

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
JANUARY 8, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. VICE CHAIRMAN'S TIME – MR. LARRY HARGETT

- Election of Chairman of County Council
- Election of Vice Chairman of County Council
- Request to Address Council
- Adoption of Minutes from December 11, 2006, County Council Meeting
- Dorchester County Employee Recognition Program
- Correspondence

3. COUNCIL MEMBER'S TIME MR. LARRY HARGETT

- 1st Reading Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof

4. GUEST

- Ms. Sarah Robinson, Keep South Carolina Beautiful – Innovation Award for Recycling Trooper Program
- Mr. Lee Moulder, Dorchester County Finance Director – GFOA Distinguished Budget Presentation Award

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

- 3rd 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
- 1st Reading Rezoning Request # 522 Carolina Resource Development, LLC; c/o Scott Fennell TMS# 122-00-00-054
- 1st Reading Rezoning Request # 523 Mike Leach TMS# 143-07-00-019
- Treasurer's Office – Transfer Approval
- Approval of Ashley River Fire District Apparatus Purchase
- Request for Funding Upper Dorchester County CDC

6. COMMITTEE REPORTS

Mr. Chris Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #516 Richard Clapp TMS# 132-00-00-194, 132-00-00-207, 132-00-00-213
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #520 Sadie T. Hunt/Elizabeth Alston, (PA) TMS# 110-00-00-014
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #525 Briteline Extrusions/Kabine Real Estate, LTD Partnership TMS# 160-00-00-019
- Recommendation for 2nd Reading for Rezoning Request #524 Randy Bates/Summer Tract, LLC. (Audrey Park) TMS# 168-00-00-008
- Recommendation for 2nd Reading for Rezoning Request #475 & #476 Harbor Homes TMS#122-00-00-038 & TMS#122-00-00-048
- Recommendation for 2nd Reading Rezoning Request # 490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042

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

- Public Hearing and Recommendation for 2nd Reading for Ordinance #07-02 "Dorchester County, South Carolina, Lawful Employment Ordinance"
- Request for Ladder Truck and Hill Street Access – Harleyville Rural Fire and Rescue

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

- BCD- Council of Governments – Board Appointments

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

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Fire Districts Annexed Areas
 - Lease Agreement with Dorchester School District II
 - Dorchester County Sewer Ordinance
 - Contractual Matter- Lake Marion Regional Water Agency
 - Referendum Issue

9. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER
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
JANUARY 8, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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

Vice Chairman Hargett called the meeting to order and Dr. Bobby Bailey gave the Invocation.

ELECTION OF CHAIRMAN OF COUNTY COUNCIL

Vice Chairman Hargett opened the floor for nominations for Chairman of County Council.

1. Mr. Murphy, nominated Mr. Larry Hargett for Chairman of Council, seconded by Mr. Rosebrock, Council voted unanimously in favor of the nomination.
2. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to close the nominations for Chairman.

ELECTION OF CHAIRMAN OF COUNTY COUNCIL CONTINUED

3. Council voted unanimously to elect Mr. Larry Hargett as Chairman of County Council.

ELECTION OF VICE CHAIRMAN OF COUNCIL

Chairman Hargett opened the floor for nominations for Vice Chairman.

4. Mr. Waggoner nominated Mr. Willie Davis for Vice Chairman, seconded by Mr. Rosebrock, Council unanimously in favor of the nomination.
5. Mr. Murphree motioned, seconded by Mr. Murphy and Council voted unanimously to close the nominations for Vice Chairman of Council.
6. Council voted unanimously to elect Mr. Willie Davis as Vice Chairman of County Council.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following people replied:

- Mr. Ted Creech addressed Council regarding the merger of BellSouth and AT&T. The company will go by AT&T; in addition, more services will be offered with the same exceptional quality as received from BellSouth.

The following citizens addressed Council regarding the major traffic problem in Kings Grant Subdivision, which has become very serious due to "cut through" traffic that occurs daily. They all supported the proposed "Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof".

- Mr. Mike Davison
- Ms. Sandra Hufton
- Mr. Richard Kopfmüller
- Ms. Lynn Whitmer presented Council with a petition of 200 signatures supporting the proposed Ordinance. (Petition on file in County Council Office, St. George.)
- Mr. Rick Dandridge

- Mrs. Merle Handlesman addressed Council regarding the one mill to charity referendum and her opposition to this being limited to one non-profit organization.
- Mr. Joe Kress addressed Council regarding his opposition of new housing developments and the costs of the infrastructure to support these developments.
- Ms. Diana Salazar addressed Council concerning her opposition to proposed Ordinance #07-02 "Dorchester County, South Carolina, Lawful Employment Ordinance".
- Mr. Clifton Atkinson, II, addressed Council regarding Section 7 of the Givhans Ordinance.
- Mr. Clifford Loss addressed Council regarding the sewer in Old Fort Estates and presented Council with petitions reference the same. (Petition on file County Council Office, St. George.)

The following citizens addressed Council regarding their opposition to Rezoning Request # 522 Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054. They all expressed concern on the impact of the landfill on all the residents in the area and the environment.

- Reverend D.N.B. McCloud
- Reverend David Whitfield
- Mrs. Mary Lynn Britt addressed Council in opposition to Rezoning Request # 522, along with many other problems and questions regarding the landfill and the effect on the Jedburg Community.
- Mr. George Ryan addressed Council in opposition to Rezoning Request # 522- stated information concerning the contents of the previous landfill.
- Ms. Clarita Davey

ADOPTION OF MINUTES DECEMBER 11, 2006, COUNCIL MEETING

7. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to adopt the Minutes from the County Council Meeting held on December 11, 2006.

Mr. Feltner abstained, due to his taking office in January 2007 after the meeting had occurred.

Chairman Hargett recognized and welcomed Mr. Jamie Feltner as the new Councilmember representing District #7.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the county.

CORRESPONDENCE

Mr. Ward informed Council that the County received notice from the Charleston District Office of the Army Corps of Engineers that the Final Environmental Impact Statement for the Proposed Marine Container Terminal at the Charleston Naval Base is available for public comment through January 16, 2007. In addition, Mr. Ward informed Council that the County received notice from Time Warner Cable that they will no longer carry the INHD2 and that they will begin carrying MHD (MTV High Definition), A&E High definition, and TV 1. He also informed Council that The County received notification from the BCD COG that SCDOT is accepting application for federal and state mass transit assistance programs for FY 2007-2008 through January 31, 2007.

COUNCIL MEMBER'S TIME MR. LARRY HARGETT

1ST READING ORDINANCE TO REGULATE TRAFFIC BY PROVIDING FOR THE POSTING OF CERTAIN COUNTY ROADS AS AREAS WHERE THRU TRAFFIC IS PROHIBITED AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

Mr. Hargett address Council and made a power point presentation on the traffic problems in Kings Grant Subdivision and then requested Council to give first reading to a proposed 'No Thru Traffic' ordinance drafted by the County Attorney, John Frampton. Kings Grant, Crestwood, and Quail Arbor residents have all expressed great concern over "cut through" traffic during early morning and late afternoon commuting periods. In addition, Chairman Hargett stated that he felt just the publicity of the Ordinances consideration by Council would help the situation. The purpose of this ordinance is to provide the Sheriff with authority to police cut through traffic.

8. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1st Reading to an Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof.

GUEST

Ms. Sarah Robinson, Keep South Carolina Beautiful

Ms. Sarah Robinson, representative for Keep South Carolina Beautiful, presented Keep Dorchester County Beautiful with two awards. The first award was the Presidents Circle Recognition Award for excellence and the second award was the Keep America Beautiful Innovation Award for waste recycling for the County's Recycling Trooper Program. The Recycling Troopers Program has now been recognized at the state and national level by Keep America Beautiful and Palmetto Pride and recognized by the America Forestry and

Ms. Sarah Robinson, Keep South Carolina Beautiful – guest continued

Paper Association as a spotlight program. The Board Members were introduced and along with Mrs. Carolyn Tomlinson, Chairman Hargett and Vice Chairman Davis were presented with the awards.

In addition, Mrs. Carolyn Tomlinson presented an award to Councilmember Rosebrock for five years of service on the Keep Dorchester County Beautiful Board and to Mrs. Miriam Beason for 10 years of service.

Mr. Lee Moulder, DC Finance Director –GFOA Distinguished Budget Award

Mr. Lee Moulder, Dorchester County Finance Director, addressed Council concerning the GFOA Distinguished Budget Award. The Government Finance Officers Association recognized Dorchester County for its outstanding budget for Fiscal Year 2007. Less than ten of the forty-six counties in the state earned this recognition. This is the first time Dorchester County has earned this award. Mr. Moulder introduced his staff, Mrs. Angelique Walters, Mrs. Anne Weathers, Mrs. Julie Byars and the Assistant Finance Director Mrs. Stacy Dodgins. In addition, Mr. Moulder thanked Council for their instrumental part in supporting the Department in the production of this Budget. Mr. Ward also thanked Council and the Finance Department on this achievement.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
3RD READING ORDINANCE #07-01 TO AMEND ORD. #92-15, AS
AMENDED BY ORD. #94-03, AS SUBSEQUENTLY AMENDED BY ORD.
#05-02 AND #06-20, "FRENCH FRY ONE" BE HOME GARAGED

9. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to give 3rd 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.

1ST READING REZONING REQUEST # 522 CAROLINA RESOURCE
DEVELOPMENT, LLC; C/O SCOTT FENNEL TMS# 122-00-00-054

10. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to give 1st Reading to Rezoning Request # 522 Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054 and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 58.76 acres on Landfill Road in Jedburg from R-4 (Residential Multi-Family District) to I (Industrial District). Councilman Murphree abstained.

1ST READING REZONING REQUEST # 523 MIKE LEACH TMS# 143-07-00-019

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one opposed and one abstention to give 1st Reading to Rezoning Request # 523 Mike Leach, TMS# 143-07-00-019 and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 12.4 acres on Embassy Drive near Summerville from R-4 (Residential Multi-Family District) to R-2 (Single Family Residential District).

Councilman Feltner opposed and Councilman Rosebrock abstained.

TREASURER'S OFFICE – TRANSFER APPROVAL

12. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve the transfer of \$6,100 from the Regular Wages Line Item to Auditing/Accounting Line Item to cover the cost of an Agreed upon Procedures Audit. Whenever there is a change in a countywide elected office, it is customary for the incoming official to have an audit of accounts and transactions performed to establish balances.

APPROVAL ASHLEY RIVER FIRE DISTRICT APPARATUS PURCHASE

13. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve the purchase of a new Fire “pumper” Truck at a cost of \$214,279 to replace Engine 101, a 1978 Fire “pumper” Truck

This purchase does not require county funds, but Council approval is required in accordance with Section IV, Part (2).

REQUEST FOR FUNDING UPPER DORCHESTER COUNTY CDC

14. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously to approve a request for Funding in the amount of \$2,500 for the Martin Luther King, Jr. Parade for the Upper Dorchester CDC. The funding would come from the County Council Contingency Fund.

COMMITTEE REPORTS

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
MR. CHRIS MURPHY

PUBLIC HEARING AND REZONING REQUEST #516 RICHARD CLAPP
TMS# 132-00-00-194, 132-00-00-207, 132-00-00-213

15. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation to Council was to approve 2nd Reading to Rezoning Request # 516 for Mr. Richard Clapp, TMS #132-00-00-194, 132-00-00-207, and 132-00-00-213. 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). Council voted six in favor and one opposed to the recommendation.

Councilman Rosebrock opposed.

PUBLIC HEARING AND REZONING REQUEST #520 SADIE T.
HUNT/ELIZABETH ALSTON, (PA) TMS# 110-00-00-014

16. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation to Council was to approve 2nd Reading to Rezoning Request # 520 for Sadie T. Hunt and Elizabeth Alston, TMS #110-00-00-014. This is a request to rezone 3.46 acres on West 5th North Street near Summerville from CG (Commercial General) to R1M (Single-Family Residential Manufactured Housing District). This is an Ordinance #04-13 correction. Council voted unanimously in favor of the recommendation.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
REZONING REQUEST #525 BRITELINE EXTRUSIONS/KABINE REAL
ESTATE, LTD PARTNERSHIP TMS# 160-00-00-019

17. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #525 Briteline Extrusions/Kabine Real Estate, LTD Partnership TMS #160-00-00-019 and the Committee's recommendation to Council is to give 2nd Reading. This is a request to rezone 14 acres on Beech Hill Road near Summerville from R-4 (Multi-Family Residential District) to I (Industrial District). This is an Ordinance #04-13 correction. Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST
#524 RANDY BATES/SUMMER TRACT, LLC. (AUDREY PARK) TMS#
168-00-00-008**

Chairman Murphy reported that the Committee's recommendation was to keep Rezoning Request #524, for Randy Bates/Summer Tract, LLC (Audrey Park), TMS #168-00-00-008 in Committee, until a Development Agreement could be agreed upon and no action was required by Council. This is a request to rezone 260 acres on Summer Drive near Summerville from MUC (Mixed Use Community) to R-1 (Single-Family Residential District).

**RECOMMENDATION FOR 2ND READING REZONING REQUESTS #475
& #476 HARBOR HOMES TMS #122-00-00-038 AND #122-00-00-048**

18. Chairman Murphy reported that the Committee's recommendation to Council was to deny Rezoning Requests #475 & #476 for Harbor Homes TMS #122-00-00-038 and #122-00-00-048. Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2ND READING REZONING REQUEST #490
JOSEPH L. CANTRELL AND HELEN E. NICHOLSON TMS# 143-02-00-042**

19. Chairman Murphy stated the Committee's recommendation to Council was to approve 2nd Reading to Rezoning Request #490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042. Public Hearings for these requests were held on Number 20, 2006. 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). Council voted four opposed and three in favor on the recommendation. (Recommendation failed)

Council Members Feltner, Waggoner, Rosebrock and Davis were opposed.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE,
MR. LARRY HARGETT**

Chairman Hargett passed the gavel to Vice Chairman Davis in order to give his Committee report.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE,
MR. LARRY HARGETT
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
ORDINANCE #07-02 "DORCHESTER COUNTY, SOUTH CAROLINA,
LAWFUL EMPLOYMENT ORDINANCE"**

20. Chairman Hargett reported that at the Committee Meeting, a Public Hearing was held and the Committee's Recommendation to Council was for 2nd Reading and placement back in the Public Safety, Health and Human Services Committee for a cost analysis to be completed for the Ordinance. The "Dorchester County South Carolina, Lawful Employment Ordinance," would amend the Business License Ordinance by adding a section pertaining to the employment of unauthorized aliens by contractors with Dorchester County business licenses. Council voted unanimously in favor of the recommendation.

**REQUEST FOR LADDER TRUCK AND HILL STREET ACCESS-
HARLEYVILLE RURAL FIRE DEPARTMENT AND RESCUE**

Chairman Hargett reported that this item would stay in Committee.

**RESOLUTION IMPLORING AND URGING THE EXECUTIVE BRANCH
OF THE UNITED STATES GOVERNMENT, THE UNITED STATES
SENATE AND HOUSE OR REPRESENTATIVES TO STRONGLY
ENFORCE THE UNITED STATES IMMIGRATION AND NATIONALITY
ACT, 8 U.S.C 1101 ET SEQ. AND TO APPROVE INTO LAW ANY
AMENDMENTS NECESSARY TO FURTHER ADDRESS OUR CITIZENS'
CONCERNS ABOUT THE NEGATIVE IMPACT OUR POROUS BORDERS
ARE HAVING ON OUR NATIONAL SECURITY AND THE QUALITY OF
LIFE IN OUR CITIES AND IN OUR STATES AND NATION**

21. Chairman Hargett reported that at the Committee Meeting, a Resolution passed by Beaufort County was discussed and the Committee's recommendation to Council is for Dorchester County to pass a similar Resolution. It would state that Dorchester County has adopted a resolution imploring and urging the Executive Branch of the United States Government, the United States Senate and House or Representatives to strongly enforce the United States Immigration and Nationality Act, 8 U.S.C. 1101 et seq. and to approve into law any amendments necessary to further address our citizens' concerns about the negative impact our porous borders are having on our national security and the quality of life in our cities and in our states and nation. Council voted unanimously in favor of the recommendation with the stipulation to hold off until the Resolution is tailored to Dorchester County. The Resolution will be up for adoption at the next County Council Meeting on January 22, 2007.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

APPOINTMENTS TO BOARDS AND COMMISSIONS

BCD- COUNCIL OF GOVERNMENTS – BOARD APPOINTMENTS

22. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to appoint Chairman Larry Hargett to the BCD Council of Governments, CHATS Policy Committee.

**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 four Confidential Economic Development Prospects, to address Fire Districts Millage in Annexed Areas, a potential Lease Agreement with Dorchester County School District II, and the Dorchester County Sewer Ordinance, and to receive legal advice concerning a contractual matter concerning Lake Marion Regional Water Agency and an Advisory Referenda Issue.

EXECUTIVE SESSION 8:30 P.M.

23. On the motion of Mr. Murphy, seconded by Mr. Feltner, 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 received an update from Mr. Jim Friar concerning four Confidential Economic Development Prospects, and discussed a Lease Agreement with Dorchester County School District II concerning land, received legal advice concerning Fire Districts Millage in Annexed Areas, the Dorchester County Sewer Ordinance, a contractual matter concerning Lake Marion Regional Water Agency and an Advisory Referenda, with no action taken on any of the items.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 06-07

24. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to provide \$3,000 for an engineering report for Project #06-07 from the Dorchester County Economic Development Fund. The prospect is in the final stages of site selection for a facility that would have investment of \$7.0 to \$8.0 million dollars and employ 25 to 30 persons.

LAKE MARION REGIONAL WATER AGENCY

25. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to execute an agreement for 1 MGD of water at a cost not to exceed \$80,000 per year plus the cost per volume once available. Dorchester would own 1/8 of the capacity of the 8MGD plant. To date, Dorchester County has invested \$80,000 in the plant, which has expenditures of over \$39 million.

**RECONSIDERATION ON THE RECOMMENDATION FOR 2ND READING
REZONING REQUEST #490 JOSEPH L. CANTRELL AND HELEN E.
NICHOLSON TMS# 143-02-00-042**

26. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to reconsider the Committee's recommendation to Council to approve 2nd 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).

**RECOMMENDATION FOR 2ND READING REZONING REQUEST #490
JOSEPH L. CANTRELL AND HELEN E. NICHOLSON TMS# 143-02-00-042**

27. Chairman Murphy restated the Committee's recommendation to Council was to approve 2nd 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). Council voted four in favor, two opposed and one abstention on the recommendation.

Council members Feltner and Rosebrock opposed and Councilman Waggoner abstained.

ADJOURNMENT 10:10 P.M.

28. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
JANUARY 22, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from January 8, 2007, County Council Meeting
- Adoption of Resolution # 07-01 Resolution imploring and urging the Executive Branch of the United States Government, the United States Senate and House of Representatives to strongly enforce the United States Immigration and Nationality Act, 8 U.S.C 1101 et seq. and to approve into law any amendments necessary to further address our citizens' concerns about the negative impact our porous borders are having on our national security and the quality of life in our cities and in our states and nation
- Historical Overlay District
- 1st Reading to an Ordinance Amending Dorchester County Ordinance #97-05 Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of Council to be known as the Water and Sewer Committee
- Correspondence

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

- 3rd Reading for Rezoning Request #516 Richard Clapp TMS# 132-00-00-194, 132-00-00-207, 132-00-00-213
- 3rd Reading for Rezoning Request #520 Sadie T. Hunt/Elizabeth Alston, (PA) TMS# 110-00-00-014
- 3rd Reading for Rezoning Request #525 Briteline Extrusions/Kabine Real Estate, LTD Partnership TMS# 160-00-00-019
- 3rd Reading Rezoning Request # 490 Joseph L. Cantrell and Helen E. Nicholson TMS# 143-02-00-042

4. COMMITTEE REPORTS

Mr. Richard Rosebrock, Public Safety, Health and Human Services Committee

- Recommendation for 3rd Reading Ordinance #07-02 "Dorchester County, South Carolina, Lawful Employment Ordinance"

PAGE TWO
COUNTY COUNCIL AGENDA
JANUARY 22, 2007

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

- SC Employment Security Commission Property near LEC
- Cost of New Roads accepted into County Road Maintenance System
- Ordinance Amending Stormwater Ordinance #02-10 (Utility Fee)
- Update Eagle Run Subdivision- Stop signs and Fence around convenience site

Mr. Chris Murphy, Planning, Development and Building Committee

- Public Hearing for Rezoning Request #524 Randy Bates/Summer Tract, LLC. (Audrey Park) TMS# 168-00-00-008

Mr. Willie Davis, Administrative and Intergovernmental Affairs Committee

- County Job Reclassification Process (Status Update)
- Retirement Health Insurance

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session -Legal Advice
 - Recoup Ordinance and Model Development Agreement
 - Contractual Matter – Yard Debris Site
 - Stratton Capers House Demolition

7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER
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
JANUARY 22, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend John Miller gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following people replied:

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Bob Jones, Executive Director of the Francis R. Willis SPCA, addressed Council concerning the removal of over 50 dogs over this past weekend with the assistance of the Dorchester County Animal Control employees. He expressed his thanks for the superior job they performed along with his staff in this crisis.
- Mr. Rudd Smith, who is Dorchester County's representative as a Commissioner on the Trident Technical College Board, addressed Council. He informed Council of the academic programs, 2006-student profile, the continuing education programs, and the vision and goals for Trident Technical College. He also thanked Council for their continued support of the College.
- Ms. Sandra Salmon addressed Council regarding her support of the following proposed Ordinance, "Ordinance to Regulate Traffic by providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for and Violations Thereof".
- Ms. Lorelei Perry addressed Council on her support of the "Dorchester County Lawful Employment Ordinance".
- Mr. Dan Torchio addressed Council regarding the enforcement of no cut through traffic in Crestwood Subdivision.
- Mr. Michael Story addressed Council regarding request for road repairs and the enforcement of speed limits in Windsor Hill Subdivision.
- Ms. Diane Salazar addressed Council regarding her opposition to the "Dorchester County Lawful Employment Ordinance".

ADOPTION OF MINUTES JANUARY 8, 2007, 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 January 8, 2007.

RESOLUTION IMPLORING AND URGING THE EXECUTIVE BRANCH OF THE UNITED STATES GOVERNMENT, THE UNITED STATES SENATE AND HOUSE OR REPRESENTATIVES TO STRONGLY ENFORCE THE UNITED STATES IMMIGRATION AND NATIONALITY ACT, 8 U.S.C 1101 ET SEQ. AND TO APPROVE INTO LAW ANY AMENDMENTS NECESSARY TO FURTHER ADDRESS OUR CITIZENS' CONCERNS ABOUT THE NEGATIVE IMPACT OUR POROUS BORDERS ARE HAVING ON OUR NATIONAL SECURITY AND THE QUALITY OF LIFE IN OUR CITIES AND IN OUR STATES AND NATION

2. On the motion of Mr. Murphree, seconded by Mr. Feltner, Council voted six in favor and one abstention, to adopt Resolution # 07-01. Upon adoption, staff will send the letters and copies of the resolutions as indicated. The Resolution is as follows: "Resolution imploring and urging the Executive Branch of the United States Government, the United States Senate and House or Representatives to strongly enforce the United States Immigration and Nationality Act, 8 U.S.C 1101 et seq. and to approve into law any amendments necessary to further address our citizens' concerns about the negative impact our porous borders are having on our national security and the quality of life in our cities and in our states and nation".

Councilmember Davis abstained.

HISTORICAL OVERLAY DISTRICT - MOTION THAT "ALL PREVIOUS PROPOSALS AND PROPOSED ORDINANCES CONCERNING THE ASHLEY RIVER HISTORIC OVERLAY DISTRICT BE ABANDONED AND DENIED ANY FUTURE READINGS"

3. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously that "all previous proposals and proposed Ordinances concerning the Ashley River Historic Overlay District be abandoned and denied any future readings".

1st READING ORDINANCE TO AMEND ZONING MAP OF DORCHESTER COUNTY TO ADD THE ASHLEY RIVER HISTORIC OVERLAY DISTRICT BOUNDARIES AS A ZONING MAP OVERLAY AND TO AMEND THE COUNTY ZONING ORDINANCE TO CREATE ARTICLE TO ESTABLISH GUIDELINES FOR THE ASHLEY RIVER HISTORIC OVERLAY DISTRICT

4. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted five in favor and two opposed to give 1st Reading to an Ordinances (named above) concerning the Ashley River Historic Overlay District and have the Ordinance stay in front of full Council.

Council members Murphree and Murphy opposed.

**1ST READING AN ORDINANCE AMENDING ORDINANCE #97-05
PERTAINING TO THE ORGANIZATION AND RULES OF DORCHESTER
COUNTY COUNCIL TO CREATE AN ADDITIONAL STANDING
COMMITTEE OF COUNCIL TO BE KNOWN AS THE WATER AND
SEWER COMMITTEE**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to an Ordinance Amending Ordinance #97-05 Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of Council to Be Known as The Water and Sewer Committee. The committee would be a committee of the whole Council with the Chairman serving as the Chairman of the committee.

CORRESPONDENCE

The County Administrator informed Council that he received A Joint Public Notice from the Charleston District, Corp of Engineers and the D.H.E.C Office of Ocean and Coastal Resource Management regarding Dicari, Inc. c/o Matt Halter for a permit to construct a community dock in the Ashley River, off a dirt road of Bacon's Bridge Road. All interested parties can express their views until 12:00 PM on Monday, January 29, 2007.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
3RD READING REZONING REQUEST #516 RICHARD CLAPP TMS# 132-
00-00-194, 132-00-00-207, 132-00-00-213**

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one opposed to give 3rd Reading to Rezoning Request # 516 for Mr. Richard Clapp, TMS# 132-00-00-194, 132-00-00-207, 132-00-00-213. 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 opposed.

**3RD READING REZONING REQUEST #520 SADIE T. HUNT/ELIZABETH
ALSTON, (PA) TMS# 110-00-00-014**

7. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to give 3rd Reading to Rezoning Request #520 Sadie T. Hunt/Elizabeth Alston, (PA) TMS# 110-00-00-014. This is a request to rezone 3.46 acres on West 5th North Street near Summerville from CG (Commercial General) to R1M (Single-Family Residential Manufactured Housing District). This is an Ordinance #04-13 correction.

COUNTY ADMINISTRATOR'S TIME –CONTINUED

**3RD READING FOR REZONING REQUEST #525 BRITELINE
EXTRUSIONS/KABINE REAL ESTATE, LTD PARTNERSHIP TMS# 160-
00-00-019**

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading to Rezoning Request #525 Briteline Extrusions/Kabine Real Estate, LTD Partnership TMS# 160-00-00-019. This is a request to rezone 14 acres on Beech Hill Road near Summerville from R-4 (Multi-Family Residential District) to I (Industrial District). This is an Ordinance #04-13 correction.

**3RD READING 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. Murphree, Council voted five in favor and two opposed to give 3rd 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).

Council members Rosebrock and Feltner opposed.

COMMITTEE REPORTS

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE,
MR. RICHARD ROSEBROCK**

**RECOMMENDATION FOR 3RD READING FOR ORDINANCE #07-02
"DORCHESTER COUNTY, SOUTH CAROLINA, LAWFUL
EMPLOYMENT ORDINANCE"**

10. Chairman Rosebrock reported the Committee's recommendation to Council was for 3rd Reading of Ordinance #07-02 "Dorchester County, South Carolina, Lawful Employment Ordinance", with revision to Section 23 F, reflecting the effective date to read as July 1, 2007. The Ordinance would amend the Business License Ordinance by adding a section pertaining to the employment of unauthorized aliens by contractors with Dorchester County business licenses. Council voted four in favor and three opposed to the recommendation.

