

JAMES LEX BYARS, III  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY  
CLERK TO COUNCIL



CONVERSE A. CHELLIS, IV

C. DAVID CHINNIS

WILLIE R. DAVIS

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

## COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 15, 2017**  
**7:00 P.M.**

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

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

**ABSENT:** Mr. Larry S. Hargett

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

### CHAIRMAN'S TIME

#### REQUESTS TO ADDRESS COUNCIL

- Mr. Alan McMahon, 211 King Street, Charleston, he has concerns about impact to his current project if amendments to the Zoning and Land Development Standards Ordinance regarding density provisions of the General Commercial Zoning District are amended.

- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she encouraged Council to do its due diligence before considering items. She asked Council to continue to push for full funding from the Local Government Fund.
- Mr. Scott Inabinet, 651 Gahagan Road, Summerville, he suggested Dorchester County hire employees from Old Fort Fire Department with no testing.

### MINUTES

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

### 3<sup>RD</sup> READING OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING FORTY-THREE MILLION DOLLARS (\$43,000,000) GENERAL OBLIGATION BONDS, SERIES 2017

Chairman Byars struck the gavel, opening the public hearing.

He then invited the public to come forward to speak on this issue. In the absence of additional requests to speak, Chairman Byars struck the gavel, closing the public hearing.

2. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to give 3rd Reading to an Ordinance to provide for the issuance and sale of not exceeding Forty-Three Million Dollars (\$43,000,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2017; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto; for the purpose of funding library facilities, parks and recreation facilities, and infrastructure.

CORRESPONDENCE: No correspondence received.

### GUESTS

#### MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO

Mr. Prentice gave a summary of revenues and expenditures for the county's major funds through April 30, 2017. He also included a summary of cash on hand in the major funds and status updates on major Water/Sewer and Stormwater projects.

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

#### REZONING REQUEST #746

3. On the motion of Councilman Davis, seconded by Councilman Bailey, County Council voted six in favor, with one absent (Hargett), to give 1st Reading and Referral to the Planning, Development, and Building Committee for a Public Hearing and Recommendation Regarding Rezoning Request #746 by Andrew Ladson, to Rezone 1.48 Acres Located at 163 Pine Land Lane from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-1M), TMS #153-10-00-022 and TMS #153-10-00-028.

#### REZONING REQUEST #747

4. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to give 1st Reading and Referral to the Planning, Development, and Building Committee for a Public Hearing and Recommendation Regarding Rezoning Request #747 by Dorchester County, to Rezone 85.91 Acres Located on Renken Road from Planned Development District (PD), and General Commercial District (CG) to Public Institutional District (PI), TMS #161-00-00-025 and TMS #161-00-00-074.

#### REZONING REQUEST #748

5. On the motion of Councilman Davis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to give 1st Reading and Referral to the Planning, Development, and Building Committee

for a Public Hearing and Recommendation Regarding Rezoning Request #748 by Ronald and Doreen Slosser, to Rezone 1.89 Acres Located at 107 Weeping Willow Lane and 0 Embassy Drive from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-2M), TMS #143-07-00-036 and TMS #143-07-00-037.

**AMENDMENT TO FY 2017-2018 BUDGET CALENDAR**

6. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Hargett), to approve an Amendment to the FY 2017-2018 Budget Calendar to Change the Date of Third Reading of the Budget Ordinance from June 19<sup>th</sup> to June 5<sup>th</sup>.

**2<sup>ND</sup> READING OF AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF DORCHESTER COUNTY, SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BONDS (JUNIOR LIEN), SERIES 2017**

7. On the motion of Councilman Davis, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Hargett), to give 2nd Reading to an Ordinance to Provide for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds (Junior Lien), Series 2017 in the Principal Amount of Not Exceeding \$2,500,000; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto.

**1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND DORCHESTER COUNTY BUSINESS LICENSE ORDINANCE NUMBER 90-13, AS PREVIOUSLY AMENDED**

8. On the motion of Councilman Davis, seconded by Councilman Hearn, County Council voted five in favor, with one abstention (Bailey), and one absent (Hargett), to give 1st Reading to an Ordinance to Amend Dorchester County Business License Ordinance Number 90-13, as Previously Amended, With Respect to Section 2: "Definitions," - to Define the Term Charitable Organization and to Delete the Interstate Commerce Exemption Within the Definition of Gross Revenue; With Respect to Section 6: "Deductions and Exemptions," - to Amend the Title of the Section to "Deductions, Exemptions, and Charitable Organizations"; With Respect to Section 6: "Deductions and Exemptions," Subsections 6(A)(1),(4), and (5) - to Delete Each of the Aforementioned Sections as they Reference Specific Exemptions Already Granted Under State Statute and/or Federal Law; With Respect to Section 6: "Deductions and Exemptions," Subsection 6(A)(3) - to Delete and Replace in Order to Better Define Exemptions to Include Federal Law; With Respect to Section 6: "Deductions and Exemptions," - to Add a New Subsection Which Provides Guidance with Regards to Charitable Organizations; With Respect To Section 6: "Deductions and Exemptions," Subsection 6(B) - to Delete the Words "Standard Industrial Classification" and Replace with "North American Industry Classification System"; With Respect to Section 20: "Nightclubs, Cabarets, Taverns, or Other Similar Establishments," Subsection 20(A) - to Delete the Words "Rate Class 7-5813" and Replace with "NAICS Sector 72 -- Drinking Places (Alcoholic Beverages)"; With Respect to Section 22: "Classification," - To Amend the Title of the Section to "Rate & Classification"; With Respect to Section 22: "Classification," - to Delete References to "SIC" and Replace with "NAICS"; and to Provide for the Inclusion of a New Rate Structure as Contained Therein *(The purpose of this amendment is to edit all exclusions and specific references to the SIC code to reference the NAICS code for the purpose of levying Business License fees in Dorchester County.)*

