacant farmland or timberland. The proposed plan does include churches, public and private schools being charged the commercial rate. Also included in the proposed plan is an appeals process which will be available.

Mrs. Canaday explained that this was just a preliminary report to update Council. Mr. Tompkins, Director of Public Works, will be reconvening the Stormwater Ad-Hoc Committee on the proposed plan, before bringing a final recommendation to Council.

Chairman Murphy stated that this item was still in the Public Works, Property and Utilities Committee and when a final recommendation was ready, it would be reported to that Committee first.

**COMMITTEE REPORT**  
**PLANNING DEVELOPMENT AND BUILDING COMMITTEE**  
**MR. SKIP ELLIOTT**

**REPORT FROM AD HOC COMMITTEE ON ORDINANCE # 04-13**  
**(AMENDMENT TO ORDINANCE 90-19) REGARDING PD LOT SIZE**  
**AND R2 DESIGNATIONS**

Mr. Elliott reported that the PDB Committee met on March 9<sup>th</sup>, 2005, to receive the recommendation of the Ad Hoc Committee for Ordinance # 04-13. The Ad-Hoc Committee was appointed last year by the Planning, Development and Building

PAGE FIVE  
COUNTY COUNCIL MEETING  
MARCH 21, 2005

**COMMITTEE REPORT CONTINUED**  
**REPORT FROM AD HOC COMMITTEE ON ORDINANCE # 04-13**  
**CONTINUED**

Committee. The task of the Committee was to examine Ordinance # 04-13, which was an amendment to Ordinance # 90-19, with regard to the Planned Development Lot Size and the R2 Designations. Council gave third and final Reading to Ordinance # 04-13 with the understanding that a Committee would be created to look at the Planned Development Lot Size and R2 Designations.

The unanimous recommendation of the Ad Hoc Committee was instead of using a specific number was to use an average minimum lot size. The average minimum lot size of 6500 square feet was the average. The PDB Committee asked the Planning Department to prepare the recommendation in written form, as it would appear in the Ordinance. Once it has been prepared, Mr. LeaMond was asked to send it to the Ad Hoc Committee to review and signed off on.

The second issue addressed by the Ad Hoc Committee was the R2 designations; however a recommendation could not be made at this time, until the Planning Department has completed an accurate survey of what was physically on the land. This recommendation will come later.

Mr. Elliott also reported the Historic Overlay District Ad Hoc Committee has been convened and they have 60 days from March 9<sup>th</sup>, 2005 to report back to the Planning, Development and Building Committee.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

9. On the motion of Mr. Waggoner, seconded by Mr. Murphree, Council voted unanimously to recommend to the Governor, the appointment of Mrs. Miriam Smith Birdsong to the Dorchester County Board of Disabilities and Special Needs.

10. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously in favor of the recommendation by Councilman Murphree, to appoint Mr. Carey Limehouse to the Dorchester County Aeronautics Board.

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

The County Attorney requested an Executive Session with Council to discuss a number of Confidential Economic Development Prospects.

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COUNTY COUNCIL MEETING  
MARCH 21, 2005

**EXECUTIVE SESSION TIME 7:40 P.M.**

11. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:35 P.M.**

The County Attorney reported that in Executive Session Council discussed and received information regarding four Confidential Economic Development Prospects and no action was taken.

**ECONOMIC DEVELOPMENT PROJECT**

12. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously that Strand Tech Martin be awarded a two year tax credit in the total amount of \$112,500 for infrastructure to assist with the expansion of their manufacturing plant at the Eastport Industrial Park at Summerville. A formal announcement will be made later this year.

**APRIL 18<sup>TH</sup> COUNCIL MEETING AND PUBLIC HEARING**

13. Mr. Hargett made the motion, seconded by Mr. Rosebrock, to amend the County Council Meeting Calendar for 2005, to change the location of the April 18<sup>th</sup>, 2005 Council Meeting to Summerville instead of the scheduled location in St. George. The reason for the request would be to accommodate the joint Public Hearing of Council and the Dorchester County Planning Commission on the Watson Hill Development Project.

14. Mr. Elliott motioned, and the Chairman seconded the motion, to amend the main motion to have a Special Called Council Meeting on April 18<sup>th</sup>, 2005 at 5:30 P.M., before the regularly scheduled Council Meeting at 7:00 P.M. and to have the meeting at the scheduled location in St. George. The reason for the 5:30 P.M. Special Called Council Meeting would be to accommodate the joint Public Hearing of Council and the Dorchester County Planning Commission on the Watson Hill Development Project. Council voted five in favor and two opposed.

Mr. Hargett and Mr. Rosebrock were opposed.



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COUNTY COUNCIL MEETING  
MARCH 21, 2005

**APRIL 18<sup>TH</sup> COUNCIL MEETING -PUBLIC HEARING CONTINUED**

15. Another vote was taken regarding leaving the regular scheduled April 18<sup>th</sup>, 2005 Council Meeting in St. George and on that same day have a Special Called Council Meeting for the purpose of a Joint Public Hearing of Council and the Planning Commission at 5:30 P.M. for the Watson Hill Development Issue. Council voted unanimously in favor of the motion.

**ADJOURNMENT**

16. On the motion Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to adjourn.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 4, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the March 21, 2005, County Council Meeting
- Public Hearing for Community Development Block Grant for Upgrade of Sewer Lines
- Resolution to Approve Matching Funds for Community Development Block Grant
- Proclamation – National County Government Week
- Employee Recognition Program
- Correspondence

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

- 1<sup>st</sup> Reading for Rezoning Request # 409 for Stephen W. Ballard
- 1<sup>st</sup> Reading for Rezoning Request # 411 for Ronald K. Mackenzie
- 1<sup>st</sup> Reading for Rezoning Request # 412 for Bill and Alice Norton
- Request for Funding Upper Dorchester County Relay for Life
- Lease for Dept. of Juvenile Justice
- 1<sup>st</sup> Reading to Amendment Development Agreement between County Line Investors, LLC and Dorchester County & 1<sup>st</sup> Reading to Rezoning Request # 377 (Poplar Grove)

**4. COMMITTEE REPORT**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Car Usage – Computer GPS System
- Open Burning
- Non-Emergency 911 Calls
- Public Meeting – Proposed Amendment to Ordinance #82-01 (Regarding cross bows, long bows and hunting near public roads affecting Public Safety)

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session – Legal Advice  
Real Estate Matter

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
APRIL 4, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Griffin gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Frank Fralix addressed Council regarding the road maintenance of Cotton Patch Road. He requested for the County to resume maintenance of the road, as they did in the past, until it was taken off the County Road Maintenance Schedule.
- Mr. Ronnie Judy addressed Council regarding the road maintenance of Cotton Patch Road and requested the County to resume maintenance of the road. The Chairman asked the Administrator to research the issue.

**ADOPTION OF THE MINUTES FROM THE MARCH 21, 2005 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to adopt the minutes from the March 21, 2005, Council Meeting.

**PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR UPGRADE OF SEWER LINES**

Chairman Murphy opened the Public Hearing to receive public comment regarding an application to the South Carolina Department of Commerce for a Community Development Block Grant to upgrade sewer lines in Stratton Capers II.

Mr. Jason Ward, County Administrator, was recognized to introduce Mr. Darryl Bullock, of the BCD Council of Governments, who administers this program on behalf of the County. Mr. Bullock explained that the proposed project would upgrade sewer lines on Stratton Drive in the Stratton-Capers II area of Dorchester County. The project consists of 7000 linear feet of sewer line. Mr. Bullock stated that after the public hearing the County would be asked to approve a Resolution to authorize and direct the County Administrator to make available an amount totaling not less than 10% of the total Grant. The funds requested would be utilized as matching funds as part of the CDBG Application for the Sewer Line Rehabilitation Project. The project was estimated to cost \$500,000 and the County matching funds of 10% would be \$50,000. Mr. Ward stated that the money would come from the Stormwater Enterprise Fund and not from the General Fund.

Chairman Murphy asked if there were any public comment. Hearing no comments, the public hearing was closed.

**RESOLUTION TO APPROVE MATCHING FUNDS FOR COMMUNITY DEVELOPMENT BLOCK GRANT**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the resolution stating the county would provide a 10% match of \$50,000, if the County was awarded the \$500,000 Community Development Block Grant for the upgrade sewer lines in Stratton-Capers II. The funds for the match would come from the Stormwater Enterprise Fund.

**PROCLAMATION HONORING COUNTY HEROES**

3. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to adopt a Proclamation for National County Government Week by proclaiming April 10 – 16, 2005 National County Government Week in Dorchester County.

**EMPLOYEE RECOGNITION PROGRAM**

Dorchester County Council recognized eighteen county employees with a special presentation for their loyal service to the citizens of Dorchester County. Employees were given a cash award based on years of service and a certificate of appreciation.

**CORRESPONDENCE**

There was no correspondence to report.

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

**1<sup>ST</sup> READING REZONING REQUEST # 409 FOR  
STEPHEN W. BALLARD**

4. On motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 409 for Stephen W. Ballard and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone .9 acre on US 17 A South near Summerville from CG (Commercial General) to TRM (Transitional Residential District).

**1<sup>ST</sup> READING REZONING REQUEST # 411 FOR  
RONALD K. MACKENZIE**

5. On motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 411 for Ronald K. Mackenzie and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone .86 acre on Picard Drive in Ladson from Residential Manufactured Housing District (R-1MA) to Single Family Residential (R-1).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING REZONING REQUEST # 412 FOR  
BILL AND ALICE NORTON**

6. On motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 412 for Bill and Alice Norton and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 11.63 acres on Dorchester Road near Summerville from R-2 (Single Family Residential District) to MUC (Mixed Use Community).

**REQUEST FOR FUNDING UPPER DORCHESTER COUNTY  
RELAY FOR LIFE**

7. On motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve the request for funds, from the Upper Dorchester County Relay for Life, in the amount of \$2,000 from Council Contingency Fund. The relay is scheduled for April 29, 2005.

**LEASE FOR DEPT. OF JUVENILE JUSTICE**

8. On motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor and one abstention, to authorize the Administrator to execute a 3 year lease extension with James Messervy for the DJJ Building located at 300 North Cedar Street in Summerville. The current lease amount would increase from \$1,975 to \$2,000/month the first year and \$2,025 and \$2,050 for second and third years respectively.

Mr. Murphree abstained.

**1<sup>ST</sup> READING AMEND DEVELOPMENT AGREEMENT  
& REZONING REQUEST # 377 POPLAR GROVE**

9. On motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to an amendment to the development agreement between County Line Investors, LLC and Dorchester County and send this item to the Planning Commission for their consideration, with the instruction for the Commission to hold the first required public hearing on the amended agreement. Council also unanimously resolved to give 1<sup>st</sup> Reading to an amendment to Rezoning Request # 377 for Poplar Grove and refer it to the Planning Commission for further consideration.

**COMMITTEE REPORT**  
**PUBLIC SAFETY HEALTH AND HUMAN SERVICES COMMITTEE**  
**MR. MIKE MURPHREE**

**CAR USAGE – COMPUTER GPS SYSTEM**

Mr. Murphree reported that at the Committee Meeting held earlier in the evening the vehicle tracking device issue was discussed. He reported that the company Aercomtec, a vendor in South Carolina, can provide tracking devices at a one time cost of \$350 per vehicle and then a recurring cost of \$39 per month per vehicle. The total estimated cost for outfitting all county vehicles would be around \$70,000. This item was left in Committee and no action was required by Council.

**OPEN BURNING**

Mr. Murphree reported that the draft ordinance that limits open burning in residential areas, which had been prepared was discussed by the Committee. The Committee decided to leave this item in committee for further study. No action was required by Council.

**NON-EMERGENCY 911 CALLS**

Mr. Murphree thanked Mr. Ward and members of the press, including Channel 5, the Summerville Journal-Scene and The Eagle Record for their assistance in getting the message out by increasing awareness of Non-Emergency 911 Calls. Mr. Murphree also reported that there will be some Public Service Announcements coming out with assistance from Time Warner and Knology Cable Television Stations. Additional actions to increase awareness are also planned, including the publishing of the numbers for non-emergency calls. This subject was kept in Committee and no action was taken.

**PUBLIC MEETING AMENDMENT TO ORDINANCE 82-01**  
**(REGARDING CROSS BOWS & LONG BOWS) AND ROAD HUNTERS**

Mr. Murphree reported that the Committee held a Public Meeting to receive input regarding the proposed Amendment to Ordinance #82-01. He stated that at the meeting there was a large crowd and one suggestion from some that addressed the Committee was that an Ad Hoc Committee be created to look at the issue closely. Mr. Murphree also reported that Mr. Jim Quinn the lawyer for the Department of Natural Resources addressed the Committee and gave an opinion on the County getting involved in state business. This item will remain in Committee and no action was required by Council.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards or Commissions.

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

The County Attorney requested an Executive Session with Council to give legal advice concerning a Real Estate Matter.

**EXECUTIVE SESSION 7:45 P.M.**

10. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:13 P.M.**

The County Attorney reported that in Executive Session Council received legal advice concerning a proposed real estate purchase and no action was taken.

**REAL ESTATE MATTER**

11. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to notify the seller of the Hutto tract that the County agrees to close the purchase of the acreage subject to annexation by the Town and zoning satisfactory to the County or forfeit \$20,000 as liquidated damages.

**ADJOURNMENT**

12. On the motion Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to adjourn. Time of adjournment 8:15 P.M.

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Sandy W. Lawley, Clerk to Council



**AGENDA  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 18, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the April 4, 2005, County Council Meeting
- Correspondence

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

- 2<sup>nd</sup> Reading to Amendment - Development Agreement between County Line Investors, LLC and Dorchester County
- 2<sup>nd</sup> Reading to Amend Rezoning Request # 377 (Poplar Grove)

**4. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**5. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session – Legal Advice
  - Confidential Economic Development Projects
  - Annexation
  - Land Acquisition

**6. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
APRIL 18, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Hargett gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. There was no response.

**ADOPTION OF THE MINUTES FROM THE APRIL 4, 2005 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to adopt the minutes from the April 4, 2005 Council Meeting.

**CORRESPONDENCE**

There was no correspondence to report.

Chairman Murphy passed the gavel to Vice Chairman Elliott.

**MOTION TO AMEND THE AGENDA**

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda in order for Councilman Hargett to make a motion, regarding a subject not on the agenda.

**1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND ORDINANCE 04-13**

3. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to amend Zoning Ordinance 04-13, as to delete there from Section 7.11.11(C) which requires a joint Public Hearing of the Planning Commission and County Council on Planned Development Applications, refer the matter to the Planning Commission for its recommendation, and request the Planning Commission to hold a Public Hearing and report back to Council.

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

**2<sup>ND</sup> READING TO AMEND - DEVELOPMENT AGREEMENT  
BETWEEN COUNTY LINE INVESTORS, LLC AND DORCHESTER  
COUNTY**

4. On motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 2<sup>nd</sup> Reading to an amendment to the development agreement between County Line Investors, LLC and Dorchester County.

**2<sup>ND</sup> READING TO AMEND - REZONING REQUEST # 377  
POPLAR GROVE**

5. On motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 2<sup>nd</sup> Reading to an amendment to Rezoning Request # 377- Poplar Grove.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards or Commissions.

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

The County Attorney requested an Executive Session with Council to discuss some Confidential Economic Development Projects, to give legal advice concerning Annexation and Land Acquisition and to amend the agendas to add two items to be discussed in executive session. The two addition items are legal advice concerning a contractual matter and to discuss a personnel matter.

**MOTION TO GO INTO EXECUTIVE SESSION 7:12 P.M.**

6. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to go into Executive Session and to amend the agenda to discuss the additional items added by the County Attorney.

**RECONVENE FROM EXECUTIVE SESSION 8:41 P.M.**

The County Attorney reported that in Executive Session, Council received updates on several Confidential Economic Development Projects and received legal advice on an annexation issue, a land acquisition issue, a contractual matter and discussed a personnel matter. No action was taken on any of these items.

**ADJOURNMENT**

7. On the motion Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 8:43 P.M.

\_\_\_\_\_  
Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**MAY 2, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the April 18, 2005, Special Called County Council Meeting and for the Regular Scheduled County Council Meeting on April 18, 2005
- Public Hearing Ordinance to Amend the Development Agreement between County Line Investors, LLC and Dorchester County (Poplar Grove) and to Amend Rezoning Request # 377 (Poplar Grove)
- 3<sup>rd</sup> Reading to Amendment - Development Agreement between County Line Investors, LLC and Dorchester County (Poplar Grove)
- 3<sup>rd</sup> Reading to Amend Rezoning Request # 377 (Poplar Grove)
- Correspondence

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

- 1<sup>st</sup> Reading by Title Only of the Dorchester County FY 2005-2006 Budget
- 1<sup>st</sup> Reading Rezoning Request # 406 for Dicari Development
- 1<sup>st</sup> Reading Rezoning Request # 406A for Dicari Development – Planned Development
- 1<sup>st</sup> Reading to the following Rezoning Requests:
  - # 405 - Ruth Hamilton (Gennie Middleton) Representative
  - # 410 - Raymond A. Herrin
  - # 413 - Loretta P. Booker
  - # 414 - Camilla T. Sweatman
  - # 415 - Michail & Youlia Apostolou
  - # 416 - Michail & Youlia Apostolou
  - # 417 - Kersting LLC
  - # 418 - Kersting, LLC
  - # 419 - Kersting, LLC

**4. COMMITTEE REPORTS**

**Mr. Richard Rosebrock Public Works, Property and Utilities Committee**

- Closing Short Part of Yerby Road
- Pigeon Bay Road Ditch
- Stop Sign @ Corsair St. and Meadow Run (Ms. Bigelow)
- Stratton Capers and Dorchester Manor Subdivisions

**Mr. Larry Hargett Administrative and Intergovernmental Affairs Committee**

- Elected Officials Role: Purchasing and Personnel

**PAGE TWO  
COUNCIL AGENDA  
MAY 2, 2005**

**Mr. Skip Elliott Planning, Development and Building Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 409 for Stephen W. Ballard
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 411 for Ronald K. Mackenzie
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 412 for Bill and Alice Norton
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request #395 for Robin Todd
- Recommendation for 2<sup>nd</sup> Reading to Ordinance to amend DC Zoning and Land Development Standards Ordinance # 04-13 to Delete Joint Public Hearings on Planned Developments

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Appointment to the Dorchester Seniors, Inc. Board

**6. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session –Legal Advice
  - Real Estate Matter
  - Contractual Matters
  - Property Matter

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
MAY 2, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Rosebrock gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Mark Nix, Executive Director of the SC Landowners Association, addressed Council regarding the Historic Overlay District. He also invited Council to a meeting on May 10, 2005 at the Woodlands High School Cafeteria, near St. George. Sponsored by the Landowner's Association.
- Mr. George Neil addressed Council regarding Rezoning Request #406 by DiCari Development and his opposition to the Rezoning Request.



**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Jack Keeter, representing the Ashley Scenic River Advisory Council, addressed Council regarding Rezoning Request #406 by DiCari Development. A statement from the Ashley Scenic River Advisory Council regarding the request was read. The Advisory Council's desire was to minimize the downsides of development close the headwaters of the Ashley River.

Councilman Mike Murphree addressed Council and the public regarding the April 28<sup>th</sup>, 2005, fire, caused by arson, of the Bethel AME Church in Summerville. The church was 114 years old. He also informed everyone that he and Senator Randy Scott along with others have set up a fund called the Bethel AME Church Relief Fund for help in rebuilding this church. All donations can be mailed to Post Office Drawer 1966, Summerville, South Carolina or delivered to the Summerville Branch of the Bank of South Carolina, located on Main Street in Summerville.

**ADOPTION OF THE MINUTES FROM THE APRIL 18, 2005 SPECIAL CALLED COUNCIL MEETING AND THE REGULAR SCHEDULED COUNTY COUNCIL MEETING ON APRIL 18<sup>TH</sup>, 2005**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the April 18, 2005, Special Called County Council Meeting and the regular scheduled County Council Meeting on April 18, 2005.

**PUBLIC HEARING ORDINANCE TO AMEND THE DEVELOPMENT AGREEMENT BETWEEN COUNTY LINE INVESTORS, LLC AND DORCHESTER COUNTY (POPLAR GROVE) AND TO AMEND REZONING REQUEST # 377 (POPLAR GROVE)**

Chairman Murphy opened the Public Hearing for an Ordinance to Amend the Development Agreement between County Line Investors, LLC and Dorchester County (Poplar Grove) and to Amend Rezoning Request # 377 (Poplar Grove). Chairman Murphy asked Mr. Harold LeaMond, Director of Planning and Zoning, to give an overview of the amendments. Mr. LeaMond displayed an updated map of the development along with the changes. The amendments are for a downsizing of the development, instead of 3,500 homes, that were approved under the original Planned Development, there will now be no more than 450 homes in Tract A and Tract B. He also noted that the Planning Commission held a Public Hearing on the amendments and also approved the amendments.

Chairman Murphy opened the floor for any public comments. Hearing no comments, the hearing was closed.

**PUBLIC HEARING ORDINANCE TO AMENDMENTS  
(POPLAR GROVE)**

Chairman Murphy announced that 3<sup>rd</sup> Reading for the amendments of both the Development Agreement and the Rezoning Request #377, which are on the agenda, be delayed, until he can discuss a contractual matter with Council later in Executive Session.

**CORRESPONDENCE**

There was no correspondence to report.

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

**1<sup>ST</sup> READING BY TITLE ONLY OF THE DORCHESTER COUNTY  
FY 2005-2006 BUDGET**

2. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to the Dorchester County FY 2005-2006 Budget by title only and to place it in the Budget, Finance, and Purchasing Committee for further consideration.

**1<sup>ST</sup> READING REZONING REQUEST # 406 FOR  
DICARI DEVELOPMENT**

3. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to Rezoning Request # 406 for Dicari Development and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 3 acres on Bacons Bridge Road near Summerville from R3 (Multifamily Residential District) to CG (Commercial General).

**1<sup>ST</sup> READING REZONING REQUEST # 406A FOR  
DICARI DEVELOPMENT – PLANNED DEVELOPMENT**

4. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to give 1st Reading to Rezoning Request # 406A for Dicari Development and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 83.28 acres on Bacons Bridge Road near Summerville from R4 (Multifamily Residential District) to PD (Planned Development District).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING TO THE FOLLOWING REZONING REQUESTS-  
#S 405, 410, 413, 414, 415, 416, 417, 418, AND 419**

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1st Reading to the below listed Rezoning Requests and to place these requests in the Planning, Development, and Building Committee for further consideration.