Council members Murphree, Murphy, and Davis opposed.

PUBLIC WORKS, PROPERTY & UTILITIES COMMITTEE REPORT
MR. MIKE MURPHREE

S.C. EMPLOYMENT SECURITY COMMISSION PROPERTY

Chairman Murphree reported to Council that the Committee discussed this issue and it will remain in Committee.

COST OF NEW ROADS ACCEPTED INTO COUNTY ROAD
MAINTENANCE SYSTEM

Chairman Murphree reported that the Director of the Public Works addressed the Committee on the matter of future road maintenance funding and provided estimates for maintained subdivision roads based upon a one-time payment from a developers or an annual payment from the homeowner, i.e., public improvement district annual assessment. The fees would be for maintaining subdivision roads only. The Committee agreed on moving forward with the Public Works Improvement District Funds for the purpose of using those districts in the subdivisions where the county has development agreements, and to keep in Committee the matter concerning subdivisions without established development agreements in order to further review the acceptance of roads into the County's maintenance system, and to investigate the County's jurisdiction to require developers to participate in a Public Works Improvement District. This could be established in each new subdivision to make needed repairs in the future to sidewalks, ditches, and roads, and would provide coverage of service for at least 20 to 30 years.

11. The recommendation of the Committee was a charge to all residential units of a \$100 a year fee, in all new subdivisions and to place the fee in a Public Works Improvement District Fund. The fees for maintaining subdivision roads come to \$41.65 and the remainder of the \$100 fee would be used for Public Safety costs. This fee would be included in all Development Agreements. Council voted unanimously in favor of the recommendation.

ORDINANCE #06-17 AMENDING STORMWATER ORDINANCE #02-10
(UTILITY FEE)

Chairman Murphree reported that the Committee discussed the Ordinance amending Stormwater Ordinance #02-10 (Utility Fee). He stated that the South Carolina Local Government Stormwater Management Rates and Practices Survey 2006, Page 8, Table 3 of the survey shows a comparison of Dorchester County's rate to municipal and county rates. He reported that staff was instructed to find the bare minimum that is needed to meet DHEC standards. This item will remain in Committee

PUBLIC WORKS COMMITTEE REPORT CONTINUED
UPDATE EAGLE RUN SUBDIVISION- STOP SIGNS AND FENCE
AROUND CONVENIENCE SITE

Chairman Murphree reported that the Public Works Director, Mr. Doug Tompkins, stated that the Public Works Department is presently waiting on a check from the Homeowners Association for half of the cost to install the stop signs in Eagle Run Subdivision.

Chairman Murphree reported that the rain has slowed the process of installing the fence around the convenience site and when the weather permits, the installation will begin.

NEW ITEMS FOR THE COMMITTEE

Chairman Murphree requested permission from Chairman Hargett to add the following items to his Committee: Beaver Dam Problem, Movement of Mobile Homes within the County Jurisdiction, Striping of Roads in Summerset Acres, and Knight Avenue. The Chairman agreed and placed the items in the Committee

Councilman Rosebrock brought up the need for the continued work on the Bucks Convenience Site. He also stated that if the proposed Ordinance, "Ordinance to Regulate Traffic by providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for and Violations Thereof", was passed, it would need to include all subdivisions that experience this problem.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
MR. CHRIS MURPHY
PUBLIC HEARING FOR REZONING REQUEST #524 RANDY
BATES/SUMMER TRACT, LLC. (AUDREY PARK) TMS# 168-00-00-008

Chairman Murphy reported that a Public Hearing was held for Rezoning Request #524, for Randy Bates/Summer Tract, LLC (Audrey Park), TMS #168-00-00-008. This is a request to rezone 260 acres on Summer Drive near Summerville from MUC (Mixed Use Community) to R-1 (Single-Family Residential District). This rezoning request is being held in committee pending the approval of revisions to the development agreement. Chairman Murphy stated that the Development Agreement for the property would be brought up to the current stage, as the Rezoning Request and the item would remain in Committee.

OTHER BUSINESS

Chairman Murphy stated that the cost for updating the Comprehensive Plan was discussed, and an update on the new Courthouse was received, and the bids are to be sent out in February.

**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS
COMMITTEE REPORT, MR. WILLIE DAVIS**

COUNTY JOB RECLASSIFICATION PROCESS

Chairman Davis informed Council that the Personnel and Compensation Committee updated the Committee on its progress to date, and plans for requesting proposals from firms to perform a compensation and classification study. He informed Council that a new member was added to the Committee to represent the African-American county employees.

RETIREMENT HEALTH INSURANCE

Chairman Davis informed Council that the Retirement Health Insurance was discussed and the staff provided the committee with an explanation of the eligibility requirements under the current policy and changing the eligibility requirements for qualification. This item was kept in Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS

PLANNING BOARD

12. On the motion of Mr. Feltner seconded by Mr. Waggoner, Council voted unanimously in favor of the appointment of Ms. Peggy Schall to the Dorchester County Planning Board.

DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY

13. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously in favor of the appointment of Mr. Fred Luxmore to the Dorchester County Sales Tax Transportation Authority.

DORCHESTER COUNTY FOSTER CARE REVIEW BOARD

14. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one opposed, to make a recommendation to the Governor for the reappointment of Ms. Melinda West and the recommendation of new appointments for Mrs. Raye Dukes, Mr. Roy Walters, and Mrs. Tiffany Barton to the Dorchester County Foster Care Review Board.

Councilman Davis opposed.

**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 an added personnel matter, requested by the County Administrator, and for Council to receive legal advice on a Recoup Ordinance and Model Development Agreements, a Contractual Matter concerning yard Debris Disposal Site, and a potential house demolition on Stratton Drive in Stratton Capers Subdivision.

EXECUTIVE SESSION 8:05 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:10 P.M.

The County Attorney reported that in Executive Session, Council discussed a personnel matter, a contractual matter concerning yard debris, and received legal advice concerning a house demolition at 131 Stratton Drive in Stratton Capers Subdivision, and a Recoup and Model Development Agreement Ordinance. No action taken on any of these items.

RECOUP FEE ORDINANCE

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading (in name only) to a County Recoup Fee Ordinance and to place the item in the Planning, Development and Building Committee.

**1ST READING FOR ORDINANCE AMENDING ORDINANCE #04-13
DORCHESTER COUNTY ZONING & LAND DEVELOPMENT
STANDARDS, REQUESTING ALL RESIDENTIAL DEVELOPMENTS OF
25 OR MORE ACRES OF HIGH LAND BE REQUIRED TO APPLY FOR
REZONING TO PLANNED DEVELOPMENT AND HAVE AN
ACCOMPANYING DEVELOPMENT AGREEMENT**

17. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 1st Reading to an Ordinance Amending Ordinance #04-13, the Dorchester County Land and Development Standards Ordinance, requesting all residential developments of 25 or more acres of high land be required to apply for rezoning to Planned Development and have an accompanying Development Agreement. This item is to be placed in the Planning, Development and Building Committee for further action.

APPROVAL OF DEPARTMENT FUNDS TRANSFER

18. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give approval to the County Administrator to transfer \$25,000 from regular wages to the consulting services account to be used at the discretion of the County Administrator.

ADJOURNMENT 9:33 P.M.

19. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 5, 2007
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from January 22, 2007, County Council Meeting
- Public Hearing Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof
- 2nd Reading Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof
- 2nd Reading to an Ordinance Amending Dorchester County Ordinance #97-05 Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of Council to be known as the Water and Sewer Committee
- Correspondence

3. COUNCIL MEMBER'S TIME MR. JAMIE FELTNER

- Tax bills - Charitable Donations
- Growth and Planning Advisory Group

4. GUEST

- Dorchester County Fire Board – Fire Protection Improvement Program

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

- Road Petition for Knight Avenue
- 1st Reading to an Ordinance Approving Development Agreement between Dorchester County and Hwy 165 Tract, LLC, Dirocco Enterprises, LLC, and Bryan Wolverton (Boyle Plantation Phase 2)

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Project
 - Legal Advice
 - Water Supply Contract Charleston CPW and Dorchester County
 - Personnel Matter

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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
FEBRUARY 5, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend Charles Frazier gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mr. Michael Brooks addressed Council regarding the subject of charitable donations to the County.
- Mr. Richard Dash addressed Council regarding a pay raise for the employees of the Dorchester County Sheriff's Department.

ADOPTION OF MINUTES JANUARY 22, 2007, 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 January 22, 2007.

PUBLIC HEARING ORDINANCE TO REGULATE TRAFFIC BY PROVIDING FOR THE POSTING OF CERTAIN COUNTY ROADS AS AREAS WHERE THRU TRAFFIC IS PROHIBITED AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

Chairman Hargett opened the Public Hearing to receive comments from the floor.

- Mr. George Neil, resident of Quail Arbor Subdivision, spoke in favor of the Ordinance, but stated that the streets in Quail Arbor Subdivision are state roads and not County maintained roads, leaving the Ordinance unenforceable in Quail Arbor. He requested any assistance from Dorchester County with this problem.
- Mr. Buddy Metts, resident of Quail Arbor Subdivision, spoke in favor of the Ordinance and reiterated the problem as stated by Mr. George Neil, and requested assistance from the County. In addition, he requested help with the problem of speeding in the subdivision.
- Mr. Richard KopfmueLLer, resident of Kings Grant Subdivision, spoke in favor of the Ordinance.
- Ms. Tina Losse, resident of Quail Arbor Subdivision, spoke in favor of the Ordinance and reiterated the problem as stated by Mr. George Neil, and requested assistance from the County.
- Mr. Chris Connelly, resident of Quail Arbor Subdivision, spoke in favor of the Ordinance and reiterated the problem as stated by Mr. George Neil, and requested assistance from the County.

After receiving the public comments, Chairman Hargett closed the Public Hearing.

2ND READING ORDINANCE TO REGULATE TRAFFIC BY PROVIDING FOR THE POSTING OF CERTAIN COUNTY ROADS AS AREAS WHERE THRU TRAFFIC IS PROHIBITED AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 2nd Reading to "Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof".

**2ND READING AN ORDINANCE AMENDING ORDINANCE #97-05
PERTAINING TO THE ORGANIZATION AND RULES OF DORCHESTER
COUNTY COUNCIL TO CREATE AN ADDITIONAL STANDING
COMMITTEE OF COUNCIL TO BE KNOWN AS THE WATER AND
SEWER COMMITTEE**

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 2nd Reading to an Ordinance Amending Ordinance #97-05 "Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of Council to Be Known as The Water and Sewer Committee". The committee would be a committee of the whole Council with the Chairman serving as the Chairman of the committee.

CORRESPONDENCE

The County Administrator informed Council that the County received notice that the Department of Health and Environmental Control's Solid Waste Permitting Section has given approval to a requested Demonstration of Need Extension for the proposed Carolina Development Jedburg Long -Term Construction, Demolition and Land -Clearing Debris Landfill. The demonstration of need will be extended for one hundred and twenty (120) days from the date of the letter, to end on May 25, 2007.

The County Administrator informed Council that the County received notice that the Department of Health and Environmental Control's Bureau of Land & Waste Management is proposing to amend Regulation 61-07 Solid Waste Management. Comments can be submitted orally or in writing at an Information Forum at DHEC's main office in Columbia on February 26, 2007, or sent to DHEC in Columbia by February 26, 2007, or by attending the public hearing at the DHEC Board meeting on April 12.

He also informed Council that the County has received notice from the Town of Ridgeville that the Town has annexed 11 parcels on Murray Lane.

COUNCIL MEMBER'S TIME MR. JAMIE FELTNER
TAX BILLS - CHARITABLE DONATIONS

4. Mr. Feltner motioned and it was seconded by Mr. Rosebrock, that the Treasurer be requested to add a line on all real and personal property tax bills issued by the County after July 1, 2007, which would allow the taxpayer to make a voluntary charitable contribution at the time the tax bill is paid. Any monies received by the County would be placed in a separate designated account for this purpose to be expended for such charitable purposes as County Council would approve.

5. Mr. Murphree motioned and Mr. Murphy seconded it, to amend the main motion and to place "Voluntary Charitable Contributions" in the Budget, Finance and Purchasing Committee for further consideration. Council voted unanimously in favor of the amendment to the motion.

GROWTH AND PLANNING ADVISORY GROUP

Councilman Feltner requested that the District #2 School Board Chairman organize a Growth and Planning Advisory Group comprised of two members of the governing bodies or staffs of District Two Schools, Dorchester County, the Town of Summerville, and the City of North Charleston. He stated that issues of growth in Dorchester County, the Town of Summerville, and the City of North Charleston all have a direct impact on School District #2 and its ability to provide high quality education to the residents of that school district. The school district, as the recipient of the students moving into these areas, has no control and little input on new residential growth over which County Council, as well as the Summerville Town Council, and North Charleston City Council, have the means to somewhat control. He stated that he believes that it is imperative to provide a mechanism to receive input from District #2 on growth and planning issues that confront this Council and the other affected Town and City Councils. After discussion by the other members of Council, the following motion was offered.

6. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted five in favor, and two opposed, that the Chairman of Council request that the Chairman of the Board of School District #2 organize a Growth and Planning Advisory Board to be comprised of at least two (2) representatives from Dorchester County, the Town of Summerville, the City of North Charleston, and School District #2. The representatives from each of these entities could be either members of the governing body of those entities, or members of their staff.

Councilman Murphy and Chairman Hargett opposed.

GUEST
THE DORCHESTER COUNTY FIRE BOARD - FIRE PROTECTION
PROGRAM PRESENTATION

Chief Malcolm Burns, Chairman of the Dorchester County Fire Board, made a presentation to Council updating the progress that the Board has made since their last appearance before Council, on fire apparatus purchases, the hiring and employment of part-time firefighters, and the board's pre-survey of ISO deficiencies. In addition, Chief Burns thanked Council for the incentives provided to the Departments for the qualified volunteer firefighters.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

ROAD PETITION FOR KNIGHT AVENUE

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve Knight Avenue in Pine Hill Acres Subdivision for county maintenance. No additional signatures are required because there is an existing 50-foot right-of-way.

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT
BETWEEN DORCHESTER COUNTY AND HWY 165 TRACT, LLC,
DIROCCO ENTERPRISES, LLC AND BRIAN WOLVERTON (BOYLE
PLANTATION PHASE 2)

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to refer an Ordinance Approving a Development Agreement between Dorchester County and Hwy 165 Tract, LLC, Dirocco Enterprises, LLC and Brian Wolverton (Boyle Plantation Phase 2) to the Planning, Development, and Building Committee for consideration without a recommendation for 1st Reading.

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY EMPLOYEE GRIEVANCE COMMITTEE

9. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to reappoint Ms. Wendy Lee to the Dorchester County Employee Grievance Committee.

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 a Confidential Economic Development Prospect, a personnel matter and to receive legal advice concerning a Water Supply Contract between Charleston CPW and Dorchester County, and to amend the Executive Session to discuss a contractual matter concerning Planning services with the BCD Council of Governments.

EXECUTIVE SESSION 8:10 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:12 P.M.

The County Attorney reported that in Executive Session, Council discussed a personnel matter, a Confidential Economic Development Prospect, and received legal advice concerning a Water Supply Contract between Charleston CPW and Dorchester County, and discussed a contractual matter concerning planning services to be rendered by the BCD Council of Governments. No action was taken on any of these items.

PLANNING SERVICES WITH THE BCD COUNCIL OF GOVERNMENTS

11. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously that the County Administrator be authorized to execute the three agreements with the BCD Council of Governments for the Comprehensive Plan update, the corrections to the Zoning Ordinance, and the zoning of those areas of Dorchester County presently zoned Absence of Controls for the total sum of not to exceed \$135,000., with the funds to come from the Council Contingency Fund.

INFORMATION TECHNOLOGY DIRECTOR

12. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to offer the Information Technology Director a salary as discussed in Executive Session.

ADOPTION OF RESOLUTION FOR WATER SUPPLY CONTRACT

13. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #07-02, "Adopting and Approving and Authorizing the Execution of an Amended Water Supply Contract between the Commissioners of Public Works of the City of Charleston, South Carolina, and Dorchester County, St. George, South Carolina."

ADJOURNMENT 9:21 P.M.

14. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 20, 2007
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from February 5, 2007, County Council Meeting
- Public Hearing CDBG Needs Assessment
- 3rd Reading Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof
- 3rd Reading to an Ordinance Amending Dorchester County Ordinance #97-05 Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of Council to be known as the Water and Sewer Committee
- Correspondence

3. GUEST

- Senator John Matthews and Representative Patsy Knight
Upper Dorchester County Economic Development Fund
- Mr. John Henderson, South Carolina Association of Counties
Presentation of two Awards to Mr. Leroy Blake and Mr. Thom Schmenk

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

- Summerville Soccer Club Request for Funding
- Land Use Planning Update
- 1st Reading to an Ordinance Approving a Development Agreement between Dorchester County and Heritage Development Group of South Carolina, LLC

5. COMMITTEE REPORTS

Mr. Richard Rosebrock, Public Safety, Health and Human Services Committee

- Givhans Fire District Contract

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

- Cost of New Roads accepted into County Road Maintenance System
- SC Employment Security Commission Property near LEC
- Resurfacing of Roads in Windsor Hill Subdivision
- Striping of Road in Summerset Acres
- Movement of Mobile Homes in the Jurisdiction of Dorchester County
- Sewer Ordinance – Section 406 and 407

Page Two
Council Agenda
February 20, 2007

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
- Confidential Economic Development Projects
- Legal Advice
 - Lease Agreement with Dorchester School District II
 - Ashley River Fire District Contract with City of North Charleston
 - Ashley River Historic Overlay District

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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**

FEBRUARY 20, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Councilman Rosebrock gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mrs. Sandra Salmon of Kings Grant Subdivision addressed Council regarding her support of the “Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof.”

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Buddy Metts and Mr. Dave Geurin, of Quail Arbor Subdivision, addressed Council regarding the “Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof.” They both supported the Ordinance, but asked Council to take the necessary steps to transfer state roads in their subdivisions to Dorchester County, so that they will be within the jurisdiction of the County for the purpose of placement and maintenance of traffic-control devices.
- Mr. Richard Mussall of Summerset Acres addressed Council regarding his opposition to the mandatory tie-in to the Sewer System and the poor condition of the roads left by the contractor performing the installation of the sewer system.
- Mr. Jim Ezzell addressed Council regarding his opposition to parts of the proposed Ashley River Historic Overlay District Ordinance.
- Mr. Steve Naert addressed Council regarding his opposition to the mandatory tie-in to the sewer system and the contractor performing the installation of the sewer system.
- Mr. Dave Carter addressed Council regarding his opposition of the mandatory sewer system tie-in the company performing the installation of the sewer system.

ADOPTION OF MINUTES FEBRUARY 5, 2007, 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 February 5, 2007.

PUBLIC HEARING CDBG NEEDS ASSESSMENT

Chairman Hargett opened the Public Hearing.

He stated that the purpose of this public hearing is to solicit public input on community needs and priorities for housing, public facilities, and economic development and to receive comments from Council and the floor. Mr. Darrell Bullock of the BCD Council of Governments was also available to answer any questions regarding the CDBG Needs Assessment.

Hearing no comments, the Public Hearing was closed.

In addition, Chairman Hargett announced that a second public hearing was scheduled for March 5, 2007, at the County Council meeting in Summerville and a public hearing is scheduled for April 2 to receive public comment on the Community Development Block Grant Application that will be submitted to the Department of Commerce.

3RD READING ORDINANCE TO REGULATE TRAFFIC BY PROVIDING FOR THE POSTING OF CERTAIN COUNTY ROADS AS AREAS WHERE THRU TRAFFIC IS PROHIBITED AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

2. Mr. Murphy made a motion, seconded by Mr. Murphree, to give 3rd Reading to an "Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof".

3. Mr. Feltner made a motion to amend the main motion, seconded by Mr. Rosebrock, and Council voted unanimously on the amendment which was to change the penalty fine from "not to exceed \$500." to "not to exceed \$100."

Council voted six in favor and one abstention on the main motion as amended for 3rd Reading of the "Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof".

Councilman Murphree abstained.

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted four in favor and three opposed to authorize the County Administrator, in conjunction with the South Carolina Department of Transportation, to take the necessary steps to transfer the following State roads to Dorchester County, so that they will be within the jurisdiction of Dorchester County for maintenance and for the further purpose of the placement and maintenance of traffic-control devices: Pointer Lane, Pointer Drive, Grouse Road, Red Fox Run, Partridge Circle, Mikel Drive, Crestwood Drive, Owens Circle, Axtell Drive, Tyvola Drive, and Tasker Drive.

Council members Murphree, Waggoner and Davis opposed.

3RD READING FOR AN ORDINANCE AMENDING ORDINANCE #97-05 PERTAINING TO THE ORGANIZATION AND RULES OF DORCHESTER COUNTY COUNCIL TO CREATE AN ADDITIONAL STANDING COMMITTEE OF COUNCIL TO BE KNOWN AS THE WATER AND SEWER COMMITTEE

5. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously to give 3rd Reading to an Ordinance Amending Ordinance #97-05 "Pertaining to the Organization and Rules of Dorchester County Council to Create an Additional Standing Committee of all members of Council to Be Known as The Water and Sewer Committee".

CORRESPONDENCE

The County Administrator informed Council that the County received notice from the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, that they have received an application for a dock permit on an unnamed tributary of the Ashley River at 406 Lakeview Drive.

In addition, the County Administrator informed Council that the County received a memo from the BCD Council of Governments CHATS Policy Committee requesting submittal of applications for proposed Transportation Enhancements projects for the Fiscal Year 2007.

Councilman Rosebrock asked that a request from Mr. Brian Hilton concerning a proposed user fee on large trucks. 70,000 GVW or more to be used to repair roads, be taken into consideration and placed in a Committee. Chairman Hargett placed this item in the Public Works, Property and Utilities Committee for further study.

GUESTS

SENATOR JOHN MATTHEWS AND REPRESENTATIVE PATSY KNIGHT

Senator John Matthews and Representative Patsy Knight addressed County Council and made a check presentation in the amount \$1,192,640.90 to Council for placement into the "Upper Dorchester County Economic Development Fund."

MR. JOHN HENDERSON, SOUTH CAROLINA ASSOCIATION OF COUNTIES

Mr. John Henderson with the South Carolina Association of Counties presented Mr. Leroy Blake, Dorchester County Safety Coordinator, with the "2006 Outstanding Safety Achievement Award" and Mr. Thom Schmenk, Dorchester County Risk Manager, with the Risk Management Service Award.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
SUMMERVILLE SOCCER CLUB REQUEST FOR FUNDING

6. Mr. Murphy motioned, seconded by Mr. Rosebrock, to fund the Summerville Soccer Club request for funding in the amount of \$11,027.00, and to take the funds from the County Council Contingency Fund.

7. Mr. Waggoner motioned to amend the main motion, seconded by Mr. Murphy, Council voted unanimously to take the funds from the Cable Television Franchise Fee Money, instead of the Council Contingency Fund. The Franchise Fee Fund Balance is approximately \$175,993.27.

SUMMERVILLE SOCCER CLUB REQUEST FOR FUNDING

The County Administrator informed Council of the original plan for the funds set aside from the Cable Television Franchise Fee was to build a Park at Cook's Crossroads. Councilman Murphy updated Council that the proposed Park at Cooks Crossroads is currently in legal litigation and probably will be for at least a year and a half.

Council voted unanimously to approve the main motion, as amended, to fund the Summerville Soccer Club request for funding in the amount of \$11,027.00.

Mr. Ward was requested to have Recreation Grants Phase Four of the Recreation Program opened up for public applications, and to place this item in the Public Safety, Health and Human Services Committee.

LAND USE PLANNING UPDATE

The Administrator updated Council on the land use planning projects. In addition, he announced that County Council needed to consider appointing one or more of its members to serve on a Planning Task Force Steering Committee to work on the Comprehensive Plan update along with the Planning Commission. This Committee would meet the second Thursday of each month at 3:00 p.m.

Mr. Ward also informed Council that Applied Technology and Management Incorporated, out of Charleston, has been hired to assist the County with the development of the Model Development Agreement Ordinance (Planned Development Ordinance) and Recoup Fee Ordinance.

**AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT
BETWEEN DORCHESTER COUNTY AND HERITAGE DEVELOPMENT
GROUP OF SOUTH CAROLINA, LLC**

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one opposed, to refer an Ordinance Approving a Development Agreement between Dorchester County and Heritage Development Group of South Carolina, LLC to the Planning, Development, and Building Committee for consideration without a recommendation for 1st Reading.

Councilman Rosebrock opposed.

COMMITTEE REPORTS
MR. RICHARD ROSEBROCK - PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE
GIVHANS FIRE DISTRICT CONTRACT

Chairman Rosebrock stated that the Committee received an update on the county's contract with Old Fort to serve Givhans Fire District. In order to defray the cost of providing fire protection in Givhans, Old Fort has requested that the county pay off the truck in Givhans and pay off Old Fort Station 5 on US 78. Additionally, Old Fort has asked the county to explore options to increase funding in the Givhans Fire District, and consider allowing Sunday alcohol sales in unincorporated areas.

Chairman Rosebrock stated that the Committee requested that the County Administrator and Chief Genthert, along with other officials, meet with the Fire Board and discuss the options. Until the meeting with the Fire Board occurs, this item will be left in Committee.

MR. MIKE MURPHREE- PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE
COST OF NEW ROADS ACCEPTED INTO COUNTY ROAD MAINTENANCE SYSTEM

Chairman Murphree stated that Council's recent action to require all residential developments of 25 acres or more of highland are to require rezoning to Planned Development District and all Planned Developments are to have a development agreement with a Public Works Improvement District included. The cost of the new roads would be incorporated into the Developments Agreements with the consent to enter into the Public Works Improvements District, for the maintenance of the new roads, so no further action would be needed on this subject, because 95% of the new roads would be captured under this Improvements District. Chairman Murphree stated that this was information only and no action was needed by Council.

SC EMPLOYMENT SECURITY COMMISSION PROPERTY NEAR LEC

9. Chairman Murphree stated that the Administrator discussed the property with Mr. Larry Parker of the South Carolina Employment Security Commission earlier this week. The County and the S.C. Employment Security Commission have reached a tentative agreement to proceed with a land swap, and the Committee's recommendation to Council is to proceed with the agreement with the SC Employment Security Commission. To proceed with the property swap, the County needs to have a Land Survey performed on all of the property, including the 4.0 acres owned by the South Carolina Employment Security Commission, the 50 foot right away, and the 4.8 acres owned by the County. In addition,

PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE REPORT
CONTINUED
SC EMPLOYMENT SECURITY COMMISSION PROPERTY CONTINUED

the County has to have a Commercial Appraisal, Geotechnical, Environmental, and Wetlands surveys performed on the 4.8-acre tract owned by the County, and proceed with the right-of-way closure. Council voted unanimously in favor of the recommendation.

RESURFACING OF ROADS IN WINDSOR HILL SUBDIVISION

Chairman Murphree reported that there have been more road resurfacing requests from Windsor Hill Subdivision, and that the County Transportation Committee would tour the roads in Windsor Hill Subdivision, and would then make a decision on which roads the CTC would resurface.

BEAVER DAM PROBLEM

10. Chairman Murphree reported that this item was discussed, and the recommendation from the Committee was to fund the \$48,000.00 for the Beaver Proliferation out of the Stormwater Management Fee. Chairman Murphree requested to amend the recommendation to leave the item in Committee until the minimum cost could be established for the Stormwater Management Fee to comply with EPA and then add the \$48,000.00 in funding for the Beaver Proliferation cost to get the fee total.

11. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously in favor to amend the recommendation as requested by Chairman Murphree to fund this cost of \$48,000.00 from the Stormwater Management Fee, but to hold the item in Committee until a total cost could be assessed.

STRIPING OF ROAD IN SUMMERSET ACRES

Chairman Murphree stated that currently the County was waiting on the sewer contractor and the developers to complete their work before striping of the main road entering into Summerset Acres Subdivision could be completed.

MOVEMENT OF MOBILE HOMES IN THE JURISDICTION OF
DORCHESTER COUNTY

Chairman Murphree stated that this item was not discussed and would remain in Committee.

SEWER ORDINANCE – SECTION 406 AND 407

Chairman Murphree stated that the Committee discussed making changes to Section 406 and 407 of the Sewer Ordinance, including reducing the mandatory tie-on distance from 150 feet to 75 feet of heated space of a home. The Committee will work on the changes to the Ordinance and send its recommendation to the Water and Sewer Committee for further consideration.

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 several Confidential Economic Development Projects, to give legal advice regarding a proposed Lease Agreement with Dorchester School District Two, to discuss a proposed legal agreement between Ashley River Fire Department and the City of North Charleston, and the Ashley River Historic Overlay District, and to amend the agenda to discuss a contractual matter regarding the new County Courthouse.

EXECUTIVE SESSION P.M. 8:35 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:35 P.M.

The County Attorney reported that in Executive Session, Council discussed four Economic Development Prospects, and received legal advice concerning a proposed lease agreement with Dorchester School District Two regarding property at the Dorchester County Sewer Plant. Council discussed a contractual matter between Ashley River Fire Department and the City of North Charleston, the Ashley River Historic Overlay District, and a contractual matter concerning the new Courthouse. No action was taken on any of these items.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #07-10

13. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously for Dorchester County Council to provide a package of incentives for confidential project #07-10, which will include:

- \$15,000.00 to assist with the preliminary engineering associated with start-up expenses at the St. George mill;
- \$35,000.00 to be used for the repair and purchase of new processing equipment;
- \$50,000.00 as a property tax credit against property taxes from Dorchester County;
- and to place the site in the Dorchester Orangeburg County Multi-County Industrial Park.

The project plans to purchase a closed facility in upper Dorchester County and restore 18-20 new jobs in the process.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-65

14. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted six in favor and one abstention, for Dorchester County Council to confirm the Economic Development Department letter of January 31, 2007, in regards to the incentive offers for project #06-65. Among the incentives in this package is a one-year property tax credit in the amount of \$125,000.00 for infrastructure, and a grant of \$10,000 for preliminary engineering from the Dorchester County Economic Development fund and placement in the Dorchester-Orangeburg Multi-County Industrial Park. This local firm is planning to purchase and expand a facility on Highway 78, west of Summerville and to create 30 to 35 new jobs, which would be created in Phase 1 of its development.

Chairman Hargett abstained.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-41

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously for project #06-41 to be allowed to pay its water and sewer impact fee in three equal payments of \$66,265. The project is expected to announce soon and will have employment in 3 years in excess of 500 persons.

NEW COURTHOUSE BUILDING PROJECT

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously for Dorchester County Council to authorize Stevens and Wilkinson to advertise for bids for the construction of the new Courthouse.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #04-03

17. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously that County Council award a property tax credit in the amount of \$100,000 to complete the funding formula for the road expansion approved in 2004 for confidential project #04-03.

ADJOURNMENT 10:38 P.M.

18. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MARCH 5, 2007
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from February 20, 2007, County Council Meeting
- Public Hearing and 2nd Reading for an Ordinance to Amend the Zoning Map of Dorchester County to add the Ashley River Historic Overlay District Boundaries as a Zoning Map Overlay and to Amend the Dorchester County Zoning Ordinance to Create Article ----to Establish Guidelines for the Ashley River Historic Overlay District
- Public Hearing CDBG Needs Assessment
- Correspondence

3. GUEST

- Mr. Terry Kinder, Chairman, Trident Workforce Investment Board
- Ms. Charlotte Allen & Mr. Lee Moulder- FY 2006 Dorchester County Audit Presentation

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

- Road Maintenance Acceptance Application - Reminisce, Phase 2
- 1st Reading for Rezoning Request # 526 Richard Wayne Kizer, TMS# 009-00-00-012
- 1st Reading for Rezoning Request # 527 Sylvia Kizer TMS# 009-00-00-001
- 1st Reading for Rezoning Request # 528 Heritage Development Group LLC;
TMS# 200-00-00-013, 014, 037, 040
- 1st Reading for Rezoning Request # 529 Michael Bret Diggett; TMS# 161-00-00-097

5. COMMITTEE REPORTS

PUBLIC SAFETY, HEALTH & HUMAN SERVICES Chairman Rosebrock

- Givhans Fire District Contract

ADMINISTRATIVE & INTERGOV. AFFAIRS Chairman Davis

- Change in County Holiday Schedule for 2007 (Good Friday)

- Probate Court Office Restructuring

Mr. Chris Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 522 Carolina Resource Development, LLC; c/o Scott Fennell TMS# 122-00-00-054
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 523 Mike Leach TMS# 143-07-00-019

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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
MARCH 5, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Dr. Rick Brewer gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mr. Carroll Cash addressed Council regarding his opposition to Rezoning Request #522 for Carolina Resource Development, LLC; c/o Scott Fennell.
- Ms. Kathy Moses addressed Council to request the paving of Community Road, off Miles Jamison Road in Summerville. (Petition submitted to Chairman Hargett)

REQUEST TO ADDRESS COUNCIL CONTINUED

- Ms. Beverly Cooper addressed Council and requested a ban on fireworks in Dorchester County, except for occasions of public display, or banned from firing at least half a mile from any Subdivisions. (Item placed in Public, Safety, Health and Human Services Committee)
- Mr. James McGraw addressed Council regarding the proposed Ashley River Historic Overlay District Ordinance. (Information submitted)
- Mr. Danny Byrd addressed Council regarding his opposition to Rezoning Requests #526 for Richard Wayne Kizer and Rezoning Request #527 Sylvia Kizer.
- Dr. Jairy Hunter, President of Charleston Southern University, addressed Council regarding the proposed Ashley River Historic Overlay District Ordinance and expressed concern that buffers along Highway 165 were eliminated except for a 200-foot buffer remaining on CSU's property at the corner of Highway 61 and 165.
- Mr. Stephen Brown, Legal Counsel for Charleston Southern University, addressed Council regarding the proposed Ashley River Historic Overlay District Ordinance and his concern of the 200-foot buffer remaining on CSU's property at the corner of Highway 61 and 165.

ADOPTION OF MINUTES FEBRUARY 20, 2007, COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to adopt the Minutes from the County Council Meeting held on February 20, 2007.

PUBLIC HEARING AND 2ND READING TO AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE 04-13 TO CREATE A NEW SECTION 11.5 TO ARTICLE XI TO CREATE A NEW OVERLAY ZONE TO BE KNOWN AS THE ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE AND TO AMEND ARTICLE VI USE GROUPS, 13, BUSINESS, RECREATION TO ADD NEW SUB-SECTIONS (c) GOLF COURSE, (d) ECOTOURISM, AND (e) HISTORICAL ESTABLISHMENTS

Mr. John Frampton, County Attorney, gave an update on the changes that were made to the Ordinance since 1st Reading; the Ordinance with the changes was posted on the County Website on Friday, March 2, 2007.

PUBLIC HEARING & 2ND READING ORDINANCE (ASHLEY RIVER)
CONTINUED

Chairman Hargett opened the Public Hearing and the floor for public comment concerning the proposed "Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, to Create a New Section 11.5 To Article XI to Create A New Overlay Zone to be Known as the Ashley River Historic District Overlay Zone and To Amend Article VI Use Groups, 13, Business, Recreation to add New Sub-Sections (c) Golf Course, (d) Ecotourism, and (e) Historical Establishments."

Chairman Hargett announced that each side would get 30 minutes to speak.

Individuals who spoke opposed to the Ordinance:

1. Mr. Grange Cuthbert, (Representing Family Members/ Property Owners in Proposed Ordinance District) (Cuthbert Tract)
2. Mr. Will Riley, President Elect, Charleston Trident Association of Realtors (letter submitted for information)
3. Mr. Max Baughman, Representative for MeadWestvaco Corporation
4. Mr. Rutherford Smith, Attorney representing Mr. James B. Ezzell and Ms. Peggy McClellan (Property Owners in Proposed Ordinance District)

Individuals who spoke in favor of the Ordinance:

1. Mr. George W. McDaniel, Director of Drayton Hall
2. Mr. Hamilton Davis, Coastal Conservation League
3. Mr. Fielding Freed, Director of Museums for the Historic Charleston Foundation
4. Mr. Fred Luxmore, Member of a hunting club in Proposed Ordinance District
5. Mr. Matthew Webster, Director of Preservation at Drayton Hall
6. Mr. Carter Hutchison, Historian and Archeologist for Drayton Hall
7. Ms. Nancyjean Nettles, Resident who lives near Drayton Hall and Magnolia Plantation
8. Mr. Hayward Carter, Lawyer/Property Owner in proposed Historic District
9. Mr. Charles Duell, President of Middleton Place
10. Mr. Dick Kopfmuehler, Citizen (presented letter to Council)
11. Mrs. Sue Wehman, Resident of Meteeba Estates (presented a petition to Council)
12. Ms. Ann Ashby, Resident who lives off of Highway 61
13. Mr. Heyward Hutson, Member of Summerville Preservation and Historical Society
14. Mr. Tracy Todd, Chairman of Middleton Place Foundation
15. Ms. Nancy Simpson, Resident in proposed Historic District
16. Mr. Coy Johnston, Forester and Wildlife Consultant

PUBLIC HEARING & 2ND READING ORDINANCE (ASHLEY RIVER)
CONTINUED

Chairman Hargett closed the Public Hearing.

2. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted five in favor, and two opposed, to give 2nd Reading to the Amended Ordinance regarding the Ashley River Historic District Overlay Zone which creates a new Section 11.5 to Article XI and adds new to Sub-Sections (c), (d), and (e) to Article VI Use Groups, 13, to the Dorchester County Zoning and Land Developments Standard Ordinance #04-13, as prepared by the County Attorney and included in the Council Packets for March 5th.

Council Members Murphy and Murphree opposed.

Chairman Hargett called for a five-minute recess.

PUBLIC HEARING CDBG NEEDS ASSESSMENT

Mr. Jason Ward, County Administrator, announced that the purpose of this public hearing was to solicit public input on community needs and priorities for housing, public facilities, and economic development, and to receive comments from Council and the floor. Mr. Darrell Bullock of the BCD Council of Governments was available to answer any questions regarding the CDBG Needs Assessment.

Chairman Hargett opened the Public Hearing to receive comments.

Hearing no public comments, the Public Hearing was closed.

A final public hearing is scheduled for April 2, 2007 to receive public comment on the Community Development Block Grant Application that will be submitted to the Department of Commerce.

CORRESPONDENCE

There was no correspondence to report.

GUESTS
MR. TERRY KINDER, CHAIRMAN, TRIDENT WORKFORCE
INVESTMENT BOARD

Mr. Terry Kinder, Chairman of the Trident Workforce Investment Board, requested Council's support for the "Change a Life Hire a Kid Program". This program started in 1999, and its mission was to give kids an opportunity to earn money and gain useful work experience. Mr. Kinder made a request for funding for \$10,000 from Dorchester County to assist with the cost of this program. The allocation of the funds would make Dorchester County a part of the "Tri-County Initiative". Chairman Hargett stated that this request would be taken for consideration.

FISCAL YEAR 2006 DORCHESTER COUNTY AUDIT PRESENTATION

Ms. Charlotte Allen, External Auditor and Mr. Lee Moulder, Dorchester County Finance Director, made a presentation to Council on the Fiscal Year 2006 Dorchester County Audit. Ms. Allen stated that the County has a clean audit again this year, and has added over \$3 million to the General Fund (fund balance). Ms. Allen stated that all management and employees were very cooperative regarding the audit process. Mr. Lee Moulder stated that training sessions have been planned and he would address any issues or concerns raised in the audit.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
ROAD MAINTENANCE ACCEPTANCE APPLICATION - REMINISCE,
PHASE 2

3. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to approved the Road Maintenance Acceptance Application for Reminisce, Phase 2, and to accept portions of Scrapbook Lane, Pavilion Street, and Gaslight Boulevard for County Maintenance and to start the maintenance liability period. All bonds are in place, and this phase has been inspected by Public Works, and has been built to plans and specifications.

1ST READING FOR REZONING REQUEST # 526 RICHARD WAYNE
KIZER, TMS# 009-00-00-012

4. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to approved 1st Reading for Rezoning Request # 526 Richard Wayne Kizer, TMS# 009-00-00-012 and refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial).

COUNTY ADMINISTRATOR'S TIME –CONTINUED

1ST READING FOR REZONING REQUEST # 527 SYLVIA KIZER TMS# 009-00-00-001

5. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to approve 1st Reading for Rezoning Request # 527 Sylvia Kizer TMS# 009-00-00-001 and refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial).

1ST READING FOR REZONING REQUEST # 528 HERITAGE DEVELOPMENT GROUP LLC; TMS# 200-00-00-013, 014, 037, 040

6. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve 1st Reading for Rezoning Request # 528 Heritage Development Group, LLC TMS# 200-00-00-013, 014, 037, 040 and refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone 107.4 acres on County Line Road near Ravenel from AC (Absence of Control) to SR (Suburban Residential).

1ST READING FOR REZONING REQUEST # 529 MICHAEL BRET DIGGETT; TMS# 161-00-00-097

7. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to approve 1st Reading for Rezoning Request # 529 Michael Bret Diggett; TMS# 161-00-00-097 and refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone one acre on Ashley River Road near Summerville from R-4 (Residential Multi-family) to CG (General Commercial). This is an Ordinance #04-13 correction. This property was previously zoned DE-1 (Development District).

COMMITTEE REPORTS

**MR. RICHARD ROSEBROCK - PUBLIC SAFETY, HEALTH AND
HUMAN SERVICES COMMITTEE**

GIVHANS FIRE DISTRICT CONTRACT

Chairman Rosebrock stated that the Committee received an update on the county's contract with Old Fort to serve Givhans Fire District. At the Special Meeting of the Dorchester County Fire Board on Monday, February 26, the Fire Board offered \$100,000.00 to payoff the fire truck in Givhans and Old Fort Station #5. Chairman Rosebrock reported the actual truck payoff would be \$49,748.00 and the Old Fort Station # 5 payoff would be \$59,540.00, which would be a total of \$ 109, 288.00, with the difference being \$9,288.00. If this recommendation is approved, Chief Genthert will take it back to the Old Fort Fire Department Board of Directors for approval, so the County can execute a contract for Old Fort to serve Givhans for 15 mills per year.

8. Chairman Rosebrock stated that the Committee's first recommendation to Council was to approve the expenditure to payoff the Givhans' fire truck and Old Fort Station # 5, contingent upon the Fire Board's approval of the payment, which would not exceed the amount of \$115,000.00. Council voted unanimously in favor of the recommendation.

9. Chairman Rosebrock stated that the Committee's second recommendation to Council was to approve a 30-day extension to the contract with Old Fort Fire Department. Council voted unanimously in favor of the recommendation.

OTHER BUSINESS

Chairman Rosebrock stated that Councilman Murphree had received a request for assistance from the Summerville Sertoma Club for their program and the Committee turned the request over to Mr. Ward for Mr. Jakie Walters, Special Projects and Recreation Coordinator, to look into.

Chairman Rosebrock stated that he had received a request from residents residing on Owens Circle for a one-way road. The County Attorney addressed the issue stating that the residents would be responsible for drafting a petition specifically showing the number of the residents that actually want the one-way road. Chairman Rosebrock stated he would pass this information on to the residents in Owens Circle.

ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS
COMMITTEE REPORT, MR. WILLIE DAVIS
CHANGE IN HOLIDAY SCHEDULE FOR 2007 (GOOD FRIDAY)

Chairman Davis informed Council that the Committee discussed the change in Holiday Schedule for 2007 regarding Good Friday. Currently, the county follows the state's holiday schedule. The Committee has two recommendations/choices for Council, which was to leave the Holiday Schedule as is, or to take a survey of the County Employees giving them a choice to take Good Friday in place of another County/State Holiday.

10. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted four in favor, two opposed and one abstention, to leave the Holiday Schedule for 2007 as is with no changes.

Council Members Rosebrock and Feltner opposed, and Council Member Murphree abstained.

PROBATE COURT OFFICE RESTRUCTURING

11. Chairman Davis informed Council that the Committee discussed the Probate Court Office Restructuring. Associate Judge/Therapeutic Director, Nettie Cusack, is retiring in three months. Judge Provence has requested a revenue neutral restructuring (does not require additional funds) that includes the removal of the Associate Judge/Therapeutic Director because she does not believe she has anyone on staff who can perform these dual roles, nor does she believe she can hire anyone to perform this role because of its uniqueness. If approved, this restructuring will result in the following: the removal of the Combined Associate Judge/Therapeutic Director (Grade 16) and the use of one part time employee (upgraded, totaling \$9,000+ per year). New positions would be created to include Half-Time Associate Judge position, and a new Customer Service Supervisor position (Grade 14). Chairman Davis stated that the recommendation of the Committee was to allow the Probate Judge to restructure her office as requested. Council voted unanimously in favor of the recommendation.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
MR. CHRIS MURPHY
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
REZONING REQUEST # 523 MIKE LEACH TMS# 143-07-00-019 -

12. Chairman Murphy reported that a Public Hearing was held for Rezoning Request # 523 Mike Leach TMS# 143-07-00-019. This is a request to rezone 12.4 acres on Embassy Drive near Summerville from R-4 (Residential Multi-Family District) to R-2

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CONTINUED
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
REZONING REQUEST # 523 MIKE LEACH TMS# 143-07-00-019 –
CONTINUED**

(Single Family Residential District). The Committee's recommendation to Council is for 2nd Reading for this request. Council voted five in favor and two opposed on the recommendation.

Council Members Feltner and Rosebrock opposed.

**PUBLIC HEARING FOR REZONING REQUEST #522 CAROLINA
RESOURCE DEVELOPMENT, LLC; C/O SCOTT FENNEL TMS# 122-00-
00-054.**

13. Chairman Murphy reported that a Public Hearing was held for Rezoning Request # 522 for Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054. This is a request to rezone 58.76 acres on Landfill Road in Jedburg from R-4 (Residential Multi-Family District) to I (Industrial District). The Committee's recommendation to Council was for 2nd Reading for this request. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

ADJOURNMENT 9:40 P.M.

14. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MARCH 19, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from March 5, 2007, County Council Meeting
- Correspondence

3. GUEST

Miss Elizabeth Brondsema, St. George Middle School, Winner -Lowcountry Spelling Bee Championship

4. COUNCIL MEMBER'S TIME MR. JAMIE FELTNER

- Adequate Facilities Ordinance

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

- 3rd Reading Rezoning Request # 522 Carolina Resource Development, LLC; c/o Scott Fennell
TMS# 122-00-00-054
- 3rd Reading Rezoning Request # 523 Mike Leach TMS# 143-07-00-019
- 1st Reading Rezoning Request # 534 Tim Jenner TMS# 160-00-00-081

6. COMMITTEE REPORTS

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

- Request for Signs in Legend Oaks Plantation (Traffic Flow)
- Briarwood Subdivision - Request for Stop Signs
- County Road Petition for Omar Sue Lane
- County Road Petition for Angel Drive
- County Road Petition for Gerards Lane

Chairman Larry Hargett – Water and Sewer Committee

- Brentwood Homes, Inc., Request for Sewer Service Limehouse Tract

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Dorchester County Career School
 - Codes of Laws South Carolina 6-31-60 (Development Agreements)

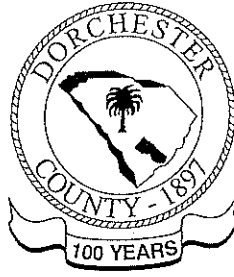
9. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER
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
MARCH 19, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Mr. Jason Ward gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mr. Phillip Ford, Executive Vice President of the Homebuilders' Association, addressed Council and spoke on behalf of the Building Industry regarding growth and his opposition to the proposed "Adequate Facilities Ordinance".

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Matt Timmons, small business owner, addressed Council regarding a moratorium on growth and his opposition to the proposed "Adequate Facilities Ordinance".
- Mr. Wally Seinsheimer, Charleston Trident Homebuilders Association, addressed Council regarding a moratorium on growth and his opposition to the proposed "Adequate Facilities Ordinance".
- Mr. Robert Pinckney, small business owner, addressed Council regarding his opposition to any moratorium on growth and the proposed "Adequate Facilities Ordinance".
- Ms. Georgia Toney, Charleston Trident Homebuilders Association, addressed Council regarding a moratorium on growth and her opposition to the proposed "Adequate Facilities Ordinance".
- Mr. Jeff Meyer, President of KB Homes, addressed Council regarding a moratorium on growth and his opposition to the proposed "Adequate Facilities Ordinance".
- Ms. Sue Wehman addressed Council on her support of the proposed "Adequate Facilities Ordinance".
- Mr. George Neil addressed Council on his support of the proposed "Adequate Facilities Ordinance".
- Mr. Howard Bridgman addressed Council on his support of the proposed "Adequate Facilities Ordinance".
- Mr. John Halley addressed Council on his support of the proposed "Adequate Facilities Ordinance".
- Mr. Bob Jackson addressed Council on his support of the proposed "Adequate Facilities Ordinance" and on the Limehouse Tract.
- Mr. Rudd Smith, who serves on the Trident Technical College Board, addressed Council regarding Trident Technical College and informed Council of some of the things going on at Trident Tech.
- Mr. Heyward Hutson addressed Council regarding the preservation of the Charleston Southern University Property, requested that all buffers be retained, and expressed his support of the Ashley River Historic Overlay District.
- Mr. George McDaniel, Director of Drayton Hall, addressed Council on his support of the Ashley River Historic Overlay District and the buffers called for in the Ordinance, and he expressed his support of the proposed "Adequate Facilities Ordinance".
- Mr. Hamilton Davis, Coastal Conservation League, addressed Council regarding his endorsement of the Ashley River Historic Overlay District and the preservation of the Charleston Southern University Property.
- Mrs. Mary Lin Britt addressed Council regarding her opposition to Rezoning Request # 522, Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mrs. Nell Muckenfuss addressed Council regarding her opposition to Rezoning Request # 522, Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054. (Information was received from Mrs. Muckenfuss and is on file at the County Council Office in St. George)
- Ms. Lucretia McCloud addressed Council regarding her opposition to Rezoning Request # 522, Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054.
- Mr. David Whitfield addressed Council regarding his opposition to Rezoning Request # 522, Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054.

ADOPTION OF MINUTES MARCH 5, 2007, 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 March 5, 2007.

CORRESPONDENCE

The County Administrator informed Council of a letter he received from Mrs. Tammie C. Hoy, Executive Director of the Lowcountry Housing Trust, requesting County Council to be aware of House Bill 3509, "The South Carolina Local Housing Trust Enabling Act." Mrs. Hoy requests Council's support of this bill, which our House Representatives (Chellis, Knight, and Young) support. Additionally, Mrs. Hoy wants to collaborate with Dorchester County to provide safe and affordable housing to our citizens.

Chairman Hargett informed Council of a Petition he received from Residents of Owens Circle requesting that Owens Circle be changed to a one-way street, with traffic flowing only from Dorchester Road towards Bacons Bridge Road. Chairman Hargett placed this item in the Public Works, Property and Utilities Committee.

GUEST

None

COUNCIL MEMBER'S TIME, MR. JAMIE FELTNER

Councilman Feltner addressed Council and requested consideration of a proposed "Adequate Facilities Ordinance", designed to ensure that public facilities defined as roads, water, sewer, and public school facilities are in place prior to the approval of new development.

2. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted three in favor, three opposed and one abstention to give 1st Reading to the proposed "Adequate Facilities Ordinance", designed to ensure that public facilities defined as roads, water, sewer, and public school facilities are in place prior to the approval of new development and for this to be left in front of full Council and not placed in a Committee.

Council Members Murphy, Murphree and Hargett opposed and Councilman Davis abstained.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
3RD READING REZONING REQUEST # 522 CAROLINA RESOURCE
DEVELOPMENT, LLC; C/O SCOTT FENNELLS TMS# 122-00-00-054

3. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted five in favor and two abstentions to give 3rd Reading to Rezoning Request # 522 for Carolina Resource Development, LLC; c/o Scott Fennell, TMS# 122-00-00-054. This is a request to rezone 58.76 acres on Landfill Road in Jedburg from R-4 (Residential Multi-Family District) to I (Industrial District).

Council members Rosebrock and Feltner abstained.

3RD READING REZONING REQUEST # 523 MIKE LEACH TMS# 143-07-00-019

4. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted five in favor and two opposed to give 3rd Reading to Rezoning Request # 523 for Mr. Mike Leach, TMS# 143-07-00-019. This is a request to rezone 12.4 acres on Embassy Drive near Summerville from R-4 (Residential Multi-Family District) to R-2 (Single Family Residential District).

Council members Rosebrock and Feltner opposed.

1ST READING REZONING REQUEST # 534, TIM JENNER TMS# 160-00-00-081

5. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to Rezoning Request #534 for Tim Jenner, and to refer this item to the Planning, Development and Building Committee for further consideration. Prior to the adoption of Ordinance #04-13, this property was zoned Development District 1 (DE-1) which allowed the operation of a wood recycling business.

**MR. MIKE MURPHREE-- PUBLIC WORKS, PROPERTY AND UTILITIES
COMMITTEE
REQUEST FOR SIGNS IN LEGEND OAKS PLANTATION (TRAFFIC
FLOW)**

Chairman Murphree reported that the Committee addressed the request from the Legend Oaks Homeowners Association for placement of signs on Masters Court, and Marshside Drive, to prevent cars from parking at the pickup and drop-off areas at Beech Hill Elementary School, and stopping traffic flow. The Committee decided to have the County Administrator write a letter to Sheriff Nash requesting the placement of a deputy in the area two times a day. Council needed to take no action, and this item will remain in Committee.

BRIARWOOD SUBDIVISION - REQUEST FOR STOP SIGNS

6. Chairman Murphree reported that the recommendation from the Committee to Council was for approval of the request from the Briarwood Civic Association to place three 3-way stop signs for seven intersections within Briarwood Subdivision, contingent upon the Briarwood Civic Association covering 50% of the cost of the project. Council voted unanimously in favor of the recommendation.

COUNTY ROAD PETITION FOR OMAR SUE LANE

Chairman Murphree reported that the Committee discussed the road petition for Omar Sue Lanes for acceptance into the County Road Maintenance System and that more information is needed from the property owners before the Committee could make a recommendation. Council needed to take no action, and this item will remain in Committee.

COUNTY ROAD PETITION FOR ANGEL DRIVE

Chairman Murphree reported that the Committee discussed the road petition for Angel Drive for acceptance into the County Road Maintenance System and that an access easement was needed before the Committee could make a recommendation. This road is located near Shady Grove and is 550 feet long. Council needed to take no action, and this item will remain in Committee.

COUNTY ROAD PETITION FOR GERARDS LANE

7. Chairman Murphree reported that the Committee discussed the road petition for Gerards Lane for acceptance into the County Road Maintenance System and the recommendation from the Committee was for the approval of the request. This road is located off Pigeon Bay Road and is 624 feet long. Council voted unanimously on the recommendation.

POLICY ON SIGNS AND REQUEST FROM OWENS CIRCLE

Chairman Murphree reported that the Committee discussed amending or creating a new policy to the County's "Cut-Thru-Ordinance" regarding a petition for the installation of signs, which would require a simple majority of the resident's signatures. In addition, a request from the residents of Owens Circle was placed in the Public Works, Property and Utilities Committee.

