

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**JANUARY 9, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

- Election of Chairman of County Council
- Election of Vice Chairman of County Council
- Request to Address Council
- Adoption of Minutes from December 12, 2005, County Council Meeting
- Dorchester County Employee Recognition Program
- Selection of Courthouse Architectural and Engineering Firm
- Correspondence

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

**-3<sup>rd</sup> Reading Rezoning Requests:**

- #439 Chris Wogamon
- #448 for Summerville Homes, LLC
- #449 William Ford Moyer

**-1<sup>st</sup> Reading Rezoning Requests:**

- #450 CRG Engineering, Inc. - Kirk R Richards
- #451 Hodgetown, LLC c/o Hussey, Gay, Bell & DeYoung, Inc.
- #453 William and Debora Henry
- #455 Sintra Development Corporation

**4. COMMITTEE REPORTS**

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

**Report from December 15, 2005 PDB Committee Meeting**

- Public Hearing for Historical Overlay/Plantation District
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Rezoning Request # 456 for Brian Reeves and Randy Patrick

**Report from January 9, 2006 PDB Committee Meeting**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 461 for Walter H. Elliott, III
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 462 for Walter H. Elliott, III
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 463 for Walter H. Elliott, III
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request # 464 for Walter H. Elliott, III

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**DORCHESTER COUNTY COUNCIL AGENDA**  
**JANUARY 9, 2006**

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

- Mental Health Center Board
- Dorchester County Social Services Board
- Foster Care Review Board
- Dorchester County Board of Disabilities and Special Needs

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

- Executive Session
  - Confidential Economic Development Projects
  - Legal Advice Boundary Dispute
  - Contractual Matters
    - Children in Crisis
    - Carolina Water Service
    - Sewer Service
    - Fire Protection

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
JANUARY 9, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
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 John Miller gave the Invocation.

### **ELECTION OF CHAIRMAN OF COUNTY COUNCIL**

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

1. Mr. Murphree nominated Mr. Walter H. "Skip" Elliott, III, for Chairman of Council, seconded by Mr. Rosebrock. Council unanimously approved the nomination.
2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to close the nominations for Chairman and to elect Councilman Walter H. "Skip" Elliott, III, Chairman.

Chairman Murphy passed the gavel to Chairman Elliott.

Chairman Elliott thanked Mr. Murphy for the superior job that he did for Council and for the citizens of Dorchester County during the past year.

### **ELECTION OF VICE CHAIRMAN OF COUNCIL**

Chairman Elliott opened the floor for nominations for Vice Chairman.

3. Mr. Rosebrock nominated Mr. Larry Hargett for Vice Chairman, seconded by Mr. Murphree. Council unanimously approved the nomination.
4. Mr. Murphree motioned, seconded by Mr. Murphy and Council voted unanimously to close the nominations for Vice Chairman of Council and to elect Mr. Larry Hargett, Vice Chairman.

### **PUBLIC ADDRESS TO COUNCIL**

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

- Mrs. Jean Ott, Executive Director of the Senior Center, addressed Council regarding additional funding for the Senior Center, Inc. Chairman Elliott placed this item in the Budget, Finance and Purchasing Committee.
- Mr. Don Craven addressed Council regarding a letter written in 2003, stating County Council gave their approval for a "Letter of Consistency" for a proposed construction and demolition landfill on Harrison Road in the upper end of the County. Mr. Craven spoke in opposition to the construction of the landfill
- Mr. Philip Cartin spoke in opposition to the proposed construction and demolition landfill on Harrison Road.

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Craig Bishop addressed Council regarding his disapproval of a proposed construction and demolition landfill on Harrison Road.
- Mr. Sid Mims addressed Council regarding his disapproval of a proposed construction and demolition landfill on Harrison Road. He also stated concerns about water contamination and the loss of property value.
- Ms. Mary Mondo addressed Council regarding her disapproval of a proposed construction and demolition landfill on Harrison Road. She stated that her main concern was with the number of trucks that would be on the highway as a result of the proposed landfill and also potential danger to Beidler Forest.
- Ms. Renee Conner addressed Council regarding her disapproval of a proposed construction and demolition landfill on Harrison Road based on the potential traffic and safety issues that could result.
- Ms. April Stallings, of Beidler Forest, addressed Council regarding her disapproval of a proposed construction and demolition landfill on Harrison Road near Beidler Forest. Ms. Stalling gave a copy of a letter dated July 29, 2003 regarding Council's approval of a "Letter of Consistency" for the proposed landfill.

Chairman Elliott asked if the other four citizens, who signed up to address Council regarding this subject would hold their comments. The Chairman stated he would place this item in the Public Works, Property and Utilities Committee for further review. He also asked Mr. Doug Tompkins, Public Works Director to address Council regarding the proposed landfill.

Mr. Tompkins explained that in 2003, Council approved a "Letter of Consistency" for Mr. Herman Muckenfuss for a proposed construction and demolition landfill located on Harrison Road outside of Harleyville, South Carolina. Chambers Landfill is a Municipal Solid Waste landfill and the proposed landfill would be a C & D landfill, which is why these two landfills could be so close in proximity. In 2003, the County was responsible for approving the "Letter of Consistency" and now DHEC has assumed responsibility of this matter. Mr. Tompkins further explained, at the time of the letter, the County's Solid Waste Management Plan stated the County did not need anymore landfills, but in the same paragraph, next sentence, it states, County Council has the right to make any changes or exceptions that are deemed necessary. He explained, at the time of the letter, the County did see a need for a C&D landfill because Chambers accepted construction and demolition debris, but at the Municipal Solid Waste Rate of an estimated rate of \$42 a ton and the rate at a C&D landfill is estimated at \$15 a ton. Mr. Muckenfuss is currently trying to permit the landfill and that is why the issue has not been raised until now.

Regarding a Public Hearing, Mr. Tompkins stated that he thought DHEC held a hearing with the residents of the area about the proposed landfill. Mr. Tompkins was asked to call DHEC and look into the issue and report back to the PWPU Committee.

- Mr. David Polutta addressed Council regarding the County's current installation of a sewer system on Summerset Lane. He stated he owns 19 acres and is opposed to the sewer system being installed. The Chairman placed this issue in the Public Works, Property and Utilities Committee.

**ADOPTION OF MINUTES –DECEMBER 12, 2005, COUNTY COUNCIL MEETING**

5. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the Council Meeting on December 12, 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.

**NEW COURTHOUSE ARCHITECTURAL ENGINEERING FIRM**

6. On the motion of Mr. Murphy, seconded by Mr. Elliott, Council voted unanimously to select the firm of Stevens and Wilkinson as the first choice, and the firm of Cummings and McCrady/Moseley as the second choice for the building of the new Courthouse in St. George. The motion also provided the Administrator and staff with the requisite authorizations to expedite the design and construction process as outlined in the "Action List" for Council.

7. Mr. Hargett amended the main motion and it was seconded by Mr. Waggoner, to select the firm of Cummings and McCrady/Moseley as the first choice, and the firm of Stevens and Wilkinson as the second choice and provide the Administrator and staff with the requisite authorizations to expedite the design and construction process as outlined in the "Action List" for Dorchester County Council.

After a discussion regarding the firms, Mr. Hargett withdrew his amendment to the motion and Mr. Waggoner withdrew his second.

**CORRESPONDENCE**

A letter dated January 6, 2006, was sent to Council, via Council Packet, from Mr. James Villeponteaux, Director of the Dorchester County Career and Technology Center. The letter was an invitation to visit the center for a presentation and tour. Several dates were provided and Mr. Ward asked Council to select a date and advise the Council staff with their selection for scheduling purposes.

**COUNTY ADMINISTRATOR'S TIME**  
**3<sup>RD</sup> READING REZONING REQUEST #439 CHRIS WOGAMON AND**

8. On the recommendation of the County Administrator, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #439 for Chris Wogamon. This request is to rezone .82 acre on Embassy Drive near Summerville from R-4 (Multi-family Residential District) to R-1 (Single Family Residential District).

**3<sup>RD</sup> READING REZONING REQUEST #448 SUMMERVILLE HOMES, LLC.**

9. On the recommendation of the County Administrator, Council voted six in favor and one abstention to give 3<sup>rd</sup> Reading to Rezoning Request #448 for Summerville Homes, LLC. This request is 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 abstained.

**3<sup>RD</sup> READING REZONING REQUEST #449 WILLIAM FORD MOYER**

10. On the recommendation of the County Administrator, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #449 for William Ford Moyer. This request is to rezone 15.8 acres on Sellers Circle near Summerville from R-4 (Multi-family Residential District) to TRM (Transitional Residential Manufactured Housing District).

**CHATS COMMITTEE**

Councilman Murphree discussed the fact that he felt Dorchester County should receive more funding from the CHATS Committee than in the past, due to expanding growth and development. Councilman Rosebrock suggested that the County's appointee on the CHATS Committee should serve longer than a year, in order to be more effective for the County. Chairman Elliott will be on the Council of Governments Board and has the responsibility of appointing a representative. He stated that he would get back with Council at the first meeting in February.

**1<sup>ST</sup> READING FOR THE FOLLOWING REZONING REQUESTS:**  
**#450 CRG ENGINEERING, INC. - KIRK R RICHARDS**  
**#451 HODGETOWN, LLC C/O HUSSEY, GAY, BELL & DEYOUNG, INC.**  
**#453 WILLIAM AND DEBORA HENRY**  
**#455 SINTRA DEVELOPMENT CORPORATION**

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one abstention to give 1<sup>st</sup> Reading to Rezoning Request #450 for CRG Engineering, Inc. and Kirk R. Richards, Rezoning Request #451 for Hodgetown, LLC c/o Hussey, Gay, Bell & DeYoung, Inc., Rezoning Request #453 for William and Debora Henry and Rezoning Requests #455 for Sintra Development Corporation and to place these requests in the Planning, Development, and Building Committee for further consideration.

Mr. Rosebrock abstained.

Rezoning Request #450 for CRG Engineering, Inc. and Kirk R. Richards is a request to rezone 8.3 acres on E. 5<sup>th</sup> North Street near Summerville from TRM (Transitional Residential District) to R-4 (Multi-family Residential District).

Rezoning Request #451 for Hodgetown, LLC c/o Hussey, Gay, Bell & DeYoung, Inc. is a request to rezone 303.68 acres on Hodge Road near Jodburg from R-4 (Multi-family Residential District) to PD (Planned Development District).

Rezoning Request #453 for William and Debora Henry is a request to rezone 2 acres on Central Avenue near Summerville from R-4 (Multi-family Residential District) to CG (Commercial General).

Rezoning Requests #455 for Sintra Development Corporation is a request to rezone 33.56 acres on Orangeburg Road near Summerville from R-4 (Multi-family Residential District) to PD (Planned Development District).

Chairman Elliott passed the gavel to Vice Chairman Hargett, in order to make his Committee Reports.

**COMMITTEE REPORTS**  
**CHAIRMAN SKIP ELLIOTT - PLANNING, DEV. & BUILDING 12-15-05**  
**PUBLIC HEARING HISTORICAL OVERLAY/PLANTATION DISTRICT**

Chairman Elliott reported that a PDB Committee meeting held a Public Hearing on December 15, 2005, for the proposed Historical Overlay/Plantation District. He stated the meeting lasted for about 2 hours, including comments from the public. It was decided to keep the item in committee for further review; no action was taken by the Committee.



**COMMITTEE REPORTS CONTINUED**  
**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING**  
**REZONING REQUEST # 456 BRIAN REEVES AND RANDY PATRICK**

12. Mr. Elliott reported on a Public Hearing held at the Planning, Development and Building Committee meeting on December 15, 2005, and the Committee voted unanimously to recommend to Council for 3<sup>rd</sup> Reading of Rezoning Request #456. Council voted unanimously in favor of the recommendation. Rezoning Request #456, identified with TMS # 032-00-00-260 is a request to rezone 29 acres, located on McIntosh Drive, Reevesville, SC. The requested zoning change is from AC (Absence of Control) to R1M (Single-Family Residential Manufactured Housing District).

**REPORT FROM JANUARY 9, 2006 PDB COMMITTEE MEETING**  
**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**FOR REZONING REQUESTS # 461, #462 AND #463 FOR WALTER H.**  
**ELLIOTT, III**

13. Mr. Elliott reported on a Public Hearing which was held at the Committee meeting held earlier tonight and the Committee voted to recommend to Council for 2<sup>nd</sup> Reading to be given for Rezoning Requests #461, #462, and #463 for Walter H. Elliott, III. Council voted six in favor and one opposed of the recommendation.

Mr. Rosbrock opposed.

Rezoning Request #461 is a request to rezone 1.0 acre off Highway 61 near Summerville from R-4 (Multi-Family Residential) to CG (Commercial General). This is a #04-13 correction.

Rezoning Request #462 is a request to rezone 1.0 acre off Highway 61 near Summerville from R-4 (Multi-Family Residential) to CG (Commercial General). This is a #04-13 correction.

Rezoning Request #463 is a request to rezone 1.0 acre off Highway 61 near Summerville from R-4 (Multi-Family Residential) to CG (Commercial General). This is a #04-13 correction.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
FOR REZONING REQUEST # 464 FOR WALTER H. ELLIOTT, III**

14. Mr. Elliott reported that a Public Hearing was held and the Committee voted unanimously to recommend to Council that 2<sup>nd</sup> Reading be given for Rezoning Request #464 for Walter H. Elliott, III. Council voted six in favor and one abstention for the recommendation. This request is to rezone 12.22 acres on Appian Way near Summerville from CG (Commercial General) to R-3 (Single Family Attached).

Mr. Murphree abstained.

Vice Chairman Hargett passed the gavel back to Chairman Elliott.

**BOARDS AND COMMISSIONS  
MENTAL HEALTH CENTER BOARD**

15. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor and two abstentions to approve the recommendation to appoint Mr. Wilson Inabinet, Jr. to the Mental Health Center Board.

Mr. Murphree and Mr. Murphy abstained.

**DORCHESTER COUNTY SOCIAL SERVICES BOARD**

Mr. Murphree recommended and it was agreed upon, to contact Mr. Daniel L. Edwards, applicant for the Mental Health Center Board, and see if he would consider applying to serve on the Social Services Board.

**FOSTER CARE REVIEW BOARD**

16. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to make a recommendation to the Governor to reappoint Mrs. Marsha Korpanty and to appoint Mrs. Carolyn Baker, both to the Foster Care Review Board.

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

17. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted three in favor and four opposed to make a recommendation to the Governor to appoint Mr. Donald Graham to the Dorchester County Board of Disabilities and Special Needs.

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

18. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted six in favor and one abstention to make a recommendation to the Governor to appoint Mrs. Mary Yelton to the Dorchester County Board of Disabilities and Special Needs.

Chairman Elliott recommended and it was agreed upon, to contact Mr. Donald Graham, applicant for the Board of Disabilities and Special Needs, and see if he would consider applying to serve on the Social Services Board.

Chairman Elliott passed the gavel to the Vice Chairman to make a recommendation for an appointment on the Board of Assessment Appeals

**BOARD OF ASSESSMENT APPEALS**

19. On the motion of Mr. Elliott, seconded by Mr. Davis, Council voted six in favor and one abstention, to approve Mr. Elliott's appointment of Mr. Patrick Murphy to the Board of Assessment Appeals.

Vice Chairman Hargett passed the gavel back to Councilman Elliott.

**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 some Confidential Economic Development Prospects and to give legal advice concerning a boundary dispute and four contractual matters, as set forth on the County Council Agenda for this meeting.

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

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

**RECONVENE FROM EXECUTIVE SESSION**

The County Attorney reported that in Executive Session, Council discussed three economic development prospects, received legal advice on a boundary dispute and discussed four contractual matters, concerning the Children in Crisis, Carolina Water Service, Sewer Service and Fire Protection. No actions were taken on any of these items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECTS**

21. On the motion Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to approve \$10,000 to fund an engineering study regarding the Robert Bosch plant entrance at Dorchester Road and Lincoln Boulevard. This study is to be paid for from the Dorchester County Economic Development Fund.

**ADJOURNMENT**

22. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of Adjournment 9:50 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**JANUARY 23, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from January 9, 2006, County Council Meeting
- Adoption of Resolution for Mr. Simon D. Slade, Jr.
- Adoption of Resolution for Mr. LaVern J. Lussier
- Correspondence

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

- 3<sup>rd</sup> Reading for Rezoning Request # 461 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 462 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 463 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 464 for Walter H. Elliott, III
- Trident United Way Corporate Pledge Request
- LMRWA Resolution - Application for Berkeley County Membership

**4. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**5. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

- Executive Session
- Personnel Matters
- Consideration of Appointments
- Legal Advice
  - Givhans Volunteer Fire Department
  - Solid Waste Management Plan
  - Special Census
- Legal Advice - Contractual Matters
  - NOVALIS
  - Wetlands American
  - Fire Protection

**6. ADJOURN**



**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
JANUARY 23, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from January 9, 2006, County Council Meeting
- Adoption of Resolution for Mr. Simon D. Slade, Jr.
- Adoption of Resolution for Mr. LaVern J. Lussier
- Correspondence

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

- 3<sup>rd</sup> Reading for Rezoning Request # 461 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 462 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 463 for Walter H. Elliott, III
- 3<sup>rd</sup> Reading for Rezoning Request # 464 for Walter H. Elliott, III
- Trident United Way Corporate Pledge Request
- LMRWA Resolution - Application for Berkeley County Membership

**4. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
- Personnel Matters
- Consideration of Appointments
- Legal Advice
  - Givhans Volunteer Fire Department
  - Solid Waste Management Plan
  - Special Census
- Legal Advice - Contractual Matters
  - NOVALIS
  - Wetlands American
  - Fire Protection

**6. ADJOURN**

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**FEBRUARY 6, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from January 23, 2006, County Council Meeting
- Amendment to Council Meeting Schedule for 2006
- 1<sup>st</sup> Reading General Obligation Bonds (Courthouse Project)
- 1<sup>st</sup> Reading General Obligation Bonds (Transportation Projects)
- Adoption of Resolution for Mrs. Faye Utsey
- Adoption of Resolution for Mrs. Mary Utsey
- Correspondence

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

- 1<sup>st</sup> Reading Amendment to Sewer Ordinance (Cycle Billing and Grinder Pumps)
- 1<sup>st</sup> Reading Amendment to Water Ordinance (Cycle Billing)
- 1<sup>st</sup> Reading for Rezoning Request # 457 Robert Todd Blanton
- 1<sup>st</sup> Reading for Rezoning Request # 459 Knight Law Firm, LLC Kathryn Martin
- 1<sup>st</sup> Reading for Rezoning Request # 460 Marlena Franklin

**4. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Givhans Fire Department

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- CMOM Update
- Convenience Sites Status
- Road petitions: Bryan Branch Road; Rickborn Road; Earmine Road; Eternal Lane
- Miles Jamison Road - Water Service Area Trade
- Cane Acre Road - Water Service Area Trade

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**



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COUNTY COUNCIL AGENDA  
FEBRUARY 6, 2006**

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

- Executive Session -Legal Advice
  - Harleyville Fire Protection
  - Boundary Issue
  - Advisory Referenda
  
- Confidential Economic Development Projects
  
- Contractual Matters
  - Courthouse Architectural Services

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
FEBRUARY 6, 2006  
7:00 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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
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  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Reverend David Mullins gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

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

- Mr. Hebert Bishop addressed Council regarding problems with codes and zoning policies and the cost of building permits. (Mr. Bishop presented a letter to Council; and Chairman Elliott requested the Administrator, Jason Ward, to look into this matter and to follow up with Mr. Bishop).

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mrs. Susan Shapiro addressed Council regarding her opposition to a rezoning request in Farmdale Subdivision. (Mrs. Shapiro presented Council with a petition regarding opposition to Rezoning Request #459.)
- Mr. Kathleen Lorenz addressed Council regarding her opposition to Rezoning Request #459 in Farmdale Subdivision.

**ADOPTION OF MINUTES – JANUARY 23, 2005, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes of the Council Meeting held on January 23, 2006.

**AMENDMENT TO 2006 COUNTY COUNCIL MEETING SCHEDULE**

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to reschedule the next regular Council meeting from February 21<sup>st</sup> to February 23<sup>rd</sup>, 2006.

**1<sup>ST</sup> READING GENERAL OBLIGATION BONDS  
(COURTHOUSE PROJECT)**

3. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve 1<sup>st</sup> Reading of an Ordinance providing for the issuance and sale of not exceeding \$12 million in county general obligation bonds for the courthouse project.

**1<sup>ST</sup> READING GENERAL OBLIGATION BONDS  
(TRANSPORTATION PROJECTS)**

4. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve 1<sup>st</sup> Reading of an Ordinance providing for the issuance and sale of not exceeding \$90 million in county general obligation bonds for transportation projects.

Councilman Rosebrock stated that all revenue generated from the One Cent Transportation Sales Tax goes only to the projects that were approved.

**ADOPTION OF A RESOLUTION FOR MRS. FAYE UTSEY**

5. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution # 06-04 in honor of Mrs. Faye Utsey, recognizing her public service to Dorchester County senior citizens.

**ADOPTION OF A RESOLUTION FOR MRS. MARY H. UTSEY**

6. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to adopt Resolution # 06-05 in honor of Mrs. Mary Utsey, recognizing her public service to Dorchester County senior citizens.

**CORRESPONDENCE**

There was no correspondence to report.

**COUNTY ADMINISTRATOR'S TIME**

**1<sup>ST</sup> READING AMENDMENT TO SEWER ORDINANCE # 84-08  
(CYCLE BILLING AND GRINDER PUMPS)**

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance amending the Sewer Ordinance # 84-08 to allow cycle billing, add a monthly maintenance fee of \$20.00 for grinder pumps, add a minimum monthly sewer charge for locations with water meters installed and place this item in the Public Works, Property, and Utilities Committee for further consideration.

**1<sup>ST</sup> READING AMENDMENT TO WATER ORDINANCE # 92-07  
(CYCLE BILLING)**

8. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to an ordinance amending the Water Ordinance # 92-07 to allow for cycle billing and place this item in the Public Works, Property, and Utilities Committee for further consideration.

**1<sup>ST</sup> READING FOR REZONING REQUEST # 457  
ROBERT TODD BLANTON**

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #457 for Robert Todd Blanton and place this item in the Planning, Development, and Building Committee for further consideration.

This is a request to rezone 14.244 acres located off First Bend Road near Harleyville from AC (Absence of Control) to SR (Suburban Residential District).

**COUNTY ADMINISTRATOR'S TIME –CONTINUED**

**1<sup>ST</sup> READING FOR REZONING REQUEST # 459**  
**KNIGHT LAW FIRM, LLC KATHRYN MARTIN**

10. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted six in favor and one abstention to disapprove Rezoning Request #459 Knight Law Firm, LLC Kathryn Martin based upon the recommendation of the Planning Commission and Planning staff.

Mr. Murphy abstained.

This is a request to rezone 2.817 acres on Dorchester Road and Murray Boulevard near Summerville from TRM (Transitional Residential District) to R-4 (Multi-Family Residential).

**1<sup>ST</sup> READING FOR REZONING REQUEST # 460 MARLENA FRANKLIN**

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 460 Marlena Franklin and place this item in the Planning, Development, and Building Committee for further consideration.

This is a request to rezone 2.72 acres off Mallard and Greyback roads near Jedburg from R-1M (Residential Manufactured Housing District) to CG (Commercial General).

**COMMITTEE REPORTS**  
**CHAIRMAN LARRY HARGETT**  
**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

**GIVHANS FIRE DEPARTMENT**

Chairman Hargett reported that Chief Ed Genthert, Old Fort Fire Department, gave several comprehensive reports to the Committee on what has transpired from January 23<sup>rd</sup> forward with respect to the Givhans Fire District. Chairman Hargett reported that Old Fort Fire Department and Chief Genthert were doing an outstanding job and the reports from citizens in the area were very favorable. Old Fort Fire Department has staffed Givhans Fire department with two full time people and they have done a complete inventory of all the equipment and checked the equipment for safety and repairs. They also presented a financial report to the Committee. All reports are on file in the County Administrator's Office. Mr. Hargett stated that the Ordinance amending Ordinance # 80-09 would be up for 2<sup>nd</sup> Reading and there would be a public hearing at the next Public Safety, Health and Human Services Committee. No action was needed by Council and this item will remain in Committee.

**CHAIRMAN MIKE MURPHREE**  
**PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE**

**CMOM UPDATE**

Chairman Murphree reported that Mr. Doug Tompkins, Public Works Director, gave the Committee a progress report on CMOM (Capacity, Management, Operations, and Maintenance). Chairman Murphree explained that CMOM was an unfunded mandate from EPA. It requires a mapping of the entire system and maintenance checks on all related equipment. Monthly safety meetings are held and Mr. Tompkins reported that most of the requirements of CMOM are currently being worked on and he would update the Committee as necessary. Chairman Murphree also reported that he requested Mr. Tompkins work up a budget figure for the upcoming year. No action required by Council.

**CONVENIENCE SITE STATUS**

Chairman Murphree reported that an update on the status of completion and expansion of the Bucks and Old Fort sites was provided to the Committee. Regarding the Bucks site, specifications are ready for bidding, and at the Old Fort site the Topo has been completed and the property cleared.

**ROAD PETITIONS: BRYAN BRANCH ROAD; RICKBORN ROAD;**  
**EARMINE ROAD; ETERNAL LANE**

Chairman Murphree reported on four roads being petitioned to be added to the County Road Maintenance System. Mr. Tompkins stated that all four roads being considered for county maintenance met the qualifications of two or more landowners. The acceptance would be to maintain the roads "as is" and not make improvements.

**BRYAN BRANCH ROAD**

12. Chairman Murphree reported that the Committee voted unanimously to recommend to Council to accept road maintenance of Bryan Branch Road. Council voted unanimously in favor of the recommendation.

**RICKBORN ROAD**

13. Chairman Murphree reported that the Committee voted unanimously to recommend to Council to accept road maintenance of Rickborn Road. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY AND UTILITIES CONTINUED**  
**EARMINE ROAD**

14. Chairman Murphree reported that the Committee voted unanimously to recommend to Council to accept road maintenance of Earmine Road. Council voted unanimously in favor of the recommendation.

**ETERNAL LANE**

Chairman Murphree reported that it was decided to leave this item in Committee until more information is received. No action needed by Council.

**MILES JAMISON ROAD - WATER SERVICE AREA TRADE**

15. Chairman Murphree reported that the Committee voted unanimously to recommend to Council that the Charleston Commissioners of Public Works be allowed to serve two parcels on Miles-Jamison Road which the county is unable to serve. Council voted unanimously in favor.

**CANE ACRE ROAD - WATER SERVICE AREA TRADE**

Chairman Murphree stated that Dorchester Water Authority has requested that they be allowed to serve 82 acres of land off Cane Acre Road.

16. The Committee voted to recommend to Council that Mr. Tompkins negotiate this request with Dorchester Water Authority regarding the swapping of 82 acres of service area off of Cane Acre Road. The County will request the Water Authority give the County a comparable amount of service area land in exchange, preferably in the upper end of the County. Council voted unanimously in favor of the recommendation.

**CRESTWOOD SUBDIVISION**

Chairman Murphree reported on the Committee's discussion regarding Crestwood Subdivision and their request for a stop sign. The Committee will wait for the two parties involved to come together regarding the request. He also proposed that future stop sign requests made by a Homeowner's Association or by any group be required to sign off on the request and be responsible for where it is to be placed. No action required by Council.

**MOTION TO AMEND THE AGENDA**

17. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to amend the agenda to discuss cable television franchise fees and House Bill 3381.

**CABLE TELEVISION FRANCHISE FEES**

Councilman Rosebrock informed Council that the State Legislature is currently working on legislation to take the cable television franchise fees collected by the County away. He stated that the franchise fees collected were to be used to cover recreation in the County and this would be a huge loss to the County.

18. Councilman Rosebrock motioned, with a second by Mr. Murphy, to have a Chairman's letter sent to each member of the Dorchester County Legislative Delegation and the Governor of South Carolina regarding Council's opposition of this action of taking the cable television franchise fees away from the County. Council voted unanimously in favor of this motion.

It was discussed that this money should stay in the County where it was collected and if the money was taken by the state it would be an unfair tax.

**HOUSE BILL 3381 "BILLBOARDS"**

19. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to send a Chairman's letter to the Governor asking him to veto House Bill 3381 regarding "Billboards" outdoor advertising.

**BOARDS AND COMMISSIONS**

There were no appointments made to Boards or Commissions.

**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 fire protection for the Town of Harleyville, the status of the boundary dispute with Berkeley County, to give legal advice regarding Advisory Referenda, to receive input concerning several confidential Economic Development Prospects and to discuss contractual matters dealing with architectural services concerning the proposed new Courthouse.



**EXECUTIVE SESSION 8:05 P.M.**

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

**RECONVENE FROM EXECUTIVE SESSION 9:44 P.M.**

The County Attorney reported that in Executive Session, Council received legal advice concerning the following items: fire protection for the town of Harleyville, the common boundary line between Berkeley and Dorchester Counties, conducting an advisory referenda, and received information on several confidential economic development prospects and discussed a contractual matter concerning the architectural services for the proposed new Courthouse; and no action was taken on any of those items.

**LAKE MARION REGIONAL WATER AUTHORITY**

County Administrator Jason Ward requested Council to take a look and make note of the manual that they received regarding the Lake Marion Regional Project. Councilman Rosebrock brought up the "Tec Group" that is made up of the Administrators of the counties involved and that they have really done a great job of moving this project along.

**INFORMATION REGARDING MR. BEN COLE**

Councilman Hargett made Council aware that Mr. Ben Cole, whose agreement to work with Council on finding and applying for grants, would be moving out of the area and would now be unable to continue with the grant search for the County.

**ADJOURNMENT**

21. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to adjourn. Time of Adjournment 9:53 P.M.

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

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**MARCH 6, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from February 23, 2006, County Council Meeting
- Public Hearing and 3<sup>rd</sup> Reading General Obligation Bonds (Courthouse Project)
- Public Hearing and 3<sup>rd</sup> Reading General Obligation Bonds (Transportation Projects)
- Proclamation 06-01 John Tye Hill Day
- Correspondence

**3. GUEST**

- Trident Workforce Investment Board

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

- Medically Indigent Assistance Program – Memorandum of Agreement
- 1<sup>st</sup> Reading Rezoning Request # 452- Aegis Civil Engineering, Inc.
- 1<sup>st</sup> Reading Rezoning Request # 465- Hensley & Lodge Properties, Inc.
- LMRWA Resolution - Applications for Town of Harleyville, Town of Turbeville and City of Sumter Membership

**5. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Ordinance to Amend Ordinance #80-09 Givhans Fire District

**Mr. Willie Davis, Administrative and Intergovernmental Affairs**

- Elected Officials Purchases and Reimbursements and Procurement Cards
- Request for Position Upgrades Board of Elections and Registration

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

- Public Hearings & Recommendations for 2<sup>nd</sup> Reading for the following Rezoning Requests:
- RR #450 CRG Engineering, Inc. Kirk R. Richards
- RR #451 Hodgetown, LLC
- RR #453 William and Debora Henry
- RR #455 Sintra Development Corporation (Wentworth Hall, LLC.)
- RR #457 Robert Todd Blanton
- RR #460 Marlena Franklin
- RR #466 Howard Crosby

**PAGE TWO  
COUNTY COUNCIL AGENDA  
MARCH 6, 2006**

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
- Confidential Economic Development Projects
  - Upper Dorchester County Economic Development
  - Contractual Matter
    - Courthouse Architectural Services
  - Legal Advice
    - Dorchester County Sales Tax Transportation Authority

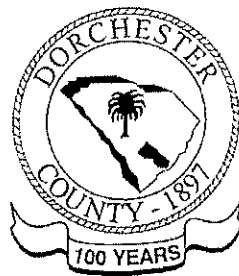
**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURHREE  
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**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**MARCH 6, 2006**  
**7:10 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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Willie Davis  
Mr. Jason Ward - County Administrator  
Mr. Charles Potts - Deputy Administrator  
Mr. John Frampton - County Attorney  
Mrs. Gina R. Sams - Sr. Admin. Asst. to Council

Chairman Elliott called the meeting to order and Councilman Rosebrock gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

-Mr. Gilbert Dean, resident of Dorchester County, came before Council to address his concerns regarding county stickers for garbage dumping at the Oak Brook Convenience site and reported that Berkeley County residents were provided stickers. Mr. Dean believes the stickers were mailed out based on zip codes instead of the use of tax map numbers to identify county residents. Mr. Dean suggested changing the Litter and Nuisance Ordinance to address repeat offenders.

**CONTINUED-PUBLIC ADDRESS TO COUNCIL**

-Mrs. Angie Pinkney Crum addressed Council on her concerns of the Dorchester County Elections and Registration Board not hiring workers within the community where polling places are located. Mrs. Crum reported the Elections and Registration Board had not run ads in local papers informing the public of board meetings and they had not advertised for workers in the polling places.

-Mr. James McGraw, resident of Dorchester County, came before Council as a member of the Town Awareness Committee to request County Council to join and coordinate with the Town of Summerville in conducting a Comprehensive Traffic Analysis. Mr. McGraw requested his address to Council be placed on record (*For the Record-See Attachment A*).

-Mr. Everett R. White, former Interim Chief of Givhans Fire Department, came before Council to address Council's prudent decision in placing Old Fort Fire Department in Givhans' Fire District. Mr. White requested Council to make Old Fort a permanent fire protection service provider for the area.

-Mr. Henry Person, resident of Givhans, requested for Council, if possible, to allow the citizens of Givhans Fire District to elect the members to serve on the Fire Board that would be serving their community, instead of having Council appointed members.

Chairman Elliott recognized Troop Committee Chairman, Mr. Steve Salmons and his Assistant Greenhutch of Troop 800, sponsored by Summerville Baptist Church. Council acknowledged members of Troop 800 who were earning merit badges for civic involvement.

**ADOPTION OF MINUTES – FEBRUARY 23, 2006, COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes of the Council Meeting held on February 23, 2006.

**PUBLIC HEARING AND 3<sup>RD</sup> READING GENERAL OBLIGATION BONDS  
(COURTHOUSE PROJECT)**

Chairman Elliott opened the Public Hearing for public comments.

Hearing no public comments, Chairman Elliott closed the Public Hearing.

2. On the motion of Mr. Murhpy, seconded by Mr. Hargett, Council voted unanimously to approve 3<sup>rd</sup> Reading for the General Obligation Bonds (Courthouse Project).

**PUBLIC HEARING 3<sup>RD</sup> READING GENERAL OBLIGATION BONDS  
(TRANSPORTATION PROJECTS)**

Chairman Elliott opened the Public Hearing for public comments.

Hearing no public comments, Chairman Elliott closed the Public Hearing.

3. On the motion by Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to approve 3<sup>rd</sup> Reading for the General Obligation Bonds (Transportation Projects).

**PROCLAMATION 06-01 JOHN TYE HILL DAY**

4. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to adopt Proclamation 06-01 declaring March 11, 2006 as "John Tye Hill Day" in Dorchester County.

**CORRESPONDENCE**

County Administrator, Jason Ward, reported on two (2) items of correspondence. The first correspondence concerned the City of North Charleston's approval of an annexation of Sect. 46-C, of 1.25 acres located at 3615 and 3617 Ashley Phosphate Road, in Dorchester County. The annexation occurred on February 23, 2006. The second correspondence concerned a joint public notice and involved a road from the old naval property to the new limited access property to I-26 and comments would be allow to be received through March 20, 2006.

**GUEST**

**TRIDENT WORKFORCE INVESTMENT BOARD**

Ms. Evelyn Delaine Hart, with the Trident Workforce Investment Board, came before Council and requested direction be provided to the Board in order to establish a 501 (c) 6 non-profit organization for the purpose of soliciting additional grants that governmental entities are not eligible for. Trident Workforce Investment Board also requested Council's monetary support in the amount of \$14,000.00 to support the "Change a Life, Hire a Kid" (CALHAK) campaign. The campaign is designed to employ area youths between the ages of 16 & 21 years of age on a part-time basis, during the summer months. Ms. Hart assured Council that all monetary support from Dorchester County would stay in Dorchester County.

**CONTINUED-TRIDENT WORKFORCE INVESTMENT BOARD**

5. On the motion by Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously in favor to allow the Trident Workforce Investment Board to become a 501 (c) 6 non- profit organization.

Council requested Ms. Hart to meet with Mr. Ward to discuss Council's allocations of funds to the CALHAK campaign.

**COUNTY ADMINISTRATOR'S TIME**

**MEDICALLY INDIGENT ASSISTANCE PROGRAM MEMORANDUM OF AGREEMENT**

Mr. Ward addressed Council regarding the County's requirement to determine those who are eligible for medical indigent assistance for citizens who are receiving inpatient hospital care and do not qualify for Medicaid assistance or any other governmental assistance. Mr. Ward requested Council to authorize the Administrator to execute a Memorandum of Agreement with the South Carolina Department of Health and Human Services and allow DHHS to determine Medically Indigent Assistance Program eligibility on the county's behalf. The cost to the county would be \$15,000.00 – \$20,000.00 per year. DHHS will not continue to provide this service as they have in the past two (2) years at no charge to the County and will discontinue services on March 10, 2006. Mr. Ward recommended having the funds come from the Administrator's contingency fund until the end of the year and Council would be able to review and give further consideration in the upcoming year's budget.

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor and two opposed to approve authorizing the Administrator to enter into a Memorandum of Agreement with the South Carolina Department of Health and Human Services.

Mr. Rosebrock and Mr. Murphree opposed.

**1<sup>ST</sup> READING REZONING REQUEST #452-AEGIS CIVIL ENGINEERING, INC.**

Mr. Ward recommended Council to approve 1<sup>st</sup> Reading to Rezoning Request #452-Aegis Civil Engineering, Inc. and to place this request into the Planning, Development, and Building Committee for further consideration.

**CONTINUED-1<sup>ST</sup> READING REZONING REQUEST #452-AEGIS CIVIL ENGINEERING, INC.**

7. Council voted six in favor and one opposed to approve 1<sup>st</sup> Reading of Rezoning Request #452-Aegis Civil Engineering, Inc. and for this request to be placed into the Planning, Development, and Building Committee for consideration with instructions for Mr. LeaMond to contact the applicant for a development agreement with the inclusion of the special assessment district.

Mr. Rosebrock opposed.

**1<sup>ST</sup> READING REZONING REQUEST #465-HENSLEY & LODGE PROPERTIES, INC.**

Mr. Ward recommended Council approve 1<sup>st</sup> Reading to Rezoning Request #465-Hensley & Lodge Properties, Inc. and to place this request into the Planning, Development, and Building Committee for further consideration.

8. Council voted unanimously in favor to approve 1<sup>st</sup> Reading of Rezoning Request #465-Hensley & Lodge Properties, Inc. and for this request to be placed into the Planning, Development, and Building Committee for further consideration.

**LWRWA RESOLUTION-APPLICATIONS FOR TOWN OF HARLEYVILLE, TOWN OF TURBEVILLE AND CITY OF SUMTER MEMBERSHIP**

Mr. Ward recommended Council to adopt a resolution approving applications for the Town of Harleyville, Town of Turbeville and the City of Sumter for membership to Lake Marion Regional Water Agency.

9. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously in favor to adopt a resolution approving applications for the Town of Harleyville, Town of Turbeville and the City of Sumter for membership to Lake Marion Regional Water Agency.



**COMMITTEE REPORTS**

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**  
**CHAIRMAN LARRY HARGETT**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**ORDINANCE TO AMEND ORDINANCE #80-09 – GIVHANS FIRE**  
**DISTRICT**

10. Chairman Hargett reported on a Public Hearing held earlier in the evening concerning an Ordinance to amend Ordinance #80-09 – Givhans Fire District and the Committee voted unanimously to recommend to Council 2<sup>nd</sup> Reading to the Ordinance amending Ordinance # 80-09 – Givhans Fire District. Council voted unanimously to approve 2<sup>nd</sup> Reading to the Ordinance amending Ordinance # 80-09 – Givhans Fire District.

**ADMINISTRATIVE & INTERGOVERNMENTAL AFFAIRS**  
**CHAIRMAN WILLIE DAVIS**

**ELECTED OFFICIALS' PURCHASES, REIMBURSEMENTS AND**  
**PROCUREMENT CARDS**

11. Chairman Davis reported on the Committee's recommendation to Council to approve the drafted Elected Officials' Purchases and Reimbursement Policy and the Committee's recommendation to Council to approve the travel procurement card program for Elected Officials and Department Heads with the limit on each card to be set at \$3,500.00. Council voted unanimously to approve the Committee's recommendations.

**REQUEST FOR POSITION UPGRADES BOARD OF ELECTIONS AND**  
**REGISTRATION**

12. Chairman Davis reported the Committee's recommendation to Council to adopt "Chart # 3 Ultimate Organization for Dorchester County Board of Elections and Registration. Council voted unanimously to approve the Committee's recommendation.

Chairman Elliott reported that the structure for the Dorchester County Board of Elections and Registration has been approved; however, the position upgrade will go through the normal reclassification process.

**REQUEST FOR POSITION UPGRADES BOARD OF ELECTIONS AND  
REGISTRATION**

13. Mr. Davis motioned to have the position of Assistant Director of Voters Registration within the Dorchester County Board of Elections and Registration be upgraded and for the pay to be retroactive based on when the job duties changed, Mr. Waggoner seconded the motion.

Upon further discussion by Council members regarding this matter, Council agreed to let this issue go through the normal reclassification process. Mr. Davis withdrew his motion and Mr. Waggoner withdrew his second.