RR# 405 –Ruth Hamilton; 1.77-Acres; On Ashley Phosphate Rd, North Charleston; R-2 (Single-Family Residential) to CG (General Commercial)

RR# 410 –Raymond A Herrin; 2.59-Acres; on Central Ave, Summerville; R-4 (Multi-Family Residential) to CG (General Commercial)

RR# 413 –Loretta P Booker; .45-Acre; on Hwy 17-A South, Summerville; CG (General Commercial) to R-1A (Single-Family Residential)

RR# 414 –Camilla T Sweatman; 4.21-Acres; on Flood Hiers Rd, Summerville; R-4 (Multi-Family Residential) to MUC (Mixed Use Community)

RR# 415 –Michail Apostolov & Youlia Apostolova; 1.02-Acres; on Miles Rd, Summerville; TRM (Transitional Residential) to R-4 (Multi-Family Residential)

RR# 416 –Michail Apostolov & Youlia Apostolova; 1.15-Acres; on Miles Rd, Summerville; TRM (Transitional Residential) to R-4 (Multi-Family Residential)

RR# 417 –Kersting LLC; 1.50-Acres; on Devon Street, Knightsville; CG (General Commercial) to MUC (Mixed Use Community);

RR# 418 –Kersting LLC; .32-Acre; on Central Ave, Summerville; CG (General Commercial) to MUC (Mixed Use Community);

RR# 419 –Kersting LLC; .5312-Acre; on Central Ave, Summerville; CG (General Commercial) to MUC (Mixed Use Community);

**COMMITTEE REPORTS**

**Mr. Richard Rosebrock Public Works, Property and Utilities Committee**

**CLOSING SHORT YERBY ROAD**

6. Mr. Rosebrock reported the recommendation of the Committee was that since the County has been unable to obtain sufficient land along Short Yerby Road to make necessary improvements to it, for Council to discontinue any further efforts to improve this road. The County would continue its maintenance according to its normal maintenance cycle. Also, any monies designated for the improvement of Short Yerby Road should be returned to the County Transportation Committee. Council voted unanimously in favor of the recommendation. This item will be removed from the Committee Items Listing.

**COMMITTEE REPORTS - PWPU CONTINUED**

**PIGEON BAY ROAD DITCH**

7. Mr. Rosebrock reported the recommendation of the Committee was to remove this item from the Committee Item Listing due to a lack of the easement necessary to clean the ditch. Council voted unanimously in favor of this recommendation.

**STOP SIGN @ CORSAIR ST. AND MEADOW RUN (MS. BIGELOW)**

Mr. Rosebrock reported that the stop sign at Corsair Street and Meadow Run has been installed and this item would be removed from the Committee Item Listing.

**STRATTON CAPERS AND DORCHESTER MANOR SUBDIVISIONS**

8. Mr. Rosebrock reported that the recommendation of the Committee was to approve no more than \$6000 (to be taken from the appropriate Public Works Department account) to provide the piping and fill for the purpose of extending and connecting Dalton Avenue in Stratton Capers and Dorchester Manor Subdivision. Council voted unanimously in favor of the recommendation.

**NEW BUSINESS DISCUSSED**

Mr. Rosebrock also reported that the Committee discussed scheduling a tour of the Convenience Sites and Debris Sites in the lower end of the County. The reason for the tour was because the number of complaints each member has received from citizens regarding problems with the sites. Mr. Ward was asked to set the tour up.

**Mr. Larry Hargett, Administrative and Intergovernmental  
Affairs Committee**

**ELECTED OFFICIALS ROLE: PURCHASING AND PERSONNEL**

Mr. Hargett reported that the Committee met earlier in the evening and discussed the Policy regarding purchasing and personnel. He stated that there were quite a few Elected Officials at the meeting; however, the Committee has no recommendation at this time. This item will remain in Committee.

**COMMITTEE REPORTS –CONTINUED**

**Mr. Skip Elliott Planning, Development and Building Committee**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST # 409 FOR STEPHEN W. BALLARD**

9. Councilman Elliott reported that the Committee held a Public Hearing for Rezoning Request # 409 for Stephen W. Ballard and no comments were received. The Committee's recommendation to Council was to give 2<sup>nd</sup> Reading to Rezoning Request # 409 for Stephen W. Ballard. Council voted unanimously in favor of the recommendation. This is a request to rezone .9 acre on US 17 A South near Summerville from CG (Commercial General) to TRM (Transitional Residential District).

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST # 411 FOR RONALD K. MACKENZIE**

Councilman Elliott reported that Rezoning Request # 411 for Ronald K. Mackenzie will remain in Committee and would be addressed at the next PDB Committee Meeting.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST # 412 FOR BILL AND ALICE NORTON**

10. Councilman Elliott reported that the Committee held a Public Hearing for Rezoning Request # 412 for Bill and Alice Norton and no comments were received. The Committee's recommendation to Council was to give 2<sup>nd</sup> Reading to Rezoning Request # 412 for Bill and Alice Norton. Council voted unanimously in favor of the recommendation. This is a request to rezone 11.63 acres on Dorchester Road near Summerville from R-2 (Single Family Residential District) to MUC (Mixed Use Community).

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST  
# 395 FOR ROBIN TODD**

11. Councilman Elliott reported that Rezoning Request # 395 for Robin Todd has come before this Committee several times. Mrs. Todd was notified several times and by certified letter of this meeting and was asked to attend. Mrs. Todd did not attend and the Committee's recommendation to Council was to deny Rezoning Request # 395. Council voted unanimously in favor of the recommendation.

**COMMITTEE REPORTS –CONTINUED PDB**

**RECOMMENDATION FOR 2<sup>ND</sup> READING- ORDINANCE TO  
AMEND THE DC ZONING AND LAND DEVELOPMENT STANDARDS  
ORDINANCE # 04-13 -TO DELETE JOINT PUBLIC HEARINGS ON  
PLANNED DEVELOPMENTS**

12. Councilman Elliott reported the Committee's recommendation to Council was to give 2<sup>nd</sup> Reading to an Ordinance to amend the Dorchester County Zoning and Land Development Standards Ordinance # 04-13, deleting the provision that calls for Joint Public Hearings of Council and the Planning Commission on Planned Developments. Council voted unanimously in favor of the Committee's recommendation.

**REPORT FROM THE CHAIRMAN OF THE AD-HOC COMMITTEE  
ON HISTORICAL OVERLAY DISTRICT AND R-8 ZONING**

Councilman Elliott informed Council that the Chairman of the Ad-Hoc Committee reported to him that the Committee was working diligently on the task at hand, but asked for a 30 day extension to report back to the Committee. The new date would be June 9, 2005. This does not require any action by Council.

Chairman Murphy stated since Council does not have any regular scheduled meetings after June 9<sup>th</sup>, 2005 until the meeting on June 20<sup>th</sup>, 2005 that maybe Councilman Elliott could get back with the Chairman of the Ad-Hoc Committee and give them until June 20<sup>th</sup>, to report back.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Chairman Murphy stated that there was an opening on the Dorchester Seniors, Inc. Board for a Council Member. He stated that this item would be discussed at a later time.

Councilman Hargett informed Council that his appointee to the Aeronautics Board, Mr. Ray Huber, has resigned from the Board because he was moving and could no longer serve. Councilman Hargett would like to appoint Mr. Larry Stone as his new appointee to that Board.

13. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to approve the recommendation by Councilman Hargett to appoint Mr. Larry Stone, to the Aeronautics Board.

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

The County Attorney requested Council to amend the agenda to add an additional item under his time. The new item was concerning Council considering giving 1<sup>st</sup> Reading to an amendment Ordinance to the Dorchester County Zoning and Land Development Standards Ordinance # 04-13 to provide for the establishment of vested property rights to undertake and complete the development and use of property pursuant to a site specific development.

Mr. Frampton gave each Council Member a proposed draft Ordinance which he prepared regarding the vesting of property rights. He explained that the State Legislature has declared if a County does not have a local Government Ordinance by July 1<sup>st</sup>, to decide on the vesting of property rights, then the state would tell the County when property rights vest, which is the right of a property owner to proceed with a development. Mr. Frampton stated the proposed drafted Ordinance gives the County until the last minute to decide when property rights vest.

**MOTION TO AMEND THE AGENDA**

14. On the motion of Mr. Murphree, seconded by Mr. Elliott, Council voted unanimously to amend the agenda to give 1<sup>st</sup> Reading to a draft Ordinance, prepared by the County Attorney, to amend Ordinance 04-13.

**1<sup>ST</sup> READING- PROPOSED ORDINANCE TO AMEND THE DC ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE # 04-13 TO PROVIDE ESTABLISHMENT OF VESTED PROPERTY RIGHTS**

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to the proposed Ordinance to amend the Dorchester County Zoning and Land Development Standards Ordinance # 04-13, to provide for the establishment of vested property rights to undertake and complete the development and use of property pursuant to a site specific development and to place this item in the Planning, Development and Building Committee for recommendation and a Public Hearing.

**REQUEST FOR EXECUTIVE SESSION BY COUNTY ATTORNEY**

The County Attorney requested Council's consideration for an Executive Session to discuss a real estate land purchase, to give legal advice regarding a contractual matter concerning franchise fees and a contractual matter concerning the Development Agreement for Poplar Grove.

**EXECUTIVE SESSION 7:40 P.M.**

16. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:10 P.M.**

The County Attorney reported that in Executive Session Council discussed a real property purchase, a matter concerning cable television franchise agreements and a contractual matter concerning Poplar Grove and no action was taken on any of these items.

**1<sup>ST</sup> READING OF AN ORDINANCE – GENERAL OBLIGATION BOND  
FOR \$850,000**

17. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve giving 1<sup>st</sup> Reading to an Ordinance Authorizing the Temporary Borrowing of not exceeding \$850,000 in Anticipation of the Issuance of General Obligation Bonds of Dorchester County.

**AMENDMENT TO FRANCHISE AGREEMENT**

18. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to approve an amendment to our franchise agreements with Time Warner, Knology of Charleston, and Berkeley Cable to increase the franchise fee from 3% to 5%; to redefine the revenues included in the, "Gross Revenues" and to extend the terms of the Franchise Agreements with each cable provider; provided, that the funds generated by the increase from 3% to 5% be set aside for recreational purposes.

**ADJOURNMENT**

19. On the motion Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 8:13 P.M.

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Sandy W. Lawley, Clerk to Council



**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MAY 16, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the May 2<sup>nd</sup>, 2005 County Council Meeting
- Veterans Affairs Officer Reappointment
- Correspondence

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

- 3<sup>RD</sup> Reading Rezoning Request # 409 for Stephen W. Ballard
- 3<sup>RD</sup> Reading Rezoning Request # 412 for Bill and Alice Norton
- Treasurer's Request for Funds
- 1<sup>st</sup> Reading Ordinance – TAN for FY 2005-2006 \$7,500,000
- 2<sup>nd</sup> Reading Ordinance – GOB (Courthouse) \$850,000
- 1<sup>st</sup> Reading GOB (Transportation) \$12 million
- Endorsement of Grant for the Koger House by DC Historical Society

**4. COMMITTEE REPORTS**

**Mr. Chris Murphy- Budget, Finance and Purchasing Committee**

- Public Hearing DC Budget FY 2005-2006 and Recommendation for 2<sup>nd</sup> Reading
- Budget Presentation – School District Two
- Budget Presentation – Sr. Citizens Center
- Budget Presentation – Trident Technical College

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session – Legal Advice
  - Personnel Matter
  - Confidential Economic Development Projects
  - County Boundary Issue
  - Land Transfers

**7. ADJOURN**



**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
MAY 16, 2005  
7:02 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Jerry Styles gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Ms. Megan Terebus of the Coastal Conservation League addressed Council to present petitions to Council regarding the Watson Hill Development. (The petitions are on file in the County Council Office in St. George.)

**PUBLIC ADDRESS TO COUNCIL ADDRESSED**

- Mr. John Atkinson addressed Council regarding the County's proposed purchase of Carolina Water Service. (Attachment #1 remarks from Mr. Atkinson)
- Mr. Richard Kopfmuellar addressed Council regarding the County's proposed purchase of Carolina Water Service. (Attachment #2 remarks from Mr. Kopfmuellar)

**ADOPTION OF THE MINUTES FROM COUNTY COUNCIL MEETING  
ON MAY 2, 2005**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Council Minutes from the May 2, 2005.

**RECOMMENDATION FOR REAPPOINTMENT OF  
VETERANS AFFAIRS OFFICER**

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to recommend reappointment of Mr. Edward J. Burns, III, Veteran Affairs Officer, to the State Director of Veterans Affairs and the Legislative Delegation.

**CORRESPONDENCE**

There was no correspondence to report.

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

**3<sup>RD</sup> READING REZONING REQ. # 409 FOR STEPHEN W. BALLARD**

3. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 409 for Stephen W. Ballard. This is a request to rezone .9 acre on US 17 A South near Summerville from CG (Commercial General) to TRM (Transitional Residential District).

**3<sup>RD</sup> READING REZONING REQ. # 412 FOR BILL & ALICE NORTON**

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 412 for Bill and Alice Norton. This is a request to rezone 11.63 acres on Dorchester Road near Summerville from R-2 (Single Family Residential District) to MUC (Mixed Use Community).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**TREASURER'S REQUEST FOR FUNDS**

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the Administrator to transfer up to \$2,375 from County Council Contingency to cover the cost of a kickoff and drop-in program for the new vehicle decal program planned for June 3 in St. George.

**1<sup>ST</sup> READING ORDINANCE – TAN FOR FY 2005-2006 \$7,500,000**

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to an ordinance authorizing the borrowing by Dorchester County of \$7.5 million in anticipation of the collection of ad valorem taxes for the Fiscal Year 2005-2006.

**2<sup>ND</sup> READING ORDINANCE – GOB (COURTHOUSE) \$850,000**

7. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 2<sup>nd</sup> Reading to an ordinance authorizing a Bond Anticipation Note (BAN) in amount not to exceed \$850,000. The BAN will allow the County to purchase the land, develop a master plan, complete some design work, clear a portion of the site, and complete some road infrastructure for a new courthouse.

**1<sup>ST</sup> READING GOB (TRANSPORTATION) \$12 MILLION**

8. On the motion of Mr. Elliott, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to an ordinance authorizing the temporary borrowing of \$12 million in anticipation of the issuance of general obligation bonds of Dorchester County, South Carolina. The Dorchester County Transportation Authority passed a resolution at their meeting on May 9<sup>th</sup> petitioning County Council to authorize and issue general obligation bond anticipation notes in an amount not to exceed \$12 million to provide interim financing.

**ENDORSEMENT OF GRANT FOR THE KOGER HOUSE**

9. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give a letter of support sponsoring the Upper Dorchester County Historical Society for a transportation grant for the Koger House.

Page Four  
Dorchester County Council Meeting  
May 16, 2005

Chairman Murphy passed the gavel to Vice Chairman Elliott to give the Budget, Finance and Purchasing Committee Report.

**COMMITTEE REPORTS**

**Chairman Chris Murphy, Budget, Finance and Purchasing Committee**

**RECOMMENDATION FOR 2<sup>ND</sup> READING OF THE DORCHESTER COUNTY FY 2005-2006 BUDGET**

10. Chairman Murphy reported that a Public Hearing was held on the Dorchester County FY 2005-2006 Budget and the recommendation of the Committee was for Council to give 2<sup>nd</sup> Reading to the Budget. Council voted unanimously in favor of the recommendation.

**BUDGET PRESENTATIONS – SCHOOL DISTRICT TWO - SENIOR CITIZENS CENTER –TRIDENT TECHNICAL COLLEGE**

Chairman Murphy reported that Budget Presentations were made by School District Two, Senior Citizens Center and Trident Technical College and no action was needed on any of these items.

Vice Chairman Elliott passed the gavel back to Chairman Murphy.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Councilman Rosebrock recommended that Mr. Marion Thompson be reappointed to the Trident Technical College Area Commission.

11. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to reappoint Mr. Marion C. Thompson to the Trident Technical College Area Commission.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration for an Executive Session to discuss and give legal advice on four items; a Personnel Matter, a Confidential Economic Development Project, County Boundary Issues and Land Transfers.

**COUNTY ATTORNEY'S TIME – CONTINUED**

Chairman Murphy passed the gavel to the Vice Chairman in order to make a motion.

**MOTION TO AMEND THE AGENDA**

12. On the motion of Chairman Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda and also to add a Contractual Matter to be discussed in Executive Session.

**EXECUTIVE SESSION 7:23 P.M.**

13. On the motion of Mr. Hargett, seconded by Mr. Waggoner, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:30 P.M.**

The County Attorney reported that in Executive Session Council received legal advice regarding a Personnel Matter, County Boundary Issues, Land Transfers and a Contractual Matter and Council discussed a Confidential Economic Development Project and no action was taken on any of these items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 03-05**

14. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously in favor to award a 2 year tax credit in the amount of \$62,500 per year to confidential project # 03-05, to assist with infrastructure. The service road for the project will also be maintained by Dorchester County. The site will be placed in the Dorchester-Orangeburg Multi-County Industrial Park. This new project will invest over \$3,000,000., create 20 new jobs and bring a Fortune 500 Company to Dorchester County. (Announcement expected during the summer of 2005)

**ADJOURNMENT**

15. On the motion Mr. Elliot, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 8:33 P.M.

\_\_\_\_\_  
Sandy W. Lawley, Clerk to Council





**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 6, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the May 16, 2005, Special Called County Council Meeting, County Council Meeting on May 16, 2005 and the May 23, 2005, Special Called County Council Meeting
- Public Hearing for GOB (Transportation) \$12 million
- 3<sup>rd</sup> Reading for Ordinance – TAN for FY 2005-2006 \$7,500,000
- Correspondence

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

- 3<sup>rd</sup> Reading of the Dorchester County FY 2005-2006 Budget

**4. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Dorchester Senior, Inc. – Faith Sellers
- Amendment to Ordinance 82-01 (regarding cross bows and long bows) & Road Hunters
- Car Usage – Computer GPS System
- Open Burning

**Mr. Chris Murphy- Budget, Finance and Purchasing Committee**

- Public Hearing County Budget FY 2005-2006
- Budget Presentation – School District Four
- Budget Presentation – Library
- Budget Presentation – Career School

**Mr. Skip Elliott Planning, Development and Building Committee**

- 2<sup>nd</sup> Reading Rezoning Request # 411 for Ronald K. Mackenzie
- Public Hearing and Recommendations for 2<sup>nd</sup> Reading for the following Rezoning Requests:

- # 405 - Ruth Hamilton (Gennie Middleton) Representative
- # 410 - Raymond A. Herrin
- # 413 - Loretta P. Booker
- # 414 - Camilla T. Sweatman
- # 415 - Michail & Youlia Apostolov
- # 416 - Michail & Youlia Apostolov

**COMMITTEE REPORTS- CONTINUED**

**Mr. Skip Elliott Planning, Development and Building Committee**

- # 417 - Kersting LLC
- # 418 - Kersting, LLC
- # 419 - Kersting, LLC

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 406  
Dicari Development
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 406A  
Dicari Development - Planned Development
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Amendment to #04-13 Zoning  
& Land Development Standards Ordinance  
(To delete Joint Public Hearings before the Planning Commission and County Council)
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Amendment to #04-13 Zoning  
& Land Development Standards Ordinance  
(To provide for Establishment of Vested Property Rights)

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME**

**Mr. John Frampton**

- Executive Session –Legal Advice
  - Contractual Matter
  - Zoning Issue

**7. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 6, 2005  
7:00 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post and Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Mr. Jason Ward gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Ms. Alice Armstrong addressed Council regarding opposition to Rezoning Request # 411. (Petitions against RR #411 were presented and will be on file in the St. George Council Office)
- Mr. Tom Loftain addressed Council regarding RR #'s 406 and 406A.
- Mr. Joe Kress addressed Council regarding RR #'s 406 and 406A.

**ADOPTION OF THE MINUTES FROM TWO SPECIAL CALLED COUNCIL MEETINGS MAY 16<sup>th</sup> AND MAY 23<sup>RD</sup>, 2005 AND THE REGULARLY SCHEDULED COUNCIL MEETING ON MAY 16, 2005**

1. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the May 16, 2005, the Special Called Council Meeting, Council Meeting on May 16, 2005, and the May 23, 2005, Special Called Council Meeting.

**PUBLIC HEARING FOR GOB (TRANSPORTATION) \$12 MILLION**

Chairman Murphy opened the Public Hearing for the Ordinance for Transportation, General Obligation Bonds in an amount not to exceed 12 million dollars. This Ordinance authorizes the temporary borrowing of monies, in anticipation of the issuance of the bonds.

Hearing no public comment, the hearing was closed.

**3<sup>RD</sup> READING FOR ORDINANCE – TAN FOR FY 2005-2006 \$7,500,000**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance authorizing the borrowing by Dorchester County of \$7.5 million in anticipation of the collection of Ad Valorem Taxes for Fiscal Year 2005-2006.

**CORRESPONDENCE**

There was no correspondence to report.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**3<sup>RD</sup> READING OF THE DORCHESTER COUNTY FY 2005-2006 BUDGET**

Mr. Ward requested for Council to give 3<sup>rd</sup> Reading to the County Budget Fiscal Year 2005-2006 in the following amounts:

General Fund	\$30,402,936
Capital Improvement Fund	\$ 2,484,081
School District #2 Operating Budget	\$42,361,104
School District #4 Operating Budget	\$ 9,843,906
Career School Operating Budget	\$ 2,547,598
Trident Technical College	\$ 1,223,001
County Library	\$ 1,570,667
Dorchester Seniors, Inc.	\$ 564,905

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**  
**3<sup>RD</sup> READING OF THE DORCHESTER COUNTY FY 2005-2006 BUDGET**

Mr. Ward reported the levying of 15.0 mills for fire service was included. In addition, the following budget amounts for the Departments listed below would be included:

Sewer and Water Utility Fund	\$10,588,000
Solid Waste Enterprise Fund	\$ 4,510,051
Stormwater Utility Fund	\$ 1,732,765

3. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adopt Ordinance #05-10, which is the Dorchester County Budget FY 2005-2006 Ordinance, as presented by the County Administrator, Mr. Jason Ward.

The subject of Fire Protection/Fire Departments was discussed regarding several key issues and the Chairman placed the subject in the Public Safety, Health and Human Services Committee.

4. Mr. Murphree motioned to amend the preceding motion, seconded by Mr. Davis (For Discussion only), to roll back the mills for the Fire Department to 12.8 instead of 15. The motion failed with one in favor and six opposed.

Councilmen Murphy, Davis, Waggoner, Elliott, Rosebrock, & Hargett opposed

**COMMITTEE REPORTS**  
**Mr. Mike Murphree, Public, Safety, Health and Human Services Committee**

**DORCHESTER SENIOR, INC. – FAITH SELLERS**

5. Mr. Murphree reported that the Committee voted unanimously to recommend to Council to rename the Summerville Senior Center Building after Mrs. Faith Sellers in honor of all her dedicated service and hard work. Council voted unanimously in favor.

**ORDINANCE 82-01 (REGARDING CROSS BOWS & LONG BOWS)**

6. Mr. Murphree reported that the Committee voted to recommend to Council for 1<sup>st</sup> Reading to an Ordinance to repeal Ordinance #82-01. The Ordinance currently is very vague and includes punishment which the County has no authority to enforce. This would now come under State Law for regulations. Council voted unanimously in favor of the recommendation. Mr. Murphree also reported that the subject regarding the discharge of firearms near schools would still remain in Committee for further study.

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Dorchester County Council Meeting  
June 6, 2005

**COMMITTEE REPORTS**

**Public, Safety, Health and Human Services Continued**

**CAR USAGE – COMPUTER GPS SYSTEM**

Mr. Murphree reported that this item was left in Committee. No action was required by Council.

**OPEN BURNING**

Mr. Murphree reported the Committee was still in discussion regarding this item and it would stay in committee for further study. No action was required by Council.