REQUEST TO ADD BRIARWOOD TO LIST OF STREETS REGARDING SPEED LIMIT CHANGES

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to add Briarwood to the list of streets in the Public Works, Property and Utilities Committee for speed limit change to 25 miles per hour.

Chairman Hargett passed the gavel to Vice Chairman Davis, in order to give his Committee Report.

**CHAIRMAN LARRY HARGETT – WATER AND SEWER COMMITTEE
BRENTWOOD HOMES, INC., REQUEST FOR SEWER SERVICE
LIMEHOUSE TRACT**

9. Chairman Hargett reported that Brentwood Homes, Inc. has requested Dorchester County to provide sewer service to the Limehouse Tract, which is a development off Dorchester Road. The Committee's recommendation was to approve the request. Council voted four in favor, two opposed and one abstention on the recommendation.

Council members Feltner and Rosebrock opposed and Councilman Davis abstained.

Vice Chairman Davis passed the gavel back to Chairman Hargett after his Committee Report to Council.

APPOINTMENTS TO BOARDS AND COMMISSIONS

GRIEVANCE COMMITTEE APPOINTMENT

10. On the motion of Mr. Murphree, seconded by Mr. Waggoner, Council voted unanimously on Mr. Murphree's appointment of Mr. Jackie Walters to the Dorchester County Grievance Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED

DORCHESTER COUNTY LIBRARY BOARD APPOINTMENT

11. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously on Mr. Hargett's appointment of Ms. Tammy McGuire to the Dorchester County Library Board.

**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 four Confidential Economic Development Prospects, and to provide legal advice concerning the Dorchester County Career School, and Development Agreements.

EXECUTIVE SESSION 8:35 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:34 P.M.

The County Attorney reported that in Executive Session, Council discussed four Confidential Economic Development Projects, and received legal advice concerning the Dorchester County Career School, and Development Agreements. No action was taken on any of these items.

RESOLUTION FOR ECONOMIC DEVELOPMENT PROJECT #06-65

13. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to approve Resolution # 07-03 for Project #06-65, as follows:

“APPROVING THE ASSIGNMENT AND TRANSFER OF A LEASE AGREEMENT BETWEEN DORCHESTER COUNTY AND LATI USA, INC. (FORMERLY LATI INDUSTRIES, INC.) DATED AS OF DECEMBER 7, 1998, AS AMENDED, AND EXPRESSING THE INTENT OF DORCHESTER COUNTY TO GRANT CERTAIN INCENTIVES TO ECONOMIC DEVELOPMENT PROJECT 06-65, AND OTHER MATTERS RELATING THERETO.”

For the record, Chairman Hargett abstained on the vote for the above Resolution.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT # 07-06

14. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously that Dorchester County Council provide Project #07-06 with a five year property tax credit in the amount of \$45,780.00 per year for five years and place the site in the Dorchester/Orangeburg Multi-County Industrial Park.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT #06-63

15. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously that Dorchester County Council provide a property tax credit of \$21, 550.00 to assist Project #06-63 with utility services and to place the project site in the Dorchester/Orangeburg Multi-County Industrial Park. This project is located in upper Dorchester County and will have an investment of \$2,000,000.00 and employ 10-15 persons.

ADJOURNMENT 9:41 P.M.

16. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 2, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from March 19, 2007, County Council Meeting
- Dorchester County Employee Recognition Program
- Public Hearing Community Development Block Grant Application for Hudson Road Community Project to Install Water Lines
- Adoption of Resolution #07-04 Authorization to File and to Provide Matching Funds For a Community Development Block Grant Application
- Citizens Panel on Growth
- Correspondence

3. GUEST

- Mr. Harold Mizzell and Mr. David Burk- American Legion Baseball

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

- Request for Approval of Street Name Change - Cane Acre Road to Summer Road
- 1st Reading for Rezoning Request # 488 Dusty Garus; TMS # 135-00-00-111
- 1st Reading for Rezoning Request # 530 Bobby Lee Smoak; TMS # 145-04-01-003
- 1st Reading for Rezoning Request # 531 Billy Clay Ramsey & Pansy Ramsey; TMS # 153-09-07-013
- 1st Reading for Rezoning Request # 532 Peggy Ramsey; TMS# 153-09-07-012
- Coroner's Department Transfer Request
- Sheriff's Department Request for Authorization
- Old Fort Contract – Givhans Fire District

5. COMMITTEE REPORTS

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

- Convenience Sites Status - Handicap and Elderly Assistance
- Ordinance to Repeal Ordinance 78-07, 78-08, 78-09 78-10
Changing Speed Limits to 25 MPH in Quail Arbor V, Greenhurst, Briarwood, and Archdale Subdivisions and Decreasing Speed Limits in Legend Oaks to 25 MPH
- Request for Change in Speed Limit Duboise Road, Genell Road, Sojourner Road and Mattie Lane
- Quail Arbor V Homeowner's Association Issues (Drainage & Paving)
- Petition Drive to Determine Needs in Twin Lakes Subdivision Sewer System
- Resurfacing of Roads in Windsor Hill Subdivision
- Eagle Run Subdivision- Stop Signs and Fence Around Convenience Site

COMMITTEE REPORTS CONTINUED

Public Works, Property and Utilities Committee Continued

- Striping of Road in Summerset Acres
- Sewer Ordinance – Section 406 and 407

Mr. Chris Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #526, Richard Wayne Kizer, TMS# 009-00-00-012
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #527, Sylvia Kizer, TMS# 009-00-00-001
- Recommendation for 2nd Reading an Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13 of so as to authorize the employment of professionals to assist in evaluation of development projects, to revise fees and to provide for payment therefore, and to create Development Review Fee Accounts and Provide for the use thereof
- Recommendation for 2nd Reading an Ordinance Amending Article 7 of the Dorchester County Zoning and Land Development Standards Ordinance #04-13 Pertaining to Planned Development Districts

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
- Legal Advice
 - Real Estate Matter – Paved Road
- Contractual matters
 - CSU Property
 - SC DOT Matching Program
 - Ashley River Fire District Contract with City of North Charleston
 - Charleston CPW Lease
 - Courthouse

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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**

APRIL 2, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend Clay Shook gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following Citizens replied:

- Mr. John Welch, Secretary and Treasurer of the Harleyville Baseball League, addressed Council regarding a request for funding for recreational activities in Harleyville from the Phase Four Recreation Program. Mr. Welch stated that he would submit an application for the funds. In addition, Chairman Hargett requested Mr. Welch submit the request in writing to Council.

REQUEST TO ADDRESS COUNCIL-CONTINUED

- Mr. Richard Dash addressed Council and requested Old Spell Road be considered for paving. The Chairman referred this item to the Public Works Department.
- Ms. Edith Duggins addressed Council and requested Old Spell Road be considered for paving.

Councilman Davis, requested Mr. Doug Tompkins, Public Works Department Director, to address Council regarding the status of paving Old Spell Road. He stated that it is on the list for paving in the next three to six months. Cost for paving of the road is to come from the One Cent Sales Tax Transportation Fund.

- Ms. Julia H. Kennedy addressed Council requesting Ivory Road be considered for paving.
- Mr. Nathaniel Hezekiah addressed Council and requested Applewood Drive be considered for paving.
- Mr. James Elmore addressed Council and requested Rebecca Road be considered for paving.
- Ms. Rulta M. Hill addressed Council and requested Applewood Drive be considered for paving.
- Ms. Margaret Jones addressed Council and requested Old Spell Road be considered for paving. (Petition submitted for the paving of Old Spell Road)
- Mr. Max Baughman, representing Mead Westvaco, and Mr. John Hagherty, Attorney representing Mead Westvaco, addressed Council concerning the boundary line for District Two and Three in the proposed Ashley River Historic Overlay District.

ADOPTION OF MINUTES MARCH 19, 2007, 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 March 19, 2007.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the county.

**PUBLIC HEARING COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION FOR HUDSON ROAD COMMUNITY PROJECT TO
INSTALL WATER LINES**

Chairman Hargett opened the Public Hearing to receive public comment on the "Application for Hudson Road Community Project to Install Water Lines".

Mr. Jason Ward, County Administrator, explained that the application is requesting funding for the South Carolina Department of Commerce to provide water distribution lines. The water distribution lines are for the Hudson Town Community, specifically on Hudson Road, Stephens Loop, Callaway Drive, Windham Road, and West Raysor Drive, to connect with the Town of St. George Water System with a master meter.

Hearing no public comment, Chairman Hargett closed the public hearing.

**ADOPTION OF RESOLUTION #07-04 "AUTHORIZATION TO FILE
AND TO PROVIDE MATCHING FUNDS FOR A COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION"**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #07-04, "Authorization to File and to Provide Matching Funds For a Community Development Block Grant Application". The Resolution authorizing the grant application includes a minimum local match of 10%.

CITIZENS PANEL ON GROWTH

Chairman Hargett requested for each member of council to appoint three citizens to serve on a Citizens Panel on Growth. The first meeting has been tentatively scheduled for April 10, 2007, at 5:30 p.m. at Rollings Middle School in Summerville.

Chairman Hargett stated that if each Member of Council would choose three representatives and call him with their appointments he would coordinate with the group. This group will include Charleston, Berkeley, and Dorchester Counties.

CORRESPONDENCE

The County Administrator informed Council of a letter he received from Mrs. Merle Handelsman, requesting County Council's consideration of a \$30,000.00 grant to the SPCA for their Spay/Neuter Program.

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to place this request in the Budget, Finance and Purchasing Committee.

The County Administrator informed Council that Sheriff Ray Nash sent notice that the Sheriff's Office has entered into a Inter-Jurisdictional Agreement with Charleston County for mutual aid, and a Multi-Jurisdictional Agreement with Florence and Darlington counties for information sharing, operations and tactical applications. (For informational purposes only)

MOTION TO AMEND THE AGENDA

Chairman Hargett requested a motion to make an amendment to the agenda to discuss two items.

4. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to discuss two additional items.

INVASIVE SPECIES REMOVAL FROM THE RECOMMENDED BUFFER PLANTINGS LIST "PROPOSED HISTORICAL OVERLAY DISTRICT

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted five in favor, and two abstentions, to make an amendment, to remove seven plants on the "Recommended Buffer Plantings List", that are considered invasive species in the proposed Ashley River Historic Overlay District. (See Attachment A, regarding the listing of plants)

Council members Murphy and Murphree abstained.

REQUESTED CHANGE - ASHLEY RIVER HISTORIC OVERLAY DISTRICT

Chairman Hargett stated that Mead Westvaco has requested an amendment to the proposed Ashley River Historic Overlay District Map. The request is for an amendment to the pending Ordinance amending the Dorchester County Zoning and Land Development Standards Ordinance to create the overlay zone known as the Ashley River Historic Overlay Zone and that the southern boundary of District Two be changed so that

**REQUESTED CHANGE - ASHLEY RIVER HISTORIC OVERLAY
DISTRICT CONTINUED**

the southern boundary of District Two would extend from Highway 165 along the center line of what is commonly known as the Ravenswood ditch to the Charleston County line. A map presented by Mead Westvaco was discussed.

GUEST

MR. HAROLD MIZZELL AMERICAN LEGION BASEBALL

Mr. Harold Mizzell addressed Council and requested funds to support the American Legion Baseball Program. Mr. Mizzell explained the purpose and the process of the American Legion Baseball program. Council requested that a Recreation Grant Application be completed by the American Legion Baseball organization and submitted to Mr. Jakie Walters by April 16th, 2007.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
REQUEST FOR APPROVAL OF STREET NAME CHANGE - CANE
ACRE ROAD TO SUMMER ROAD**

6. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously on the Request for Approval of Street Name Change of Cane Acre Road to Summer Road.

**1ST READING FOR REZONING REQUEST # 488 DUSTY GARUS;
TMS # 135 00-00-111**

7. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor and one abstention to give 1st Reading to Rezoning Request # 488 Dusty Garus; TMS # 135-00-00-111, and to refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone 15.04 acres on Scotch Range Road near Summerville from R1MA (Single Family Residential Mobile Home District) to R1 (Single Family District).

Councilman Murphree abstained for the record.

**1ST READING FOR REZONING REQUEST # 530 BOBBY LEE SMOAK;
TMS # 145-04-01-003**

8. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 1st Reading to Rezoning Request # 530 for Bobby Lee Smoak; TMS # 145-04-01-003, and to refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone 2.03 acres on Garbon Drive near Summerville from TRM (Transitional Residential Manufactured Housing District) to R2 (Single Family Residential District).

**1ST READING FOR REZONING REQUEST # 531 BILLY CLAY
RAMSEY AND PANSY RAMSEY; TMS # 153-09-07-013**

9. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to give 1st Reading to Rezoning Request #531, TMS 153-09-07-013, for Billy Clay Ramsey and Pansy Ramsey and to refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone .235 acre on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District).

**1ST READING FOR REZONING REQUEST # 532 PEGGY RAMSEY;
TMS# 153-09-07-012**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to Rezoning Request # 532, Peggy Ramsey, TMS# 153-09-07-012, and to refer this item to the Planning, Development and Building Committee for further consideration. This is a request to rezone .278 acres on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District).

CORONER'S DEPARTMENT TRANSFER REQUEST

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the Administrator to execute a transfer of \$5,000 from part-time wages to autopsies to cover the cost of autopsies through the remainder of the year.

**SHERIFF'S DEPARTMENT REQUEST FOR AUTHORIZATION
REGARDING SEIZED DRUG FUNDS**

12. On the motion of Mr. Murphy, seconded by Mr. Murphree, to approve the Sheriff to use state seized drug funds to pay a portion of the cost of operating the Metro Narcotics Unit, a joint venture with the Town of Summerville. (The estimated total amount in the State Drug Fund is \$12,000.)

13. Mr. Murphree motioned, seconded by Mr. Rosebrock, and Council voted unanimously on amending the main motion to approve the Sheriff to use state seized drug funds to pay a portion of the cost of operating the Metro Narcotics Unit, contingent upon the Sheriff agreeing for his offices to participate and complete the Dorchester County Driver Education Program.

Council voted unanimously on the main motion as amended.

OLD FORT CONTRACT – GIVHANS FIRE DISTRICT

14. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize an extension through May 7, 2007, to Old Fort Fire Department concerning the Givhans Fire Distinct.

COMMITTEE REPORTS
**MR. MIKE MURPHREE– PUBLIC WORKS, PROPERTY AND
UTILITIES COMMITTEE**

**CONVENIENCE SITES STATUS - HANDICAP AND ELDERLY
ASSISTANCE**

Chairman Murphree reported that the signage has been installed indicating assistance is available and site attendants have been instructed to assist citizens. No action required.

**ORDINANCE TO REPEAL ORDINANCE 78-07, 78-08, 78-09 78-10
CHANGING SPEED LIMITS TO 25 MPH IN QUAIL ARBOR V,
GREENHURST, BRIARWOOD, AND ARCHDALE SUBDIVISIONS AND
DECREASING SPEED LIMITS IN LEGEND OAKS TO 25 MPH**

15. Chairman Murphree reported that the Committee's recommendation to Council is to give 2nd Reading to an "Ordinance to Repeal Ordinance Numbers 78-07, 78-08, 78-09 78-10, Changing Speed Limits to 25 MPH in Quail Arbor V, Greenhurst, Briarwood, and Archdale Subdivisions and Decreasing Speed Limits in Legend Oaks to 25 MPH." Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS
PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE
CONTINUED

REQUEST FOR CHANGE IN SPEED LIMIT DUBOISE ROAD, GENELL ROAD, SOJOURNER ROAD AND MATTIE LANE

Chairman Murphree reported that the request for a change in the speed limits on Duboise Road, Genell Road, Sojourner Road and Mattie Lane was discussed, and the Committee was currently reviewing a proposed "General Traffic Ordinance" for the purpose of empowering Public Works to regulate issues concerning signage, such as "Speed Limits." This item will remain in Committee for further study.

QUAIL ARBOR V HOMEOWNER'S ASSOCIATION ISSUES (DRAINAGE & PAVING)

Chairman Murphree reported that the Committee received an update on the Quail Arbor V Homeowner's Association Issues, concerning drainage and paving. The County's Public Works Department is currently working on these issues and once all documents are drawn up and recorded, the county can start installing a drainage system. This item will remain in Committee until all issues are resolved.

PETITION DRIVE TO DETERMINE NEEDS IN TWIN LAKES SUBDIVISION SEWER SYSTEM

Chairman Murphree reported that the Committee discussed this issue and it has now become a mute point. According to our Public Works Director, Mr. Tompkins, this was put on hold until sections 406/407 of the sewer ordinance are decided upon. The actual work on this project is nearing 80% complete. Scotch Range is on hold and no work has commenced other than engineering.

RESURFACING OF ROADS IN WINDSOR HILL SUBDIVISION

Chairman Murphree reported that the Dorchester County Transportation Committee had a road trip on March 27, 2007 and looked at the roads in Windsor Hill Subdivision for possible resurfacing. This item will remain in Committee.

COMMITTEE REPORTS
PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE
CONTINUED

EAGLE RUN SUBDIVISION- STOP SIGNS AND FENCE AROUND
CONVENIENCE SITE

Chairman Murphree reported that the requested stop signs in Eagle Run Subdivision have been installed and the fence around the Old Fort Convenience Site was installed. KB Homes bore the expense for this completed project.

STRIPING OF ROAD - SUMMERSET ACRES

Chairman Murphree reported that the Committee received an update on the Striping of the Road in SummerSet Acres. The project has not been completed, but upon completion, the developers are to make repairs to the road and then it can be striped. The completion of the project will be in the next 60 to 90 days. This item will remain in Committee until that time.

SEWER ORDINANCE – SECTION 406 AND 407 CONTINUED

Chairman Murphree reported the following changes to Sections 406 and 407 of the Dorchester County Sewer Ordinance. Mr. Ward, County Administrator read the recommendation/changes.

- Delete 406 and 407 as written;
- Rewrite 406 stating -Any building located within 75 feet of the property line along which a sewer line is located must connect to the County sewer system. The 75 feet shall be measured by the perpendicular distance from the closest heated space of any building to the property line along which the sewer line is located.
- This connection shall be made:
 - a. within 90 days of the sewer line becoming operational or,
 - b. immediately if there is a malfunction of an existing system or,
 - c. upon notice of SCDHEC that the existing means of waste disposal is a community health hazard or is in violation of federal, state, or county law.

407. Reserved

Chairman Murphree stated that the recommendation from the Committee was to approve the amendments as stated, to Section 406 and 407 of the Sewer Ordinance and to place this item in the Sewer and Water Committee for completion.

**MR. CHRIS MURPHY, PLANNING, DEVELOPMENT AND BUILDING
COMMITTEE REPORT
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST #526, RICHARD WAYNE KIZER, TMS#
009-00-00-012**

16. Chairman Murphy reported that a Public Hearing was held for Rezoning Request # 526, for Richard Wayne Kizer, TMS# 009-00-00-012. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial). The Committee's recommendation to Council was for 2nd Reading for this request. Council voted six in favor, and one abstention on the recommendation.

Councilman Rosebrock abstained.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST#527, SYLVIA KIZER, TMS# 009-00-00-001**

17. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #527, Sylvia Kizer, TMS# 009-00-00-001. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial). The Committee's recommendation to Council was for 2nd Reading for this request. Council voted six in favor and one abstention on the recommendation.

Councilman Rosebrock abstained.

**RECOMMENDATION FOR 2ND READING AN ORDINANCE
AMENDING ARTICLE FIVE OF THE DORCHESTER COUNTY
ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-
13 OF SO AS TO AUTHORIZE THE EMPLOYMENT OF
PROFESSIONALS TO ASSIST IN EVALUATION OF DEVELOPMENT
PROJECTS, TO REVISE FEES AND TO PROVIDE FOR PAYMENT
THEREFORE, AND TO CREATE DEVELOPMENT REVIEW FEE
ACCOUNTS AND PROVIDE FOR THE USE THEREOF**

18. Chairman Murphy reported that the Committee's recommendation to Council was for approval of 2nd Reading to the "Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13 of so as to authorize the employment of professionals to assist in evaluation of development projects, to revise fees and to provide for payment therefore, and to create Development Review Fee Accounts and Provide for the use thereof". Council voted unanimously in favor of the recommendation.

COMMITTEE REPORT CONTINUED
PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT

RECOMMENDATION FOR 2ND READING AN ORDINANCE
AMENDING ARTICLE 7 OF THE DORCHESTER COUNTY ZONING
AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13
PERTAINING TO PLANNED DEVELOPMENT DISTRICTS

19. Chairman Murphy reported that the Committee's recommendation to Council is for 2nd Reading of the "Ordinance Amending Article 7 of the Dorchester County Zoning and Land Development Standards Ordinance #04-13 Pertaining to Planned Development Districts". This Ordinance would require all residential developments of 25 acres or more of highland to rezone to planned development district and all planned development districts to have development agreements. Council voted unanimously in favor of the recommendation.

2ND READING OF REZONING REQUEST # 534 TIM JENNER;
TMS# 160-00-00-081

20. Chairman Murphy stated that the Committee voted to amend the agenda for consideration of 2nd Reading of a pending Rezoning Request. The Committee voted unanimously for the recommendation to Council of 2nd Reading for Rezoning Request #534, for Mr. Tim Jenner; TMS# 160-00-00-081, and for this request to remain in the Committee for a Public Hearing scheduled for May 7, 2007. 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 for Council's consideration to enter into executive session to give legal advice on a paved road, and to give legal advice concerning several contractual matters; property owned by Charleston Southern University, located on Bacons Bridge Road, South Carolina Department of Transportation Matching Program, Ashley River Fire District Contract with the City of North Charleston, a proposed lease with Charleston Commissioners of Public Works, and the new Courthouse Project.

EXECUTIVE SESSION 8:20 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:29 P.M.

The County Attorney reported that in Executive Session, Council received legal advice concerning a paved road, and discussed several contractual matters as follows: the Charleston Southern Property located on Bacons Bridge Road, a project with the South Carolina Department of Transportation, a proposed contract between Ashley River Fire District and the City of North Charleston, a proposed lease with Charleston CPW and the County, and the Courthouse Project. No action was taken on any of these items.

Chairman Hargett announced that the County Administrator has asked Council to look at some possible times for a County Council Budget Retreat to be held St. George.

In addition, he announced that on March 22, 2007, Councilman Richard Rosebrock was chosen as the "2006 Political Leader of the Year" for South Carolina and North Carolina by the Carolina Recycling Association.

ADJOURNMENT 9:35 P.M.

22. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 16, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from April 2, 2007, County Council Meeting
- Adoption of Resolution #07-05 for Mr. Andrew Dallas Green
- Adoption of Proclamation #07-01 National County Government Week April 22-28, 2007
- Pubic Hearing and 3rd Reading for Ordinance #07-06 "Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13 so as to authorize the employment of professionals to assist in evaluation of development projects, to revise fees and to provide for payment therefore, and to create Development Review Fee Accounts and provide for the use thereof"
- Pubic Hearing and 3rd Reading for Ordinance #07-07 "Ordinance Amending Article 7 of the Dorchester County Zoning and Land Development Standards Ordinance # 04-13 Pertaining to Planned Development Districts"
- Correspondence

3. GUEST

- Mr. James Villeponteaux, Director of the Dorchester County Career School
- Mrs. Carolyn Tomlinson, Director of Recycling and Education and Keep Dorchester County Beautiful – Award Presentations
 - “Outstanding Medium County Waste Reduction/Recycling Program”
 - “Local Government Award” for South Carolina and North Carolina
- Mr. Mickey Prim, Executive Director Dorchester County Library- Library System Expansion

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

- 3rd Reading for Rezoning Request #526, Richard Wayne Kizer, TMS# 009-00-00-012
- 3rd Reading for Rezoning Request #527, Sylvia Kizer, TMS# 009-00-00-001
- Road Maintenance Acceptance Applications for certain Roads in Wentworth Hall Cambridge Road, Berwick Drive (formally Longford Drive), and Berwick Drive
- Request for Funds- Ashley River Historic Overlay District Public Notice

PAGE TWO
COUNCIL AGENDA
APRIL 16, 2007

5. COMMITTEE REPORT

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

- Owens Circle Petition for Change to a One-Way Street
- Abandonment of Edisto River Road
- Ezekiel Drive
- County Road Petition for Omar Sue Lane
- County Road Petition for Angel Drive
- Briarwood Subdivision - Request for Stop Signs
- Transfer of Roads from State to County Maintenance
- Resurfacing of Roads in Windsor Hill Subdivision

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Development Agreements
 - Contractual Matter
 - Courthouse
 - Discussion of Jail Security Issues

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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**

APRIL 16, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order and Reverend David Mullins gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following Citizens replied:

- Ms. Edith Duggins addressed Council and requested Old Spell Road be considered for paving.

REQUEST TO ADDRESS COUNCIL-CONTINUED

- Ms. Margaret Jones addressed Council and requested Old Spell Road be considered for paving.
- Mr. Chuck Traxler addressed Council and opposed the paving of Old Spell Road.
- Mr. Ralph James addressed Council regarding an emergency alert system for the upper end of the County.
- Mr. John Hagerty addressed Council on behalf of Mead Westvaco regarding the Ravenwood Ditch and a boundary line in the proposed Ashley River Historic Overlay District.
- Mr. Robby Crowder, owner and operator of Dorchester Lumber Company, addressed Council and thanked them for their support and help in the opening of this company.

ADOPTION OF MINUTES APRIL 2, 2007, COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting held on April 2, 2007.

ADOPTION OF RESOLUTION #07-05, FOR MR. ANDREW DALLAS GREEN

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #07-05, for Mr. Andrew Dallas Green.

ADOPTION OF PROCLAMATION #07-01, NATIONAL COUNTY GOVERNMENT WEEK, APRIL 22-28, 2007

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation #07-01, proclaiming April 22-28, 2007, as National County Government Week.

**PUBLIC HEARING AND 3RD READING FOR ORDINANCE #07-06,
“ORDINANCE AMENDING ARTICLE FIVE OF THE DORCHESTER
COUNTY ZONING AND LAND DEVELOPMENT STANDARDS
ORDINANCE #04-13, OF SO AS TO AUTHORIZE THE EMPLOYMENT
OF PROFESSIONALS TO ASSIST IN EVALUATION OF DEVELOPMENT
PROJECTS, TO REVISE FEES AND TO PROVIDE FOR PAYMENT
THEREFORE, AND TO CREATE DEVELOPMENT REVIEW FEE
ACCOUNTS AND PROVIDE FOR THE USE THEREOF”**

Chairman Hargett opened the Public Hearing for Ordinance #07-06, “Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, of so as to authorize the employment of professionals to assist in evaluation of development projects, to revise fees and to provide for payment therefore, and to create Development Review Fee Accounts and Provide for the use thereof.”

Chairman Hargett opened the floor for public comment and asked if anyone would like to speak. Hearing no comments, Chairman Hargett closed the Public Hearing.

4. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #07-06, “Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, of so as to authorize the employment of professionals to assist in evaluation of development projects, to revise fees and to provide for payment therefore, and to create Development Review Fee Accounts and Provide for the use thereof.”

Council agreed that if any amendments or changes to this Ordinance are necessary, they would be addressed at the May 7, 2007, County Council Meeting.