**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE  
CHAIRMAN CHRIS MURPHY**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR  
REZONING REQUEST # 450 CRG ENGINEERING INC.-KIRK R.  
RICHARDS**

14. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 450 – CRG Engineering, Inc., - Kirk R. Richards and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 450. Council voted unanimously to approve the Committee's recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR  
REZONING REQUEST # 453 – WILLIAM AND DEBORA HENRY**

15. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 453 – William and Debora Henry and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 453. Council voted unanimously to approve the Committee's recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR  
REZONING REQUEST # 455 – SINTRA DEVELOPMENT CORPORATION  
(WENTWORTH HALL, LLC.)**

16. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 455 – Sintra Development Corporation (Wentworth Hall, LLC.) and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 455 with final approval being contingent upon entering into a development agreement. Council voted unanimously to approve the Committee's recommendation.

**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE-**  
**CONTINUED**  
**CHAIRMAN CHRIS MURPHY**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR**  
**REZONING REQUEST # 457 – ROBERT TODD BLANTON**

17. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 457 – Robert Todd Blanton and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 457. Council voted unanimously to approve the Committee's recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR**  
**REZONING REQUEST # 460 – MARLENA FRANKLIN**

18. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 460 – Marlena Franklin and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 460. Council voted unanimously to approve the Committee's recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR**  
**REZONING REQUEST # 466 – HOWARD CROSBY**

19. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 466 – Howard Crosby and the Committee's recommendation to Council to approve 2<sup>nd</sup> Reading of Rezoning Request # 466. Council voted unanimously to approve the Committee's recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR**  
**REZONING REQUEST # 451 – HODGETOWN, LLC.**

20. Chairman Murphy reported on a Public Hearing held earlier in the evening for Rezoning Request # 451 – HodgeTown, LLC. and the Committee's recommendation to Council to keep this matter in Committee and to setup a meeting between the Committee and the developer to work out details and bring this matter back to Council.

**CONTINUED-PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup>  
READING FOR REZONING REQUEST # 451 – HODGE TOWN, LLC.**

20. The Committee also recommended to Council to approve 1<sup>st</sup> Reading of the proposed Ordinance for the Development Agreement between Dorchester County and HodgeTown, LLC., to refer it back to the Committee for further consideration and to refer it to the Planning Commission to conduct the first public hearing and to make their recommendations to Council. Council voted unanimously to approve the Committee's recommendations.

**BOARDS AND COMMISSIONS**

There were no appointments made to Boards or Commissions.

**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 Confidential Economic Development Projects in Dorchester County, an Upper Dorchester County Economic Development Project, to discuss a Contractual Matter regarding the Architectural Services for the courthouse project and to provide legal advice concerning land acquisitions for the Dorchester County Sales Tax Transportation Authority.

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

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

**RECONVENE FROM EXECUTIVE SESSION 9:54 P.M.**

The County Attorney reported that Council received information concerning four (4) economic development prospects. Council also discussed an economic development prospect for the upper portion of the County, a contractual arrangement for architectural services for the courthouse construction. Council also received legal advice concerning land acquisitions and no actions were taken on any of these issues.

**ANY OTHER SUCH BUSINESS**

**ECONOMIC DEVELOPMENT PROJECT 05-51**

22. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve incentives for project 05-51 contained in the memorandum of March 1, 2006, to the County Administrator, Jason Ward. This new project will locate near Harleyville and will employ 10 to 12 people upon opening. The project has a projected employee growth of 25 employees in 3 to 5 years.

**ARCHITECTURAL AGREEMENT (COURTHOUSE)**

23. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator, Jason Ward, to sign an architectural agreement with Stevens and Wilkerson of South Carolina Incorporated for the County's new courthouse.

**CONVEIENCE SITE STICKERS**

24. On the motion by Mr. Waggoner, seconded by Mr. Rosebrock, Council voted five in favor and two opposed to hold off on the implementation of the convenience site stickers until Public Works, Property and Utilities Committee looks into this matter.

Mr. Murphree and Mr. Elliott opposed.

**ADJOURNMENT**

25. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adjourn. Time of Adjournment 10:10 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 20, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from March 6, 2006, County Council Meeting
- Funding of Senior Centers
- Proclamation 06-02 "Plant a Row for the Hungry"
- Resolution 06-09 CDBG Matching Funds
- Correspondence

**3. GUEST**

Mr. Wayne Reeves – Givhans Fire Department

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

- 3<sup>rd</sup> Reading Ordinance to Amend Ordinance #80-09 (Givhans Fire District)
- 3<sup>rd</sup> Reading for Rezoning Request #450 CRG Engineering, Inc. - Kirk R. Richards
- 3<sup>rd</sup> Reading for Rezoning Request #453 William and Debora Henry
- 3<sup>rd</sup> Reading for Rezoning Request #457 Robert Todd Blanton
- 3<sup>rd</sup> Reading for Rezoning Request #460 Marlana Franklin
- 3<sup>rd</sup> Reading for Rezoning Request #466 Howard Crosby
- 3<sup>rd</sup> Reading for Rezoning Request #455 Sintra Development Corporation (Wentworth Hall, LLC.)
- 1<sup>st</sup> Reading for Aegis Civil Engineering, Inc. Development Agreement

**5. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Givhans Fire District

**COMMITTEE REPORTS CONTINUED**

**Mr. Mike Murphree-- Public Works, Property and Utilities Committee**

- Public Hearing & Recommendation for 2<sup>nd</sup> Rdg. Amendment to Sewer Ordinance #84-08
- Public Hearing & Recommendation for 2<sup>nd</sup> Rdg. Amendment to Water Ordinance #92-07
- Stormwater Utility Fee Amendment
- Cost of New Roads accepted into County Road Maintenance System
- SC Employment Security Comm. Property near LEC
- Petition to Remove Speed Humps – Archdale Sub.
- Summerset Acres Sewer
- Convenience Site Stickers
- Road Petition- Eternal Lane
- Request to Relocate Edisto River Road
- Request to Relocate Clifton Street
- Request for Quit Claim Deed- Kenneth Street
- Request for Quit Claim Deed- Jennings Drive
- Request for Quit Claim Deed- Dirt Road off Highway 165
- Road Petition – Cooper Drive (Pinehill Acres)

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
  - Contractual Matter
  - Wastewater System/Carolina Water Service
- Legal Advice
- Assessment Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
MARCH 20, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

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

- Mr. John C. Welch addressed Council regarding an assessment error associated with higher property taxes on his property.



- Mr. Thomas Timm addressed Council concerning correction of commercial property zoning. (Attachment A)
- Mr. Lee Graham addressed Council concerning his displeasure with the convenience site stickers and the cost of the project.
- Mr. Everett R. White addressed Council concerning the Givhans Fire Department.

**ADOPTION OF MINUTES – MARCH 6, 2006 COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes of the Council Meeting held on March 6, 2006.

**MOTION TO AMEND THE AGENDA**

2. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to amend the agenda to allow members of the Sales Tax Transportation Authority to make a presentation to Council, to add discussion of a confidential economic development prospect to executive session and to allow Councilman Rosebrock to sponsor a Rezoning Request.

**1<sup>ST</sup> READING SUPPLEMENTAL BUDGET - SENIOR CENTERS INC.**

3. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor and one abstention to give 1<sup>st</sup> Reading to a Supplemental Budget from the Senior Centers Special Revenue Fund for the purpose of three immediate funding requests totaling \$60,000.

Mr. Murphree abstained.

**PROCLAMATION # 06-02 "PLANT A ROW FOR THE HUNGRY"**

4. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation # 06-02 "Plant a Row for the Hungry" and proclaimed March 2006 as "Plant a Row for the Hungry Month".

**RESOLUTION # 06-09 CDBG MATCHING**

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to adopt Resolution # 06-09 for CDBG Matching Funds. This Resolution is authorizing the CDBG application and the Administrator to set aside matching funds for the Shady Grove Community Water Line Project. The County's match will be the cost of constructing a water tower to serve US 178.

**CORRESPONDENCE**

Mr. Ward wanted to bring to Council's attention an invitation extended by Mr. James Villeponteaux, Director of the Dorchester County Career and Technology Center, to tour the Career School on Tuesday, March 28, 2006 or Wednesday, March 29 at 11:00 a.m.

Councilman Murphy also brought to Council's attention a letter from Mr. Ted Creech, of Bell South regarding Bell South's position on pending franchise fee Legislation.

**PRESENTATION BY MARK PILGRIM, MEMBER OF THE SALES TAX TRANSPORTATION AUTHORITY**

Mr. Mark Pilgrim, an executive with Santee Cooper and a member of the Dorchester County Sales Tax Transportation Authority, addressed Council requesting support for extension of the Glenn McConnell Parkway. He stated the 22 projects administered by the Authority would increase traffic capacity in and near Summerville and capacity around the town was greatly needed. He further explained that extending the Glenn McConnell Parkway from Charleston past Summerville to I-26 would alleviate numerous traffic problems, especially in the case of a weather emergency. Mr. Pilgrim volunteered to work with the County in the capacity of getting support for the project. Council endorsed the idea and appointed Mr. Pilgrim to a position as the County's liaison working with Charleston and Berkeley County Representatives on the issue. Chairman Elliott stated he would like to have a motion appointing Mr. Pilgrim as the liaison for the County. He stated that reports show Dorchester County as one of the fastest growing counties in the nation.

6. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to appoint Mr. Mark Pilgrim as Dorchester County's liaison and publish the County's support of the extension of the Glenn McConnell Parkway. Council authorized Mr. Pilgrim to coordinate with Charleston County and Berkeley County, the State and Dorchester County Sales Tax Transportation Authority as deemed necessary.

**1<sup>ST</sup> READING - REZONING REQUEST FOR THOMAS W. TIMM**

7. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve 1<sup>st</sup> Reading of a Rezoning Request for Mr. Thomas Timm and place this item in the Planning Development and Building Committee for Public Hearing and recommendation. The requested change to rezone this property is from R4 to CG.

**GUEST**

Chairman Elliott announced that the guest scheduled to address Council could not attend.

**COUNTY ADMINISTRATOR'S TIME**  
**3<sup>RD</sup> READING ORDINANCE TO AMEND ORDINANCE #80-09**  
**(GIVHANS FIRE DISTRICT)**

8. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #06-02 amending Ordinance #80-09, adopted April 21, 1980, establishing the Givhans Fire District - Special Tax District by deleting Section 3, Section 4, including all subparts, and Section 5, including all subparts. The effect of this amendment is to eliminate the Board of Directors of the Givhans Fire District.

**3<sup>RD</sup> READING REZONING REQUEST #450 CRG ENGINEERING, INC.**

9. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Rezoning Request #450 for CRG Engineering, Inc. and Kirk R. Richards. This is a request to rezone 8.3 acres on E. 5<sup>th</sup> North Street near Summerville from TRM (Transitional Residential District) to R-4 (Multi-family Residential District).

Councilman Rosebrock opposed.

**3<sup>RD</sup> READING REZONING REQUEST #453 W. & D. HENRY**

10. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #453 for William and Debora Henry. This is a request to rezone 2 acres on Central Avenue near Summerville from R-4 (Multi-family Residential District) to CG (Commercial General).

**3<sup>RD</sup> READING REZONING REQUEST #457 ROBERT TODD BLANTON**

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #457 for Robert Todd Blanton. This is a request to rezone 14.244 acres located off First Bend Road near Harleyville from AC (Absence of Control) to SR (Suburban Residential District).

**3<sup>RD</sup> READING FOR REZONING REQUEST #460 MARLENA FRANKLIN**

12. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 460 Marlina Franklin. This is a request to rezone 2.72 acres off Mallard and Greyback roads near Jedburg from R-1M (Residential Manufactured Housing District) to CG (Commercial General).

**3<sup>RD</sup> READING FOR REZONING REQUEST #466 - HOWARD CROSBY**

13. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request # 466 for Mr. Howard Crosby. This is a request to rezone .50 acre on US 17A South near Summerville from CG (Commercial General) to R1(A) (Single-Family Residential with a minimum ½-acre lot size).

**3<sup>RD</sup> READING FOR REZONING REQUEST #455 SINTRA DEVELOPMENT CORPORATION (WENTWORTH HALL, LLC.)**

14. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Rezoning Request #455 for Sintra Development Corporation. This is a request to rezone 33.56 acres on Orangeburg Road near Summerville from R-4 (Multi-family Residential District) to PD (Planned Development District).

Councilman Rosebrock opposed.

**AEGIS CIVIL ENGINEERING, INC. DEVELOPMENT AGREEMENT**

This item was deferred.

**COMMITTEE REPORTS**  
**CHAIRMAN LARRY HARGETT**  
**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**  
**GIVHANS FIRE DEPARTMENT**

Chairman Hargett reported that the Committee received an update from Chief Ed Genthert with Old Fort Fire Department on the current activities at the Givhans Fire Department. He stated the Committee had no recommendations, at this time, but would continue to work on all issues. Chairman Hargett reported that the Committee discussed the possibility of a non-binding referendum, for citizens in the area, to vote for appointments of a new Givhans Fire District Board and by-laws and other related items would be addressed at the next Committee meeting.

Chairman Elliott stated since the Ordinance to disband the Givhans Fire District Board of Directors was adopted, Council would need to take action authorizing the extension of the contract with Old Fort Fire Department to provide fire protection in the Givhans area.

15. On the motion of Mr. Davis, seconded by Mr. Murphy, Council vote unanimously authorizing the extension of the contract with Old Fort Fire Department to provide fire protection in the Givhans area for an additional sixty days. The staffing of the Department would be one full time firefighter.

**COMMITTEE REPORTS CONTINUED**  
**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

Chairman Hargett reported that the Chief of the Ashley River Fire Department addressed the Committee about problems his Department is experiencing over the recent annexations by the city of North Charleston and the affects it presents to his Fire Department. Chairman Hargett reported no action was taken on this subject, but the Committee plans on looking into the issue further.

**CHAIRMAN MIKE MURPHREE**  
**PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE**  
**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING TO**  
**AMENDMENT # 06-06 TO SEWER ORDINANCE # 84-08**

16. Chairman Murphree reported that a Public Hearing was held without comment and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading of Ordinance # 06-06 amending Sewer Ordinance # 84-08. This amendment will allow cycle billing, add a monthly maintenance fee of \$20.00 for grinder pumps, add a minimum monthly sewer charge for locations with water meters installed, and allow Public Works to accept payment via credit card and debit card for a fee of \$2.00. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING TO**  
**AMENDMENT # 06-05 TO WATER ORDINANCE # 92-07**

17. Chairman Murphree reported that a Public Hearing was held without comment and the Committee voted unanimously to recommend to Council for 2<sup>nd</sup> Reading of Ordinance # 06-05 amending Water Ordinance # 92-07. This amendment will allow for cycle billing and allow Public Works to accept payment via credit card and debit card for a fee of \$2.00. Council voted unanimously in favor of the recommendation.

**STORMWATER UTILITY FEE AMENDMENT**

Chairman Murphree reported that a cap to commercial property and a penalty for not maintaining drainage facilities was added to the Stormwater Utility Fee. A land use study for the entire county is scheduled for completion at the end of this month and that data will be used to help Public Works calculate the stormwater fee. He stated that at this point, Council might want to consider reconvening the Ad Hoc Committee for their input based upon this new information. No action was taken and this item will remain in Committee.

**PWPU COMMITTEE REPORT CONTINUED -COST OF NEW ROADS  
ACCEPTED INTO COUNTY ROAD MAINTENANCE SYSTEM**

Chairman Murphree reported that according to Mr. Tompkins, new roads are expected to be relatively maintenance free for the first 15 to 20 years. After that, typically the SCDOT considers resurfacing every 5 to 7 years 1½-inches. Resurfacing is running \$56,000/mile currently or \$8000/mile/year over 7 years. If the road lasts for 20 years and is resurfaced every 10 years, the budget would be \$56,000 over 30 years or \$1867/mile/year. The CTC gets about \$1,300,000.00 per year and 25% must be spent on State Roads. That would leave about \$975,000 to help with the maintenance cost of county roads. The Committee is discussing with Public Works Department the processing of special requests (such as wider driveway, additional storm water pipe etc.) as change orders to be labeled "anything other than the normal additions". No action at this time and the item would remain in Committee.

**SC EMPLOYMENT SECURITY COMM. PROPERTY NEAR LEC**

18. Chairman Murphree reported on the S.C. Employment Security Commission property located near the Law Enforcement Complex and referenced a letter from Senator Scott who has agreed to assist the county with obtaining the property. Chairman Murphree stated that the County has two options, the consideration of purchasing the four acres of property at the original price, plus interest at the current CIP or do an acre for acre land swap. The Committee's recommendation to Council is to write a letter to Senator Scott offering to purchase the four acres of property from the Security Commission at the original price, with interest at the current CIP. Council voted unanimously in favor of the recommendation.

**PETITION TO REMOVE SPEED HUMPS – ARCHDALE SUB.**

Chairman Murphree reported on the Committee's discussion concerning the petition to remove the speed humps in Archdale Subdivision. The civic club was contacted and now we are waiting on a letter from civic club requesting removal and a check for their portion of the cost. (Item to remain in Committee)

**SUMMERSET ACRES SEWER**

19. Chairman Murphree reported on the Committee's discussion concerning the sewer problem in Summerset Acres and received a recommendation from Mr. Tompkins to exempt Mr. Polutta from tying into the county system because his house has 12-inch reinforced concrete walls. This was also the recommendation of the Committee. Council voted six in favor and one abstention on the recommendation.

Mr. Murphy abstained.

**PWPU COMMITTEE REPORT CONTINUED**  
**CONVENIENCE SITE STICKERS**

20. Chairman Murphree reported on the Committee's discussion regarding "Convenience Site Stickers". He reported the reason for the convenience site stickers was that it was costing the county approximately \$300,000 per year to cover the costs of commercial dumping and out-of-county residents who use our convenience sites. The Committee recommended that Council, through the end of this fiscal year, allow citizens to use the stickers and/or their driver's license for entrance to the sites. Council voted unanimously in favor of the recommendation.

**ROAD PETITION- ETERNAL LANE**

Chairman Murphree reported to Council that the road petition for Eternal Lane was discussed and the Committee is requesting additional information. No action required.

**REQUEST TO RELOCATE EDISTO RIVER ROAD**

21. Chairman Murphree reported on the request to relocate Edisto River Road. Mr. Judy owns a piece of property traversed by a county maintained road, which is 10 to 15 feet from the water. He would like the County to move the road approximately 200 feet back from its current location on his property because it is so close to the river. The Committee's recommendation is not to relocate Edisto River Road. Council voted unanimously in favor of the recommendation.

**REQUEST TO RELOCATE CLIFTON STREET**

22. Chairman Murphree reported that the Committee discussed the request to relocate Clifton Street made by Mr. Welby Walkup. He would like to move a county maintained road that now goes through the middle of his property to a new location along his property line. He will do the plats, construct the road to the County's standards, and do all the work necessary. The Committee recommends to Council approval of this request. Council voted unanimously in favor of the recommendation.

**REQUEST FOR QUITCLAIM DEED- KENNETH STREET**

23. Mr. Murphree reported on a request for a Quitclaim Deed on Kenneth Street. This is a stub street in Old Fort and two adjacent owners would like a quitclaim deed from the County. The Committee's recommendation to Council was if the property owners agree to pay for the survey and the preparation of the deed and submit it to the County Attorney then, upon his approval, the quitclaim deed would be granted. Council voted unanimously in favor of the recommendation.

**REQUEST FOR QUITCLAIM DEED- JENNINGS DRIVE**

24. Chairman Murphree reported on the request for a Quitclaim Deed on Jennings Street from Summerville Homes. They would like a quitclaim deed on a portion of Jennings Drive so they can set up a separate entrance from Meadow Run for a new development. The Committee's recommendation to Council was if the property owners agree to pay for the survey and the preparation of the deed and submit it to the County Attorney then, upon his approval, the quitclaim deed would be granted. Council voted unanimously in favor of the recommendation.

**REQUEST FOR QUITCLAIM DEED- DIRT ROAD OFF HIGHWAY 165**

25. Chairman Murphree reported on the request for a Quitclaim Deed on a Dirt Road off Highway 165. This road goes from Clubhouse Road to County Line Road and has become a cut through. The Committee's recommendation to Council was if the property owners agree to pay for the survey and the preparation of the deed and submit it to the County Attorney then, upon his approval, the quitclaim deed would be granted. Council voted unanimously in favor of the recommendation.

**ROAD PETITION – COOPER DRIVE (PINEHILL ACRES)**

26. Chairman Murphree reported on a road petition received from the property owners on Cooper Drive in Pinehill Acres. The residents are requesting county maintenance of this road, 10 of the 14 property owners signed the petition, and a 50-foot right-of-way exists. They understand improvements will have to be done by the residents. The Committee's recommendation to Council is to accept Cooper Drive in the county road maintenance system. Council voted unanimously in favor of the recommendation.

**BOARDS AND COMMISSIONS**

There were no appointments to the Boards and Commissions.

**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 contractual matter with Carolina Water Service, receive legal advice concerning a real property assessment matter and to discuss a confidential economic development prospect, added earlier in the meeting to the agenda.



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

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

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

The County Attorney reported that in Executive Session Council discussed a contractual matter with Carolina Water Service, received legal advice on an assessment error and discussed a confidential economic development prospect; no actions were taken on any of the items.

Chairman Elliott passed the gavel to the Vice Chairman.

**CAROLINA WATER SERVICE**

28. On the motion of Chairman Elliott, seconded by Mr. Murphy, Council voted unanimously to purchase Teal on the Ashley, King's Grant and Plantation Ridge sewer facilities from Carolina Water Service for \$1,725,000. terms to be negotiated by the Public Works Director.

Gavel passed back to the Chairman.

**ASSESSMENT MATTER**

29. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to negotiate with Mr. John Welch regarding the over payment of taxes due to an assessment error.

**ADJOURNMENT**

30. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of Adjournment 9:00 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 3, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from March 20, 2006, County Council Meeting
- Adoption of Resolution #06-11 for John Kendall Nowocin
- Dorchester County Employee Recognition Program
- 2<sup>nd</sup> Reading FY 05-06 Supplemental Budget Ordinance Senior Citizens Center
- Correspondence

**3. GUEST**

Mrs. Jill Aquino, Director of Dorchester County Department of Social Services

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

- 3<sup>rd</sup> Reading Amendment to Sewer Ordinance # 06-06 (Cycle Billing and Grinder Pumps)
- 3<sup>rd</sup> Reading Amendment to Water Ordinance # 06-05 (Cycle Billing)
- 1<sup>st</sup> Reading Rezoning Request # 467 Jake M. Serrano, PE
- 1<sup>st</sup> Reading Rezoning Request # 470 John S. Templeton – Phin Deford
- 1<sup>st</sup> Reading Rezoning Request # 471 Summerville Developers, LLC
- 1<sup>st</sup> Reading Rezoning Request # 472 Summerville Developers, LLC
- Street Name Change Request McAlhaney Avenue to McMakin Drive
- 1<sup>st</sup> Reading Development Agreement Wentworth Hall, LLC.
- Request for County to Act as Fiscal Agent

**5. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Fire District and Fire Protection (Incentives for Volunteer Firemen and Communications)

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session -Legal Advice
  - BCD COG Appointments
  - Special Purpose Districts
  - Givhans Fire District
- Confidential Economic Development Prospects
- Personnel Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 3, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Kenneth F. Waggoner  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Councilman Rosebrock gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

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

- Mrs. Angie Crum addressed Council regarding information she submitted to Council concerning the Dorchester County Election Commission.
- Mrs. Carrie B. Hopkins addressed Council concerning the critical need for paving Seven Acres Road. (She has twin grandchildren with a severe medical condition)
- Mrs. Linda Ann Johnson addressed Council and expressed concerns and problems about living on a dirt road and asked that the road be paved.
- Mrs. Delores Footman addressed Council concerning the paving of Seven Acres Road. (Attachment A)
- Mr. Bernard Garvin also addressed Council regarding the paving of Seven Acres Road, due the critical medical needs of Mrs. Hopkins's grandchildren, newborn twins.

Chairman Elliott requested the Administrator contact the Sales Tax Transportation Authority and check the status on the pavement of Seven Acres Road. In addition, the Administrator was requested to check on the possibility of paving a dirt road up to a certain point, without paving the entire road.

#### **ADOPTION OF MINUTES – MARCH 20, 2006 COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the Council Meeting held on March 20, 2006.

#### **RESOLUTION # 06-11 FOR JOHN KENDALL NOWOCIN**

2. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution # 06-11 recognizing Mr. John Kendall Nowocin for his achievements.

#### **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

#### **2<sup>ND</sup> READING SUPPLEMENTAL BUDGET ORDINANCE # 06-07 SENIOR CENTERS, INC.**

3. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to give 2<sup>nd</sup> Reading to Ordinance # 06-07 approving a Supplemental Budget from the Senior Centers Special Revenue Fund for the purpose of three immediate funding requests totaling \$60,000.

**CORRESPONDENCE**

Mr. Ward brought to Council's attention to a letter from Senator Randy Scott regarding excess funds from the State for Dorchester County, totaling between \$150,000 and \$180,000. A third of the funds need to go to the Town of Summerville for drainage improvements at the recreation fields. Of the remaining funds, \$60,000 should go to the Senior Centers and the remaining funds should be spent on county recreation. The funds will probably be available in November 2006.

**ASHBOROUGH SUBDIVISION LETTER**

Councilman Rosebrock brought to Council's attention a letter and a petition signed by an estimated 300 of the 400 residents, of Ashborough Subdivision. The residents are extremely concerned about a proposed development of several Townhouses. The resident's concerns are the drainage problems the proposed development would cause and the location of a proposed retention pond. Chairman Elliott stated that the Public Works Department and County Council will continue to monitor this issue.

**GUEST**

Mrs. Jill Aquino, Director of Dorchester County Department of Social Services, introduced herself and gave Council a very informative update on activities at the Department of Social Services. Mrs. Aquino has been in the position of DSS Director for four months.

**COUNTY ADMINISTRATOR'S TIME**

**3<sup>RD</sup> READING FOR ORDINANCE # 06-06 AMENDING  
SEWER ORDINANCE # 84-08**

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #06-06 amending Sewer Ordinance # 84-08. This amendment will allow cycle billing, add a monthly maintenance fee of \$20.00 for grinder pumps, add a minimum monthly sewer charge for locations with water meters installed, and allow Public Works to accept payment via credit card or debit card for a fee of \$2.00.

**3<sup>RD</sup> READING FOR ORDINANCE #06-05 AMENDING WATER  
ORDINANCE # 92-07**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #06-05 amending Water Ordinance # 92-07. This amendment will allow for cycle billing and allow Public Works to accept payment via credit card or debit card for a fee of \$2.00.

**1<sup>ST</sup> READING REZONING REQUEST # 467 JAKE M. SERRANO, PE**

6. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 467 for Mr. Jake M. Serrano, PE. and place the request in the Planning Development and Building Committee for further consideration. This is a request to rezone 375 acres on Hwy 27 and Carter Road near Ridgeville from AC (Absence of Control) to R-1 (Single Family Residential District).

Chairman Elliott placed the issue of Requirements for a Development Agreement in the Planning, Development and Building Committee.

**1<sup>ST</sup> READING REZONING REQUEST # 470 JOHN S. TEMPLETON –  
PHIN DEFORD**

7. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted six in favor and one abstention to give 1<sup>st</sup> Reading to Rezoning Request #470 for John S. Templeton – Phin Deford and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 69.8 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Councilman Rosebrock abstained.

**1<sup>ST</sup> READING REZONING REQUEST # 471 SUMMERVILLE  
DEVELOPERS, LLC.**

8. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted six in favor and one abstention to give 1<sup>st</sup> Reading to Rezoning Request #471 for Summerville Developers, LLC and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 20.11 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Councilman Rosebrock abstained.

**1<sup>ST</sup> READING REZONING REQUEST # 472 SUMMERVILLE DEVELOPERS, LLC.**

9. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted five in favor and two abstentions to give 1<sup>st</sup> Reading to Rezoning Request # 472 for Summerville Developers, LLC and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 22.24 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Mr. Rosebrock and Mr. Davis abstained.

**STREET NAME CHANGE REQUEST MCALHANEY AVE. TO MCMAKIN DR.**

10. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to approve the street name change of McAlhaney Avenue in Pine Hill Acres to McMakin Drive. This area recently received water and sewer service and lots are starting to be developed. The purpose of this change is to reduce confusion regarding addressing and dispatch of emergency personnel. McAlhaney is also the name of a street in the upper part of Dorchester County.

**1<sup>ST</sup> READING OF AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT BETWEEN WENTWORTH HALL, LLC. AND DORCHESTER COUNTY**

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one opposed to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Wentworth Hall, LLC and Dorchester County. In addition, the proposed Ordinance approving the Development Agreement was referred to the Planning Commission for a Public Hearing and recommendation to Council. (Item placed in Planning Development and Building Committee for tracking purposes)

Mr. Rosebrock opposed.

Councilman Hargett requested the record show that this Development Agreement (stated above) is for 10.6 houses per acre and that is the highest density of houses that he has ever seen.

**REQUEST FOR COUNTY TO ACT AS FISCAL AGENT**

Mr. Ward, County Administrator, explained the request for the County to act as Fiscal Agent for the "Murray Community Center". The Center, Inc. is a non-profit organization located on Orangeburg Road, but it has not obtained 501 C-3 status. They are applying for a grant, from the State Budget & Control Board, to develop "The Village Conference Center" and would like the County to receive and allocate the funds, if the MCC receives the grant award. Several Council Members had questions regarding the center and its purposes. Mr. Bernie Mizick addressed Council and answered some of the questions they had.

12. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted four, in favor, two opposed and one abstention on the request for the County to act as Fiscal Agent for the "Murray Community Center".

Mr. Hargett and Mr. Rosebrock opposed.  
Mr. Murphy abstained.

**COMMITTEE REPORT- CHAIRMAN LARRY HARGETT**  
**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

**FIRE DISTRICT, FIRE PROTECTION AND INCENTIVES FOR**  
**VOLUNTEER FIREMEN**

13. Chairman Hargett reported that the Committee's recommendation was for County Council to approve four (4) mills for a Fire Protection Improvements Plan, as a part of the budgeting process, for Fiscal Year 06-07 or through an Advisory Referendum and subsequent vote of Council for Fiscal Year 07/08.

14. Mr. Murphy motioned to amend the recommendation of the Committee, seconded by Mr. Davis, for Council to approve up to four (4) mills in the Budget for a Countywide Fire Protection Improvements Plan.

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the motion amending the Committee's recommendation for Council to consider levying up to four (4) mills for Countywide Fire Protection Improvements Plan. The funds would be held by the County, not distributed to the individual fire departments, as the 15 mills that are currently distributed.



**COMMITTEE REPORT CONTINUED**  
**FIRE DISTRICT, FIRE PROTECTION AND INCENTIVES FOR**  
**VOLUNTEER FIREMEN - CONTINUED**

16. Chairman Hargett reported to Council on the discussions of the Committee and requested the County Administrator report out the Committee's recommendation to Council regarding the incentives program. Mr. Ward stated that the Committee's recommendation was to fund a "Volunteer Firefighter Incentive Program" of \$599 for qualified firefighters, who meet the state income tax credit program requirements, by earning at least 70 points. County Council will receive a list of qualified firefighters from the 12 Fire Departments and provide the monies equal to the number of qualified firefighters (multiplied by the \$599 incentive) to each fire department for payment to the qualified firefighters. Funding will come from the County General Fund. Council voted unanimously in favor of the recommendation (after Councilman Rosebrock's proposed an amendment to the recommendation failed).

17. Mr. Rosebrock motioned to amend the recommendation, seconded by Mr. Davis, to have the County issue the "incentive checks" directly to the firefighters, instead of the Fire Departments. Council voted two in favor, four opposed and one abstention.

**BOARDS AND COMMISSIONS**

There were no appointments to the Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into an Executive Session to give legal advice concerning a GOG appointment, Special Purpose District and the Givhans Fire District and to discuss two Confidential Economic Development Prospects and a personnel matter.

**EXECUTIVE SESSION 8:24 P.M.**

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

**RECONVENE FROM EXECUTIVE SESSION 9:40 P.M.**

The County Attorney reported that in Executive Session Council discussed a BCD-COG appointment, a Special Purpose District, the Givhans Fire District and two Confidential Economic Development Prospects, a personnel matter and that no action was taken on any of the items.

**RESOLUTION – GIVHANS FIRE DEPARTMENT**

19. On the motion of Mr. Hargett, seconded Mr. Davis, Council voted six in favor and one opposed to approve Resolution # 06-12, "RESOLUTION CALLING FOR AN ADVISORY REFERENDUM WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE GIVHANS FIRE DISTRICT", this referendum will be on a "Stand Alone Ballot" in the Primary Election to be held on June 13, 2006. (Referendum affiliated with neither Democratic Party nor Republican Party Primary). (Attachment B).

Mr. Murphy opposed.

**PERSONNEL MATTER - RECYCLING COORDINATOR**

20. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to hire a full time Recycling Coordinator.

**PROPOSED COUNTY HOLIDAY**

21. Mr. Rosebrock motioned and Mr. Waggoner seconded the motion, to add an additional holiday to the County Holiday Schedule, Good Friday, on April 14, 2006. Mr. Rosebrock also proposed the additional holiday be a substitution for one of the other Holidays the County observes.

22. Mr. Murphy amended the motion, seconded by Mr. Hargett, to place the proposed "Good Friday Holiday" issue in the Administrative and Intergovernmental Affairs Committee, to be review for the next calendar year. Council voted unanimously in favor of the amendment.

**ADJOURNMENT**

23. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to adjourn. Time of Adjournment 9:45 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 17, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from April 3, 2006, County Council Meeting
- Public Hearing and 3<sup>rd</sup> Reading FY 05-06 Supplemental Budget Ordinance  
Senior Citizens Center
- Proclamation "Building Safety Week", May 7<sup>th</sup> – 13<sup>th</sup>, 2006
- Correspondence

**3. COUNCILMEMBER'S TIME – MR. RICHARD ROSEBROCK**

- Number of Pets per Household
- Fireworks

**4. GUEST**

- Mr. James Villeponteaux, Dorchester County Career School
- Comprehensive High School Plan

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

- 1<sup>st</sup> Reading for Aegis Civil Engineering, Inc. Development Agreement

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 1<sup>st</sup> Reading for Multi-County Industrial Park Ordinance (STTOP, LLP and Z, LLC)
- 1<sup>st</sup> Reading Ordinance to Amend Ordinance 04-13 DC Zoning and Land Development Standards (Automobile Repair Services, Self-Storage Facilities and Tattoo Parlors)
- Executive Session -**Legal Advice**
  - Consent Order
  - Form of Government
  - Contractual Matter
- Confidential Economic Development Prospect**
- Personnel Matters**

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 17, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council  
ABSENT: Mr. Kenneth F. Waggoner

Chairman Elliott called the meeting to order and Mr. Jason Ward gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. Allen Stephens addressed Council regarding a proposed nightclub to be located on Hudsonstown Road in St. George. Mr. Harold LeaMond addressed the issue and Mr. Stephens was to call to give and receive information that could be helpful.

- Mrs. Linda Johnson addressed Council along with Mrs. Deloris Footman, and presented Council with a petition regarding paving Seven Acres Road.
- Mrs. Carrie B. Hopkins, the grandmother of newborn twins with serious medical needs, addressed Council again about paving Seven Acres Road.

Chairman Elliott requested the County Administrator contact the Chairman of the Dorchester County Sales Tax Transportation Authority regarding the paving of Seven Acres Road. The Chairman stated this issue was important and that a resolution was forth coming.

**ADOPTION OF MINUTES –APRIL 3<sup>rd</sup> , 2006 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted six in favor and one absent to adopt the Minutes from the County Council Meeting held on April 3, 2006.

Mr. Waggoner was absent.

**MOTION TO AMEND THE AGENDA**

2. On the motion of Mr. Rosebrock, seconded by Mr.Hargett, Council voted six in favor and one absent to amend the agenda allowing Councilman Rosebrock to sponsor three Rezoning Requests.

Mr. Waggoner was absent.

**REQUEST FOR 1<sup>ST</sup> READING OF THREE REZONING REQUEST**

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent for 1<sup>st</sup> Reading of three rezoning requests sponsored by Councilman Rosebrock, (listed below). In addition, place the three requests in the Planning, Development and Building Committee for a Public Hearing and recommendation for 2<sup>nd</sup> Reading and refer the requests to the Planning Commission for further action.

- Rezoning Request # 480 Patrick McRoy
- Rezoning Request # 481 Larry C. Motes
- Rezoning Request #482 Ed Lutzen, Jr. & Charles Lutzen

Mr. Waggoner was absent.

**PUBLIC HEARING AND 3<sup>RD</sup> READING SUPPLEMENTAL BUDGET  
ORDINANCE # 06-07 SENIOR CENTERS, INC.**

Chairman Elliott opened the Public Hearing to receive comments on a Supplemental Budget Ordinance for the Senior Centers, Inc., from the Senior Centers Special Revenue Fund for the purpose of three immediate funding requests totaling \$60,000.

Hearing no comments, the public hearing was closed.

4. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor and one absent to approve 3<sup>rd</sup> Reading of Ordinance # 06-07 approving a Supplemental Budget from the Senior Centers Special Revenue Fund for the purpose of three immediate funding requests totaling \$60,000. Senator Scott is trying to secure funds to replace the fund balance.

Mr. Waggoner was absent.

**PROCLAMATION "BUILDING SAFETY WEEK", MAY 7<sup>TH</sup> - 13<sup>TH</sup>, 2006**

5. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted four in favor, two opposed and one absent to adopt Proclamation # 06-03 for "Building Safety Week", May 7<sup>th</sup> - 13<sup>th</sup>, 2006.

Mr. Murphree and Mr. Rosebrock were opposed.  
Mr. Waggoner was absent.

**CORRESPONDENCE**

Mr. Ward brought to Council's attention a letter received from John E. Frampton, Director of the Department of Natural Resources, stating that Barry Beasley, Director of the SCDNR's Habitat Protection Programs, including the Heritage Trust Program, will be calling to discuss future opportunities for land protection in Dorchester County.

**COUNCILMEMBER'S TIME - MR. RICHARD ROSEBROCK  
NUMBER OF PETS PER HOUSEHOLD**

Councilman Rosebrock stated the he has received numerous complaints regarding the overpopulation of dogs and cats in residential neighborhoods. In response to these complaints, Councilman Rosebrock presented the following motion:

**COUNCILMEMBER'S TIME CONTINUED**  
**NUMBER OF PETS PER HOUSEHOLD**

6. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted three in favor, one abstention, one opposed, one absent and the Chairman exercised his right not to vote, to amend Ordinance # 99-03 "Relating to Control of Animals within Dorchester County", Section IX, labeled Nuisances, to be amended to add two proposed paragraphs (See attachment A for proposed paragraph additions). In addition, place this issue in the Public Safety, Health and Human Services Committee for further study.

Mr. Davis opposed, Mr. Murphy abstained, and Mr. Waggoner was absent.

**FIREWORKS**

Councilman Rosebrock stated that some of the citizens in the Town of Summerville had requested his assistance to help put a ban on the use of Fireworks. After checking into the issue, he found that the Town has authority over this and the County does not need to be involved.

**GUEST**

Mr. James Villeponteaux, Director of the Dorchester County Career School, made a presentation to Council regarding a Comprehensive High School Plan. He presented Council with packets of information regarding the Career School, a Budget Proposal Summary, and a proposal about the inclusion of academic courses for the 2006 and 2007 school year. He also gave Council a copy of tax notices, pointing out how little the Career School receives. The purpose of Mr. Villeponteaus's presentation was a proposal to have the Career School expanded to become a Comprehensive High School. After discussion, Council suggested that all parties involved, School District # 2 and #4, Council and the Career School schedule a meeting to discuss the proposal.

**COUNTY ADMINISTRATOR'S TIME**  
**1<sup>ST</sup> READING OF AN ORDINANCE APPROVING A DEVELOPMENT**  
**AGREEMENT BETWEEN AEGIS CIVIL ENGINEERING, INC. ( BEAZER**  
**HOMES CORPORATION) AND DORCHESTER COUNTY**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, one opposed, one abstention and one absent to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Beazer Homes and Dorchester County. The proposed Ordinance approving the Development Agreement will be referred to the Planning Commission for a Public Hearing and recommendation back to Council.

**COUNTY ADMINISTRATOR'S TIME CONTINUED**  
**DEVELOPMENT AGREEMENT BEAZER HOMES CORPORATION**

(Item placed in Planning Development and Building Committee for tracking purposes)

Mr. Murphree abstained, Mr. Waggoner was absent and Mr. Rosebrock opposed.

**BOARDS AND COMMISSIONS**

No appointments to Boards and Commissions

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**1<sup>ST</sup> READING FOR AN ORDINANCE TO AMEND THE MULTI-COUNTY**  
**INDUSTRIAL PARK ORDINANCE (STTOP, LLP AND Z, LLC)**

8. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent to approve 1<sup>st</sup> Reading to an Ordinance amending the Multi-County Industrial Park Ordinance between Dorchester County and Orangeburg County through the addition of Scout Boats to the industrial park. (STTOP, LLP and Z, LLC).

Mr. Waggoner was absent.

**1<sup>ST</sup> READING ORDINANCE TO AMEND ORDINANCE 04-13 DC ZONING AND**  
**LAND DEVELOPMENT STANDARDS (AUTOMOBILE REPAIR SERVICES,**  
**SELF-STORAGE FACILITIES AND TATTOO PARLORS)**

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted six in favor and one absent approving 1<sup>st</sup> Reading for an Ordinance amending Ordinance # 04-13 "Dorchester County Zoning and Land Development Standards Ordinance", to allow for automobile repair services, minor and self storage in (CG), to limit tattoo parlors to the Industrial District (I) and to place this in the Planning, Development and Building Committee for 2<sup>nd</sup> Reading and a Public Hearing.