Chairman Murphy passed the gavel to Vice Chairman Elliott to give the Budget, Finance and Purchasing Committee Report

**Chairman Chris Murphy, Budget, Finance and Purchasing Committee**

Chairman Murphy reported that on May 23rd the Budget, Finance and Purchasing Committee conducted a Public Hearing for the County Budget Fiscal Year 05-06. Also the Committee heard budget presentations from School District Four, the Library and the Career School.

Vice Chairman Elliott passed the gavel back to Chairman Murphy.

**Mr. Skip Elliott, Planning, Development and Building Committee**

**REZONING REQUEST # 411 FOR RONALD K. MACKENZIE**

Mr. Elliott reported that Rezoning Request # 411 for Ronald K. Mackenzie would be left in Committee and no action would be needed by Council.

**COMMITTEE REPORTS**

**Planning, Development and Building Committee Continued**

**PUBLIC HEARINGS AND RECOMMENDATIONS FOR 2<sup>ND</sup> READING  
FOR THE FOLLOWING REZONING REQUESTS:**

7. Mr. Elliott reported that the Committee held Public Hearings for all of the Rezoning Requests listed below. All requests came with recommendation from the Planning Commission and the Planning Staff for approval and no negative public comment was received. The Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given to Rezoning Requests numbers 405, 410, 413, 414, 415, 416, 417, 418, and 419. Council voted unanimously in favor of the recommendation for 2<sup>nd</sup> Reading.

# 405 - RUTH HAMILTON                      # 410 - RAYMOND A. HERRIN  
# 413 - LORETTA P. BOOKER              # 414 - CAMILLA T. SWEATMAN  
# 415 AND # 416 MICHAEL & YOULIA APOSTOLOV  
# 417, # 418, AND # 419 - KERSTING LLC

**PUBLIC HEARINGS AND RECOMMENDATIONS FOR 2<sup>ND</sup>  
READINGS FOR REZONING REQUESTS # 406 (COMMERCIAL  
DEVELOPMENT) AND # 406A PLANNED DEVELOPMENT BOTH FOR  
DICARI DEVELOPMENT**

8. Mr. Elliott reported that the Committee held a Public Hearing for Rezoning Request # 406 for Dicari Development (Commercial). This is a request to rezone 3 acres on Bacons Bridge Road near Summerville from R3 (Multifamily Residential District) to CG (Commercial General). The Committee's unanimous recommendation was for Council to give 2<sup>nd</sup> Reading to Rezoning Request # 406. Council voted six in favor and one opposed to the recommendation.

Mr. Rosebrock opposed

9. Mr. Elliott reported that the Committee also held a separate Public Hearing for Rezoning Request # 406A for Dicari Development (Planned Development). This is a request to rezone 83.28 acres on Bacons Bridge Road near Summerville from R4 (Multifamily Residential District) to PD (Planned Development District). The Committee's unanimous recommendation was for Council to give 2<sup>nd</sup> Reading to Rezoning Request # 406A. Council voted unanimously in favor of the recommendation.

**COMMITTEE REPORTS**

**Planning, Development and Building Committee Continued**

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING  
FOR AMENDMENT TO #04-13 ZONING & LAND DEVELOPMENT  
STANDARDS ORDINANCE TO DELETE JOINT PUBLIC HEARINGS**

10. Mr. Elliott reported that a Public Hearing was held regarding the amendment to # 04-13 Zoning & Land Development Standards Ordinance to delete Joint Public Hearings before the Planning Commission and County Council. The Committee's unanimous recommendation to Council was to give 3<sup>rd</sup> Reading to the amendment. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
FOR AMENDMENT TO #04-13 ZONING & LAND DEVELOPMENT  
STANDARDS ORDINANCE TO PROVIDE FOR ESTABLISHMENT OF  
VESTED PROPERTY RIGHTS**

11. Mr. Elliott reported that a Public Hearing was held for an amendment to # 04-13 Zoning & Land Development Standards Ordinance to provide for Establishment of Vested Property Rights. The Committee's unanimous recommendation to Council was to give 2<sup>nd</sup> Reading to the amendment. Council voted unanimously in favor of the recommendation.

**NEW ITEM FOR PDB COMMITTEE**

**PLAT REQUIREMENTS (PLACE FOR CODES & ZONING TO STAMP  
CURRENT ZONING AND FEMA INFORMATION**

Mr. Elliott reported on the PDB Committee's discussion which would require all licensed surveyors, when creating a plat, set aside a block of space for the Planning and Zoning Department to stamp the current zoning, along with the FEMA information regarding the property. This requirement would be especially important with all the zoning changes in the County at this time. The Committee requested the Chairman to place this new item in the Planning, Development and Building Committee for further study. Chairman Murphy placed the item in the PDB Committee.



**APPOINTMENTS TO BOARDS AND COMMISSIONS**

12. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to make recommendation to the Governor for the reappoint of Mr. Gerald Rogers and Ms. Joan Owen to the Dorchester County Board of Disabilities and Special Needs.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration for an Executive Session to receive legal advice concerning a contractual matter and a zoning issue.

**EXECUTIVE SESSION 7:40 P.M.**

13. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:15 P.M.**

The County Attorney reported that in Executive Session Council received legal advice regarding a contractual matter and a zoning issue and no action was taken.

**3<sup>RD</sup> READING TO AMEND THE DEVELOPMENT AGREEMENT  
BETWEEN COUNTY LINE INVESTORS, LLC AND DORCHESTER  
COUNTY**

14. On motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance to amend the Development Agreement between County Line Investors, LLC and Dorchester County.

**3<sup>RD</sup> READING TO AMEND - REZONING REQUEST # 377  
POPLAR GROVE**

15. On motion of Mr. Elliott, seconded by Mr. Murphree, Council voted unanimously to give 3<sup>rd</sup> Reading to amend Rezoning Request # 377- Poplar Grove.

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June 6, 2005

**AUTHORIZATION TO EXECUTE THE AGREEMENT WITH  
WETLANDS AMERICA TRUST, INC**

16. On motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to authorize the Chairman to execute the agreement with Wetlands America Trust, Inc. to provide land for a County Park or in the alternative sum of \$285,000 toward the County purchasing land for a park.

**1<sup>ST</sup> READING FOR ORDINANCE TO REDEFINE USE GROUP 15.  
PROFESSIONAL SERVICES OF ORDINANCE #04-13**

17. On motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to an Amendment to redefine the Use Group 15. Professional Services of Ordinance # 04-13 Zoning & Land Development Standards and place it in the Planning, Development and Building Committee for further consideration.

**ADJOURNMENT**

18. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 8:25 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 20, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the Special Called Council Meetings on June 6, 2005, (7 sets) and Council Meeting on June 6, 2005
- Proclamation #05-03 Dorchester County Amateur Radio Week
- Correspondence

**3. COUNCIL MEMBER'S TIME**

- Councilman Kenny Waggoner – Solicitor David Pascoe

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

- 2<sup>nd</sup> Reading to Ordinance for Repeal of Ordinance #82-01
- 3<sup>rd</sup> Reading for the following Rezoning Requests:
  - # 405 - Ruth Hamilton
  - # 410 - Raymond A. Herrin
  - # 413 - Loretta P. Booker
  - # 414 - Camilla T. Sweatman
  - # 415 - Michail & Youlia Apostolov
  - # 416 - Michail & Youlia Apostolov
  - # 417 - Kersting LLC
  - # 418 - Kersting, LLC
  - # 419 - Kersting, LLC
- 3<sup>rd</sup> Reading for Rezoning Request # 406 Dicari Development
- 3<sup>rd</sup> Reading for Rezoning Request # 406A- Dicari Development - Planned Development
- 3<sup>rd</sup> Reading for Amendment to Ordinance #04-13 Zoning & Land Development Standards - To provide for Establishment of Vested Property Rights
- Resolution Town of Turbeville Application for Lake Marion Regional Water Agency Membership
- SC Employment Security Commission Property near LEC

Page Two  
County Council Meeting  
June 20, 2005

**5. COMMITTEE REPORTS**

**Mr. Skip Elliott Planning, Development and Building Committee**

- Recommendation for 2<sup>nd</sup> Reading for Ordinance to Redefine Use Group 15. Professional Services of Ordinance #04-13
- Ad Hoc Committee Report on Historical Overlay District/Zoning Classifications Ord.

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Dorchester County Forestry Board Appointment
- Dorchester County Mental Health Center Board Appointment

**7. COUNTY ATTORNEY'S TIME**

Mr. John Frampton

- Resolution and Inducement Agreement for Albert Weber Manufacturing Corp.
- Executive Session –Legal Advice
  - Amendment to FILOT with LATI USA
  - Boundary Dispute
  - Contractual Matter
  - Confidential Economic Development Project

**8. ADJOURN**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY2015 ACTUALS	FY 2016 ACTUALS	FY 2017 ADJUSTED BUDGET	FY 2017 YTD+EN	FY 2017 BALANCE	% EXPEND
FUND 101 General Fund							
DEPT 61 Airport Operations							
DIV 03 Airport Operations							
101-6103-461.11-02	Part-time Wages	13,062	13,199	13,357	10,961	2,396	82.06
101-6103-461.22-01	Social Security/Medicare	999	1,009	1,022	838	184	82.00
101-6103-461.23-01	State & Police Retirement	1,422	1,460	1,544	1,267	277	82.06
101-6103-461.26-01	Workers Compensation	780	660	609	548	61	89.98
PERSONNEL							
101-6103-461.41-02	Cable Services	16,263	16,328	16,532	13,614	2,918	82.35
101-6103-461.43-01	Maint & Service Contracts	1,318	1,144	1,365	1,331	34	97.51
101-6103-461.43-03	Equip Repairs & Maint	4,322	2,355	3,243	3,476	233-	107.18
101-6103-461.43-04	Building Repairs & Maint.	2,382	15,388	6,682	2,138	4,544	32.00
101-6103-461.44-01	Rentals and Leases	150	0	796	0	796	.00
101-6103-461.44-02	Rentals (< 1 Year)	0	0	114	110	4	96.49
101-6103-461.53-01	Data Processing	112	114	0	0	0	.00
101-6103-461.53-05	Fire Alarm and Security	456	506	485	761	276-	156.91
101-6103-461.53-07	Telephone	1,650	1,699	1,700	1,940	240-	114.12
101-6103-461.56-01	Membership Fees	1,452	1,483	2,310	1,252	1,058	54.20
101-6103-461.61-01	Office Supplies	0	250	285	0	285	.00
101-6103-461.61-09	ITS Refresh Cost	220	347	418	108	310	25.84
101-6103-461.61-33	Electrical Supplies	32	371	425	424	1	99.76
101-6103-461.62-01	Electricity	337	0	200	0	200	.00
101-6103-461.64-01	Periodicals/Subscript	16,287	13,968	16,288	11,593	4,695	71.18
		50	84	85	0	85	.00
OPERATING							
		29,108	37,689	34,396	23,133	11,263	67.25
101-6103-461.80-09 Property Taxes/Fees							
		10,144	10,144	10,145	10,144	1	99.99
101-6103-461.80-10 Late Fees							
		3	0	0	0	0	.00
OPERATING OTHER							
		10,147	10,144	10,145	10,144	1	99.99
General Fund							
		55,518	64,161	61,073	46,891	14,182	76.78
			64,161	61,073	46,891	14,182	76.78

MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 20, 2005  
7:00 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post and Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Mr. Jason Ward gave the invocation. In lieu of the Pledge of Alliance, Taki Hopkins, son of Mrs. Teronda Britt and a District Four student sang the National Anthem.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Mark Nix addressed Council regarding land development and he also thanked the Ad Hoc Historic Overlay District/Zoning Classification Committee for their time and effort.
- Mrs. Georgia L. Toney, member of the Ad Hoc Historic Overlay District/Zoning Classification Committee, addressed Council regarding the Committee and the report presented at the Planning, Development and Building Committee held earlier in the evening.
- Mr. John Tiencken, attorney who represented the Cuthbert Family, addressed Council regarding the Ad Hoc Historic Overlay District/Zoning Classification Committee Report and the rights of his clients to develop their property in the future. (Letter regarding his remarks – attachment #1)
- Mr. Coy Johnston addressed Council regarding the Ashley Scenic River Advisory Committee and their objections to the commercial zoning along the river. (Rezoning Request # 406)
- Ms. Marylou Cordray addressed Council regarding the zoning of the lower end of the County and also the report from the Ad Hoc Historic Overlay District/Zoning Classification Committee
- Mr. Richard Kopfmüller addressed Council regarding the protection of the Ashley River and the proposed commercial development regarding Rezoning Request # 406.
- Mr. John Braund, Chairman of the Dorchester County Taxpayers Association, addressed Council regarding the Dorchester County Comprehensive Plan. He also requested that a moratorium be put on development until a new plan was created.
- Mr. Tom Loftain addressed Council regarding the Ad Hoc Historic Overlay District/Zoning Classification Committee and the proposed Watson Hill Development. He also addressed the proposed annexation by the city of North Charleston, heavy traffic in specific locations of the County and his opposition of Rezoning Request # 406.
- Mr. George Neil, representing the Ashley Scenic River Advisory Council, addressed Council regarding the Advisory Council's objections to the proposed commercial zoning by Rezoning Request # 406. (copy of remarks - attachment # 2)
- Mr. Harold Robling addressed Council regarding the Ashley River District Zoning and the traffic on Highway 61 and Bacon's Bridge Road.

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Lane Smith, member of the Ad Hoc Stormwater Utility Fee Committee, addressed Council regarding the proposed fee recently presented to Council. He wanted to suggest that a maximum cap per parcel be put on the recently proposed fee.
- Ms. Lucy Anne Cathcart addressed Council regarding her opposition to the proposed commercial zoning by Rezoning Request # 406 by Dicari and asked Council to deny the request.
- Mr. David Sheppard addressed Council regarding the Ad Hoc Historic Overlay District/Zoning Classification Committee and asked Council to take into account the value of the river and the views of all citizens before making any decisions regarding the proposed Ordinance.

**ADOPTION OF THE MINUTES FROM SEVEN SPECIAL CALLED COUNCIL MEETINGS FROM JUNE 6, 2005 AND THE REGULARLY SCHEDULED COUNCIL MEETING FROM JUNE 6, 2005**

1. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the June 6, 2005, Special Called County Council Meetings (7 sets), and the regular scheduled County Council Meeting on June 6, 2005.

**PROCLAMATION #05-03 DORCHESTER COUNTY AMATEUR RADIO WEEK**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation # 05-03 which proclaims June 19<sup>th</sup> – 26<sup>th</sup> Amateur Radio Week in Dorchester County.

**CORRESPONDENCE**

There was no correspondence to report.



**COUNCIL MEMBER'S TIME**

**COUNCILMAN KENNY WAGGONER – SOLICITOR DAVID PASCOE**

Chairman Murphy recognized Councilman Waggoner who formally introduced Dorchester County's new Solicitor, Mr. David Pascoe to Council. Mr. Waggoner pointed out an oversight in the budget process for Fiscal Year 2005-2006, regarding the Solicitor's budget. He stated that the Sheriff's Department received an increase in its budget which would have an effect on the Solicitors budget and the Clerk of Court's budget. He requested that Council look in to this matter.

Solicitor David Pascoe addressed County Council regarding his goals for the Solicitor's Office and to thank Council for its support. He requested for Council to look at the Solicitor's office regarding any funds that may become available later in the year. Mr. Pascoe reported on his office losing \$140,000 in grant money this year and \$60,000 of the money would directly affect Dorchester County.

Solicitor Pascoe also discussed his goals for the Solicitor's Office. His first goal was to move jail cases quickly to reduce the number of inmates in the County jail, which would save the county money. He plans on accomplishing this by getting them to make a plea or getting them to trial, so the inmate could be moved to the Department of Corrections facilities. It costs \$40 a day to house an inmate in the County Jail, not including medical care. Secondly, he announced his goal to have a full time office in St. George at the Courthouse by September. The last goal was for a new program started in his office in February, which was a Church Devotional Program for juveniles, who needed structure in their lives and reported that 35 churches are participating in the program at this time.

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

**2<sup>ND</sup> READING TO ORDINANCE FOR REPEAL OF ORDINANCE #82-01**

3. On the motion of Mr. Murphree, seconded by Mr. Elliott, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance to repeal Ordinance #82-01.

**COUNTY ADMINISTRATOR'S TIME CONTINUED**

**3<sup>RD</sup> READING FOR THE FOLLOWING REZONING REQUESTS:**

4. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to give 3rd Reading to Rezoning Requests #405, #410, #413, #414, #415, #416, #417, #418, and #419.

**#405 - Ruth Hamilton (Gennie Middleton) Representative** – 1.77 acres on Ashley Phosphate Road near North Charleston from R2 to CG; recommended by Planning Commission and Planning Staff.

**#410 - Raymond A. Herrin** – 2.59 acres on Central Ave near Summerville from R4 to CG; recommended by the Planning Commission and Planning Staff.

**#413 - Loretta P. Booker** - .45 acre on US 17-A South near Summerville from CG to R1A; recommended by the Planning Commission and Planning Staff.

**#414 - Camilla T. Sweatman** - 4.21 acres on Flood Hiers Road near Summerville from R4 to MUC; recommended by the Planning Commission and Planning Staff.

**#415 - Michail & Youlia Apostolou** - 1.02 acres on Miles Road near Summerville from TRM to R4; recommended by the Planning Commission and Planning Staff.

**#416 - Michail & Youlia Apostolou** – 1.15 acres on Miles Road near Summerville from TRM to R4; recommended by the Planning Commission and Planning Staff.

**#417 - Kersting LLC** – 1.5 acres on Devon Road near Knightsville from CG to MUC; recommended by the Planning Commission and Planning Staff.

**#418 - Kersting, LLC** - .32 acre Devon Road near Knightsville from CG to MUC; recommended by the Planning Commission and Planning Staff.

**#419 - Kersting, LLC** - .53 acre on Cottonhill Drive near Knightsville from CG to MUC; recommended by the Planning Commission and Planning Staff.

**COUNTY ADMINISTRATOR'S TIME CONTINUED**

**3<sup>RD</sup> READING REZONING REQUEST # 406 FOR  
DICARI DEVELOPMENT**

5. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted six in favor to give 3<sup>rd</sup> Reading to Rezoning Request # 406 for Dicari Development This is a request to rezone 3 acres on Bacon's Bridge Road near Summerville from R3 (Multifamily Residential District) to CG (Commercial General).

Mr. Rosebrock opposed.

6. Mr. Rosebrock motioned and Mr. Davis seconded, to amend the main motion and try to get a more acceptable plan as requested by the Ashley Scenic River Advisory Council, in order to preserve the Ashley River and to place this item back in the Planning, Development and Building Committee, until a new architectural plan and a more environmentally friendly design could be completed for Council's review. Council voted one in favor, one abstention and six opposed.

Mr. Rosebrock voted in favor and Mr. Davis abstained.  
The main motion passed – motion #5.

**3<sup>RD</sup> READING REZONING REQUEST # 406A FOR  
DICARI DEVELOPMENT – PLANNED DEVELOPMENT**

7. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted six in favor and one abstained to give 3<sup>rd</sup> Reading to Rezoning Request # 406A for Dicari Development and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 83.28 acres on Bacon's Bridge Road near Summerville from R4 (Multifamily Residential District) to PD (Planned Development District).

Mr. Rosebrock abstained.

**3<sup>RD</sup> READING FOR AMENDMENT TO #04-13 ZONING & LAND  
DEVELOPMENT STANDARDS ORDINANCE TO PROVIDE FOR  
ESTABLISHMENT OF VESTED PROPERTY RIGHTS**

8. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to an Amendment to Ordinance #04-13, Zoning & Land Development Standards, To Provide for Establishment of Vested Property Rights.

**COUNTY ADMINISTRATOR'S TIME CONTINUED**

**RESOLUTION TOWN OF TURBEVILLE APPLICATION FOR LAKE  
MARION REGIONAL WATER AGENCY MEMBERSHIP**

9. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to place this item in the Public Works, Property and Utilities Committee until more information can be received from the Lake Marion Regional Water Agency.

**SC EMPLOYMENT SECURITY COMMISSION PROPERTY NEAR LEC**

10. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to place this item in the Public Works, Property and Utilities Committee for further consideration.

**COMMITTEE REPORT**

**Mr. Skip Elliott, Planning, Development and Building Committee**

**2<sup>ND</sup> READING FOR ORDINANCE TO REDEFINE USE GROUP 15.  
PROFESSIONAL SERVICES OF ORDINANCE #04-13**

11. Mr. Elliott reported that the Committee voted unanimously to recommend to Council that 2nd Reading be given to an Amendment to Ordinance # 04-13 Zoning & Land Development Standards to redefine Use Group "15. Professional Services (a)". Council voted unanimously in favor of the recommendation.

**AD HOC COMMITTEE REPORT ON HISTORICAL OVERLAY  
DISTRICT/ZONING CLASSIFICATIONS ORDINANCE**

Mr. Elliott reported that the Ad Hoc Historic Overlay District/Zoning Classification Committee provided their final report. Ms. Elaine Murray, Chairperson of the Ad Hoc Committee, gave the presentation. Mr. LeaMond was requested to copy the final report and give copies to the Ad Hoc Committee Members and to the other Council members. The Planning, Development and Building Committee voted unanimously to take the report as information and to keep this item in Committee. No action was needed by Council.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY FORESTRY BOARD APPOINTMENT**

12. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to make recommendation to the State Commission of Forestry for the appointment of Mrs. Margaret Goodwin to the Dorchester County Forestry Board.

**DORCHESTER COUNTY MENTAL HEALTH CENTER BOARD APPOINTMENT**

13. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to make recommendation to the Governor for the appointment of Ms. Sharon M. Atkinson to the Dorchester County Mental Health Board.

Chairman Murphy passed the gavel to Vice Chairman Elliott in order to make a motion for appointment of an individual to the Charleston Regional Development Alliance.

**CHARLESTON REGIONAL DEVELOPMENT ALLIANCE APPOINTMENT**

14. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to appointment Mrs. Jan Waring Woods to replace Mr. Ronnie Givens on the Charleston Regional Development Alliance.

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

**RESOLUTION AND INDUCEMENT AGREEMENT FOR ALBERT WEBER MANUFACTURING CORP**

15. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt a resolution approving an Inducement Agreement for Albert Weber Manufacturing Corporation.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration for an executive session in order to provide legal advice regarding an amendment to a FILOT with LATI USA, a boundary issue with Berkeley County and to discuss a proposed contractual matter and a confidential economic development project.

**EXECUTIVE SESSION 8:07 P.M.**

16. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:20 P.M.**

The County Attorney reported that in Executive Session Council received legal advice regarding an amendment to a FILOT, a boundary issue and discussed a proposed contractual matter and a confidential economic development project; no action was taken on any of these items.

**AMENDMENT TO AGREEMENT WITH LATI USA**

17. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to amend the FILOT agreement with LATI USA.

**PURCHASE OF TWO LAPTOP COMPUTERS**

18. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to purchase two laptop computers from the County Council Contingency Fund.

**ADJOURNMENT**

19. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 9:24 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**JULY 11, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the County Council Meeting on June 20, 2005
- Employee Recognition Program
- Correspondence

**3. GUEST**

Mrs. Carolyn Tomlinson - Introduction of Dorchester County Recycling Mascot

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

- 3<sup>rd</sup> Reading to Ordinance for Repeal of Ordinance #82-01
- 1st Reading for the following Rezoning Requests:
  - Rezoning Request # 421 for Marvin Benford
  - Rezoning Request # 422 for E. Lewis Gresham and M. Dennis Knight
  - Rezoning Request # 423 for E. Lewis Gresham and M. Dennis Knight
- 3<sup>rd</sup> Reading BAN (Transportation \$12 million)
- 2<sup>nd</sup> Reading Ordinance for Reduction of Investment LATI USA, Inc.

