

JAMES LEX BYARS, III
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY
CLERK TO COUNCIL



CONVERSE A. CHELLIS, IV

C. DAVID CHINNIS

WILLIE R. DAVIS

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

COUNTY COUNCIL OF DORCHESTER COUNTY

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

**MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 19, 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, WCIW Channel 4 and WCSC Channel 5.

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

ABSENT: Mr. Jay Byars, Chairman

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

VICE CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL

- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, concerned about cut utility cables during utility work.

MINUTES

1. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adopt the minutes from the June 5, 2017, County Council Meeting and the June 8, 2017, Special Called County Council Meeting.

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 May 31, 2017. He also included a summary of cash on hand in the major funds and status updates on major Water/Sewer and Stormwater projects.

MR. JOHN (JACK) MITCHELL, REGIONAL DIRECTOR, AT&T, PRESENTATION OF CHECK

Mr. John (Jack) Mitchell, Regional Director of External and Public Affairs, AT&T presented the County with a check for \$75,000 to assist with infrastructure at the Ridgeville Commerce Park in support of Project Gateway, also known as Sundaram-Clayton Limited (SCL).

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

3RD READING OF REZONING REQUEST #746

2. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Byars), to give 3rd Reading to Rezoning Request #746 by Allen 62, LLC to Rezone 9.55 Acres located at 515 Hodge Road from Transitional Residential District (TRM) to Commercial Light-Industrial (CLI), TMS #122-00-00-174, #122-00-00-175 and #122-00-00-178.

3RD READING OF REZONING REQUEST #747

3. On the motion of Councilman Chinnis, seconded by Councilman Davis, County Council voted six in favor, with one absent (Byars), to give 3rd Reading to 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.

3RD READING OF REZONING REQUEST #748

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

1ST READING OF REZONING REQUEST #750

5. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Byars), to give 1st Reading and referral to the Planning, Development and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #750 by Robin Greene Jefferson to Rezone .79 Acres at 135 Orangeburg Road from General Commercial (CG) to Suburban Residential (SR), TMS #152-11-04-011.

DIRECT ASSISTANCE TO TRI-COUNTY LINK AND CHARLESTON METRO CHAMBER OF COMMERCE, ACCELERATE GREATER CHARLESTON 2

6. On the motion of Councilman Davis, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Byars), to authorize a provision of \$25,000 in direct assistance to Tri-County Link to match grant funding to replace older buses with maintenance issues and \$25,000 to the Charleston Metro Chamber of Commerce to fund the Accelerate Charleston 2 Program which provides funding for high school students

participating in the Career Academics and Youth Apprenticeship Programs, and provides tuition assistance and scholarships to high school juniors and seniors and high school graduates who are attending Trident Tech.

CONSULTANT TO DEVELOP DESIGN GUIDELINES FOR THE ASHLEY RIVER HISTORIC OVERLAY DISTRICT AND COMPREHENSIVE PLAN

7. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Byars), to approve the transfer of personnel savings of \$75,000 in the Planning and Zoning budget to cover the cost of developing design guidelines for District 5 of the Ashley River Historic Overlay District (\$25,000) and to cover the cost of completing the County's Comprehensive Plan (\$50,000).

RECLASSIFICATION OF PLANNING AND ZONING MANAGER POSITION

8. On the motion of Councilman Hargett, seconded by Councilman Davis, County Council voted six in favor, with one absent (Byars), to approve the Reclassification of Planning and Zoning Manager Position to a Grade 15 Planning and Zoning Director Position.

COMMITTEE REPORTS

CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairman Chinnis reported that the Committee met at 6:45 p.m. to hold a public hearing and consider a recommendation for 2nd Reading by Council.

9. On the recommendation of the committee, Council voted six in favor, with one absent (Byars), to approve 2nd Reading of an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, With Respect to Article XI, Section 11.2.6(A)(1): "Minimum Visual Buffer (MVB) Standards" to Add a New Subsection 1 (*The purpose of this amendment is to reduce and standardize the Minimum Visual Buffer for Industrial properties.*)

APPOINTMENTS TO BOARDS AND COMMISSIONS

10. On the motion of Councilman Hearn, Council voted six in favor, with one absent (Byars), to reappoint Mr. Wil Riley to the Dorchester County Board of Assessment Appeals and Ms. Beth Seago Sabine to the Dorchester County Library Board of Trustees.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

FILOT: JAMES HARDIE BUILDING PRODUCTS, INC.

The County Attorney requested Council's consideration to open the Public Hearing so County Council can receive public comments, for 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") Now or to be Hereafter Owned and/or Operated by James Hardie Building Products, Inc., a Company Previously Identified as/or 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.

Vice Chairman Bailey struck the gavel, opening the public hearing. He then invited the public to come forward to speak on this issue. Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she asked what the total FILOT amount granted to the company would be. In the absence of additional requests to speak, Vice Chairman Bailey struck the gavel, closing the public hearing.

11. On the motion of Councilman Davis, seconded by Council Hargett, County Council voted six in favor, with one absent (Byars), to give 3rd 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") Now or to be Hereafter Owned and/or Operated by James Hardie Building Products, Inc., a Company Previously Identified as/or 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.

MCIP: JAMES HARDIE BUILDING PRODUCTS, INC.

The County Attorney requested Council's consideration to open the Public Hearing so County Council can receive public comments, for 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 James Hardie Building Products, Inc., a Company Previously Identified as Project Plank, and (B) Provide for an Extended Term for Inclusion of Such Property in the Park; and (2) Authorizing Other Related Matters.

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

12. On the motion of Councilman Chinnis, seconded by Council Davis, County Council voted six in favor, with one absent (Byars), to give 3rd Reading of 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 James Hardie Building Products, Inc., a Company Previously Identified 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, County Administrator's Contract
- Contractual Matter, Agreement with Francis R. Willis SPCA
- Legal Advice, Judge Mary L. Blunt Retirement Issue

RECONVENE FROM EXECUTIVE SESSION

At approximately 7:46 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

13. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Byars), to authorize the County Administrator to execute the Agreement between Dorchester County and the Dorchester Society for the Prevention of Cruelty to Animals to provide for the sheltering and care for domesticated animals delivered to it by Dorchester County.
14. On the motion of Councilman Hearn, seconded by Councilman Davis, County Council voted six in favor, with one absent (Byars), to authorize the payment of \$34,373.19 to PEBA to correct Judge Blunt's retirement contributions to PORS, with the source of such payment to be made from the Administrator's contingency and Administrator's personnel savings.

15. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Byars), to extend the County Administrator's Contract for a period of two years from its current expiration date of July 31, 2017, at an annual salary of \$150,800.00, commencing August 1, 2017 and terminating on July 31, 2019, as presented and discussed in Executive Session.

ADJOURNMENT

16. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted six in favor, with one absent (Byars), to adjourn at approximately 7:48 p.m.


Tracey L. Langley, Clerk to Council