Mr. Waggoner was absent.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into an Executive Session to give legal advice concerning a proposed Consent Order, the change in methodology in our form of Government, a real estate contractual matter and to discuss two Confidential Economic Development Prospects and two personnel matters.



**EXECUTIVE SESSION 7:50 P.M.**

10. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to enter into an Executive Session.

Mr. Waggoner was absent.

**RECONVENE FROM EXECUTIVE SESSION**

The County Attorney reported that in Executive Session Council received legal advice regarding a proposed consent order with DHEC and received legal advice concerning the methodology in the change in form of Government. In addition, Council discussed a real estate contractual matter, received information concerning two Confidential Economic Development Prospects, and discussed two personnel matters. No action was taken on any of the items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-19**

11. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one absent, to provide a tax credit for infrastructure to assist Project # 06-19, which is considering locating here. The credit would be given in the amount of \$15,000 for the first two years (\$30,000 total) of the new firm's operation in Dorchester County. An announcement is expected this year.

Mr. Waggoner was absent.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-13**

12. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted six in favor and one absent, to approve the incentives offered to confidential project #06-13, as offered, in the Chairman's letters to the project dated March 30, 2006 and April 12, 2006, with incentives to be 75% front loaded.

Mr. Waggoner was absent.

**ADJOURNMENT**

13. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adjourn. Time of Adjournment 9:45 P.M.

Mr. Waggoner was absent.

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Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MAY 1, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from April 17, 2006, County Council Meeting
- Advisory Referendum – Givhans Fire District
- Ordinance to Amend the Dorchester County Zoning Map to add the Ashley River Historic Overlay District Boundaries (Alternate Plan)
- Dorchester County EMS: 2005 EMS Large System of the Year
- Correspondence

**3. GUEST**

John Simkovich, DDS, MHA, Public Health Director, Region 7 DHEC  
South Carolina Prepares: Pandemic Influenza

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

- 1<sup>st</sup> Reading Dorchester County Budget Fiscal Year 2006-2007
- Request for County to Act as Fiscal Agent – Middleton Place Plantation

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree – Public Works, Property and Utilities Committee**

- Stormwater Utility Fee Amendment
- SC Employment Security Comm. Property near LEC
- Petition to Remove Speed Humps – Archdale Sub.
- Road Petition: Eternal Lane
- Cane Acre Road - Water Service Area Trade
- Orangeburg Road Sewer
- Resolution –Reserving Sewer Capacity for Economic Development

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

- Public Hearings & Recommendations for 2<sup>nd</sup> Reading for the following Rezoning Requests:
- Rezoning Request # 452 Aegis Civil Engineering, Inc.
- Rezoning Request # 465 Johnny Crawford
- Rezoning Request # 467 Jake M. Serrano, PE
- Rezoning Request # 470 John S. Templeton - Phin Deford
- Rezoning Request # 471 Summerville Developers, LLC
- Rezoning Request # 472 Summerville Developers, LLC
- Rezoning Request # 477 Thomas W. Timm
- Dorchester County Growth Forum Report

**Page Two**  
**Dorchester County Council Agenda**  
**May 1, 2006**

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
- Confidential Economic Development Projects
- Personnel Matter
- Courthouse Design
- Legal Advice
- Property Use Agreement

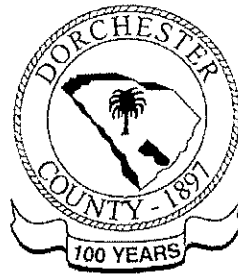
**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURHREE  
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  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MAY 1, 2006  
7:04 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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward - County Administrator  
Mr. Charles Potts - Deputy Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

### **PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. Bill Reed addressed Council concerning the importance and the need for green space and the possibility of a "greenway" through Dorchester County.

**PUBLIC ADDRESS CONTINUED**

- Ms. Charlotte York Kelly addressed Council concerning a park in Knightsville and the need for more green space.
- Mr. Rudd Smith addressed Council concerning the Trident Technical College Graduation and zoning issues on the Ashley River.
- Ms. Elaine Murray addressed Council about the Ad Hoc Committee on the Ashley River Historic Overlay District and requested Council look at the report from the Committee again.
- Mr. George Toney addressed Council about the Ad Hoc Committee regarding zoning in the Ashley River District.
- Mr. Phillip Ford addressed Council about the Ashley River Historic District and stated he believed that growth pays for growth.
- Mr. Mark Nix, Executive Director of the South Carolina Landowners Association, addressed Council also about the Historical Overlay District and about conservation easements.
- Mr. Clement Singletary addressed Council concerning the sewer project on Orangeburg Road and damage to his yard because of the project.

**MOTION TO AMEND THE AGENDA**

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to amend the agenda for adoption of a Proclamation for "Emergency Medical Services Week".

**ADOPTION OF MINUTES –APRIL 17<sup>TH</sup>, 2006 COUNTY COUNCIL MEETING**

2. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting held on April 17, 2006.

**REVISED RESOLUTION CALLING FOR AN ADVISORY REFERENDUM WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE GIVHANS FIRE DISTRICT**

3. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one opposed to adopt a revised Resolution calling for an Advisory Referendum within the Geographical Boundaries of the Givhans Fire District, which will give citizens the option of voting yes only to one question on the ballot.

Councilman Murphy opposed.

**ORDINANCE TO AMEND THE DORCHESTER COUNTY ZONING MAP  
TO ADD THE ASHLEY RIVER HISTORIC OVERLAY BOUNDARIES  
(ALTERNATE PLAN)**

4. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one abstention, to give 1<sup>st</sup> Reading to an Ordinance Amending the Dorchester County Zoning Map by adding the Ashley River Historic Overlay Boundaries (Alternate Plan) and to refer this item to Planning, Development, and Building Committee for further consideration (Alternate Plan will be available on the county's website for public review).

Councilman Murphy abstained.

**PROCLAMATION #06-04 "EMERGENCY MEDICAL SERVICES WEEK"**

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Proclamation #06-04 proclaiming the week of May 14-20, 2006 "Emergency Medical Services Week".

**DC EMS: 2005 EMS LARGE SYSTEM OF THE YEAR**

Chairman Elliott stated that on April 22, 2006, Dorchester County EMS was named "2005 EMS Large System of the Year", in the state of South Carolina by the S.C. EMS Network. The S.C. EMS Network is comprised of the DHEC Office of EMS, the four regional EMS councils, the S.C. Chapter of the American College of Emergency Physicians, and the S.C. EMS Association

**CORRESPONDENCE**

The County Administrator advised Council that the City of North Charleston has sent two notifications of annexations of property in Dorchester County. The first is the annexation of 40.53 acres off Appian Way. The owner is Dorchester School District 2. The second is the annexation of 17.25 acres at 9110 Dorchester Road. The owner is St. George's Episcopal Church.

Councilman Murphy requested that a Chairman's letter be sent to the Mayor of North Charleston regarding land for an EMS station on Dorchester Road. The location of the station would be in Dorchester County and inside the city limits of North Charleston. The station is needed to provide better emergency medical services in that area. Council all agreed.

**GUEST**

John Simkovich, DDS, MHA, Public Health Director, region 7, DHEC made a presentation on South Carolina preparing for Pandemic Influenza and the concerns associated with the possibility of an epidemic of "bird flu". He urged Council to make certain that Dorchester County has a plan, resources and funding in place to continue to operate government and provide services when and if the flu arrives. Dr. Simkovich explained that this type of influenza could strike anytime of the year, affecting all ages and population groups.

Council placed this item in the Public Safety, Health and Human Services Committee for further planning.

**COUNTY ADMINISTRATOR'S TIME**  
**1<sup>ST</sup> READING DORCHESTER COUNTY BUDGET**  
**FISCAL YEAR 2006-2007**

6. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to the Dorchester County Budget for Fiscal Year 2006-2007, by title only, and to place this item in the Budget, Finance, and Purchasing Committee for further consideration.

**REQUEST FOR COUNTY TO ACT AS FISCAL AGENT – MIDDLETON PLACE PLANTATION**

7. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to approve the request for Dorchester County to act as fiscal agent for Middleton Place Plantation. Middleton Place Plantation is applying for a \$99,000 grant from the Budget & Control Board to upgrade its communications technology for point-of sale scheduling of tours, horseback riding, and restaurants reservations. Middleton would like the County to receive and allocate the funds if they receive the grant award.

**COMMITTEE REPORT**  
**PUBLIC WORKS, PROPERTY, AND UTILITIES**  
**STORMWATER UTILITY FEE AMENDMENT**

Chairman Murphree reported on information that Mr. Tompkins provided the Committee. Mr. Tompkins addressed Council explaining the information he presented to the Committee, which were figures based upon new data compiled by the Assessor's Office and the Planning and Codes Department. This item will remain in Committee for future study.

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

**S.C. EMPLOYMENT SECURITY COMMISSION PROPERTY**

Chairman Murphree reported on a status update that Mr. Ward provided the Committee, stating the County had received an appraisal on all 9.8 acres of property (5.8 acres belonging to the County which abuts to Highway 78 as well as the 4 acres owned by the SC Employment Security Commission). The estimated amount from the appraisal was \$44,000 per acre. Chairman Murphree stated the position of the Committee was if the SC Employment Security Commission does not build a building on the property, as agreed upon, then they should sell the property back to the County. Matter kept in Committee; no action required.

**PETITION TO REMOVE SPEED HUMPS – ARCHDALE SUBDIVISION**

Chairman Murphree reported that the County has received the petition for the removal of the speed humps and is now waiting on a check for 50% of the cost of removal. Matter kept in Committee; no action required.

**ROAD PETITION: ETERNAL LANE**

Chairman Murphree reported that Public Works is sending a survey crew out to identify the location of the connection road to Eternal Lane with regard to the property lines. Matter kept in Committee; no action required.

**CANE ACRE ROAD – WATER SERVICE AREA TRADE**

Chairman Murphree requested for Council to look at the map which depicts the water service area the county would give to Dorchester County Water Authority off US 17A near Cane Acre Road in exchange for water service area around St. George off US 78 and along I-95. He reported that Mr. Tompkins and the Administrator would be meeting with St. George officials next week to discuss purchasing their sewer system in exchange for this additional water service area.

8. The Committee's recommendation to Council is to trade approximately 13,500 acres of service area off 17 Alternate with Dorchester County Water Authority, in exchange for water service area around St. George off US 78 and along I-95. Council voted unanimously in favor of the recommendation.



**COMMITTEE REPORTS CONTINUED**  
**PUBLIC WORKS, PROPERTY, AND UTILITIES**  
**ORANGEBURG ROAD SEWER**

Chairman Murphree reported that the Committee provided time for residents of Orangeburg Road to address the issue. He explained that the issue started years ago, with regard to citizens who paid a \$50.00 public sewer interest fee (tap fee). Mr. Clement Singleton, who lives on Orangeburg Road, was notified that citizens in Campbell Thicket and Brownsville were not required to pay the impact and tap fees and others fees, since they had paid the \$50.00 fee years ago. At that time, the county provided taps for the \$50.00 fee. Mr. Murphree stated that the receipt indicates that those paying the \$50.00 tap fee agree to abide by the regulations and ordinances that were in force or may become in force. As such, the \$50.00 tap fee will cover the tap fee, which is now \$500.00, but the origination fee (\$25.00), inspection fee (\$25.00), and impact fee (\$2,600) would have to be paid unless Council waives the fees. A grant was discussed that may be available to help with payment of the fees. The Council of Governments could handle this matter. Matter kept in Committee; no action required.

**RESOLUTION: RESERVING SEWER CAPACITY FOR ECONOMIC DEVELOPMENT**

9. Chairman Murphree reported that the Committee discussed the Resolution to reserve two million gallons per day of wastewater capacity for economic development. The Committee voted unanimously to recommend to Council the approval of Resolution # 06-13 as amended, in the last paragraph after the last phrase – and business development- add in “at such time as the capacity of the facility reaches 12 million gallons per day” by the Committee. Council voted six in favor and one abstention on the recommendation of the Committee.

Mr. Murphy abstained.

**PLANNING, DEVELOPMENT, AND BUILDING REPORT**  
**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #452 AEGIS CIVIL ENGINEERING, INC.**

10. Chairman Murphy reported that a public hearing was held and the Committee’s recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #452 for Aegis Civil Engineering, Inc. This is a request to rezone 131.4 acres on Orangeburg Road and US 78 near Summerville from AC (Absence of Control) to PD (Suburban Planned Development District). Council voted six in favor of the recommendation and one opposing. Developer does not oppose entering into an agreement with the County regarding our special tax district.

Mr. Rosebrock opposed.

**PLANNING, DEVELOPMENT, AND BUILDING CONTINUED**  
**REZONING REQUEST #465 JOHNNY CRAWFORD**

Rezoning Request # 465 for Mr. Johnny Crawford was withdrawn.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #467 JAKE M. SERRANO**

11. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #467 for Jake M. Serrano. This is a request to rezone 375 acres on Hwy 27 and Carter Road near Ridgeville from AC (Absence of Control) to R-1 (Single Family Residential District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #470 JOHN S. TEMPLETON – PHIN DEFORD**

12. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #470 for John S. Templeton and Phin Deford. This is a request to rezone 69.8 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size). Council voted six in favor of the recommendation and one opposing. Developer does not oppose entering into an agreement with the County regarding our special tax district.

Mr. Rosebrock opposed.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**REZONING REQUESTS #471 AND #472 FOR SUMMERVILLE**  
**DEVELOPERS, LLC**

13. Chairman Murphy reported that a public hearing was held for both Rezoning Requests #471 and #472 and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Requests #471 and #472 for Summerville Developer's Inc. Rezoning Request #471 is a request to rezone 20.11 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size). Rezoning Request #472 is a request to rezone 22.24 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size). Council voted six in favor of the recommendation and one opposing. Developer does not oppose entering into an agreement with the County regarding our special tax district.

Mr. Rosebrock opposed.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING –  
REZONING REQUEST #477 THOMAS W. TIMM**

14. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #477 for Mr. Thomas Timm. This is a request to rezone 11.55 acres on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CLI (Commercial Light Industrial District). Council voted unanimously in favor of the recommendation.

**DORCHESTER COUNTY GROWTH FORUM REPORT**

15. Chairman Murphy reported that the Committee's recommendation to Council was to have the Clemson Institute for Economic & Community Development conduct a Fiscal Impact Assessment for Dorchester County, Summerville, School District 2 and School District 4 for a total of \$42,000. However, the recommendation is contingent upon participation and funding by the Town of Summerville, District 4 and District 2. The funding share would be Dorchester County \$25,000., Summerville \$13,000., and \$2,000. for District 2 and \$2,000. District 4, for a total of \$42,000. The Committee recommends that the funds for the County be a budgeted item in the Fiscal Year Budget 2006-2007. Council voted unanimously in favor of the motion. The study would provide the county with an estimate of growth expenditures vs. revenues per new household and a better basis for negotiating in-kind cash contributions through development agreements to offset the cost of growth related capital expenses.

**TAX MAP NUMBERS**

Chairman Murphy stated on all future agendas of the Planning, Development and Building Committee, with regard to Rezoning Requests, the Tax Map Number or Numbers are to be listed on the agendas. This would make identification of the property requested for rezoning easier to find.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Chairman Elliott passed the gavel to Vice Chairman Hargett to make a Board appointment.

**APPOINTMENT - DORCHESTER COUNTY LIBRARY BOARD**

16. On the motion of Chairman Elliott, seconded by Mr. Rosebrock, Council voted unanimously in favor of the appointment of Mr. Terry L. Walker to the Dorchester County Library Board.

**APPOINTMENT – DORCHESTER COUNTY MENTAL HEALTH CENTER BOARD**

17. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to recommend to the Governor the reappointment of Mr. Horst Mueller, to the Dorchester County Mental Health Center Board.

**APPOINTMENT – DORCHESTER COUNTY DEPARTMENT OF SOCIAL SERVICES BOARD**

18. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to recommend to the Governor the appointment of Mr. Earnest Ott to the Dorchester County Social Services Board.

**MOTION TO AMEND THE AGENDA**

19. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to amend the agenda to add an item to Executive Session, concerning feedback received relative to Dorchester County conducting a special census.

**COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into an Executive Session to discuss several “Confidential Economic Development Prospects”, a personnel matter and a contractual matter concerning courthouse design services. In addition, to give legal advice concerning a property lease and license agreement with School District Four and to discuss a contractual matter concerning a “Memorandum of Understanding” for a special census.

**EXECUTIVE SESSION 8:59 P.M.**

20. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into an Executive Session.

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County Council Minutes  
May 1, 2006

**RECONVENE FROM EXECUTIVE SESSION 10:03 P.M.**

The County Attorney reported that in Executive Session Council discussed several "Confidential Economic Development Prospects", procedures concerning some personnel matters, reviewed information concerning a contractual matter with regard to the courthouse design, and gave legal advice on a potential property lease and license agreement with School District Four and a contractual matter concerning an agreement for a special census. No action was taken on any of these items.

**ADJOURNMENT**

21. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to adjourn. Time of Adjournment 10:05 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**MAY 15, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from May 1, 2006, County Council Meeting
- Public Hearing for Multi-County Industrial Park Ordinance
- 2<sup>nd</sup> Reading for Multi-County Industrial Park Ordinance
- Public Hearing Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough)
- Public Hearing Development Agreement between Dorchester County and Wentworth Hall, LLC.
- Request for Assistance – American Legion
- Extension Givhans Fire Protection Agreement
- Correspondence

**3. GUEST**

- Ms. Evelyn DeLaine-Hart – Trident Workforce Investment Board Report

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

- 1<sup>st</sup> Reading for Rezoning Request #473 Carmela T. Haklisch TMS# 154-00-00-068
- 1<sup>st</sup> Reading for Rezoning Request #475 and #476 Harbor Homes #475- TMS#122-00-00-038 and #476 TMS#122-00-00-048.
- 1<sup>st</sup> Reading Proposed Development Agreement between Dorchester County and Cypress Creek Properties, LLC
- 3<sup>rd</sup> Reading for Rezoning Request #452 Aegis Civil Engineering, Inc. TMS# 121-00-00-001
- 3<sup>rd</sup> Reading for Rezoning Request #467 Jake M. Serrano, PE TMS# 126-00-00-120
- 3<sup>rd</sup> Reading for Rezoning Request #470 John S. Templeton - Phin Deford TMS# 159-00-00-011
- 3<sup>rd</sup> Reading for Rezoning Request #471 Summersville Developers, LLC TMS# 159-00-00-005
- 3<sup>rd</sup> Reading for Rezoning Request #472 Summersville Developers, LLC TMS# 159-00-00-010
- 3<sup>rd</sup> Reading for Rezoning Request #477 Thomas W. Timm TMS# 152-00-00-156

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

-Existing Water and Sewer System and CMOM Requirements

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

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading  
Rezoning Request #480 Patrick McRoy TMS# 152-00-00-205
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading  
Rezoning Request #481 Larry C. Motes TMS#'s 152-00-00-054 &  
152-00-00-198
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading  
Rezoning Request #482 Ed Lutzen, Jr. Charla Lutzen TMS#'s 152-00-00-199  
& 152-00-00-170
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading - Ordinance to Amend Ordinance  
#04-13 Zoning & Land Development Standards (Automobile Repair Service,  
Self- Storage Facilities and Tattoo Parlors)
- Recommendation for 2<sup>nd</sup> Reading - Development Agreement between Dorchester  
County and Beazer Homes Corporation  
(Drakesborough)
- Recommendation for 2<sup>nd</sup> Reading - Development Agreement between Dorchester  
County and Wentworth Hall, LLC

**Chairman Skip Elliott Budget, Finance and Purchasing**

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading County Budget FY 2006-2007
- Budget Presentation – School District Two
- Budget Presentation – Dorchester County Senior's Inc.
- Budget Presentation – Trident Technical College
- Budget Presentation – Dorchester County Solicitor

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session -Legal Advice
  - Contractual Matter
  - Confidential Economic Development Prospects
  - Personnel Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
MAY 15, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward – County Administrator  
Mr. Charles Potts – Deputy Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Reverend Mark W. Turner gave the Invocation.

Chairman Elliott recognized Mr. Michael Truslow who reported for the Summersville Journal Scene, who is leaving the Journal Scene for a new job. Mr. Truslow introduced his predecessor, Mr. Ryan Castle, who will now be covering County Council.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:



**PUBLIC ADDRESS CONTINUED**

- Mr. Rudd Smith addressed Council regarding the FY 2006-2007 Budget.
- Mrs. LucyAnne Cathcart addressed Council regarding the FY 2006-2007 Budget.
- Mr. John Dumas addressed Council regarding the Dorchester County Seniors Inc. Budget.
- Mr. James McGraw addressed Council regarding road projects. (Attachment A-presentation to Council by Mr. McGraw)
- Mr. Tom Timm addressed Council regarding his rezoning request and thanked Council for their assistance.

**ADOPTION OF MINUTES –MAY 1, 2006 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the County Council Meeting held on May 1, 2006.

**PUBLIC HEARING FOR MULTI-COUNTY INDUSTRIAL PARK ORDINANCE**

Chairman Elliott opened the floor for public comment for the Multi-County Industrial Park Ordinance. The purpose of this ordinance is to add additional properties in Dorchester County and Orangeburg County to the park.

Hearing no comment, the public hearing was closed.

**2<sup>ND</sup> READING FOR MULTI-COUNTY INDUSTRIAL PARK ORDINANCE**

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 2nd Reading to the Multi-County Industrial Park Ordinance.

**PUBLIC HEARING DEVELOPMENT AGREEMENT -DORCHESTER COUNTY AND BEAZER HOMES CORPORATION (DRAKESBOROUGH)**

Mr. Harold LeaMond addressed Council with details on the proposed Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough).

Chairman Elliott opened the floor for public comment on the proposed Development Agreement.

Hearing no comment, the public hearing was closed.

(Recommendation for the proposed Development Agreement will be given as part of the Planning, Development and Building Committee Report.)

**PUBLIC HEARING DEVELOPMENT AGREEMENT BETWEEN  
DORCHESTER COUNTY AND WENTWORTH HALL, LLC.**

Mr. Harold LeaMond addressed Council with details on the proposed Development Agreement between Dorchester County and Wentworth Hall, LLC.

Chairman Elliott opened the floor for public comment on the proposed Development Agreement.

Hearing no comment, the public hearing was closed.

(Recommendation for the proposed Development Agreement will be given as part of the Planning, Development and Building Committee Report.)

**REQUEST FOR FUNDING– AMERICAN LEGION BASEBALL PROGRAM**

3. Mr. Davis motioned and Mr. Waggoner seconded, to approve the request for funding for the American Legion Baseball Program providing \$2,500 for the St. George American Legion Baseball Team and \$2,500 for the Summerville American Legion Baseball Team. The funds would come from the recreation grants program.

4. Mr. Murphy moved to amend the main motion, seconded by Mr. Davis, and Council voted unanimously to approve the request for funding of the American Legion Baseball Program, (as stated above), but as amended the funding will come from the County Council Contingency Fund.

**EXTENSION GIVHANS FIRE PROTECTION AGREEMENT**

5. Council voted unanimously to authorize a sixty-day extension of the contract with Old Fort Fire Department to provide fire protection in the Givhans area before the current agreement lapses on May 19th. The staffing of the Department will be one full time firefighter. This extension will ensure coverage through the beginning of the next fiscal year and give Council time to act upon the results of the advisory referendum.

**CORRESPONDENCE**

Mr. Ward addressed Council regarding an advisory referendum for the Children in Crisis Agency and reported the issue would be on the June 5, 2006, County Council Meeting agenda.

**GUEST**

Ms. Evelyn DeLaine-Hart of Trident Workforce Investment Board was scheduled to give a report on the Board to Council but was unable to attend.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**1<sup>ST</sup> READING FOR REZONING REQUEST #473 CARMELA T.**  
**HAKLISCH TMS# 154-00-00-068**

6. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve 1<sup>st</sup> Reading of Rezoning Request #473 for Carmela T. Haklisch (TMS #154-00-00-068) and place this item in the Planning Development and Building Committee for Public Hearing and recommendation. This is a request to rezone 2.92 acres on Ladson Road near Ladson from OI (Office Institutional) to CG (General Commercial).

**1<sup>ST</sup> READING FOR REZONING REQUEST #475 AND #476 HARBOR**  
**HOMES #475- TMS#122-00-00-038 AND #476 TMS#122-00-00-048**

7. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted five in favor, one opposed and the Chairman exercised his right not to vote, to approve 1<sup>st</sup> Reading of Rezoning Requests #476 for Harbor Homes (TMS #122-00-00-038) and Rezoning Request #476 for Harbor Homes (TMS#122-00-00-048) and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 125.05 acres on Jedburg Road near Jedburg from I (Industrial) to PD (Planned Development District).

Mr. Rosebrock opposed.

The Chairman also placed the "Re-Evaluation of the creation of Industrial Zones with regard to proximity of Residential Zones".

**1<sup>ST</sup> READING - PROPOSED DEVELOPMENT AGREEMENT BETWEEN**  
**DORCHESTER COUNTY AND CYPRESS CREEK PROPERTIES, LLC.**

8. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted four in favor, one opposed, one abstention and the Chairman exercised his right not to vote, to give 1<sup>st</sup> Reading to a proposed Development Agreement between Dorchester County and Cypress Creek Properties, LLC and to refer this item to the Planning Commission to hold the first public hearing and make a recommendation to the Planning, Development, and Building Committee for further consideration.

Mr. Rosebrock opposed and Mr. Murphree abstained.

**3<sup>RD</sup> READING FOR REZONING REQUEST #452 AEGIS CIVIL  
ENGINEERING, INC. TMS# 121-00-00-001**

9. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, one opposed, one abstention and the Chairman exercised his right not to vote, to approve 3<sup>rd</sup> Reading of Rezoning Request #452 Aegis Civil Engineering, Inc. (TMS #1221-00-00-001). This is a request to rezone 131.4 acres on Orangeburg Road and US 78 near Summerville from AC (Absence of Control) to PD (Suburban Planned Development District). Council voted six in favor of the recommendation and one opposing. The Developer did not oppose to enter into an agreement with the County regarding the special tax district.

Mr. Rosebrock opposed and Mr. Murphree abstained.

**3<sup>RD</sup> READING REZONING REQUEST #467 JAKE M. SERRANO  
TMS# 126-00-00-120**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and the Chairman exercised his right not to vote, to give 3<sup>rd</sup> Reading to Rezoning Request #467 Jake M. Serrano (TMS #126-00-00-120). This is a request to rezone 375 acres on Hwy 27 and Carter Road near Ridgeville from AC (Absence of Control) to R-1 (Single Family Residential District).

**3<sup>RD</sup> READING REZONING REQUEST #470 JOHN S. TEMPLETON –  
PHIN DEFORD TMS# 159-00-00-011**

11. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted five in favor, one opposed and the Chairman exercised his right not to vote, to give 3<sup>rd</sup> Reading for Rezoning Request #470 John S. Templeton and Phin Deford (TMS #159-00-00-011). This is a request to rezone 69.8 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Mr. Rosebrock opposed.

**3<sup>RD</sup> READING REZONING REQUESTS #471 TMS# 159-00-00-005 AND #472 TMS# 159-00-00-010 FOR SUMMERVILLE DEVELOPERS, LLC**

12. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted five in favor, one opposed and the Chairman exercised his right not to vote, to give 3<sup>rd</sup> Reading for Rezoning Request #471 Summerville Developers, LLC (TMS #159-00-00-005). This is a request to rezone 20.11 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Mr. Rosebrock opposed.

13. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted five in favor, one opposed and the Chairman exercised his right not to vote, to give 3<sup>rd</sup> Reading for Rezoning Request #472 Summerville Developers, LLC (TMS #159-00-00-010). This is a request to rezone 22.24 acres on Cane Acre Road near Summerville from MUC (Mixed Use Community District) to R-2 (Single Family Residential District w/7,500 minimum lot size).

Mr. Rosebrock opposed.

**3<sup>RD</sup> READING -REZONING REQUEST #477 THOMAS W. TIMM**

14. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to approve 3<sup>rd</sup> Reading of Rezoning Request #477 for Mr. Thomas W. Timm (TMS# 152-00-00-156). This is a request to rezone 11.55 acres on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CLI (Commercial Light Industrial District).

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

**EXISTING WATER AND SEWER SYSTEM AND CMOM**  
**REQUIREMENTS**

Chairman Murphree reported that the Committee discussed the existing water and sewer system and CMOM requirements and decided to keep the item in Committee, for more discussion and make a recommendation to Council at a later time.

**PLANNING, DEVELOPMENT, AND BUILDING REPORT**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST #480 PATRICK MCROY TMS# 152-00-00-205**

15. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #480 for Patrick McRoy (TMS#152-00-00-205). This is a request to rezone 3.89 acres on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CLI (Commercial Light Industrial District). This request is a 04-13 correction. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST #481 LARRY C. MOTES TMS#'S 152-00-00-054 &  
152-00-00-198**

16. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #481 Larry C. Motes (TMS's #152-00-00-054 & #152-00-00-198). This is a request to rezone 1 acre on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CG (General Commercial District). This request is a 04-13 correction. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST #482 ED LUTZEN, JR. AND CHARLA LUTZEN  
TMS #152-00-00-170**

17. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading of Rezoning Request #482 Ed Lutzen, Jr. and Charla Lutzen (TMS #152-00-00-170). This is a request to rezone property on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CG (General Commercial District). Council voted unanimously in favor of the recommendation. This request is a 04-13 correction.

FOR THE RECORD:  
THE REQUEST BY ED LUTZEN, JR. AND CHARLA LUTZEN FOR THE  
REZONING OF PROPERTY IDENTIFIED WITH TMS# 152-00-00-199 WAS  
WITHDRAWN.

**PLANNING, DEVELOPMENT AND BUILDING REPORT CONTINUED**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING -  
ORDINANCE TO AMEND ORDINANCE #04-13 ZONING & LAND  
DEVELOPMENT STANDARDS (AUTOMOBILE REPAIR SERVICE,  
SELF- STORAGE FACILITIES AND TATTOO PARLORS)**

18. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading for an Ordinance to amend Ordinance #04-13, Dorchester County Zoning and Land Development Standards. This amendment to Ordinance #04-13 will allow for automobile repair services, minor and self-storage in (CG) and will limit tattoo parlors to the Industrial District (I). Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2<sup>ND</sup> READING - DEVELOPMENT AGREEMENT  
BETWEEN DORCHESTER COUNTY AND BEAZER HOMES CORPORATION  
(DRAKESBOROUGH)**

Chairman Murphy reported that a Public Hearing for the Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough) was held earlier in this meeting before full Council. However, the Committee decided to keep the issue in Committee until the next Planning, Development and Building Committee meeting and make their recommendation at that time.

**RECOMMENDATION FOR 2<sup>ND</sup> READING - DEVELOPMENT AGREEMENT  
BETWEEN DORCHESTER COUNTY AND WENTWORTH HALL, LLC**

Chairman Murphy reported that a Public Hearing for the Development Agreement between Dorchester County and Wentworth Hall, LLC. was held earlier in this meeting before full Council. However, the Committee decided to keep the item in Committee until the next Planning, Development and Building Committee Meeting and make their recommendation at that time.

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT**

Chairman Elliott passed the gavel to Vice-Chairman Hargett, to give the report on the Budget, Finance and Purchasing Committee.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
COUNTY BUDGET FISCAL YEAR 2006-2007 ORDINANCE**

19. Chairman Elliott reported the Committee heard Budget Presentations by School District 2, Dorchester County Senior's Inc., Trident Technical College and the Dorchester County Solicitor. A Public Hearing was also held and the Committee voted unanimously to recommend to Council 2<sup>nd</sup> Reading of the Dorchester County Budget Ordinance for Fiscal Year 2006-2007 and the place the item back in the Budget, Finance, and Purchasing Committee for further consideration.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**DORCHESTER COUNTY SOCIAL SERVICES BOARD APPOINTMENT**

20. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to recommend to the Governor the appointment of Mrs. Jean Inabinet, to the Dorchester County Social Services Board.

Councilman Murphy stated that the appointment made at the last Council Meeting, to the Dorchester County Library Board, was in error and at this time, there are no vacancies on the Library Board. He requested Mr. Terry L. Walker be notified and asked if he would consider serving on another Board.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to receive legal advice concerning a contractual matter, to discuss some "Confidential Economic Development Prospects" and to discuss a personnel matter.

**EXECUTIVE SESSION 8:18 P.M.**

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

**RECONVENE FROM EXECUTIVE SESSION 9:33 P.M.**

The County Attorney reported that in Executive Session Council discussed a contractual matter; received information and discussed five confidential economic development prospects and discussed a personnel matter. No action taken on any of these items.



**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-23**

22. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve a two-year property tax credit in the amount \$9,300 per year for two years (a total of \$18,600) to confidential project #06-23. Project #06-23 plans to purchase an industrial site in the St. George New Century Industrial Park and construct a 10,000 square foot distribution facility. An announcement is expected soon.

**BOARD OF DISABILITIES AND SPECIAL NEEDS APPOINTMENT**

23. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to recommend to the Governor the reappointment of Mrs. Joyce Davis to the Dorchester County Board of Disabilities and Special Needs.

**ADJOURNMENT**

24. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to adjourn. Time of Adjournment 9:39 P.M.

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

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 5, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from May 15, 2006, County Council Meeting
- 3<sup>rd</sup> Reading for Multi-County Industrial Park Ordinance
- Resolution calling for an Advisory Referendum to Fund Children In Crisis
- Request for Funds Town of Harleyville
- Correspondence

**3. GUEST**

- Mr. Ken Harrell, Emergency Services -Hurricane Evacuation Routes and Shelters
- Mr. Gerry Musselman and Mr. Colin Martin – Palmetto House

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

- 3<sup>rd</sup> Reading Ordinance #06-12 to Amend Ordinance #04-13 Zoning & Land Development Standards (Automobile Repair Service, Self- Storage Facilities and Tattoo Parlors)
- 3<sup>rd</sup> Reading Rezoning Request #480 Patrick McRoy TMS# 152-00-00-205
- 3<sup>rd</sup> Reading Rezoning Request #481 Larry C. Motes TMS#'s 152-00-00-054 & 152-00-00-198
- 3<sup>rd</sup> Reading Rezoning Request #482 Ed Lutzen, Jr. Charla Lutzen TMS# 152-00-00-170
- 1<sup>st</sup> Reading for Rezoning Request #483 for George O'Malley –TMS #144-06-07-010
- 1<sup>st</sup> Reading for Rezoning Requests #485 for BayCorp, Inc.- TMS #152-00-00-038 and #486 - TMS #152-00-00-039
- Road Maintenance Acceptance Application Highwoods Plantation Phase 3
- Road Maintenance Acceptance Application Bradford Chase (Rumphs Hill)

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- Speed Limits
- Existing Water and Sewer System and CMOM Requirements
- Orangeburg Road Sewer

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

- Recommendation for 2<sup>nd</sup> Reading - Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough)
- Recommendation for 2<sup>nd</sup> Reading - Development Agreement between Dorchester County and Wentworth Hall, LLC

**Page Two**  
**County Council Agenda**  
**June 5, 2006**

**Chairman Skip Elliott Budget, Finance and Purchasing**

- Public Hearing County Budget FY 2006-2007
- Budget Presentation – School District 4
- Budget Presentation – Dorchester County Library
- Budget Presentation – Dorchester County Career School
- Budget Presentation – Dorchester County Fire Board

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session -Legal Advice
  - Zoning Issue
  - Contractual Matter County Courthouse
  - Contractual Matter Old Fort Contract for Fire Service
  - Confidential Economic Development Prospects

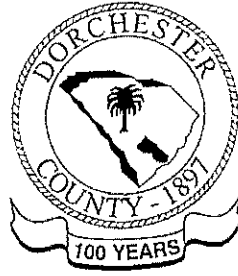
**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
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  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
JUNE 5, 2006  
7:18 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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Mr. Charles Potts - Deputy Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and Councilman Rosebrock gave the Invocation.

### **PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mayor Charles Ackerman, Town of Harleyville, thanked Council for encouraging growth in the upper end of the County. In addition, he requested funds for the Harleyville Community Park for a picnic area and restroom facilities.

- Dr. Kay Phillips spoke on behalf of the Children in Crisis Center, which is a child advocacy program. She thanked Council for last year's support and encouraged more support for this very worthy cause.
- Dr. Joe Moore, a local pediatrician, spoke in favor of the Children in Crisis Center and testified to the great necessity of the center.
- Mrs. Marlene Myers thanked Council regarding supporting the Children in Crisis Center.

**ADOPTION OF MINUTES –MAY 15, 2006 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting held on May 1, 2006.

**3<sup>RD</sup> READING FOR MULTI-COUNTY INDUSTRIAL PARK ORDINANCE**

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3<sup>rd</sup> Reading to the Multi-County Industrial Park Ordinance. The purpose of this Ordinance is to add additional properties in Dorchester County and Orangeburg County to the Multi-County Agreement.

**RESOLUTION CALLING FOR AN ADVISORY REFERENDUM TO FUND CHILDREN IN CRISIS**

3. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt a Resolution to put a referendum on the ballot, calling for not less than one mill to operate Children in Crisis, a child advocacy center. The value of one mill for Children in Crisis would be \$378,450.

**REQUEST FOR FUNDS TOWN OF HARLEYVILLE**

4. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to place the \$15,000 funding request by The Town of Harleyville to build a picnic shelter and restrooms at the Harleyville Community Park in the Public Safety, Health and Human Services Committee.

**GUEST**

**HURRICANE EVACUATION ROUTES AND SHELTERS**

Mr. Ken Harrell, Emergency Services Director, addressed Council on the 2006 Hurricane Season, which is predicted to be a very active season. Mr. Harrell presented information on hurricane evacuation routes and shelters. He described the evacuation routes and discussed the locations of the voluntary, mandatory, and special needs shelters in the county. Mr. Harrell gave Council handouts concerning all the information discussed. In addition, he informed Council that all of the information would be made available to the public through radio announcements, the internet, television and Brochures and Hurricane Guides will be available at all county buildings.

**PALMETTO HOUSE HOMELESS SHELTER**

Mr. Gerry Musselman and Mr. Colin Martin requested funds for the Palmetto House Homeless Shelter. The Dorchester Interfaith Outreach Ministries are building a new facility in Summerville. Mr. Musselman requested support from Council for the Palmetto House last year and Council agreed to provide support contingent upon participation from the Town of Summerville. The Town declined support, so the county did not provide any support. Mr. Martin stated that currently the Palmetto House is in debt for \$181,000. He thanked Council for their time and for considering this request for funds.

Chairman Elliott stated that he would like to entertain a motion giving the Palmetto House \$15,000 from the County Council Contingency Fund.

5. Mr. Waggoner motioned, seconded by Mr. Murphy, to give the Palmetto House \$15,000 from the County Council Contingency Fund.

Councilman Murphy stated that he would like to see the motion withdrawn and for Council to meet again on the Budget, before the next meeting, and look at allocating funds to both, Children in Crisis and the Palmetto House.

Mr. Waggoner withdrew his motion, Mr. Murphy withdrew his second, and Chairman Elliott agreed contingent upon the Palmetto House receiving at least \$15,000.

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

**3<sup>RD</sup> READING - ORDINANCE TO AMEND ORDINANCE #04-13 ZONING & LAND DEVELOPMENT STANDARDS (AUTOMOBILE REPAIR SERVICE, SELF- STORAGE FACILITIES AND TATTOO PARLORS)**

6. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance amending Ordinance #04-13, Dorchester County Zoning and Land Development Standards. This amendment to Ordinance #04-13 will allow for automobile repair services, minor and self-storage in (CG) and will limit tattoo parlors to the Industrial District (I).

**3<sup>RD</sup> READING REZONING REQUEST #480 PATRICK MCROY  
TMS# 152-00-00-205**

7. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #480 for Patrick McRoy (TMS#152-00-00-205). This is a request to rezone 3.89 acres on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CLI (Commercial Light Industrial District). This request is a 04-13 correction.

**3<sup>RD</sup> READING REZONING REQUEST #481 LARRY C. MOTES  
TMS#'S 152-00-00-054 & 152-00-00-198**

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #481 for Larry C. Motes (TMS's #152-00-00-054 & #152-00-00-198). This is a request to rezone 1 acre on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CG (General Commercial District). This request is a 04-13 correction

**3<sup>RD</sup> READING REZONING REQUEST #482 ED LUTZEN, JR. AND  
CHARLA LUTZEN TMS #152-00-00-170**

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #482 for Ed Lutzen, Jr. and Charla Lutzen (TMS #152-00-00-170). This is a request to rezone property on Dorchester Road near Summerville from R-4 (Multi-Family Residential District) to CG (General Commercial District). This request is a 04-13 correction.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED.**

**1<sup>ST</sup> READING FOR REZONING REQUEST #483 FOR GEORGE  
O'MALLEY –TMS #144-06-07-010**

10. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #483 for George O'Malley (TMS #144-06-07-010) and place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 8.75 acres on Orangeburg Road near Summerville from R-4 (Multifamily Residential District) to CN (Neighborhood Commercial).

