

JAMES LEX BYARS, III
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY
CLERK TO COUNCIL



CONVERSE A. CHELLIS, IV

C. DAVID CHINNIS

WILLIE R. DAVIS

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

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

MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 17, 2017
7:00 P.M.

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

PRESENT: Mr. Jay Byars, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Con Chellis
Mr. David Chinnis
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason L. Ward, County Administrator
Mr. Charlie Potts, Deputy Administrator/Community Services
Mr. Daniel Prentice, Deputy Administrator/CFO
Mr. John Frampton, County Attorney
Mrs. Tracey L. Langley, Clerk to Council

ABSENT: Mr. Willie R. Davis

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

CHAIRMAN'S TIME

Chairman Byars wished Councilman Davis a quick recovery and asked that he be kept in everyone's thoughts and prayers.

REQUESTS TO ADDRESS COUNCIL

- Ms. Anna Pinckney, 2392 West Aviation Avenue, North Charleston, presented a \$250,000 check to Dorchester County on behalf of SCANA for the Ridgeville Commerce Park.
- Ms. Cherylee Bowerbank, 161 Country Lane, Dorchester, requested County Council ride down Wire Road prior to sending the sandpit issue back to the Board of Zoning Appeals.
- Mr. Kyle Ruddock, 1526 Zion Road, Dorchester, stated he has concerns about another hole in the ground that cannot be used for anything once mining is completed.
- Mrs. Shannon Ruddock, 1526 Zion Road, Dorchester, presented County Council with a statement of facts regarding the impacts of a sandpit in her community.
- Mr. Terry Gerling, 162 Country Lane, Dorchester, stated he is a new resident in the area and requested County Council make the party requesting the permit bear the burden of proof that the sandpit will have no negative impact on the community.
- Mr. James Flesher, 136 Breezeway Drive, Dorchester, stated that his home could depreciate as much as 30% if the permit is approved for a sandpit.
- Mr. David Chastain, 265 Breezeway Drive, Dorchester, he spoke about the impact to his well and the surrounding property owner's wells if the sandpit is dug to deep and hits the lake that supplies their wells.
- Mr. Charles Parrish, 261 Breezeway Drive, Dorchester, stated his concerns about the negative impacts of a sandpit in his backyard.
- Mr. Bruce D. Appell, 306 Breezeway Drive, Dorchester, stated his opposition to the sandpit because of the noise and erosion.
- Mr. Tom Sams, 307 Breezeway Drive, Dorchester, spoke about absence of control zoning and addressed items on the applicant's application for mining.
- Mr. Hans Henninger, 1837 Zion Road, Dorchester, he spoke about condition of property where mining will take place and his opposition to it.
- Mrs. Jan Turner, 253 Breezeway Drive, Dorchester, she stated her opposition and surrounding residents opposition to sandpit and submitted signed petitions and photographs to County Council for review.
- Ms. Angie Crum, 324 Coburn Town Road, Ridgeville, requested County Council support the building of affordable housing in Ridgeville.

Councilman Bailey thanked residents for being at the meeting.

MINUTES

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

ADOPTION OF PROCLAMATION #17-03, PROCLAIMING PEACE OFFICERS' MEMORIAL DAY

2. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adopt Proclamation #17-03, proclaiming May 15, 2017 as Peace Officers' Memorial Day.

INTRODUCTION OF NEW DORCHESTER COUNTY TREASURER CINDY CHITTY

Chairman Byars introduced Mrs. Cindy Chitty as Dorchester County Treasurer and welcomed her to the County.

ADOPTION OF RESOLUTION #17-12, REIMBURSEMENT RESOLUTION RELATED TO CAPITAL PROJECTS

3. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to adopt Resolution #17-12 confirming the County's intention to be reimbursed for eligible expenditures incurred up to 60 days prior to the issuance of General Obligation Bonds for Libraries, Parks and Recreation.

ADOPTION OF RESOLUTION #17-13, BOND REFERENDUM

4. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adopt Resolution #17-13 declaring that "the bond referendum resulted favorably to the question submitted" to the qualified electors of the County.

CORRESPONDENCE: No correspondence received.

GUESTS

MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO

Mr. Prentice gave a summary of revenues and expenditures for the county's major funds through March 31, 2017. He also included a summary of cash on hand in the major funds and status updates on major Water/Sewer and Stormwater projects.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FORTY-THREE MILLION DOLLARS

5. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 1st Reading to an Ordinance authorizing the issuance of not exceeding Forty-Three Million in General Obligation Bonds for the purpose of funding library facilities, parks and recreation facilities, and infrastructure.

3RD READING OF REZONING REQUEST #745

6. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 3rd Reading of Rezoning Request #745 by Allen 62, LLC to Rezone 9.55 Acres Located at 515 Hodge Road from Transitional Residential District (TRM) to Commercial Light-Industrial (CLI), TMS #122-00-00-174, #122-00-00-175 and #122-00-00-178.