**PUBLIC HEARING AND 3RD READING FOR ORDINANCE #07-07,
“ORDINANCE AMENDING ARTICLE SEVEN OF THE DORCHESTER
COUNTY ZONING AND LAND DEVELOPMENT STANDARDS
ORDINANCE #04-13, PERTAINING TO PLANNED DEVELOPMENT
DISTRICTS”**

Chairman Hargett opened the Public Hearing for Ordinance #07-07, “Ordinance Amending Article Seven of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, pertaining to Planned Development Districts.” This Ordinance would require all residential developments of 25 acres or more of highland to rezone to planned development district and all planned development districts to have development agreements.

**PUBLIC HEARING AND 3RD READING FOR ORDINANCE #07-07,
"ORDINANCE AMENDING ARTICLE SEVEN OF THE DORCHESTER
COUNTY ZONING AND LAND DEVELOPMENT STANDARDS
ORDINANCE #04-13, PERTAINING TO PLANNED DEVELOPMENT
DISTRICTS", CONTINUED**

Chairman Hargett opened the floor for public comment and asked if anyone would like to speak. Hearing no comments, Chairman Hargett closed the Public Hearing.

5. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #07-07, "Ordinance Amending Article Seven of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, Pertaining to Planned Development Districts."

Council agreed that if any amendments or changes to this Ordinance are necessary, they would be addressed at the May 7, 2007, County Council Meeting.

CORRESPONDENCE

The County Administrator informed Council of a Memorandum from Mr. Jon Ozmint, Agency Director, South Carolina Department of Corrections. Mr. Ozmint has agreed to work with counties to eliminate the intake quotas and to accept all inmates sentence to 90 days or more from every county within five working days. His commitment is contingent upon receiving an additional \$1,967,720 in recurring funds in the Senate version of the FY 07-07 Budget. This amount is over and above the funding for the House version of the FY 07-08 Budget. Please contact members of the Senate Finance Committee and ask them to support Senator Mike Fair's proviso. Senator Matthews and Senator Grooms serve on this committee.

The County Administrator informed Council of a Memorandum from Mr. Harold LeaMond, Planning and Codes Director, regarding a special called meeting of the Planning Commission on April 4, 2007. The Commission reviewed the proposed changes to the Ashley River Historical Overlay Zone, regarding buffers and voted 4 in favor, 1 opposed, and 2 absent, to approve the changes. Additionally, the Planning Commission reviewed the proposed Planned Development District and Fee Ordinances and voted 5 in favor, 0 opposed, and 2 absent, to approve the changes.

In addition, the Administrator informed Council of a letter he received from Sheriff Nash regarding a Driving Safety Class for Law Enforcement. Sheriff Nash's letter indicated that the Sheriff's Office has scheduled driver training with Robert Benfield of the South Carolina Association of Counties in June. Additionally, his letter confirms the Sheriff's Office support for the training program.

REQUEST TO AMEND THE AGENDA

The County Administrator addressed Council and requested that Council amend the agenda, in order to address three additional items, under the County Administrator's Time. The first item was a request for a transfer of funds from Council Contingency Fund, the second item was a referral of two items that Councilman Rosebrock has brought to Council's attention, involving Dorchester Water Authority, with referral to the Water and Sewer Committee, and the third was a request for a transfer of funds for the Vehicle Maintenance Department.

6. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda.

REQUEST TO AMEND THE AGENDA

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one opposed, to amend the agenda to address an additional item.

Councilman Murphy opposed.

1ST READING ADEQUATE FACILITIES ORDINANCE

8. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted five in favor, and two abstained, to give 1st Reading to the proposed Adequate Facilities Ordinance, and place the item in the Budget, Finance, and Purchasing Committee for further study.

Council members Murphy and Murphree abstained.

GUEST

Mr. James H. Villeponteaux, III, Director of the Dorchester County Career and Technology Center, addressed Council and gave a presentation on "Expansion of Program Offering and Funding for Fiscal Year 07-08". He informed Council that The Dorchester County Career and Technology Center is now offering a wide variety of new academic courses. He presented Council with informational packets regarding a new joint venture with Trident Technical College, a letter of support from School District II, and budget information. Mr. Villeponteaux requested Council's support for the expansion plans and thanked Council for their consideration.

GUEST

Mrs. Carolyn Tomlinson, Director of Recycling and Education, and Keep Dorchester County Beautiful, presented Council with two awards that Dorchester County recently won. "Outstanding Medium County Waste Reduction/Recycling Program" was an award from the South Carolina Department of Health and Environmental Control. The second award was the "Local Government Award" for South Carolina and North Carolina" from the Carolina Recycling Association. This second award recognized the local government and a local government official with the most successful and innovative recycling and waste reduction program. This award was presented to Councilman Richard Rosebrock.

GUEST

Mr. Mickey Prim, Director of the Dorchester County Library, addressed Council and made a presentation on a proposed Library System Expansion. Mr. Prim made a presentation "Building for the Present and the Future" and gave Council information on where the Dorchester County Library system is now and where he thinks it needs to be according to our current population. After the presentation, Mr. Prim concluded with the following three items and requested Council's support:

- FY 2007-08 Funding to open a Storefront Library Branch to provide library services to the Dorchester Road Ashley Phosphate Road area;
- Support and funding to build a new 18,000 to 20,000 square feet Library Branch to provide library services to the Knightsville, Old Orangeburg Road, and Legend Oaks triangle, within three years;
- Support and funding to build a new 18,000 to 20,000 square feet Library Branch on Dorchester Road to open at the end of the Store Front Library Branch at the end of its lease period.

Mr. Jim Neal, Chairman of the Dorchester County Library Board, addressed Council and reiterated the need for the expansion of services and locations of the Dorchester County Library.

Chairman Hargett announced that Council would take a five-minute recess.

Council returned and started with the County Administrator's Time.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

**3RD READING FOR REZONING REQUEST # 526 RICHARD WAYNE
KIZER, TMS# 009-00-00-012**

9. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted to give 3rd Reading to Rezoning Request # 526 for Richard Wayne Kizer, TMS# 009-00-00-012. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial).

**3RD READING FOR REZONING REQUEST # 527 SYLVIA KIZER, TMS#
009-00-00-001**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted to give 3rd Reading to Rezoning Request # 527 for Sylvia Kizer, TMS# 009-00-00-001. This is a request to rezone 33.82 acres near Hwy 15 and I-26 from CG (General Commercial) to CLI (Commercial Light Industrial).

**ROAD MAINTENANCE ACCEPTANCE APPLICATIONS FOR CERTAIN
ROADS IN WENTWORTH HALL: CAMBRIDGE ROAD, BERWICK
DRIVE (FORMERLY LONGFORD DRIVE), AND BERWICK DRIVE**

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the Road Maintenance Acceptance Applications in Wentworth Hall for Cambridge Road, Berwick Drive (formerly Longford Drive), and Berwick Drive and to start the Maintenance Liability Period upon passing final inspection.

**REQUEST FOR FUNDS ASHLEY RIVER HISTORIC OVERLAY
DISTRICT PUBLIC NOTICE**

12. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one opposed, to approve the transfer of \$1,000 from County Council Contingency to appropriate line items in the Planning and Codes Department to cover the cost of mailing notification to the 451 property owners, as well as purchasing rezoning signs, to be placed at all intersections and every quarter mile, along Hwy 61, Hwy 165, and County Line Road.

Councilman Murphy opposed.

REQUEST FOR FUNDS FOR THE COUNTY ATTORNEY'S ACCOUNT

13. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve a \$20,000 transfer from County Council Contingency to the County Attorney's account.

REQUEST FOR FUNDS FOR VEHICLE MAINTENANCE

14. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve a \$25,000 transfer from payroll funds in the Facilities/Grounds Maintenance and Recreation Department to the Vehicle Maintenance Department.

REFERRAL OF ITEMS - WATER AND SEWER COMMITTEE

15. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to refer two items to the Water and Sewer Committee for further study. The first issue concerns water service to the Heap Tract and the new High School at the intersection of Highway 61 and Highway 165, and the second issue concerns water service to Teal on the Ashley. Both areas receive water service from Dorchester Water Authority.

COMMITTEE REPORT

MR. MIKE MURPHREE - PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE

OWENS CIRCLE PETITION FOR CHANGE TO A ONE-WAY STREET

Chairman Murphree reported that the Committee discussed the petition from the residents of Owens Circle (State Road -18-242), requesting for the road to be made a One Way Street. The Committee instructed Mr. Tompkins, Public Works Director, to send the petition for the requested change to the State for their action. This item will be kept in Committee.

ABANDONMENT OF EDISTO RIVER ROAD

Chairman Murphree reported that the Committee discussed the "Abandonment of Edisto River Road" and the County Attorney advised that no action or involvement was necessary at this time by Dorchester County. This item will be kept in Committee.

EZEKIEL DRIVE

Chairman Murphree reported on a request to move Ezekiel Drive in the Clubhouse Community near Ridgeville. This item will be kept in Committee for more information.

COMMITTEE REPORT CONTINUED

COUNTY ROAD PETITION FOR OMAR SUE LANE

Chairman Murphree reported that the County received the easements for Omar Sue Lane, but verification was needed on the chosen road path that was being petitioned. This item will be kept in Committee, until verification of the actual path is received.

COUNTY ROAD PETITION FOR ANGEL DRIVE

Chairman Murphree reported that the County has not received the signed easements to accept the County Road Petition for Angel Drive. This item will be kept in Committee until easements have been received.

BRIARWOOD SUBDIVISION - REQUEST FOR STOP SIGNS

Chairman Murphree reported on the Briarwood Civic Association's request for the County to place three, 3-way stop signs for seven intersections in Briarwood Subdivision. The County is currently awaiting funds from the Briarwood Civic Association.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported Council voted to authorize the County Administrator and the Public Works Director, to take the necessary steps for the transfer of 4.4 miles of state roads to Dorchester County. In conjunction with the request for the "Transfer of Roads from State to County Maintenance", the State wants the County to accept an additional 2.2 miles of roads. The Committee requested that Mr. Tompkins contact the South Carolina Department of Transportation and negotiate this issue. This item will remain in Committee for further negotiations or alternatives.

RESURFACING OF ROADS IN WINDSOR HILL SUBDIVISION

Chairman Murphree reported that Mr. Thrower was compiling the costs for repairing the roads and the Dorchester County Transportation Committee will consider this matter at their meeting on May 7, 2007. This item will be kept in Committee until such time.

RETENTION PONDS

Chairman Murphree reported that the Committee discussed retention ponds. He stated that retention ponds are requirements of the Environmental Protection Agency, as part of the Clean Water Act, but the Homeowner's Associations are supposed to maintain the ponds, not the County.

COMMITTEE REPORT CONTINUED
COMMITTEE ITEM LISTING

Chairman Murphree reported that the Committee looked at the items currently on the "Public Works, Property and Utilities Committee Item List" and discussed dates for possible action.

APPOINTMENTS TO BOARDS AND COMMISSIONS

TRIDENT TECHNICAL COLLEGE AREA COMMISSION AND
COUNTY VETERANS AFFAIRS OFFICER

16. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to re-appoint Mr. Jack Y. Harrison to the Trident Technical College Area Commission as a Dorchester County representative. In addition, Council voted unanimously to recommend Mr. Ed Burns to the State Director of the Division of Veterans Affairs for re-appointment as County Veterans Affairs Officer.

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 projects, jail security issues and to give legal advice about development agreements and a contractual matter regarding the courthouse construction.

EXECUTIVE SESSION 9:05 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:35 P.M.

The County Attorney reported that in Executive Session, Council discussed two confidential economic development projects, jail security issues and received legal advice concerning development agreements and a contractual matter concerning the new courthouse. No action was taken on any of these items.

ECONOMIC DEVELOPMENT PROJECT #04-025

18. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously for Dorchester County to award tax credits to confidential project #04-025, to include a two year property tax credit of \$17,925.00 per year to assist this new international company with infrastructure at its business site in Summerville and to locate the firm in the Dorchester-Orangeburg County Multi-County Industrial Park. It is a pleasure to be the site for a new international company expanding in the production of auto parts. An announcement will be made later in 2007.

ECONOMIC DEVELOPMENT PROJECT

19. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously that Dorchester County provide funds to complete road access and utility infrastructure for ECMD, Inc., Southern Staircase, and confidential project #06-37, from the Dorchester County Economic Development Fund in the amount of \$162,573.00. ECMD Inc. and Southern Staircase are existing industries in Dorchester County. An announcement of project #06-37 is expected in the 4th quarter of 2007. It is a pleasure to assist these existing industries as they provide 84 manufacturing jobs and to welcome project #06-37, which is projected to invest 2.5 million dollars and employ 12-15 persons.

ADJOURNMENT 10:39 P.M.

20. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 7, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from April 16, 2007, County Council Meeting
- Public Hearing for proposed Ordinance #07-05, "Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, to Create a New Section 11.5 To Article XI to Create A New Overlay Zone to be Known as the Ashley River Historic District Overlay Zone and To Amend Article VI Use Groups, 13, Business, Recreation to add New Sub-Sections (c) Golf Course, (d) Ecotourism, and (e) Historical Establishments."
- Correspondence

3. GUEST

- Mrs. Carolyn Tomlinson, Director, DC Recycling & Education & Keep Dorchester County Beautiful - "Large Community Recycling Award", American Forest & Paper Association
- Ms. Deborah I. Smith, Dorchester County Director, SC Department of Juvenile Justice

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

- 1st Reading FY 07-08 Dorchester County Budget Ordinance # 07-08 (By Title Only)
- 1st Reading for Rezoning Request # 535, Clyde W. Hill; TMS# 130-09-00-008
- 1st Reading Ordinance #07-11, "Ordinance to Amend the Dorchester County Business License Ordinance #91-08 to Delete that Portion Dealing with the Declining Rate Schedule and Substitute a New Rate Schedule"
- Request for Funds from County Council Contingency for Archive Shelves
- Recreation Program Phase IV
- 3rd Reading Ordinance # 07-09, "An Ordinance to Repeal Dorchester County Ordinance Numbers: 78-07, 78-08, 78-09, and 78-10, and to Provide a Maximum Speed Limit of 25 MPH on Certain Designated Roads within the Jurisdiction of Dorchester County"
- Road Maintenance Acceptance Application Brookwood S/D, Ph. 3
- Road Maintenance Acceptance Application The Glen at Summerset S/D, Ph. 1 & 2
- Road Maintenance Acceptance Application Myers Mill S/D, Ph. 1, 2 & 3
- Road Maintenance Acceptance Application River Birch S/D, Ph. 1 & 2
- Old Fort Contract -Givhans Fire District
- 1st Reading Ordinance #07- 12, "Ordinance to Amend the Dorchester County Solid Waste Ordinance #05-22, Pertaining to the Annual Solid Waste Recycling and Disposal User Fee"
- 1st Reading Ordinance #07-10, "Ordinance Regulating Traffic on Streets and Highways Under the Jurisdiction of Dorchester County"

5. COMMITTEE REPORT

Chairman Mike Murphree, Public Works, Property and Utilities Committee

- Recommendation for 2nd Reading to Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining the Classification of Property and the Interim Utility Fee
- Q. Arbor V Homeowner's Association issues (Drainage & Paving)
- Owens Circle Petition for Change to a One-Way Street
- County Road Petition for Omar Sue Lane
- Ezekiel Drive
- Request for Change in Speed Limit –Duboise Road, Genell Road, Sojourner Road and Mattie Lane
- Policy on Request for Installation of Signage
- County Road Petition for United Lane
- County Road Petition for Barricade Lane
- Transfer of Roads from State to County Maintenance

Chairman Chris Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 3rd Reading for Rezoning Request # 534 Tim Jenner; TMS# 160-00-00-081
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 528 Heritage Development Group LLC; TMS# 200-00-00-013, 014, 037, 040
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 529 Michael Bret Diggett; TMS# 161-00-00-097
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 488 Dusty Garus; TMS # 135-00-00-111
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 530 Bobby Lee Smoak; TMS # 145-04-01-003
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 531 Billy Clay Ramsey & Pansy Ramsey; TMS # 153-09-07-013
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request # 532 Peggy Ramsey; TMS# 153-09-07-012

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

PAGE THREE
COUNCIL AGENDA
MAY 7, 2007

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

- Executive Session
- Provision of Services for Economic Development Prospects
- Legal Advice
 - Legend Oaks Drainage Easement
 - Old Fort Fire District Boundary Change
 - Hill Street Access
 - Charleston CPW Lease Agreement
 - Annexation Matter
 - District Two Schools WWTP Lease Agreement
- Contractual Matter
 - Compensation and Classification Study

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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

MAY 7, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend Michael Atkinson gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mrs. Merle Handlesman addressed Council and requested a donation of funds from the County for the SPCA Spay/Neuter Program.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Ms. Linda Haynes Whetsell addressed Council regarding problems with Knight's Septic Tank Service. Mrs. Whetsell lives near this business and expressed her concern with the noise pollution and air quality.
- Ms. Patty Walton addressed Council and requested \$30,000 in funding for the SPCA Spay/Neuter Program.
- Mr. Clifford Loos addressed Council regarding the "Ordinance to Regulate Traffic by Providing for the Posting of Certain County Roads as Areas Where Thru Traffic is Prohibited and to Provide Penalties for Violations Thereof" and requested enforcement of the Ordinance in Old Fort Estates due to construction traffic.
- Mr. Philip Paradise addressed Council regarding his opposition to a dirt bike track near his home in Dorchester.
- Mr. Foster Gaillard addressed Council, requested for Kenneth Road and Holbrook Drive to be kept out of the "No Cut thru Traffic Ordinance" enforcement, because his company will be finished working in the area in three weeks, and has agreed to repair any damage they caused to the roads.

ADOPTION OF MINUTES APRIL 16, 2007, 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 April 16, 2007.

PUBLIC HEARING TO ORDINANCE #07-05, "ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, TO CREATE A NEW SECTION 11.5 TO ARTICLE XI TO CREATE A NEW OVERLAY ZONE TO BE KNOWN AS THE ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE AND TO AMEND ARTICLE VI USE GROUPS, 13, BUSINESS, RECREATION TO ADD NEW SUB-SECTIONS (c) GOLF COURSE, (d) ECOTOURISM, AND (e) HISTORICAL ESTABLISHMENTS"

Chairman Hargett opened the Public Hearing and the floor for public comments, concerning the proposed Ordinance #07-05, "Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, to Create a New Section 11.5 To Article XI to Create A New Overlay Zone to be Known as the Ashley River Historic District Overlay Zone and To Amend Article VI Use Groups, 13, Business, Recreation to add New Sub-Sections (c) Golf Course, (d) Ecotourism, and (e) Historical Establishments."

Chairman Hargett gave 30 minutes to those citizens in favor and 30 minutes those citizens opposed to the Ordinance, to address Council. After hearing all comments from the public, Chairman Hargett closed the Public Hearing.

Council took a 5-minute recess after the Public Hearing.

CORRESPONDENCE

Mr. Ward addressed Council about Ordinance #99-03, "An Ordinance Relating to Control of Animals within Dorchester County" (Dangerous Animals). He stated that Dorchester County was saddened by the recent pit bull attack that led to the premature death of young Brian Palmer in the Hunter's Ridge Subdivision of Dorchester County. In light of this tragedy, Dorchester County is reminding citizens of the current regulations contained in the Dorchester County Animal Control Ordinance with respect to dangerous animals:

- The Animal Control Supervisor may seize or pick-up and impound (3) Any dangerous animal not properly restrained or secured by the owner or keeper. (Paraphrase of *Section IV. Part B. Animal control Supervisor; Appointment; Duties*)
- It is unlawful for the owner or keeper of a dangerous animal to allow it to run at large, fail to secure, restrain, or confine it (Paraphrase of *Section VII. Part C. Animals at Large Prohibited Restraint of Dangerous Animals*).
- Dangerous Animals must be registered with the Animal Control Supervisor. Registration must be accompanied by proof of liability insurance or security bond of at least \$50,000 insuring or securing the owner for personal injuries inflicted by the dog. The dog shall wear a metal registration tag at all times. (Paraphrase of *Section XI. Registration and Confinement of dangerous Animal Part A*)
- The animal must be placed in a fence or a run or pen within the fence. The area must be totally enclosed to prevent escape of the animal and entry by the public. If the area is accessible to the public, the enclosure must be marked with a "Dangerous Animal" warning sign. (Paraphrase of *Section XI. Registration and Confinement of Dangerous Animal Part B*).

Mr. Ward informed Council that he received a letter from the Department of Health and Environmental Control Division of Waste Management about Giant Cement Company's request for the installation and operation of metal separation units was approved after no public comments were received. Giant's request for additional waste codes and solid hazardous waste in railcars received several comments and will go through a class 3 permit modification procedure. Notification of the required public hearing will be sent to concerned parties.

REQUEST TO AMEND THE AGENDA

The County Administrator made a request for Council to amend the agenda to address three additional items. The items are a request for funds from the Town of the Reevesville, a request for funds for a Forth of July Fireworks Display in Summerville, and legal advice on traffic issues in Old Fort Estates.

2. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously to amend the agenda to address three additional items under the County Administrator's Time.

GUEST

Mrs. Carolyn Tomlinson, Director of the Dorchester County of Recycling and Education, and Keep Dorchester County Beautiful, along with some of the Board Members, presented Council with the "Large Community Recycling Award", from the American Forest & Paper Association. Mrs. Tomlinson, along with several schoolchildren, who are featured in the Video, showed Council, the Trooper Program Video, filmed in two Dorchester County Schools. This video is shown all over the country and features Dorchester County.

GUEST

Ms. Deborah I. Smith, Dorchester County Director, SC Department of Juvenile Justice, addressed Council about current trends in juvenile delinquency, to enlist support in addressing the issues and conditions in the County, which create and perpetuate delinquency and juvenile crime.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
1ST READING FY 07-08 DORCHESTER COUNTY BUDGET
ORDINANCE # 07-08 (BY TITLE ONLY)

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to Council to give 1st Reading to the Dorchester County Budget Ordinance #07-08 and to refer this item to the Budget, Finance, and Purchasing Committee for further consideration.

COUNTY ADMINISTRATOR'S TIME CONTINUED

DORCHESTER COUNTY CAREER SCHOOL EXPANSION

Chairman Hargett requested Council to address the letter from Mr. James H. Villeponteaux, III, Director of the Dorchester County Career and Technology Center, regarding the Center's immediate needs regarding Council's support of the School Expansion. He requested that the subject be placed on the discussion list for the Budget Retreat, scheduled for Wednesday, May 9, 2007.

4. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted six in favor and one opposed to place the Dorchester County Career and Technology Center's Expansion on the discussion list, by title only, at the Budget Retreat, scheduled for Wednesday, May 9, 2007.

Councilman Davis opposed.

**1ST READING FOR REZONING REQUEST # 535, CLYDE W. HILL;
TMS# 130-09-00-008**

5. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to Council to give 1st Reading to Rezoning Request # 535, Clyde W. Hill; TMS# 130-09-00-008 and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 1.47 acres on West 5th North Street near Summerville from R-4 (Multi-Family Residential) to CLI (Commercial Light Industrial).

**1ST READING ORDINANCE #07-11, "ORDINANCE TO AMEND THE
DORCHESTER COUNTY BUSINESS LICENSE ORDINANCE #91-08, TO
DELETE THAT PORTION DEALING WITH THE DECLINING RATE
SCHEDULE AND SUBSTITUTE A NEW RATE SCHEDULE"**

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted five in favor, and two opposed, to give 1st Reading to Ordinance #07-11, "Ordinance to Amend the Dorchester County Business License Ordinance #91-08, to Delete that Portion Dealing with the Declining Rate Schedule and Substitute a New Rate Schedule" and to refer this item to the Budget Finance and Purchasing Committee for further consideration. This increase in revenue will be used to support the new Senior Code Enforcement Officer for the enforcement of the Lawful Employment Ordinance.

Council members Murphree and Murphy opposed.

COUNTY ADMINISTRATOR'S TIME CONTINUED

**REQUEST FOR FUNDS FROM COUNTY COUNCIL CONTINGENCY
FOR ARCHIVE SHELVES FROM THE CLERK OF COURT**

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the request for funds from County Council Contingency for archive shelves in the amount of \$50,000., so a third level can be added in the archives in the Kenneth Waggoner Building in St. George. The Funds are to come out of the County Council Contingency Fund.

RECREATION PROGRAM PHASE IV

8. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to refer the Recreation Program Phase IV Grant Applications to the Public Safety, Health, and Human Services Committee for further consideration and a recommendation to Council.

**3RD READING ORDINANCE # 07-09, "AN ORDINANCE TO REPEAL
DORCHESTER COUNTY ORDINANCE NUMBERS: 78-07, 78-08, 78-09,
AND 78-10, AND TO PROVIDE A MAXIMUM SPEED LIMIT OF 25 MPH
ON CERTAIN DESIGNATED ROADS WITHIN THE JURISDICTION OF
DORCHESTER COUNTY"**

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading to Ordinance # 07-09, "An Ordinance to Repeal Dorchester County Ordinance Numbers: 78-07, 78-08, 78-09, and 78-10, and to Provide a Maximum Speed Limit of 25 MPH on Certain Designated Roads within the Jurisdiction of Dorchester County".

**ROAD MAINTENANCE ACCEPTANCE APPLICATION BROOKWOOD
SUBDIVISION, PHASE 3**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the Road Maintenance Acceptance Application and to start the Maintenance Liability Period on the sections of roads in Brookwood Subdivision, Phase 3, as identified in the application.

COUNTY ADMINISTRATOR'S TIME CONTINUED
ROAD MAINTENANCE ACCEPTANCE APPLICATION THE GLEN AT
SUMMERSET SUBDIVISION, PHASE 1 & 2

11. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to approve the Road Maintenance Acceptance Application for The Glen at Summerset Subdivision Phase 1 & 2 and to start the Maintenance Liability Period.

ROAD MAINTENANCE ACCEPTANCE APPLICATION MYERS MILL
SUBDIVISION, PHASES 1, 2 & 3

12. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve the Road Maintenance Acceptance Application for Myers Mill Subdivision, Phases 1, 2 & 3 and to start Maintenance Liability Period on the sections of roads as identified in the application.

ROAD MAINTENANCE ACCEPTANCE APPLICATION RIVER BIRCH
SUBDIVISION, PHASES 1 & 2

13. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously to approve the Road Maintenance Acceptance Application for River Birch Subdivision, Phases 1 & 2, and to start the Maintenance Liability Period on the sections of roads, as identified in the application.

OLD FORT CONTRACT -GIVHANS FIRE DISTRICT

14. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to extend the contract with Old Fort Fire Department to serve Givhans through July 1, 2007.

1ST READING ORDINANCE #07- 12, "ORDINANCE TO AMEND THE
DORCHESTER COUNTY SOLID WASTE ORDINANCE #05-22,
PERTAINING TO THE ANNUAL SOLID WASTE RECYCLING AND
DISPOSAL USER FEE"

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to give 1st Reading to proposed Ordinance #07-12, "Ordinance to Amend the Dorchester County Solid Waste Ordinance #05-22, Pertaining to the Annual Solid Waste Recycling and Disposal User Fee", and to refer this item to the Budget Finance, and Purchasing Committee for further consideration.

Council member Murphree opposed.

COUNTY ADMINISTRATOR'S TIME CONTINUED
1ST READING ORDINANCE #07-10, "ORDINANCE REGULATING
TRAFFIC ON STREETS AND HIGHWAYS UNDER THE
JURISDICTION OF DORCHESTER COUNTY"

16. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to proposed Ordinance #07-10, "Ordinance Regulating Traffic on Streets and Highways Under the Jurisdiction of Dorchester County", and to refer this matter to the Public Works, Property and Utilities Committee for further consideration.

TOWN OF REEVESVILLE – REQUEST FOR FUNDS

17. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted four in favor, and three opposed to give the Town of Reevesville, \$2,000., for the Annual Magnolia Parade Day. The funds are to be used for the construction, decoration and rental of floats. The funds are to come from the County Council Contingency Fund.