**1<sup>ST</sup> READING FOR REZONING REQUESTS #485 FOR BAYCORP, INC.-  
TMS #152-00-00-038 AND #486 - TMS #152-00-00-039**

11. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted five in favor and two opposed to give 1<sup>st</sup> Reading to Rezoning Requests #485 & #486 for Bay Corp, Inc. (TMS #152-00-00-038 & 152-00-00-039) and place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 7.76 acres on Orangeburg Road near Summerville from R-4 (Multifamily Residential District) to R-2 (Single Family Residential District) and 13.88 acres on Orangeburg Road near Summerville from SR (Suburban Residential District) to R-2 (Single Family Residential District).

Mr. Rosebrock and Mr. Murphree opposed.

**ROAD MAINTENANCE ACCEPTANCE APPLICATION HIGHWOODS  
PLANTATION PHASE 3**

12. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to approve a Road Maintenance Acceptance Application for Highwoods Plantation Phase 3 accepting Trickle Drive, as identified in the application for County maintenance and start the warranty period.

**ROAD MAINTENANCE ACCEPTANCE APPLICATION BRADFORD  
CHASE (RUMPHS HILL)**

13. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to approve a Road Maintenance Acceptance Application in Highwoods Plantation Avenue accepting Cableswyn Way and Cannonsmill Lane, as identified in the application for County maintenance and start the warranty period.



**COMMITTEE REPORTS**  
**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE**  
**SPEED LIMITS**

14. The Committee voted unanimously to recommend to Council 1<sup>st</sup> Reading of an Ordinance repealing the following: Ordinances 78-07, 78-08, 78-09 and 78-10. The Ordinance establishes a speed limit of 25 MPH in Quail Arbor V, Greenhurst, Briarwood, Archdale and Legend Oaks. Council voted unanimously in favor of the motion. (No Public Hearing required per County Attorney and upon completion of traffic studies, this item will come before PWPU Committee for recommendation)

**EXISTING WATER AND SEWER SYSTEM -CMOM REQUIREMENTS**

Chairman Murphree stated that the Committee discussed two motions regarding a plan for increased water and sewer capacity and repairs to the existing system made relative to CMOM (Capacity, Management, Operations, and Maintenance). The below motions are recommendations from the Committee.

15. The Committee voted unanimously to recommend the following motion to Council for approval. The areas of Dorchester County delineated in *Green* on the Sewer Service Map, dated June 5, 2006, are to be inspected, maintained, and repaired as dictated by CMOM, no new sewer capacity will be pledged and no new sewer taps will be authorized other than for those parcels of land or developments which are already under construction, for which sewer capacity has already been pledged by the County, for which there is written documentation of an interest in utilizing Dorchester County's existing sewer capacity, or for which there have been inquiries or discussions concerning Dorchester County providing sewer capacity unless specifically authorized by Dorchester County Council. Council voted unanimously in favor of the recommendation.

16. The Committee voted unanimously to recommend the following motion to Council for approval. In respect to those areas of Dorchester County delineated in *Blue* on the Sewer Service Map, dated June 5, 2006, no new sewer taps will be authorized and no new sewer capacity will be pledged, other than for those parcels of land or developments which are already under construction, for which sewer capacity has already been pledged by the County, for which there is written documentation of an interest in utilizing Dorchester County's existing sewer capacity, or for which there have been inquiries or discussions concerning Dorchester County providing sewer capacity until Dorchester County has expanded its sewer facilities by proceeding with the construction of the collection/transmission lines under the Ashley River as presently configured and contemplated in the expansion plans prepared for the Public Works Department or unless specifically authorized by Dorchester County Council. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY & UTILITIES CONTINUED**  
**EXISTING WATER AND SEWER SYSTEM -CMOM REQUIREMENTS**

Chairman Elliott commented for the record. The action that Council has taken tonight is revolutionary. We have tried to wrestle with growth, in this County, for the past four years that I have served on Council. There have been times when Citizens, for not taking action to manage or control growth, have berated us. People have stood in front of Council's podium and asked why we have not created restrictive land use covenants and I will tell you why, they will not work in the lower part of the County. The reason for this is we have four municipalities that are ready to gobble up that land. They are Summerville, Charleston, North Charleston and the town of Hollywood. What we have done here tonight, I believe is historical. We have dealt with the problem directly and done something that I do not think has ever been done before, except in a City in Pennsylvania, and it worked wonderfully. We are doing something we should all be proud of which is going to bring economic development to the upper part of this county and for once we are going to ride by I-95 and I-26 and see an Industrial base, that lowers the out migration of workers out of this County monumentally. We have 63% of citizens who leave our County everyday to go to work. The action we are taking is going to allow us to increase our industrial tax base, where they only use 30 cent of every dollar they pay. We will now be able to boast, as Berkeley County does, and we have never been able to, that we have an industrial base. We will soon see that in this County and I would like to say thank you to my fellow Council members.

**ORANGEBURG ROAD SEWER**

Chairman Murphree stated that Mr. Ward updated the Committee on what the County is currently doing to try to assist the citizens on Orangeburg Road in getting sewer. Mr. Ward also gave full Council the latest update concerning action taken seeking the assistance and funding needed for citizens on Orangeburg Road. No actions taken; item will remain in Committee

**PLANNING, DEVELOPMENT, AND BUILDING REPORT**  
**RECOMMENDATION FOR 2<sup>ND</sup> READING - DEVELOPMENT AGREEMENT**  
**BETWEEN DORCHESTER COUNTY AND BEAZER HOMES CORPORATION**

17. Chairman Murphy reported that a Public Hearing for the Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough) was held at the Council Meeting on May 15, 2006. The Committee voted unanimously to recommend approval of 2<sup>nd</sup> Reading for the Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough). Council voted six in favor and one opposed to the recommendation.

Mr. Rosebrock opposed.

**PLANNING, DEVELOPMENT, AND BUILDING REPORT CONTINUED**  
**RECOMMENDATION FOR 2<sup>ND</sup> READING - DEVELOPMENT AGREEMENT**  
**BETWEEN DORCHESTER COUNTY AND WENTWORTH HALL, LLC**

18. Chairman Murphy reported that a Public Hearing for the Development Agreement between Dorchester County and Wentworth Hall, LLC. was held at the Council meeting on May 15<sup>th</sup>, 2006. The Committee voted unanimously to recommend approval of 2<sup>nd</sup> Reading for the Development Agreement between Dorchester County and Wentworth Hall, LLC. Council voted six in favor and one opposed to the recommendation.

Mr. Rosebrock opposed.

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT**

**COUNTY BUDGET FISCAL YEAR 2006-2007**

Chairman Elliott passed the gavel to Vice-Chairman Hargett, to give the report on the Budget, Finance and Purchasing Committee. Chairman Elliott reported that a Public Hearing was held on the County Budget for Fiscal Year 2006-2007, with no public comment. The Committee also heard budget presentations from Dorchester County School District 4, Dorchester County Library, Dorchester County Career School and the Dorchester County Fire Board. No action is necessary by Council.

**RECLASSIFICATION**

Councilman Rosebrock stated that he has some problems and questions regarding some reclassifications that are to be included in the Budget for FY 2006-2007.

19. Mr. Rosebrock motioned, seconded by Mr. Hargett, to remove the reclassifications that are included in the County Budget FY 2006-2007 and place the issue in the Administrative and Intergovernmental Affairs Committee for further study.

20. Chairman Elliott motioned to amend the main motion, seconded by Mr. Murphy, to place the reclassifications in the Budget, Finance and Purchasing Committee and if necessary have a Budget, Finance and Purchasing Committee Meeting before June 19, 2006. (Stated below, Council voted six in favor and one opposed to this amendment)

21. Mr. Waggoner motioned to amend the amendment, and take the reclassifications out of the FY 06-07 Budget and place the issue in the Administrative and Intergovernmental Affairs Committee for further study and approve nothing until a report comes from the Committee.

After discussion, Chairman Elliott asked Councilman Waggoner, if he would withdraw his amendment and allow the reclassifications placed in the Budget, Finance and Purchasing Committee as stated in the first amendment. Councilman Waggoner stated he would like the reclassifications placed in the AIA, but would withdraw his motion.

Councilman Hargett suggested placing the reclassifications in the Administrative and Intergovernmental Affairs Committee, with the exception of the Election and Voter Registration Department.

Chairman Elliott called for the vote to the first amendment, which is Motion # 20. Council voted six in favor and one opposed.

Council then decided to have a Budget Retreat to discuss the reclassifications and funding the Children in Crisis and the Palmetto House.

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

##### **DORCHESTER COUNTY SOCIAL SERVICES BOARD**

22. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to recommend to the Governor the appointment of Dr. Kay Phillips to the Dorchester County Social Services Board.

##### **CHARLESTON REGIONAL DEVELOPMENT ALLIANCE BOARD**

23. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to appoint Mr. Sean Bennett and Mr. Taylor Clarkson to the Charleston Regional Development Alliance Board.

##### **COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to receive legal advice concerning a zoning issue, to discuss a contractual matter dealing with the County Courthouse, and to discuss a contractual matter dealing with an Old Fort Fire Service Contract, District 209.

##### **EXECUTIVE SESSION 9:05 P.M.**

24. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 10:45 P.M.**

The County Attorney reported that in Executive Session Council discussed a contractual matter dealing with the County Courthouse, a service contract with Old Fort Fire District 209, and received legal advice concerning a zoning issue and discussed a personnel matter. No action was taken on any of these items.

**FIRE PROTECTION AGREEMENT -OLD FORT FIRE DISTRICT 209**

25. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to approve the proposed fire protection agreement with Old Fort Fire District 209, with the change that it be for a term of 5 years with 5-year renewals, as the parties mutually agree.

**ADJOURNMENT**

26. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to adjourn. Time of Adjournment 10:45 P.M.

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

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:30 P.M.**

1. INVOCATION

2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT

-Trident Technical College Budget FY 2006-2007

3. ADJOURN

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:30 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**TRIDENT TECHNICAL COLLEGE BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. Chairman Elliott stated the proposed Trident Technical College Budget of \$1,259,690 was a no tax increase budget; therefore, no vote was necessary.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
TTC BUDGET

**ADJOURNMENT**

1. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of adjournment 5:35 p.m.

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Sandy W. Lawley, Clerk to Council



**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:40 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County Career School Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:40 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**DORCHESTER COUNTY CAREER SCHOOL BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed Dorchester County Career School Budget of \$2,912,682 exceeds the current millage plus the consumer price index. In order to increase the millage rate above the preceding year plus CPI, this specially called meeting was held solely for the purpose of taking a vote to increase the millage rate limitation.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
DC CAREER SCHOOL

Chairman Elliott asked if anyone would like to comment prior to County Council taking a vote to override the millage rate limitation; no public comment received.

1. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and the Chairman exercised his right not to vote, to increase the millage rate above the millage rate for the 2005-2006 fiscal year as increased by 3.4%, which was the consumer price index for the preceding calendar year.

**ADJOURNMENT**

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 6:44 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:50 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County Seniors, Inc. Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
5:50 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**DORCHESTER SENIORS, INC. BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed Dorchester Seniors, Inc. Budget of \$629,600 was a no tax increase budget; therefore, no vote was necessary.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
DC SENIORS, INC.

**ADJOURNMENT**

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 5:55 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:00 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County Library Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:00 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**DORCHESTER COUNTY LIBRARY BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed Dorchester County Library Budget of \$1,698,356 was a no tax increase budget; therefore, no vote was necessary.



SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
LIBRARY BUDGET

**ADJOURNMENT**

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 6:02 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:10 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County School District IV Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:10 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**SCHOOL DISTRICT FOUR BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed School District Four Budget of \$10,722,243 plus \$60,000 in Property Tax Relief exceeds the current millage plus the consumer price index. In order to increase the millage rate above the preceding year plus CPI, this specially called meeting was held solely for the purpose of taking a vote to increase the millage rate limitation.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
SCHOOL DISTRICT #4

Chairman Elliott asked if anyone would like to comment prior to County Council taking a vote to override the millage rate limitation; no public comment was received.

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and the Chairman exercised his right not to vote, to increase the millage rate above the millage rate for the 2005-2006 fiscal year as increased by 3.4%, which was the consumer price index for the preceding calendar year.

**ADJOURNMENT**

2. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to adjourn. Time of adjournment 6:14 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:20 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County School District II Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:20 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**SCHOOL DISTRICT TWO BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation, contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed School District Two Budget of \$47,870,072 exceeds the current millage plus the consumer price index. In order to increase the millage rate above the preceding year plus CPI, this specially called meeting was held solely for the purpose of taking a vote to increase the millage rate limitation.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
SCHOOL DISTRICT #2

Chairman Elliott asked if anyone would like to comment prior to County Council taking a vote to override the millage rate limitation; no public comment received.

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and the Chairman exercised his right not to vote, to increase the millage rate above the millage rate for the 2005-2006 fiscal year as increased by 3.4%, which was the consumer price index for the preceding calendar year.

**ADJOURNMENT**

2. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment 6:23 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:30 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County Fire Board Budget FY 2006-2007**

**2. ADJOURN**



MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:30 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. Skip Elliott - Chairman  
Mr. Larry Hargett--Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward--County Administrator  
Mr. Charles Potts--Deputy Administrator  
Mr. John Frampton--County Attorney  
Mrs. Sandy Lawley--Clerk to Council

**FIRE BOARD BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed Dorchester County Fire Board Budget of \$843,172 exceeds the current millage plus the consumer price index. In order to increase the millage rate above the preceding year plus CPI, this specially called meeting was held solely for the purpose of taking a vote to increase the millage rate limitation.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
FIRE BOARD

Chairman Elliott asked if anyone would like to comment prior to County Council taking a vote to override the millage rate limitation; no public comment received.

1. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and the Chairman exercised his right not to vote, to increase the millage rate above the millage rate for the 2005-2006 fiscal year as increased by 3.4%, which was the consumer price index for the preceding calendar year.

**ADJOURNMENT**

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 6:33 p.m.

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Sandy W. Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:40 P.M.**

**1. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

**-Dorchester County Budget FY 2006-2007**

**2. ADJOURN**

MINUTES  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED MEETING  
KENNETH F. WAGGONER SERVICES CENTER, ST. GEORGE  
JUNE 19, 2006  
6:40 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

**DORCHESTER COUNTY BUDGET FY 2006-2007**

Chairman Elliott called the meeting to order and announced this special meeting was held for the purpose of taking a vote to override the millage rate limitation contained in Section 6-1-320 of the Code of Laws South Carolina. The proposed Dorchester County Budget of \$35,515,613 for Operating and Capital (including \$19,283,972 from taxes) does not exceed the current millage plus the consumer price index; therefore, no vote was necessary.

SPECIAL CALLED  
COUNCIL MEETING  
PAGE TWO  
JUNE 19, 2006  
COUNTY BUDGET

**ADJOURNMENT**

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment 6:41 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 19, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of Minutes from June 5, 2006, County Council Meeting
- Public Hearing Sale of Property 24.81 Acres Highland (Shady Lane)
- Motion for Sale of Real Property 24.81 Acres Highland (Shady Lane)
- Correspondence

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

- 3<sup>rd</sup> Reading of the Dorchester County FY 2006-2007 Budget
- 1<sup>st</sup> Reading Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000
- Reimbursement Resolution for Water & Wastewater Projects
- 1<sup>st</sup> Reading Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee)
- 3<sup>rd</sup> Reading - Development Agreement between Dorchester County and Beazer Homes Corporation (Drakesborough) and Calcote Properties, LLC
- 3<sup>rd</sup> Reading - Development Agreement between Dorchester County and Wentworth Hall, LLC

**4. COMMITTEE REPORTS**

**Mr. Mike Murphree- Public Works, Property and Utilities Committee**

- Road Petition for Cockadoo Farm Road
- Public Works Improvement Act Project

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Funding Request Town of Harleyville

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

- Resolution Calling for a Public Hearing to be held upon the Question of the Alteration of Boundaries of Dorchester County Water Authority and Publication of a Hearing
- Executive Session -Legal Advice
  - Lease Agreement between Charleston CPW & DC
  - Potential Condemnation
- Contractual Matter
  - Carolina Water Service
- Confidential Economic Development Projects

**7. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
JUNE 19, 2006  
7:01 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. Skip Elliott - Chairman  
Mr. Larry Hargett-Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward-County Administrator  
Mr. Charles Potts-Deputy Administrator  
Mr. John Frampton-County Attorney  
Mrs. Sandy Lawley-Clerk to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. One person addressed Council.

- Mr. Joe Pye, Superintendent of School District Two, addressed Council and requested that Council support Public Education in Dorchester County and stated the importance of the education system for Economic Development.

Chairman Elliott announced that 3<sup>rd</sup> Reading of the County Budget would be delayed and a Special Called Council Meeting would be held on Wednesday, June 28, 2006, in Summerville at 5:30 p.m. for that purpose. Chairman Elliott explained the delay was necessary to understand figures and information presented to Council only hours before this meeting.

Councilman Davis addressed Council and the public regarding the importance of public education in the upper part of the County. He stated that education is one of the most important issues for citizens and educators in his district. In addition, he recognized individuals in attendance from School District Four, along with parents and students. Councilman Davis stated that it is always cheaper to educate than to incarcerate.

#### **ADOPTION OF MINUTES JUNE 5, 2006 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the County Council Meeting held on June 5, 2006.

#### **PUBLIC HEARING SALE OF PROPERTY 24.81 ACRES HIGHLAND (SHADY LANE)**

Chairman Elliott opened the Public Hearing regarding the sale of approximately 24.81 acres of highland on Shady Lane.

Hearing no public comment, the Public Hearing was closed.

#### **MOTION FOR SALE OF REAL PROPERTY 24.81 ACRES HIGHLAND (SHADY LANE)**

2. On the motion of Mr. Murphree, seconded by Murphy, Council voted unanimously to approve the sale of approximately 24.81 acres of highland, which is a portion of TMS No. 153-00-00-110, for the sum of \$518,000.00, to L.I. Investment Group, LLC. This is a portion of the property which was donated to Dorchester County and of which a portion was set aside for the use of Children in Crisis, by Westvaco Development Corporation.

#### **CORRESPONDENCE**

Mr. Ward gave Council the "Givhans Fire District Referendum" results. The results are as follows: Option 1—107 votes for Dorchester County Council to operate and be able to contract for services, Option 2—47 votes for Dorchester County Council to appoint a 5-member commission to operate the fire district, Option 3—17 votes for I have no preference and leave the decision to Dorchester County.



**CORRESPONDENCE**

In addition, Mr. Ward informed Council of a successful rescue that occurred on Wednesday, May 30, involving two of our Emergency Medical Services employees, Lindsay Krakeel and Paul Krakeel. They were sitting by the pool in Wescott Plantation when a four-year-old male, Jahmal Haynes was pulled from the bottom of the pool by bystanders. Jahmal was unconscious and without pulse or respirations. Paul and Lindsay radioed for assistance and began CPR. After approximately 2 minutes of CPR, the victim regained a pulse and began to breathe. Shortly thereafter, the patient regained consciousness. Medic 2 transported him to MUSC and he was discharged on May 31. Mr. Ward stated, "I want to thank Paul and Lindsay Krakeel for their good work and all of our dedicated folks in EMS and public safety."

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

**3<sup>RD</sup> READING OF THE DORCHESTER COUNTY FY 2006-2007 BUDGET**

As stated earlier, this item was deferred until June 28, 2006.

**1<sup>ST</sup> READING ORDINANCE AUTHORIZING TAX ANTICIPATION  
NOTES NOT EXCEEDING \$7,500,000**

3. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give first reading to an Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000. The purpose of this ordinance is to ensure sufficient cash flow until we receive our real property taxes in January.

**REIMBURSEMENT RESOLUTION FOR WATER & WASTEWATER  
PROJECTS**

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Reimbursement Resolution #06-16 for Water & Wastewater Projects not to exceed \$90 million. This resolution allows the County to be reimbursed by bond proceeds for cost incurred prior to the project issuance.

**1<sup>ST</sup> READING ORDINANCE AMENDING STORMWATER ORDINANCE  
#02-10 (UTILITY FEE)**

5. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee) and to place it in the Public Works, Property, and Utilities Committee for further consideration.

**3<sup>RD</sup> READING - DEVELOPMENT AGREEMENT BETWEEN  
DORCHESTER COUNTY AND BEAZER HOMES CORPORATION  
(DRAKESBOROUGH) AND CALCOTE PROPERTIES, LLC**

6. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to the development agreement between Dorchester County and Beazer Homes Corporation (Drakesborough) and Calcote Properties, LLC.

Councilman Rosebrock opposed.

**3<sup>RD</sup> READING - DEVELOPMENT AGREEMENT BETWEEN  
DORCHESTER COUNTY AND (WENTWORTH HALL, LLC) LENNAR  
CAROLINAS, LLC**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to the development agreement (final draft approved by the County Attorney) between Dorchester County and Lennar Carolinas, LLC.

Councilman Rosebrock opposed.

**COMMITTEE REPORTS**

**PUBLIC WORKS, PROPERTY & UTILITIES**

**ROAD PETITION FOR COCKADOO FARM ROAD**

Chairman Murphree reported that the Committee tabled this request and placed it in the Committee until the issue regarding subdividing the property by the owners with a TMS number for each parcel is resolved.

**PUBLIC WORKS IMPROVEMENT ACT PROJECT**

8. Chairman Murphree reported that the Committee is looking at the creation of the boundaries of a Special Assessment District, identifying the improvement, such as expanding Orangeburg Road into a four-lane highway. The Committee recommended this item remain in Committee for further study. The County Attorney stated that an Ordinance must be developed, identifying the improvements. Council voted unanimously in favor of the recommendation.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES**  
**FUNDING REQUEST TOWN OF HARLEYVILLE**

9. Chairman Hargett reported that the Committee voted unanimously to recommend funding in the amount of \$15,000 for the Town of Harleyville to build a picnic shelter and restroom facilities at the Harleyville Community Park. The recommended funding to come from the County Council Contingency Fund. Council voted unanimously in favor of the recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**  
**DORCHESTER COUNTY FORESTRY BOARD**

10. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to recommend to the State Forestry Commission the reappointment of Mr. Walter Myers, to the Dorchester County Forestry Board.

**DORCHESTER COUNTY LOW COUNTRY RESOURCES,**  
**CONSERVATION & DEVELOPMENT AUTHORITY**

11. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor and one abstention to recommend to the Governor the reappointment of Mr. Walter Myers, Jr., to the Dorchester County Low Country Resources, Conservation & Development Authority.

**TRIDENT TECHNICAL COLLEGE AREA COMMISSION**

12. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to recommend to the Governor the reappointment of Mr. Rutherford P.C. Smith to the Trident Technical College Area Commission.

**THE TRIDENT WORKFORCE INVESTMENT BOARD**

13. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to reappoint the following individuals to The Trident Workforce Investment Board: Mr. Jim Friar, Mr. Terry Kinder, Mr. Earl Caps and Mr. Greg Walls.

**DORCHESTER COUNTY LIBRARY BOARD**

14. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to appoint of Mrs. Carolyn Baker to the Dorchester County Library Board.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**RESOLUTION CALLING FOR A PUBLIC HEARING TO BE HELD UPON**  
**THE QUESTION OF THE ALTERATION OF BOUNDARIES OF**  
**DORCHESTER COUNTY WATER AUTHORITY AND PUBLICATION OF**  
**A HEARING**

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution # 06-17 calling for a Public Hearing to be held upon the question of the alteration of boundaries of the Dorchester County Water Authority and the publication of a Public Hearing notice. Upon adoption of this Resolution, the Public Hearing will be scheduled for July 10, 2006, at the Council Meeting in Summerville at 7:00 p.m.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to receive legal advice on a proposed lease between Charleston Commissioners of Public Works and Dorchester County and a potential condemnation. In addition, to discuss a contractual matter between Dorchester County and Carolina Water Service and to receive information concerning several confidential economic development projects.

**EXECUTIVE SESSION**

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 8:20 P.M.**

The County Attorney reported that in Executive Session Council received legal advice on a proposed lease agreement with Charleston Commissioners of Public Works and a potential condemnation. In addition, Council discussed a contractual matter between dealing with Carolina Water Service and discussed three confidential economic development projects. No action was taken on any of the items.

**POTENTIAL CONDEMNATION**

17. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, two opposed and one abstention, for Council to authorize the County Attorney to start condemnation proceedings on the Eckles property.

Councilmen Waggoner and Davis opposed and Councilman Murphree abstained.

**CAROLINA WATER SERVICE**

Chairman Elliott passed the gavel to Vice-Chairman Hargett, to make a motion.

Chairman Elliott stated that on March 20, 2006, County Council voted to acquire the Kings Grant and Teal on the Ashley wastewater systems from Carolina Water Service for the sum of \$1,725,000.00. Since that time, through negotiations with Carolina Water Service, it was discovered that there are additional wastewater customers in Plantation Ridge subdivision and there are 34 water customers in Teal on the Ashley subdivision, which the Public Works Director believes, would be in both parties interest to purchase as well. Carolina Water Service is willing to include these sewer and water customers in its conveyance to Dorchester County.

18. On the motion of Mr. Elliott, seconded by Mr. Murphy, Council voted unanimously in favor of Dorchester County's prior offer to purchase the wastewater systems in Kings Grants and Teal on the Ashley subdivisions, revised to include the wastewater customers in Plantation Ridge subdivision, as well as the water customers in Teal on the Ashley subdivision. The purchase price, including these new customers is \$1,791,700.00. Further, Council authorized the County Administrator to execute the Asset Purchase Agreement and any other documents necessary to consummate this transaction with Carolina Water Service, Inc.

**ADJOURNMENT**

19. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of Adjournment 8:35 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
JUNE 28, 2006  
5:30 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT

-3<sup>rd</sup> Reading - Dorchester County Budget FY 2006-2007

3. ADJOURN

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
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  
SPECIAL CALLED MEETING  
DORCHESTER COUNTY SERVICES BUILDING,  
COUNCIL CHAMBERS, SUMMERVILLE  
JUNE 28, 2006  
5:30 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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner - Arrived Late  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Mr. Charles Potts - Deputy Administrator  
Mrs. Gina R. Sams - Sr. Admin. Asst. to Council  
ABSENT: Mr. John Frampton - County Attorney

Chairman Elliott called the meeting to order and gave the Invocation.

**3<sup>rd</sup> READING –DORCHESTER COUNTY BUDGET FY 2006-2007**

**PALMETTO HOUSE HOMELESS SHELTER**

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, one opposed, and one abstention, for County Council to provide funding in the amount of \$30,000. to the Palmetto House Homeless Shelter from FY 05-06 County Council Contingency, as discussed at the June 16, 2006, Budget Retreat.

Mr. Murphree opposed  
Chairman Elliott abstained

**RESTRUCTURING AND RECLASSIFICATIONS**

2. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted six in favor and one abstention, for all pending reclassifications in the FY 06-07 Budget, with the exception of the restructuring of the Elections and Registration Board, Administrative Services Department, Economic Development Department, Growth Management Department, and Public Works Department to be referred to the AIA Committee for further consideration.

Chairman Elliott abstained

**BUDGET ORDINANCE #06-14, OPTION A –NO TAX INCREASE FOR FY 2006-2007**

3. Mr. Hargett motioned to approve Ordinance 06-14, Option A-No Tax Increase for FY 06-07:

An Ordinance to make appropriations for County Government, Educational, and Fire Protection purposes for Dorchester County for the fiscal year beginning July 1, 2006, and ending June 30, 2007; to levy taxes for the payment thereof; and to provide for the expenditure of said taxes and other revenues coming into the County.

Be it enacted by the Dorchester County Council in Meeting Duly Assembled:

SECTION I: The following sums of money are hereby appropriated for the purposes herein set forth for Dorchester County for the period beginning July 1, 2006, and ending June 30, 2007:



**CONTINUED - 3<sup>rd</sup> READING -DORCHESTER COUNTY BUDGET FY 2006-2007**  
**BUDGET ORDINANCE #06-14, OPTION A -NO TAX INCREASE FOR FY 2006-**  
**2007**

County General Fund	33,718,463
(\$17,523,946 of this total to come from taxes)	
County Capital Improvement	2,584,658
(\$2,547,534 of this total to come from taxes)	

In addition, thereto, there are hereby approved budgets and hereby levied an educational tax upon the taxable property in the County assessed for educational purposes as follows:

School District # 2 Operation Budget	\$ 47,870,072
School District # 4 Operation Budget	\$ 10,234,661
Career School Operating Budget	\$ 2,912,285
Trident Technical College	\$ 1,259,690
County Library	\$ 1,698,356

Furthermore, there is hereby levied a 15.0 mill tax upon the taxable property in the various fire areas for the following budgets:

- Ashley River Fire Department
- Cattle Creek Fire Department
- Dorchester Fire Department
- Givhans Fire Department
- Grover Fire Department
- Harleyville Rural Fire Department
- Indian Field Fire Department
- Old Fort Fire Department (including Knightsville)
- Reevesville Fire Department
- Ridgeville Fire Department
- Sand Hill Fire Department
- St. George Fire Department

Furthermore, there is hereby levied an ad valorem tax upon the taxable property in the County sufficient for the following budget:

Dorchester Senior's, Inc.	\$ 629,600
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Finally, there is hereby levied an ad valorem tax upon the taxable property in the unincorporated areas of the County sufficient for the following budget:

Dorchester County Fire Protection Improvement Fund	\$ 843,172
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**CONTINUED - 3<sup>rd</sup> READING –DORCHESTER COUNTY BUDGET FY 2006-2007**  
**BUDGET ORDINANCE #06-14, OPTION A –NO TAX INCREASE FOR FY 2006-2007**

The Dorchester County Auditor is hereby authorized and directed to levy sufficient mills on all the taxable property in Dorchester County to generate ad valorem taxes in the individual amounts identified earlier at a 93% collection rate for the County General Fund and County Capital Improvement Fund, and a 100% collection rate for each education budget. All of the foregoing appropriations are maximum and are subject to reduction by action of County Council in the event that the applicable revenues shall fail to be sufficient to pay the same. The Auditor is also hereby authorized and directed to levy sufficient mills on all the taxable property in Dorchester County to generate ad valorem taxes in the amounts needed to meet the Debt Service needs of the County, School District #2, and School District #4.

In addition, the following Proprietary Fund budgets are approved:

Sewer and Water Utility Fund	\$ 15,355,000
Solid Waste Enterprise Fund	\$ 4,525,417
Stormwater Utility Fund	\$ 2,113,350

Councilman Murphy seconded the main motion, for discussion.

4. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted six in favor and one abstention, to amend the main motion allocating an additional \$ 1.5 million for FY 06-07 above the mandatory EIEA and property tax relief increase for School District Two; therefore bringing District Two's total budget from the County up to \$ 49,370,072.

Chairman Elliott abstained.

5. On the motion by Mr. Davis, seconded by Mr. Hargett, Council voted four in favor, one opposed and two abstentions, amending the amendment to main motion by including the allocation of an additional 27% (\$ 149,999.00) to School District Four; therefore bringing District Four's total budget from the County up to \$ 10,384,660.

Councilman Murphy opposed, Chairman Elliott and Councilman Murphree abstained.

**CONTINUED - 3<sup>rd</sup> READING –DORCHESTER COUNTY BUDGET FY 2006-2007**  
**BUDGET ORDINANCE #06-14, OPTION A –NO TAX INCREASE FOR FY 2006-**  
**2007**

6. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted five in favor and two abstentions, to give 3<sup>rd</sup> Reading to Dorchester County's Budget for FY 2006-2007, with the inclusion of the amendments, specifying the additional monies equaling 27% over the original amounts for School District Two and Four (School District Two's Budget totaling \$ 49,370,072 and School District Four's Budget totaling \$ 10,384,660).

Chairman Elliott and Councilman Murphy abstained.

**ADJOURNMENT**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to adjourn. Time of Adjournment 6:10 P.M.

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

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JULY 10, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from the Special Called Council Meetings June 19<sup>th</sup>, 2006, (8 sets), Council Meeting June 19<sup>th</sup>, 2006, and Special Called Council Meeting June 28<sup>th</sup>, 2006
- Dorchester County Employee Recognition Program
- Public Hearing - Proposed Development Agreement between Dorchester County and Cypress Creek Properties
- Public Hearing for Ordinance #06-16 to approve the Alteration of the Boundaries of the Service Area of the Dorchester County Water Authority
- 1<sup>st</sup> Reading for Ordinance #06-16 to approve the Alteration of the Boundaries of the Service Area of the Dorchester County Water Authority
- Glenn McConnell Parkway Extension
- Correspondence

**3. GUEST**

- Mr. Phillip Ford, Executive Vice President,  
Charleston Trident Home Builders Association –Fiscal Impact Report

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

- 2<sup>nd</sup> Reading Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000
- Street Naming Request
- 1<sup>st</sup> Reading for Rezoning Request #489 HLA, Inc. - TMS# 126-00-00-036
- Request for Change in Speed Limit –Duboise Road, Genell Road, Sojourner Road and Mattie Lane
- Elections and Registration Board Salaries
- Sewer Plant Expansion

**5. COMMITTEE REPORTS**

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- 2<sup>nd</sup> Reading Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee)
- “French Fry One”
- Orangeburg Road Sewer
- Water and Sewer Rate Study

**PAGE TWO  
COUNTY COUNCIL AGENDA  
JULY 10, 2006**

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

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request #473 Carmela T. Haklisch - TMS# 154-00-00-068
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Requests Harbor Homes #475-TMS#122-00-00-038 & #476-TMS#122-00-00-048
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request #483 for George O'Malley –TMS #144-06-07-010
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Requests #485 for BayCorp, Inc. - TMS #152-00-00-038 and #486 - TMS #152-00-00-039
- Recommendation for 2<sup>nd</sup> Reading Proposed Development Agreement between Dorchester County and Cypress Creek Properties

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session – Legal Advice
  - Contractual Matter Courthouse Contract
  - Contractual Matter Old Fort Fire Department
  - Contractual Matter Hodgetown
  - Personnel Matter

**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
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**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JULY 10, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward - County Administrator  
Mr. Charles Potts - Deputy Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council  
ABSENT: Mr. Chris Murphy

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. George Charpia addressed Council concerning the consistency of the width required for county roads. (Chairman Elliott placed this item in the Public Works Committee)

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Jerry Saurbrei, Elections and Registration Board, addressed Council concerning the item "Elections and Registration Board Salaries" on the agenda and requested that the employees concerned be paid at market rate. He stated he would be available for any questions.
- Mrs. Lucy Anne Cathcart addressed Council regarding concerns about growth associated with Planning and Zoning.
- Mr. Norman Brunswig, Executive Director of Audubon of South Carolina and Manager of Francis Beidler Forest, addressed the Council concerning the sewer issues for the upper part of the County. He expressed his concerns and the concerns of others about future sewer expansion in the rural acres of the County.
- Mr. Bill Branton addressed Council concerning Dorchester Road and the Berlin G. Myers Parkway and stated that he was told the funds for the expansion could come from the State Infrastructure Bank.

**ADOPTION OF MINUTES**

**SPECIAL CALLED COUNCIL MEETINGS JUNE 19<sup>TH</sup>, 2006, (8 SETS),  
COUNCIL MEETING JUNE 19<sup>TH</sup>, 2006,  
SPECIAL CALLED COUNCIL MEETING JUNE 28<sup>TH</sup>, 2006**

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one absent to adopt the Minutes from the Special Called Council Meetings held on June 19, 2006, (8 sets), the Council Meeting held on June 19<sup>th</sup>, 2006, and the Special Called Council Meeting held on June 28<sup>th</sup>, 2006.

Councilman Murphy was absent.

**DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM**

Council recognized several county employees for their years of dedicated service to the county.

**PUBLIC HEARING DEVELOPMENT AGREEMENT BETWEEN  
DORCHESTER COUNTY AND CYPRESS CREEK PROPERTIES**

Chairman Elliott opened the Public Hearing to receive public comment on the proposed development agreement between Dorchester County and Cypress Creek Properties, LLC.

Mrs. Lucy Anne Cathart questioned the amount of houses to be located in the Cypress Creek Properties, LLC. Mr. LeaMond stated that there would be 350 homes. Hearing no other comments the Public Hearing was closed.

Page Three  
County Council Minutes  
July 10, 2006

**PUBLIC HEARING FOR THE ALTERATION OF THE BOUNDARIES OF  
THE SERVICE AREA OF THE DORCHESTER WATER AUTHORITY -**

Chairman Elliott opened the public hearing to receive public comment regarding the alteration of the boundaries of the Service Area of the Dorchester County Water Authority.

Mr. Clifford Loose, Old Fort Estates Neighborhood Association Chairman, had four questions regarding the change from Dorchester County Water Authority to Dorchester County Public Works Water System. Mr. Loose gave the list to the Chairman and he requested the County Administrator address the issues and respond to Mr. Loose.

**1<sup>ST</sup> READING FOR ORDINANCE #06-16 TO APPROVE THE ALTERATION OF  
THE BOUNDARIES OF THE SERVICE AREA OF THE DORCHESTER COUNTY  
WATER AUTHORITY**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one absent to give 1<sup>st</sup> Reading of Ordinance #06-16 to approve the Alteration of the Boundaries of the Service Area of the Dorchester County Water Authority.

Councilman Murphy was absent.

**GLENN MCCONNELL PARKWAY EXTENSION**

Chairman Elliott stated that the Glenn McConnell Parkway was a very important issue for Dorchester County. The projects administered by the Sales Tax Transportation Authority would increase traffic capacity in and near Summerville and capacity around the town would be necessary. He further explained that extending the Glenn McConnell Parkway from Charleston past Summerville to I-26 would alleviate numerous traffic problems, especially in the case of a weather emergency. The current routing depicts the parkway running along Hwy 165, Orangeburg Road, and Jedburg Road in Dorchester County. At this time, Dorchester County does not have another route for the Parkway Extension approved. In addition, Chairman Elliott stated that Council voted to appoint Mr. Mark Pilgrim, an executive with Santee Cooper and a member of the Dorchester County Sales Tax Transportation Authority, as Dorchester County's liaison in supporting the extension of the Parkway. Chairman Elliott stated that Councilman Murphree would address this issue later in the meeting.



**CORRESPONDENCE**

Mr. Ward, County Administrator, informed Council that the City of North Charleston has annexed Windsor Hill Elementary School (TMS #172-00-00-070, which is 30.7 acres) and Ft. Dorchester Elementary (TMS #171-00-00-137, which is 25 acres) into the city on June 8, 2006.

In addition, the Town of Summerville Council has annexed TMS #153-00-00-009, which is approximately 23 acres off ridge Road; TMS #136-11-07-028, which is .36 acres commonly known as 212 White Boulevard; and TMS #145-13-04-045, which is Lot 85 in the Salisbury Acres Subdivision on March 8, 2006.

Mr. Ward informed Council that the Dorchester County Sheriff's Department, along with Charleston and Berkeley County has entered into a Multiple Law Enforcement Jurisdiction Agreement to investigate unsolved-open homicide cases.

**GUEST**

Mr. Phillip Ford, Executive Vice President of the Charleston Trident Home Builders Association, was on the agenda as a guest to give a "Fiscal Impact Report" but was unable to attend.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**2<sup>ND</sup> READING ORDINANCE AUTHORIZING TAX ANTICIPATION**  
**NOTES NOT EXCEEDING \$7,500,000**

3. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted six in favor and one absent to give 2<sup>nd</sup> Reading to an Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000. The purpose of this ordinance is to ensure sufficient cash flow until real property taxes are received in January.

Councilman Murphy was absent.

**STREET NAMING REQUEST**

4. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted six in favor and one absent to approve the following street names: Aviary Court off Orangeburg Road near Summerville; Shadow Pond Road off Doodle Hill Road near St. George; Ellis Court located off Jamison Road near Summerville; Cosmos Road Cates Court, Edmund Court, Isabela Court, De Long Court, and Capt. Harry Boulevard in Myers Mill Subdivision near Summerville.

Councilman Murphy was absent.

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**COUNTY ADMINISTRATOR'S TIME -- CONTINUED**

**1<sup>ST</sup> READING FOR REZONING REQUEST #489 HLA, INC.  
(TMS# 126-00-00-036)**

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted four in favor, two abstentions and one absent to give 1<sup>st</sup> Reading to Rezoning Request #489 HLA, Inc. (TMS# 126-00-00-036) and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to zone 224.4 acres on Carter road near Ridgeville from AC (Absence of Controls) to R-1 (Single Family Residential District).

Council members Murphree and Rosebrock abstained and Councilman Murphy was absent.

**REQUEST FOR CHANGE IN SPEED LIMIT --DUBOISE ROAD, GENELL ROAD, SOJOURNER ROAD AND MATTIE LANE**

6. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one absent to place the request for change in speed limit for Duboise Road, Genell Road, Sojourner Road and Mattie Lane in the Public Works, Property, and Utilities committee for further consideration.

Councilman Murphy was absent.

**ELECTIONS AND REGISTRATION BOARD SALARIES**

7. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor and one absent to Council to give the Administrator the authority to set salaries at the market rate for the GIS Analyst and the two Deputy Directors, in the Elections and Registration Department.

Councilman Murphy was absent.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**SEWER PLANT EXPANSION**

Mr. Ward stated that according to Mr. Tompkins, the expansion of the wastewater treatment plant from 4 MGD to 8 MGD is nearing completion. In the last 12 months while expanding the plant, we have utilized 1 MGD leaving 3 MGD left. If we reserve 2 MGD for industrial development and the Upper County, that only leaves 1 MGD left for growth in the lower county, which will only last a few years.

Mr. Ward further stated the item could be placed in a Committee, but he wanted to inform Council of the savings of continuing the project now. Mr. Tompkins addressed Council and indicated that Ruby Collins gave a good price to expand the plan (verified and recommended by BP Barber) to 10 MGD and pour the concrete foundation for the next clarifier so that later we just have to buy the actual clarifier equipment to put in the clarifier to easily expand to 12 MGD. This may allow the county to expand the wastewater treatment plant from 10 MGD to 12MGD without borrowing additional funds once the new rates in the water and sewer rate study are in place. If we wait and get him to come back, it will cost the County a considerable amount of money.