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Accommodations Tax Committee
- Foster Care Review Board

**6. COUNTY ATTORNEY'S TIME**

Mr. John Frampton

- Executive Session –Legal Advice
  - Contractual Matters
  - Zoning Matter
  - Confidential Economic Development Project

**7 ADJOURN**

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JULY 11, 2005**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council  
ABSENT: Mr. Larry Hargett and Mr. Kenneth Waggoner

Chairman Murphy called the meeting to order and Councilman Rosebrock gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. George McDaniel, a member of the Ad Hoc Historic Overlay District/Zoning Classification Committee, addressed Council regarding the Ashley River Region and the positive results that came out of the Committee. He also presented Council with a letter regarding the same.



**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mrs. Sue Wehman addressed Council regarding the Ad Hoc Historic Overlay District/Zoning Classification Committee and the protection of the Ashley River. She stated that planning for the future now was very important to avoid having problems in the future.

**ADOPTION OF THE MINUTES FROM THE COUNTY COUNCIL MEETING ON JUNE 20, 2005**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted five in favor and two absent to adopt the Minutes from the County Council Meeting on June 20, 2005.

Mr. Waggoner and Mr. Hargett were absent.

**EMPLOYEE RECOGNITION PROGRAM**

Dorchester County Council recognized twenty one county employees with a special presentation for their loyal and dedicated service to the citizens of Dorchester County. Employees were given a cash award based on years of service and a certificate of appreciation.

**CORRESPONDENCE**

There was no correspondence to report.

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

**3<sup>RD</sup> READING TO ORDINANCE FOR REPEAL OF ORDINANCE #82-01**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted five in favor and two absent to give 3<sup>rd</sup> Reading to an Ordinance to repeal Ordinance #82-01.

Mr. Waggoner and Mr. Hargett were absent.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING REZONING REQUESTS #421, 422, AND 423**

3. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted five in favor and two absent to give 1<sup>st</sup> Reading to rezoning requests #421, 422, and 423 and to place these items in the Planning, Development, and Building Committee for further consideration.

Mr. Waggoner and Mr. Hargett were absent.

**Rezoning Requests #421 for Marvin Benford** – 2.09 acres on Butternut Road near Summerville from R-4 (Multi-family Residential) to CG (Commercial General); recommended by the Planning Commission and Planning Staff.

**Rezoning Request #422 for E. Lewis Gresham and M. Dennis Knight** – 11.469 acres on West 5<sup>th</sup> North Street near Summerville from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial); recommended by the Planning Commission and Planning Staff.

**Rezoning Request #423 for E. Lewis Gresham and M. Dennis Knight** – 4.5 acres on West 5<sup>th</sup> North Street near Summerville from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial); recommended by the Planning Commission and Planning Staff.

**3<sup>RD</sup> READING GOB (TRANSPORTATION) \$12 MILLION**

Mr. Ward requested this item to be tabled until the next meeting or until County Council has approved an award for the Financial Advisor for the one cent sales tax projects.

**2<sup>ND</sup> READING ORDINANCE FOR REDUCTION OF INVESTMENT  
LATI USA, INC**

4. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted five in favor and two absent to give 2<sup>nd</sup> Reading to an Ordinance for Reduction of Investment as approved in the FILOT agreement with LATI USA. Upon final approval this would be a 6% FILOT with the minimum jobs at 20 and minimum investment of \$14 million.

Mr. Waggoner and Mr. Hargett were absent.

**GUEST**

Mrs. Carolyn Tomlinson, Coordinator for Dorchester County Recycling and Adopt a Highway, Director of Keep Dorchester County Beautiful and also the Clemson Extension Lead Agent for Dorchester County, came before Council to introduce the Dorchester County Recycling Mascot, "Ollie the Otter". Ollie, will be used in school programs and other local events to remind citizens, "You Otter Recycle." Funding for this program was provided by a Palmetto Pride Grant.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**  
**ACCOMMODATIONS TAX COMMITTEE**

Chairman Murphy asked if any Council member was ready to appoint or reappoint someone to the Dorchester County Accommodation Tax Committee, because all terms of the appointees expire on August 6, 2005. He asked that each Councilman be prepared to make their appointment to the committee at the next Council meeting on July 25, 2005.

**FOSTER CARE REVIEW BOARD**

Chairman Murphy stated that Dorchester County's appointee resigned from the Foster Care Review Board which created a vacancy. He asked for Council to be ready to recommend an appointee to the Governor at the next meeting on July 25, 2005.

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

The County Attorney requested Council for an Executive Session to give legal advice concerning four contractual matters, a zoning issue and to discuss a Confidential Economic Development Prospect.

**EXECUTIVE SESSION 7:24 P.M.**

5. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted five in favor and two absent to go into Executive Session.

Mr. Waggoner and Mr. Hargett were absent.

**RECONVENE FROM EXECUTIVE SESSION 9:50 P.M.**

The County Attorney reported that in Executive Session Council received legal advice regarding contractual matters and a zoning issue. Also a Confidential Economic Development Prospect was discussed and no action was taken on any of these items.

**FINANCIAL ADVISOR**

6. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted five in favor and two absent to grant approval for the Administrator to hire a financial advisor for the General Obligations Bonds to assist Bond Counsel in devising a strategy to finance the 1 cent sales tax projects.

Mr. Waggoner and Mr. Hargett were absent.

**1<sup>ST</sup> READING TO AN AMENDMENT TO ORDINANCE #04-13 TO AMEND ARTICLE IX, SECTION 9.1.3 "USE GROUPS PERMITTED"**

7. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted five in favor and two absent to give 1<sup>st</sup> Reading to an amendment to Ordinance #04-13 to amend Article IX, Section 9.1.3 "Use Groups Permitted" to prohibit the location of Adult Establishments within Zoning District AC, Absence of Controls.

Mr. Waggoner and Mr. Hargett were absent.

**SIGNATURE SYSTEMS APPROVAL**

8. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted five in favor and two absent to give the County Administrator authorization to sign the Purchase Agreement between Dorchester County and Cottingham Asset Management, the Repayment Agreement, and the Purchase Agreement between Dorchester County and Signature Signs.

Mr. Waggoner and Mr. Hargett were absent.

**ADMINISTRATOR'S EMPLOYMENT AGREEMENT**

9. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted five in favor and two absent to approve the County Administrator's contract as presented in executive session.

Mr. Waggoner and Mr. Hargett were absent.

**ADJOURNMENT**

10. On the motion Mr. Elliott, seconded by Mr. Rosebrock, Council voted five in favor and two absent to adjourn. Time of adjournment 9:55 P.M.

Mr. Waggoner and Mr. Hargett were absent.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JULY 25, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the County Council Meeting on July 11, 2005
- Resolution - Judge Patrick Joseph Murphy, Retired
- Public Hearing Proposed Ordinance #05-19 Amendment to FILOT for LATI USA, INC.
- 3<sup>rd</sup> Reading Proposed Ordinance #05-19 Amendment to FILOT for LATI USA, INC.
- Correspondence

**3. GUEST**

- Tim Winslow, SCAC Senior Staff Attorney – Legislative Update

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

- 3<sup>rd</sup> Reading BAN (Transportation \$12 million)
- Merit Increase for County Elected Officials and Certain Appointed Officials

**5. COMMITTEE REPORTS**

**Mr. Richard Rosebrock – Public Works, Property and Utilities Committee**

- Petition to Remove Speed Humps - Archdale Subdivision
- Road Petition Glover Road
- Stop Sign Requests – Plantation Ridge Subdivision
- Stormwater Utility Fee Amendment
- Wastewater System/Carolina Water Service

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Fire District and Fire Protection
- Car Usage – Computer GPS System
- Non-Emergency 911 Calls
- Ordinance Regulating the Discharge of Firearms

**PAGE TWO  
COUNCIL AGENDA  
JULY 25, 2005**

**Mr. Skip Elliott Planning, Development and Building Committee**

- Public Hearing for Amendment to Ordinance #04-13 to Redefine Use Group 15.  
Professional Services
- Recommendation for 3<sup>rd</sup> Reading for Amendment to Ordinance #04-13 to Redefine Use Group 15. Professional Services
- Recommendation for 2<sup>nd</sup> Reading for Rezoning Requests:
  - #421 for Marvin Benford
  - #422 for E. Lewis Gresham and M. Dennis Knight
  - #423 for E. Lewis Gresham and M. Dennis Knight
- Recommendation for 2<sup>nd</sup> Reading for Ordinance to Amend Ordinance #04-13 regarding Adult establishments

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Accommodations Tax Committee
- Foster Care Review Board

**7. COUNTY ATTORNEY'S TIME**

Mr. John Frampton

- Executive Session –Legal Advice
  - Contractual Matters
  - Real Estate Matter
  - Confidential Economic Development Project
  - County Boundary Line

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
DORCHESTER COUNTY SERVICES BUILDING, SUMMERVILLE  
JULY 25, 2005  
7:02 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Mrs. Gina R. Sams – Sr. Admin. Asst. to Council  
ABSENT: Mr. Larry Hargett

Chairman Murphy called the meeting to order and Mr. Rosebrock gave the invocation.

**CHAIRMAN'S TIME-MR. CHRIS MURPHY**  
**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. One person addressed Council:

- Ms. Mary Ann Jacobs with Time Warner Cable provided Council with a slide show of the public service announcement that was broadcasted to inform the public on when to call E-911.

**ADOPTION OF THE MINUTES FROM THE COUNTY COUNCIL  
MEETING ON JULY 11, 2005**

1. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adopt the Council Minutes from the July 11, 2005 meeting.

Mr. Hargett was absent.

**RESOLUTION-JUDGE PATRICK JOSEPH MURPHY, RETIRED**

2. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted six in favor and one absent, to adopt Resolution # 05-13 in honor of Judge Patrick Murphy.

Mr. Hargett was absent.

**PUBLIC HEARING PROPOSED ORDINANCE #05-19 AMENDMENT TO  
FILOT FOR LATI USA, INC.**

Chairman Murphy opened the Public hearing to receive comments.

Mr. Ward addressed Council regarding the Amendment to the FILOT for LATI USA, Inc. and reported that this action would improve a 6% FILOT with the minimum jobs at 20 and minimum investment of 14 million dollars.

Chairman Murphy opened the floor for public comments.

Hearing no comments, the Public Hearing was closed.

**3<sup>RD</sup> READING PROPOSED ORDINANCE #05-19 AMENDMENT TO  
FILOT FOR LATI USA, INC.**

3. On the motion by Mr. Rosebrock, seconded by Mr. Elliott, Council voted six in favor and one absent for 3<sup>rd</sup> Reading on the proposed Ordinance #05-19 Amendment to FILOT for LATI USA, Inc.

Mr. Hargett was absent.



**CORRESPONDENCE**

Mr. Ward, County Administrator, reported to Council on a letter received from the Dorchester Senior, Inc. which communicated its plans for the dedication of the renaming of the Summerville Senior Center in Faith Sellers honor for October 2005.

Mr. Ward also reported on a letter in which the County received from Bell South regarding the installation of telephone lines in Upper Dorchester, Lower Orangeburg, and Bamberg counties.

**GUEST**

Mr. Tim Winslow, Senior Staff Attorney with the South Carolina Association of Counties (SCAC), provided Council with a legislative update on the issues affecting counties and encouraged the County's participation with SCAC in the legislative policy position process. Mr. Winslow requested the County to submit its input on current or future legislation to the SCAC by the deadline date of August 12, 2005.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**3<sup>RD</sup> READING BAN (TRANSPORTATION \$12 MILLION)**

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent, to approve 3<sup>rd</sup> Reading BAN (Bond Anticipation Note) authorizing the temporary borrowing of \$12 million in anticipation of the issuance of general obligation bonds of Dorchester County, South Carolina.

Mr. Hargett was absent.

**MERIT INCREASE FOR COUNTY ELECTED OFFICIALS AND**  
**CERTAIN APPOINTED OFFICIALS**

5. Mr. Davis motioned to approve a merit increase of 3 percent for elected and appointed officials appointed by County Council, plus magistrates and the veterans affairs officer, Mr. Elliott seconded the motion.
6. Chairman Murphy passed the gavel to Vice Chairman Elliott and motioned for an amendment to the main motion to include further review of both the Clerk of Courts salary and the Delinquent Tax Collector's salary and for this matter to be placed into the AIA Committee for further consideration.

**CONTINUED-MERIT INCREASE FOR COUNTY ELECTED OFFICIALS  
AND CERTAIN APPOINTED OFFICIALS**

6. On the motion by Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to approve the merit increase of 3 percent for elected and appointed officials appointed by County Council with the inclusion of the Magistrates and Veterans Affairs Officer and both the Clerk of Courts' salary and Delinquent Tax Collector's salary be reviewed and placed into the AIA Committee for further consideration.

Mr. Hargett was absent.

**COMMITTEE REPORT**  
**Chairman Richard Rosebrock-Public Works, Property and Utilities**  
**Committee**

**PETITION TO REMOVE SPEED HUMPS-ARCHDALE SUBDIVISION**

7. Mr. Rosebrock reported to Council on the Committee's unanimous recommendation to retain the original installation petition and forward both petitions for installation and removal and bill of \$500 for the cost of removing the speed humps to the Archdale Subdivision Homeowner's Association. Council voted six in favor and one absent, favoring the Committee's recommendation and for the Administrator to forward a letter outlining the Committee's recommendation to the Archdale Subdivision Homeowner's Association.

Mr. Hargett was absent.

**ROAD PETITION-GLOVER ROAD**

8. Mr. Rosebrock addressed Council on the Committee's recommendation to include Glover Road into the county's maintenance schedule. Council voted six in favor and one absent, favoring the Committee's recommendation.

Mr. Hargett was absent.

**STOP SIGN REQUESTS-PLANTATION RIDGE SUBDIVISION**

9. Mr. Rosebrock reported to Council the Committee's recommendation to approve the installation of two sets of stop signs in Plantation Ridge Subdivision and to split half the of cost with the neighborhood and have the Administrator to forward a letter with the Committee's recommendation. Council voted six in favor and one absent favoring, the Committee's recommendation.

Mr. Hargett was absent.

**STORMWATER UTILITY FEE AMENDMENT**

Mr. Rosebrock reported on the Committee's discussion on this matter; no action was taken and this item was kept in Committee.

**WASTEWATER SYSTEM/CAROLINA WATER SERVICE**

Mr. Rosebrock reported on the Committee's discussion on this matter; no action was taken and this item was kept in Committee.

**ANY OTHER SUCH BUSINESS**

Mr. Rosebrock reported on the Committee's request for Mr. Tompkins to publicize in the paper the county's mosquito abatement schedule.

**COMMITTEE REPORT**

**Chairman Mike Murphree-Public Safety, Health and Human Services  
Committee**

**FIRE DISTRICT AND FIRE PROTECTION**

Mr. Murphree reported to Council on the Committee's discussion regarding this matter and indicated that an informal joint meeting would be held with the Fire Chiefs' Advisory Board around the first of the month in September; no action was taken and this item was kept in Committee.

**COMMITTEE REPORT**

**Chairman Mike Murphree-Public Safety, Health and Human Services  
Committee**

**CAR USAGE-COMPUTER GPS SYSTEM**

Mr. Murphree reported the Committee's recommendation to have this item removed from the Committee Items Listing. Council voted six in favor and one absent, favoring the Committee's recommendation.

**NON-EMERGENCY 911 CALLS**

Mr. Murphy reported that no action was taken on this matter and requested to keep this item committee.

**ORDINANCE REGULATING THE DISCHARGE OF FIREARMS**

10. Mr. Murphree reported to Council the Committee's unanimous recommendation for 1<sup>st</sup> Reading to the proposed Ordinance Regulating the Discharge of Firearms as currently written and to send this item back into the Public Safety, Health and Human Services Committee. Council voted six in favor and one absent, favoring the Committee's recommendation.

Mr. Hargett was absent.

**COMMITTEE REPORT**

**Chairman Skip Elliott-Planning, Development & Building Committee**

**RECOMMENDATION FOR 3<sup>RD</sup> READING FOR AMENDMENT TO  
ORDINANCE #04-13 TO REDEFINE USE GROUP 15(a). PROESSIONAL  
SERVICES**

11. Mr. Elliott reported to Council that a Public Hearing regarding the Amendment to Ordinance #04-13 to Redefine Use Group 15(a). Professional Services was held at an earlier meeting. Mr. Elliott reported the Committee's recommendation for 3<sup>rd</sup> Reading for Amendment to Ordinance #04-13 redefining Use Group 15 (a). Professional Services. Council voted four in favor, two opposed, and one absent favoring the Committee's recommendation.

Mr. Waggoner and Mr. Davis opposed the motion.  
Mr. Hargett was absent.

**COMMITTEE REPORT**

**Chairman Skip Elliott-Planning, Development & Building Committee**

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR REZONING**

**REQUESTS: #421-MARVIN BENFORD, #422-E. LEWIS GRESHAM AND  
M. DENNIS KNIGHT, #423-E. LEWIS GRESHAM AND M. DENNIS  
KNIGHT**

12. Mr. Elliott reported the Committee's recommendation for 2<sup>nd</sup> Reading regarding Rezoning Requests #421-Marving Benford, #422-E. Lewis Gresham and M. Dennis Knight, #423-E. Lewis Gresham and M. Dennis Knight. Council voted six in favor and one absent favoring the Committee's recommendation.

Mr. Hargett was absent.

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR ORDINANCE TO  
AMEND ORDINANCE #04-13 REGARDING ADULT ESTABLISHMENTS**

13. Mr. Elliott reported the Committee's recommendation for 2<sup>nd</sup> Reading for Ordinance to Amend Ordinance #04-13 regarding Adult Establishments by removing Article IX, Section 9.1.3. "Use Group Permitted". Council voted six in favor and one absent favoring the Committee's recommendation.

Mr. Hargett was absent.

**OTHER BUSINESS**

**PLAT REQUIREMENTS**

Mr. Elliott reported on the Committee's recommendation for the Planning and Zoning Department to provide zoning information and the Public Works Engineering Department to provide flood zoning information and the surveyor and/or engineer to provide the current TMS number and space on their plats for said information.

No motion was made on the Committee's recommendation.

**CONTINUED-COMMITTEE REPORTS**

**Chairman Skip Elliott-Planning, Development & Building Committee**

**REVIEW OF ZONING ORDINANCE REGARDING TATOO PARLORS**

Chairman Murphy placed this matter in the Planning, Development and Building Committee for further review.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE**

14. Council voted six in favor and one absent to appoint the following individuals to the Dorchester County Accommodations Tax Advisory Committee: Ms. Renee Wamer as representative of District # 1, Ms. Emmagene Rhodes as representative of District #2, Ms. Melinda McNeil as representative of District #5, Ms. Linda Shelbourne as representative of District 6, and Mr. Marty Wall as representative of District #7.

Mr. Hargett was absent.

**FOSTER CARE REVIEW BOARD**

No appointments were made to this board.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration for an Executive Session to discuss and give legal advice on three Contractual Matter, Real Estate Matter, an update on a Confidential Economic Development Project, and County Boundary Line.

**EXECUTIVE SESSION 8:19 P.M.**

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to go into Executive Session.

Mr. Hargett was absent.

**RECONVENE FROM EXECUTIVE SESSION 9:50 P.M.**

The County Attorney reported that in Executive Session Council received legal advice three Contractual Matters, discussed and received legal advice on a Real Estate Matter, received an update from the County's Economic Development Director on a Confidential Economic Development Project, discussed and received legal advice on the County Boundary Line issue and no action was taken on any of these items.

**CONTRACTUAL MATTER- BEN COLE**

16. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted six in favor and one absent to execute the agreement of understanding with Mr. Ben Cole for consultant services.

Mr. Hargett was absent.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 05-04**

17. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted six in favor and one absent for Dorchester County to award a Confidential Economic Development Project # 05-04 for a three year property tax credit of \$48,000 per year to assist with the development of infrastructure at the site. The project will also be placed in the Dorchester-Orangeburg Multi-County Industrial Park. The project will invest around \$3,000,000.00 and create 20 new jobs. An announcement is expected later this year.

Mr. Hargett was absent.

**ADJOURNMENT**

18. On the motion Mr. Elliot, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adjourn. Time of adjournment 10:00 P.M.

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Gina R. Sams, Sr. Admin. Asst. to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**AUGUST 15, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from the Council Meeting on July 25, 2005
- Correspondence

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

- 1<sup>st</sup> Reading for the following Rezoning Requests:

- RR# 424 – Greenwood Dev. Corp.
- RR# 425 - Dianne & Daniel Jowers
- RR# 426 - Franklin L. Rhodes
- RR# 427 - Everett A Knight, Jr
- RR# 428 - Everett A Knight, Jr
- RR# 429 - Everett A Knight, Jr
- RR# 430 - Everett A. Knight, Jr

**4. COMMITTEE REPORTS**

**Mr. Skip Elliott Planning, Development and Building Committee**

- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Amendment to Ordinance #04-13 regarding Adult Establishments
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Rezoning Requests:
  - #421 for Marvin Benford
  - #422 for E. Lewis Gresham and M. Dennis Knight
  - #423 for E. Lewis Gresham and M. Dennis Knight

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Accommodations Tax Committee
- Foster Care Review Board

**6. COUNTY ATTORNEY'S TIME**

- Mr. John Frampton
- Executive Session –Legal Advice
  - Economic Development Prospects

**7. ADJOURN**



MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
AUGUST 15, 2005  
7:00 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post and Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council  
ABSENT: Mr. Jason Ward – County Administrator

Chairman Murphy called the meeting to order and Rev. David Mullins gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council.

Mr. Ronnie Judy addressed Council regarding the Stormwater Maintenance Fee, taxes and suggested a name for the proposed new Courthouse in St. George.

**ADOPTION OF THE MINUTES FROM THE COUNTY COUNCIL  
MEETING OF JULY 25, 2005**

1. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one absent (Councilman Davis arrived a few minutes after the meeting started) to adopt the Minutes from the County Council Meeting on July 25, 2005.

**CORRESPONDENCE**

Mr. Charlie Potts, Deputy County Administrator, reported to Council on a letter received from the Ridgeville Arts and Culture Committee regarding the upcoming festival in Ridgeville on September 2<sup>nd</sup> thru 4<sup>th</sup> of 2005.

Chairman Murphy and Council commended our EMS Director and the EMS Department on winning the Regional J. Mitchell Graham Award along with Charleston and Berkeley Counties. EMS Director, Mr. Doug Warren described the project known as the "EKG 12 Project" which won the award and reported on the success of the project by saving lives.

**ADMINISTRATOR'S TIME – MR. CHARLIE POTTS,  
DEPUTY COUNTY ADMINISTRATOR**

**1<sup>ST</sup> READING REZONING REQUESTS #425, #426, #427, #428, #429  
AND #430**

2. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Requests #425, #426, #427, #428, #429 and #430 and to place these requests in the Planning, Development, and Building Committee for further consideration.