Council member's Hargett, Rosebrock, and Murphree were opposed.

REQUEST FOR FUNDS FOR FIREWORKS DISPLAY

18. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one opposed, to match funds from the Town of Summerville in the amount of \$10,000., for a public Fourth of July fireworks display. The funds are to come from the County Council Contingency Fund.

Councilmember Hargett opposed.

SCAC LEGISLATIVE ALERT- CORRESPONDENCE

Mr. Ward made Council aware of a Legislative Alert that he received from the South Carolina Association of Counties Staff, regarding House Bill 3615, Spending Limitations on Local Governments.

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

QUAIL ARBOR III AND QUAIL ARBOR COVE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

OWENS CIRCLE PETITION FOR CHANGE TO A ONE-WAY STREET

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

COUNTY ROAD PETITION FOR O MAR SUE LANE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee. (Petition has been sent to the state.)

EZEKIEL DRIVE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

COUNTY ROAD PETITION FOR UNITED LANE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

COUNTY ROAD PETITION FOR BARRICADE LANE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that the Committee discussed this issue and it will stay in Committee.

RECOMMENDATION FOR 2ND READING TO ORDINANCE #07-13, "AN ORDINANCE AMENDING THE DORCHESTER COUNTY STORMWATER ORDINANCE #02-10, PERTAINING TO THE CLASSIFICATION OF PROPERTY AND THE INTERIM UTILITY FEE

19. Chairman Murphree reported that the Committee's recommendation to Council is for 2nd Reading to Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee". Council voted unanimously in favor of the recommendation.

The annual Storm Water fees will be (acreage capped at 75 acres): and item F was added and reads as follows:

- F. Non-conforming property, vacant property
Less than 14,500 square feet- referred to appeals
process for possible exemptions

REQUEST FOR CHANGE IN SPEED LIMIT -DUBOISE ROAD, GENELL ROAD, SOJOURNER ROAD AND MATTIE LANE

20. Chairman Murphree reported that the Committee's recommendation to Council was for approval of the "Request for Change in Speed Limit on Duboise Road, Genell Road, Sojourner Road and Mattie Lane", and for the approval of a study, changing the speed limit on the main entrance entering into Twins Lakes Subdivision. Council voted unanimously in favor of the recommendation.

BRIARWOOD SUBDIVISION - REQUEST FOR STOP SIGNS

21. Chairman Murphree reported that the Committee discussed this issue and recommends to Council to place a 45-day stay on the "Request for Stop Signs for Briarwood Subdivision". Some residents do not want the stop signs. Council voted unanimously in favor of the recommendation.

NEW COMMITTEE ITEM

Chairman Murphree stated that the Committee would like the County Road Maintenance Policy placed back into the Committee. This subject was placed back into the Committee.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN CHRIS MURPHY

PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR
REZONING REQUEST # 534 TIM JENNER; TMS# 160-00-00-081

22. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 3rd Reading for Rezoning Request # 534 for Tim Jenner; TMS# 160-00-00-081. This is a request to rezone 15.08 acres on Beech Hill Road near Summerville from R-4 (Multi-Family Residential District) to CLI (Commercial Light Industrial). Council voted six in favor, and one abstention on the recommendation.

Councilman Murphree abstained.

PUBLIC HEARTING AND 2ND READING FOR REZONING REQUEST #
528 HERITAGE DEVELOPMENT GROUP LLC; TMS# 200-00-00-013,
014, 037, 040

23. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request #528, Heritage Development Group, LLC, TMS# 200-00-00-013, 014, 037, 040. This is a request to rezone 107.4 acres on County Line Road near Ravenel from AC (Absence of Control) to SR (Suburban Residential). Council voted unanimously in favor of the recommendation.

PUBLIC HEARTING AND 2ND READING FOR REZONING REQUEST #
529 MICHAEL BRET DIGGETT; TMS# 161-00-00-097

24. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request # 529, Michael Bret Diggett; TMS# 161-00-00-097. This is a request to rezone one acre on Ashley River Road near Summerville from R-4 (Residential Multi-family) to CG (General Commercial). This is an Ordinance #04-13 correction. This property was previously zoned DE-1 (Development District). Council voted six in favor, and one opposed to the recommendation.

Councilman Rosebrock opposed.

PLANNING, DEVELOPMENT, AND BUILDING CONTINUED

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST # 488 DUSTY GARUS; TMS # 135-00-00-111**

25. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request # 488 for Dusty Garus; TMS # 135-00-00-111. This is a request to rezone 15.04 acres on Scotch Range Road near Summerville from R1MA (Single Family Residential Mobile Home District) to R1 (Single Family District). Council voted five in favor, one opposed, and one abstention, on the recommendation.

Councilman Murphree abstained, and Councilman Rosebrock opposed.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST # 530, BOBBY LEE SMOAK; TMS # 145-04
01-003**

26. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request # 530 Bobby Lee Smoak; TMS # 145-04-01-003. This is a request to rezone 2.03 acres on Garbon Drive near Summerville from TRM (Transitional Residential Manufactured Housing District) to R2 (Single Family Residential District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST # 531 BILLY CLAY RAMSEY & PANSEY
RAMSEY; TMS # 153-09-07-013**

27. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request #531 Billy Clay Ramsey & Pansy Ramsey; TMS # 153-09-07- 013. This is a request to rezone .235 acre on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
REZONING REQUEST # 532 PEGGY RAMSEY; TMS# 153-09-07-012**

28. Chairman Murphy reported that a Public Hearing was held and the Committee voted to recommend approving 2nd Reading for Rezoning Request #532 Peggy Ramsey; TMS# 153-09-07-012. This is a request to rezone .278 acres on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District). Council voted unanimously in favor of the recommendation.

PLANNING, DEVELOPMENT, AND BUILDING CONTINUED

REQUEST FOR ITEM REFERRAL TO COMMITTEE

Chairman Murphy requested the placement of the recently passed Fee Schedule for Planning Services, back into the Planning Development, and Building Committee. This subject was placed back into the Committee.

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 and give legal advice on the items listed on the agenda under the County Attorney's time and to add two additional items under legal advice. The first item requested by the County Administrator, which was traffic issues in Old Fort Estates, and the second item was an assignment of a Fee-In-Lieu-of-Taxes Arrangement.

EXECUTIVE SESSION 9:25 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 11:10 P.M.

The County Attorney reported that in Executive Session, Council discussed and received legal advice on all the items listed on the agenda under the County Attorney's Time, as well as the two additional items and no action was taken on any of these items.

HILL STREET ACCESS – HARLEYVILLE RURAL FIRE AND RESCUE

30. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the Administrator to execute the Easement Agreement with Dorchester School District Four for Hill Street Access for the Harleyville Fire Department.

COMPENSATION AND CLASSIFICATION STUDY

31. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the County Administrator to accept the recommendation of the Personnel Committee to contract for services necessary, to complete a comprehensive Classification and Compensation Study with a budget not to exceed \$100,000.

CHARLESTON COMMISSIONERS OF PUBLIC WORKS LEASE AGREEMENT

32. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to execute the lease agreement between the County and the Commissioners of Public Works of the City of Charleston for approximately 8.44 acres with TMS# 160-00-00-039.

TRANSFER OF FEE-IN-LIEU-OF-TAXES ARRANGEMENT BETWEEN LINQ INDUSTRIAL FABRICS, INC.,

33. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously that the Chairman be authorized to execute the Agreement regarding Transfer of Fee-In-Lieu-Of-Taxes Arrangement between Linq Industrial Fabrics, Inc., Dorchester County and Thrace Linq, Inc., as of the effective date of April 30, 2007.

ADJOURNMENT 11:20 P.M.

34. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MAY 21, 2007
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from May 7, 2007, County Council Meeting
- 3rd Reading Ordinance #07-05, "Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, to Create a New Section 11.5 To Article XI to Create A New Overlay Zone to be Known as the Ashley River Historic District Overlay Zone and To Amend Article VI Use Groups, 13, Business, Recreation to add New Sub-Sections (c) Golf Course, (d) Ecotourism, and (e) Historical Establishments."
- Correspondence

3. GUEST

- Mr. Mark Richardson, Greenway Development Corp. Wood Creek Village
- Ms. Roslin Fields- Y.E.S. Youth Empowerments Services, Inc.
- Ms. Kendra W. Linkowski, Minuteman Civil Defense Corporation, Lawful Employment Ordinance

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

- 1st Reading Fire Improvement Fund Equipment Lease
- 3rd Reading for Rezoning Request # 528 Heritage Development Group LLC; TMS# 200-00-00-013, 014, 037, 040
- 3rd Reading for Rezoning Request # 529, Michael Bret Diggett; TMS# 161-00-00-097
- 3rd Reading for Rezoning Request # 488, Dusty Garus; TMS # 135-00-00-111
- 3rd Reading for Rezoning Request # 530, Bobby Lee Smoak; TMS # 145-04-01-003
- 3rd Reading for Rezoning Request # 531, Billy Clay Ramsey & Pansy Ramsey; TMS# 153-09-07-013
- 3rd Reading for Rezoning Request # 532, Peggy Ramsey; TMS# 153-09-07-012
- Development Fees Recommendation
- Revised Drug and Alcohol Policy
- Old Fort Contract- Givhans Fire District

5. COMMITTEE REPORTS

Chairman Murphree, Public Works, Property and Utilities Committee

- Movement of Mobile Homes in the Jurisdiction of Dorchester County
- Old Spell Road
- County Road Maintenance Policy
- Beaver Dam Problem

PAGE TWO
COUNCIL AGENDA
MAY 21, 2007

COMMITTEE REPORTS CONTINUED

Chairman Rosebrock, Public Safety, Health and Human Services

- Animal Control Ordinance
- Recreation Program Phase IV

Chairman Hargett, Budget, Finance and Purchasing Committee

May 14, 2007

- Budget Presentation – School District Two
- Budget Presentation – Dorchester County Seniors, Inc.
- Budget Presentation – Trident Technical College

Chairman Larry Hargett, Budget, Finance and Purchasing Committee

May 21, 2007

- Public Hearing and Recommendation for 2nd Reading FY 07-08 Dorchester County Budget Ordinance # 07-08

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Legal Advice
 - Dispatch Center
 - District Two Schools WWTP Lease Agreement
 - Contractual Matter
 - Resolution and Inducement Agreement FILOT Arrangement Linder Industrial Machinery Company
 - Courthouse

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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

MAY 21, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend Floyd Baker, Jr. gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mrs. Peach Morrison, with Smoak, Morrison, Hughes, LLC, addressed Council regarding the Ashley River Historical Overlay District Ordinance and the Stormwater Management Fee Ordinance.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Ronnie F. Judy addressed Council regarding his opposition to the Stormwater Management Fee Ordinance.
- Mr. Laren Clark addressed Council regarding his opposition to the Stormwater Management Fee Ordinance.
- Mr. Herman Marchant addressed Council regarding his opposition the Stormwater Management Fee Ordinance.
- Mr. Chuck Traxler addressed Council regarding the paving of Old Spell Road.
- Mrs. Frances Goodwine, Club House Community, addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mr. Stephen Campbell addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mrs. Sue Wehman addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mrs. Margaret Goodwine, Club House Community, addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mr. Heyward Carter addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Ms. Zenovia Young addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mr. Sam Richardson addressed Council regarding the Ashley River Historic Overlay District Ordinance.
- Mr. George McDaniel, Director of Drayton Hall, addressed Council regarding the Ashley River Historic Overlay District Ordinance.

ADOPTION OF MINUTES FROM THE MAY 7, 2007, COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to adopt the Minutes from the County Council Meeting held on May 7, 2007.

3RD READING FOR ORDINANCE #07-05, "ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, TO CREATE A NEW SECTION, 11.5 TO ARTICLE XI TO CREATE A NEW OVERLAY ZONE TO BE KNOWN AS THE ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE AND TO AMEND ARTICLE VI USE GROUPS, 13, BUSINESS, RECREATION TO ADD NEW SUB-SECTIONS (c) GOLF COURSE, (d) ECOTOURISM, AND (e) HISTORICAL ESTABLISHMENTS"

2. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted five in favor, and two opposed, to give 3rd Reading to Ordinance #07-05, "Ordinance to Amend

3RD READING FOR ORDINANCE #07-05- CONTINUED

Dorchester County Zoning and Land Development Standards Ordinance #04-13, to Create a New Section 11.5 Article XI to Create A New Overlay Zone to be Known as the Ashley River Historic District Overlay Zone and To Amend Article VI Use Groups, 13, Business, Recreation to add New Sub-Sections (c) Golf Course, (d) Ecotourism, and (e) Historical Establishments.”

Council members Murphy, and Murphree opposed.

CORRESPONDENCE

Mr. Ward addressed Council about the following correspondence:

- Letter from Dorchester County Legislative Delegation in Support of the Dorchester County Career and Technology Center Board – Community Enrichment Program.
- Letter from DHEC Stormwater and Permitting Section on NPDES General Permit for Summerville and another for the NPDES Permit for Dorchester County.
- Letter from the DHEC Division of Mining and Solid Waste Management indicating that County Line Investors c/o Blanchard and Calhoun has applied for a mining permit to dig 23.91 acres of ponds along County Line Road. Comments due by May 25.

FOR THE RECORD:

Councilman Murphree requested Mr. Ward to read into the record a statement by the South Carolina Department of Health and Environmental Control, titled National Pollutant Discharge Elimination System Permit for Discharge to Surface Waters (stamped May 16, 2007 Meeting). Mr. Ward read the following: *This Certificate of Coverage Certifies That - Dorchester County has been granted permission to discharge storm water to the Atlantic Ocean and to all receiving waters in the State of South Carolina from the municipal separate storm sewer system located in Dorchester County South Carolina.*

GUEST

Mr. Mark Richardson with Greenway Development Corporation and Wood Creek Village, addressed Council and discussed a proposed affordable housing complex and requested Council's assistance. Information about the complex is listed below. This program is federally subsidized.

Wood Creek Village Affordable Housing Complex (TMS #146-13-06-001 & #146-13-06-002)

- Proposed 72 units and 64,000 square foot on 9.73 acre tract on Miles Road near Summerville
- Estimated Cost of \$5,130,000 of includes Construction of \$4,650,000 and Land \$480,000
- Amenities include a community building, a playground, and a gazebo
- Proposed rents @ the new development - 2BR -\$530-\$610 and 3 BR -\$595-\$690. The utility allowances are not included in these rents.
- Built Azalea Parks Apartment on Orangeburg Road near Bacons Bridge Road without county assistance and the complex rents for \$500-\$620 for a 2-bedroom and \$574 - \$710 for a 3-bedroom apartments

GUEST

Ms. Roslin Fields, (Y.E.S.) Youth Empowerments Services, Inc., and the supervisor of the program Mr. Burk, addressed Council and requested Dorchester County's support for the Y.E.S. Program to help at risk youth who have been expelled from school. Council was very interested in the program. This program's motto is Reaching Hearts, Teaching Minds, and Changing Lives.

GUEST

Ms. Kendra W. Linkowski, a member of the Lowcountry Minuteman Civil Defense Corporation, addressed Council regarding the Lawful Employment Ordinance. The Defense Corporation is an illegal immigration watch group. Ms. Linkowski thanked Council for the passage of the Lawful Employment Ordinance, which will take effect on July 1, 2007. In addition, she requested support from the County for the Minutemen Civil Defense Corporation.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

Mr. Ward asked for the vote on the recommendation of 2nd Reading for the FY 2007-2008 Budget and Budget Ordinance, to be covered under his time. The Chairman confirmed this request.

**2ND READING TO FY 07-08 DORCHESTER COUNTY BUDGET
ORDINANCE # 07-08**

3. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to give 2nd Reading to Ordinance #07-08 for the FY 2007-2008 Dorchester County Budget, and refer it back into the Budget, Finance, and Purchasing Committee.

1ST READING FIRE IMPROVEMENT FUND EQUIPMENT LEASE

4. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to an Ordinance "To authorize the execution and delivery of a lease purchase agreement in order to provide for the acquisition of certain vehicles; to authorize the execution and delivery of various documents in connection therewith; and other matters relating thereto", and to refer this item to the Budget, Finance, and Purchasing Committee for further consideration. The County must secure these funds prior to the trucks delivery in August.

**3RD READING FOR REZONING REQUEST # 528 HERITAGE
DEVELOPMENT GROUP LLC; TMS# 200-00-00-013, 014, 037, 040**

5. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Rezoning Request #528, Heritage Development Group, LLC, TMS# 200-00-00-013, 014, 037, 040. This is a request to rezone 107.4 acres on County Line Road near Ravenel from AC (Absence of Control) to SR (Suburban Residential).

**3RD READING FOR REZONING REQUEST # 529 MICHAEL BRET
DIGGETT; TMS# 161-00-00-097**

6. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor, and one opposed, to give 3rd Reading for Rezoning Request # 529, Michael Bret Diggett; TMS# 161-00-00-097. This is a request to rezone one acre on Ashley River Road near Summerville from R-4 (Residential Multi-family) to CG (General Commercial). This is an Ordinance #04-13 correction. This property was previously zoned DE-1 (Development District).

Councilman Rosebrock opposed.

3RD READING FOR REZONING REQUEST # 488 DUSTY GARUS; TMS # 135-00-00-111

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one opposed and one abstained, to give 3rd Reading for Rezoning Request # 488 for Dusty Garus; TMS # 135-00-00-111. This is a request to rezone 15.04 acres on Scotch Range Road near Summerville from R1MA (Single Family Residential Mobile Home District) to R1 (Single Family District).

Councilman Rosebrock opposed, and Councilman Murphree abstained.

REZONING REQUEST # 530, BOBBY LEE SMOAK; TMS # 145-04-01-003

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading for Rezoning Request # 530 for Bobby Lee Smoak; TMS # 145-04-01-003. This is a request to rezone 2.03 acres on Garbon Drive near Summerville from TRM (Transitional Residential Manufactured Housing District) to R2 (Single Family Residential District).

3RD READING FOR REZONING REQUEST # 531 BILLY CLAY RAMSEY & PANSEY RAMSEY; TMS # 153-09-07-013

9. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to give 3rd Reading for Rezoning Request #531 for Billy Clay Ramsey & Pansy Ramsey; TMS # 153-09-07-013. This is a request to rezone .235 acre on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District).

3RD READING FOR REZONING REQUEST # 532 PEGGY RAMSEY; TMS# 153-09-07-012

10. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to give 3rd Reading for Rezoning Request #532 Peggy Ramsey; TMS# 153-09-07-012. This is a request to rezone .278 acres on Dorchester Road near Summerville from R2 (Single Family Residential District) to CN (Neighbor Commercial District).

DEVELOPMENT FEES

11. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to refer the subject of Development Fees to the Planning, Development, and Building Committee for further consideration and a recommendation back to full Council.

REVISED DRUG AND ALCOHOL POLICY

12. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to refer the revised Drug and Alcohol Policy for Dorchester County to the Administrative and Intergovernmental Affairs Committee for further consideration.

OLD FORT FIRE CONTRACT

13. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve a transfer of \$10,050 from County Council Contingency to cover the cost of Old Fort Fire Department to serve Givhans Fire District through June 30, 2007.

COMMITTEE REPORTS

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

**MOVEMENT OF MOBILE HOMES IN THE JURISDICTION OF
DORCHESTER COUNTY**

Chairman Murphree reported that the Committee was studying a policy on mobile homes similar to Colleton County's policy, which exempts mobile homes that are currently in the county. This item remains in Committee for further study.

OLD SPELL ROAD

Chairman Murphree reported that the Committee discussed Old Spell Road and no action would be necessary at this time. This item remains in Committee.

COUNTY MAINTENANCE POLICY

Chairman Murphree reported that the Committee discussed the County Road Maintenance Policy and no action would be necessary at this time. This item remains in Committee.

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

BEAVER DAM PROBLEM

Chairman Murphree reported that there are a couple of options the county can explore to resolve the beaver dam problem. Under the South Carolina Department of Natural Resources, individuals or a County can obtain a permit at no cost to trap beavers year round, if they have become a nuisance, otherwise there is a trapping season. He explained that a Wildlife Control Operator could be hired to help trap and dispose of the animal at a cost, which varies due to distance, trips required, and time expended. Chairman Murphree stated that this issue would remain in Committee.

ORDINANCE #07-10, "REGULATING TRAFFIC ON STREETS & HIGHWAYS UNDER THE JURISDICTION OF DORCHESTER COUNTY"

Chairman Murphree reported that the Committee would be holding a Public Hearing on June 4, 2007, at the next scheduled Public Works, Property and Utilities Committee for Ordinance #07-10, "Regulating Traffic on Streets & Highways Under the Jurisdiction of Dorchester County".

STORMWATER AMENDMENT

14. Chairman Murphree reported that the Committee's recommendation to Council was to have Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee", referred back to the Public Works, Property and Utilities Committee and to discuss the amendment to the Ordinance at the next Committee Meeting and have a Public Hearing on June 18, 2007, in St. George. Council voted unanimously in favor of the recommendation.

For information:

Chairman Murphree read the following statement from the South Carolina Department of Health and Environmental Control, titled National Pollutant Discharge Elimination System Permit for Discharge to Surface Waters (stamped May 16, 2007 Meeting).

"This Certificate of Coverage Certifies That - Dorchester County has been granted permission to discharge storm water to the Atlantic Ocean and to all receiving waters in the State of South Carolina from the municipal separate storm sewer system located in Dorchester County South Carolina."

COMMITTEE REPORTS-CONTINUED

PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE
CHAIRMAN RICHARD ROSEBROCK

ANIMAL CONTROL ORDINANCE

Chairman Rosebrock reported that the Committee discussed the County Animal Control Ordinance and state law with regard to the regulation of "Dangerous Animals." Chairman Rosebrock stated that after review of the Ordinance the Committee concluded that Dorchester County's Animal Control Ordinance is a good, solid ordinance and addresses dangerous animals in the proper manner. He read Section 11 from the County Animal Control Ordinance that pertains to Dangerous Animals. In addition, Councilman Rosebrock stated that legally Council could not ban a breed of animals.

RECREATION PROGRAM PHASE IV

Chairman Rosebrock reported that the Committee had received the applications for the recreation funds, and the Committee plans to tour the sites of the organizations that are requesting funds from the program in June prior to approving any allocations. This item will remain in Committee until the recommendations are ready.

Chairman Hargett passed the gavel to Vice Chairman Davis.

BUDGET, FINANCE AND PURCHASING COMMITTEE
CHAIRMAN LARRY HARGETT

Chairman Hargett reported that a Budget, Finance and Purchasing Committee met on May 14, 2007 and received budget presentations by School District Two, Dorchester County Seniors, Inc. and Trident Technical College. He stated that no recommendations were made and no action was necessary.

In addition, Chairman Hargett reported that today at 6:00 p.m. the Budget, Finance and Purchasing Committee met and held a Public Hearing on the FY 07-08 County Budget, Ordinance # 07-08. Public Comment was received and no action was taken.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

APPOINTMENTS TO BOARDS AND COMMISSIONS
CHARLESTON REGIONAL DEVELOPMENT ALLIANCE

15. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to approve the appointment of Mrs. Linda Haas to the Charleston Regional Development Alliance for a three-year appointment.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning the Dispatch Center and a proposed property lease agreement with District Two Schools, and to discuss two contractual matters, a Resolution and Inducement Agreement for a FILOT Arrangement with Linder Industrial Machinery Company and a contractual matter concerning the Courthouse contract.

EXECUTIVE SESSION 8:50 P.M.

16. On the motion of Mr. Murphy, seconded by Mr. Feltner, 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 received legal advice concerning the Dispatch Center and a proposed lease agreement with District Two Schools, and discussed a contractual matter concerning a Resolution and Inducement Agreement for a FILOT Arrangement with Linder Industrial Machinery Company and a contractual matter concerning the Courthouse contract and no action was taken on any of these items.

RESOLUTION AND INDUCEMENT AGREEMENT FILOT
ARRANGEMENT LINDER INDUSTRIAL MACHINERY COMPANY

17. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to adopt the Resolution approving and authorizing the Inducement Agreement between Dorchester County and Linder Industrial Machinery Company.

ADJOURNMENT 9:50 P.M.

18. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 4, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from May 21, 2007, County Council Meeting
- Correspondence

3. GUEST

- Mr. Ted Creech, Chairman of the Board, Greater Summerville Dorchester County Chamber of Commerce Business License Fee

4. COMMITTEE REPORTS

Chairman Chris Murphy, Planning, Development and Building Committee

- Development Fees
- Plans Review Fees

Chairman Mike Murphree, Public Works, Property and Utilities Committee

- Public Hearing and Recommendation for 2nd Reading for Ordinance #07-10, "Regulating Traffic on Streets & Highways Under the Jurisdiction of Dorchester County"
- Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee"
- Transfer of Roads from State to County Maintenance

Chairman Larry Hargett, Budget, Finance and Purchasing Committee

- Public Hearing and Recommendation for 2nd Reading for Ordinance #07-11, "Ordinance to Amend the Dorchester County Business License Ordinance #91-08 to Delete that Portion Dealing with the Declining Rate Schedule and Substitute a New Rate Schedule"
- Public Hearing and Recommendation for 2nd Reading for Ordinance #07-12, "Ordinance to Amend the Dorchester County Solid Waste Ordinance #05-22, Pertaining to the Annual Solid Waste Recycling Disposal User Fee"

Budget, Finance and Purchasing Committee Report from May 29, 2007

- Public Hearing FY 07-08 Dorchester County Budget Ordinance # 07-08
- Budget Presentation – School District Four
- Budget Presentation - Children in Crisis
- Budget Presentation – Dorchester County Library
- Budget Presentation – Dorchester County Career and Technology Center
- Budget Presentation – Dorchester County Fire Board

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 4, 2007

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
Mr. Mike Murphree
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

ABSENT: Mr. Jason Ward – Administrator
Mr. Richard Rosebrock

Chairman Hargett called the meeting to order, and Reverend James Frazier gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mr. Joe Kress addressed Council regarding the Business License fee increase.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Nathan Davis addressed Council regarding his opposition to a Dock Permit in Wild Indigo Bluff. (The Chairman stated with the County Attorney's approval, this item would be discussed in executive session.)
- Ms. Kendra W. Linkowski, a member of the Lowcountry Minuteman Civil Defense Corporation, addressed Council regarding the Lawful Employment Ordinance and the Business Licenses fee increase.
- Mr. Herman Marchant addressed Council regarding his opposition to the proposed Stormwater Management Fee Ordinance.
- Mr. Ronnie F. Judy addressed Council regarding his opposition to the Stormwater Management Fee Ordinance and discussed the Sales Tax Transportation One Cent Sales Tax.

ADOPTION OF MINUTES FROM THE MAY 21, 2007, COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted six in favor and one absent to adopt the Minutes from the County Council Meeting held on May 21, 2007.

Councilman Rosebrock was absent.

CORRESPONDENCE

Ms. Ashley Jacobs, Deputy County Administrator, informed Council of a Memorandum from S.C.D.O.T. Rural Enhancement Grant Program. She asked that Council please inform the Administrator of any enhancement projects (sidewalk, bike lane, etc.) that they are aware of in the rural area (outside of the CHATS boundary). S.C.D.O.T. will make awards of up to \$200,000. The application deadline is Friday, August 3, 2007. The CTC, Planning and Codes, and Public Works will also try to identify projects.

Ms. Ashley Jacobs, Deputy County Administrator, informed Council of a letter from DHEC Office of Ocean and Coastal Resource Management. She explained that Lowcountry Permitting Solutions has applied for a permit to construct a dock on a tributary of the Ashley River at Indigo Fields in Summerville and stated that the public comment deadline is June 2.