The \$5.5 million price tag includes the complete clarifier to go to 10 MGD, concrete and piping for clarifier to go to 12 MGD, additional banks for the UV system additional membrane filters, new lighting, new generator for the incoming pump station, and repairs to the old wet-well for the main station that was discovered during the current expansion. This puts us in good shape for years to come and the money will be included in the proposed bond issue.

The Chairman stated that the issue could be placed in the Public Works, Property and Utilities Committee, if this Council is not ready to make this decision. Mr. Tompkins stated his recommendation would be to do it now and save the money from the remobilization cost. Chairman Elliott stated that the only way this County can control growth effectively is by sewer access.

8. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted four in favor, two abstentions and one absent, to go forth at the cost of \$5.5 million to have Ruby Collins stay on site and finish the expansion of the Sewer System.

Council members Rosebrock and Murphree abstained and Councilman Murphy was absent.

**COMMITTEE REPORTS**

9. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor and one absent, at the request of Councilman Murphree to suspend the order of the agenda and have the report from the Planning, Development and Building Committee come before the Public Works, Property and Utilities Committee.

Councilman Murphy was absent.

**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE**

**REZONING REQUEST # 473 CARMELA T. HAKLISCH**

10. Councilman Murphree reported that a Public Hearing was held and the Committee's recommendation is for 2<sup>nd</sup> Reading Rezoning of Request #473 Carmela T. Haklisch TMS# 154-00-00-068. This is a request to rezone 2.92 acres on Ladson Road near Ladson from OI (Office Institutional) to CG (General Commercial). Council voted six in favor and one absent on the recommendation.

Councilman Murphy was absent.

**REZONING REQUEST #475 & #476 HARBOR HOMES**

Councilman Murphree reported that a Public Hearing was held and the recommendation of the Committee is to table and leave in Committee.

**REZONING REQUEST # 483 GEORGE O'MALLEY**

Councilman Murphree reported that a Public Hearing was held and the recommendation of the Committee is to table and leave in Committee.

**REZONING REQUESTS BAYCORP, INC. # 485 & # 486**

Councilman Murphree reported that a Public Hearing was held and the recommendation of the Committee is to table and leave in Committee.

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**COMMITTEE REPORT CONTINUED**

**DEVELOPMENT AGREEMENT CYPRESS CREEK PROPERTIES**

11. Councilman Murphree reported that the Public Hearing on the Development Agreement between Dorchester County and Cypress Creek Properties was held at the Council Meeting and the Committee recommends 2<sup>nd</sup> Reading for the Development Agreement. Council voted five in favor, one opposed and one absent.

Councilman Rosebrock opposed and Councilman Murphy was absent.

**ASHLEY RIVER HISTORIC OVERLAY DISTRICT**

12. Councilman Murphree reported that the Committee has a two-part recommendation on the Ashley River Historic Overlay District. First, is a staff review and rewrite by the Planning and Codes Department and second is to resubmit by July 24, 2006, to the Planning, Development and Building Committee for agenda placement on that date. Council voted six in favor and one absent on the two-part recommendation.

Councilman Murphy was absent.

**PUBLIC WORKS, PROPERTY & UTILITIES**

**2<sup>ND</sup> READING ORDINANCE AMENDING STORMWATER ORDINANCE  
#02-10 (UTILITY FEE)**

Chairman Murphree reported that the Committee decided to keep this matter in Committee for further review and to provide a more definitive definition to the purposed Ordinance.

**"FRENCH FRY ONE"**

Chairman Murphree reported that the Committee looked at the Public Works Department's "French Fry One," the recycling Suburban powered by 100% recycled cooking oil. This truck does not run on the typical bio-diesel (blend of diesel fuel and cooking oil). This one runs on cooking oil with no fuel blended in at all.

**PUBLIC WORKS, PROPERTY & UTILITIES CONTINUED**

**ORANGEBURG ROAD SEWER**

Chairman Murphree reported that the Orangeburg Road Sewer issue was discussed and Mr. Singleton addressed the Committee regarding the information received by Mr. Bullock of COG and thanked everyone for their assistance. No action needed by Council.

**WATER & SEWER RATE STUDY**

Chairman Murphree reported that the Water and Sewer Rate Study was discussed and would remain in Committee for further review.

**OTHER BUSINESS**

**FOR THE RECORD**

Councilman Murphree provided a copy "For the Record" of a written statement (Attachment A) which he read aloud. The statement is regarding the position of Dorchester County compared to Charleston and Berkeley County.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards or Commissions.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to give legal advice on a contractual matter concerning the County Courthouse Construction, Old Fort Fire Department and Hodgetown Development and to discuss a personnel matter.

**EXECUTIVE SESSION**

13. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one absent to enter into Executive Session.

Councilman Murphy was absent.

**RECONVENE FROM EXECUTIVE SESSION 10:15 P.M.**

The County Attorney reported that in Executive Session Council received legal advice on a contractual matter concerning the County Courthouse Construction, Old Fort Fire Department and Hodgetown Development and discussed a personnel matter. No action taken on any of the items.

**COUNTY COURTHOUSE**

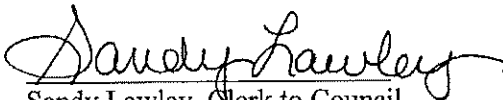
14. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor and one absent, to revise Council's contract dated 3-1-06, with Stevens and Wilkinson, to redefine the scope of the project to a new Courthouse of approximately 45,000 square feet, as discussed in their schematic design presentation, to revise the reconstruction cost estimate as presented, and to authorize them to move forward with the design development and construction document phases.

Councilman Murphy was absent.

**ADJOURNMENT**

15. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent to adjourn. Time of Adjournment 10:18 P.M.

Councilman Murphy was absent.

  
Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**JULY 24, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from Council Meeting July 10, 2006
- 2<sup>nd</sup> Reading for Ordinance #06-16 to approve the Alteration of the Boundaries of the Service Area of the Dorchester County Water Authority
- Correspondence

**3. GUEST**

- Mr. Phillip Ford, Executive Vice President  
Charleston Trident Home Builders Association –Fiscal Impact Report

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

- 3<sup>rd</sup> Reading Ordinance Authorizing Tax Anticipation Notes not exceeding \$7,500,000
- 3<sup>rd</sup> Reading Rezoning Request #473 Carmela T. Haklisch - TMS# 154-00-00-068
- Elected and Appointed Officials Productivity Increases

**5. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Givhans Fire District
- Amendment to Ordinance #99-03 Relating to Control of Animals within Dorchester County (NUMBER OF PETS PER HOUSEHOLD)

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

- Ashley River Historic Overlay District
- Recommendation for 2<sup>nd</sup> Reading Rezoning Requests Harbor Homes #475-TMS#122-00-00-038 & #476-TMS#122-00-00-048
- Recommendation for 2<sup>nd</sup> Reading Rezoning Request #483 for George O'Malley – TMS #144-06-07-010
- Recommendation for 2<sup>nd</sup> Reading Rezoning Requests #485 for BayCorp, Inc. – TMS #152-00-00-038 & #486 - TMS #152-00-00-039
- Recommendation for 2<sup>nd</sup> Reading to Rezoning Request # 489 HLA, Inc. (TMS# 126-00-00-036)



**PAGE TWO  
COUNTY COUNCIL AGENDA  
JULY 24, 2006**

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- Public Hearing Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee)
- 2<sup>nd</sup> Reading Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee)
- Larry Simmons – Summerset Acres Sewer
- Sewer Plant Expansion
- Consistency of width for County Roads
- Water and Sewer Rate Study

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session - Legal Advice
  - Confidential Economic Development Projects
  - Contractual Matter Old Fort Fire Department
- Personnel Matter

**8. ADJOURN**

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
JULY 24, 2006  
7:06 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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Mrs. Gina R. Sams – Sr. Admin. Asst. to Council

Chairman Elliott called the meeting to order and Mr. Ward gave the Invocation.

**CHAIRMAN'S TIME - MR. SKIP ELLIOTT**  
**PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

**PUBLIC ADDRESS - CONTINUED**

- Ms. Angela Jones addressed Council regarding the Historic District Ordinance.
- Ms. Sue Wehman addressed Council regarding the Historic Overlay District and provided Council with newspaper articles and editorials regarding the Historic Overlay and requested they be attached to the minutes.

*(Copies of the Articles and Editorials provided by Ms. Wehman are attached to the permanent minutes and can be viewed at Council's offices located in Summerville and St. George and by going to Dorchester County's website at [www.dorchestercounty.net](http://www.dorchestercounty.net))*

- Ms. Lucy Anne Cathcart addressed Council regarding adequate public facilities to deal with new residential permits in School District Two.
- Mr. George McDaniel addressed Council regarding the Historic Overlay District.
- Ms. Megan Desrosiers addressed Council regarding the "Ashley River Plantation District Zoning Ordinance".

**ADOPTION OF MINUTES -JULY 10, 2006 COUNTY COUNCIL MEETING**

1. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to adopt the Minutes from the County Council Meeting held on July 10, 2006.

Councilman Murphy abstained.

**2<sup>ND</sup> READING FOR ORDINANCE #06-16 TO APPROVE THE ALTERATION OF THE BOUNDARIES OF THE SERVICE AREA OF THE DORCHESTER COUNTY WATER AUTHORITY**

2. On the motion of Mr. Rosebrock, seconded by Mr. Murphree, Council voted unanimously to give 2nd Reading to Ordinance #06-16 to approve the alteration of the boundaries of the service area of the Dorchester County Water Authority.

**CORRESPONDENCE**

There was no correspondence reported.

**MOTIONS TO AMEND THE AGENDA**

3. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to change Council's August 14, 2006, meeting date to August 21, 2006.
4. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to discuss the Dorchester Senior Incorporated's request to move funds from their fund balance.

**DORCHESTER SENIOR, INC. SENIOR CENTER'S MOVING OF FUNDS FROM THEIR FUND BALANCE**

Mr. Ward addressed Council regarding the Dorchester Senior, Incorporated's request to transfer \$65,000 from the Senior Center Fund balance for fiscal year 2006-2007. The fund balance would allow for the \$65,000 to be expended and stands at \$499,324.46.

Mr. Ward recommended a motion of 1<sup>st</sup> Reading for a Supplemental Budget in the amount of \$65,000, with a referral to the Budget, Finance and Purchasing Committee for further consideration and then a recommendation back to full Council; providing, Council agrees with the transferring of funds requested by the Dorchester Senior, Inc.

5. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one abstention, to send the request by Dorchester Senior, Inc. to transfer \$65,000 from the Senior Center Fund balance for fiscal year 2006-2007 to the Budget, Finance and Purchasing Committee for a supplemental budget.

Councilman Murphree abstained.

**GUEST**

Mr. Phillip Ford, Executive Vice President of Charleston Trident Home Builders Association, presented a summary of the findings of "A report of the Fiscal Impact of Six New Residential Subdivisions in Berkeley, Greenville, and Lexington counties, South Carolina" prepared by Impact Data Source.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD  
ELECTED AND APPOINTED OFFICIALS' PRODUCTIVITY  
INCREASES  
MOTION TO AMEND THE AGENDA**

6. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to amend the agenda to include the matter of Elected and Appointed Officials' productivity increases in Executive Session.

**3<sup>RD</sup> READING ORDINANCE AUTHORIZING TAX ANTICIPATION  
NOTES NOT EXCEEDING \$7,500,000**

7. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 3<sup>rd</sup> Reading to the Ordinance for the authorizing of Tax Anticipation Notes (TAN); not exceeding \$ 7,500,000.

**3<sup>RD</sup> READING REZONING REQUEST #473 CARMELA T. HAKLISCH  
TMS# 154-00-00-068**

8. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one abstention, to give 3<sup>rd</sup> Reading to Rezoning Request # 473, Carmela T. Haklisch (TMS # 154-00-00-068).

Councilman Rosebrock abstained.

**COMMITTEE REPORT  
PUBLIC SAFETY, HEALTH & HUMAN SERVICES**

**GIVHANS FIRE DISTRICT**

9. Chairman Hargett reported on a meeting held earlier in the evening, where the contract with Old Fort Fire Department was discussed and the Committee voted unanimously to recommend that the contract with Old Fort Fire Department be extended up to 90 days and to create a contract within the extension period. Council voted unanimously in favor of the recommendation.

**CONTINUED-COMMITTEE REPORT**  
**PUBLIC SAFETY, HEALTH & HUMAN SERVICES**

**AMENDMENT TO ORDINANCE # 99-03 RELATING TO CONTROL OF**  
**ANIMALS WITHIN DORCHESTER COUNTY (NUMBER OF PETS PER**  
**HOUSEHOLD)**

Chairman Hargett reported on Mr. Bob Jones with the local SPCA coming before the Committee to address alternatives to limiting the number of pets in Dorchester County. Mr. Jones requested the Committee to consider an ordinance limiting the sale of pets on sidewalks, corners, and parking lots. Chairman Hargett reported on the Committee's discussion of reviewing information concerning what language other Counties (Charleston and Berkeley) have used in their Animal Control Ordinances and to consider applying those various languages in with Dorchester County's Animal Control Ordinance. This matter was kept in Committee and no action was required by Council.

**PLANNING, DEVELOPMENT, AND BUILDING REPORT**

**ASHLEY RIVER HISTORIC OVERLAY DISTRICT**

Chairman Murphy reported on the Planning, Development, and Building Committee meeting held earlier in the evening and the Committee voted to keep the matter of the Ashley River Historic Overlay District in Committee.

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR REZONING**  
**REQUESTS-HARBOR HOMES # 475 TMS # 122-00-00-038 & # 476 TMS #**  
**122-00-00-048**

Chairman Murphy reported that Rezoning Requests #475 and #476 was kept in Committee, which was at the request of the landowner.

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR REZONING**  
**REQUEST # 483 – GEORGE O'MALLEY TMS # 144-06-07-010**

10. Chairman Murphy reported the Committee's unanimous vote to recommend to Council the approval of 2<sup>nd</sup> Reading for Rezoning Request #483. Council voted unanimously on the recommendation.

**CONTINUED-COMMITTEE REPORT**  
**PLANNING, DEVELOPMENT, AND BUILDING REPORT**

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUESTS #485 FOR BAYCORP, INC. – TMS # 152-00-00-038 & #486 – TMS # 152-00-00-039**

Chairman Murphy reported the location of these requests and expressed the Committee's concerns regarding the requests not meeting the minimum acreage of 25 acres for requiring a development agreement for participating in the special tax district. The Committee voted unanimously to keep this matter in Committee; no action was required by Council.

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUEST #489 HLA, INC. (TMS# 126-00-00-036)**

11. Chairman Murphy reported the Committee's unanimous vote to recommend to Council the approval of 2<sup>nd</sup> Reading for Rezoning Request #489. Council voted six in favor and one opposed to give 2<sup>nd</sup> Reading to Rezoning Request #489 – HLA Inc. (TMS# 126-00-00-036).

Mr. Rosebrock opposed.

**ASHLEY RIVER HISTORIC OVERLAY DISTRICT**

12. Mr. Rosebrock motioned to bring the matter of the Ashley River Historic Overlay District out of the Planning, Development and Building Committee and to give 2<sup>nd</sup> Reading to the proposed Ashley River Historic Overlay District Ordinance, Mr. Hargett seconded the motion. Council voted three in favor, two opposed and two abstentions to give 2<sup>nd</sup> Reading to the proposed Ashley River Historic Overlay District Ordinance.

Mr. Elliott and Mr. Murphy opposed.  
Mr. Murphree and Mr. Davis abstained.

13. Mr. Murphree motioned to delete Section III (Supplemental Design & Protection Standards), Sub-Section A (River Frontage Buffers) from the proposed Ordinance's language and refer all said items to OCRM and DNR's State Standards, Mr. Murphy seconded the motion.

14. Mr. Murphy motioned to amend the main motion and to remove Section III, Sub-Section B (Road Frontage Buffers); the provision regarding the 300 ft buffers along Highways 61 and 165 and to place it back into the Planning, Development and Building Committee, Mr. Murphree seconded the motion.

**CONTINUED - ASHLEY RIVER HISTORIC OVERLAY DISTRICT**

15. Mr. Murphy motioned to amend the amendment to the main motion and to remove Section IV (Zoning Regulations) regarding density regulation and minimum lot size requirements, Sub-Sections A, B and C (A. District 1, B. District 2, C. District 3) from the proposed Ordinance and to be placed back into the Planning, Development, Building Committee, Mr. Murphree seconded the motion. Council voted four in favor and three opposed to delete Section III (Supplemental Design & Protection Standards), Sub-Section A (River Frontage Buffers) from the proposed Ordinance's language and refer all said items to OCRM and DNR's State Standards; to remove Section III, Sub-Section B (Road Frontage Buffers) and Section IV (Zoning Regulations) regarding density regulations and minimum lot size requirements, Sub-Sections A, B and C (A. District 1, B. District 2, C. District 3) from the proposed Ordinance and to place them back into the Planning, Development, Building Committee.

Mr. Hargett, Mr. Rosebrock and Mr. Waggoner opposed.

**FOR THE RECORD: Councilman Murphy stated the following:**

*"Mr. Rosebrock (even though he did not mention me by name) insinuated that I have been holding this thing up. If Mr. Rosebrock, if he was in the Committee on October 18, 2004, it was I that purposed this District."*

**FOR THE RECORD: Chairman Elliott stated the following:**

*"I take exception that everybody wants to preserve it to the extent and to the exclusion of understanding what people's property rights are. Whenever you start taking away people's property rights, which I think is a fundamental constitutional right. Then there is a voice that has to stand up, granted, I was one vote away from getting a new election. So I guess my voice will diminish come December. I was five (5) votes away from winning outright, so seven hundred and twenty-one (721) people thought the way I think... and I hope to goodness that at a point in which we...just a little wink and a nod about peoples property rights...you will wake up one morning and you will have a different world you live in. Mr. Rosebrock's attempt to pull this out of Committee, I believe is just because he believes that it is being kept in Committee with the hopes that it will die. Mr. Rosebrock I think that...and you have certainly served on Council much longer than I have and the Council devises sub-committees, so that certain Councilmen can be entrusted with certain topics. Whether it's Public Safety, whether it's Public Works, whether it's Planning and Building to allow these Councilmen to take up subjects and bring recommendations to this full body. So I just want to say for the record...that I do not believe that the PDB is purposely keeping the Historic Overlay in a Committee; in hopes it will die. You'll remember that there was an Ad Hoc Committee that was established to look at this and there is no question that, that was a very divided group. They could not find conscientious on about anything to do with that Historic Overlay District."*



**CONTINUED-COMMITTEE REPORT**  
**PUBLIC WORKS, PROPERTY & UTILITIES**

**PUBLIC HEARING ORDINANCE AMENDING STORMWATER**  
**ORDINANCE #02-10**  
**2<sup>ND</sup> READING ORDINANCE AMENDING STORMWATER**  
**ORDINANCE #02-10**

Chairman Murphree reported to Council that a Public Hearing was held for the Ordinance Amending the Stormwater Ordinance #02-10 and the matter of recommending 2<sup>nd</sup> Reading for the Ordinance was kept in Committee.

**LARRY SIMMONS SUMMERSET ACRES SEWER**

Chairman Murphree reported on Mr. Larry Simmons of Summerset Acres addressing the Committee regarding placing his home in an area where the sewer project completion date has been delayed for several months. The delay has created an issue where Mr. Simmons has not been able to live in his home and is currently paying to rent a home to stay in, plus he is paying for storage and will soon be paying on his mortgage. Mr. Simmons has requested assistance on this matter. Mr. Tompkins and Mr. Ward will be assisting Mr. Simmons with this matter.

**SEWER PLANT EXPANSION**

Chairman Murphree reported that the Committee discussed the matter of Lieber Correctional Institute doubling their inmate capacity and no action was taken by the Committee.

**CONSISTENCY OF WIDTH FOR COUNTY ROADS**

Chairman Murphree reported on the Committee's discussion regarding road widths, including Yerby Road and the matter was kept in Committee.

**WATER AND SEWEER RATE STUDY**

Chairman Murphree reported putting together a staff meeting with the Committee, along with Federal, State and others who are interested in this issue. The purpose of the meeting is to ensure that the County is not out pacing what the economy can do. This matter was kept in Committee.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no nominations made to Boards or Commissions.

**MOTIONS TO AMEND THE AGENDA**

16. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to amend the agenda for Executive Session in order to discuss a matter concerning some investigative proceedings regarding allegations of criminal misconduct.

17. On the motion of Councilman Murphy, seconded by Mr. Hargett, Council voted unanimously to amend the agenda for Executive Session for the purpose of discussing a Freedom of Information (FOIA) request.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to discuss the amended agenda items (Elected and Appointed Official's Productivity Increases, Investigative Proceeding regarding Allegations of Criminal Misconduct, FOIA Request), receive legal advice concerning "Confidential Economic Development Prospects", "Contractual Matter-Old Fort Fire Department" and to discuss a personnel matter.

**EXECUTIVE SESSION 8:20 P.M.**

18. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:45 P.M.**

The County Attorney reported that in Executive Session Council discussed a contractual matter; received information and discussed two confidential economic development prospects, a contractual matter regarding Old Fort Fire Department to serve District 209, a personnel matter, investigative proceeding regarding allegations of criminal misconduct, a FOIA request and elected and appointed officials productivity increases . No action was taken on any of these items.

**CONTRACT WITH OLD FORT FIRE DEPARTMENT**

19. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to approve the revised agreement with Old Fort Fire Department to serve the Knightsville District area 209 and authorize the County Administrator to execute this agreement.

**ELECTED AND APPOINTED OFFICIALS' PRODUCTIVITY INCREASES**

20. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted four in favor, one opposed, and two abstentions, to approve as budgeted, a 3% productivity increase for the Elected and Appointed Officials, appointed by County Council, with the exclusion of the Magistrates and Veterans Affairs Officer, along with as discussed in Executive Session, the Administrator, for fiscal year 2006-2007 and not to be retroactive.

Mr. Waggoner opposed.  
Mr. Murphree and Mr. Rosebrock abstained.

**ADJOURNMENT**

21. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of Adjournment 9:50 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 21, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from Council Meeting July 24, 2006
- 3<sup>rd</sup> Reading for Ordinance #06-16 to approve the Alteration of the Boundaries of the Service Area of the Dorchester County Water Authority
- Correspondence

**3. GUEST**

Mr. Sammy Miller, Agency Director Forum

Rev. Richard K. Giffen, ITN Charleston Trident

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

- 3<sup>rd</sup> Reading Rezoning Request #483 for George O'Malley -TMS #144-06-07-010
- 1<sup>st</sup> Reading Rezoning Request #468 James W. Hall, Jr. -TMS# 144-00-00-012
- 1<sup>st</sup> Reading Rezoning Request #478 Carolina Land Investors of Charleston  
TMS# 097-00-00-009
- 1<sup>st</sup> Reading Rezoning Request #479 Throwerwood, LLC - TMS# 087-00-00-050
- 1<sup>st</sup> Reading Rezoning Request #484 Diane J. Armstrong - TMS# 160-09-00-013
- 1<sup>st</sup> Reading Rezoning Requests #491 TMS# 085-00-00-092 &  
#492 TMS# 085-00-00-093 Byers Design Group
- Road Maintenance Acceptance Applications for the following:  
(1) Hillside Farms Subdivision (2) Eagle Run Subdivision Phase II  
(3) Tranquil Hill (Acres) Subdivision Phase I (4) O'Malley Drive
- Carryover Budget Fiscal Year 07
- Commissioning of Code Enforcement Officers

**5. COMMITTEE REPORTS**

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

- Public Hearing and Recommendation for 3<sup>rd</sup> Reading to Rezoning Request # 489 HLA, Inc. (TMS# 126-00-00-036)

**Mr. Willie Davis, Administrative and Intergovernmental Affairs Committee**

- County Job Reclassification Process

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Page Two**  
**August 21, 2006**

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

- Executive Session - Legal Advice
  - Legal Advice – Annexation Matter
  - Confidential Economic Development Projects
  - Personnel Matters

**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS

CHRISTOPHER J. MURPHY  
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**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**AUGUST 21, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Reverend Richard K. Giffen gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

Chairman Elliott asked if anyone would like to address Council. One individual made a request:

- Mr. Dennis Dingo addressed Council regarding a rezoning request for a proposed development in the Ridgeville area.

**ADOPTION OF MINUTES JULY 24, 2006 COUNTY COUNCIL  
MEETING**

1. Mr. Rosebrock motioned and it was seconded by Mr. Murphy, to adopt the Minutes from the County Council Meeting held on July 24, 2006.

Councilman Murphy addressed Council and the County Attorney regarding a change to the minutes of the July 24, 2006 Council meeting, located on page 10, item #20. The motion he made under the heading of "Elected and Appointed Officials Productivity Increases" was as follows:

"On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted four in favor, one opposed, and two abstentions, to approve as budgeted, a 3% productivity increase for the Elected and Appointed Officials, appointed by County Council, with the exclusion of the Magistrates and Veterans Affairs Officer, along with as discussed in Executive Session, the Administrator, for fiscal year 2006-2007 and not to be retroactive".

Councilman Murphy stated that the motion he made was "**exclusion of**", but his intended motion was for the "**inclusion of**". The County Attorney stated that the minutes could not be changed since the "exclusion of" was what was exactly stated and at the meeting, so the Minutes would be approved with the motion, but now the agenda could be amended and Councilman Murphy could resend the motion from the last meeting and restate it as he intended it to be.

Councilman Rosebrock withdrew his motion and Councilman Murphy withdrew his second.

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to amend the agenda for clarification of motion #20 in the minutes of the July 24, 2006, County Council Meeting.
3. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted four in favor and three opposed, to approve as budgeted, a 3% productivity increase for the Elected and Appointed Officials, appointed by County Council, with the inclusion of the Magistrates and Veterans Affairs Officer, along with as discussed in Executive Session, the Administrator, for fiscal year 2006-2007 and not to be retroactive.

Council members Rosebrock, Waggoner and Murphree were opposed.

**ADOPTION OF MINUTES JULY 24, 2006 COUNTY COUNCIL MEETING**

4. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the County Council Meeting held on July 24, 2006.

**MOTION TO AMEND THE AGENDA TO HOLD A PUBLIC HEARING FOR "ALTERATION OF BOUNDARIES OF THE DORCHESTER COUNTY WATER AUTHORITY", ORDINANCE #06-16**

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to include a Public Hearing for the "Alternation of Boundaries of the Dorchester County Water Authority", Ordinance #06-16."

**PUBLIC HEARING FOR ALTERATION OF BOUNDARIES OF THE DORCHESTER COUNTY WATER AUTHORITY**

Chairman Elliott opened the Public Hearing regarding the "Alternation of the Boundaries of the Dorchester County Water Authority", Ordinance #06-16.

Hearing no public comment, the Public Hearing closed.

**3<sup>RD</sup> READING ON THE ALTERATION OF BOUNDARIES OF DORCHESTER COUNTY WATER AUTHORITY**

6. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #06-16 "Alternation of the Boundaries of the Dorchester County Water Authority".

**CORRESPONDENCE**

Mr. Ward informed Council of a memo he received from the BCD COG concerning the "Request for Transportation Project Proposals for Rural (or Non CHATS) Long Range Transportation Plan". He requested Council to make the County Transportation Committee aware of any road projects that need to be included in the Long Range Plan so they can get this information to Ron Mitchum, Executive Director, BCD COG, by September 11, 2006.

In addition, Mr. Ward informed Council of a "Demonstration of Need Extension". DHEC has given a 120-day demonstration of need extension to BB&L Landfill, LLC for their proposed construction, demolition, and land clearing debris in Jedburg. The extension will expire on December 9, 2006. (For Information Only)



**GUEST**

Mr. Sammy Miller, Director of Dorchester County Alcohol and Drug Commission, addressed Council on the subject of the "Agency Director's Forum". The Agency Director's Forum, which meets monthly, was established to address issues related to the human services in Dorchester County. Mr. Miller explained the importance of this group and how it has helped create a platform for agencies to work together and learn about the services provided to the citizens of Dorchester County. Mr. Miller also thanked Mr. Ward for his membership and participation in the group and stated that his presence was very important. In addition, he thanked Council for their continued support provided to his Commission.

**GUEST**

Rev. Richard K. Giffen, ITN Charleston Trident, addressed Council and discussed a transportation alternative for the elderly. He gave a power point presentation on the program and the need for transportation for elderly citizens to get to doctor's appointments and run general everyday errands. The program estimated to take about five years to become self-sustaining. Reverend Giffen requested funding assistance from the County to get the program off the ground. Mr. Phil Jones, an ITN Charleston Trident Board Member, addressed Council on the necessity and importance of this program in Dorchester County and asked if Council would consider the release of the fund balance from the Seniors Centers Inc.

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to authorize the Dorchester County Seniors Inc. to use \$10,000 of their fund balance for the ITNCharleston Trident, transportation alternative for the elderly.

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

**3<sup>RD</sup> READING FOR REZONING REQUEST #483 FOR GEORGE O'MALLEY –TMS #144-06-07-010**

8. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 1<sup>st</sup> Reading to Rezoning Request #483 for George O'Malley (TMS #144-06-07-010). This is a request to rezone 8.75 acres on Orangeburg Road near Summerville from R-4 (Multifamily Residential District) to CN (Neighborhood Commercial).

Councilman Waggoner opposed.

**1<sup>ST</sup> READING REZONING REQUEST #468 JAMES W. HALL, JR. –  
TMS# 144-00-00-012**

9. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted three in favor, one opposed and 2 abstentions to give 1st Reading Rezoning Request #468 James W. Hall, Jr. - TMS #144-06-07-010 and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 8.3 acres on Orangeburg Road near Summerville from R-2 (Single Family Residential District) to CN (Neighborhood Commercial).

Councilman Rosebrock opposed.  
Councilmen Murphree, Waggoner and Davis abstained.

**REZONING REQUEST #478 CAROLINA LAND INVESTORS OF  
CHARLESTON TMS# 097-00-00-009 AND REZONING REQUEST #479  
THROWERWOOD, LLC - TMS# 087-00-00-050**

10. Mr. Murphy motioned, seconded by Mr. Hargett, to give 1<sup>st</sup> Reading to Rezoning Requests #478 and #479 and place them into the Planning Development and Building Committee for further consideration. Rezoning Request #478 - TMS# 097-00-00-009 for Carolina Land Investors of Charleston is a request to rezone 313.82 acres on North Railroad Avenue near Ridgeville from AC (Absence of Control) to R-2 (Single Family Residential District). Rezoning Request #479 - TMS #087-00-00-050 for Throwerwood, LLC. is a request to rezone 762.5 acres on Hwy 78 and SC Hwy 27 near Ridgeville from AC (Absence of Control) to R-2 (Single Family Residential District – 664.33 acres) and AC (Absence of Control) to CG (General Commercial - 98.17 acres).

11. Mr. Waggoner motioned to amend the main motion, seconded by Mr. Davis, to send Rezoning Requests #478 and #479 to the Planning, Development and Building Committee without recommendation. (See above property information and description). Council voted six in favor and one abstention.

Councilman Murphree abstained.

**REZONING REQUEST #484 DIANE J. ARMSTRONG TMS#160-09-00-013**

12. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to deny 1<sup>st</sup> Reading for Rezoning Request #484 Diane J. Armstrong – TMS #160-09-00-013 which is a request to rezone .61 acre on Legend Oaks Way near Summerville from R-2 (Single Family Residential District) to CG (General Commercial).

**1<sup>ST</sup> READING REZONING REQUESTS #491 TMS# 085-00-00-092 &  
#492 TMS# 085-00-00-093 BYERS DESIGN GROUP**

13. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #491 – TMS #085-00-00-092 & #492 –TMS #085-00-00-093, both for Byers Design Group and to place these two request in the Planning, Development, and Building Committee for further consideration. Rezoning Request #491 is a request to rezone 1.41 acres on Hwy 78 in Dorchester from AC (Absence of Control) to CG (General Commercial District) and Rezoning Request #492 is a request to rezone 1.45 acres on Hwy 78 in Dorchester from AC (Absence of Control) to CG (General Commercial District).

**ROAD MAINTENANCE ACCEPTANCE APPLICATIONS FOR THE  
FOLLOWING: (1) HILLSIDE FARMS SUBDIVISION (2) EAGLE RUN  
SUBDIVISION PHASE II (3) TRANQUIL HILL (ACRES) SUBDIVISION  
PHASE I (4) O'MALLEY DRIVE**

14. Mr. Murphy motioned and Mr. Davis seconded, to accept these roads for county maintenance and to begin the twelve-month warranty period. The following are the Road Maintenance Applications: Hillside Farms Subdivision, Eagle Run Subdivision Phase II, Tranquil Hill (Acres) Subdivision Phase I, and O'Malley Drive.

15. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to amend the above motion and accept only the following roads for county maintenance and to begin the twelve-month warranty period. They are the Road Maintenance Applications for Hillside Farms Subdivision, Eagle Run Subdivision Phase II, and Tranquil Hill (Acres) Subdivision Phase I, and to place the application for O'Malley Drive in the Public Works, Property and Utilities Committee.

16. Mr. Murphree motioned and Mr. Rosebrock seconded, for any private roads added to the Dorchester County Maintenance System can be subjected to the future proposed Special Assessment Tax District and to place this subject into the Public Works, Property and Utilities Committee.

17. On the Motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to amend the Road Maintenance Acceptance Ordinance and to require Developers of all new developments in Dorchester County to voluntarily place their developments into a new Special Assessment Tax District for the purpose of maintaining the roads and to place this in the Public Works, Property and Utilities Committee.

**COCKADOO ROAD**

Mr. Davis requested a discussion on Cockadoo Road, which is currently in the Public Works Committee. The County Assessor addressed the issue and Councilman Murphree stated that he would have a Public Works, Property and Utilities Committee meeting before the next Council meeting and try to solve this issue.

**CARRYOVER BUDGET FISCAL YEAR 2007**

18. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve the FY 2007 Carryover Budget to allow county departments to use funds budgeted for projects, purchases, services, and personnel in Fiscal Year 2005-06 to be used for similar purposes during this current fiscal year to Carryover Budget Fiscal Year 2007.

**COMMISSIONING OF CODE ENFORCEMENT OFFICERS**

19. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to commission Brenda Horne and Jody Creel as code enforcement officers pursuant to Section 4-9-145 Code of Laws South Carolina, as amended. This will allow Horne and Creel to issue citations.

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

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING TO**  
**REZONING REQUEST # 489 HLA, INC. (TMS# 126-00-00-036)**

20. Chairman Murphy stated that a Public Hearing was held and the Committee's recommendation was to approve 3rd Reading of Rezoning Request # 489 HLA, Inc. (TMS# 126-00-00-036). This is a request to zone 224.4 acres on Carter Road near Ridgeville from AC (Absence of Controls) to R1 (Single Family Residential District). Council voted six in favor and one opposed.

Councilman Rosebrock opposed.

Councilman Murphy announced that a joint meeting of the Planning, Development and Building Committee and the Public Works, Property and Utilities Committee would be held regarding sewer capacity and other common issues, on September 18, 2006 at 5:30 p.m. in the Summerville Council Chambers.

**COMMITTEE REPORTS CONTINUED**  
**MR. WILLIE DAVIS, ADMINISTRATIVE AND**  
**INTERGOVERNMENTAL AFFAIRS COMMITTEE**

**COUNTY JOB RECLASSIFICATION PROCESS**

Councilman Davis reported that the reclassification process was discussed and reported that no action was taken.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON**  
**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to receive legal advice concerning an annexation matter, to discuss five confidential Economic Development projects and to discuss three personnel matters.

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

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

**RECONVENE FROM EXECUTIVE SESSION**

The County Attorney reported that in Executive Session Council received legal advice concerning an annexation issue; Council discussed five confidential Economic Development Projects. In addition, Council discussed two personnel matters and no action taken on any of the items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT #05-53**

22. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve incentives for project #05-53 as contained in the Chairman's letter of May 23, 2006. This project will create 18 new jobs and have investment of over \$5.0 million dollars.

23. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give approval for project #05-53 to be provided a total of \$180,358 in a grant from the Dorchester County Economic Development Fund to assist with infrastructure at the site.

**ROBERT BOSCH ECONOMIC DEVELOPMENT**

24. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to assist Robert Bosch, our largest employer, with intersection improvements at Dorchester Road and Lincoln Boulevard, by providing a grant for \$145,195 from the Dorchester County Economic Development Fund, subject to an equal grant of \$145,195 being provided by the City of North Charleston and the raising of \$145,195 from other economic development sources.

**PERSONNEL ISSUES**

25. Mr. Waggoner motioned and Mr. Rosebrock seconded, to proceed with the hiring of the Emergency Services Director and to freeze all other positions until further study.

26. Mr. Rosebrock motioned and Mr. Davis seconded, to amend the main motion to hire the Emergency Services Director and in addition hire the Risk Manager and Deputy County Administrator.

The Chairman passed the gavel to the Vice Chairman to make a motion.

27. On the motion of Chairman Elliott, seconded by Mr. Murphy, to amend the amendment to the main motion to have all previous personnel issue motions and votes withdrawn relevant the County Administrator's priorities as to what he is suppose to hire. Council voted four in favor, two opposed and one abstention.

Council members Rosebrock and Waggoner opposed and Vice Chairman Hargett abstained.

**ADJOURNMENT**

28. On the motion of Chairman Elliott, seconded by Mr. Murphy, Council voted unanimously to adjourn. Time of Adjournment 11:15 P.M.

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

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
SEPTEMBER 5, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from August 21, 2006, Council Meeting
- Resolution Willie R. Davis
- Correspondence

**3. COUNCIL MEMBER'S TIME**

- Mr. Mike Murphree- Organization and Rules of Dorchester County Council  
(Chairman's Term)
- Impact Fees for Roads (East and West Butternut Road)

**4. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Givhans Fire District
- Amendment to Ordinance #99-03 Relating to Control of Animals within Dorchester County (NUMBER OF PETS PER HOUSEHOLD)

**Mr. Mike Murphree- Public Works, Property and Utilities Committee**

- Road Petition for Cockadoo Farm Road
- Convenience Sites Status

**Mr. Skip Elliott Budget, Finance and Purchasing**

- 2<sup>nd</sup> Reading for Fiscal Year 06-07 Supplemental Budget  
(Dorchester Seniors, Inc.)

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**6. COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON**

- Executive Session-
  - Legal Advice
    - Rail Spur
    - Right of Way Acquisition
  - Confidential Economic Development Projects
  - Personnel Matter

**7. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURPHREE  
RICHARD ROSEBROCK  
KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**SEPTEMBER 5, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward - County Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

ABSENT: Mr. Chris Murphy

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. Leif Grytebust addressed Council on behalf of the Quail Arbor V Homeowner's Association regarding a drainage ditch, paving issues and time of response from the Public Works Department. Chairman Elliott requested the Administrator check into these issues and respond back to Mr. Grytebust. This item was also placed in the Public Works, Property and Utilities Committee.



**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mrs. Victoria Singleton addressed Council regarding the Orangeburg Road Sewer System.
- Mr. Clement Singletary addressed Council regarding the Orangeburg Road Sewer System.
- Mr. Rudd Smith addressed Council regarding growth and the responsibilities of a Growth Manager. Chairman Elliott asked Mr. Smith if he would put his ideas and remarks in writing and send it to his attention.

**ADOPTION OF MINUTES**

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one absent to adopt the Minutes from the August 21, 2006 Council Meeting.

Councilman Murphy was absent.

**CHAIRMAN'S REMARKS**

Chairman Elliott thanked Mr. Doug Warren, Emergency Management Services Director, and Mr. Jason Ward, County Administrator, for the County's response during the recent threat due to tropical storm Ernesto. He stated that they did a superb job especially with the position for Emergency Services Director vacant.

Chairman Elliott also thanked Ms. Martha Rose Brown, reporter for the Eagle Record, who will be leaving that position.

**RESOLUTION WILLIE R. DAVIS**

Mr. Davis asked that this item be removed from the table.

**CORRESPONDENCE**

Mr. Ward informed Council that DHEC has given a 120-day "Demonstration of Need" extension to Carolina Resource Development for their proposed construction, demolition, and land clearing debris at US Hwy 17A and SC Hwy 61. The extension will expire on December 27, 2006.

**COUNCIL MEMBER'S TIME**  
**1<sup>ST</sup> READING FOR PROPOSED ORDINANCE # 06-19 AND THE REPEAL**  
**OF ORDINANCE #98-02, WHICH IS AN AMENDMENT TO ORDINANCE**  
**# 97-05, "ORGANIZATION AND RULES OF DORCHESTER COUNTY**  
**COUNCIL"**

2. Mr. Murphree motioned and it was seconded by Mr. Waggoner, to give 1<sup>st</sup> Reading to Ordinance #06-19, to repeal Ordinance #98-02, which is an amendment to Ordinance #97-05, "Organization and Rules of Dorchester County Council". The purpose of the proposed Ordinance is to extend the term for Council Chairman and Vice Chairman from one year to two years, in order to improve continuity and representation on the COG and CHATS Boards/Committees and to place the item in the Agenda and Rules Committee.

3. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor and one absent, to amend the above motion, by adding the provision that for the removal of Council Chairman and/or Vice Chairman, a supermajority of Council would be required.

Councilman Murphy was absent.