RR#425 - Applicant - Dianne & Daniel Jowers; 1.25-acres; Location - 118 Key Way Ln, Summerville, CG ( General Commercial) to R1MA (Single-Family Residential Manufactured Housing District)

RR#426 -Applicant - Franklin L. Rhodes; 1.50-acres; Location - Ladson Rd, Ladson; TRM (Traditional Residential District) to CG (General Commercial)

RR# 427 - Applicant - Everett A. Knight Jr.; .95-Acres; Location - Ladson Rd., Ladson; R4 (Multi-Family Residential District) to CLI (Commercial Light Industrial);

RR# 428 - Applicant - Everett A. Knight Jr.; .48-acres; Location – Ladson Rd, Ladson; R4 (Multi-Family Residential District) to CLI (Commercial Light Industrial)

**1<sup>ST</sup> READING REZONING REQUESTS #425, #426, #427, #428, #429  
AND #430 CONTINUED**

RR# 429 - Applicant - Everett A. Knight Jr.; 2.83-acres; Location - 3674 Ladson Rd, Ladson; R4 (Multi-Family Residential District) to CLI (Commercial Light Industrial)

RR#430 - Applicant - Everett A. Knight Jr.; 2.9-acres; Location - 3674 Ladson Rd, Ladson; R4 (Multi-Family Residential District) to CLI (Commercial Light Industrial)

**1<sup>ST</sup> READING REZONING REQUEST #424 – GREENWOOD  
DEVELOPMENT CORP. (THE PONDS)**

3. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #424 Greenwood Development Corporation and to place the request in the Planning, Development, and Building Committee for further consideration.

Chairman Murphy stated he felt that a Development Agreement would need to accompany this Rezoning Request because of the magnitude of the request.

RR# 424 - Applicant Greenwood Development Corporation; 1887.8-acres; Location - Hwy 17A South; Summerville; R4 (Multi-Family) CG (General Commercial) to PD (Planned Development)

**GROWTH MANAGEMENT**

Councilman Rosebrock read a statement regarding “Growth Management” which is attached as Attachment A.

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, a motion was made for Dorchester County to hire a consulting firm to assist in the development of a Growth Management Plan and to fund the project from the Contingency Fund.

5. Mr. Elliott motioned to amend the above motion, seconded by Mr. Murphree and Council voted unanimously to place the proposed Growth Management Plan into the Planning, Development and Building Committee for further study.

**COMMITTEE REPORT**

**Mr. Skip Elliott, Planning, Development and Building Committee**

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING  
FOR ORDINANCE AMENDING ORDINANCE #04-13 REGARDING  
ADULT ESTABLISHMENTS**

6. Mr. Elliott reported a Public Hearing was held at the PDB Committee meeting and the Committee voted unanimously to recommend to Council that 3<sup>rd</sup> Reading be given to the Ordinance, amending Ordinance # 04-13, regarding Adult Establishments removing Article IX, Section 9.1.3. "Use Group Permitted". Council voted unanimously in favor of the Committee's recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING  
FOR REZONING REQUEST: #421-MARVIN BENFORD**

7. Mr. Elliott reported a Public Hearing was held at the PDB Committee meeting and the Committee voted unanimously to recommend to Council that 3<sup>rd</sup> Reading be given to Rezoning Request #421 for Marvin Benford. Council voted unanimously in favor of the Committee's recommendation.

Rezoning Request #421 for Marvin Benford - approximately 2.09 acres on Butternut Road near Summerville - Requested change: from R-4 (Multi-Family Residential) to CG (Commercial General)

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING  
FOR REZONING REQUESTS #422 AND #423 BOTH FOR E. LEWIS  
GRESHAM AND M. DENNIS KNIGHT**

8. Mr. Elliott reported a Public Hearing was held at the PDB Committee meeting and the Committee voted unanimously to recommend to Council that 3<sup>rd</sup> Reading be given to Rezoning Requests #422 and #423 for E. Lewis Gresham and M. Dennis Knight. Council voted unanimously in favor of the Committee's recommendation.

Rezoning Request #422 for E. Lewis Gresham and M. Dennis - 11.469 acres on West 5<sup>th</sup> North Street near Summerville - Requested change: from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

Rezoning Request #423 for E. Lewis Gresham and M. Dennis - approximately 4.5 acres on West 5<sup>th</sup> North Street near Summerville - Requested change: from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

**APPOINTMENTS TO BOARDS AND COMMISSIONS**  
**APPOINTMENTS TO THE ACCOMMODATIONS TAX ADVISORY**  
**COMMITTEE AND THE PLANNING COMMISSION**

9. On the motion of Mr. Hargett, seconded by Mr. Elliott, Council voted unanimously to appoint Mr. Tracey Todd as District Four's representative on the Dorchester County Accommodations Tax Advisory Committee and to reappoint Mr. John Sullivan as District Four's representative on the Planning Commission.

10. On the motion of Mr. Waggoner, seconded by Mr. Murphree, Council voted unanimously to reappoint Ms. Gerry Dukes as District Two's representative on the Dorchester County Accommodations Tax Advisory Committee.

**FOSTER CARE REVIEW BOARD**

Chairman Murphy asked Mr. Potts, Deputy County Administrator to check into the Foster Care Review Board to see if the opening on the Board has been advertised and if not for him to have the opening advertised.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration for an Executive Session to discuss three Confidential Economic Development Prospects.

**EXECUTIVE SESSION 7:30 P.M.**

11. On the motion of Mr. Davis, seconded by Mr. Rsoebrock, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:03 P.M.**

The County Attorney reported that in Executive Session three Confidential Economic Development Prospects were discussed and no action was taken.

**ADJOURNMENT**

12. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 8:03 P.M.

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Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**SEPTEMBER 6, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on August 15, 2005
- Approval of Statement of Support for the National Guard and Reserve
- Resolution Recognizing September 2005 as "Dorchester County Youth Court Month"
- Accommodation Tax Advisory Committee Recommendation
- Correspondence

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

- NIMS Resolution
- 1<sup>st</sup> Reading for the following Rezoning Request:

RR# 431-Marvin Benford & Kirby Flodin	RR# 432-Jeff Ingalsbe
RR# 433-Johnny W. & Patricia Ann Winter	RR# 434-Johnny W. & Patricia Ann Winter
RR# 435-Johnny W. & Patricia Ann Winter	RR# 436-Paul W. & Madelyn W. Jones
RR# 437-Bo Bo Hudson	RR# 438-Bo Bo Hudson
RR# 439-Chris Wogamon	RR# 440-Robert R. & Theresa L. Griffin
- Road Maintenance Acceptance Applications:
  - Brookwood, Phase 1 - Venice Street, Ducane Street, Malibu Road, Hammerbeck Road
  - Brookwood, Phase 2 - Hammerbeck Road, Sun Valley Court, Destin Road
  - Plum Creek, Phase 2 - Sarmiento Lane, Estero Court, Rosario Drive, Tandil Court
  - Steeple Point - Steeple Point Court
- Courthouse Request for Qualifications

**4. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**5. COUNTY ATTORNEY'S TIME**

- Mr. John Frampton
- Executive Session –Legal Advice
  - Confidential Economic Development Project

**6. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
SEPTEMBER 6, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Floyd Baker gave the invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Ms. Laurie Bair addressed Council regarding the Givhans Fire Department and fire protection.



**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Ms. Holly Plyler addressed Council regarding her opposition to the paving of Chancellor Drive. She also presented a petition to Council regarding this issue.
- Mr. Justin Baden addressed Council regarding his opposition to the paving of Chancellor Drive.

Chairman Murphy asked the County Administrator to look into the Chancellor Drive issue and to report back to Council.

**ADOPTION OF THE MINUTES FROM THE COUNTY COUNCIL  
MEETING ON AUGUST 15, 2005**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the County Council Meeting on August 15, 2005.

**ACCOMMODATION TAX ADVISORY COMMITTEE  
RECOMMENDATION**

Ms. Melinda McNeil, Chairman of the Accommodation Tax Advisory Committee, presented Council with the recommendations of the Advisory Committee.

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one abstention, to amend the recommendation of the Accommodation Tax Advisory Committee's by increasing the funding to the Upper Dorchester County Historical Society, Inc. (Architectural Services in the Restoration of the Koger House) by \$2,000 by removing \$1,000 from Sculpture in the South (2006 Sculpture in the South Exhibit and Sale) and \$1,000 from Sculpture in the South (Advertising and Promotion).

Mr. Murphree abstained.

3. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one abstention on increasing the funding by \$500 to the Ridgeville Arts and Culture Committee (Annual Arts and Culture Festival) by removing the funds from the Summerville Family YMCA (Flowertown Festival Event).

Mr. Murphree abstained.

**ACCOMMODATION TAX ADVISORY COMMITTEE**  
**RECOMMENDATION CONTINUED**

4. On the motion of Mr. Murphree, seconded by Mr. Elliott, Council voted three in favor, three opposed and one abstention to remove \$500 in funding from the Klauber Building Committee (Restoration of the historic building and Museum) and add the amount to the funding of the Timrod Library (Preservation and Technology Rebinding Books).

Mr. Waggoner, Mr. Rosebrock and Mr. Hargett were opposed and  
Mr. Davis abstained.  
Motion failed

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted five in favor and two abstentions to remove \$3,000 in funding from the Greater Summerville - Dorchester County Chamber of Commerce (Tourism Council Marketing Promotion) and add it to the funding of the Tri-County Chamber of Commerce (Updating Website).

Mr. Murphree and Mr. Elliott abstained.

6. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one opposed to accept the recommendation of Accommodation Tax Advisory Committee with the approved amendments.

Mr. Murphree was opposed.

**APPROVAL OF STATEMENT OF SUPPORT FOR THE NATIONAL**  
**GUARD AND RESERVE**

7. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to give approval to a Statement of Support for the National Guard and Reserve.

**RESOLUTION RECOGNIZING SEPTEMBER 2005 AS "DORCHESTER**  
**COUNTY YOUTH COURT MONTH"**

8. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adopt a Resolution #05-14 Recognizing September 2005, as "Dorchester County Youth Court Month".

**CORRESPONDENCE**

There was no correspondence to report.

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

**NIMS RESOLUTION**

9. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt a National Incident Management System (NIMS) Resolution. NIMS establish how the County and other agencies across the nation are to manage incidents.

**1<sup>ST</sup> READING FOR THE FOLLOWING REZONING REQUESTS #431, 432, 433, 434, 435, 436, 437, 438 and 440**

10. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to rezoning requests #431, 432, 433, 434, 435, 436, 437, 438 and 440 and place these requests in the Planning, Development, and Building Committee for further consideration.

RR# 431-Marvin Benford & Kirby Flodin

RR# 433-Johnny W. & Patricia Ann Winter

RR# 435-Johnny W. & Patricia Ann Winter

RR# 437-Bo Bo Hudson

RR# 440-Robert R. & Theresa L. Griffin

RR# 432-Jeff Ingalsbe

RR# 434-Johnny W. & Patricia Ann Winter

RR# 436-Paul W. & Madelyn W. Jones

RR# 438-Bo Bo Hudson

Mr. Harold LeaMond, Director of Planning and Codes, announced that Rezoning Request #439 for Mr. Chris Wogamon was withdrawn to be amended, to be resubmitted to the Planning Commission.

**ROAD MAINTENANCE ACCEPTANCE APPLICATIONS**

11. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one abstention to approve the acceptance of all the roads listed below for County maintenance and the starting of the warranty period.

Mr. Rosebrock abstained.

Brookwood, Phase 1 - Venice Street, Ducane Street, Malibu Road, Hammerbeck Road

Brookwood, Phase 2 - Hammerbeck Road, Sun Valley Court, Destin Road

Plum Creek, Phase 2 - Sarmiento Lane, Estero Court, Rosario Drive, Tandil Court

Steeple Point - Steeple Point Court

**COURTHOUSE REQUEST FOR QUALIFICATIONS**

12. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to approve the recommendation of the Administrator regarding the "Request for Qualifications" on the solicitation of architects, for the building of a new Courthouse.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**FOSTER CARE REVIEW BOARD**

13. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to recommend Mr. Don Shakleford as appointee to the Governor for the Foster Care Review Board.

Chairman Murphy abstained.

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

The County Attorney made a request to Council for an Executive Session to discuss a Confidential Economic Development Prospect.

**EXECUTIVE SESSION 7:48 P.M.**

14. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to go into Executive Session to discuss a Confidential Economic Development Prospect.

**RECONVENE FROM EXECUTIVE SESSION 8:18 P.M.**

The County Attorney reported that in Executive Session, Council discussed a Confidential Economic Development Prospect and no action was taken.

**BERKELEY DORCHESTER COUNTIES ECONOMIC DEVELOPMENT CORPORATION**

Mr. Davis advised Council of the need for office space for two programs, which provide direct benefits to people who need assistance. The programs are operated by the Berkeley, Dorchester Counties Economic Development Corporation. Mr. Davis stated he knew of two possible locations in St. George. Chairman Murphy requested for the County Administrator to look into this and report back at the next Council meeting.

Page Six  
Dorchester County Council Meeting  
September 6, 2005

**ADJOURNMENT**

15. On the motion Mr. Hargett, seconded by Mr. Elliott, Council voted unanimously to adjourn. Time of adjournment 8:22 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
SEPTEMBER 19, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on September 6, 2005
- Proclamation Industry Appreciation Week 2005
- Correspondence

**3. COUNCIL MEMBER'S TIME**

- Mr. Willie Davis – Berkeley-Dorchester Counties Economic Development Corporation
  
- Mr. Larry Hargett – Excellence in Dorchester County Government

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

- Presentation of 8 Hour Ozone Early Action Process Plaque
- 1<sup>st</sup> Reading Ordinance Approving a Development Agreement between Greenwood Development Corporation and Dorchester County
- Carryover Budget

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Fire District and Fire Protection
- Ordinance Regulating the Discharge of Firearms

**Mr. Richard Rosebrock – Public Works, Property and Utilities Committee**

- Stormwater Utility Fee Amendment
- Water System/ Carolina Water Service
- Resolution Town of Turbeville Membership Application LMRWA
- Petition to Remove Speed Humps Archdale Subdivision
- Convenience Sites Status
- Crestwood Stop Signs and Speed Humps
- Phyllis Williams - Newton Road
- Yard Debris Site Ashley Phosphate Road
- DC Soil & Water Conservation Dist. "Beaver Management"

PAGE TWO  
COUNTY COUNCIL AGENDA  
SEPTEMBER 19, 2005

**Mr. Skip Elliott Planning, Development and Building Committee**

- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request  
# 425 Dianne & Daniel Jowers
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request  
# 426 - Franklin L. Rhodes
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Requests  
# 427 & # 428 - Everett A. Knight, Jr.
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Requests  
# 429 & # 430 - Everett A. Knight, Jr.

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**7. COUNTY ATTORNEY'S TIME**

Mr. John Frampton

- Executive Session –Legal Advice
  - Confidential Economic Development Project
  - Confidential Economic Development Prospect
  - Personnel Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
SEPTEMBER 19, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Hargett gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Mike Bryan, with Robert Bosch, addressed Council regarding the First Robotics Program and requested funding for the program.



**PUBLIC ADDRESS TO COUNCIL-CONTINUED**

- Chief Everett R. White Jr., Givhans Volunteer Fire Department, addressed Council regarding the Fire Department.
- Mr. Charles Snipes, representative for the Sewer Project Group, addressed Council regarding problems associated with changes in the sewer agreement payment process. Chairman Murphy requested for the County Administrator to meet with Mr. Snipes regarding the problems.
- Mr. Buddy Metts, President of Quail Arbor Civic Club, addressed Council requesting certain streets in Quail Arbor Subdivision be transferred to the County and added to the Road Maintenance System. Chairman Murphy requested for the Administrator to speak with SCDOT officials regarding the roads and report back.

**ADOPTION OF MINUTES - SEPTEMBER 9, 2005, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Elliott, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting on September 9, 2005.

**PROCLAMATION RECOGNIZING SEPTEMBER 19<sup>TH</sup> – 23<sup>RD</sup>, AS INDUSTRY APPRECIATION WEEK 2005**

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt a Proclamation recognizing our industry's role in our community and economy by proclaiming September 19<sup>th</sup> – September 23<sup>rd</sup>, "Industry Appreciation Week 2005". Mr. Craig Turner, Manager of Knight's Block Plant, accepted the Proclamation as the representative for local industry.

**CORRESPONDENCE**

Chairman Murphy asked Council to read item # 10 from their Council packets, which was a memo from Sheriff Nash, along with attachments, dated September 14, 2005.

**COUNCIL MEMBERS TIME - COUNCILMAN WILLIE DAVIS - BDC  
ECONOMIC DEVELOPMENT CORPORATION**

Councilman Davis introduced Mrs. Patsy Gardner, Executive Director of the Berkeley-Dorchester Counties Economic Development Corporation and Ms. Julia Ellen Davis, Director of the Headstart Program for the BDC EDC. They provided information for the following listed programs and requested space in the Department of Social Services Building at the Kenneth F. Waggoner Services Center in St. George.

\*Headstart program for children.

\*GEAP-General Emergency Assistance Program to include: rental assistance, housing/mortgage, utilities and food.

\*Community Food and Nutrition Program- Emergency food vouchers will be given to families who are experiencing financial crisis.

\*Youth Leadership, Employment Program and Case Management Services.

3. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor and one abstention, to allow the Berkeley - Dorchester Counties Economic Development Corporation to occupy space in the Department of Social Services Office, at the Kenneth F. Waggoner Services Center in St. George, to operate the above listed programs.

Chairman Murphy abstained

**PARKING AT DORCHESTER COUNTY OFFICE BUILDING**

Councilman Rosebrock addressed Council regarding the problem with parking at county buildings and requested for the Administrator to evaluate the present parking plan at the Kenneth F. Waggoner Services Center in St. George. Chairman Murphy agreed to have the Administrator look into this matter and report back to Council.

**COUNCILMAN LARRY HARGETT – EXCELLENCE IN DORCHESTER  
COUNTY GOVERNMENT**

Councilman Hargett addressed Council regarding “Excellence in Dorchester County Government” and read a prepared statement (attachment A) regarding issues and problems with the current “Pay for Performance Plan”, Safety Director, unfair hiring practices and various other matters of concern.

**COUNTY ADMINISTRATOR’S TIME  
8 HOUR OZONE EARLY ACTION PROCESS**

Mr. Ward informed Council of an award the County received on the County’s “8 Hour Ozone Early Action Process”.

**COUNTY ADMINISTRATOR'S TIME CONTINUED**  
**1<sup>ST</sup> READING ORDINANCE TO APPROVE - DEVELOPMENT AGREEMENT**  
**BETWEEN GREENWOOD DEVELOPMENT AND DORCHESTER COUNTY**

Mr. Rutherford P. Smith, attorney for Greenwood Development Corporation, addressed Council regarding the Development Agreement and explained some detailed points and proposed donations/benefits contained in the agreement. Mr. John Morgan, with Greenwood Development, answered questions from Council regarding the price of homes in the proposed development and the increase in county personnel that would be required in departments including public utilities and public safety employees.

4. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one opposed, to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Greenwood Development Corporation and Dorchester County and to refer this matter to the Planning Commission with instructions for the commission to hold a public hearing and make a recommendation to Council and also to refer this matter to the Planning, Development, and Building Committee for their consideration and recommendation to Council.

Mr. Rosebrock opposed.

**CARRYOVER BUDGET**

5. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted six in favor and one abstention; to approve the carryover budget to allow county departments to use funds budgeted for projects, purchases, services, and personnel in the Fiscal Year 2004-05 to be used for similar purposes during this current fiscal year.

Mr. Murphree abstained.

**COMMITTEE REPORTS**

**Chairman Mike Murphree-Public Safety, Health and Human Services**  
**FIRE DISTRICT AND FIRE PROTECTION**

Mr. Murphree reported to Council on the Committee's discussion with the fire departments regarding fire protection services and fire districts. He stated that the Committee had a lot of information to go through and that would take time. He also thanked Ms. Margaret Bailey, Dorchester County's Register of Deeds, and her staff for putting together a file on each fire department. He stated that the County only owns three pieces of property which houses fire departments, the rest own their own property. No action was taken and this item will remain in Committee for further study and future meetings with the fire departments.

**COMMITTEE REPORTS CONTINUED**  
**ORDINANCE REGULATING THE DISCHARGE OF FIREARMS**

Mr. Murphree reported to Council that Mr. Frampton would like to get further guidance on the draft ordinance which Council gave 1<sup>st</sup> Reading to on July 25<sup>th</sup>. The discussion will be centered on the definition for the word "school" as used in the ordinance, the distance from school buildings, or school property lines, and the need for permission to be granted by school districts. No action taken and this item will remain in Committee.

**Chairman Richard Rosebrock-Public Works, Property and Utilities**  
**STORMWATER UTILITY FEE AMENDMENT**

Mr. Rosebrock reported that Mr. David Garber, GIS Coordinator, was still updating commercial acreage (impervious vs. pervious) and multi-family parcel data (impervious vs. pervious). This would be necessary to come up with final figures. The latest version would cap the fee on commercial property so that large vacant parcels are charged for impervious surfaces and not pervious surfaces. Therefore, the current flat fee needs to remain in place \$29.20. No action was taken and this item was kept in Committee.

**WASTEWATER SYSTEM/CAROLINA WATER SERVICE**

Mr. Rosebrock reported that Mr. Tompkins had discussed this issue with the CEO of Carolina Water Service and the CEO indicated that they were willing to sell both systems. Additionally, discussed was the existing facilities and that if CWS was to abandon these old plants, then the County would want to own the property afterwards. Both parties are awaiting a response from DHEC on the requirements to abandon these two facilities. Mr. Rosebrock stated that he informed the Administrator and the Public Works Director that someone from the County should be included in the negotiations of the cost. No action was taken and this item was kept in Committee

**RESOLUTION TOWN OF TURBEVILLE MEMBERSHIP - LMRWA**

Mr. Rosebrock reported that before adding any members to the Lake Marion Regional Water Agency, it would be wise to await the recommendation from the LMRWA's Technical Advisory Committee who has taken up this issue among others at the board's instruction. One of the concerns was the fact that none of the other agency members have signed water contracts and the municipal members of the agency have not made a monetary contribution the way the five counties have. Once some of the issues involving water contracts are clarified, it would be more appropriate to discuss adding members. The Committee has asked Mr. Ward to write a letter to the agency explaining the membership application delay. No other action was taken and this item was kept in Committee

**COMMITTEE REPORTS CONTINUED**  
**PETITION TO REMOVE SPEED HUMPS-ARCHDALE SUBDIVISION**

Mr. Rosebrock reported to Council that the Administrator and Public Works Director researched this issue and apparently this did not go through Committee. According to Mr. Tompkins, these requests were not being sent to Council at first because there were only a few and he wanted to see how the humps worked for traffic calming. This item will be left in Committee and discussed further at a later meeting.

**CONVENIENCE SITES STATUS**

Mr. Rosebrock reported to Council that according to Mr. Tompkins, almost all the concrete has been poured at Bucks and the retaining wall was being designed by Keystone. Once ramps were installed, the Bucks project would be finished and Public Works would then start working on Old Fort. Additionally, the CTC has agreed to pave all the sites. No action required.