**1<sup>ST</sup> READING OF ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, "CG, GENERAL COMMERCIAL DISTRICT"**

9. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to give 1st Reading to an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, With Respect to Article VII, Section 7.8: "CG, General Commercial District," to Add Density Limits to Multi-Family Residential; with Respect to Article VIII, Section 8.2: "MUC, Mixed Use Community District," to Remove Multi-Family Residential as a Permitted Use; and With Respect to Article IX, Section 9.1: "AC, Absence of Controls District." To Change Multi-Family Residential from a Permitted Use to a Special Exception Use *(The purpose of this amendment is to limit those districts, which allow use group 4, multi-family residential, and to establish density limits where none is provided.)*

## **COMMITTEE REPORTS**

### **CHAIRMAN BYARS – BUDGET, FINANCE, AND PURCHASING COMMITTEE**

Chairman Byars passed the gavel to Vice Chairman Bailey. He reported that the Committee held a 5 p.m. meeting to receive budget presentations by Dorchester School District Two, Dorchester Seniors, Trident Technical College and Children in Crisis. Dorchester District 2 requested a 6.5 millage increase.

Chairman Byars reported that the Committee voted six in favor, with one absent (Hargett), to recommend 2<sup>nd</sup> Reading of the FY 2017-2018 budget.

10. Council voted six in favor, with one absent (Hargett), to give 2<sup>nd</sup> Reading to the Dorchester County Budget Ordinance for Fiscal Year 2017-2018, An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2017, and Ending June 30, 2018; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County.

### **CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE**

Chairman Chinnis reported that the Committee met at 6:30 p.m. to hold public hearings and consider recommendations for a Request for Approval of Roadway Connection to Bailey Drive for Carrington Chase Subdivision.

11. On the recommendation of the committee, Council voted six in favor, with one absent (Hargett), to approve a request for roadway connection to Bailey Drive for Carrington Chase Subdivision if a tamper proof gate is installed.

### **CHAIRMAN BYARS – WATER AND SEWER COMMITTEE**

Chairman Byars passed the gavel to Vice Chairman Bailey before giving his Committee report. He said the Committee met this evening to consider one request, which the Committee recommends for Council approval.

12. On the recommendation of the committee, Council voted five in favor, with one opposed (Bailey), and one absent (Hargett), to approve a request for New Sewer Service by Beach Village, LLC for a 267 Unit Apartment Complex Near the Town of Summerville, TMS #151-00-00-013, #151-00-00-014, and #151-00-00-063.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:** There were no appointments.

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

### **RESOLUTION – LABON TECHNICAL FIBER, INC.**

13. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to adopt a Resolution Authorizing an Amendment to the Amended and Restated Agreement for Development of Joint County Industrial Park Dated May 17, 2010, so as to Include Additional Property in Orangeburg County (Labon Technical Fiber, Inc.) as Part of the Joint County Industrial Park, and Other Matters Related Thereto.

### **FILOT ORDINANCE – PROJECT PLANK**

14. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to give 2<sup>nd</sup> Reading to an Ordinance Authorizing (1) the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement By and Between Dorchester County, South Carolina (The "County") and a Company Identified for the Time Being as Project Plank, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The "Company"), Pursuant to Which the County Shall Covenant to Accept Certain Negotiated Fees In Lieu of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The "Project"); (2) The Benefits of a Multi-County

Industrial or Business Park to be Made Available to the Company and the Project; (3) Certain Special Source Revenue Credits in Connection with the Project; and (4) Other Matters Relating Thereto.

**ORDINANCE – PROJECT PLANK**

15. On the motion of Councilman Davis, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Hargett), to give 1st Reading to an Ordinance (1) Approving an Amendment to the Existing Amended and Restated Agreement for Development of Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina to (A) Enlarge the Boundaries of the Industrial Park to Include, to the Extent Not Already Included, Certain Property Located in Dorchester County, South Carolina Now or to be Hereafter Owned and/or Operated by a Company Identified for the Time Being as Project Plank and (B) Provide for an Extended Term for Inclusion of Such Property in the Park; and (2) Authorizing Other Related Matters.

**EXECUTIVE SESSION**

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

- Contractual Matter
  - Infrastructure Agreement Between Dorchester County and the Muckenfuss Family, LLC, II.
- Real Estate Matter
  - Potential Library Sites

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 8:32 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

16. On the motion of Councilman Davis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Hargett), to authorize the County Administrator to execute the Infrastructure Agreement with the Muckenfuss Family, LLC, II.

**ADJOURNMENT**

17. On the motion of Councilman Davis, seconded by Councilman Chellis, Council voted unanimously to adjourn at approximately 8:33 p.m.

  
Tracey L. Langley, Clerk of Council