**IMPACT FEES FOR ROADS (EAST AND WEST BUTTERNUT ROAD)**

Councilman Murphree addressed Impact Fees for Roads (East and West Butternut Road). Mr. Murphree requested that Council consider working on establishing an impact fee for road construction to make improvement on Butternut. This road is in bad condition and there are a number of developments (Brookwood, Reminisce, The Glenn at Summerset, etc.) under development off Butternut. He asked that the item be placed in the Public Works, Property and Utilities Committee. Chairman Elliott and Mr. Ward placed this item in the Public Works, Property and Utilities Committee.

**COMMITTEE REPORTS**

**PUBLIC SAFETY, HEALTH & HUMAN SERVICES**

**GIVHANS FIRE DISTRICT**

Chairman Hargett reported on a meeting held earlier in the evening and informed Council that the contract with Old Fort Fire Department was discussed and no action was taken.

**PUBLIC SAFETY REPORT CONTINUED**

**AMENDMENT TO ORDINANCE # 99-03 RELATING TO CONTROL OF ANIMALS WITHIN DORCHESTER COUNTY (NUMBER OF PETS PER HOUSEHOLD)**

Chairman Hargett stated that Mr. Bob Jones with the local SPCA came to the Committee to address alternatives to limiting the number of pets in Dorchester County. Mr. Jones requested the Committee to consider an ordinance limiting the sale of pets on sidewalks, corners, and parking lots.

Chairman Hargett reported on the Committee's discussion of reviewing information concerning what language other Counties (Charleston and Berkeley) use in their Animal Control Ordinances. The Committee discussed and considered applying some of those various languages in with Dorchester County's Animal Control Ordinance. This matter was kept in Committee.

The Committee will meet in St. George and hold a Public Hearing on October 2, 2006, to discuss the proposed amendments.

**HARLEYVILLE RURAL FIRE DEPARTMENT**

Chairman Hargett reported that Councilman Waggoner received a request from the Harleyville Rural Fire Department for a 100-foot ladder truck. He stated that the item would be placed on the Public Safety, Health and Human Services Committee Agenda at the meeting scheduled for October 2, 2006.

**COMMITTEE REPORT**

**PUBLIC WORKS, PROPERTY AND UTILITIES**

**ROAD PETITION FOR COCKADOO FARM ROAD**

4. Chairman Murphree reported that the Committee discussed the matter of Cockadoo Farm Road and the recommendation to Council is for the acceptance of the petition for Cocadoo Farm Road in to the County Road Maintenance System. Council voted six in favor and one absent on the recommendation.

Councilman Murphy was absent.

**PUBLIC WORKS, PROPERTY AND UTILITIES REPORT CONTINUED**

**CONVENIENCE SITES STATUS**

Chairman Murphree reported that the Committee discussed and received an update by Mr. Doug Tompkins, Public Works Director, on the Old Fort Convenience Site and the Bucks Convenience Site and both are nearing completion; this item was kept in Committee.

**COMMITTEE ITEM LIST CHANGES**

Chairman Murphree reported that the Committee discussed items that are presently in the Committee and the majority of the items will be on the agendas for two Public Works, Property and Utilities Committee meetings that will be scheduled in October. He also removed several items from his Committee Listing, which have been completed or combined with other items. Chairman Murphree stated he plans to resolve as many issues as possible before the end of the year.

**COMMITTEE REPORT**

**BUDGET, FINANCE AND PURCHASING**

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

**2<sup>ND</sup> READING FOR FISCAL YEAR 06-07 SUPPLEMENTAL BUDGET  
(DORCHESTER SENIORS, INC.)**

5. Chairman Elliott reported the Committee voted four in favor, two abstentions and one absent on the recommendation to Council for 2<sup>nd</sup> Reading to the Fiscal Year 06-07 Supplemental Budget (Dorchester Seniors, Inc.). If Dorchester Seniors, Inc. decides to fund ITN Charleston Trident, an additional \$10,000 would be added before 3<sup>rd</sup> Reading in October. Council voted four in favor, two abstentions and one absent to the recommendation.

Councilman Murphy was absent.

Council Members Murphree and Rosebrock abstained.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no nominations made to Boards or Commissions.

Councilman Rosebrock made a request regarding the Boards and Commissions and the advertisement of the vacancies and Chairman Elliott requested Mr. Ward discuss this information with Mrs. Gina Sams, Sr. Administrative Assistant to Council.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to give legal advice concerning a Rail Spur at the Industrial Park and to discuss a Right of Way Acquisition and several Confidential Economic Development Projects. Mr. Frampton stated that the Personnel Matter under his time will be discussed in open session.

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

6. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent, to enter into Executive Session.

Councilman Murphy was absent.

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

The County Attorney reported that in Executive Session Council received legal advice concerning a Rail Spur issue in the Industrial Park, received legal advice concerning a Right of Way Acquisition and received information concerning an Economic Development Issue. No action taken on any of the items.

**ECONOMIC DEVELOPMENT PROJECT #06-28**

7. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor and one absent, to provide assistance to project #06-28, that seeks to expand its facilities in Dorchester County. Dorchester County and its allies commit to provide water and sewer service to the plant's new site on or around March 15, 2007. Dorchester County's Funding to assist with the provision of these services will be provided in the amount of \$128,900. Dorchester County will work with the project and provide funding for the new site with infrastructure totaling \$244,200 in direct assistance. This project will be placed in the Dorchester Orangeburg Multi-County Park and receive a property tax credit of \$200,000 over 5 years. The project is expected to add 98 new jobs in Upper Dorchester County.

Councilman Murphy was absent.

**ECONOMIC DEVELOPMENT PROJECT #05-67**

8. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted six in favor and one absent, that Dorchester County convey its interest in the rail spur easement to project #05-67 at the closing of the purchase of its site in Eastport, presently under contract, contingent upon Project #05-67 and 84 Lumber working out a satisfactory agreement for the mutual use of the rail spur.

Councilman Murphy was absent.

**PERSONNEL MATTER**

9. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one absent, to eliminate the position of Building Maintenance Superintendent Grade 18 (\$ 40,298 minimum) and add a position for a Carpenter Grade 9 (\$25,977 minimum) to the Facilities, Grounds and Recreation Department.

Councilman Murphy was absent.

**ADJOURNMENT**

10. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adjourn. Time of Adjournment 8:50 P.M.

Councilman Murphy was absent.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**SEPTEMBER 18, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from September 5, 2006, Council Meeting
- Adoption of an Amendment to Minutes from July 24, 2006, Council Meeting  
(1<sup>st</sup> Reading of the FY 06-07 Supplemental Budget –Dorchester Seniors, Inc.)
- Adoption of Proclamation #06-05 “2006 Industry Appreciation Week”
- Adoption of Resolution #06-19 “Dorchester School District Two Youth Court”
- Adoption of Resolution #06-20 Mr. John W. Scott
- CHATS and COG Funding
- Correspondence

**3. COUNCIL MEMBER'S TIME**

- Mr. Mike Murphree – CHATS Commuter Rail Subcommittee

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

- 1<sup>st</sup> Reading Rezoning Request # 493 Cellaphane Felder TMS# 135-00-00-180
- 1<sup>st</sup> Reading Rezoning Request # 495 Ideal Real Estate Group, LLC  
TMS# 176-00-00-001 & TMS# 159-00-00-009
- 1<sup>st</sup> Reading to Ordinance #06-20 to amend Dorchester County Ordinance # 92-15  
as amended by Dorchester County Ordinance #94-03 and #05-02 to provide that the  
Dorchester County Risk Manager Home Garage his Vehicle
- 1<sup>st</sup> Reading to Repeal Ordinance #94-05 and to a adopt a new proposed Ordinance  
#06-21 South Carolina Model Flood Prevention Ordinance
- Sheriff's Request for an Additional School Resource Officer
- Accommodations Tax Recommendation
- Funding Request First Robotics Team

**5. COMMITTEE REPORTS**

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

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request #468  
James W. Hall, Jr. -TMS# 144-00-00-012
- Public Hearing for Rezoning Request #478 Carolina Land Investors of Charleston  
TMS# 097-00-00-009
- Public Hearing for Rezoning Request #479 Throwerwood, LLC - TMS# 087-00-00-050
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Requests  
#491 TMS# 085-00-00-092 & #492 TMS# 085-00-00-093 Byers Design Group

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Council Agenda  
September 18, 2006

**COMMITTEE REPORTS CONTINUED**

**Mr. Chris Murphy, Planning, Development and Building Committee**  
**Mr. Mike Murphree– Public Works, Property and Utilities Committee**  
(Joint Committee Meeting)

-Residential Permits and Sewer Capacity

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Executive Session-

-BCD COG Membership Appointments

-Legal Advice

-Sheriff Office IT Infrastructure

**8. ADJOURN**



WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS

CHRISTOPHER J. MURPHY

MIKE MURPHREE

RICHARD ROSEBROCK

KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

### MINUTES

### DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE

SEPTEMBER 18, 2006

7:15 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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and Councilman Rosebrock gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. Howard Bridgeman addressed Council regarding a proposed development, Tupelo and long range planning.
- Mr. George McDaniel also addressed Council regarding a proposed development, Tupelo and long range planning.
- Ms. Sue Wehman addressed Council concerning sewer with regards to the Ashley River.

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. Wayne Haupt addressed Council regarding opposition to Rezoning Request #493.
- Mr. Ledwarth Helm addressed Council regarding opposition to Rezoning Request #493.
- Mr. James Tompkins addressed Council regarding opposition to Rezoning Request #493. (Petition from Mr. Tompkins is Attachment A)
- Ms. Toschua A. Bays addressed Council regarding opposition to Rezoning Request #468.
- Ms. Lucy Anne Cathcart addressed Council regarding Economic Development.
- Mr. James D. McGraw addressed Council on the shortfall funding of roads. (Information provided by Mr. McGraw can be viewed at the Council Office in St. George and Council office in Summerville)
- Mr. Brian Burton addressed Council regarding Summerbrook Rezoning.
- Mr. Jim Hall addressed Council regarding Rezoning Request #468.
- Mr. Linda Mattis addressed Council regarding Rezoning Request # 468.
- Mr. Marylou Cordray addressed Council regarding buffers and Ashley River Historic District.
- Ms. Megan Desrosiers addressed Council regarding infrastructure and growth.

**ADOPTION OF MINUTES SEPTEMBER 5, 2006 COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one abstention, to adopt the Minutes from the County Council Meeting held on September 5, 2006.

Councilman Murphy abstained.

**ADOPTION OF AN AMENDMENT TO MINUTES FROM JULY 24, 2006,  
COUNCIL MEETING (1<sup>ST</sup> READING OF THE FY 06-07 SUPPLEMENTAL  
BUDGET –DORCHESTER SENIORS, INC.)**

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt an amendment to the Minutes from the County Council Meeting held on July 24, 2006. The Council meeting Minutes as adopted for July 24, 2006, page 3, motion #5, did not clearly state the intention of Council for 1<sup>st</sup> Reading of the FY 2006-2007 Supplemental Budget for Dorchester Seniors Incorporated. The motion made only placed the item into Budget, Finance, and Purchasing Committee. However, it was Council's intention to give 1<sup>st</sup> Reading to the Ordinance approving the FY 2006-2007 Supplemental Budget for Dorchester Seniors Incorporated. This amendment solidifies 1<sup>st</sup> Reading was the intention and these minutes reflect the change. The public hearing and third reading is scheduled for October 2<sup>nd</sup>, 2006

**ADOPTION OF PROCLAMATION #06-05 "2006 INDUSTRY"**

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Proclamation #06-05 proclaiming September 18 – 22, 2006, as Industry Appreciation Week in Dorchester County.

Chairman Elliott and Vice Chairman Hargett presented Mr. Terry Belland, Optimization Manager, for Lafarge Cement Plant in Harleyville, with a framed copy of Proclamation #06-05.

**ADOPTION OF RESOLUTION #06-19 "DORCHESTER SCHOOL DISTRICT TWO YOUTH COURT"**

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #06-19, for Dorchester School District Two Youth Court. September is National Youth Court Month.

**ADOPTION OF RESOLUTION #06-20 MR. JOHN W. SCOTT**

5. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adoption Resolution #06-20, recognizing Mr. John W. Scott.

**CHATS AND COG FUNDING**

Chairman Elliott thanked the many people who worked diligently for Dorchester County on securing funding from the CHATS Committee. He recognized Mr. Lester Dempsey and Mr. Bill Cox for all their hard work as Council's appointees on the Committee and announced the funding scenario for the CHATS Transportation Improvement Plan will provide Dorchester County with \$59.5 million over the next several years. Additionally, the County has submitted Hwy 27, Hwy 15, Hwy 78, and Hwy 178 for inclusion in the Rural Long Range Transportation Plan. Councilmember Rosebrock commended Chairman Elliott for all of his hard work on securing this funding for the County.

**CORRESPONDENCE**

Mr. Ward informed Council that the Summerville Town Council would be conducting a public hearing on Annexation at Town Hall on Wednesday, October 11, at 7:30pm on the six tracts of property totaling 188.01 acres located near the intersection of Orangeburg Road and Dorchester Road near Summerville, which are commonly known as the "Limehouse Tract."

**CORRESPONDENCE**

He also informed Council that Comcast Cable plans to submit an application to the Secretary of State for a franchise in Dorchester County to serve the area South of the Ashley River and west of US 17A.

**COUNCIL MEMBER'S TIME**

Mr. Murphree addressed Council regarding the CHATS Commuter Rail Subcommittee and invited Council and Dorchester County citizens to participate in a discussion of the feasibility of commuter rail service between Summerville and Charleston and Moncks Corner and Charleston. The subcommittee will be meeting on Tuesday, September 19 from 2pm to 4pm in BCDCOG conference room located at 1362 McMillan Avenue in North Charleston.

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

**1<sup>ST</sup> READING REZONING REQUEST # 493 CELLAPHANE FELDER  
TMS# 135-00-00-180**

6. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted six in favor and one abstention to table Rezoning Request #493 for Cellphane Felder. This is a request to rezone .50 acre on Haupt Road near Summerville from R1MA (Single-Family Residential Mobile Home District) to CN (Neighborhood Commercial).

Councilmember Murphy abstained.

**1<sup>ST</sup> READING REZONING REQUEST # 495 IDEAL REAL ESTATE  
GROUP, LLC TMS# 176-00-00-001 & TMS# 159-00-00-009**

7. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted five in favor, one opposed and one abstention to send Rezoning Request # 495 Ideal Real Estate Group, LLC, to the Planning, Development and Building Committee without recommendation. This is a request to rezone 1,225 acres on Highway 61, Summers Drive, and Hwy 165 near Summerville from MUC (Mixed Use Community District) to PD (Planned Development District).

Council members Rosebrock and Davis and opposed and Chairman Elliott abstained.

**1<sup>ST</sup> READING TO ORDINANCE #06-20 TO AMEND DORCHESTER COUNTY ORDINANCE # 92-15 AS AMENDED BY DORCHESTER COUNTY ORDINANCE #94-03 AND #05-02 TO PROVIDE THAT THE DORCHESTER COUNTY RISK MANAGER HOME GARAGE HIS VEHICLE**

8. A motion was made by Mr. Davis and seconded by Mr. Waggoner, to give 1<sup>st</sup> Reading to Ordinance #06-20 amending Dorchester County Ordinance #92-15 to provide Dorchester County Risk Manager to home garage his vehicle because, he will be on call and have to respond to accident scenes to complete reports after hours.

9. Mr. Waggoner motioned and Mr. Rosebrock seconded to make an amendment to the main motion to allow home garaging of a vehicle only if the employee lives within the County.

Mr. Waggoner withdrew his motion and Mr. Rosebrock withdrew his second.

Council voted five in favor and two abstentions on the main motion.

Council members Waggoner and Hargett abstained.

**1<sup>ST</sup> READING TO REPEAL ORDINANCE #94-05 AND TO A ADOPT A NEW PROPOSED ORDINANCE #06-21 SOUTH CAROLINA MODEL FLOOD PREVENTION ORDINANCE**

10. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading to Repeal Ordinance #94-05 and to a adopt a new proposed Ordinance #06-21 "South Carolina Model Flood Prevention Ordinance" and to refer this item to the Public Works, Property and Utilities Committee for further consideration and recommendation.

**SHERIFF'S REQUEST FOR AN ADDITIONAL SCHOOL RESOURCE OFFICER**

11. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to approve an additional School Resource Officer to be funded by Dorchester District 4. The officer will serve at Woodlands High School.

**ACCOMMODATIONS TAX RECOMMENDATION**

12. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to approve the Accommodations Tax Committee recommendation as presented.

**FUNDING REQUEST FIRST ROBOTICS TEAM**

13. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to fund the request from the First Robotics Team for \$10,000 from Council's Contingency Fund.

**COMMITTEE REPORTS**  
**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE**  
**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING**  
**REZONING REQUEST #468 JAMES W. HALL, JR. -**  
**TMS# 144-00-00-012**

14. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to recommend 2<sup>nd</sup> Reading of Rezoning Request #468 James W. Hall, Jr. TMS# 144-00-00-012. This is a request to rezone 8.3 acres on Orangeburg Road near Summerville from R-2 (Single Family Residential District) to CN (Neighborhood Commercial). Council voted six in favor and one opposed on the recommendation.

Councilman Rosebrock opposed.

**PUBLIC HEARING FOR REZONING REQUEST #478 CAROLINA LAND**  
**INVESTORS OF CHARLESTON TMS# 097-00-00-009 AND REZONING**  
**REQUEST #479 THROWERWOOD, LLC - TMS# 087-00-00-050**

Chairman Murphy reported that a public hearing was held by the Committee for Rezoning Request #478 Carolina Land Investors of Charleston TMS# 097-00-00-009 and Rezoning Request #479 Throwerwood, LLC TMS# 087-00-00-050. He also reported that this Rezoning Request was sent to the Planning, Development and Building committee without recommendation. He stated no action was required and these requests would remain in Committee.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUESTS#491 TMS# 085-00-00-092 & #492 TMS# 085-00-00-  
093 BYERS DESIGN GROUP**

15. Chairman Murphy reported that a public hearing was held and the Committee's recommendation to Council was to recommend 2<sup>nd</sup> Reading of Rezoning Requests #491 TMS# 085-00-00-092 & #492 TMS# 085-00-00-093, both for Byers Design Group. Rezoning Request #491 is a request to rezone 1.41 acres on Hwy 78 in Dorchester from AC (Absence of Control) to CG (General Commercial District). Rezoning Request #492 is a request to rezone 1.45 acres on Hwy 78 in Dorchester from AC (Absence of Control) to CG (General Commercial District). Council voted unanimously in favor of the recommendation.

**JOINT COMMITTEE MEETING PLANNING, DEVELOPMENT &  
BUILDING & PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE  
RESIDENTIAL PERMITS AND SEWER CAPACITY**

Chairman Murphree reported that a Joint meeting of the Planning, Development and Building Committee and the Public Works, Property and Utilities Committee was held earlier. They discussed residential developments that are currently under construction, approved for construction, and proposed plans for future development relative to allocating and providing sewer capacity to residential and industrial development. Chairman Murphree stated that it is vitally important that Council make a decision due to commitments to serve Poplar Grove, the new high school on Highway 61, to complete the Shady Grove water line project, relocate lines along one-cent sales tax project routes, etc. Additionally, bond proceeds will be used to reimburse the water and sewer enterprise fund for the purchase of Carolina Water Service (Teal on the Ashley, King's Grant, etc.). If Council decides not to proceed with the plan to connect upper Dorchester County to the wastewater treatment plant in North Charleston, alternative plans will have to be developed to provide additional sewer capacity to that area to promote economic development. Chairman Murphree stated that the discussion would continue at another joint meeting held in St. George on October 2, 2006. The Committees also discussed residential developments and the projects, which would be undertaken once an "Improvement District" is created under the County Public Works Improvement Act.

16. Chairman Murphree stated that the Joint Committees voted unanimously to recommend to Council for the County to start the process channel with the BCD-COG and prepare formal applications to the State's Infrastructure Bank for assistance on the 27 Bypass, Orangeburg Loop and the shortfall relating to the One Cent Transportation Sales Tax Projects. Council voted unanimously in favor of the recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON  
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to discuss BCD COG Membership Appointments and to give legal advice concerning the Sheriff's Office IT Infrastructure.

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

17. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:00 P.M.**

The County Attorney reported that in Executive Session Council discussed BCD COG Membership Appointments and received legal advice concerning the Sheriff's Office IT Infrastructure.

**SHERIFF' OFFICE IT INFRASTRUCTURE**

18. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously for the vacant PC Tech in the ITS Department be transferred to the Sheriff's Office and further authorize the Administrator to proceed with the plan to address the Sheriff's Office IT Infrastructure as outlined in Executive Session.

**ADJOURNMENT**

19. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of Adjournment 9:02 P.M.

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Sandy Lawley, Clerk to Council



**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 2, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from September 18, 2006, Council Meeting
- Dorchester County Employee Recognition Program
- Public Hearing and 3<sup>rd</sup> Reading for Fiscal Year 06-07 Supplemental Budget (Dorchester Seniors, Inc.)
- Approval of Ashley River Fire Department Bylaw Changes
- Correspondence

**3. GUEST**

- Representative George Bailey – Growth
- Ms. Johnette Connelley, County Auditor and Mr. Greg Thacker, County Assessor  
15% Assessment Cap
- Mr. Timothy Hibbs, Twin Lakes Community Sewer System
- Mr. Darryl Bullock and Mr. Ron Mitchum, BCD COG – CDBG Check Presentation

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

- Residential Fiscal Impact Assessment and Traffic Study
- 3<sup>rd</sup> Reading Rezoning Request #468 James W. Hall, Jr. -TMS# 144-00-00-012
- 3<sup>rd</sup> Reading Rezoning Requests #491 TMS# 085-00-00-092 & #492 TMS# 085-00-00-093 Byers Design Group
- 2<sup>nd</sup> Reading to Ordinance #06-20 to amend Dorchester County Ordinance # 92-15 as amended by Dorchester County Ordinance #94-03 and #05-02 to provide that the Dorchester County Risk Manager Home Garage for his Vehicle
- 1<sup>st</sup> Reading Rezoning Request # 490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042
- 1<sup>st</sup> Reading Rezoning Request # 494 Jerry Hall & Cathy Vose TMS# 021-00-00-055
- 1<sup>st</sup> Reading Rezoning Request # 496 Charles Dantzler TMS# 048-00-00-025 and 048- 00-00-054
- 1<sup>st</sup> Reading Rezoning Request # 498 Bryan Kizer TMS# 168-00-00-008
- 1<sup>st</sup> Reading Rezoning Request # 499 Roosevelt Oliver TMS# 152-00-00-166
- 1<sup>st</sup> Reading Rezoning Request # RR# 500 Susie L. Oliver TMS# 152-00-00-056
- 1<sup>st</sup> Reading Rezoning Request # RR# 501 Thelma Ladson TMS# 152-00-00-116
- 1<sup>st</sup> Reading Rezoning Request # RR# 502 Eloise Maxwell TMS# 152-00-00-117
- 1<sup>st</sup> Reading Rezoning Request # RR# 503 Richard Ladson TMS# 152-00-00-151
- 1<sup>st</sup> Reading Rezoning Request # 504 Jerry Ladson TMS# 152-00-00-152

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

- 1<sup>st</sup> Reading Rezoning Request # 505 Thelma Ladson TMS# 152-00-00-153
- 1<sup>st</sup> Reading Rezoning Request # 506 Clara West TMS# 152-00-00-154
- 1<sup>st</sup> Reading Rezoning Request # 507 Thomas A. Ladson TMS# 152-00-00-155
- 1<sup>st</sup> Reading Rezoning Request # 508 Moses Oliver TMS# 152-00-00-163
- 1<sup>st</sup> Reading Rezoning Request # 509 Brandy Linen TMS# 152-00-00-164
- 1<sup>st</sup> Reading Rezoning Request # 510 Albertha Oliver TMS# 152-00-00-165
- 1<sup>st</sup> Reading Rezoning Request # 511 Joseph Oliver TMS# 152-00-00-167
- 1<sup>st</sup> Reading Rezoning Request # 512 Sandy & Ermine Glover TMS# 152-00-00-168
- 1<sup>st</sup> Reading Rezoning Request # 513 Albert & Juanita Scott TMS# 152-00-00-169
- 1<sup>st</sup> Reading Rezoning Request # 514 Clara West TMS# 152-00-00-197

**5. COMMITTEE REPORTS**

**Mr. Willie Davis, Administrative and Intergovernmental Affairs Committee**

-County Job Reclassification Process

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

**Mr. Mike Murphree – Public Works, Property and Utilities Committee**

(Joint Committee Meeting)

-Recommendation for 1<sup>st</sup> Reading #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds (not exceeding \$97,000,000)

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

-Request for Ladder Truck and Hill Street Access – Harleyville Rural Fire and Rescue  
-Public Hearing and 1<sup>st</sup> Reading Amendment to Ordinance #99-03 “Relating to Control of Animals within Dorchester County”

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Executive Session-

-Legal Advice

-Annexation Matter

-Contractual Matter – Courthouse Project

**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURPHREE  
RICHARD ROSEBROCK  
KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**OCTOBER 2, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Willie Davis  
Mr. Mike Murphree  
Mr. Chris Murphy  
Mr. Richard Rosebrock  
Mr. Kenneth F. Waggoner  
Mr. Jason Ward - County Administrator  
Mr. John Frampton - County Attorney  
Mrs. Gina R. Sams - Sr. Admin. Asst. to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

### **CHAIRMAN'S TIME- MR. SKIP ELLIOTT** **PUBLIC ADDRESS TO COUNCIL**

Chairman Elliott asked if anyone would like to address Council. The following people spoke:

- Mr. John Mondo addressed Council on his concern of the overgrowth in the County and requested Council not to pass the bonds (not to exceed) \$97,000,000.00 and to slow down the growth.

**PUBLIC ADDRESS TO COUNCIL CONTINUED**

- Mr. John Braund, Chairman of the Dorchester County Taxpayers Association, urged Council to declare a moratorium on rezoning approvals for new large scale developments in Dorchester County. Mr. Braund also urged Council to abandon all new proposals to pay for the infrastructure created by the sprawl in Dorchester County or up until January 2007 when the new Council will be seated.
- Mr. Carl Dinge, resident of Dorchester County, addressed Council regarding having a County Use Plan in place and to zone the County to reflect the Use Plan.
- Mr. Thomas B. Toney, resident of Dorchester County, addressed Council regarding industrial growth vs. residential growth.
- Mr. Hamilton Davis with the Coastal Conservation League addressed Council regarding the County's Comprehensive Plan and the expansion of the sewer lines in the upper portion of the County and expressed concerns over the quality of life in the rural communities.
- Mr. Norman Brunswig, Executive Direct of the Audubon South Carolina, requested Council to review the County's Comprehensive Plan before spending any money to create county wide sewage.
- Mr. Laren Clark with the Concern Citizens of the Bend addressed Council regarding zoning in the Bend area and spoke in opposition to the proposed micro chipping of domestic animals.
- Mr. Mike Limehouse, small poultry farmer of Dorchester County, spoke in opposition to the purposed micro chipping of farm animals and family pets.
- Mr. Ronnie F. Judy, resident of Dorchester County, spoke in opposition of Stormwater Fee.
- Mr. Richard Dash, resident of Dorchester County, praised Dorchester County Council for being available to the citizens of the County. Mr. Dash also praised the workers who mow the ditches, the services received by the County's Libraries and the response time of the County's Law Enforcement Officers.

**AMENDMENT TO THE AGENDA TO ADOPT RESOLUTION FOR HARLEYVILLE FIRE & RESCUE**

1. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to amend the Agenda for the adoption of a resolution for Harleyville Fire & Rescue Department's purchasing of a service rescue truck.

**ADOPTION OF MINUTES**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the September 18, 2006, Council Meeting.

**DORCHESTER COUNTY 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.

**YOUTH COURT RESOLUTION**

Chairman Elliott and Vice Chairman Hargett presented Ms. Penn, representative of the Dorchester School District Two Youth Court, with Resolution # 06-19, adopted by Council on September 18, 2006.

**PUBLIC HEARING AND 3<sup>RD</sup> READING FOR FISCAL YEAR 06-07  
SUPPLEMENTAL BUDGET**

Chairman Elliott opened the Public Hearing to receive comments.

Hearing no comments the Public Hearing was closed.

3. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading for Fiscal Year 06-07 Supplemental Budget for Dorchester Seniors, Inc.

**RESOLUTION FOR HARLEYVILLE FIRE & RESCUE**

Chairman Elliott read the resolution for Harleyville Fire and Rescue Department's purchasing of a service rescue truck.

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt a resolution for the Harleyville Fire and Rescue Department's purchasing of a service rescue truck.

**ASHLEY RIVER FIRE DEPARTMENT BYLAW CHANGES**

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the Ashley River Fire Department Bylaw changes.

**CORRESPONDENCE**

There was no correspondence to report.

**GUEST**

**REPRESENTATIVE BAILEY- GROWTH**

South Carolina House of Representatives, George Bailey, spoke of the growth issues in Dorchester County and provided a slide presentation to Council concerning growth management successes within other Counties in South Carolina.

**MS. JOHNETTE CONNELLEY, COUNTY AUDITOR AND MR. GREG THACKER, COUNTY ASSESSOR 15 % ASSESSMENT CAP**

Ms. Connelly, County Auditor and Mr. Thacker, County Assessor, provided Council with an in-depth review of the impact the 15 % Assessment Cap would have on the County's tax structure.

**MR. TIMOTHY HIBBS, TWIN LAKES COMMUNITY SEWER SYSTEM**

Mr. Timothy Hibbs came before Council to express concerns of the sewer system coming in their community. Mr. Hibbs reported the concerns involve the lack of notification regarding the sewer system coming into the community and the cost associated with tying on to the system and requested assistance to be given to the Twin Lakes Community by defraying the \$ 3,100.00 tap in cost. The Twin Lakes Community recommended the following solutions:

- Reassign the purchase bond.
- Reduce the rate.
- Make sure everyone is paying the same amount.
- Provide the public with a choice to tie on to the system.

**MR. DARRYL BULLOCK AND MR. RON MITCHUM, BCD COG CDBG CHECK PRESENTATION**

Mr. Bullock and Mr. Mitchum with the Berkeley, Charleston, Dorchester Council of Governments, presented Council with a CDBG (Community Development Block Grant) check in the amount of \$500,000.00 from the South Carolina of Commerce to complete the Shady Grove Water Project that will serve families and businesses near the intersection of I-95 and US Hwy 178.

**COUNTY ADMINISTRATOR'S TIME- MR. JASON WARD**  
**RESIDENTIAL FISCAL IMPACT ASSESSMENT AND TRAFFIC STUDY**

Mr. Ward reported on this matter being discussed in Joint Committee meeting held earlier in the evening and there would be a recommendation to Council coming out of this Committee. (*Reference Joint Committee Meeting Report Below*)

**3<sup>RD</sup> READING REZONING REQUEST #468 JAMES W. HALL, JR.- TMS #144-00-00-012**

6. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor and one abstention, giving 3<sup>rd</sup> Reading to Rezoning Request #468 for James W. Hall, Jr.- TMS #144-00-00-012.

Mr. Rosebrock abstained.

**3<sup>RD</sup> READING REZONING REQUESTS #491-TMS #085-00-00-092 & #492-TMS #085-00-00-093 BYERS DESIGN GROUP**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Requests #491-TMS #085-00-00-092 and #492- TMS #085-00-00-093 for Byers Design Group.

**2<sup>ND</sup> READING TO ORDINANCE #06-20 TO AMEND DORCHESTER COUNTY ORDINANCE #92-15 AS AMENDED BY DORCHESTER COUNTY ORDINANCE #94-03 AND #05-02 TO PROVIDE THAT THE DORCHESTER COUNTY RISK MANAGER HOME GARAGE HIS VEHICLE**

8. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 2<sup>nd</sup> Reading to Ordinance #06-20 to amend Dorchester County Ordinance #92-15, as amended by Dorchester County Ordinance #94-03 and #05-02, to provide that the Dorchester County Risk Manager be allowed to home garage his vehicle.

**1<sup>ST</sup> READING TO REZONING REQUEST # 490 JOSEPH L. CANTRELL AND HELEN E. NICHOLSON-TMS #143-02-00-042**

Mr. Ward recommended 1<sup>st</sup> Reading to Rezoning Request #490 and to refer this request to the Planning, Development and Building Committee for further consideration.

**COUNTY ADMINISTRATOR'S TIME- MR. JASON WARD-CONTINUED**

**1<sup>ST</sup> READING TO REZONING REQUEST # 490 JOSEPH L. CANTRELL  
AND HELEN E. NICHOLSON-TMS #143-02-00-042**

9. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, two opposed and one abstention, to give 1<sup>st</sup> Reading to Rezoning Request #490 for Joseph L. Cantrell and Helen E. Nicholson-TMS # 143-02-00-042 and to place the request into the Planning, Development and Building Committee for further consideration.

**1<sup>ST</sup> READING TO REZONING REQUEST # 494 JERRY HALL & CATHY  
VOSE-TMS #021-00-00-055**

Mr. Ward recommended 1<sup>st</sup> Reading to Rezoning Request #494 and to refer this request to the Planning, Development and Building Committee for further consideration.

10. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #494 for Jerry Hall and Cathy Vose-TMS #021-00-00-055 and to place this request into the Planning, Development and Building Committee for further consideration.

**1<sup>ST</sup> READING TO REZONING REQUEST # 496 CHARLES DANTZLER-  
TMS #048-00-00-025**

Mr. Ward recommended 1<sup>st</sup> Reading to Rezoning Request #496 and to refer this request to the Planning, Development and Building Committee for further consideration.

11. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #496 for Charles Dantzler-TMS #048-00-00-025 and to place this request into the Planning, Development and Building Committee for further consideration.

**1<sup>ST</sup> READING TO REZONING REQUEST # 498 BRYAN KIZER-TMS #168-  
00-00-008**

Mr. Ward recommended 1<sup>st</sup> Reading to Rezoning Request #496 and to refer this request to the Planning, Development and Building Committee for further consideration.



**COUNTY ADMINISTRATOR'S TIME- MR. JASON WARD-CONTINUED**

**1<sup>ST</sup> READING TO REZONING REQUEST # 498 BRYAN KIZER-TMS #168-00-00-008-CONTINUED**

12. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted one in favor, three opposed and three abstentions, to give 1<sup>st</sup> Reading to Rezoning Request #496 and to refer this request to the Planning, Development and Building Committee for further consideration.

Motion Failed to Carry.

**COUNTY ADMINISTRATOR'S TIME- MR. JASON WARD-CONTINUED**

**1<sup>ST</sup> READING TO REZONING REQUESTS:**

- # 499 ROOSEVELT OLIVER-TMS #152-00-00-166**  
**#500 SUSIE L. OLIVER-TMS #152-00-00-056**  
**#501 THELMA LADSON-TMS #152-00-00-116**  
**#502 ELOISE MAXWELL-TMS #152-00-00-117**  
**#503 RICHARD LADSON-TMS #152-00-00-151**  
**#504 JERRY LADSON-TMS #152-00-00-152**  
**#505 THELMA LADSON-TMS #152-00-00-153**  
**#506 CLARA WEST-TMS #152-00-00-154**  
**#507 THOMAS A. LADSON-TMS #152-00-00-155**  
**#508 MOSES OLIVER-TMS #152-00-00-163**  
**#509 BRANDY LINEN-TMS #152-00-00-164**  
**#510 ALBERTHA OLIVER-TMS #152-00-00-165**  
**#511 JOSEPH OLIVER-TMS #152-00-00-167**  
**#512 SANDY & ERMINE GLOVER-TMS #152-00-00-168**  
**#513 ALBERT & JUANITA SCOTT-TMS #152-00-00-169**  
**#514 CLARA WEST-TMS #152-00-00-197**

Mr. Ward recommended 1<sup>st</sup> Reading to Rezoning Requests #499, #500, #501, #502, #503, #504, #505, #506, #507, #508, #509, #510, #511, #512, #513, #514 and to refer these requests to the Planning, Development and Building Committee for further consideration. Mr. Ward reported these requests would be corrections to Ordinance #04-13.

13. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Requests #499, #500, #501, #502, #503, #504, #505, #506, #507, #508, #509, #510, #511, #512, #513, #514 and to place these requests into the Planning, Development and Building Committee for further consideration.

**COMMITTEE REPORTS**  
**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS**  
**COUNTY JOB RECLASSIFICATION PROCESS**

Mr. Davis reported on this item being discussed by the Committee and no actions were taken. This item will remain in Committee for further discussion.

**PUBLIC WORKS, PROPERTY AND UTILITIES AND PLANNING,  
DEVELOPMENT AND BUILDING JOINT COMMITTEE**

Mr. Murphree reported on a Joint Committee meeting held earlier in the evening to discuss the four scenarios which were presented and to discuss the new rates needed to repay any new debt.

**RECOMMENDATION FOR 1<sup>ST</sup> READING #06-23 SECOND  
SUPPLEMENTAL ORDINANCE WATERWORKS AND SEWER SYSTEM  
REVENUE BONDS (NOT EXCEEDING \$97 MILLION)**

14. Mr. Murphree reported the Joint Committee's unanimous recommendation to Council to approve 1<sup>st</sup> Reading to #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds for the purpose of securing bonds to fund the immediate needs of the County totaling \$34,240,000.00. Council voted unanimously in favor of the Joint Committee's recommendation.
15. Mr. Murphree reported the Joint Committee's unanimous recommendation to Council to include the updating of the County's Comprehensive Plan in with the Fiscal Assessment Study to be conducted by Clemson Institute for Economic and Community Development; in cooperation with the Strom Thurmond Institute. Council voted unanimously to approve the Joint Committee's recommendation.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

Chairman Hargett reported on the Public Safety, Health and Human Services Committee meeting held earlier in the evening.

**REQUEST FOR LADDER TRUCK AND HILL STREET ACCESS-  
HARLEVILLE RURAL FIRE AND RESCUE**

This matter was discussed and no action was taken by the Committee.

**COMMITTEE REPORTS-CONTINUE**

**PUBLIC HEARING AND 1<sup>ST</sup> READING AMENDMENT TO ORDINANCE  
#99-03 "RELATING TO CONTROL OF ANIMALS WITHIN  
DORCHESTER COUNTY**

Mr. Hargett reported on the Public Hearing held at the Committee's meeting earlier in the evening, concerning the amendment to Ordinance #99-03 "Relating to Control of Animal with Dorchester County".

16. Mr. Hargett reported the Committee's unanimous recommendation to Council to approve 1<sup>st</sup> Reading for the amendment to Ordinance #99-03 "Relating to Control of animals within Dorchester County". Council voted unanimously in favor of the Committee's recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

17. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to appoint Mr. Linwood L. Ling to the Dorchester County Economic Development Board.

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

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council to enter into Executive Session to give legal advice concerning an annexation matter and a contractual matter regarding the Courthouse Project.

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

18. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:58 P.M.**

The County Attorney reported that in Executive Session Council received legal advice concerning an annexation matter and a contractual matter regarding the Courthouse Project and there were no actions taken on these items.

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County Council Minutes  
October 2, 2006

**ADJOURNMENT**

19. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council unanimously to adjourn. Time of Adjournment 10:00 P.M.

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

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 16, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from October 2, 2006, Council Meeting
- 2<sup>nd</sup> Reading #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds \$34.24 million
- 1<sup>st</sup> Reading Ordinance #06-24 Amending #84-08 Dorchester County Sewer Ordinance
- 1<sup>st</sup> Reading Ordinance #06-25 Amending #84-05 Dorchester County Water Ordinance
- 2<sup>nd</sup> Reading for Ordinance # 06-22 to amend Ordinance # 99-03 "Relating to Control of Animals within Dorchester County"
- Proclamation # 06-06 for Red Ribbon Week
- Amendment to County Council Meeting Schedule
- Correspondence

**3. COUNCILMEMBER'S TIME**

- Councilman Kenny Waggoner- Knightsville Sewer and Bucks Convenience Site

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

- Fiscal Impact Assessment
- 3<sup>rd</sup> Reading to Ordinance #06-20 to amend Dorchester County Ordinance # 92-15 as amended by Dorchester County Ordinance #94-03 and #05-02 to provide that the Dorchester County Risk Manager Home Garage for his Vehicle

**5. COMMITTEE REPORTS**

**Mr. Rosebrock, Agenda and Rules Committee**

- Recommendation for 2<sup>nd</sup> Reading for Ordinance # 06-19 an amendment to Ordinance # 97-05 the Organization and Rules of Dorchester County Council (Chairman's Term)

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Executive Session - Givhans Fire District Contract

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- Recommendation for 2<sup>nd</sup> Reading Ordinance #06-21 to Repeal Ordinance #94-05 & to Adopt the "South Carolina Model Flood Prevention Ordinance"
- Convenience Sites Status
- Convenience Site Stickers
- Petition to Remove Speed Humps – Archdale Subdivision
- Road Petition: Eternal Lane
- Road Maintenance Acceptance Application -O'Malley Drive

**Page Two**  
**County Council Agenda**  
**October 16, 2006**

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Executive Session-

- Confidential Economic Development Prospects
- Legal Advice
  - Contractual Matter
  - Public Works Improvement District
  - Water and Sewer Issue
  - Boundary Issue

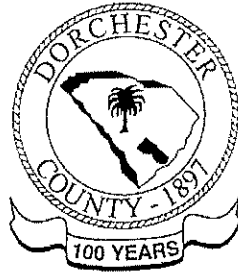
**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURPHREE  
RICHARD ROSEBROCK  
KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

### MINUTES

**DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
OCTOBER 16, 2006  
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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

There were no requests to address Council.

Chairman Elliott made a public comment concerning an article, which appeared in the local newspaper, and requested that the record reflect his comments.