3RD READING OF ORDINANCE #17-10, PUBLIC INSTITUTIONAL DISTRICT

7. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 3rd Reading to an Ordinance to amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as previously amended, with respect to the creation of Article VII, Section 7.13 "Public Institutional District"; and to the amendment of Article X, Section 10.4.16 "Public Administration Facilities in Neighborhood Commercial Districts".

3RD READING OF ORDINANCE #17-11, MANUFACTURED HOUSING UNIT STANDARDS

8. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to give 3rd Reading to an Ordinance to amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as previously amended, with respect to Article X, Section 10.4.4 "Manufactured Housing Unit Standards".

3RD READING OF ORDINANCE #17-12, FLOOD MODEL PREVENTION ORDINANCE

9. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 3rd Reading to an Ordinance to Repeal Ordinance #06-21, The South Carolina Model Flood Prevention Ordinance and adopt the most recent "South Carolina Model Flood Prevention Ordinance".

ROAD MAINTENANCE ACCEPTANCE APPLICATION, WENTWORTH HALL PHASE 2A & 2B

10. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to approve the acceptance of road segments and associated drainage system into the County's Maintenance System. Council starts the 1-year warranty period for the following segments:

Wentworth Hall Phase 2A: Longford Drive (A) - 885.01 LF and Wexford Court - 149.77 LF;
Wentworth Hall Phase 2B: Longford Drive (B) - 642.88 LF, Unnamed Court (A) - 346.14 LF, and Unnamed Court (B) - 156.10 LF.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

RESOLUTION #17-14 – PROJECT PLANK

11. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to adopt a Resolution authorizing (1) the execution and delivery of a Fee In Lieu of Tax and Incentive Agreement by and between Dorchester County, South Carolina (the "County") and a Company identified for the time being as Project Plank, acting for itself, one or more affiliates, and/or other project sponsors (Collectively, the "Company"), pursuant to which the County shall covenant to accept certain negotiated Fees In Lieu Of Ad Valorem Taxes with respect to the establishment and/or expansion of certain facilities in the County (the "Project"); (2) the benefits of a Multi-County Industrial or Business Park to be made available to the Company and the Project; (3) certain Special Source Revenue Credits in connection with the Project; and (4) other matters relating thereto.

1ST READING OF AN ORDINANCE – PROJECT PLANK

12. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to approve 1st Reading of an Ordinance authorizing (1) the execution and delivery of a Fee In Lieu of Tax and Incentive Agreement by and between Dorchester County, South Carolina (The "County") and a Company identified for the time being as Project Plank, acting for itself, one or more affiliates, and/or other project sponsors (Collectively, The "Company"), pursuant to which the County shall covenant to accept certain negotiated Fees In Lieu of Ad Valorem Taxes with respect to the establishment and/or expansion of certain facilities in the County (The "Project"); (2) the benefits of a Multi-County Industrial or Business Park to be made available to the Company and the Project; (3) certain Special Source Revenue Credits in connection with the Project; and (4) other matters relating thereto.

2ND READING OF AN ORDINANCE – SCOUT BOATS, INC.

13. On the motion of Councilman Chinnis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Davis), to approve 2nd Reading of an Ordinance authorizing the execution and delivery of a First Amendment to Fee-In-Lieu of Tax Agreement by and between Scout Boats, Inc. and Dorchester County, whereby Dorchester County will enter into an amendment to its existing Fee-In-Lieu of Tax Agreement with Scout Boats, Inc. Project 1607 providing for payment by Scout Boats, Inc. of certain Fees-In-Lieu of Ad Valorem Taxes; providing for Special Source Revenue or Infrastructure Improvement Credits; and other matters relating thereto.

EXECUTIVE SESSION

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

- Confidential Economic Development Project
- Contractual Matter, Cooperative Intergovernmental Agreement between Dorchester County Sales Tax Transportation Authority and SCDOT
- Legal Advice, Summers Corner Improvement District
- Legal Advice, J.R. Wilson v. BZA

RECONVENE FROM EXECUTIVE SESSION

At approximately 8:59 p.m., Mr. Frampton reported that Council discussed the previously announced item, but no action was taken.

14. On the motion of Councilman Hearn, seconded by Councilman Chinnis, Council voted six in favor, with one absent (Davis), to reconsider 3rd Reading of an Ordinance creating the Summers Corner Improvement District. County Council was made aware that four parcels were inadvertently included in the District but should have been excluded.
15. On the motion of Councilman Hearn, seconded by Councilman Chinnis, Council voted six in favor, with one absent (Davis), to give 3rd Reading to the Ordinance creating the Summers Corner Improvement District as amended to exclude from the boundary of the District properties with TMS #159-01-04-003, #159-01-05-009, #159-01-09-007, and #159-01-21-006.
16. On the motion of Councilman Hargett, seconded by Councilman Chinnis, Council voted five in favor, with one opposed (Bailey), and one absent (Davis), to authorize the County Administrator to execute the proposed Settlement Agreement regarding the appeal by J.R. Wilson Construction Company and Pringle Tract, LLC from the decision of the Dorchester County Board of Zoning Appeals.

ADJOURNMENT

17. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted six in favor, with one absent (Davis), to adjourn at approximately 9:03 p.m.


Tracey L. Langley, Clerk to Council