

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**  
**NOVEMBER 06, 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. Larry S. Hargett  
Mr. William R. Hearn, Jr.  
Mr. Jason L. Ward, County Administrator  
Mr. Daniel Prentice, Deputy Administrator/CFO  
Mr. John Frampton, County Attorney  
Ms. Tracey L. Langley, Clerk to Council

**ABSENT:** Mr. Charlie Potts, Deputy Administrator/Community Services

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 Bailey.

### CHAIRMAN'S TIME

#### REQUESTS TO ADDRESS COUNCIL

- Ms. Chery Lee Bowerbank, 161 County Lane, Dorchester, she spoke about being in favor of absence of control zoning, the Comprehensive Plan and her displeasure with the recent approval of sand mines in Dorchester.
- Mr. William G. White, Sr., 210 Claussen Street, Summerville, he spoke about overdevelopment of White Gables and flooding from Hurricane Creek.

- Mr. Peter Bowerbank, 161 County Lane, Dorchester, he spoke about sand mines noting that there are seven located within a five-mile radius of his home in Dorchester. He also spoke about noise and deteriorating road conditions from the construction traffic and heavy equipment servicing the sand mines.
- Mr. Thomas Feagin, 111 Ponderosa Road, Summerville, he thanked County Council for refunding the transportation impact fee paid when his house was built. He also spoke about the need for a traffic light at Orangeburg Road and Highway 78. Mr. Feagin requested County Council revisit the firearms ordinance to limit shooting within neighborhoods.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she spoke about Business License and fees.

#### **REQUEST TO AMEND THE AGENDA**

At this time, a request was made by Chairman Byars to amend the agenda to discuss a traffic signal at the intersection of Orangeburg Road and Highway 78 during Executive Session under Legal Advice.

1. On the motion of Councilman Byars, seconded by Councilman Hearn, County Council voted unanimously to amend the agenda to discuss a traffic signal at the intersection of Orangeburg Road and Highway 78 during Executive Session under Legal Advice.

#### **MINUTES**

2. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted unanimously to adopt the minutes from the October 16, 2017, County Council Meeting.

#### **1<sup>ST</sup> READING OF AN ORDINANCE FOR WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2017**

3. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to give 1st Reading, by Title Only, of a Ninth Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Refunding Bonds, Series 2017, in the Principal Amount of Not Exceeding \$7,000,000; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto.

**CORRESPONDENCE:** The County Administrator shared that Moody's Investor Service issued its "Annual Comment on Dorchester County" noting that the County has a stable operating fund balance, a "very strong" financial position, and that the County's economy and tax base are "very healthy." The bond rating from Moody's remains Aa2. The County has a comparable rating from Standard & Poor's.

#### **GUESTS**

#### **MS. QUEENELL FOX, PROJECT DIRECTOR, EVERGREEN SOLUTIONS CONSULTING, CLASSIFICATION AND COMPENSATION STUDY PRESENTATION**

Ms. Queenell Fox, Project Director, Evergreen Solutions Consulting, presented an outline of the work plan and study goals as well as provided information on the company's experience and background assisting local governments.

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

#### **REZONING REQUEST #754**

4. On the motion of Councilman Davis, seconded by Councilman Chinnis, County Council voted unanimously to approve 1<sup>st</sup> reading and referral to the Planning, Development, and Building Committee for a public hearing and recommendation regarding rezoning request #754 by Ben Coker, Jr. to rezone 2.17 acres located at 3331 W. 5th North Street from Absence of Controls District (AC) to General Commercial District (CG), TMS #110-00-00-016.

**FUNDING FOR EMERGENCY PROTECTIVE MEASURES, FORCE ACCOUNT LABOR AND REPAIRS RELATED TO HURRICANE IRMA**

5. On the motion of Councilman Davis, seconded by Councilman Hargett, County Council voted unanimously to approve funding in the amount of \$150,000 for emergency protective measures, force account labor, and repairs from the county reserve fund related to Hurricane Irma.

**ONLINE LEGAL RESIDENCE APPLICATION PROGRAM**

6. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to approve a request to transfer capital fund savings from the HVAC replacement project debt service account to fund the implementation of an online 4% legal residence application, internal workflow system to manage the program, and expansion of the County's document management system.

**HURRICANE BRANCH/ ORANGEBURG ROAD CROSSING PRELIMINARY HYDRAULIC ANALYSIS**

7. On the motion of Councilman Davis, seconded by Councilman Bailey, County Council voted unanimously to authorize the use of \$8,865 in savings from the Irongate Phase II Stormwater Project to fund a preliminary hydraulic analysis associated with Hurricane Branch and the Orangeburg Road crossing. Homeowners in the area have raised concerns about flooding.

**APPROVAL TO RE-OPEN LORRAINE DRIVE (OFF BACONS BRIDGE ROAD) TO THRU TRAFFIC**

8. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to re-open Lorraine Drive. Residents in the area requested this action by petition. Dorchester County Public Works can perform the work, and the estimated cost of labor and materials to re-open the road is \$850. The work will commence in January 2018, pending favorable weather conditions.