Chairman Elliott proclaimed that tonight all seven Council members were present and although there are some people in the County (as appeared in a newspaper article) that think this body should be dismissed in making decisions and wait until changes come to Council in the new year and he believes this is wrong. He stated that members of Council

take their positions seriously and are here tonight to conduct the business of Dorchester County. He further stated that he was dully elected to serve this County and he will do so until the end of December and will do this with his head held high and with appreciation to those who gave him the right to do so.

**ADOPTION OF MINUTES OCTOBER 16, 2006 COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the County Council Meeting held on October 2, 2006.

**2<sup>ND</sup> READING #06-23 SECOND SUPPLEMENTAL ORDINANCE  
WATERWORKS AND SEWER SYSTEM REVENUE BONDS \$34.24  
MILLION**

2. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to give 2<sup>nd</sup> Reading to #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds of \$34.24 million.

**MOTION TO AMEND THE AGENDA**

3. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to give 1<sup>st</sup> Reading to four Ordinance amendments and placement in the Public Works, Property and Utilities Committee. The following are the Amendment Ordinances: #06-24, which will amend the latest rates for sewer service charges; #06-25, which will amend the most recently adopted sewer connection fees; #06-26, which will amend the most recently enacted water impact fees; and #06-27, which will amend the most recently enacted water tap fees.

**1<sup>ST</sup> READING ORDINANCE #06-24 AMENDING THE LATEST RATES  
FOR SEWER SERVICE CHARGES**

4. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to Ordinance #06-24 and place the item in the Public Works, Property and Utilities Committee. Ordinance #06-24 will amend the latest rates for sewer service charges.

**1<sup>ST</sup> READING ORDINANCE #06-25 AMENDING THE MOST RECENTLY  
ADOPTED SEWER CONNECTION FEES**

5. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to Ordinance #06-25 and place the item in the Public Works, Property and Utilities Committee (Ordinance #06-25 would amend the most recently adopted sewer connection fees).



**1<sup>ST</sup> READING ORDINANCE #06-26 AMENDING THE MOST RECENTLY ENACTED WATER IMPACT FEES**

6. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to Ordinance #06-26 and place the item in the Public Works, Property and Utilities Committee (Ordinance #06-26 would amend the most recently enacted water impact fees).

**1<sup>ST</sup> READING ORDINANCE #06-27 AMENDING THE MOST RECENTLY ENACTED WATER TAP FEES**

7. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to give 1<sup>st</sup> Reading to Ordinance #06-27 and place the item in the Public Works, Property and Utilities Committee (Ordinance #06-27 would amend the most recently enacted water tap fees).

**INFORMATION AND STATEMENTS**

8. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted three in favor and four opposed, for staff and board members to refrain from making statements, until a time when Council has had the opportunity to receive and review all related and pertinent information and or studies relating to sewer and water issues.

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

**MOTION TO MEET WITH NORTH CHARLESTON AND SUMMERSVILLE**

9. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted four in favor, one opposed and two abstentions, to setup a meeting with the Town of Summersville and the City of North Charleston to discuss sewer, water, schools, and roads all associated with development.

Mr. Murphy, Mr. Murphree abstained.  
Mr. Hargett was opposed.

**2<sup>ND</sup> READING FOR ORDINANCE # 06-22 TO AMEND ORDINANCE # 99-03 "RELATING TO CONTROL OF ANIMALS WITHIN DORCHESTER COUNTY"**

10. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor and one abstention, to approve 2<sup>nd</sup> Reading to Ordinance #06-22 an amendment to Ordinance #99-03 "Relating to Control of Animals within Dorchester County".

Chairman Elliott abstained.

**PROCLAMATION # 06-06 FOR RED RIBBON WEEK**

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Proclamation #06-06 "Red Ribbon Week", October 23 -31, 2006.

**AMENDMENT TO COUNTY COUNCIL MEETING SCHEDULE**

12. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to approve an amendment to the "2006 County Council Meeting Schedule". The amendment is to reschedule the Monday, November 6 Council meeting to Wednesday, November 8, because of the General Election on Tuesday, November 7, 2006.

**CORRESPONDENCE**

Mr. Ward informed Council that BB&L, LLC's Demonstration of Need for a C&D landfill on Jedburg Road was terminated because that property is now under contract with Carolina Resource Development, LLC. Now Carolina Resource Development, LLC has received a Demonstration of Need approval for a C&D landfill on Jedburg Road. Carolina Resource Development, LLC's Demonstration of Need for a C&D landfill on Old Beech Hill Road was terminated due to the planned landfill on Jedburg Road as previously stated. It was noted that only South Carolina Department of Health and Environmental Control is the sole entity to give approval on landfills.

**LETTER TO DORCHESTER COUNTY LEGISLATIVE DELEGATION**

13. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted five in favor and two abstention, to write a letter to the Dorchester County Legislative Delegation to state that Council does not endorse or support proposed legislation being discussed in the South Carolina General Assembly concerning placing restrictions on local government regarding the planning of future zoning on certain property.

Chairman Elliott and Mr. Murphree abstained.

**COUNCIL MEMBER'S TIME**

Councilman Waggoner addressed the issue of tap fees for sewer in the Twin Lakes community. He stated that he has talked to the Chairman of Public Works, Property and Utilities Committee and he has agreed to place this item in that Committee if Council would give approval.

Councilman Waggoner also addressed the issue of assistance at the Bucks Convenience Site, as well as other sites, regarding assistance for handicap and elderly citizens. He requested Council to look at this issue and consider plans to make the convenience sites handicap accessible. He requested placement of this item in the Public Works, Property and Utilities Committee.

14. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously on placing the issue concerning sewer to Twin Lakes Community in the Public Works, Property, and Utilities Committee for further study.

15. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously for the proposal of having assistance available to handicap and elderly citizens at all Dorchester County convenience sites. In addition, have this subject placed in the Public Works, Property, and Utilities Committee for further study.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**FISCAL IMPACT ASSESSMENT**

Mr. Ward updated Council on a meeting held regarding the "Fiscal Impact Study". Those in attendance were Councilman Rosebrock, Council Murphree, Mr. LeaMond, Mr. Bill Molnar of the Clemson Institute of Economic and Community Development, and Mr. Ron Mitchum, Director of the BCD COG. The meeting was held regarding concerns voiced at the last council meeting. The results of the meeting were that Clemson will proceed with the Fiscal Impact Assessment and the BCD COG will assist the county with updating the comprehensive plan, zoning the entire county beginning with the Absence of Control (AC) areas, and updating the County Zoning and Land Development Standards Ordinance #04-13. Mr. Ward listed the different plans and options associated with the Fiscal Impact assessment and stated that Council approval is necessary for adoption of the study.

16. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve the recommendation of the County Administrator to go forward with the Fiscal Impact Assessment Study, Comprehensive Plan Update, and Zoning and Land Development Standards update.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING ORDINANCE #06-20 TO AMEND DORCHESTER COUNTY  
ORDINANCE # 92-15 AS AMENDED BY DORCHESTER COUNTY  
ORDINANCE #94-03 AND #05-02 TO PROVIDE THAT THE  
DORCHESTER COUNTY RISK MANAGER HOME GARAGE HIS  
VEHICLE**

17. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #06-20, amending Dorchester County Ordinance #92-15 and #05-02, to provide Dorchester County Risk Manager to home garage his vehicle because, he will be on call and have to respond to accident scenes to complete reports after hours.

Mr. Ward introduced the new Risk Manger, Mr. Thom Schmenk.

**COMMITTEE REPORTS**

**AGENDA AND RULES COMMITTEE**

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR ORDINANCE # 06-19 AN  
AMENDMENT TO ORDINANCE # 97-05 THE ORGANIZATION AND  
RULES OF DORCHESTER COUNTY COUNCIL (CHAIRMAN'S TERM)**

18. Councilman Rosebrock reported that the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-19 an amendment to Ordinance #97-05 the "Organization and Rules of Dorchester County Council" (Chairman and Vice Chairman's Terms). The changes to this ordinance include the requirement of a two-thirds majority to remove the Chairman or Vice Chairman before the two-year terms expire. Council voted unanimously in favor of the recommendation.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE**

**EXECUTIVE SESSION - GIVHANS FIRE DISTRICT CONTRACT**

19. Chairman Hargett reported that the recommendation to Council of the Public Safety, Health and Human Services Committee was a 60-day extension to the current contract with Old Fort Fire Department for fire protection in the Givhans Fire District. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
CONTINUED**

**RECOMMENDATION FOR 2<sup>ND</sup> READING TO REPEAL ORDINANCE  
#94-05 AND TO ADOPT A NEW PROPOSED ORDINANCE #06-21  
"SOUTH CAROLINA MODEL FLOOD PREVENTION ORDINANCE"**

20. Chairman Murphree reported the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-21 the "South Carolina Model Flood Prevention Ordinance" and to Repeal Ordinance #94-05, the current Flood Prevention Ordinance. Council voted unanimously in favor of the recommendation.

**CONVENIENCE SITES STATUS**

Chairman Murphree reported that Mr. Doug Tompkins, Public Works Director gave the committee an update on the convenience sites.

**CONVENIENCE SITE STICKERS**

Chairman Murphree reported that currently residents are required to have an orange sticker or to show a driver's license to use the sites. Mr. Tompkins indicated that this process is going smoothly now and recommends continuing to allow residents to present their driver's license for access to the sites or their sticker.

**PETITION TO REMOVE SPEED HUMPS – ARCHDALE SUBDIVISION**

Chairman Murphree reported that Public Works sent the cost to remove the speed humps to the Archdale Subdivision Home Owners Association and the County has never received a response. The Committee voted unanimously to remove this item from the Committee item listing.

**ROAD PETITION: ETERNAL LANE**

21. Chairman Murphree reported the Committee's recommendation to Council was for approval to place Eternal Lane into the County Road Maintenance System, as a dirt road. Council voted unanimously for the recommendation.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
CONTINUED**

**ROAD MAINTENANCE ACCEPTANCE APPLICATION -O'MALLEY  
DRIVE**

22. Chairman Murphree reported that the Committee's recommendation to Council is approval to add O'Malley Drive to the County Road Maintenance System. Council voted unanimously for the recommendation.

**OTHER BUSINESS**

Chairman Murphree stated some of the items on the Committee Item List under the Public Works, Property and Utilities Committee were combined and items that were dealt with earlier would be removed. The majority of the remaining items would be discussed at the next committee meeting scheduled for November 8, 2006.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON  
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council for consideration to enter into Executive Session to discuss several confidential economic development prospects and a contractual matter. In addition, to receive legal advice concerning a Public Works Assessment District, water and sewer issue and the boundary dispute with Berkeley County.

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

23. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 9:35 P.M.**

The County Attorney reported that in Executive Session Council discussed four confidential economic development prospects, one contractual matter, and received legal advice concerning a Public Works Improvements Assessment District, Water and Sewer Issues and the Common Boundary Line Dispute. No action taken on any of these items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-41 - IRMC**

24. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to provide assistance to project #06-41 IRM by awarding a tax credit of \$25,000 to assist with its site engineering and place the site in the multi-county industrial park to increase its Jobs Tax Credit to \$2,500 per job for each new job created. The investment is estimated to be \$3,000,000 to \$4,000,000.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #04-03**

25. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to award a tax credit in the amount of \$119,219 to confidential project #04-03, to complete the road and infrastructure at its Highway 78 location.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-46**

26. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to award economic development incentives to assist one of Dorchester County's existing industries project #06-46 as follows:

1. Provide a \$50,000 property tax credit to assist with site infrastructure.
2. Place the site in the Dorchester-Orangeburg Multi County Industrial Park to enhance the Jobs Tax Credit to \$2,500 for each new job.
3. Seek an infrastructure grant that may be available from utility allies.
4. Provide assistance in applying for a loan from the BCD Council of Governments Revolving Loan Fund.
5. Provide a grant of \$2,500 to assist with engineering from the Dorchester County Economic Development Fund.

The project will make an investment of over \$1,350,000 and employ 6-12 additional employees. The expansion will also help to improve productivity and assist in maintaining the firms existing jobs.

**ADJOURNMENT**

27. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of Adjournment 9:40 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERSVILLE**  
**NOVEMBER 8, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from October 16, 2006, Council Meeting
- Proclamation #06-07 "NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK"
- 3<sup>rd</sup> Reading for Ordinance # 06-22 to amend Ordinance # 99-03 "Relating to Control of Animals within Dorchester County"
- 3<sup>rd</sup> Reading Ordinance #06-21 to Repeal Ordinance #94-05 & to Adopt the "South Carolina Model Flood Prevention Ordinance"
- 3<sup>rd</sup> Reading for Ordinance # 06-19 an Amendment to Ordinance #97-05 the "Organization and Rules of Dorchester County Council" (Chairman's Term)
- Correspondence

**3. GUEST**

Mr. Peter Wertimer, Chairman of the Military/Federal Facilities Policy Council and Ms. Mary Graham, Senior VP, Charleston Metro Chamber of Commerce – Joint Base (Realignment Charleston Naval Weapons Station with Charleston Air Force Base)

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

- 1<sup>st</sup> Reading Rezoning Request # 515 for Phrona W. Lybrand and Mary W. Gianatos TMS# 008-00-00-048
- 1<sup>st</sup> Reading to an Ordinance Approving Development Agreement between Dorchester County and Clearlake Preserve Development, LLC. TMS#151-00-00-00-048 and TMS# 151-00-00-087
- Road Maintenance Acceptance Applications
  - The Buffs at Ashley River , Phases 2, 3 and 5
  - Waterside Landing, Phase 1
  - Legend Oaks Plantation, Phase 11
  - Legend Oaks Plantation, Phase Six, Sections One, Two, Three, Four and Five
  - Legend Oaks Plantation, Phase 5, Sections One, 2-A and 3

**5. COMMITTEE REPORTS**

**Mr. Willie Davis, Administrative and Intergovernmental Affairs Committee**

- County Job Reclassification Process



**COMMITTEE REPORTS CONTINUED**

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- Public Hearing & Recommendation for 2<sup>nd</sup> Reading to Ordinance #06-24 Amending Ordinance #05-07 and Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Rates; Amending Ordinance #01-13 and Dorchester County Water Ordinance #84-05 Pertaining to Water Rates
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading to Ordinance #06-25 Amending Ordinance #94-14 and Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Tap Fees
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading to Ordinance #06-26 Amending Ordinance #02-08 and Dorchester County Water Ordinance #84-05 Pertaining to Water Impact Fees
- Public Hearing & Recommendation for 2<sup>nd</sup> Reading to Ordinance #06-27 Amending Ordinance #91-07 and Dorchester County Water Ordinance #84-05 Pertaining to Water Tap Fees

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Executive Session-

- Confidential Economic Development Prospects
- Personnel Matter
- BCD COG Board Appointments
- Legal Advice
  - Property Assessment
  - Contractual Matters

**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
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**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**NOVEMBER 8, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Ms. Ashley Jacobs, Deputy Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and Reverend John Miller gave the Invocation.

**PUBLIC ADDRESS TO COUNCIL**

The following people addressed Council:

- Mr. Gerhardt Jung addressed Council regarding annexation from Charleston to Dorchester County. The Chairman requested that the County Administrator take care of this issue.
- Ms. Pat Cone addressed Council on opposition to sewer on Scotch Range Road.
- Mr. Robert Woods addressed Council regarding the opposition of rezoning off Twin Lakes Drive that will give an access from Central Avenue. (Petition opposing the 60 unit development Attachment A)

The following people addressed Council regarding their opposition to Rezoning Request #515 near Duncan Chapel Road at Interstate 26 and US Highway 15. This group of citizens also submitted a petition. (Attachment B)

- Mr. Marion Mizzell
- Mr. Danny Byrd
- Mr. Herman Marchant
- Mr. James M. (Kenny) Smith
- Mr. Timothy Mizzell
- Ms. Pam Lloyd
- Mr. Ken Long

**ADOPTION OF MINUTES OCTOBER 16, 2006 COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting held on October 16, 2006.

**PROCLAMATION #06-07 "NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK"**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt Proclamation #06-07 proclaiming November 12-18, 2006, as "National Hunger and Homelessness Awareness Week".

**3<sup>RD</sup> READING FOR ORDINANCE # 06-22 TO AMEND ORDINANCE # 99-03 "RELATING TO CONTROL OF ANIMALS WITHIN DORCHESTER COUNTY"**

3. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one abstention, to approve 3<sup>rd</sup> Reading to Ordinance #06-22 an amendment to Ordinance #99-03 "Relating to Control of Animals within Dorchester County".

Chairman Elliott abstained.

**3<sup>RD</sup> READING ADOPTION OF ORDINANCE #06-21 "SOUTH CAROLINA MODEL FLOOD PREVENTION ORDINANCE" & REPEAL OF ORDINANCE #94-05**

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading of Ordinance #06-21 the "South Carolina Model Flood Prevention Ordinance" and to Repeal Ordinance #94-05, the current Flood Prevention Ordinance.

Mr. Murphree opposed.

**RECOMMENDATION FOR 3<sup>RD</sup> READING FOR ORDINANCE # 06-19 AN  
AMENDMENT TO ORDINANCE # 97-05 THE ORGANIZATION AND  
RULES OF DORCHESTER COUNTY COUNCIL (CHAIRMAN'S TERM)**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously for approval of 3<sup>rd</sup> Reading to Ordinance #06-19, an amendment to Ordinance #97-05 the "Organization and Rules of Dorchester County Council". (Ordinance change relates to Chairman and Vice Chairman's Terms and includes the requirement of a two-thirds majority to remove the Chairman or Vice Chairman before the two-year terms expires).

**CORRESPONDENCE**

Mr. Ward informed Council that the Department of Juvenile Justice has an initiative to establish Teen After-School Centers (T.A.S.C.) in every county. They feel that a minimum of two in each county is necessary. He stated that funding is available for the set up of two sites. All interested organizations should contact Deborah Smith, Dorchester County Director, DJJ at 832-4265. Ms. Smith expressed an interest in establishing a center in the Stratton Capers-Dorchester Manor area.

Mr. Ward informed Council that effective December 6, 2006, Time Warner Cable is increasing its rates as follows:

	<b>Current Rate</b>	<b>Increase</b>	<b>New Rate</b>
<b>Broadcast Tier</b>	<b>\$11.36</b>	<b>\$0.77</b>	<b>\$12.13</b>
<b>Cable Tier</b>	<b>\$31.59</b>	<b>\$.023</b>	<b>\$31.82</b>
<b>Basic Cable</b>	<b>\$42.95</b>	<b>\$1.00</b>	<b>\$43.95</b>

Mr. Ward informed Council that Dorchester County does not have any authority to regulate monthly cable rates. This authority resides with the FCC (Federal Communications Commission). The South Carolina Department of Consumer Affairs handles complaints about cable service.

**GUEST**

Mr. Peter Wertimer, Chairman of the Military/Federal Facilities Policy Council and Ms. Mary Graham, Senior Vice President, Charleston Metro Chamber of Commerce addressed Council regarding the Joint Base Realignment for the Charleston Naval Weapons Station. In addition, he provided background on the issue and recommendations to ensure smooth implementation of realignment. The total Economic Impact is \$3.5 billion dollars. Mr. Wertimer informed Council of the installation support functions of the facilities. The importance of the "Joint Base Charleston" as it will be one of the twelve joint bases in the United States and gives the opportunity to re-establish a flag and the long-term opportunity for expansion.

Mr. Jason Ward formally introduced Ms. Ashley Jacobs, the new Deputy County Administrator for Administrative Services and Mr. Dennis Clark the new Emergency Services Director.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**1<sup>ST</sup> READING REZONING REQUEST # 515 FOR PHRONA W. LYBRAND**  
**AND MARY W. GIANATOS TMS# 008-00-00-048**

6. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted one in favor, three opposed and three abstentions to give 1<sup>st</sup> Reading to Rezoning Request #515 for Phrona Lybrand and Mary Gianatos. This is a request to rezone 42.2 acres on Hwy 15 and Duncan Chapel Road near I-26, Rosinville from CG (General Commercial) to I (Industrial District).

Mr. Rosebrock, Mr. Waggoner and Mr. Davis opposed.  
Chairman Elliott, Mr. Murphy and Mr. Murphree abstained.

**1<sup>ST</sup> READING TO AN ORDINANCE APPROVING DEVELOPMENT**  
**AGREEMENT BETWEEN DORCHESTER**  
**COUNTY AND CLEARLAKE PRESERVE DEVELOPMENT, LLC.**  
**TMS#151-00-00-00-048 AND TMS# 151-00-00-087**

7. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 1<sup>st</sup> Reading to an Ordinance Approving Development Agreement between Dorchester County and Clearlake Preserve Development, LLC. TMS#151-00-00-00-048 and TMS# 151-00-00-087 and refer this item to the Planning Commission for them to hold the first public hearing and make a recommendation and to refer this item to the Planning, Development, and Building Committee for further consideration and a recommendation.

Mr. Rosebrock opposed.

Mr. Ward also requested referral of the Mixed Use Development Application for Clearlake Preserve Development, LLC, to the Planning, Development, and Building Committee for further consideration and a recommendation. In accordance with Section 8.2.5 of the Dorchester County Zoning and Land Development Ordinance #04-13, all development proposing more than one land use, under MUC, must be consistent with a Council approved Development Plan. Clearlake's proposal includes retail/commercial and residential single-family attached uses.

**ROAD MAINTENANCE ACCEPTANCE APPLICATIONS**

8. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to accept the roads indicated in the applications into the County Maintenance System and to begin the twelve-month Maintenance Liability Period. The following is the list of roads up for acceptance.

- The Bluffs at Ashley River , Phases 2, 3 and 5
- Waterside Landing, Phase 1
- Legend Oaks Plantation, Phase 11
- Legend Oaks Plantation, Phase Six, Sections One, Two, Three, Four and Five
- Legend Oaks Plantation, Phase 5, Sections One, 2-A and 3

Mr. Rosebrock opposed.

**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS  
COMMITTEE REPORT**

**COUNTY JOB RECLASSIFICATION PROCESS**

Mr. Davis gave Council a review of the different plans presented; however, this item will remain in Committee and discussed further in more detail on November 20, 2006. The Personnel Committee presented a recommendation to address the position reclassifications sent to the Committee during the budgeting process, as well as salary adjustments and new procedures for reclassifications.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT**

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> RDG. ORDINANCE  
#06-24 AMENDING ORDINANCE #05-07 & DORCHESTER COUNTY  
SEWER ORDINANCE #84-08 PERTAINING TO SANITARY SEWER  
RATES; AMENDING ORDINANCE #01-13 AND DORCHESTER COUNTY  
WATER ORDINANCE #84-05 PERTAINING TO WATER RATES**

9. Chairman Murphree reported the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-24, Amending Ordinance #05-07 & Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Rates; Amending Ordinance #01-13 and Dorchester County Water Ordinance #84-05 Pertaining to Water Rates. Council voted unanimously in favor of the motion.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> RDG. ORDINANCE  
#06-25 AMENDING ORDINANCE #94-14 & DORCHESTER COUNTY  
SEWER ORDINANCE #84-08 PERTAINING TO SANITARY SEWER TAP  
FEES**

10. Chairman Murphree reported the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-25, Amending Ordinance #94-14 & Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Tap Fees, which would amend the most recently adopted sewer connection fees. (Comparisons of fees with several other Counties will be available before 3<sup>rd</sup> Reading). Council voted unanimously in favor of the motion.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> RDG. ORDINANCE  
#06-26 AMENDING ORDINANCE #02-08 & DORCHESTER COUNTY  
WATER ORDINANCE #84-05 PERTAINING TO WATER IMPACT FEES**

11. Chairman Murphree reported the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-26, Amending Ordinance #02-08 & Dorchester County Water Ordinance #84-05 Pertaining to Water Impact Fees, which would amend the most recently enacted water impact fees. Council voted unanimously in favor of the motion.

**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> RDG. ORDINANCE  
#06-27 AMENDING ORDINANCE #91-07 & DORCHESTER COUNTY  
WATER ORDINANCE #84-05 PERTAINING TO WATER TAP FEES**

12. Chairman Murphree reported the Committee's recommendation to Council was for approval of 2<sup>nd</sup> Reading to Ordinance #06-27, Amending Ordinance #91-07 & Dorchester County Water Ordinance #84-05 Pertaining to Water Tap Fees. Ordinance #06-27 would amend the most recently enacted water tap fees. (Comparisons of fees with several other Counties will be available before 3<sup>rd</sup> Reading). Council voted unanimously in favor of the motion.

**STOP ORDER FOR CONSTRUCTION OF NEW SEWER LINES -SCOTCH  
RANGE ESTATES AND A PETITION DRIVE TO DETERMINE NEEDS IN  
TWIN LAKES SUBDIVISION**

13. Chairman Murphree reported the Committee's recommendation to Council was for a stop order for construction of new sewer lines in Scotch Range Estates to be followed up with a petition from said residents and a petition drive for determination of need in Twin Lakes Subdivision. Council voted unanimously in favor of the motion.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON  
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request to Council for consideration to enter into Executive Session to discuss several Confidential Economic Development Prospects, a Personnel Matter, BCD COG Board Appointments, and three contractual matters and to give legal advice concerning a proposed Ordinance for the timing of property assessments.

**EXECUTIVE SESSION 8:05 P.M.**

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

**RECONVENE FROM EXECUTIVE SESSION 10:25 P.M.**

The County Attorney reported that in Executive Session Council discussed four confidential economic development prospects, one personnel matter and BCD COG Board Appointments. In addition, legal advice was given concerning Property Tax Assessment and three contractual matters. No action taken on any of these items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-33**

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to assist Project #06-33 by providing the following incentives:

- Place the project in the Dorchester Orangeburg Multi-County Industrial Park to boost Jobs Tax Credit from \$1,500 per job to \$2,500 per job for each new job being created;
- Provide a \$75,000 two year property tax credit (\$37,500 per year for 2 years);
- Seek funding assistance to improve the traffic flow at the intersection of McQueen Blvd. and Jedburg Road from Berkeley Electric Co-op, or other funding sources.

This firm will employ up to 50 persons in the production of housing components at a location in the McQueen Park. Its investment is expected to exceed \$2.5 million dollars in land, building, and equipment. An announcement is expected soon.



**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-27**

16. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to assist confidential Project #06-27 with a site assessment to verify that an expansion can be built quickly on its site on Highway 78 West of Summerville. The cost of the assessment is \$3200.

**1<sup>ST</sup> READING ORDINANCE FOR CONSENT TO CONFIDENTIAL  
ECONOMIC DEVELOPMENT PROJECT #06-054**

17. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054 to replace the lease agreement dated as of December 29, 1992; and authorizing the re-conveyance of the property subject to such lease agreement by Dorchester County to project #06-054.

**1<sup>ST</sup> READING ORDINANCE FOR CONSENT TO CONFIDENTIAL  
ECONOMIC DEVELOPMENT PROJECT #06-054**

18. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to an Ordinance to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054, extending the infrastructure tax credit and replace the lease to replace the lease agreement dated as of December 1, 2000; and authorizing the re-conveyance of the property subject to such lease agreement by Dorchester County to Project #06-054.

**ADJOURNMENT**

19. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of Adjournment 10:35 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
NOVEMBER 20, 2006  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from November 8, 2006, Council Meeting
- Adoption of Resolution #06-18 Recognizing Ms. Tiffany Cornish's Sixth Grade Class at The Oaks Christian School
- 3<sup>rd</sup> Reading #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds \$34.24 million
- 3<sup>rd</sup> Reading to Ordinance #06-24 Amending Ordinance #05-07 and Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Rates; Amending Ordinance #01-13 and Dorchester County Water Ordinance #84-05 Pertaining to Water Rates
- 3<sup>rd</sup> Reading to Ordinance #06-25 Amending Ordinance #94-14 and Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Tap Fees
- 3<sup>rd</sup> Reading to Ordinance #06-26 Amending Ordinance #02-08 and Dorchester County Water Ordinance #84-05 Pertaining to Water Impact Fees
- 3<sup>rd</sup> Reading to Ordinance #06-27 Amending Ordinance #91-07 and Dorchester County Water Ordinance #84-05 Pertaining to Water Tap Fees
- Reappointment of Delinquent Tax Collector
- Correspondence

**3. COUNCIL MEMBER'S TIME**

- Mr. Richard Rosebrock – 1<sup>st</sup> Reading Ordinance #07-02 "Dorchester County, South Carolina, Lawful Employment Ordinance"

**4. GUEST**

- Mr. Donald Nye – Request for Funding for The Education Foundation
- Mrs. Carolyn Tomlinson, Keep Dorchester County Beautiful and Mrs. Beverly Surma, Waste Management - Presentation of Check for \$10,000 "Think Green Grant"
- Dr. Arthur K. Kennedy, CEO of Family Health Centers, Inc.- Supporting Health Care Service

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

- Request for Funding – Black Expo 2007
- 1<sup>st</sup> Reading Ordinance #07-01 to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02 and #06-20, to provide that the 1995 Suburban Veggie Truck "FRENCH FRY ONE" driven by Carolyn Tomlinson, Director of Recycling and Education, be allowed to be Home Garaged

## **6. COMMITTEE REPORTS**

### **Mr. Willie Davis, Administrative and Intergovernmental Affairs Committee**

-County Job Reclassification Process

### **Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- SC Employment Security Comm. Property near LEC
- Convenience Sites Status/ handicap and elderly assistance at sites
- Cost of New Roads accepted into County Road Maintenance System
- Ordinance to Repeal Ordinances # 78-07, 78-08, 78-09 78-10- Changing Speed Limits to 25 MPH Quail Arbor V, Greenhurst, Briarwood and Archdale- Decreasing Speed Limit in Legend Oaks to 25 MPH
- Request for Change in Speed Limit –Duboise Road, Genell Road, Sojourner Road and Mattie Lane
- Ordinance # 06-17 Amending Stormwater Ordinance #02-10 (Utility Fee)
- Quail Arbor V Homeowner's Association issues (Drainage & Paving)
- Stop Order for construction of new sewer lines -Scotch Range Estates
- Petition drive to determine need in Twin Lakes Subdivision Sewer System

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

- Recommendation for 2<sup>nd</sup> Reading -Rezoning Request #475 & #476 Harbor Homes #475- TMS#122-00-00-038 & #476-TMS#122-00-00-048
  
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042
  
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 494 Jerry Hall & Cathy Vose TMS# 021-00-00-055
  
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading Rezoning Request # 496 Charles Dantzler TMS# 048-00-00-025 & 048- 00-00-054
  
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for the following:
  - Rezoning Request # 499 Roosevelt Oliver TMS# 152-00-00-166
  - Rezoning Request # 500 Susie L. Oliver TMS# 152-00-00-056
  - Rezoning Request # 501 Thelma Ladson TMS# 152-00-00-116
  - Rezoning Request # 502 Eloise Maxwell TMS# 152-00-00-117
  - Rezoning Request # 503 Richard Ladson TMS# 152-00-00-151
  - Rezoning Request # 504 Jerry Ladson TMS# 152-00-00-152
  - Rezoning Request # 505 Thelma Ladson TMS# 152-00-00-153
  - Rezoning Request # 506 Clara West TMS# 152-00-00-154
  - Rezoning Request # 507 Thomas A. Ladson TMS# 152-00-00-155

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Council Agenda  
November 20, 2006

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

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for the following:
- Rezoning Request # 508 Moses Oliver TMS# 152-00-00-163
- Rezoning Request # 509 Brandy Linen TMS# 152-00-00-164
- Rezoning Request # 510 Albertha Oliver TMS# 152-00-00-165
- Rezoning Request # 511 Joseph Oliver TMS# 152-00-00-167
- Rezoning Request # 512 Sandy & Ermine Glover TMS# 152-00-00-168
- Rezoning Request # 513 Albert & Juanita Scott TMS# 152-00-00-169
- Rezoning Request # 514 Clara West TMS# 152-00-00-197

**7. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Executive Session-

- Confidential Economic Development Projects
- Personnel Matters
- Legal Advice
  - Development Agreements
  - Contractual Matters

**9. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS  
CHRISTOPHER J. MURPHY  
MIKE MURPHREE  
RICHARD ROSEBROCK  
KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**NOVEMBER 20, 2006**  
**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. Skip Elliott - Chairman  
Mr. Larry Hargett – Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward – County Administrator  
Ms. Ashley Jacobs – Deputy County Administrator  
Mr. John Frampton – County Attorney  
Mrs. Sandy Lawley – Clerk to Council

Chairman Elliott called the meeting to order and Reverend Turner gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

The following people addressed Council:

- Mr. Robert Woods addressed Council regarding the opposition of rezoning of Twin Lakes Drive.
- Mrs. Pat Wheeler addressed Council regarding sewer in Summerset Acres.
- Mr. David H. Polutta addressed Council regarding the sewer system in Summerset Acres.

**ADOPTION OF MINUTES NOVEMBER 8, 2006 COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the County Council Meeting held on November 8, 2006.

**ADOPTION OF RESOLUTION #06-18 RECOGNIZING MS. TIFFANY CORNISH'S SIXTH GRADE CLASS AT THE OAKS CHRISTIAN SCHOOL**

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously on the Adoption of Resolution # 06-18, recognizing Ms. Tiffany Cornish's Sixth Grade Class at The Oaks Christian School.

**3<sup>RD</sup> READING #06-23 SECOND SUPPLEMENTAL ORDINANCE WATERWORKS AND SEWER SYSTEM REVENUE BONDS \$34.24 MILLION**

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to #06-23 Second Supplemental Ordinance Waterworks and Sewer System Revenue Bonds in the amount of \$34.24 million dollars.

Mr. Murphree opposed.

**3<sup>RD</sup> READING TO ORDINANCE #06-24 AMENDING ORDINANCE #05-07 AND DORCHESTER COUNTY SEWER ORDINANCE #84-08 PERTAINING TO SANITARY SEWER RATES; AMENDING ORDINANCE #01-13 AND DORCHESTER COUNTY WATER ORDINANCE #84-05 PERTAINING TO WATER RATES**

4. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Ordinance #06-24 Amending Ordinance #05-07 and Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Rates and amending Ordinance #01-13 and Dorchester County Water Ordinance #84-05 Pertaining to Water Rates.

Mr. Murphree opposed.

**3<sup>RD</sup> READING TO ORDINANCE #06-25 AMENDING ORDINANCE #94-14 AND  
DORCHESTER COUNTY SEWER ORDINANCE #84-08 PERTAINING TO  
SANITARY SEWER TAP FEES**

5. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Ordinance #06-25, amending Ordinance #94-14 & Dorchester County Sewer Ordinance #84-08 Pertaining to Sanitary Sewer Tap Fees, which would amend the most recently adopted sewer connection fees.

Mr. Murphree opposed.

**3<sup>RD</sup> READING TO ORDINANCE #06-26 AMENDING ORDINANCE #02-08 &  
DORCHESTER COUNTY WATER ORDINANCE #84-05 PERTAINING TO  
WATER IMPACT FEES**

6. On the motion of Mr. Murphy seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Ordinance #06-26, amending Ordinance #02-08 and Dorchester County Water Ordinance #84-05 Pertaining to Water Impact Fees, which would amend the most recently enacted water impact fees.

Mr. Murphree opposed.

**3<sup>RD</sup> RDG. ORDINANCE #06-27 AMENDING ORDINANCE #91-07 AND  
DORCHESTER COUNTY WATER ORDINANCE #84-05 PERTAINING TO  
WATER TAP FEES**

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Ordinance #06-27, amending Ordinance #91-07 & Dorchester County Water Ordinance #84-05 Pertaining to Water Tap Fees, which would amend the most recently enacted water tap fees.

Mr. Murphree opposed.

**REAPPOINTMENT OF DELINQUENT TAX COLLECTOR**

8. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to reappoint Ms. Suzie Davis as Delinquent Tax Collector for Dorchester County for a period of two years.

### **CORRESPONDENCE**

The Administrator provided County Council with a copy of a letter he received from Belinda Copeland, President SCAC, regarding persons convicted of offenses against the state and sentenced to imprisonment for more than 3 months. S.C. Department of Corrections had plans to update a quota system for prisons in January 2007. The SCAC opposes these quotas and believes the Department of Corrections does not have legal authority to impose the quotas. The SCAC will support legislation that imposes a penalty on the Department of Corrections for not picking up state prisoners from county jails in a timely fashion once a Clerk of Court notifies them.

### **REMARKS BY CHAIRMAN ELLIOTT**

Chairman Elliott stated that since this was his last meeting in Summerville as a Councilmember and as Chairman, he wanted to make a few remarks. He first thanked the people of District 7 for allowing him to serve as their Councilman. Chairman Elliott spoke about experiencing the thrill of victory and the disappointment of losing an election. He stated in no way was he a loser, because he was the most blessed man with a wonderful family, a wonderful wife, including three sons, who all attend Clemson, and also a wonderful little girl. He said he was also thankful to the Lord for allowing him the opportunity to participate in the political process, which was an eye opening experience, in which he had met many people, shook many hands, and kissed many babies. He further thanked each member of Council, the Administrator, Clerk to Council, and the Administrative Assistant to Council. He stated that he was thankful to Council for the opportunity to be their Chairman, and he felt that it was a great opportunity and relished the experience it gave him. He stated that after the election was over, Council did not ask him to step down as Chairman, and he really appreciated that gesture. He explained that he ran on a principle, which he never wavered on, he ran on a platform for property rights, and his opponents turned that around as pro-development and were successful. Chairman Elliott stated that he wanted to assure everyone that he was not pro-development and that he was from Dorchester County and has lived here his entire life, with a long list of ancestors. He iterated that with no doubts, he stands for property rights. He said that running for election is one thing, but running for reelection is a completely different world. He stated that he has learned from this process, and it is truly amazing how easily people believe information that comes in the mail. Chairman Elliott stated he was accused of being in the developer's back pocket and accused of manipulating the system for personal financial gain, and that could not be further from the truth. One absentee ballot was all needed to be able to present his case for a new election to the State Republican Party, but in his words that was not to be. Chairman Elliott concluded his remarks with a quote from the most relevant book, the Bible, "Forgetting those things, which are behind, and reaching forth unto those things, which are before, I press to the mark of the high calling of God, in Christ Jesus."



**COUNCIL MEMBER'S TIME**

**1<sup>ST</sup> READING TO ORDINANCE #07-02 "DORCHESTER COUNTY, SOUTH CAROLINA, LAWFUL EMPLOYMENT ORDINANCE"**

A statement made by Councilman Richard Rosebrock follows:

Mr. Chairman, Our County is a Nation of Laws. They are necessary to maintain our freedom and our welfare. Recently our area has experienced another population explosion of illegal immigrants. They came into our community to seek a better life and better pay. We are also a nation of immigrants; however, certain things are required of us. We must obey the laws and conform to the rules if we are true citizens of this great country. The cost of illegal immigration to the American taxpayer is enormous. They are competing for our jobs, working for cash, and not paying taxes. They attend our schools and demand special privileges, such as affirmative action and welfare. We welcome you, if you came legally and assumed your responsibilities, but this is not the case with illegal immigration.

9. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor and one opposed, to give 1<sup>st</sup> Reading to an Ordinance to add a new section 23 to Dorchester County Ordinance #91-08, pertaining to business licenses so as to add the "Dorchester County, South Carolina, Lawful Employment Ordinance", to provide for an effective date, severability and other matters relating thereto. This Ordinance was placed in the Public Safety, Health and Human Services Committee.

Mr. Davis was opposed.

**GUESTS**

**MR. DONALD NYE – REQUEST FOR FUNDING FOR THE EDUCATION FOUNDATION**

Mr. Nye addressed Council about a new commitment for The Education Foundation and requested another three-year pledge of \$15,000, payable \$5,000 each year for the next three years from Dorchester County.

10. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously in favor of providing funding to the Education Foundation with another three-year pledge of \$15,000, payable at a rate of \$5,000 each year for the next three years, with funding to come from the County Council Contingency Fund.

**GUESTS CONTINUED**

**MS. CAROLYN TOMLINSON, KEEP DORCHESTER COUNTY BEAUTIFUL  
AND MS. BEVERLY SURMA, WASTE MANAGEMENT - PRESENTATION OF  
CHECK FOR \$10,000 "THINK GREEN GRANT"**

Ms. Carolyn Tomlinson with Keep Dorchester County Beautiful and Ms. Beverly Surma of Waste Management addressed Council to inform them that Dorchester County has received a \$10,000 grant from the Waste Management Charitable Foundation. Dorchester County was one of fifteen winners nationwide from a pool of 85 entries. The grant will support an Environmental Education Center for Dorchester County. Ms. Tomlinson and Ms. Surma, along with two other members of Keep Dorchester County Beautiful, presented the check to County Council.

**DR. ARTHUR K. KENNEDY, CEO OF FAMILY HEALTH CENTERS, INC.**

Dr. Arthur K. Kennedy, CEO of Family Health Centers, Inc., addressed Council regarding Dorchester County supporting Health Care Services. Dr. Kennedy talked to Council about some strategies to reduce unnecessary trips to the emergency room and unnecessary hospital admission, as well as strategies for assistance with medication and specialty care. The county is assessed \$299,702 (less approximately \$18,000 for eligibility determinations) by the S.C. Health and Human Services Commission to fund the Medically Indigent Assistance Program (MIAP), which provides financial assistance for in-hospital expenses to persons that are not eligible for other aid programs.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD  
REQUEST FOR FUNDING – BLACK EXPO 2007**

11. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously in supporting the Black Expo 2007 at the bronze level (\$6,000). This is a way to promote community development in the tri-county area.