AMENDMENT TO THE AGENDA

Chairman Hargett requested a motion to amend the agenda to add two items.

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to amend the agenda to add a discussion regarding a proposed map of District 3 for the Ashley River Historic Overlay District and a water and sewer issue concerning sewer service in the Pine Forest area.

Councilman Rosebrock was absent.

PROJECT IN PINE FOREST COUNTRY CLUB-REQUEST FOR SEWER

Mr. Todd Olds addressed Council regarding a request for sewer service in the Pine Forest Country Club area, identified by TMS#129-0000-050, regarding a trunk line, a fee and capacity of the sewer system. Mr. Olds requested clarification on sewer service from Council.

Chairman Hargett placed this issue in the Water and Sewer Committee of Council.

GUEST

Mr. Ted Creech, Chairman of the Board of the Greater Summerville Dorchester County Chamber of Commerce, addressed Council regarding the Business License Fee on behalf of the chamber's membership. He requested Council not to adopt the proposed Business License Fee increase.

COMMITTEE REPORTS

PLANNING, DEVELOPMENT AND BUILDING COMMITTEE
CHAIRMAN CHRIS MURPHY

DEVELOPMENT FEES

3. Chairman Murphy reported that Mr. Tony Maglione of ATM presented information regarding the recommended development fees and the Committee voted unanimously to recommend to Council for Mr. Maglione and Mr. Harold LeaMond, to continue to work on a template for Development Agreements, including the implementation of development fees and to include a provision for parks and recreation and for there to be discussion of a transportation study by full Council at a Council Budget Retreat and the possibility of a transportation fee. Council voted six in favor and one absent.

Councilman Rosebrock was absent.

COMMITTEE REPORT CONTINUED

**RECOMMENDATION FOR 1ST READING FOR AN AMENDMENT TO
ORDINANCE #07-06 REF: PLANS REVIEW FEES**

4. Chairman Murphy reported that the Committee discussed and voted unanimously to recommend to Council to give 1st Reading to an "Ordinance Amending Ordinance #07-06, an Ordinance Amending Article Five of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, to create Development Review Fee Accounts and provide for the use thereof", the section regarding minor subdivision (s), changing the fee structure for plans review from Subdivision/Development/Construction Only Plan Review: Residential 10 lots or units, or less from \$250 to \$20 per lot for plans review from 1 to 10 lots. Council voted six in favor and one absent.

Councilman Rosebrock was absent.

OTHER BUSINESS

Chairman Murphy stated that under "Other Business" Councilmember Murphree and the Committee discussed a proposed **House 3642 General Bill, By Herbkersman**; "A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-3-370 SO AS TO PROVIDE THAT WHEN A MUNICIPALITY ANNEXES PROPERTY IN A COUNTY THAT HAS A LAND USE OR ZONING POLICY, PLAN, REGULATION, OR ORDINANCE AND THE MUNICIPALITY DENSITY ALLOWANCE OR REGULATIONS ALLOW FOR A GREATER DENSITY THAN THE COUNTY ALLOWS, THEN THE COUNTY DENSITY REQUIREMENT MUST REMAIN IN EFFECT. (FOR FIVE YEARS AFTER THE ANNEXATION)." Councilman Murphree requested that Council consider supporting sending a Chairman's Letter in support of this amendment. Chairman Murphy asked Chairman Hargett to review this proposed Legislation and if agreeable, to send a Chairman's Letter in support.

Chairman Hargett requested that Mr. Harold LeaMond, Dorchester County Planning Director, present the proposed staff recommendation for amending District 3 of the Ashley River Historic Overlay District. He stated that this was for information only and not for any action from Council.

Mr. LeaMond addressed Council with the new map and stated that he requested permission to setup a meeting with the landowners of District 3 for discussing the new proposed map. Council granted approval for the meeting.

COMMITTEE REPORT CONTINUED

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

**PUBLIC HEARING AND 2ND READING FOR ORDINANCE #07-10,
"REGULATING TRAFFIC ON STREETS & HIGHWAYS UNDER THE
JURISDICTION OF DORCHESTER COUNTY"**

5. Chairman Murphree reported that the Committee held a Public Hearing for Ordinance #07-10, "Regulating Traffic on Streets & Highways Under the Jurisdiction of Dorchester County". He reported the Committee's recommendation was to give 2nd Reading to the proposed ordinance, which would empower the Public Works department to install additional signage, adjust speed limits, regulate parking, designate the direction of traffic, etc., on county roads as warranted. This Ordinance would eliminate the need for Council to take up these issues. Council voted six in favor and one absent on the recommendation.

Councilman Rosebrock was absent.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that Mr. Tompkins has proposed a mile for mile swap to Mr. Robert Clark, at the Charleston Office of the South Carolina Department of Transportation, which will allow the County to take over maintenance of the roads in the subdivisions covered by the "No Thru Traffic Ordinance". The County has not received a reply from the State and this item was kept in Committee.

STORMWATER AMENDMENT

Chairman Murphree reported the Stormwater amendment was discussed and the Committee took comments from the public regarding the proposed fee. He also stated that the Laws and Federal Regulations that put Stormwater Compliance into motion were discussed. A public hearing is scheduled for June 18, 2007. No action was taken and this item was kept in Committee.

COMMITTEE REPORTS CONTINUED

Chairman Hargett passed the gavel to Vice Chairman Davis.

BUDGET, FINANCE AND PURCHASING COMMITTEE
CHAIRMAN LARRY HARGETT

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE #07-11, "ORDINANCE TO AMEND THE
DORCHESTER COUNTY BUSINESS LICENSE ORDINANCE #91-08 TO
DELETE THAT PORTION DEALING WITH THE DECLINING RATE
SCHEDULE AND SUBSTITUTE A NEW RATE SCHEDULE"

6. Chairman Hargett reported that a Public Hearing was held for Ordinance #07-11, "Ordinance to Amend the Dorchester County Business License Ordinance #91-08 to delete that Portion Dealing with the Declining Rate Schedule and Substitute a New Rate Schedule", and the Committee voted to recommend to Council to give 2nd Reading to Ordinance #07-11. Council voted two in favor, four opposed and one absent on the recommendation.

Council Members Murphy, Murphree, Feltner and Davis opposed and Councilman Rosebrock was absent.

7. Councilman Feltner motioned to amend the recommendation, seconded by Chairman Hargett, and Council voted five in favor, one opposed and one absent to send this Ordinance back to Committee to see how the position can be funded to enforce the Lawful Employment Ordinance.

Councilman Murphy opposed and Councilman Rosebrock was absent.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE #07- 12, "ORDINANCE TO AMEND THE
DORCHESTER COUNTY SOLID WASTE ORDINANCE #05-22,
PERTAINING TO THE ANNUAL SOLID WASTE RECYCLING
DISPOSAL USER FEE"

8. Chairman Hargett reported that the Public Hearing for Ordinance #07- 12, "Ordinance to Amend the Dorchester County Solid Waste Ordinance #05-22, Pertaining to the Annual Solid Waste Recycling Disposal User Fee", was held and the Committee voted to recommend to Council for 2nd Reading to be given to this Ordinance. Council voted two in favor, three opposed, one abstention and one absent. This motion failed to pass.

COMMITTEE REPORTS CONTINUED
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE #07- 12, CONTINUED

9. Councilman Feltner motioned to amend the recommendation, seconded by Mr. Murphy, and Council voted six in favor and one absent to place this item back in Committee.

Councilman Rosebrock was absent.

BUDGET, FINANCE AND PURCHASING COMMITTEE (MAY 29, 2007)

Chairman Hargett reported that the Budget, Finance and Purchasing Committee met on May 29, 2007 and held a Public Hearing on the County Budget FY 2007-2008. He reported that the Committee received budget presentations from School District Four, Dorchester County Children in Crisis, the Dorchester County Library, Dorchester County Career and Technology Center and the Dorchester County Fire Board. He stated that no recommendations were made and no action was necessary.

WATER AND SEWER COMMITTEE
CHAIRMAN LARRY HARGETT

RECOMMENDATION FOR 1ST READING FOR ORDINANCE #07-14,
“AN ORDINANCE AMENDING ORDINANCE #04-15, AN AMENDMENT
TO THE DORCHESTER COUNTY SEWER ORDINANCE #84-08,
PERTAINING TO CONNECTING TO THE SANITARY SEWER LINE”

10. Chairman Hargett reported that the Committee voted to recommend to Council for 1st Reading for Ordinance #07-14, “An Ordinance Amending Ordinance #04-15, an Amendment to the Dorchester County Sewer Ordinance #84-08, Pertaining to Connecting to the Sanitary Sewer Line”, and referral back to the Water and Sewer Committee for a Public Hearing. Council voted six in favor and one absent on the recommendation.

Councilman Rosebrock was absent.

WATER SERVICE TO THE HEAP TRACT AND THE NEW HIGH
SCHOOL

Chairman Hargett reported that the Committee received an update on the Water Service to the Heap Tract and the new high school. (Update only)

COMMITTEE REPORTS CONTINUED

WATER AND SEWER COMMITTEE

WATER SERVICE TO TEAL ON THE ASHLEY

Chairman Hargett reported the Committee received an update on the Water Service to Teal on the Ashley. (Update only)

CHIEF WASTEWATER PLANT OPERATOR

11. Chairman Hargett reported that the Committee voted to recommend to Council to authorize that the Chief Wastewater Plant Operator position be advertised at the full range of salary, and for the offer to be brought back to full Council before an applicant can be hired. Council voted six in favor and one absent on the recommendation.

Councilman Rosebrock was absent.

UPDATE ON PROJECTED NUMBER OF WATER AND SEWER CUSTOMERS

Chairman Hargett reported the Committee received an update on the status of the customer projections and performance necessary to cover operations and maintenance, along with debt service obligations. (Update only)

REQUEST TO TRANSFER PARCELS TO SUMMERVILLE COMMISSIONERS OF PUBLIC WORKS

12. Chairman Hargett reported that the Committee voted to recommend to Council to authorize the request of transfer parcels to Summerville Commissioners of Public Works. Council voted four in favor, two opposed and one absent on the recommendation.

Council Members Feltner and Waggoner were opposed and Councilman Rosebrock was absent.

Vice Chairman Davis passed the gavel back to Chairman Hargett after his Committee Report to Council.

APPOINTMENTS TO BOARDS AND COMMISSIONS
AERONAUTICS BOARD APPOINTMENT

13. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor and one absent, to approve the appointment of Mr. Thayer Reaves Arthur to the Dorchester County Aeronautics Board.

Councilman Rosebrock was absent.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

The County Attorney made a request for Council's consideration to enter into executive session to discuss a contractual matter regarding the Courthouse contract and to receive legal advice concerning a dock issue discussed earlier.

EXECUTIVE SESSION

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

Councilman Rosebrock was absent.

RECONVENE FROM EXECUTIVE SESSION 8:45 P.M.

The County Attorney reported that in Executive Session, Council received legal advice on a contractual matter concerning the Courthouse contract and Council also received legal advice on an issue regarding a dock permit and there was no action taken on any of these items.

MOTION FOR LETTER TO OCRM

15. On the motion of Mr. Feltner, seconded by Mr. Davis, Council voted six in favor and one absent, to have the Chairman of Council send a letter to OCRM regarding a dock permit on the Ashley River.

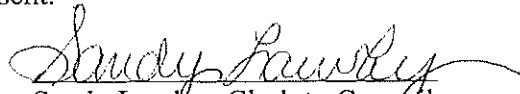
Councilman Rosebrock was absent.

Page Ten
County Council Minutes
June 4, 2007

ADJOURNMENT

16. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent, to adjourn. Time of adjournment 8:58 p.m.

Councilman Rosebrock was absent.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 18, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from June 4, 2007, County Council Meeting
- Public Hearing Workforce Development Needs Assessment
- Correspondence

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

- 3rd Reading for Ordinance #07-10, "Regulating Traffic on Streets & Highways Under the Jurisdiction of Dorchester County"
- Sheriff's Office Request for Funds
- 1st Reading for the Following Rezoning Request
 - #536 Benjamin D. & Matthew S. Coakley; TMS# 153-09-06-008
 - #537 Violet Green; TMS# 144-13-00-007
 - #538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005
 - #539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006
 - #540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013
 - #542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020
 - #543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044
 - #544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002
 - #545 Betty Morrison; TMS# 152-01-01-003
 - #546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006
 - #547 John & Shelia Martin; TMS# 151-04-00-016
 - #548 Jake Serrano, PE, for Pearson P-F Trust; TMS# 165-00-00-009
- 1st Reading to Ordinance Amending Ordinance #07-05 "Ashley River Historic District Overlay Zone"
- 1st Reading to Ordinance Amending Ordinance #04-13 Pertaining to Article VI Use Group 1 Agriculture; Section 8.3.5. regarding Development Density; and Section 8.3.6. regarding Lot Size
- Elected and Appointed Officials Performance Increases

4. COMMITTEE REPORTS

Chairman Willie Davis, Administrative and Intergovernmental Affairs Committee

- Drug and Alcohol Policy

Chairman Mike Murphree, Public Works, Property and Utilities Committee

- County Road Petition for Barricade Lane
- County Road Maintenance Policy
- Public Hearing Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee
- Transfer of Roads from State to County Maintenance

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corporation
 - 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Giant Cement Corporation
 - 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and ECMD, Inc.
- Executive Session -Confidential Economic Development Projects
 -Personnel Matters

7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

CHRISTOPHER J. MURPH

MIKE MURPHREE

RICHARD ROSEBROC

KENNETH WAGGONEI

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 18, 2007

7:05 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend David Mullins gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

REQUEST TO ADDRESS COUNCIL-CONTINUED

- Mr. Hamilton Davis, Coastal Conservation League, addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mr. Tracey Todd, Middleton Place Plantation, addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mr. Matt Webster, Drayton Hall Plantation, addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mrs. Sue Wehman addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mr. Robbie Robbins, addressed Council on behalf of Mead Westvaco, regarding the Ashley River Historic Overlay District proposed amendment and stated that Westvaco's request was for the boundary line to be changed on the Mead Westvaco Property. (For the record Mead Westvaco wants to be a part of District 3)
- Mr. Michael Cordray addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mr. Buzzy Charpia addressed Council and offered his services as the Codes Enforcement Officer without a salary for 90 days.
- Mr. Ronnie Judy addressed Council regarding county employees.
- Mr. Richard Rhode addressed Council regarding the plan review fees, the paving of Barricade Lane, and the Stormwater Fee.
- Mr. Lawrence Gordon addressed Council regarding the County coming together.
- Mrs. Lucy Anne Cathcart addressed Council regarding the Ashley River Historic Overlay District proposed amendment.
- Mrs. Debbie Rast addressed Council regarding County Maintenance of Barricade Lane.

MOTION TO AMEND THE AGENDA

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to amend the agenda to discuss the salary for the new Codes Enforcement Officer.
2. On the motion Mr. Rosebrock, seconded by Mr. Feltner, Council voted four in favor, two opposed and one abstention, to discuss the funding for the position of the new Codes Enforcement Officer, from the General Fund Budget at the Budget Retreat, scheduled for Wednesday, June 20, 2007.

Council Members Murphy and Davis opposed and Councilman Murphree abstained.

ADOPTION OF MINUTES JUNE 4, 2007, COUNCIL MEETING

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the County Council Meeting held on June 4, 2007.

**PUBLIC HEARING COMMUNITY DEVELOPMENT NEEDS
ASSESSMENT**

Chairman Hargett opened the public hearing to solicit input concerning the Dorchester County Community Development Block Grant Community Needs Assessment. The "Needs Assessment" is a guide developed by Dorchester County in conformance with the South Carolina Department of Commerce administrative requirements and the United States Department of Housing and Urban Development Regulations. The number one priority identified by the County's last needs assessment conducted February 2007 was Economic Development that results in an increase in employment opportunities and job training opportunities for low and moderate-income residents. He stated that this public hearing was being held because the County plans to submit a CDBG application to fund a new workforce-training center, operated by Trident Technical College in partnership with the Dorchester County Career Center.

Chairman Hargett opened the floor to receive public comment and answer any questions. After hearing public comment, Chairman Hargett closed the public hearing.

CORRESPONDENCE

The County Administrator informed Council that he received a South Carolina Association of Counties Legislative Alert Technical Bulletin on the Millage Rate Limitation –S.C. Code 6-1-320. (Information only)

The County Administrator informed Council that the County received a notice that the S.C. Department of Health and Environmental Control plans to amend the Air Quality State Implementation Plan. He reported that a public hearing would be held in Columbia on June 25, 2007 at 10:00 a.m. The County also received a drafting notice that S.C. Department of Health and Environmental Control was proposing to revise Regulation 61-9 Water Pollution Control Permits. Comments are due by July 25, 2007 and S.C. Department of Health and Environmental Control has amended Regulation 61-51, Public Swimming Pools. (Information only)

CORRESPONDENCE CONTINUED

In addition, Mr. Ward informed Council that the County received notification from S.C. Department of Health and Environmental Control that Carolina Resource Development, LLC, received a Demonstration of Need Extension of 120 days, through October 9, 2007, for its proposed C, D, and L landfill in Jedburg.

Chairman Hargett announced to Council that the "FIRST Robotics Team 342" was the winner of the FIRST Robotics Competition for the 2007 Palmetto Regional. He also displayed the plaque presented to County Council from the "FIRST Robotics Team 342", in appreciation of the commitment to the youth of the community through the support of the "FIRST Robotics Program".

MOTION TO AMEND THE AGENDA

4. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to amend the agenda to discuss the Ordinance for the plan review fee, which would amend Ordinance #07-06.
5. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading to the Ordinance for the plan review fee, which would amend Ordinance #07-06, and to place it back in the Planning, Development and Building Committee for the Public Hearing and recommendation for 3rd Reading on July 9, 2007.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

3RD READING FOR ORDINANCE #07-10, "REGULATING TRAFFIC ON STREETS & HIGHWAYS UNDER THE JURISDICTION OF DORCHESTER COUNTY"

6. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously to give 3rd Reading to Ordinance #07-10, "Regulating Traffic on Streets & Highways Under the Jurisdiction of Dorchester County". The proposed ordinance will empower the Public Works department to install additional signage, adjust speed limits, regulate parking, designate the direction of traffic, on county roads as warranted and eliminate the need for Council to take up these issues.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

SHERIFF'S OFFICE REQUEST FOR FUNDS

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, to approve a transfer from the County Council Contingency Fund in the amount of \$61,372 to cover outstanding bills for housing juveniles at the Department of Juvenile Justice in Columbia and for medical care of inmates

8. Councilman Murphy amended the main motion, seconded by Mr. Rosebrock, and Council voted five in favor and two abstentions, to approve a hiring freeze and spending freeze on all items except payroll, fuel, and utilities on the Sheriff's Budget for the remaining two weeks of the fiscal year and to authorize an independent audit on the Dorchester County's Sheriff's Budget for the last two years to include all County owned assets in the Sheriff's Department.

Council Members Feltner and Murphree abstained.

Council voted six in favor and one abstention on the main motion.

1ST READING FOR THE FOLLOWING REZONING REQUESTS:

Request for 1st Reading and placement in the Planning, Development and Building Committee for further consideration for the following Rezoning Requests:

#536 Benjamin D. & Matthew S. Coakley; TMS# 153-09-06-008

Rezoning Request #536 Benjamin D. & Matthew S. Coakley - TMS# 153-09-06-008; This is a request to rezone .37 acre on Dorchester Road from R-2 (Single Family Residential) to CN (Neighborhood Commercial).

#537 Violet Green; TMS# 144-13-00-007

Rezoning Request #537 Violet Green TMS# 144-13-00-007; This is a request to rezone 3.03 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005

Rezoning Request #538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005; This is a request to rezone 12.75 acres on Starr Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

COUNTY ADMINISTRATOR'S TIME – CONTINUED
1ST READING FOR THE FOLLOWING REZONING REQUESTS
CONTINUED:

#539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006

Rezoning Request #539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006; This is a request to rezone 1.02 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013

Rezoning Request #540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013; This is a request to rezone .5 acre Palmer Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020

Rezoning Request #542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020; This is a request to rezone 1.27 acres Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044

Rezoning Request #543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044; This is a request to rezone .35 acre on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002

Rezoning Request #544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002; This is a request to rezone 1.25 acres Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#545 Betty Morrison; TMS# 152-01-01-003

Rezoning Request #545 Betty Morrison; TMS# 152-01-01-003; This is a request to rezone 1.38 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

COUNTY ADMINISTRATOR'S TIME – CONTINUED
1ST READING FOR THE FOLLOWING REZONING REQUESTS
CONTINUED:

#546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006

Rezoning Request #546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006; This is a request to rezone 1.5 acres on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#547 John & Shelia Martin; TMS# 151-04-00-016

Rezoning Request #547 John & Shelia Martin; TMS# 151-04-00-016; This is a request to rezone .73 acres on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#548 Jake Serrano, PE, for Pearson P F Trust; TMS# 165-00-00-009

Rezoning Request #548 Jake Serrano, PE, for Pearson P F Trust; TMS# 165-00-00-009; This is a request to rezone 145.1 acres on Highway 17A South from AC (Absence of Controls) to SR (Suburban Residential District).

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to Rezoning Requests # 536, 537, 538, 539, 540, 542, 543, 544, 545, 546, 547, and 548, and placement of these requests in the Planning, Development and Building Committee for further action.

1ST READING TO ORDINANCE AMENDING ORDINANCE #07-05
“ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE”

10. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted three in favor and four opposed to give 1st Reading to an Ordinance Amending Ordinance #07-05, “Ashley River Historic District Overlay Zone”, and to place this item in the Planning, Development, and Building Committee for further consideration. Motion failed.

Council Members Feltner, Rosebrock, Davis and Waggoner opposed.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

**1ST READING TO ORDINANCE AMENDING ORDINANCE #04-13
PERTAINING TO ARTICLE VI USE GROUP 1 AGRICULTURE;
SECTION 8.3.5. REGARDING DEVELOPMENT DENSITY; AND
SECTION 8.3.6. REGARDING LOT SIZE**

11. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to table 1st Reading to an Ordinance Amending Ordinance #04-13 Pertaining to Article VI Use Group 1 Agriculture; Section 8.3.5., regarding Development Density; and Section 8.3.6., regarding Lot Size.

**ELECTED AND APPOINTED OFFICIALS PERFORMANCE
INCREASES**

12. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to place the issue of Elected and Appointed Officials Performance Increases in the Administrative and Intergovernmental Affairs Committee for further study. This covers a 3% merit increase for certain Elected and Appointed Officials.

COMMITTEE REPORTS

**MR. WILLIE DAVIS – ADMINISTRATIVE AND
INTERGOVERNMENTAL AFFAIRS COMMITTEE**

DRUG AND ALCOHOL POLICY

13. Chairman Davis reported that there are 400 employees eligible for random testing on the non-Department of Transportation List, and approximately 37 on the Department of Transportation List that is used for this policy. He stated that the County's labor attorneys have reviewed this policy to ensure compliance with applicable federal labor law. Once adopted, this policy would be included in the Dorchester County Personnel Policy. Chairman Davis reported that the Committee unanimously recommended this policy for approval to Council. Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS CONTINUED

MR. MIKE MURPHREE-- PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE

COUNTY ROAD PETITION FOR BARRICADE LANE

Chairman Murphree reported that the Committee discussed Barricade Lane and the Committee decided to send this item to the County Transportation Committee for request of paving. This item will remain in Committee for further action.

COUNTY ROAD MAINTENANCE POLICY

14. Chairman Murphree reported that the Committee voted unanimously to recommend to Council, to give 1st Reading to the proposed Ordinance # 07-17, which is an amendment to Ordinance # 97-12, County Road Maintenance Policy. The change is made by allowing the Public Works Department to submit requests for maintenance to the County Transportation Committee, to see if they are willing to pave the roads before bringing them to the Committee for a recommendation to County Council. Council voted unanimously in favor of the recommendation.

PUBLIC HEARING FOR ORDINANCE #07-13, "AN ORDINANCE AMENDING THE DORCHESTER COUNTY STORMWATER ORDINANCE #02-10, PERTAINING TO THE CLASSIFICATION OF PROPERTY AND THE INTERIM UTILITY FEE"

Chairman Murphree stated that the Committee held a Public Hearing for Ordinance #07-13, "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee". Chairman Murphree stated that the interim fee for the coming year would be \$29.20 per parcel. He stated that the Committee talked about what was required of the County to maintain a Stormwater Permit and that the Committee was working towards setting the fee at Regulatory Compliance and no more. The Committee's next meeting will be in St. George on August 20, 2007, and another Public Hearing will be held on this issue.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that Mr. Tompkins reported that there was no response from the Mr. Robert Clark, South Carolina Department of Transportation and this item would remain in Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

**1ST READING TO AN ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ALBERT WEBER
MANUFACTURING CORPORATION**

15. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted unanimously to give 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corporation.

**1ST READING TO AN ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND GIANT CEMENT
CORPORATION**

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Giant Cement Corporation.

**1ST READING TO AN ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ECMD, INC.**

17. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to give 1st Reading to an Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and ECMD, Inc.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss several Confidential Economic Development Prospects and Personnel Matters.

Page Eleven
June 18, 2007
County Council Meeting

EXECUTIVE SESSION 8:05 P.M.

18. On the motion of Mr Rosebrock, seconded by Mr. Murphy, 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 two Economic Development Prospects and three personnel matters and no action was taken.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROSPECT

19. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously that County Council withdraw the remaining property tax credits of \$8,000. (Year #2- \$4,000 and Year #3 \$4,000) previously added to Road King Trailers as the firm is no longer in business in Dorchester County.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROSPECT

20. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously that County Council restate its approval of incentives of February 20, 2007 to project #07-10 to allow for "preliminary engineering" funds to be used for the purchase of new or used equipment and other start up cost associated with this new project in Dorchester County.

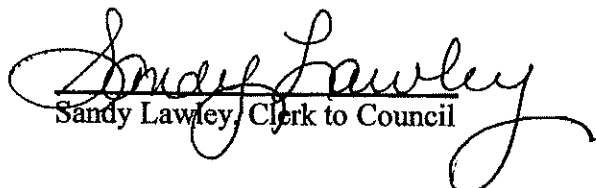
CONTRACT FOR THE COUNTY ADMINISTRATOR

21. On the motion of Mr. Feltner, seconded by Mr. Davis, Council voted six in favor and one opposed that the County Administrator's contract be extended for a period of two years with the same terms and conditions as his existing contract, except that compensation be at a rate of \$101,394 per year and that paragraph six be changed from three months to four months.

Councilman Waggoner opposed.

ADJOURNMENT 9:10 P.M.

22. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adjourn.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JUNE 25, 2007
6:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

-3rd Reading - Dorchester County Budget FY 2007-2008

3. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNI

CHRISTOPHER J. MURP

MIKE MURPHRE

RICHARD ROSEBRO

KENNETH WAGGON

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
SPECIAL CALLED MEETING
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JUNE 25, 2007
6:00 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
Mr. Richard Rosebrock
Mr. Mike Murphree
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mrs. Gina R. Sams – Sr. Admin. Asst. to Council
- ABSENT:** Mr. John Frampton – County Attorney

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

PROCESS SERVER/CONSTABLE POSITION

Ms. Cheryl Graham, Clerk of Court for Dorchester County, came before Council and provided a recommendation regarding the full-time position of a Process Server/Constable, which falls within the Clerk of Court's Budget.

Page Two
County Council Minutes
June 25, 2007

PROCESS SERVER/CONSTABLE POSITION-CONTINUED

1. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted five in favor, and two opposed, to reinstate \$20,000. to travel for the Clerk of Court's budget for the position of a Process Server/Constable.