**CRESTWOOD STOP SIGNS AND SPEED HUMPS**

Mr. Rosebrock reported to Council that according to the July 12, 2004, Public Works, Property, and Utilities Committee Minutes, the Committee voted unanimously to recommend the installation of two speed humps on Crestwood. Council voted unanimously to install the two speed humps, but in the future to split the cost of speed humps 50-50. Mr. Rosebrock stated that requests have been made recently because Crestwood Subdivision along with many others was being used as a cut through to avoid traffic. He further stated that help in the way of control was needed from the Sheriff's Department, City Police and the State Patrol. The Committee decided that investigations into exactly where the speed humps and stop signs were needed the most would be necessary. This will be taken up at the next Committee meeting.

**PHYLLIS WILLIAMS - NEWTON ROAD**

Mr. Rosebrock reported to Council that Ms. Phyllis Williams originally came to this Committee and expressed her concern about the county's plan to route traffic from the Bucks Convenience Site onto Newton Road, which was not paved. Subsequently, the plan for the site was redesigned with a new traffic route that provided no access to Newton from the site. Additionally, Ms. Newton has expressed concern about the ditches along Newton being piped and maintained by Public Works and the possibility of them assisting with the cost of the project. Mr. Rosebrock stated that this item would be left in Committee.

**COMMITTEE REPORTS CONTINUED**  
**YARD DEBRIS SITE ASHLEY PHOSPHATE ROAD**

Mr. Rosebrock reported to Council that the Ashley Phosphate Road site was being used because the Jenner site was no longer able to provide yard debris service. Mr. Tompkins reported that he has prepared a Request for Proposal, but has indicated that there are no facilities in Dorchester County that are permitted by SCDHEC. He reported that an alternative to using the Ashley Phosphate site would be having a transfer station at a central location and trucking the materials to the landfill. Also, the Solid Waste User Fee would need to be adjusted in part to fund a new debris site. Mr. Rosebrock stated that Mr. Tompkins would be looking at alternatives to this matter and also into the improvement of the road.

Mr. Rosebrock reported on an item that was discussed in his Committee meeting regarding convenience site user stickers for citizens. The stickers would be required in order to use the convenience sites and the Administrator was asked to look into this proposal.

**DC SOIL & WATER CONSERVATION DIST.**  
**"BEAVER MANAGEMENT"**

Mr. Rosebrock reported to Council regarding a USDA meeting that he and a few other Council Members attended recently. He stated that the beavers have become a real problem in Dorchester County. The USDA indicated that it would require \$47,000 annually from the county to "assist in managing" our beaver problem. However, a minimum of 10 counties have to agree to this \$47,000 (or \$470,000) to be able to implement this program in this part of the state. Mr. Tompkins has called USDA Animal and Plant Health Inspection Service (APHIS) to find out exactly what we get for \$47,000.

**WASTEWATER SYSTEM/CAROLINA WATER SERVICE**

Mr. Hargett stated that he would be willing to be the County representative regarding the Carolina Water Service negotiations.

**Chairman Skip Elliott-Planning, Development & Building Committee**  
**PUBLIC HEARING AND RECOMMENDATIONS FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #425 - DIANNE & DANIEL JOWERS**

6. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 425 for Dianne & Daniel Jowers. The Committee voted unanimously to recommend that 2<sup>nd</sup> Reading be given to this request. Council voted unanimously in favor of the recommendation.  
Rezoning Request # 425 - 1.25 acres off 17A South near Summerville from CG (Commercial General) to R-1MA (Single Family Residential).

**COMMITTEE REPORTS CONTINUED**  
**PUBLIC HEARING AND RECOMMENDATIONS FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #426 - FRANKLIN L. RHODES**

7. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 426 for Franklin L. Rhodes. The Committee voted unanimously to recommend that 2<sup>nd</sup> Reading be given to this request. Council voted unanimously in favor of the recommendation.

Rezoning Request # 426 - 1.5 acres on Ladson Road near Dorchester-Charleston County line TRM (Transitional Resident District) to CG (Commercial General); recommended by the Planning Commission and planning staff.

**PUBLIC HEARING AND RECOMMENDATIONS FOR 2<sup>ND</sup> READING**  
**REZONING REQUESTS #427, #428, #429 & #430 - EVERETT A.**  
**KNIGHT, JR.**

8. Mr. Elliott reported that a Public Hearing was held for Rezoning Requests # 427, #428, #429 and #430 all for Mr. Everett A. Knight, Jr. The Committee voted unanimously to recommend that 2<sup>nd</sup> Reading be given to these requests. Council voted unanimously in favor of the recommendation

Rezoning Request #427 - .95 acre on Ladson Road near Ladson from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

Rezoning Request # 428 - .48 acre tract on Ladson Road near Ladson from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

Rezoning Request #429 - 2.83 acres on Ladson Road near Ladson from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

Rezoning Request #430 - 2.9 acre tract on Ladson Road near Ladson from R-4 (Multi-family Residential) to CLI (Commercial Light Industrial)

**BOARDS AND COMMISSIONS**

No appointments to Boards and Commissions were made.

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

The County Attorney made a request to Council for an Executive Session to discuss a Confidential Economic Development Project and Prospect, a personnel matter and to give legal advice regarding a pending lawsuit.

**EXECUTIVE SESSION 8:35 P.M.**

9. Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:31 P.M.**

The County Attorney reported that in Executive Session, Council discussed a Confidential Economic Development Project and Prospect, a personnel matter and a pending lawsuit and no action was taken on any of these items.

**ADJOURNMENT**

10. On the motion Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 9:33 P.M.

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Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**THE HAZEL PARSON-STARKES**  
**MUNICIPAL AND COMMUNITY SERVICES BUILDING**  
**105 SCHOOL STREET, RIDGEVILLE, SOUTH CAROLINA**  
**OCTOBER 3, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on September 19, 2005
- Employee Recognition Program
- Correspondence

**3. GUEST Johnette Connelley, Dorchester County Auditor**

- Dorchester County Millage
- Reclassification Request

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

- Recreation Grants Program and Budget
- 1<sup>st</sup> Reading Solid Waste User Fee Ordinance
- 1<sup>st</sup> Reading Rezoning Request # 441 - Don Couto
- 1<sup>st</sup> Reading Rezoning Request # 442 - Don Couto
- 1<sup>st</sup> Reading Rezoning Request # 443 - Terry Limehouse
- 1<sup>st</sup> Reading Rezoning Request # 444 - Frederick J. Whittle
- 1<sup>st</sup> Reading Rezoning Request # 445 - D & A. LLC
- 1<sup>st</sup> Reading Rezoning Request # 447 - Granville S. Way, Jr.
- 3<sup>rd</sup> Reading Rezoning Request # 425 - Dianne & Daniel Jowers
- 3<sup>rd</sup> Reading Rezoning Request # 426 - Franklin L. Rhodes
- 3<sup>rd</sup> Reading Rezoning Requests # 427, # 428, # 429 & # 430 - Everett A. Knight, Jr.

**5. COMMITTEE REPORT**

**Mr. Skip Elliott Planning, Development and Building Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading
  - Rezoning Request # 431-Marvin Benford & Kirby Flodin
  - Rezoning Request # 432-Jeff Ingalsbe
  - Rezoning Request # 433-Johnny W. & Patricia Ann Winter
  - Rezoning Request # 434-Johnny W. & Patricia Ann Winter
  - Rezoning Request # 435-Johnny W. & Patricia Ann Winter
  - Rezoning Request # 436-Paul W. & Madelyn W. Jones
  - Rezoning Request # 437-Bo Bo Hudson
  - Rezoning Request # 438-Bo Bo Hudson
  - Rezoning Request # 440-Robert R. & Theresa L. Griffin

PAGE TWO  
COUNCIL AGENDA  
OCTOBER 3, 2005

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**7. EXECUTIVE SESSION**

-Contractual Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
THE HAZEL PARSON-STARKES  
MUNICIPAL AND COMMUNITY SERVICES BUILDING  
RIDGEVILLE, SOUTH CAROLINA  
OCTOBER 3, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Reverend Alice Parson gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

There were no requests to address Council.

**ADOPTION OF MINUTES OCTOBER 3, 2005, COUNCIL MEETING**

1. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the County Council Meeting on October 3, 2005.

### **EMPLOYEE RECOGNITION PROGRAM**

Dorchester County Council recognized county employees with a special presentation for their loyal and dedicated service to the citizens of Dorchester County. Employees were given a cash award based on years of service and a certificate of appreciation.

### **CORRESPONDENCE**

There was no correspondence

### **GUEST**

Mrs. Johnette Connelley, Dorchester County Auditor addressed Council regarding the Millage for Dorchester County and a reclassification request. (See Attachment A)

### **CERTIFICATION OF MILLAGE RATE**

As stated by the Auditor the following information is provided:

Calculation of the 2005 millage rates have been completed and presented to Council for approval, which would be necessary to create the 2005 tax notices.

The tax rates are based on the budgets already approved by Council and the rates presented by the Auditor were her recommendations.

The Auditor's opinion was that the taxing entities would meet their approved budgets if using the tax rates presented.

In order to move forward, Council needed to approve an amount for the Solid Waste User Fee this year. South Carolina Law requires the tax files to be open for collections on Sept. 30 of the year. Due to the change in the SWUF and because the tax rates for the Town of St. George and the Town of Ridgeville were still needed, the Treasurer and Auditor requested, and were granted, an extension until October 14, 2005. It takes approximately 2-3 days to run error checks and another 3 days to print the 60,000+ notices to be mailed out. A decision on the SWUF was needed to avoid having to request another extension. The Chairman had a copy of the certification that needed to be signed in order to send the millage sheet to the Treasurer to public then roll over the files and create the 2005 notices.

2. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to certify the Millage Rate for the County.

**COUNTY ADMINISTRATOR'S TIME**  
**RECREATION GRANTS PROGRAM AND BUDGET**

3. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted four in favor and three opposed to table the issue of the recreation grants program for this year and to place the remaining \$11,100 left in the recreations grants account in a new and separate account along with the 2% cable franchise fee revenue to be collected and set aside for recreation.

Mr. Davis, Mr. Waggoner and Mr. Hargett opposed.

**1<sup>ST</sup> READING SOLID WASTE USER FEE ORDINANCE**

Mr. Ward updated Council regarding this issue and reported that the County has seen an almost \$450,000 reduction in host fee revenue during the last two years and yard debris collection program costs may have to increase because of Jenner closing. The administrative costs in the solid waste fund have increased and Council would need to decide upon a new fee or the County would have to reduce the level of service at the convenience sites. Also, the Auditor needs the new SWUF so she can send the tax bills out. The number decided on would need to stay the same for second and third reading. The County's current \$60 solid waste fee is substantially lower than the fees for Berkeley and Charleston, \$75 and \$89 respectively. Mr. Ward indicated the need for the County to reduce the number of out of County residents from using our sites with a sticker or placard program.

Mr. Doug Tompkins, Public Works Director, provided possible options for the Solid Waste User Fees. (See Attachment B)

The following amendment (motion #4) failed. This was an amendment to the main motion (motion #5) which was approved.

4. Mr. Rosebrock amended the main motion, seconded by Mr. Elliott, to approve option E with no reduction in hours. Council voted one in favor, five opposing and one abstention to this motion.

Chairman Murphy, Mr. Murphree, Mr. Hargett, Mr. Waggoner and Mr. Elliott opposed.  
Mr. Davis abstained.

5. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted four in favor and three opposed to accept Option B, as defined in Attachment B, with reduced hours and new attendant sheds.

Mr. Rosebrock, Mr. Elliott and Mr. Davis opposed.  
Councilman Rosebrock requested for the record to show his disapproval of Option B.

**1<sup>ST</sup> READING REZONING REQUESTS # 441 - DON COUTO  
# 442 - DON COUTO, # 443 - TERRY LIMEHOUSE, # 444 - FREDERICK  
J. WHITTLE, # 445 - D & A. LLC, # 447 - GRANVILLE S. WAY, JR.**

6. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Requests # 441 - Don Couto, # 442 - Don Couto, # 443 - Terry Limehouse, # 444 - Frederick J. Whittle, # 445 - D & A. LLC and # 447 - Granville S. Way, Jr. and place these requests in the Planning Development and Building Committee.

**3<sup>RD</sup> READING REZONING REQUEST #425 - DIANNE & DANIEL  
JOWERS**

7. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 425 for Dianne & Daniel Jowers.

**3<sup>RD</sup> READING REZONING REQUEST #426 - FRANKLIN L. RHODES**

8. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 426 for Franklin L. Rhodes.

**PUBLIC HEARING AND RECOMMENDATIONS FOR 3<sup>RD</sup> READING  
REZONING REQUESTS #427, #428, #429 & #430 - EVERETT A.  
KNIGHT, JR.**

9. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Requests # 427, # 428, # 429 and # 430 all for Mr. Everett A. Knight, Jr.

**COMMITTEE REPORT  
Chairman Skip Elliott-Planning, Development & Building Committee**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING  
REQUEST # 431 - MARVIN BENFORD & KIRBY FLODIN**

10. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Request # 431-Marvin Benford & Kirby Flodin and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**COMMITTEE REPORT CONTINUED**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 432 - JEFF INGALSBE**

11. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Request # 432-Jeff Ingalsbe and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUESTS # 433, # 434, # 435- JOHNNY W. & PATRICIA ANN WINTER**

12. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Requests # 433, # 434, and # 435 for Johnny W. & Patricia Ann Winter and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 436 - PAUL W. & MADELYN W. JONES**

13. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Request # 436 for Paul W. & Madelyn W. Jones and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUESTS # 437 AND #438 - BO BO HUDSON**

14. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Requests # 437 and # 438-Bo Bo Hudson and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST # 440 - ROBERT R. & THERESA L. GRIFFIN**

15. Mr. Elliott reported that a Public Hearing was held with no public comment for Rezoning Request # 440-Robert R. & Theresa L. Griffin and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading to be given. Council voted unanimously in favor of the recommendation.

**BOARDS AND COMMISSIONS**

No appointments to Boards and Commissions were made.

**MOTION TO AMEND THE AGENDA**

16. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to discuss an additional contractual matter in Executive Session.

**EXECUTIVE SESSION 8:02 P.M.**

17. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:42 P.M.**

Mr. Ward reported that in Executive Session two contractual matters were discussed in Executive Session and no action was taken.

**APPROVAL OF THE COUNTY ATTORNEY'S CONTRACT**

18. On the motion Mr. Elliott, seconded by Mr. Hargett, Council voted six in favor and one opposed to approve the County Attorney's contract for two years, as discussed in Executive Session, and to increase the non-litigation rate from \$85 to \$100.

Mr. Waggoner opposed.

**ADJOURNMENT**

19. On the motion Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to adjourn. Time of adjournment 8:45 P.M.

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Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**HARLEYVILLE COMMUNITY CENTER**  
**163 SOUTH RAILROAD AVE.**  
**HARLEYVILLE, SOUTH CAROLINA**  
**OCTOBER 17, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on October 3, 2005
- Adoption of Proclamation – “Red Ribbon Week”
- Request for Funding First Robotics
- Correspondence

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

- 2<sup>nd</sup> Reading Solid Waste User Fee Ordinance
- 3<sup>rd</sup> Reading for the Following Rezoning Requests:
  - Rezoning Request # 431 - Marvin Benford & Kirby Flodin
  - Rezoning Request # 432 - Jeff Ingalsbe
  - Rezoning Request # 433 - Johnny W. & Patricia Ann Winter
  - Rezoning Request # 434 - Johnny W. & Patricia Ann Winter
  - Rezoning Request # 435 - Johnny W. & Patricia Ann Winter
  - Rezoning Request # 436 - Paul W. & Madelyn W. Jones
  - Rezoning Request # 437 - Bo Bo Hudson
  - Rezoning Request # 438 - Bo Bo Hudson
  - Rezoning Request # 440 - Robert R. & Theresa L. Griffin
- Funding Request Education Foundation

**4. COMMITTEE REPORTS**

**Mr. Larry Hargett, Administrative and Intergovernmental Affairs Committee**

- Request for Position Upgrade Auditor's Office

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Fire District and Fire Protection
- Recommendation for 2<sup>nd</sup> Ordinance Regulating the Discharge of Firearms

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

- 1<sup>st</sup> Reading FILOT Ordinance Scout Boats
- Resolution Approving an Inducement Agreement Scout Boats
- Executive Session
  - Real Estate Matter
  - Confidential Economic Development Projects
- Legal Advice
  - Bond Issue
  - Special Assessment District

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
HARLEYVILLE COMMUNITY CENTER  
HARLEYVILLE, SOUTH CAROLINA  
OCTOBER 17, 2005  
7:05 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council  
ABSENT: Mr. Jason Ward – County Administrator

Chairman Murphy called the meeting to order and Councilman Elliott gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

There were no requests to address Council.

**ADOPTION OF MINUTES OCTOBER 3, 2005, COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the County Council Meeting on October 3, 2005.  
Mr. Elliott requested that the order of the motions on page 3, numbers 4 and 5 be reversed. This change was made.

**ADOPTION OF PROCLAMATION – “RED RIBBON WEEK”**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Proclamation for Red Ribbon Week, proclaiming October 23-31, 2005 “Red Ribbon Week” in Dorchester County.

**REQUEST FOR FUNDING - FIRST ROBOTICS**

3. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to grant funding in the amount of \$10,000 to be funded from the County Council Contingency Fund for the FIRST Robotics program.

**CORRESPONDENCE**

There was no correspondence.

**COUNTY ADMINISTRATOR’S TIME**  
**2<sup>ND</sup> READING SOLID WASTE USER FEE ORDINANCE**

4. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted four in favor and three opposed to give 2<sup>nd</sup> Reading to an Ordinance amending the Solid Waste User Fee Ordinance.

Mr. Elliott, Mr. Rosebrock and Mr. Waggoner opposed.

**3<sup>RD</sup> READING FOR THE FOLLOWING REZONING REQUESTS # 431, 432, 433, 434, 435, 436, 437, 438 and 440**

5. On the motion of Mr. Hargett, seconded by Mr. Elliott, Council voted unanimously to give 3<sup>rd</sup> Reading to rezoning requests #431, 432, 433, 434, 435, 436, 437, 438 and 440 (listed below).

RR# 431-Marvin Benford & Kirby Flodin  
RR# 433-Johnny W. & Patricia Ann Winter  
RR# 435-Johnny W. & Patricia Ann Winter  
RR# 437-Bo Bo Hudson  
RR# 440-Robert R. & Theresa L. Griffin

RR# 432-Jeff Ingalsbe  
RR# 434-Johnny W. & Patricia Ann Winter  
RR# 436-Paul W. & Madelyn W. Jones  
RR# 438-Bo Bo Hudson

**FUNDING REQUEST - EDUCATION FOUNDATION**

This issue will be addressed at the next Council meeting on November 7, 2005.

**COMMITTEE REPORT**

**ADMINISTRATIVE & INTERGOVERNMENTAL AFFAIRS**

**REQUEST FOR POSITION UPGRADE AUDITOR'S OFFICE**

6. Mr. Hargett reported that the Committee considered the Auditor's request to reclassify the Senior Tax Clerk position that Ms. Jackie Ford currently occupies and the Committee voted unanimously in favor to recommend approval to Council. Council voted unanimously in favor of the recommendation.

**SALARY REQUEST CHANGE CLERK OF COURT**

7. Mr. Hargett reported that the Committee voted unanimously to recommend to Council to upgrade the Clerk of Court's salary to above market value and have the County Administrator set the salary. Council voted unanimously to approve the recommendation.

**COMMITTEE REPORT**

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES**

**ORDINANCE REGULATING THE DISCHARGE OF FIREARMS**

Mr. Murphree reported that a motion was made to amend the Ordinance Regulating the Discharge of Firearms to read 300 feet from the recognized front entrance of a school or 100 feet from the property line, whichever one would be the farthest distance away. The Committee voted one in favor, one opposed and one absent. No action required by Council and subject to remain in Committee.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES**

**FIRE DISTRICT AND FIRE PROTECTION**

Mr. Murphree reported that the Fire Chief's Association made a presentation to the Committee including the following issues: Apparatus Replacement Plan, Facilities Plan, ISO Ratings, Manpower Requirements, Paid Firefighters/Volunteers, Volunteer Incentives, Equipment and Communications. Mr. Murphree stated the most critical issue discussed was the problem with communication between the dispatcher, EMS and the Fire Departments. Another meeting with the Fire Chiefs would be scheduled. No action required by Council and subject to remain in Committee.

**BOARDS AND COMMISSIONS**

**BOARD OF ZONING APPEALS – APPOINTMENT**

8. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously in favor of Mr. Rosebrock's appointment of Mr. John Kerlin to the Board of Zoning Appeals.

**COUNTY ATTORNEY'S TIME**

**REQUESTED APPROVAL OF AN INDUCEMENT RESOLUTION FOR STTOP, LLP AND Z, LLC**

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphree, Council voted unanimously to approve an Inducement Resolution between Dorchester County and STTOP, LLP, a South Carolina Limited Liability Partnership and Z, LLC, a single-member limited liability company solely owned by STTOP, LLP. (Scout Boats)

**1<sup>ST</sup> READING ORDINANCE FOR FILOT AGREEMENT FOR STTOP, LLP AND Z, LLC**

10. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance approving a FILOT agreement for STTOP, LLP, a South Carolina Limited Liability Partnership and Z, LLC, a single-member limited liability company solely owned by STTOP, LLP. (Scout Boats)

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration on going into Executive Session to discuss and receive legal advice concerning a Real Estate Matter, several Confidential Economic Development Prospects, a County Bond Issue and a Special Assessment District.

**EXECUTIVE SESSION 7:20 P.M.**

11. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:45 P.M.**

The County Attorney reported that in Executive Session, Council received legal advice concerning a Real Estate Matter, the use of Bond Court Fees and the creation of a Public Works Special Assessment District and discussed five Economic Development Prospects and no action was taken on any of these items.

**ECONOMIC DEVELOPMENT PROJECT #04-48 SELDON MAST**

12. On the motion of Mr. Hargett, seconded by Mr. Elliott, Council voted unanimously for the County to provide an infrastructure property tax credit in the amount of \$8,000 to assist with the site engineering and other infrastructure to project #04-48. This firm is expanding with the addition of \$1,000,000 in new building and equipment and five new employees will be added. The firm makes sailboat mast and booms, which are sold worldwide. Dorchester County takes pleasure in assisting another of our international firms that have found business success in our County. A formal announcement is expected soon.

**ECONOMIC DEVELOPMENT PROJECT –MEADWESTVACO**

13. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously for the County to provide an infrastructure property tax credit in the amount of \$100,000 and an infrastructure development grant of \$42,500 for two years (2005-2006) to assist MeadWestvaco's Summerville Lumber Mill with the completion of its Highway 78 widening program. A state grant of \$200,000 has also been obtained to assist with the funding. This joint effort will result in improved traffic flow at the plant, improved highway safety, and added productivity in MeadWestvaco's lumber mill operation at this location.

This will complete the road improvements that were planned as a part of this project. Council further wishes to thank the other participants that have assisted in the development of the funding and infrastructure including the Dorchester County Delegation, MeadWestvaco, SCANA, BellSouth, South Carolina Coordinating Council for Economic Development, the Dorchester County Sales Tax Transportation Authority and the South Carolina Department of Transportation.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #04-35**

14. On the motion of Mr. Elliott, seconded by Mr. Murphree, Council voted unanimously for the County to provide an infrastructure property tax credit of \$36,022 (in year one) and \$36,023 (in year two) to assist project #04-35, which purchased the latest speculative building site at the Eastport Industrial Park for its new operation. The firm is investing over \$2,000,000 and will have total employment of 30 persons. An announcement is expected soon.