**1<sup>ST</sup> READING ORDINANCE #07-01 TO AMEND ORDINANCE #92-15, AS  
AMENDED BY ORDINANCE #94-03, AS SUBSEQUENTLY AMENDED BY  
ORDINANCE #05-02 AND #06-20, "FRENCH FRY ONE" BE ALLOWED TO BE  
HOME GARAGED**

12. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 1<sup>st</sup> Reading to Ordinance #07-01 to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02 and #06-20, to provide that the 1995 Suburban Veggie Truck "FRENCH FRY ONE", driven by Carolyn Tomlinson, Director of Recycling and Education, be allowed to be Home Garaged.

**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS  
COMMITTEE REPORT, MR. WILLIE DAVIS**

**COUNTY JOB RECLASSIFICATION PROCESS**

13. Mr. Davis provided Council an overview of the different plans presented and reviewed by the Committee. One recommendation to Council is to give a one time bonus of \$500 for full time employees, and \$200 for part-time employees (Council Members are not included). He explained that this would let the employees know that Council is working on the compensation issue. The funding for the bonuses was included in the current year budget and would not be a burden to the taxpayers. Council voted five in favor and two opposed to the recommendation.

Council members Hargett and Waggoner opposed the recommendation.

14. Mr. Davis presented another recommendation from the Committee to Council, which is to have the Personnel Committee go forward and send out proposals for a new Compensation and Classification Study, and for the proposals to be forwarded to the Administrative and Intergovernmental Affairs Committee, and they will work with the Personnel Committee through the process. Council voted unanimously in favor of the recommendation.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
MR. MIKE MURPHREE**

**S.C. EMPLOYMENT SECURITY COMM. PROPERTY**

Chairman Murphree reported to Council that the Committee discussed this issue and it is a land swap. The Administrator has spoken to Larry Parker, Deputy Executive Director, South Carolina Employment Security Commission, about the county's desire to obtain their property in front of the LEC. The Administrator and Mr. Parker will continue to discuss the possibility of a land swap. This item will remain in Committee.

**CONVENIENCE SITES STATUS**

Chairman Murphree reported to Council that Mr. Doug Tompkins gave the Committee an update of all the convenience sites and reported that the sites are being updated to provide assistance for the elderly and the handicapped. This item will remain in Committee.

**COST OF NEW ROADS ACCEPTED INTO COUNTY ROAD MAINTENANCE  
SYSTEM**

Chairman Murphree reported to Council that this issue would be discussed at the Public Works Committee Meeting in January 2007.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
CONTINUED**

**ORDINANCE TO REPEAL ORDINANCES #78-07, 78-08, 78-09, 78-10,  
CHANGING SPEED LIMITS TO 25 MPH QUAIL ARBOR V, GREENHURST,  
BRIARWOOD AND ARCHDALE- DECREASING SPEED LIMIT IN LEGEND  
OAKS TO 25 MPH AND REQUEST FOR CHANGE IN SPEED LIMIT ON  
DUBOISE ROAD, GENELL ROAD, SOJOURNER ROAD AND MATTIE LANE**

Chairman Murphree reported that the traffic studies are in progress and the Committee will discuss these issues at the Public Works Committee Meeting in January 2007.

**ORDINANCE #06-17 AMENDING STORMWATER ORDINANCE #02-10  
(UTILITY FEE)**

Chairman Murphree reported that the Committee is still studying this issue and further discussion will be held at the Public Works Committee Meeting in January 2007.

**QUAIL ARBOR V HOMEOWNER'S ASSOCIATION ISSUES**

Chairman Murphree pointed out that the issue with the drainage and paving in Quail Arbor V Subdivision is in Mr. Murphy, Mr. Elliott and Mr. Rosebrock's Districts. He stated that the main problem is the south ditch, and the real problem lies with the Core of Engineers. This will probably take six to ten months to work out. The two factors concerning this issue will require changing of the waterways, and the filling and elimination of wetlands. He stated that this would be a concern to conservationists.

**STOP ORDER FOR CONSTRUCTION OF NEW SEWER LINES -SCOTCH  
RANGE ESTATES**

Chairman Murphree reported that the Committee was still collecting the petitions and hoped to provide copies to Council at the December 2006 meeting and to present a follow-up to the stop order.

**PETITION DRIVE TO DETERMINE NEED IN TWIN LAKES SUBDIVISION  
SEWER SYSTEM**

Chairman Murphree reported that the questionnaires would be mailed out as soon as the GIS department has the mailing list, which will probably be later this week. In addition, the Committee discussed the letter that the homeowners received from Public Works.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
CONTINUED**

**SUMMERSET ACRES**

Chairman Murphree also reported that the Committee discussed Summerset Acres regarding the policy of requiring people to tie on to the sewer system. He stated that the 2006 Series Bonds passed earlier gives citizens until December 1, 2006, to pay the money. In addition, he stated that anyone who may need assistance should contact the County and we will do all we can to help come up with alternative methods for payments and that financing through the County for a 10 year period is also available.

**GOVERNMENT 101 CLASSES FOR CITIZENS**

Chairman Murphree also announced that starting in 2007, he will be holding Government 101 Classes for Citizens on a monthly basis. The purpose of these classes will be to provide citizens a chance to learn more about County Government. The classes will be held in the Council Chambers at the County Services Building in Summerville.

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

**RECOMMENDATION FOR 2<sup>ND</sup> READING REZONING REQUESTS #475 &  
#476 HARBOR HOMES TMS #122-00-00-038 AND #122-00-00-048**

15. Chairman Murphy reported that the Committee's recommendation was unanimous to bring this request out of Committee without a recommendation. This is a request to rezone 125.05 acres on Jedburg Road near Jedburg from I (Industrial) to PD (Planned Development District).

Chairman Elliott stated that he was asked by the Muckenfuss family and their representatives to keep this item in Committee.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST #490 JOSEPH L. CANTRELL AND HELEN E.  
NICHOLSON TMS# 143-02-00-042**

16. Chairman Murphy stated that a Public Hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading to Rezoning Request #490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042. This is a request to rezone 2.26 acres on Twin Lakes Drive near Summerville from R1MA (Single-Family Residential Mobile Home District) to R-4 (Multi-Family Residential District).

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT  
CONTINUED**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST #490 JOSEPH L. CANTRELL AND HELEN E.  
NICHOLSON TMS# 143-02-00-042 - CONTINUED**

17. Mr. Waggoner motioned, seconded by Mr. Davis, to amend the Committee's recommendation and to send this request back to Committee with no action by Council. Council voted four in favor of the amendment and three opposed.

Council members Elliott, Murphy and Murphree opposed.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST # 494 JERRY HALL & CATHY VOSE TMS# 021-00-00-  
055**

18. Chairman Murphy stated that a Public Hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading to Rezoning Request # 494 for Jerry Hall & Cathy Vose, TMS# 021-00-00-055. This is a request to rezone 43.1 acres on Community Drive near Reevesville from AC (Absence of Controls District) to R-1 (Single Family Residential District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING  
REZONING REQUEST # 496 CHARLES DANTZLER TMS# 048-00-00-025 AND  
#048- 00-00-054**

19. Chairman Murphy stated that a Public Hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading to Rezoning Request # 496 Charles Dantzler TMS# 048-00-00-025 and #048- 00-00-054. This is a request to rezone 67 acres on South Railroad Avenue near Harleyville from AC (Absence of Controls District) to I (Industrial District). Council voted unanimously in favor of the recommendation.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT**  
**CONTINUED**

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING FOR THE**  
**FOLLOWING:**

*Note that Rezoning Requests # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, and 514 are Ordinance #04-13 corrections. Prior to #04-13, all parcels were zoned DE2. Under Ordinance #04-13, all these properties were rezoned CG (General Commercial) without the owners' knowledge. All parcels are located near Dorchester, Orangeburg, and Bacons Bridge roads near Summerville.*

20. Chairman Murphy stated that a Public Hearing was held and the Committee's recommendation to Council was to approve 2<sup>nd</sup> Reading to the following Rezoning Requests # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, and 514. All of the requests are listed below. Council voted unanimously in favor of the recommendation to approve all of the Rezoning Requests.

**Rezoning Request # 499 Roosevelt Oliver TMS# 152-00-00-166** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 500 Susie L. Oliver TMS# 152-00-00-056** - This is a request to rezone .69 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).. This is an Ordinance #04-13 correction.

**Rezoning Request # 501 Thelma Ladson TMS# 152-00-00-116** - This is a request to rezone 1 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 502 Eloise Maxwell TMS# 152-00-00-117** - This is a request to rezone 3.18 acres on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 503 Richard Ladson TMS# 152-00-00-151** - This is a request to rezone .51 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 504 Jerry Ladson TMS# 152-00-00-152** - This is a request to rezone .53 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT**  
**CONTINUED**

**Rezoning Request # 505 Thelma Ladson TMS# 152-00-00-153** - This is a request to rezone 1 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 506 Clara West TMS# 152-00-00-154** - This is a request to rezone .67 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 507 Thomas A. Ladson TMS# 152-00-00-155** - This is a request to rezone 1.12 acres on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 508 Moses Oliver TMS# 152-00-00-163** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 509 Brandy Linen TMS# 152-00-00-164** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 510 Albertha Oliver TMS# 152-00-00-165** - This is a request to rezone 1.20 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). The Planning Commission recommends this rezoning 5-0 (with 2 absent). Planning staff recommends this request as well. This is an Ordinance #04-13 correction.

**Rezoning Request # 511 Joseph Oliver TMS# 152-00-00-167** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 512 Sandy & Ermine Glover TMS# 152-00-00-168** - This is a request to rezone 1.23 acres on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 513 Albert & Juanita Scott TMS# 152-00-00-169** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.



**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT  
CONTINUED**

**Rezoning Request # 514 Clara West TMS# 152-00-00-197** - This is a request to rezone .50 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). The Planning Commission recommends this rezoning 5-0 (with 2 absent). Planning staff recommends this request as well. This is an Ordinance #04-13 correction.

**PROPOSED LIMITED MORATORIUM ON DEVELOPMENT**

Councilman Rosebrock made a request for Council to hold off on any development Commitments until Council receives an Assessment Study and the update to the County's Comprehensive Plan. He stated there are many questions that cannot be answered at this time, regarding how many homes Council plans to authorize, can the sewer system handle the development, how big the pipes should be, and questions regarding the Development Agreements, such as funds needed from the developer. Councilman Rosebrock further stated that Dorchester County's Public Works Department needs these and more questions answered before they can proceed with the commitments already made.

At the last Council meeting, Council was advised to implement a moratorium because there are too many questions unanswered. Developers also need to know what they can expect and how they can proceed. He stated that a limited moratorium would not hurt the County's economy.

21. Councilman Rosebrock motioned to implement a limited moratorium on development for excess of two or more homes, until Council receives an Assessment Study and the update to the County's Comprehensive Plan to address the above stated issues. He requested the County to implement a limited moratorium to begin on December 1, 2006 and end July 31, 2007.

Motion failed without a second.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON  
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request for Council's consideration to enter into Executive Session to discuss two Confidential Economic Development Prospects, a contractual matter concerning Personnel, two pending Development Agreements, and two additional contractual matters.

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

22. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session.

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

The County Attorney reported that in Executive Session, Council discussed two Confidential Economic Development Prospects and a contractual matter concerning Personnel, and received legal advice concerning two contractual matters concerning pending Development Agreements and two contractual matters. No action was taken on any of these items.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 05-51**

23. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to authorize the completion of the truck access road to serve project #05-51 by approving an additional \$24,241 for the cost of the road. This project will have an investment of over \$5 million dollars and is scheduled to open its plant in February of 2007.

**2<sup>ND</sup> READING ORDINANCE FOR CONSENT TO CONFIDENTIAL  
ECONOMIC DEVELOPMENT PROJECT #06-054**

24. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054 to replace the lease agreement dated as of December 29, 1992; and authorizing the re-conveyance of the property subject to such lease agreement by Dorchester County to project #06-054.

**2<sup>ND</sup> READING ORDINANCE FOR CONSENT TO CONFIDENTIAL  
ECONOMIC DEVELOPMENT PROJECT #06-054**

25. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to give 2<sup>nd</sup> Reading to an Ordinance to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054, extending the infrastructure tax credit and to replace the lease agreement dated as of December 1, 2000; and authorizing the re-conveyance of the property subject to such lease agreement by Dorchester County to Project #06-054.

**1<sup>st</sup> READING TO A REZONING REQUEST FOR PARCEL # 160-00-00-019**

26. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to a Rezoning Request for Parcel # 160-00-00-019. This is a request to rezone from R-4 to Industrial. In addition, Council vote to refer this request to the Planning Commission for their recommendation and to the Planning, Development and Building Committee for recommendation and a Public Hearing.

**1<sup>st</sup> READING TO A REZONING REQUEST FOR PARCEL # 168-00-00-008**

27. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted five in favor and two opposed to give 1<sup>st</sup> Reading to a Rezoning Request for Parcel # 168-00-00-008. This is a request to rezone from MUC to R1. In addition, Council voted to refer this request to the Planning Commission for their recommendation and to the Planning, Development and Building Committee for recommendation and a Public Hearing.

Council members Rosebrock and Waggoner opposed.

**AGREEMENT FOR TEMPORARY IT NETWORK SERVICES**

28. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the County Administrator to execute an Independent Contract Agreement for Temporary IT Network Services with Mark Butler, with the addition of a confidentiality provision.

**ADJOURNMENT**

29. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of Adjournment 9:59 P.M.

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Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**DECEMBER 11, 2006**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME - MR. SKIP ELLIOTT**

- Request to Address Council
- Adoption of the Minutes from November 20, 2006, Council Meeting
- Adoption of a Resolution #06-22 for Mr. Willie R. Davis
- Public Hearing for Ordinance #06-28 an Ordinance Authorizing The Execution and Delivery of an Amended Lease Agreement Between Dorchester County and Project 06-054 (Robert Bosch Corporation), Extending the Infrastructure Tax Credit and Amending and Restating the Lease Agreement Dated as of December 1, 2000 and for Ordinance #06-29 An Ordinance Authorizing the Execution and Delivery of an Amended Lease Agreement Between Dorchester County and Project 06-054 to Replace The Lease Agreement Dated as of DECEMBER 29, 1992
- Approval of County Council Meeting Schedule for 2007
- Correspondence

**3. GUEST**

- Mrs. Blakely Hallman, Marketing Coordinator the National Kidney Foundation of SC  
Presentation - Certificate of Recognition
- Mr. Ron Mitchum, Executive Director BCD COG, Resolution Commending DC for  
Improving Water Quality in the Region
- Mr. Bobby Jordan and Ms. Julia Chism, Eagle Run Subdivision
- Mr. Greg Thacker, County Assessor and Dr. Lewis A. Lapine, SC Budget and Control  
Board, Office of Research & Statistics, South Carolina Geodetic Survey,  
Aerial Photo Project FY 2008 Commitment
- Mrs. Carolyn Tomlinson, Keep Dorchester County Beautiful, DC Recycling Grant  
from Palmetto Pride/Keep SC Beautiful

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

- 2<sup>nd</sup> Reading Ordinance #07-01 to Amend Ordinance #92-15, as amended by Ordinance  
#94-03, as subsequently amended by Ordinance #05-02 and #06-20, to provide that the  
1995 Suburban Veggie Truck "FRENCH FRY ONE" driven by Carolyn Tomlinson,  
Director of Recycling and Education, be allowed to be Home Garaged
- 1<sup>st</sup> Reading Rezoning Request #516 Richard Clapp TMS# 132-00-00-194, 132-00-00-  
207, 132-00-00-213
- 1<sup>st</sup> Reading Rezoning Request #520 Sadie T. Hunt/Elizabeth Alston, (PA)  
TMS# 110-00-00-014
- 1<sup>st</sup> Reading Ordinance Approving Development Agreement between Dorchester County  
and Summer Tract, LLC (Audrey Park)

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

- 1<sup>st</sup> Reading Ordinance Authorizing Development Agreement between Dorchester County and Hodgetown LLC
- 1<sup>st</sup> Reading Ordinance Approving Development Agreement between Dorchester County and Domino Properties, LLC
- 3<sup>rd</sup> Reading Rezoning Request # 494 Jerry Hall & Cathy Vose TMS# 021-00-00-055
- 3<sup>rd</sup> Reading Rezoning Request # 496 Charles Dantzler TMS# 048-00-00-025 & 048-00-00-054
- 3<sup>rd</sup> Reading for the following:
  - Rezoning Request # 499 Roosevelt Oliver TMS# 152-00-00-166
  - Rezoning Request # 500 Susie L. Oliver TMS# 152-00-00-056
  - Rezoning Request # 501 Thelma Ladson TMS# 152-00-00-116
  - Rezoning Request # 502 Eloise Maxwell TMS# 152-00-00-117
  - Rezoning Request # 503 Richard Ladson TMS# 152-00-00-151
  - Rezoning Request # 504 Jerry Ladson TMS# 152-00-00-152
  - Rezoning Request # 505 Thelma Ladson TMS# 152-00-00-153
  - Rezoning Request # 506 Clara West TMS# 152-00-00-154
  - Rezoning Request # 507 Thomas A. Ladson TMS# 152-00-00-155
  - Rezoning Request # 508 Moses Oliver TMS# 152-00-00-163
  - Rezoning Request # 509 Brandy Linen TMS# 152-00-00-164
  - Rezoning Request # 510 Albertha Oliver TMS# 152-00-00-165
  - Rezoning Request # 511 Joseph Oliver TMS# 152-00-00-167
  - Rezoning Request # 512 Sandy & Ermine Glover TMS# 152-00-00-168
  - Rezoning Request # 513 Albert & Juanita Scott TMS# 152-00-00-169
  - Rezoning Request # 514 Clara West TMS# 152-00-00-197

**5. COMMITTEE REPORTS**

**Mr. Larry Hargett, Public Safety, Health and Human Services Committee**

- Request for Ladder Truck and Hill Street Access – Harleyville Rural Fire and Rescue
- Givhans Fire District Contract

**Mr. Mike Murphree– Public Works, Property and Utilities Committee**

- Petition drive to determine needs in Twin Lakes Subdivision Sewer System
- Stop order for construction of new sewer lines -Scotch Range Estates
- Resurfacing of Roads in Windsor Hill Subdivision
- Movement of Mobile Homes

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

Page Three  
December 11, 2006  
County Council Agenda

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

- Executive Session-
  - Confidential Economic Development Projects
  - Legal Advice
    - Boundary Line Dispute
    - Sewer Issue
    - Ordinance #06-28 an Ordinance Authorizing The Execution and Delivery of an Amended Lease Agreement Between Dorchester County and Project 06-054 (Robert Bosch Corporation), Extending the Infrastructure Tax Credit and Amending and Restating the Lease Agreement Dated as of December 1, 2000 –
    - Ordinance #06-29 An Ordinance Authorizing the Execution and Delivery of an Amended Lease Agreement Between Dorchester County and Project 06-054 to Replace The Lease Agreement Dated as of DECEMBER 29, 1992

**8. ADJOURN**

WALTER H. "SKIP" ELLIOTT, III  
CHAIRMAN

LARRY HARGETT  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE DAVIS

CHRISTOPHER J. MURPHY  
MIKE MURPHREE

RICHARD ROSEBROCK

KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

### MINUTES

**DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE**

**DECEMBER 11, 2006**

**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. Skip Elliott - Chairman  
Mr. Larry Hargett - Vice Chairman  
Mr. Chris Murphy  
Mr. Kenneth F. Waggoner  
Mr. Willie Davis  
Mr. Richard Rosebrock  
Mr. Mike Murphree  
Mr. Jason Ward - County Administrator  
Ms. Ashley Jacobs - Deputy County Administrator  
Mr. John Frampton - County Attorney  
Mrs. Sandy Lawley - Clerk to Council

Chairman Elliott called the meeting to order and Councilman Hargett gave the Invocation.

### PUBLIC ADDRESS TO COUNCIL

The following people addressed Council:

- Mr. Bill Reed addressed Council regarding his opposition of the mandatory sewer tie-in. In addition, he proposed questions concerning who would be exempt from mandatory sewer tie-in and how it would be determined.
- Mr. Dave Carter addressed Council regarding his opposition of the mandatory sewer tie-in. He also expressed his opposition to the County's policy regarding sewer, the letter sent to residents from the County dated November 9, 2006, and the lack of information included in the letter. (Handout provided to Council)

- Mr. John Conway addressed Council regarding the current sewer issue to approve new sewer and water projects and his support for the installation of the system. He requested that all issues be taken into account, before the next amendment is drafted to the Sewer Ordinance.
- Mr. Jeffery Jones addressed Council with opposition to the paving of a road that has few residents with One Cent Sales Tax Funds which is the proposed site of a new development of homes. (Article that appeared in the newspaper on November 29, 2006)
- Mrs. Pat Wheeler addressed Council regarding the sewer on Summerset Lane. She expressed her opposition to the County's policy regarding sewer and the letter sent out by the County dated November 9, 2006. (Petition in opposition of the sewer was presented to Councilman Murphree)
- Mr. Ron Turner addressed Council regarding his approval of the DC Lawful Employment Ordinance, praised Mr. Rosebrock on his fortitude to start this Ordinance, and applauded Mr. Murphree for his courageous leadership regarding his stance on the unfair sewer policies.
- Ms. Terri Hilton addressed Council regarding her opposition to the County's policy regarding mandatory sewer tie-in, and the letter sent out by the County dated November 9, 2006, concerning the same. In addition, she questioned if the money is already paid to the County for the sewer could it be refunded.
- Mr. Richard Mussall addressed Council regarding his opposition to the County's policy regarding mandatory sewer tie-in, the letter sent out by the County dated November 9, 2006, concerning the same and requested reimbursement of the money that he paid for the sewer tie-in.

**AMENDMENT OF THE AGENDA FOR SENATOR RANDY SCOTT FOR A CHECK PRESENTATION**

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to allow South Carolina State Senator, Randy Scott, to present a check to the County as reimbursement for expenditure for the Senior Center, Inc.

Senator Scott presented Council with a check for \$60,000 for reimbursement to the County for the purchase of a freezer for the Senior Center in Summerville.

**ADOPTION OF MINUTES NOVEMBER 20, 2006 COUNCIL MEETING**

2. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the County Council Meeting held on November 20, 2006.



**ADOPTION OF RESOLUTION #06-22 RECOGNIZING MR. WILLIE R. DAVIS**

3. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously for the Adoption of Resolution # 06-22, recognizing Mr. Willie R. Davis.

**PUBLIC HEARING FOR ORDINANCE #06-28 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED LEASE AGREEMENT BETWEEN DORCHESTER COUNTY AND PROJECT 06-054 (ROBERT BOSCH CORPORATION), EXTENDING THE INFRASTRUCTURE TAX CREDIT AND AMENDING AND RESTATING THE LEASE AGREEMENT DATED AS OF DECEMBER 1, 2000 AND FOR ORDINANCE #06-29 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED LEASE AGREEMENT BETWEEN DORCHESTER COUNTY AND PROJECT 06-054 TO REPLACE THE LEASE AGREEMENT DATED AS OF DECEMBER 29, 1992**

Chairman Elliott opened the Public Hearing for the above stated Ordinances and asked if anyone would like to comment. Hearing no comments, he closed the Public Hearing.

**APPROVAL OF COUNTY COUNCIL MEETING SCHEDULE FOR 2007**

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the 2007 County Council meeting schedule for 2007.

**RECOGNITION OF MR. JIM FRIAR, ECONOMIC DEVELOPMENT DIRECTOR**

Chairman Elliott recognized Dorchester County Economic Developer Jim Friar on his completion of his fourth recertification with the International Economic Development Council (IEDC) as a Certified Economic Developer (CED) in 2006. The three-year re-certification is conducted by IEDC to gauge and recognize an economic development practitioner's personal and professional commitment to the practice of economic development in his service area. The certification recognized Mr. Friar for upholding and increasing standards in the profession, participating in the training and development of other professionals, working to advance professional training in his state and region, and providing leadership within his profession at the community, state, and national level. Mr. Friar joined Dorchester County in 1989 and completed his first two day, national examinations in 1994. Mr. Friar also holds the distinction to be the only economic developer in South Carolina certified by two national economic development organizations. Only 18 nationally certified economic developers are members of the International Economic Development Council in South Carolina.

Mr. Friar thanked Council for being supportive of Economic Development in Dorchester County and of him in his efforts.

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**CORRESPONDENCE**

The Administrator advised Council that DHEC Division of Mining and Solid Waste Management made a preliminary finding that the proposed Premier Environmental Services Waste Tire Processing Facility at 100 Klauber Street in St. George is consistent with the Dorchester County Solid Waste Management Plan. He stated that a final consistency determination must be made prior to issuance of a permit to operate.

**GUEST**

**Mrs. Blakely Hallman, Marketing Coordinator for the National Kidney Foundation of SC**

Mrs. Blakely Hallman, Marketing Coordinator for the National Kidney Foundation of SC, made a presentation to Council of a Certificate of Recognition recognizing citizens of Dorchester County for donating 1,800 cars since 2000 that have brought in \$350,000 to the National Kidney Foundation of South Carolina.

**Mr. Ron Mitchum, Executive Director of the BCD COG**

Mr. Ron Mitchum, Executive Director of the BCD COG presented Council with a Resolution commending Dorchester County for Improving Water Quality in the Region. The Resolution from the BCD COG is for Dorchester County purchasing the Teal on the Ashley and King's Grant wastewater treatment facilities, eliminating those discharges into the Ashley River, and thereby improving water quality in our region.

**Mr. Bobby Jordan and Ms. Julia Chism of Eagle Run Subdivision**

Mr. Bobby Jordan and Ms. Julia Chism from the Eagle Run Subdivision made a presentation to Council regarding problems with safety in their subdivision. Mr. Jordan requested stop signs to be placed in the subdivision to address safety issues and set speed limits. He stated that "Children at Play" signs were installed with no resolution; the cars still drive through the subdivision at extremely high speeds. In addition, Mr. Jordan requested a privacy fence to be installed around the convenience site, which is very unsightly and noisy with trucks arriving early each morning. Chairman Elliott placed this item in the Public Works, Property and Utilities Committee.

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**Mr. Greg Thacker, County Assessor and Dr. Lewis A. Lapine, SC Budget and Control Board, Office of Research & Statistics, South Carolina Geodetic Survey, Aerial Photo Project**

Mr. Greg Thacker, County Assessor and Dr. Lewis A. Lapine, SC Budget and Control Board, Office of Research & Statistics, South Carolina Geodetic Survey, addressed Council regarding the Aerial Photo Project. Dr. Lapine made a presentation to Council regarding the digital orthophotography and explained how beneficial it would be to Dorchester County in many different areas. He stated that the County has an opportunity to receive \$40,000 from the state at this time, if Council agrees to commit \$40,000 toward digital orthophotography in the FY 07-08 Budget.

Dr. Lapine requested that he be allowed to have a copy of the aerial photography portion of the project and that would only be shared with other state agencies for their use and not distributed or sold.

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to appropriate \$40,000 for the Digital Orthophotography and LiDAR in the next Fiscal Year Budget 2007-2008.

**Ms. Carolyn Tomlinson, Keep Dorchester County Beautiful, Presentation of a Recycling Grant from Palmetto Pride/Keep SC Beautiful**

Mrs. Carolyn Tomlinson, Keep Dorchester County Beautiful, addressed Council about a partnership between Keep Dorchester County Beautiful and Dorchester County Public Works/Recycling. Mrs. Tomlinson presented a check for \$8,000 to Council, which Dorchester County received from Palmetto Pride/ Keep South Carolina Beautiful. The grant will be used to establish a logo for Keep Dorchester County Beautiful, award beautification grants to local communities who participate in the Great America Cleanup in 2007, and to fund a new Clean Business Award Program.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**2<sup>ND</sup> READING ORDINANCE #07-01 TO AMEND ORDINANCE #92-15, AS**  
**AMENDED BY ORDINANCE #94-03, AS SUBSEQUENTLY AMENDED BY**  
**ORDINANCE #05-02 AND #06-20, "FRENCH FRY ONE" BE ALLOWED TO BE**  
**HOME GARAGED**

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 2<sup>nd</sup> Reading to Ordinance #07-01 to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02 and #06-20, to provide that the 1995 Suburban Veggie Truck "FRENCH FRY ONE", driven by Carolyn Tomlinson, Director of Recycling and Education, be allowed to be Home Garaged.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING REZONING REQUEST #516 RICHARD CLAPP TMS# 132-00-00-194, 132-00-00-207, 132-00-00-213**

7. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor and one opposed to give 1<sup>st</sup> Reading to Rezoning Request # 516 for Mr. Richard Clapp and to refer this matter to the Planning, Development and Building Committee for further consideration. This is a request to rezone 11.60 acres on Campbell Thicket Road near Ridgeville from AC (Absence of control) to R1MA (Single-Family Residential Manufactured Housing District with a minimum ½ -acre lot).

Councilman Rosebrock was opposed.

**1<sup>ST</sup> READING REZONING REQUEST #520 SADIE T. HUNT/ELIZABETH ALSTON, (PA) TMS# 110-00-00-014**

8. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request # 520 for Sadie T. Hunt and Elizabeth Alston and to refer this matter to the Planning, Development and Building Committee for further consideration. This is a request to rezone 3.46 acres on West 5<sup>th</sup> North Street near Summerville from CG (Commercial General) to R1M (Single-Family Residential Manufactured Housing District). This is an Ordinance #04-13 correction.

**1<sup>ST</sup> READING ORDINANCE APPROVING DEVELOPMENT AGREEMENT BETWEEN DORCHESTER COUNTY AND SUMMER TRACT, LLC (AUDREY PARK)**

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted four in favor and three opposed, to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Dorchester County and Summer Tract, LLC (Audrey Park) and to refer this item to the Planning, Development, and Building Committee for further consideration and to the Planning Board for them to hold the first public hearing. This development agreement is for 290 units, not 350 units.

Council Members Hargett, Waggoner and Rosebrock were opposed.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING ORDINANCE AUTHORIZING DEVELOPMENT AGREEMENT  
BETWEEN DORCHESTER COUNTY AND HODGETOWN, LLC –**

10. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted three in favor, three opposed, and one abstention to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Dorchester County and Hodgetown, LLC., and refer this item to the Planning, Development, and Building Committee for further consideration and to the Planning Commission for them to hold the first public hearing and make a recommendation. A public hearing is scheduled for December 21, 2006 before the Planning Commission.

Council members Hargett, Waggoner and Rosebrock were opposed.  
Councilman Davis abstained.

Motion failed

**1<sup>ST</sup> READING ORDINANCE APPROVING DEVELOPMENT AGREEMENT  
BETWEEN DORCHESTER COUNTY  
AND DOMINO PROPERTIES, LLC.**

11. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted six in favor and one opposed, to give 1<sup>st</sup> Reading to an Ordinance approving a Development Agreement between Dorchester County and Domino Properties, LLC., and to refer this item to the Planning, Development, and Building Committee for further consideration and to the Planning Board for them to hold the first public hearing and make a recommendation. A public hearing is scheduled for December 21, 2006, before the Planning Board.

Councilman Rosebrock was opposed.

**3<sup>RD</sup> READING REZONING REQUEST # 494 JERRY HALL & CATHY VOSE  
TMS# 021-00-00-055**

12. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to approve 3<sup>rd</sup> Reading to Rezoning Request # 494 for Jerry Hall & Cathy Vose, TMS# 021-00-00-055. This is a request to rezone 43.1 acres on Community Drive near Reevesville from AC (Absence of Controls District) to R-1 (Single Family Residential District).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING REZONING REQUEST # 496 CHARLES DANTZLER TMS# 048-00-00-025 AND #048- 00-00-054**

13. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to approve 3<sup>rd</sup> Reading to Rezoning Request # 496 for Charles Dantzler TMS# 048-00-00-025 and #048- 00-00-054. This is a request to rezone 67 acres on South Railroad Avenue near Harleyville from AC (Absence of Controls District) to I (Industrial District).

**3<sup>RD</sup> READING FOR THE FOLLOWING: REZONING REQUESTS # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, AND 514**

All of these requests are Ordinance #04-13 corrections. Prior to #04-13, all parcels were zoned DE2. Under Ordinance, #04-13, all these properties were rezoned CG (General Commercial).

**Rezoning Request # 499 Roosevelt Oliver TMS# 152-00-00-166** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 500 Susie L. Oliver TMS# 152-00-00-056** - This is a request to rezone .69 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 501 Thelma Ladson TMS# 152-00-00-116** - This is a request to rezone 1 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 502 Eloise Maxwell TMS# 152-00-00-117** - This is a request to rezone 3.18 acres on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 503 Richard Ladson TMS# 152-00-00-151** - This is a request to rezone .51 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 504 Jerry Ladson TMS# 152-00-00-152** - This is a request to rezone .53 acre on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING FOR THE FOLLOWING: REZONING REQUESTS # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, AND 514**

**Rezoning Request # 505 Thelma Ladson TMS# 152-00-00-153** - This is a request to rezone 1 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 506 Clara West TMS# 152-00-00-154** - This is a request to rezone .67 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 507 Thomas A. Ladson TMS# 152-00-00-155** - This is a request to rezone 1.12 acres on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 508 Moses Oliver TMS# 152-00-00-163** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 509 Brandy Linen TMS# 152-00-00-164** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 510 Albertha Oliver TMS# 152-00-00-165** - This is a request to rezone 1.20 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 511 Joseph Oliver TMS# 152-00-00-167** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**Rezoning Request # 512 Sandy & Ermine Glover TMS# 152-00-00-168** - This is a request to rezone 1.23 acres on Dorchester Road near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District). This is an Ordinance #04-13 correction.

**Rezoning Request # 513 Albert & Juanita Scott TMS# 152-00-00-169** - This is a request to rezone .50 acre on Omar Sue Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING FOR THE FOLLOWING: REZONING REQUESTS # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, AND 514**

**Rezoning Request # 514 Clara West TMS# 152-00-00-197** - This is a request to rezone .50 acre on Janie Lane near Summerville from CG (General Commercial) to R1M (Single-Family Residential Mobile Home District).

14. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to approve 3<sup>rd</sup> Reading to Rezoning Requests # 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, and 514.

**COMMITTEE REPORTS**

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE,**

**MR. LARRY HARGETT**

**REQUEST FOR LADDER TRUCK AND HILL STREET ACCESS-  
HARLEYVILLE RURAL FIRE DEPARTMENT AND RESCUE**

Chairman Hargett reported that the Committee discussed the request for a ladder truck and for Mr. Ward to contact the two cement companies located in the Harleyville area for assistance in funding for the truck.

Chairman Hargett reported that the Committee discussed two alternatives for Hill Street access via the Jenkins Hill School property, and to approach District Four School Board to request choosing Route # Two, using a 10-inch base of ROC (no paving), with the work to be performed by the County's workforce. This recommendation is subject to District Four School Board's approval.

No action was required by Council.

**GIVHANS FIRE DISTRICT – CONTRACT OLD FORT FIRE DEPARTMENT**

15. Chairman Hargett reported that the County received a proposed contract from Old Fort Fire Department, which is presently in a 60-day extension period. He stated that earlier this month, three new members were elected to the Old Fort Fire Department Board and there is one vacancy that needs to be filled. The Committee voted unanimously to recommend to Council for an extension up to 60-days with the stipulation that Council meet with the Old Fort Fire Department Board to discuss the contract. Council voted unanimously in favor of the recommendation.



**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT**  
**MR. MIKE MURPHREE**

**STOP ORDER FOR CONSTRUCTION OF NEW SEWER LINES -SCOTCH RANGE ESTATES**

16. Chairman Murphree reported that 81 of the 181 residents have signed the petition and the Committee's recommendation was to add the petition to the stop order for construction of new sewer lines in Scotch Range Estates and to let the stop order stand. Council voted six in favor and the Chairman abstained to approve the recommendation.

**RESURFACING OF ROADS IN WINDSOR HILL SUBDIVISION**

Chairman Murphree reported the Committee received an update on the resurfacing of roads in Windsor Hill Subdivision, which should be completed by Christmas.

**MOVEMENT OF MOBILE HOMES**

17. Chairman Murphree reported the Committee's recommendation to Council is for there to be an inspection by Dorchester County Codes and Zoning prior to issuance of the permit for moving mobile homes within the County Jurisdiction. Council voted unanimously in favor of the recommendation.

**1<sup>ST</sup> READING TO AMEND OUR WATER AND SEWER ORDINANCE**

18. Chairman Murphree reported the Committee's recommendation for Council to give 1<sup>st</sup> Reading to the Water and Sewer Ordinance stating that a consensus of 75% of the residents in an established area be received before the County installs sewer and water. Council voted unanimously in favor of the recommendation.

**PETITION DRIVE TO DETERMINE NEEDS IN TWIN LAKES SUBDIVISION SEWER SYSTEM**

19. Chairman Murphree stated the Committee discussed the mandatory tie-in and felt it was unfair for the residents in small subdivisions, like Twin Lakes Subdivision and Summerset Subdivision to tie-in to the county sewer system. Chairman Murphree further stated that the County is legally correct, but the problem is with the interpretation of section 406 and not 407, and that since this area is not part of the calculation of debt service for the past bond issues, then there should be no mandatory tie-ins. The Committee's recommendation to Council was for no mandatory tie-ins required in areas that were not included as part of the calculations of debt service.

**PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT  
CONTINUED**

**SEWER SYSTEM NEEDS CONTINUED**

Chairman Elliott stated his interpretation of the Committee's recommendation, which was that "Anyone not included in the calculations provided to the bond attorneys for bond sales would be exempt from the mandatory tie-in requirement."

Mr. Murphy requested Council to suspend taking action on the Committee's recommendation until after Executive Session, so the County Attorney could provide legal advice about exemptions for mandatory tie-ins.

20. Chairman Murphree amended the Committee's recommendation to suspend taking action on the recommendation until after Executive Session. Council voted unanimously in favor of the amendment to the recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON  
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request for Council's consideration to enter into Executive Session to receive legal advice concerning the boundary dispute with Berkeley County, the sewer issue that Council members Murphree and Murphy discussed, Ordinances #06-28 and #06-29, and nine confidential Economic Development Prospects.

**EXECUTIVE SESSION 8:25P.M.**

21. On the motion of Mr. Hargett, seconded by Mr. Murphree, Council voted unanimously to enter into Executive Session.

**RECONVENE FROM EXECUTIVE SESSION 10:05 P.M.**

The County Attorney reported that in Executive Session, Council discussed nine Confidential Economic Development Prospects and received legal advice concerning the boundary dispute with Berkeley County, the Sewer Ordinance concerning the interpretation of section 406 and 407 and Ordinances #06-28 and #06-29. No actions were taken on any of these items.

Chairman Elliott announced that the sewer issue discussed earlier would remain in Committee until the County can take into account all aspects of the issue, including the residents that paid the initial \$50 fee years ago. He stated that it is essential that all necessary information be collected to make a good quality decision on this issue and the County has to look at the ramifications of a vote on this issue at this time. This does put a stop to all action requiring any payments and penalties that were deemed mandatory to the County. Chairman Elliott stated that any citizen with specific questions should call their Councilmember or the County Administrator for answers.

**BOUNDARY LINE DISPUTE WITH BERKELEY COUNTY**

22. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to approve the negotiated resolution of the county boundary line dispute with Berkeley County pursuant to the delineated map presented by and in the possession of legal counsel, contingent upon the simultaneous adoption of approval of the negotiated resolution by Berkeley County.

**ST. GEORGE PARK SITE #2B**

23. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously that Dorchester County Council approve the funding of a topo survey, road design, and civil engineering study at the St. George Park Site #2B in the amount of \$28,000 to be paid from the Dorchester County Economic Development Fund, in order to prepare the final site in the park for sale.

**WETLANDS ASSESSMENT**

24. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously that Dorchester County Council approve a wetlands assessment for \$3,000 in order to continue its review of a confidential project site under review by the Economic Development Department for future real estate purchases.

**3<sup>rd</sup> READING ORDINANCE FOR CONSENT TO PROJECT #06-054**

25. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance 06-28, to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement, as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054, extending the infrastructure tax credit and to replace the lease agreement dated as of December 1, 2000; and authorizing the re-conveyance of the property subject to such lease agreement by Dorchester County with the Robert Bosch Corporation.

**3<sup>rd</sup> READING ORDINANCE FOR CONSENT TO PROJECT #06-054**

26. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to an Ordinance #06-29 to provide consent to Project #06-054 transferring property from a lease agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Dorchester County and Project #06-054 to replace the lease agreement dated as of December 29, 1992; and authorizing the reconveyance of the property subject to such lease agreement by Dorchester County with the Robert Bosch Corporation.

**CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 06-43**

27. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously that confidential project #06-43 be awarded a property tax credit in the amount of \$100,000, spread over 3 years, to assist with specialized infrastructure. The new firm is seeking a location on Highway 78 in Summerville and will employ 10-12 new employees and grow to 50 employees in 3-5 years. An announcement expected in early 2007.

**ECONOMIC DEVELOPMENT PROJECT ECMD**

28. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously that Council provide \$66,400.00 from the Economic Development Fund to complete a series of turn lanes on Jedburg Road. This access will serve the ECMD project on Jedburg Road and will provide improved safety at the McQueen Park intersection. ECMD today occupies 300,000 square feet of space at its location at the logistics operation that opened in 2005. The firm also employs over 100 persons at this location.

**ITEM FOR PLACEMENT IN THE AIA COMMITTEE**

29. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to place the matter concerning retirement for Mr. Jimmy Messervy and other employees who may qualify in the Administrative and Intergovernmental Affairs Committee.

**ADJOURNMENT**

30. On the motion of Mr. Murphree, seconded by Mr. Hargett, Council voted unanimously to adjourn.

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Sandy Lawley, Clerk to Council