**APPROVAL TO ADVERTISE AN INVITATION TO BID FOR CURBSIDE GARBAGE AND RECYCLING COLLECTION IN DEFINED AREAS OF UNINCORPORATED PARTS OF DORCHESTER COUNTY**

The Public Works Director gave a presentation to County Council on the benefits of a curbside solid waste collection program in the unincorporated areas in the greater Summerville/ North Charleston portions of Dorchester County.

Mr. Clint Odom, 681 Ridgeville Road, Ridgeville, stated that he owns Priority-1 and offered to provide information regarding curbside garbage and recycling collection.

9. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted unanimously to give the Dorchester County Public Works Director approval to advertise an invitation to bid for curbside garbage and recycling collection in defined areas of unincorporated parts of Dorchester County.

**ACCEPTANCE OF BATEAUX DRIVE AND PHOEBE ROAD IN CARILLON AT THE PONDS INTO THE COUNTY ROADS MAINTENANCE SYSTEM**

10. On the motion of Councilman Bailey, seconded by Councilman Davis, County Council voted unanimously to approve the acceptance of Bateaux Drive and Phoebe Road in Carillon at the Ponds into the county roads maintenance system.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

11. On the motion of Councilman Chellis, seconded by Councilman Chinnis, County Council voted unanimously to reappoint Ms. Pat Antonsen to Dorchester Seniors, Inc.
12. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted unanimously to approve appointments to the Comprehensive Plan Advisory Committee as follows: Mr. Randall Patrick and Mr. Norman McDonald (Bailey); Mr. Daniel C. Screek and Dr. Timothy R. Huber (Hargett); Ms. Jennifer L.

Balaguer Parvin and Mr. Edward H. Tupper (Chellis); Mr. Joseph L. Debney and Mr. Randy M. Grimes (Chinnis); Mr. Chris Campeau (Hearn); Mr. Peter Valiquette, Ms. Jennifer Rogers Kunda and Mr. John B. Sabine, at-large (Byars).

## **COMMITTEE REPORTS**

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

Chairman Chinnis reported that the Committee met at 6:50 p.m. to consider a recommendation for the following:

13. On the recommendation of the committee, County Council voted unanimously to approve 2nd reading and a referral back to the Planning, Development and Building Committee for a public hearing and recommendation regarding rezoning request #753 by Deloris Campbell and Sara Grant to rezone .66 acre at 107 Dubois Road from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-2M), TMS #135-00-00-082.

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

### **RESOLUTION SUMMERS CORNER IMPROVEMENT DISTRICT ALLOCATION OF SPECIAL ASSESSMENT A**

14. On the motion of Councilman Davis, seconded by Council Bailey, County Council voted unanimously to approve a Resolution Authorizing the Allocation of Special Assessment A for the Summers Corner Improvement District.

### **LAND USE AGREEMENT WITH CHS BATTERY SC, LLC**

15. On the motion of Councilman Chinnis, seconded by Council Davis, County Council voted unanimously to authorize the County Administrator to execute a Land Use Agreement with CHS Battery SC, LLC. Under the terms of the agreement, CHS Battery will operate a soccer league and maintain the fields instead of the Summerville Soccer Club. The club has agreed to terminate its current agreement with the County.

## **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session at 8:36 p.m. to discuss the following:

- Contractual Matter
  - Potential real estate purchase involving Ready SC and Dorchester County.
- Legal Advice
  - An Ordinance to Supplement the Code of Ordinances, Dorchester County, South Carolina, by Adding a New Section 28-7 to Article I, Chapter 28 Regulating the Discharge of Fireworks in Unincorporated Dorchester County.
  - An Ordinance to Amend Dorchester County Business License Ordinance Number 17-15, as Previously Amended, WITH RESPECT TO SECTION 2: "DEFINITIONS," SUBSECTION D - TO AMEND THE DEFINITION OF GROSS INCOME; SECTION 6: "DEDUCTIONS, EXEMPTIONS, AND CHARITABLE ORGANIZATIONS," SUBSECTIONS C AND D – TO ADD AN EXCEPTION FOR GROSS INCOME FOR MANUFACTURERS OF GOODS OR MATERIALS; AND SECTION 22: "RATE & CLASSIFICATION," - TO ADD FIVE TIERS TO THE DECLINING RATE SCHEDULE FOR BUSINESSES REPORTING GROSS INCOME IN EXCESS OF \$5,000,000.
  - Dorchester County and Berkeley County common boundary dispute.
  - Traffic signal at the intersection of Orangeburg Road and Highway 78.

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 11:09 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

16. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted four in favor, with two abstentions (Bailey and Chinnis), and one absent (Davis), to give 2<sup>nd</sup> Reading of an Ordinance regulating the discharge of fireworks in unincorporated Dorchester County with a revision to subsection (f) to provide that a violation would be subject to a fine of not more than \$100.
17. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), that the County Building Services Department be instructed to withhold Building Permits and Certificates of Occupancy in Drakesborough Subdivision until such time as Beazer installs the agreed upon traffic signal at the intersection of Orangeburg Road and Highway 78. Further, staff should be instructed not to process any applications for acceptance of roads for County maintenance in Drakesborough.

**ADJOURNMENT**

18. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adjourn at approximately 11:12 p.m.

  
Tracey L. Langley, Clerk to Council