The project will be placed in the Dorchester-Orangeburg Multi-County Industrial Park in order to increase its South Carolina Job Tax Credit by \$1,000 per new job created.

**ADJOURNMENT**

15. On the motion Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 8:49 P.M.

Sandy W. Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**NOVEMBER 7, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on October 17, 2005
- Public Hearing Amendment to Solid Waste User Fee Ordinance
- 3<sup>rd</sup> Reading Amendment to Solid Waste User Fee Ordinance
- Public Hearing Proposed Development Agreement between Dorchester County and Greenwood Development Corporation
- Correspondence

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

- 1<sup>st</sup> Reading Rezoning Request #439 Chris Wogamon
- 1<sup>st</sup> Reading Rezoning Request #449 William Ford Moyer
- Swearing in of Codes Enforcement Officers
- Road Maintenance Acceptance Applications:
  - Bradford Chase – Phase One and Two
  - Reminisce, Phase One (Formerly Summerfield, Phase One)
  - The Bluffs @ Ashley River – Phase One
- National Association of Counties Invoice
- Funding – Education Foundation
- Dorchester Seniors, Inc. (Invoice - Faith Sellers Senior Center)

**4. COMMITTEE REPORTS**

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Ordinance Regulating the Discharge of Firearms

**Mr. Skip Elliott, Planning, Development and Building Committee**

- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 424 – Greenwood Development Corporation
- Recommendation for 2<sup>nd</sup> Reading to Ordinance approving the Development Agreement between Dorchester County and Greenwood Development Corporation
- Public Hearings & Recommendations for 2<sup>nd</sup> Reading for the following Rezoning Requests:
  - Rezoning Request # 441 - Don Couto
  - Rezoning Request # 442 - Don Couto
  - Rezoning Request # 443 - Terry Limehouse
  - Rezoning Request # 444 - Frederick J. Whittle
  - Rezoning Request # 445 - D & A. LLC

**Page Two**  
**County Council Agenda**  
**November 7, 2005**

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

-Appointments to the Special Needs and Disabilities Board

**6. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

-1<sup>st</sup> Reading FILOT Ordinance ECMD, Inc.

-1<sup>st</sup> Reading FILOT Ordinance Giant Cement Company

-1<sup>st</sup> Reading FILOT Ordinance Albert Weber Manufacturing Corporation

-2<sup>nd</sup> Reading FILOT Ordinance STTOP, LLP and Z, LLC (Scout Boats)

-Executive Session: -Confidential Economic Development Project

-Real Estate Matter

-Personnel Matters

-Special Assessment District

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
NOVEMBER 7, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Chaplain Styles gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Charles Weeks addressed Council regarding taxes and new convenience site hours.
- Ms. Jane Orenstein addressed Council regarding the Dorchester County Library.
- Mr. Charles Jenkins addressed Council regarding issues that he and his group have with the Senior Center, Inc. (The County Administrator was asked to check into this issue)
- Mr. T. P. Orvig of the Ashley Scenic River Advisory Council addressed Council regarding the proposed Ordinance pertaining to the Ashley River. (attachment A)
- Mr. Patrick Peck addressed Council regarding the change in which the convenience sites could no longer accept construction debris.
- Ms. Marty Turney addressed Council regarding traffic due to the proposed new development (PONDS).
- Ms. Susan Shapiro addressed Council regarding the new proposed development (PONDS) and the increase in traffic.
- Mr. Frederick J. Whittle addressed Council regarding Rezoning Request #444.
- Ms. Megan Terebus of the Coastal Conservation League addressed Council regarding her support of the PONDS Development.
- Ms. Lucy Anne Cathcart addressed Council regarding the Quality of Life in Dorchester County and the overwhelming problem with traffic and development in the Summerville area.
- Mr. James McGraw addressed Council regarding a comprehensive traffic analysis of the Berlin G. Myers Parkway Phase III. (Copy of statement from Mr. McGraw attachment B)

**ADOPTION OF MINUTES – OCTOBER 17, 2005, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the County Council Meeting on October 17, 2005.

**PUBLIC HEARING AMENDMENT TO SOLID WASTE USER  
FEE ORDINANCE**

Chairman Murphy opened the Public Hearing for the Amendment to the Solid Waste User Fee Ordinance. Chairman Murphy acknowledged Mr. Ward to update Council on the issue. Mr. Ward reminded Council that the fee of \$64.15 has gone out on the tax bills. In an effort to address concerns about the split hours at the sites, he gave some alternatives to Council based upon input from the Solid Waste Superintendent, Joe Simmons, and the convenience site attendants. None of the options would increase costs.

Chairman Murphy stated that he wanted to put the proposal regarding the hours for the sites and the issue of construction debris in the Public Works, Property and Utilities Committee. He asked that the Committee meet before the next Council Meeting to discuss the issues.

Chairman Murphy opened the floor for public comment regarding the fee only, not the hours or any other issues.

- Mrs. Angie Pinckney Crum addressed Council regarding the fee.

Hearing no other comments, the Public Hearing was closed.

**3<sup>RD</sup> READING AMENDMENT TO SOLID WASTE USER  
FEE ORDINANCE**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor and two opposed to give 3<sup>rd</sup> Reading to an Ordinance amending the Solid Waste User Fee Ordinance. The fee of \$64.15 has gone out on the tax bills.

Mr. Waggoner and Mr. Elliott were opposed.

3. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to return to the original hours of operation at the convenience sites temporarily and place the issue of the hours for the sites and the acceptance of construction and demolition debris in the Public Works, Property and Utilities Committee.

**PUBLIC HEARING PROPOSED DEVELOPMENT AGREEMENT  
BETWEEN DORCHESTER COUNTY AND GREENWOOD  
DEVELOPMENT CORPORATION**

Chairman Murphy opened the Public Hearing for the proposed Ordinance approving the Development Agreement between Dorchester County and Greenwood Development Corporation and recognized Mr. Rudd Smith, attorney for Greenwood Development. Mr. Smith addressed Council and summarized the changes in the agreement from the latest draft and answered questions from Council Members regarding the agreement.

Chairman Murphy opened the floor for public comment on the Development Agreement. Hearing no comments, the public hearing was closed.

**CORRESPONDENCE**

Chairman Murphy stated he had received correspondence regarding assistance, from the County, for sidewalks in Crestview Subdivision. This item was placed in the Public Works, Property and Utilities Committee for further consideration.

**COUNTY ADMINISTRATOR'S TIME**

**1<sup>ST</sup> READING REZONING REQUEST #439 CHRIS WOGAMON**

4. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #439 for Chris Wogamon and placed this request in the Planning, Development and Building Committee for further consideration. This request was to rezone .82 acre on Embassy Drive near Summerville from R-4 (Multi-family Residential District) to R-1 (Single Family Residential District).

**1<sup>ST</sup> READING REZONING REQUEST #449 WILLIAM FORD MOYER**

5. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #449 for William Ford Moyer and placed this request in the Planning, Development and Building Committee for further consideration. This request was to rezone 15.8 acres on Sellers Circle near Summerville from R-4 (Multi-family Residential District) to TRM (Transitional Residential Manufactured Housing District).

**APPROVAL OF CODES ENFORCEMENT OFFICERS**

6. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to approve Roni Abdella and Dorothy Quattlebaum as Codes Enforcement Officers for Dorchester County.

**ROAD MAINTENANCE ACCEPTANCE APPLICATIONS:**  
**BRADFORD CHASE – PHASE ONE AND TWO**  
**REMINISCE, PHASE ONE (FORMERLY SUMMERFIELD, PHASE ONE)**  
**THE BLUFFS @ ASHLEY RIVER – PHASE ONE**

7. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted five in favor, one opposed and one abstention to approve Bradford Chase – Phase One and Two, Reminisce - Phase One and The Bluffs @ Ashley River – Phase One to be included in the County Road Maintenance System and to start the maintenance liability period of twelve months.

Mr. Rosebrock was opposed and Mr. Murphree abstained.

**NATIONAL ASSOCIATION OF COUNTIES INVOICE**

8. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one opposed to approve a payment of \$1,775 for NACO county membership dues from the Council Contingency Fund.

Mr. Murphree opposed.

**FUNDING – EDUCATION FOUNDATION**

9. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted five in favor and two opposed to approve a funding request of \$5,000 for the Education Foundation from the Council Contingency Fund.

Chairman Murphy and Mr. Murphree were opposed.

**DORCHESTER SENIORS, INC. (INVOICE - FAITH SELLERS SENIOR CENTER)**

10. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to approve a payment of \$2,939.88 for the sign for the Faith Sellers Senior Center in Summerville from the County Council Contingency Fund. The Administrator was asked to look into the cost of the permit fee, for the sign, charged by the Town of Summerville.

**COMMITTEE REPORTS**

**Chairman Mike Murphree - Public Safety, Health and Human Services**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> ORDINANCE  
REGULATING THE DISCHARGE OF FIREARMS**

11. Mr. Murphree reported to Council that a public hearing was held and the Committee voted to recommend to Council 2<sup>nd</sup> Reading be given to the Ordinance Regulating the Discharge of Firearms and place the item back in the Public Safety, Health and Human Services Committee for another Public Hearing to be held in St. George on December 12<sup>th</sup>, 2005. Council voted six in favor and one opposed to the recommendation.

Mr. Hargett opposed.

**Chairman Skip Elliott - Planning, Development & Building Committee**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING  
REQUEST# 424 – GREENWOOD DEVELOPMENT CORPORATION**

12. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 424 for Greenwood Development Corporation. This request was for the rezoning of 1,887 acres on 17A and Dorchester Road near Summerville from CG (Commercial General) and R-4 (Multi-family Residential) to PD (Planned Development District). The Committee voted unanimously to recommend to Council 2<sup>nd</sup> Reading be given to this request. Council voted five in favor, one opposed and one abstention for the recommendation.

Mr. Rosebrock opposed and Mr. Waggoner abstained.

**RECOMMENDATION FOR 2<sup>ND</sup> READING TO ORDINANCE APPROVING  
THE DEVELOPMENT AGREEMENT BETWEEN DORCHESTER COUNTY  
AND GREENWOOD DEVELOPMENT CORPORATION**

13. Mr. Elliott reported that the Committee voted unanimously to recommend to Council 2<sup>nd</sup> Reading be given to the Ordinance approving the Development Agreement between Dorchester County and Greenwood Development Corporation. Council voted five in favor, one opposed and one abstention.

Mr. Rosebrock opposed and Mr. Waggoner abstained.



**PLANNING, DEVELOPMENT & BUILDING COMMITTEE**  
**REPORT CONTINUED**

**PUBLIC HEARINGS AND RECOMMENDATIONS FOR 2<sup>ND</sup>**  
**READINGS FOR THE FOLLOWING REZONING REQUESTS**  
**# 441, # 442, # 443, # 444, # 445, AND # 447**

14. Mr. Elliott reported that a Public Hearing was held for Rezoning Requests # 441 and # 442 for Don Couto. Rezoning Request # 441 was a request to rezone 1.86 acres on Central Avenue near Summerville from R-4 (Residential Multifamily) to CLI (Commercial Light Industrial). Rezoning Request # 442 was a request to rezone 1.77 acres on Central Avenue near Summerville from R-4 (Residential Multifamily) to CLI (Commercial Light Industrial). The Committee voted unanimously in favor to recommend to Council 2<sup>nd</sup> Reading on these two requests. Council voted unanimously in favor of the recommendation.

15. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 443 for Terry Limehouse. This request was to rezone 4.58 acres on W. 5<sup>th</sup> N. Street near Summerville from I (Industrial) to CLI (Commercial Light Industrial). The Committee voted unanimously in favor to recommend to Council 2<sup>nd</sup> Reading on this request. Council voted unanimously in favor of the recommendation.

16. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 445 for D & A, LLC. This was a request to rezone 319.96 acres on Carter Road near Ridgeville from AC (Absence of Control) to R-1A (Single Family Residential District). The Committee vote unanimously in favor of recommending to Council that 2<sup>nd</sup> Reading be given to this request. Council voted unanimously in favor of the recommendation.

17. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 447 for Granville S. Way, Jr. This was a request to rezone 51.76 acres on Carolinian and Veranda drives near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District). The Committee voted unanimously in favor to recommend to Council 2<sup>nd</sup> Reading to this request. Council voted six in favor and one opposed to the recommendation.

Mr. Rosebrock opposed.

18. Mr. Elliott reported that a Public Hearing was held for Rezoning Request # 444 Frederick J. Whittle. This was a request to rezone .47 acre on Ladson Road from R-4 (Multifamily Residential) to CG (commercial General). The Committee voted unanimously in favor to recommend to Council 2<sup>nd</sup> Reading to this request. Council voted unanimously in favor of the recommendation.

**BOARDS AND COMMISSIONS**

**DORCHESTER SENIORS, INC, BOARD**

19. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to approve Mr. Hargett's recommendation to appoint Mr. Marvin Johnson to the Dorchester Seniors, Inc Board.

**ASSESSMENT AND APPEALS BOARD**

20. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to approve Mr. Murphree's recommendation to appoint Mr. Jeff Bowers to the Board of Assessment and Appeals.

**GRIEVANCE COMMITTEE**

21. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to approve Mr. Rosebrock's reappointment of Mrs. Suzie Davis to the Grievance Committee.

22. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve Mr. Waggoner's reappointment of Mrs. Judy Britt to the Grievance Committee.

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

**1<sup>ST</sup> READING FILOT ORDINANCE ECMD, INC.**

23. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance approving a FILOT agreement for ECMD, Inc. in accordance with the terms set forth in the inducement agreement.

**1<sup>ST</sup> READING FILOT ORDINANCE GIANT CEMENT COMPANY**

24. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance approving a FILOT agreement for Giant Cement Company in accordance with the terms set forth in the inducement agreement.

**COUNTY ATTORNEY'S TIME- CONTINUED**  
**1<sup>ST</sup> READING FILOT ORDINANCE ALBERT WEBER**  
**MANUFACTURING CORPORATION**

25. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance approving a FILOT agreement for Albert Weber Manufacturing Corporation in accordance with the terms set forth in the inducement agreement.

**2<sup>ND</sup> READING FILOT ORDINANCE STTOP, LLP AND Z, LLC (SCOUT BOATS)**

26. On the motion of Mr. Rosebrock, seconded by Mr. Murphree, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance approving a FILOT agreement for STTOP, LLP, a South Carolina Limited Liability Partnership and Z, LLC, a single-member limited liability company solely owned by STTOP, LLP. (Scout Boats).

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council for an Executive Session to discuss a Confidential Economic Development Project, receive legal advice concerning a Real Estate Matter, two personnel matters, and a Special Assessment District.

**EXECUTIVE SESSION 8:25 P.M.**

27. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION**

The County Attorney reported that in Executive Session, Council discussed a Confidential Economic Development Project, Two Personnel Issues and received legal advice regarding a Special Assessment District with no action taken on any of the items. For the record, Council did not discuss or receive legal advice regarding a real estate matter.

**ADJOURNMENT**

28. On the motion Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one absent to adjourn. Mr. Murphree was absent for this vote.

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
NOVEMBER 21, 2005  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on November 7, 2005
- Public Hearing FILOT Ordinance STTOP, LLP and Z, LLC (Scout Boats)
- 3<sup>rd</sup> Reading FILOT Ordinance STTOP, LLP and Z, LLC (Scout Boats)
- Correspondence

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

- 1<sup>st</sup> Reading Rezoning Request #448 for Summerville Homes, LLC.
- 3<sup>rd</sup> Reading to Ordinance approving the Development Agreement between Dorchester County and Greenwood Development Corporation
- 3<sup>rd</sup> Reading for the below listed Rezoning Requests:
  - Rezoning Request # 424 – Greenwood Development Corporation
  - Rezoning Request # 441 - Don Couto
  - Rezoning Request # 442 - Don Couto
  - Rezoning Request # 443 - Terry Limehouse
  - Rezoning Request # 444 - Frederick J. Whittle
  - Rezoning Request # 445 - D & A., LLC
  - Rezoning Request # 447 - Granville S. Way, Jr.
- Sheriff's Request for Vehicles
- Sheriff's Transfer Request

**4. COMMITTEE REPORTS**

**Mr. Richard Rosebrock – Public Works, Property and Utilities Committee**

- Convenience Sites – Hours and Construction and Demolition Debris
- Crestview Sidewalk

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

- Fire Districts and Fire Protection

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Special Needs and Disabilities Board
- Trident Workforce Investment Board
- Grievance Committee
- Foster Care Review Board

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County Council Agenda  
November 21, 2005

**6. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

- 2nd Reading FILOT Ordinance ECMD, Inc.
- 2<sup>nd</sup> Reading FILOT Ordinance Giant Cement Company
- 2<sup>nd</sup> Reading FILOT Ordinance Albert Weber Manufacturing Corporation
- Executive Session:
  - Contractual Matters
  - Confidential Economic Development Projects
  - Real Estate Matter
  - Personnel Matters

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
NOVEMBER 21, 2005  
7:07 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Rosebrock gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Gerald Kanwimski addressed Council with the problems he experienced regarding the collection of demolition and construction debris.
- Mr. David Polutta addressed Council regarding problems he has experienced associated with the installation of sewer lines on Summerset Lane. Chairman Murphy asked the Administrator to check into this and report back to Council.

**ADOPTION OF MINUTES –NOVEMBER 7, 2005, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to adopt the Minutes from the County Council Meeting on November 7, 2005, with one change on page five to motion # 9 to reflect that Councilman Murphree was opposed to the funding of the Education Foundation.

**PUBLIC HEARING FILOT ORDINANCE STTOP, LLP AND Z, LLC (SCOUT BOATS)**

Chairman Murphy opened the Public Hearing for an Ordinance approving a FILOT agreement for STTOP, LLP, a South Carolina Limited Liability Partnership and Z, LLC, a single-member limited liability company solely owned by STTOP, LLP (Scout Boats).

Chairman Murphy opened the floor for public comment. Hearing no comments, the Public Hearing was closed.

**3<sup>RD</sup> READING FILOT ORDINANCE STTOP, LLP AND Z, LLC (SCOUT BOATS)**

2. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance approving a FILOT agreement for STTOP, LLP, a South Carolina Limited Liability Partnership and Z, LLC, a single-member limited liability company solely owned by STTOP, LLP (Scout Boats).

**CORRESPONDENCE**

There was no correspondence to report.

**RECOGNITION**

Chairman Murphy recognized Wyman (Neil) Ard, Jr., a 17 year old Senior at West Ashley High School. He is a member of Boy Scout Troop #14 and is currently working toward becoming an Eagle Scout.

**COUNTY ADMINISTRATOR'S TIME**

**1<sup>ST</sup> READING REZONING REQUEST #448**

3. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted six in favor and one opposed to give 1<sup>st</sup> Reading to Rezoning Request #448 for Summerville Homes, LLC and to place this request in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 27.867 acres on Orangeburg Road near Summerville from R-4 (Multi-Family Residential District) and CG (Commercial General) to PD (Planned Development District).

Mr. Rosebrock opposed.

Chairman Murphy stated that the 3<sup>rd</sup> Reading for an Ordinance to approve the Development Agreement between Dorchester County and Greenwood Development Corporation and the 3<sup>rd</sup> Reading for Rezoning Request # 424 for Greenwood Development Corporation would be discussed in executive session under contractual matters.

**3<sup>rd</sup> READING REZONING REQUESTS # 441, # 442, # 443, # 444 AND # 445**

4. On the recommendation of the County Administrator, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Requests # 441, # 442, # 443, # 444 and # 445.

**Rezoning Requests # 441 and # 442 for Don Couto** - Rezoning Request # 441 was a request to rezone 1.86 acres on Central Avenue near Summerville from R-4 (Residential Multifamily) to CLI (Commercial Light Industrial). Rezoning Request # 442 was a request to rezone 1.77 acres on Central Avenue near Summerville from R-4 (Residential Multifamily) to CLI (Commercial Light Industrial).

**Rezoning Request # 443 for Terry Limehouse** - This request was to rezone 4.58 acres on West 5<sup>th</sup> N. Street near Summerville from I (Industrial) to CLI (Commercial Light Industrial).

**Rezoning Request # 444 Frederick J. Whittle** - This was a request to rezone .47 acre on Ladson Road from R-4 (Multifamily Residential) to CG (Commercial General).

**Rezoning Request # 445 for D & A, LLC** - This was a request to rezone 319.96 acres on Carter Road near Ridgeville from AC (Absence of Control) to R-1A (Single Family Residential District).



**COUNTY ADMINISTRATOR'S TIME CONTINUED**

5. On the recommendation of the County Administrator, Council voted five in favor, one opposed and one abstention to give 3<sup>rd</sup> Reading to Rezoning Request # 447.

Mr. Rosebrock opposed and Mr. Murphree abstained.

**Rezoning Request # 447 for Granville S. Way, Jr.** This was a request to rezone 51.76 acres on Carolinian and Veranda drives near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District).

**SHERIFF'S REQUEST FOR VEHICLES**

6. On the recommendation of the County Administrator, Council voted unanimously to authorize the Administrator to approve the Sheriff's request to purchase eight (8) Crown Victorias in lieu of 11 Chevy Impalas with the understanding that there is no guarantee of three additional vehicles in next year's budget.

**SHERIFF'S TRANSFER REQUEST**

7. On the recommendation of the County Administrator, Council voted five in favor and two abstentions to authorize the Administrator to approve the Sheriff's request to transfer funds from personnel to operating. The total transfer was for \$271,000 or 2.8% of the combined General Fund Budget for Sheriff and Jail (\$9,689,603). These monies are available due to anticipated attrition (savings due to position vacancies) thru January 1, 2006.

**COMMITTEE REPORTS**

**Chairman Richard Rosebrock - Public Works, Property and Utilities**

**CONVENIENCE SITES**

Mr. Rosebrock reported the Committee is looking at alternatives for limited C&D collection and convenience site hours. This issue requires further study and will remain in Committee.

**PUBLIC WORKS, PROPERTY AND UTILITIES REPORT CONTINUED**

**CRESTVIEW SIDEWALK**

8. Mr. Rosebrock reported on the Town of Summerville's request for \$4,000 from the County to assist with material costs towards the completion of a sidewalk project in Crestview subdivision. This project will connect this community of senior citizens to Trolley Road. Town Council has agreed to fund \$4,000 for materials and provide the labor needed to accomplish the project. The Committee voted unanimously to recommend funding in the amount of \$4,000 from the Council Contingency Fund. Council voted unanimously in favor of the recommendation.

**NEW COMMITTEE ITEM**

Mr. Rosebrock reported the Committee discussed the long term costs associated with the acceptance of new roads into the County Road Maintenance System and requested this item to be properly placed in this Committee for further study. Chairman Murphy placed the item in the Public Works, Property and Utilities Committee as requested.

**Chairman Mike Murphree - Public Safety, Health and Human Services**  
**FIRE DISTRICT AND FIRE PROTECTION**  
**1<sup>ST</sup> READING VOLUNTEER FIREFIGHTER INCENTIVE PROGRAM**

9. Mr. Murphree reported that the Committee discussed the possibility of providing real and/or personal property tax incentives to volunteer firefighters, based upon the state model for an income tax credit. The Committee's recommendation to Council was to give 1<sup>st</sup> Reading to an Ordinance establishing a Volunteer Firefighter Incentive Program and place the item back in Committee for further study. Council voted unanimously in favor of the Committee's recommendation.

Mr. Murphree explained that the incentive program would be modeled after the state program, which allows for a \$3,000 tax credit for volunteer firefighters. The proposed County version would allow for a \$500 tax credit for volunteer firefighters.

Mr. Murphree reported that the communication problem regarding the receiving and dispatching of EMS and fire service calls was also discussed.

**BOARDS AND COMMISSIONS**  
**SPECIAL NEEDS AND DISABILITIES BOARD AND TRIDENT WORKFORCE**  
**INVESTMENT BOARD**

Appointments to the above listed Boards will be made at the next Council meeting.

**BOARDS AND COMMISSIONS CONTINUED**  
**GRIEVANCE COMMITTEE**

10. Chairman Murphy made the recommendation to appointment of Mrs. Sonja McAlhany to the Grievance Committee, as his representative. Council voted unanimously to approve the appointment.

**FOSTER CARE REVIEW BOARD**

11. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to approve Ms. Melinda Ann West to fill a term which expires December 31, 2007 on the Foster Care Review Board.

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

**2<sup>ND</sup> READING ORDINANCE – FILOT AGREEMENT ECMD, INC.**

12. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading to an Ordinance approving a FILOT agreement for ECMD, Inc. in accordance with the terms set forth in the inducement agreement.

**2<sup>ND</sup> READING ORDINANCE – FILOT AGREEMENT WITH  
GIANT CEMENT COMPANY**

13. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance approving a FILOT agreement for Giant Cement Company in accordance with the terms set forth in the inducement agreement.

**2<sup>ND</sup> READING ORDINANCE- FILOT AGREEMENT WITH  
ALBERT WEBER MANUFACTURING CORPORATION**

14. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance approving a FILOT agreement for Albert Weber Manufacturing Corporation in accordance with the terms set forth in the inducement agreement.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council for an Executive Session to discuss three contractual matters, an issue of County water service area, architectural and engineering services for the new County Courthouse and a proposed development agreement with Greenwood Development Corporation, also for discussion are several confidential economic development prospects, a real estate matter and personnel matters.

**MOTION TO AMEND THE AGENDA**

15. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to amend the agenda to discuss a Rezoning Request.

**REZONING REQUEST**

16. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to a Rezoning Request (described below), to place the request in the Planning Development and Building Committee and to send the request to the Planning Commission for consideration.

Rezoning Request: Property owned by S & R Land Company, TMS # 032-00-00-260, 29 acres, location - McIntosh Drive, Reevesville, SC. Requested zoning change - from AC (Absence of Control) to RIM (Single-Family Residential Manufactured Housing District).

**EXECUTIVE SESSION 8:05 P.M.**

17. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 11:38 P.M.**

The County Attorney reported that in Executive Session, Council discussed three contractual matters, confidential economic development prospects, a real estate contractual matter and a personnel matter; no action taken on any of the items.

**REAL ESTATE MATTER**

18. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to enter into an agreement to market for sale real property off Dorchester Road, provided Children in Crisis enter into and join the agreement.

**HIRING OF FINANCE DIRECTOR**

19. On the motion of Mr. Murphree, seconded by Mr. Elliott, Council voted six in favor and one abstention, to authorize Mr. Jason Ward, County Administrator, to hire a Finance Director at market rate.

Mr. Waggoner abstained.

The County Attorney, John Frampton, stated earlier in the meeting there were two items on the agenda, under the Administrator's time, which were deferred in order for Council to have the opportunity to discuss the matters in Executive Session. The items were Rezoning Request # 424 for 3<sup>rd</sup> Reading for Greenwood Development Corporation and the accompanying Development Agreement for 3<sup>rd</sup> Reading. In Executive Session, Council, County Attorney, Attorney for Greenwood Development and their representative had the opportunity to discuss and work out some language, in the Development Agreement, which has been agreed upon. However, the representative for the developer would have to take the language back to the principles of Greenwood to make sure that it was agreeable. Mr. Frampton stated, based upon the agreement of the developer's representative, that he recommended 3<sup>rd</sup> Reading be given on both items, contingent upon final approval by Greenwood Development Corporation.

**3<sup>RD</sup> READING REZONING REQUEST# 424 – GREENWOOD DEVELOPMENT CORPORATION**

20. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 424 for the rezoning of 1,887 acres on 17A and Dorchester Road near Summerville from CG (Commercial General) and R-4 (Multi-family Residential) to PD (Planned Development District). 3<sup>rd</sup> Reading is contingent upon final approval of the revisions of the Development Agreement by Greenwood Development Corporation.

**3<sup>RD</sup> READING ORDINANCE - DEVELOPMENT AGREEMENT**

21. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance approving the Development Agreement between Dorchester County and Greenwood Development Corporation, as was discussed, revised and worked out in Executive Session, contingent upon final approval by Greenwood Development Corporation.

**ADJOURNMENT**

22. On the motion Mr. Elliott, seconded by Mr. Waggoner, Council voted unanimously in favor to adjourn. Time of adjournment 11:48 P.M.

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Sandy W. Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**DECEMBER 12, 2005**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. CHRIS MURPHY**

- Request to Address Council
- Adoption of the Minutes from County Council Meeting on November 21, 2005 and Special Called Council Meeting on November 22, 2005
- Public Hearing FILOT Ordinance ECMD, Inc.
- 3<sup>rd</sup> Reading FILOT Ordinance ECMD, Inc.
- Public Hearing FILOT Ordinance Giant Cement Company
- 3<sup>rd</sup> Reading FILOT Ordinance Giant Cement Company
- Public Hearing FILOT Ordinance Albert Weber Manufacturing Corporation
- 3<sup>rd</sup> Reading FILOT Ordinance Albert Weber Manufacturing Corporation
- Correspondence

**3. GUESTS**

- Jerry Harrison and Michael Emlaw - NWS StormReady County
- Angie Pinckney-Crum - NAACP – Taxation

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

- Adoption of 2006 County Council Meeting Schedule
- Ashley River Forecasting – River Gauge
- National Issues Forum
- EMS Lease Agreement- St. George Station
- 3<sup>rd</sup> Reading -Repeal of Personnel Ordinances
- Resolution Personnel Policies and Procedures Manual

**5. COMMITTEE REPORTS**

**Mr. Richard Rosebrock – Public Works, Property and Utilities Committee**

- Convenience Site - Hours and Construction and Demolition Debris

**Mr. Skip Elliott, Planning, Development and Building Committee**

- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 439 Chris Wogamon
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 448 for Summerville Homes, LLC
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 449 William Ford Moyer
- Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 456 for Brian Reeves and Randy Patrick

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County Council Agenda  
December 12, 2005

**Mr. Mike Murphree, Public Safety, Health and Human Services Committee**

-Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Ordinance Regulating the Discharge of Firearms

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

-Special Needs and Disabilities Board  
-Trident Workforce Investment Board  
-Department of Social Services Board  
-Grievance Committee

**7. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

-Executive Session: -Confidential Economic Development Prospects  
-Personnel Matter  
-Real Estate Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
ST. GEORGE, SC  
DECEMBER 12, 2005  
7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Chris Murphy – Chairman  
Mr. Skip Elliott – Vice Chairman  
Mr. Larry Hargett  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Ms. Sandy Lawley – Clerk to Council

Chairman Murphy called the meeting to order and Councilman Hargett gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Murphy asked if anyone would like to address Council. The following people addressed Council:

- Mr. Ronnie Judy addressed Council regarding taxes and the appeals process for taxes.



**ADOPTION OF MINUTES –NOVEMBER 21, 2005, COUNTY COUNCIL MEETING AND THE NOVEMBER 22, 2005 SPECIAL CALLED COUNCIL MEETING**

1. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the County Council Meeting on November 21, 2005 with one change regarding adding the language, contingent upon final approval by Greenwood Development Corporation, to motion number 20 and 21 on the last page.
2. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to adopt the Minutes from the Special Called Council meeting on November 22, 2005.

**PUBLIC HEARING AND 3RD READING - ORDINANCE – FILOT AGREEMENT FOR ECMD, INC.**

Chairman Murphy opened the Public Hearing for an Ordinance approving a Fee In Lieu of Taxes agreement for ECMD, Inc.

Chairman Murphy opened the floor for public comment. Hearing no comment, the Public Hearing was closed.

3. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance approving a FILOT agreement for ECMD, Inc., in accordance with the terms set forth in the inducement agreement.

**PUBLIC HEARING AND 3RD READING - ORDINANCE – FILOT AGREEMENT FOR GIANT CEMENT COMPANY**

Chairman Murphy opened the Public Hearing for an Ordinance approving a Fee In Lieu of Taxes agreement for Giant Cement Company.

Chairman Murphy opened the floor for public comment. Hearing no comment, the Public Hearing was closed.

4. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance approving a FILOT agreement for Giant Cement Company, in accordance with the terms set forth in the inducement agreement.

**PUBLIC HEARING AND 3<sup>RD</sup> READING ORDINANCE- FILOT  
AGREEMENT WITH ALBERT WEBER MANUFACTURING  
CORPORATION**

Chairman Murphy opened the Public Hearing for an Ordinance approving a Fee In Lieu of Taxes agreement for Albert Weber Manufacturing Corporation.

Chairman Murphy opened the floor for public comment. Hearing no comment, the Public Hearing was closed.

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance approving a FILOT agreement for Albert Weber Manufacturing Corporation, in accordance with the terms set forth in the inducement agreement.

**CORRESPONDENCE**

Mr. Ward, County Administrator, called Council/s attention to a letter from the Dorchester County Library, included in the December 12<sup>th</sup>, 2005, Council Agenda Packet. The letter was regarding appointments to the Library Board and a meeting date change.

**MR. JERRY HARRISON & MR. MICHAEL EMLAW -  
NWS STORMREADY COUNTY**

Mr. Jerry Harrison and Mr. Michael Emlaw of the Charleston office of the National Weather Service presented the County and Mr. Ken Harrell, Emergency Services Director, with a plaque and two road signs designating Dorchester County "Storm Ready" for the next three years.

**ANGIE PINCKNEY-CRUM - NAACP – TAXATION**

Mrs. Angie Pinckney-Crum, President of the Ridgeville Branch of the NAACP, addressed County Council regarding taxation and presented Council with copies of a proposed NAACP Resolution by the Ridgeville Branch titled "Property Tax Installment Payment". Mrs. Crum read the proposed resolution to Council, which discussed paying property taxes by installment payments.

**MOTION TO AMEND THE AGENDA**

6. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda and to recognize Councilman Davis, under Council Member's Time, to discuss three items.

**RESOLUTION FOR MRS. SHIRLEY BROWN**

7. On the motion of Mr. Rosebrock, seconded by Mr. Murphree, Council voted unanimously to adopt a Resolution recognizing Mrs. Shirley Brown for thirty-five years of dedicated service to the Department of Social Services and the citizens of Dorchester County.

**BLACK EXPO.**

8. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to approve funding, in the amount of \$6000 for the Black Expo (same level of funding as last year) from the County Council Contingency Fund.

**MARTIN LUTHER KING, JR. PARADE**

9. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to approve funding, in the amount of \$1500 for the Martin Luther King, Jr. Parade from the County Council Contingency Fund.

**COUNTY ADMINISTRATOR'S TIME**

**ADOPTION OF 2006 COUNTY COUNCIL MEETING SCHEDULE**

10. On the recommendation of the County Administrator, Council voted unanimously to adopt the County Council Meeting Schedule for 2006. (The schedule will be posted on the Dorchester County Website)

**ASHLEY RIVER FORECASTING – RIVER GAUGE**

11. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to authorize the Administrator to execute an agreement to participate in the Cooperative Water Program (60% County/ 40% USGS) for a river gauge to monitor the level of the Ashley River. The gauge will be located at Bacon's Bridge on SC Hwy 165. First year cost will be \$9,060 for installation of the gauge and operation of the river gauge. Subsequent recurring cost will be \$4,680 annually.

**NATIONAL ISSUES FORUM**

12. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to go forward in conducting a National Issues Forum and approved the funding from the County Administrator's Contingency Fund. The Clemson Institute for Economic & Community Development would be assisting the County in conducting the Forum using a booklet titled "A Nice Place to Live: Creating Communities, Fighting Sprawl."

**EMS LEASE AGREEMENT- ST. GEORGE STATION**

13. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one abstention to authorize the Administrator to execute a two year lease for the St. George EMS building for \$450 a month. Councilman Murphree abstained.

**3<sup>RD</sup> READING -REPEAL OF PERSONNEL ORDINANCES**

14. On the motion of Mr. Elliott, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance repealing the Personnel Policies and Procedures Manual.

**ADOPTION BY A RESOLUTION FOR THE PERSONNEL POLICIES AND PROCEDURES MANUAL**

15. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to adopt a Personnel Policies and Procedures Manual by Resolution. The reasoning behind adopting the policy by resolution is to establish that the policy is a set of guidelines and that it does not constitute a contractual relationship.

**MOTION TO AMEND THE AGENDA**

16. On the motion of Mr. Murphree, seconded by Mr. Waggoner, Council voted unanimously to amend the agenda and to consider several rezoning requests identified with tax map numbers.

**1<sup>ST</sup> READING -REZONING REQUESTS**

17. On the motion of Mr. Elliott, seconded by Mr. Waggoner, Council voted six in favor and one abstention to give 1<sup>st</sup> Reading, place in the Planning, Development and Building Committee and to send to the Planning Commission the following listed rezoning requests, identified by tax map numbers: #161-00-00-012, #161-00-00-100, #161-00-00-101. The requested change for these parcels is from R4 to CG and for parcel #181-00-00-034, the requested change is from CG to R3. Councilman Murphree abstained.

**COMMITTEE REPORTS**

**Chairman Richard Rosebrock - Public Works, Property and Utilities**

**CONVENIENCE SITES**

18. Mr. Rosebrock reported the Committee met earlier and voted unanimously to recommend to Council the adoption of Option 1, with one change regarding the Saturday hours of operation, - Open Monday, Tuesday, Thursday, and Friday: 7AM-6PM, Saturday: 9AM -5PM and closed Wednesday and Sunday. Construction and demolition debris, for county residents only, would be collected at the St. George Convenience Site (Highway 78) and at the Old Fort Convenience Site (Oakbrook) and yard debris would be collected at Jenner Wood Recycling (at a cost to the County of \$21 per ton) and at Sandy Pines Landfill. Council voted unanimously in favor of the recommendation. Vehicle Decals will be mailed to each citizen to use for identification at the convenience sites. The details for the decals are currently being worked on. Mr. Rosebrock also announced to Council that the convenience sites would be open the day after Christmas and New Year's Day.

**OTHER BUSINESS**

**REQUEST FOR ROAD SWAP WITH THE STATE**

Mr. Rosebrock reported on Mr. Buddy Metts' request to Council asking for the transfer of various roads from State road maintenance to County road maintenance. This request is currently on hold because the County doesn't want to accept more roads for maintenance than required. When the County receives clarification from the Sales Tax Transportation Authority, Mr. Metts' request will be reviewed again. This matter was reported to Council as information only.

**SEWER SYSTEM TIE-IN**

Mr. Rosebrock reported that the Committee discussed the County's current installation of a sewer system in Summerset Acres and complaints from some residents regarding the requirement to tie-in to the system. This was reported to Council for information purposes only.

**Chairman Skip Elliott, Planning, Development and Building Committee**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING OF REZONING REQUEST# 439 CHRIS WOGAMON**

19. Mr. Elliott reported that a Public Hearing was held prior to the Council meeting and no public comment was received for Rezoning Request #439 for Chris Wogamon. The Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given. This request was to rezone .82 acre on Embassy Drive near Summerville from R-4 (Multi-family Residential District) to R-1 (Single Family Residential District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING OF REZONING REQUEST# 448 SUMMERVILLE HOMES, LLC**

20. Mr. Elliott reported that a Public Hearing was held prior to the Council meeting and no public comment was received for Rezoning Request #448 for Summerville Homes, LLC. The Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given. This is a request to rezone 27.867 acres on Orangeburg Road near Summerville from R-4 (Multi-Family Residential District) and CG (Commercial General) to PD (Planned Development District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING OF REZONING REQUEST# 449 WILLIAM FORD MOYER**

21. Mr. Elliott reported that a Public Hearing was held prior to the Council meeting and no public comment was received for Rezoning Request #449 for William Ford Moyer. The Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given. This request was to rezone 15.8 acres on Sellers Circle near Summerville from R-4 (Multi-family Residential District) to TRM (Transitional Residential Manufactured Housing District). Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR REZONING REQUEST # 456 FOR BRIAN REEVES AND RANDY PATRICK**

22. Mr. Elliott reported the Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given for Rezoning Request #456 and to place the request back in the Planning Development and Building Committee for a Public Hearing. Council voted unanimously in favor of the recommendation. A recommendation from the Planning Commission will be received after the Thursday December 15<sup>th</sup>, Commission meeting.

**REZONING REQUEST # 456 CONTINUED**

Rezoning Request: Property owned by S & R Land Company, TMS # 032-00-00-260, 29 acres, location - McIntosh Drive, Reevesville, SC. Requested zoning change - from AC (Absence of Control) to R1M (Single-Family Residential Manufactured Housing District).

**REQUEST FOR PLACEMENT OF A NEW COMMITTEE ITEM**

Mr. Elliott deferred to Councilman Murphree, who addressed Council regarding proper placement of a new item in the Planning, Development and Building Committee. The item is regarding the redefining of certain language used in the description and classification of property zoning. Chairman Murphy properly placed the item in the Committee.

**Chairman Mike Murphree - Public Safety, Health and Human Services**

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING FOR ORDINANCE REGULATING THE DISCHARGE OF FIREARMS**

Mr. Murphree reported to Council that a public hearing was held and information was received that the Department of Natural Resources has read the proposed Ordinance as written and is supportive. Mr. Murphree stated that the Committee voted to send the proposed Ordinance, which is up for third reading, to Council without a recommendation.

23. Mr. Hargett motioned, seconded by Mr. Murphree, to accept and give 3<sup>rd</sup> Reading to the Ordinance Regulating the Discharge of Firearms, as written, with regard to the distance for firing a firearm being 300 feet from the property line and not 300 feet from the entrance of a school building.

Mr. Elliott stated that he would like to offer for consideration an amendment to the main motion, stating for any school campus with 50 acres or less it should be 300 feet and for any school campus with 50 acres or more it should be 100 feet from the property line.

24. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted six in favor and one opposed to keep this item in Committee for further study.

Mr. Hargett opposed this motion.

**COMMITTEE REPORT CONTINUED**

**VOLUNTEER INCENTIVE PROGRAM**

Chairman Murphree reported that the Committee requested that Mr. Ward prepare an update on the Volunteer Fireman Incentive Program. He stated that when the Committee receives the document, which will be up for 2<sup>nd</sup> Reading, it would be cognizant of Sandhill Volunteer Fire Department issue, regarding 80% of their volunteers living in Charleston County. This information was reported for information only.

**BOARDS AND COMMISSIONS**

**GRIEVANCE COMMITTEE**

25. On the motion of Mr. Davis, seconded by Mr. Elliott, Council voted unanimously to reappoint Mr. Roy Britt as Mr. Davis's representative to the Grievance Committee.

26. On the motion of Mr. Elliott, seconded by Mr. Rosebrock, Council voted unanimously to reappoint Mrs. Susan Felder as Mr. Elliott's representative to the Grievance Committee.

Chairman Murphy passed the gavel to Vice Chairman Elliott.

**REPRESENTATIVE TO THE COUNCIL OF GOVERNMENT BOARD**

27. On the motion of Chairman Murphy, seconded by Mr. Rosebrock, Council voted unanimously to appoint Mr. Ted Creech as the Dorchester Representative to the Council of Government Board.

Vice Chairman Elliott passed the gavel back to Chairman Murphy.

**TRIDENT WORKFORCE INVESTMENT BOARD**

28. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously in favor to appoint Mr. William Earl Capps to the Trident Workforce Investment Board.

The appointment to the Special Needs and Disabilities Board would be discussed in Executive Session under personnel matters.



**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council for an Executive Session to discuss a confidential economic development prospect, a personnel matter and a contractual matter dealing with real estate. Mr. Frampton also requested the agenda be amended to give legal advice concerning a contractual matter dealing with the PONDS Development Agreement, a DHEC Demonstration of Need approval (change to the Solid Waste Management Plan) and an additional personnel matter.

**MOTION TO AMEND THE AGENDA**

29. On the motion of Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to amend the agenda, as requested by the County Attorney, to allow for three additional items to be discussed in Executive Session.

**EXECUTIVE SESSION 8:05 P.M.**

30. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to go into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:52 P.M.**

The County Attorney reported that in Executive Session, Council discussed 3 economic development prospects, 2 personnel matters, a real estate contractual matter and legal advice was given on a contractual matter for the PONDS Development Agreement and a contractual matter with a DHEC regarding Demonstration of Need for Approval; no actions were taken on any of these items.

**3<sup>RD</sup> READING REZONING REQUEST #424 & ORDINANCE APPROVING**  
**DEVELOPMENT AGREEMENT -GREENWOOD DEVELOPMENT CORP.**

31. Mr. Elliott motioned, seconded by Mr. Davis and voted on unanimously by Council, that on November 21, 2005 at the County Council meeting, Dorchester County gave 3<sup>rd</sup> Reading to Rezoning Request # 424 for Greenwood Development Corporation and the Development Agreement. That 3<sup>rd</sup> Reading was contingent upon the finalization of specific language contained in section 5.6 of the PONDS Development Agreement. That language has been resolved to include language setting a maximum annual assessment for residential and commercial parcels, which was discussed in Executive Session. That language has been agreed upon by Greenwood Development and therefore, County

**3<sup>RD</sup> READING REZONING REQUEST #424 & ORDINANCE APPROVING  
DEVELOPMENT AGREEMENT CONTINUED**

Council confirms and ratifies 3<sup>rd</sup> Reading of Rezoning Request #424 and the Ordinance approving the PONDS Development Agreement with the finalized language contained in section 5.6 of the Development Agreement.

**AMENDMENT TO THE SOLID WASTE MANAGEMENT PLAN**

32. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one abstention, to amend the Dorchester County Solid Waste Management Plan be amended to add the following paragraph. "Dorchester County Council hereby finds there is no current need for a construction and demolition landfill in the southwestern part of the County which is defined as the land area bounded by Highway 61, Highway 165 and the Dorchester County line. This amendment does not preclude the locating of construction and demolition landfills in other parts of the County.

Mr. Elliott abstained.

**AGREEMENT BETWEEN WETLANDS AMERICA TRUST, INC.**

33. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously that the existing Agreement between Wetlands America Trust, Inc., and Dorchester County involving the property on Bacon's Bridge Road to be used as a County park to be extended to provide that Wetlands America will have until January 1<sup>st</sup>, 2007, to transfer the land to the County and if unable to do so, the County will have until January 1<sup>st</sup>, 2008, to identify the substitute property.

**ADJOURNMENT**

34. On the motion Mr. Rosebrock, seconded by Mr. Elliott, Council voted unanimously to adjourn. Time of adjournment 9:55 P.M.

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Sandy W. Lawley, Clerk to Council