Councilmen Rosebrock and Hargett opposed.

3RD. READING-DORCHESTER COUNTY BUDGET FY 2007-2008

County Administrator, Jason Ward, reported the following budgetary information from Ordinance 07-08 and recommended Council give 3rd Reading to Dorchester County Budget Fiscal Year 2007-2008:

County General Fund (\$18,736,572 of this total to come from taxes)	\$ 37,739,656
County Capital Improvement Fund (\$4,502,722 of this total to come from taxes)	\$ 4,656,722
School District #2 Operating Budget ➤ <i>School District #2 expressed interest in considering providing \$352,000. in matching funds for the construction of Old Fort Drive to match SCDOT funds.</i>	\$ 56,381,387
School District #4 Operating Budget	\$ 11,385,075
Career School Operating Budget ➤ <i>There are additional monies in the amount of \$491,838., which will go towards covering the Career School's Operating and Capital needs and will come from County Ordinary.</i>	\$ 3,467,681
Trident Technical College	\$ 1,290,309
County Library	\$ 1,934,177

For County Fire Departments there will be a levy of a 15.0 mill tax for each taxable district.

Dorchester Senior's Inc.	\$ 761,110
Children in Crisis	\$ 397,554
Dorchester County Fire Protection Improvement Fund	\$ 868,467

Page Three
County Council Minutes
June 25, 2007

3RD. READING-DORCHESTER COUNTY BUDGET FY 2007-2008-
COUNTINUED

The Proprietary budgets are as follows:

Sewer and Water Utility Fund	\$ 14,443,070
Solid Waste Enterprise Fund	\$ 5,053,401
Stormwater Utility Fund	\$ 1,751,383

Mr. Ward recommended a correction to Section XX of Ordinance 07-08 *(for the purpose of reflecting the appropriate date)* and for it to read as follows:

SECTION XX: None of the Capital Improvement budget of any department shall be expensed until January 1, 2008, except for those items expressly approved by the County Administrator.

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, and two abstained, to give 3rd Reading to the Dorchester County Budget Ordinance 07-08 for Fiscal Year 2007-2008.

Councilmen Murphy and Murphree abstained.

ADJOURNMENT 6:15 P.M.

3. On the motion of Mr. Murhpy, seconded by Mr. Waggoner, Council voted unanimously to adjourn.



 Gina R. Sams, Sr. Admin. Asst. to Council

↑

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 9, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from June 18, 2007, County Council Meeting and June 25, 2007 Special Called Council Meeting
- Public Hearing FY 2007 Justice Assistance Grant (JAG) Award
- Adoption of Resolution #07-07 for Mr. Charles Washington
- Adoption of Resolution #07-08 for Reverend Samuel Booker Marshall
- Adoption of Joint Resolution #07-09, "Intent of the Town of St. George and Dorchester County, South Carolina
- Dorchester County Employee Recognition Program
- Correspondence

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

- 1st Reading for Rezoning Request #551, A.E. Limehouse, Sr., TMS#'s 152-00-00-064 & 152-00-00-065
- 1st Reading for Rezoning Request #549, Joseph Myers, TMS# 136-09-00-020
- 1st Reading Stormwater Ordinance N.P.D.E.S.

4. COMMITTEE REPORTS

Chairman Murphree, Public Works, Property and Utilities Committee

- Transfer of Roads from State to County Maintenance

Chairman Larry Hargett – Water and Sewer Committee

- Public Hearing and Recommendation for 2nd Reading for Ordinance # 07-14 "An Ordinance Amending Ordinance #04-15, an Amendment to the Dorchester County Sewer Ordinance #84-08, Pertaining to Connecting to the Sanitary Sewer Line"
- Request for Sewer Near Pine Forest Country Club TMS#129-00-00-050
- Request for Dorchester County to allow Summerville CPW to Service TMS# 136-00-00-093 on Droze Road

Chairman Larry Hargett, Budget, Finance and Purchasing Committee

- Public Hearing and Recommendation for 2nd Reading for Ordinance # 07-15, Purchase of Fire Apparatus, "An Ordinance To Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"

Mr. Chris Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #535, Clyde W. Hill; TMS# 130-09-00-008
- Public Hearing and Recommendation for 3rd Reading Ordinance # 07-16, "An Ordinance Amending Ordinance # 07-07, Amending Section 5.7.2.1 Subdivision/Development/Construction Only Plan Review of Article Five of The Dorchester County Zoning and Land Development Standards Ordinance # 04-13"

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

- Trident Workforce Investment Board

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

- Executive Session
 - Confidential Economic Development Prospects
 - Personnel Matter
 - Legal Advice
 - District Two Schools WWTP Lease Agreement
 - C Funds
 - Contractual Matter
 - Old Fort Fire Department for Givhans Service
 - Code Enforcement and Plans Review

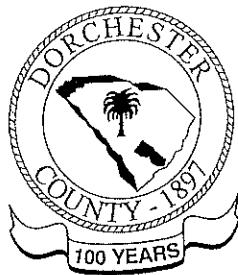
7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 9, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following Citizens replied:

REQUEST TO ADDRESS COUNCIL-CONTINUED

- Mr. Larry Jauer addressed Council and requested a Four-Way Stop Sign on Navaho Blvd., in Indian Springs Subdivision in Summerville. (Item placed in Public Works, Property and Utilities Committee)
- Mr. Gary Brantley, Dorchester Habitat for Humanity, addressed Council and requested for the County to waive fees for water and sewer. (Item placed in the Budget, Finance and Purchasing Committee)
- Ms. Terrie Hilton addressed Council regarding reimbursement of sewer tie-in fees for sewer service in Summerset Acres.

**ADOPTION OF MINUTES - JUNE 18 2007, COUNCIL MEETING AND
JUNE 25, 2007, SPECIAL CALLED COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the County Council Meeting held on June 18, 2007, and the Special Called Council Meeting held on June 25, 2007.

**PUBLIC HEARING FY 2007 JUSTICE ASSISTANCE GRANT (JAG)
AWARD**

Chairman Hargett opened the Public Hearing to solicit input concerning the Dorchester County FY 2007 Justice Assistance Grant (JAG) Award. This public hearing is required because the County is submitting a JAG Application to fund a computer consultant and to purchase digital cameras for patrol cars.

Chairman Hargett opened the floor to receive public comment and answer any questions. Hearing no public comment, Chairman Hargett closed the public hearing.

**ADOPTION OF RESOLUTION #07-07 FOR MR. CHARLES
WASHINGTON**

2. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #07-07 for Mr. Charles Washington.

**ADOPTION OF RESOLUTION #07-08 FOR REVEREND SAMUEL
BOOKER MARSHALL**

3. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to adopt Resolution #07-08 for Reverend Samuel Booker Marshall.

ADOPTION OF JOINT RESOLUTION #07-09, "INTENT OF THE TOWN OF ST. GEORGE AND DORCHESTER COUNTY, SOUTH CAROLINA"

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Joint Resolution #07-09, "Intent of The Town of St. George and Dorchester County, South Carolina".

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the county.

CORRESPONDENCE

The County Administrator informed Council that the County received a notice from the South Carolina State Housing, Finance, and Development Authority that Greenway Development Corporation has applied for federal tax credits for the proposed Woodcreek Village Apartments on Miles Road near Summerville. Any comments are due by July 25, 2007.

In addition, the County Administrator informed Council that the County received a notice from the Department of Health and Environmental Control Division of Mining and Solid Waste Management that M. R. Austin Company has applied for a mine-operating permit near Sand Ridge Road near Dorchester. Any comments must be received prior to July 23, 2007.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
MOTION TO AMEND THE AGENDA

5. On the motion of Mr. Murphree, seconded by Mr. Davis, Council voted unanimously to amend the agenda to address Rezoning Request #552.

1ST READING FOR REZONING REQUEST # 552, M. RUTH WIGGINS,
TMS #128-00-00-034

6. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously to give 1st Reading to Rezoning Request #552 M. Ruth Wiggins, TMS #128-00-00-034, and to refer this item to the Planning Board for further consideration and recommendation, and to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 3.261 acres on Summerset Lane, Summerville, from R1M (Single-Family Manufactured Housing District) to CG (General Commercial District).

COUNTY ADMINISTRATOR'S TIME – CONTINUED

**1ST READING FOR REZONING REQUEST #551, A.E. LIMEHOUSE, SR.,
TMS #'S 152-00-00-064 & 152-00-00-065**

7. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously to give 1st Reading to Rezoning Request #551, A.E. Limehouse, Sr., TMS #152-00-00-064 and #152-00-00-065 and to refer this item to the Planning Board for further consideration and a recommendation, and to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 12.15 acres on Bacon's Bridge Road from R-4 (Residential Multifamily) to SR (Suburban Residential). This requested rezoning is an Ordinance #04-13 correction.

**1ST READING FOR REZONING REQUEST #549, JOSEPH MYERS,
TMS #136-09-00-020**

8. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to Rezoning Request #549, Joseph Myers, TMS #136-09-00-020 and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone .678 acre on Orangeburg Road from R-1 (Single Family Residential) to CG (General Commercial).

1ST READING STORMWATER ORDINANCE N.P.D.E.S.

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to Stormwater Ordinance N.P.D.E.S. and to place this item in the Public Works, Property, and Utilities Committee for further consideration and the associated Intergovernmental Agreement with the Town of Summerville.

COMMITTEE REPORTS
MR. MIKE MURPHREE – PUBLIC WORKS, PROPERTY AND
UTILITIES COMMITTEE

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that an update was received by the Committee on the proposed mile for mile swap of roads with the South Carolina Department of Transportation, which would allow the County to take over maintenance of the roads in the subdivisions covered by the "No Thru Traffic Ordinance". He reported that the six miles of road swap was currently under review in the Columbia Office. Chairman Murphree suggested speaking to the Dorchester County Legislative Delegation Members about the swap. This item remains in Committee.

Chairman Hargett passed the gavel to Vice Chairman Davis to give his report.

CHAIRMAN LARRY HARGETT – WATER AND SEWER COMMITTEE

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE # 07-14 “AN ORDINANCE AMENDING ORDINANCE
#04-15, AN AMENDMENT TO THE DORCHESTER COUNTY SEWER
ORDINANCE #84-08, PERTAINING TO CONNECTING TO THE
SANITARY SEWER LINE”**

10. Chairman Hargett reported that a Public Hearing was held for Ordinance #07-14 “An Ordinance Amending Ordinance #04-15, an Amendment to the Dorchester County Sewer Ordinance #84-08, Pertaining to Connecting to the Sanitary Sewer Line” and the Committee’s recommendation to Council is for 2nd Reading as amended, by including the language of any resident with a working septic system, who did not sign a petition, would not have to tie into the sewer system. The proposed Ordinance changes the mandatory tie-in distance for sewer from 150 feet to 75 feet. Council voted six in favor and one opposed to the recommendation.

Councilman Murphy opposed.

**REQUEST FOR SEWER SERVICE NEAR PINE FOREST COUNTRY
CLUB TMS #129-00-00-050**

Chairman Hargett reported that the request for sewer service near Pine Forest Country Club, TMS #129-00-00-050 was discussed with no action taken and would remain in Committee.

**REQUEST FOR DORCHESTER COUNTY TO ALLOW SUMMERVILLE
CPW TO SERVICE TMS #136-00-00-093 ON DROZE ROAD**

11. Chairman Hargett reported on the request for Dorchester County to allow Summerville Commissioners of Public Works to service TMS #136-00-00-093, on Droze Road, in Summerville. The Committee’s recommendation to Council was to deny this request. Council voted unanimously in favor of the recommendation to deny this request.

**CHAIRMAN LARRY HARGETT, BUDGET AND FINANCE AND
PURCHASING COMMITTEE**

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE #07-15, PURCHASE OF FIRE APPARATUS**

12. Chairman Hargett reported a Public Hearing was held for Ordinance #07-15 "An Ordinance to authorize the execution and delivery of a lease purchase agreement in order to provide for the acquisition of certain vehicles; to authorize the execution and delivery of various documents in connection therewith; and other matters relating thereto", and the Committee's recommendation to Council was for 2nd Reading of this Ordinance. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel passed back to Chairman Hargett.

**MR. CHRIS MURPHY, PLANNING, DEVELOPMENT AND BUILDING
COMMITTEE**

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR REZONING REQUEST #535, CLYDE W. HILL; TMS# 130-09-00-008**

13. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation to Council was for 2nd Reading for Rezoning Request #535, Clyde W. Hill; TMS# 130-09-00-008. This is a request to rezone 1.47 acres on West 5th North Street near Summerville from R-4 (Multi-Family Residential) to CLI (Commercial Light Industrial). The existing land use is an auto repair shop. This is an Ordinance #04-13 correction and the prior zoning was DE-1. Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING
ORDINANCE #07-16, "AN ORDINANCE AMENDING ORDINANCE # 07-
06, AMENDING SECTION 5.7.2.1 SUBDIVISION
/DEVELOPMENT/CONSTRUCTION ONLY PLAN REVIEW OF
ARTICLE FIVE OF THE DORCHESTER COUNTY ZONING AND LAND
DEVELOPMENT STANDARDS ORDINANCE #04-13"**

14. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation to Council was for 3rd Reading for #07-16, "An Ordinance Amending Ordinance #07-06, Amending Section 5.7.2.1 Subdivision/Development/Construction Only Plan Review of Article Five of The Dorchester County Zoning and Land Development Standards Ordinance #04-13. This amendment will reduce the fee for minor subdivisions to \$20 per lot vs. \$250 for 1-10 lots. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

TRIDENT WORKFORCE INVESTMENT BOARD

15. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously on the appointment of Mr. Arthur E. Ellis and the reappointment of Ms. Jennifer Hook to the Trident Workforce Investment Board.

CHARLESTON NAVAL COMPLEX REDEVELOPMENT AUTHORITY

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously on the reappointment of Mr. Ronnie M. Given to the Charleston Naval Complex Redevelopment Authority.

DORCHESTER COUNTY DSS BOARD

17. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously on the reappointments of Mr. Ernest Ott and Mrs. Incentlee Lemon to the Dorchester County Department of Social Services Board.

18. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously on the appointment of Ms. Cynthia M. Jackson to the Dorchester County Department of Social Services Board.

**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 several confidential economic development prospects and a personnel matter. In addition, to give legal advice concerning a proposed lease agreement with District Two Schools, C Funds to pave state roads and two contractual matters, one concerning Old Fort Fire Department for Givhans area fire service, and an issue with the Town of St. George with regard to code enforcement.

EXECUTIVE SESSION 7:50 P.M.

19. On the motion of Mr. Murphy, seconded by Mr. Davis, 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 the items he announced prior to going into executive session and that no action was taken on any of the items.

LEASE WITH DORCHESTER SCHOOL DISTRICT II

20. On the motion of Mr. Feltner, seconded by Mr. Murphy, Council voted four in favor, two opposed, and one abstention, to authorize the County Administrator to execute the Lease with Dorchester School District II for approximately seven (7) acres of land for a term of 10 years for its use as recreational facilities after the County Attorney has approved the lease.

Council Members Rosebrock and Davis opposed and Councilman Waggoner abstained.

DORCHESTER COUNTY MENTAL HEALTH CENTER BOARD

21. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to reappoint Ms. Sharon Marie Atkinson to the Dorchester County Mental Health Center Board.

ADJOURNMENT 9:40 P.M.

22. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 23, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from July 9, 2007, County Council Meeting
- 3rd Reading for Ordinance # 07-15, Purchase of Fire Apparatus, "An Ordinance To Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"
- Recognition of Codes Enforcement Officers
- Resolution #07-10 for Regional Juvenile Detention Center
- Correspondence

3. GUEST

- Dorchester County Aeronautics Board

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

- 3rd Reading for Rezoning Request #535, Clyde W. Hill; TMS# 130-09-00-008
- 3rd Reading for Ordinance #07-14 "An Ordinance Amending Ordinance #04-15, an Amendment to the Dorchester County Sewer Ordinance #84-08, Pertaining to Connecting to the Sanitary Sewer Line"
- Request for Funds Transfer Dorchester County Fire Board

5. COMMITTEE REPORTS

Chairman Larry Hargett – Water and Sewer Committee

- Request for Sewer Near Pine Forest Country Club TMS#129-00-00-050
- Request for Waiver of Fees Dorchester Habitat for Humanity

Chairman Murphree, Public Works, Property and Utilities Committee

- Public Hearing and Recommendation for 2nd Reading for Ordinance #07-17 to amend The County Road Maintenance Ordinance #97-12
- Recommendation for 2nd Reading for Ordinance #07- 21 Stormwater Ordinance N.P.D.E.S. and Intergovernmental Agreement with the Town of Summerville

Chairman Davis, Administrative and Intergovernmental Affairs Committee

- Elected and Appointed Officials Performance Increases

Chairman Chris Murphy, Planning, Development and Building Committee
-Public Hearings and Recommendations for 2nd Reading for the following Rezoning

Requests:

- #536 Benjamin D. & Matthew S. Coakley; TMS# 153-09-06-008
- #537 Violet Green; TMS# 144-13-00-007
- #538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005
- #539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006
- #540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013
- #542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder;
TMS# 151-04-00-020
- #543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044
- #544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002
- #545 Betty Morrison; TMS# 152-01-01-003
- #546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006
- #547 John & Shelia Martin; TMS# 151-04-00-016
- #548 Jake Serrano, PE, for Pearson P-F Trust; TMS# 165-00-00-009

- Recommendations for 2nd Reading for the following Rezoning Requests:
- #549, Joseph Myers, TMS# 136-09-00-020
 - #551, A. E. Limehouse, Sr., TMS #'s 152-00-00-064 & 152-00-00-065
 - #552 M. Ruth Wiggins; TMS#128-00-00-034

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 2nd Reading to #07-18 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corp.
- 2nd Reading to #07-19 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Giant Cement Corporation
- 2nd Reading to #07-20 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and ECMD, Inc.
- Executive Session
 - Confidential Economic Development Projects
 - Personnel Matter
 - Delegation Funding
 - Legal Advice
 - Dispatch System
 - Department of Social Services Board
 - C Funds
 - Contractual Matter
 - Old Fort Drive

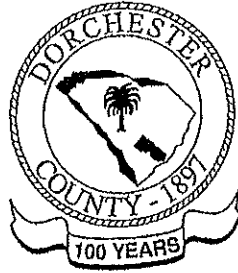
8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

CHRISTOPHER J. MURPH

MIKE MURPHREI

RICHARD ROSEBROC

KENNETH WAGGONE

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 23, 2007 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
Mr. Richard Rosebrock
Mr. Mike Murphree
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Gina R. Sams – Sr. Administrative Assistant to Council

Chairman Hargett called the meeting to order, and gave the Invocation.

CHAIRMAN'S TIME – MR. LARRY HARGETT REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

CHAIRMAN'S TIME – MR. LARRY HARGETT-CONTINUED
REQUEST TO ADDRESS COUNCIL-CONTINUED

- Ms. Victoria Singleton, resident of Dorchester County, addressed Council regarding her concerns of the rules being changed relative to requirements of sewage tie-ins, specifically on Orangeburg Road.

Chairman Hargett reported that this matter would be placed into the County Water and Sewer Committee.

ADOPTION OF MINUTES - JULY 9, 2007, 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 July 9, 2007.

3RD READING FOR ORDINANCE #07-15, PURCHASE OF FIRE APPARATUS, "AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT IN ORDER TO PROVIDE FOR THE ACQUISITION OF CERTAIN VEHICLES; TO AUTHORIZE THE EXECUTION AND DELIVERY TO VARIOUS DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO"

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #07-15; "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide the Acquisition of Certain Vehicles; to Authorize the Execution and Delivery to Various Documents in Connection Therewith; and Other Matters Relating Thereto."

RECOGNITION OF CODES ENFORCEMENT OFFICERS

Chairman Hargett welcomed and recognized three new Codes Enforcement Officers.

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to appoint and commission three new Codes Enforcement Officers: Mr. Larry Bunch, Mr. Mitchell Johnson and Mr. Douglas Cox.

**ADOPTION OF RESOLUTION #07-10 FOR A REGIONAL JUVENILE
DETENTION CENTER**

4. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #07-10 for a Juvenile Detention Center; thereby creating a committee for the establishment of a regional detention facility to serve Berkeley, Charleston, and Dorchester Counties.

MOTION TO AMEND THE AGENDA

5. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted four in favor and three opposed to amend the agenda for the purpose of discussing the Adequate Public Facilities Ordinance.

Mr. Hargett, Mr. Murphree and Mr. Murphy opposed.

**2ND READING FOR THE ADEQUATE PUBLIC FACILITIES
ORDINANCE**

6. Mr. Feltner motioned to remove the Adequate Public Facilities Ordinance from the Budget, Finance & Purchasing Committee for 2nd Reading, Mr. Rosebrock seconded the motion.
7. Mr. Murphree motioned to amend the main motion, to include a cost benefit analysis and instruct the Administrator to receive a bid from ATM, Mr. Murphy seconded the motion.

Council voted four in favor and three opposed to the main motion and the amendment to remove the Adequate Public Facilities Ordinance from the Budget, Finance & Purchasing Committee for 2nd Reading, with the additional proviso that there be a cost benefit analysis and to receive a bid from ATM, Inc. for said purpose.

Mr. Hargett, Mr. Murphree and Mr. Murphy opposed.

CORRESPONDENCE

The County Administrator reported receiving a notice from the South Carolina Department of Health and Environmental Control (DHEC), Division of Mining and Solid Waste Management, regarding D&A, Limited Liability Corporation's application for a mine operating permit for a mine off Sand Hill Road near Dorchester; comments must be received prior to August 6, 2007.

CORRESPONDENCE-CONTINUED

The County Administrator reported receiving a letter from the South Carolina Department of Health and Environmental Control (DHEC) regarding the fire at Coastal Mulch Facility. The letter indicated that if an in-line pump was needed, then Coastal Mulch must have the pump installed and operational no later than 4:00 p.m., Tuesday, July 24, 2007.

GUEST

Mr. Don Hay, Airport Manager, and Cary Limehouse, Chairman of the Dorchester Aeronautics Board, provided Council with an update on projects, the status of the airports, planned projects, and recommendations for improving the airports.

Councilman Murphy suggested for Council to provide a letter of support for federal funding assistance on the planned projects and or improvements to the airports.

COUNTY ADMINISTRATOR'S TIME - MR. JASON WARD
3rd READING FOR REZONING REQUEST # 535, CLYDE W. HILL TMS#
130-09-00-008

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphree, Council voted unanimously, to give 3rd Reading to Rezoning Request #535, Clyde W. Hill, TMS # 130-09-00-008.

3RD READING FOR ORDINANCE #07-12 "A ORDINANCE AMENDING
ORDINANCE #04-12, AN AMENDMENT TO DORCHESTER COUNTY
SEWER ORDINANCE #84-08, PERTAINING TO CONNECTING TO THE
SANITARY SEWER LINE"

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one opposed, to vacate 3rd Reading of Ordinance #07-12 and send this matter back to the Water & Sewer Committee.

Mr. Feltner opposed.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
REQUEST FOR FUNDS TRANSFER DORCHESTER COUNTY FIRE
BOARD

The County Administrator requested Council to authorize the Administrator to approve the transfer of \$13,000. for the purpose of funding two representatives from each of the fire departments to travel to Hammond, Louisiana to do a pre-delivery inspection of the fire apparatuses.

10. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted unanimously, to approve the Administrator's transfer request from capital to operating and not to exceed \$13,000.

MOTION TO AMEND THE AGENDA

The Administrator requested Council to amend the agenda to take up the matter of the Koger House restoration and the County acting as a co-applicant on the grant from the South Carolina Department of Transportation (SCDOT).

11. On the motion of Mr. Murphree, seconded by Mr. Rosebrock, Council voted unanimously, to amend the agenda to discuss a grant application concerning the Koger House restoration project.

KOGER HOUSE RESTORATION

The Administrator reported on the Koger House restoration project needing to have a government entity to act as the lead agency for a grant application and that August 3, 2007, would be the deadline date for the application. The Administrator reported that he would be moving forward with the signing of application.

No actions were taken on this matter.

COMMITTEE REPORTS
CHAIRMAN HARGETT-WATER & SEWER COMMITTEE

Chairman Hargett passed the gavel to Vice Chairman Davis, in order to give his Committee Report.

COMMITTEE REPORTS-CONTINUED
CHAIRMAN LARRY HARGETT – WATER AND SEWER COMMITTEE
REQUEST FOR SEWER NEAR PINE FOREST COUNTRY CLUB; TMS
#129-00-00-050

12. Chairman Hargett reported on the Water & Sewer Committee's recommendation to deny the request for sewer near Pine Forest Country Club; TMS #129-00-00-050. Council voted five in favor, one opposed and one abstention to the recommendation.

Mr. Murphy opposed and Mr. Murphree abstained.

REQUEST FOR WAIVER OF FEES DORCHESTER HABITAT FOR
HUMANITY

13. Chairman Hargett reported on the Water & Sewer Committee's recommendation for Council to reduce the sewer impact and tap fees from \$3,795. to \$2,500. for the Dorchester County Habitat for Humanity. Council voted six in favor and one opposed to the recommendation.

Mr. Murphy opposed.

Vice Chairman Davis passed the gavel passed back to Chairman Hargett.

CHAIRMAN MURPHREE – PUBLIC WORKS, PROPERTY AND
UTILITIES COMMITTEE
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR ORDINANCE #07-17 TO AMEND THE COUNTY ROAD
MAINTENANCE ORDINANCE #97-12

14. Chairman Murphree reported that a Public Hearing was held and the Committee's recommendation to Council was to give 2nd Reading for Ordinance #07-17. Council voted unanimously in favor to the recommendation.

RECOMMENDATION FOR 2ND READING FOR ORDINANCE #07-21
STORMWATER ORDINANCE N.P.D.E.S. AND INTERGOVERN-
MENTAL AGREEMENT WITH THE TOWN OF SUMMERVILLE

15. Chairman Murphree reported the Committee's recommendation to Council was to give 2nd Reading for Ordinance #07-21. Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS-CONTINUED
CHAIRMAN DAVIS – ADMINISTRATIVE & INTERGOVERNMENTAL
AFFAIRS COMMITTEE
ELECTED AND APPOINTED OFFICIALS PERFORMANCE
INCREASES

16. Chairman Davis reported the Committee's recommendation to Council to approve a 3% productivity increase for Elected and Appointed Officials, with the increase to be retroactive to July 1, 2007. Council voted six in favor and one abstention on the recommendation.

Mr. Waggoner abstained.

CHAIRMAN MURPHY - PLANNING, DEVELOPMENT AND BUILDING
COMMITTEE
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR THE FOLLOWING REZONING REQUESTS:
#536, BENJAMIN D. & MATTHEW S. COAKLEY; TMS # 153-09-06-008,
#537 VIOLET GREEN; TMS # 144-13-00-007, #538 BETTY MORRISON
FOR SINCLAIR PALMER; TMS # 143-12-00-005, #539 BETTY
MORRISON FOR HARRY PALMER; TMS # 151-04-00-006, #540 BETTY
MORRISON FOR RUEBEN PALMER; TMS # 151-04-00-013, #542 BETTY
MORRISON FOR JOSEPH & CLAYTON HUGHES AND BEATRICE
LINDER; TMS # 151-04-00-020, #543 BETTY MORRISON FOR ANNIE
MAE ADMIRAL; TMS # 151-04-00-044, #544 BETTY MORRISON FOR
RUBIN PLAMER; TMS # 152-01-01-002, #545 BETTY MORRISON; TMS
152-0101-003, #546 WILHELMINA BERRY 7 DELORIS
ROBINSON; TMS 3 152-01-01-006, #547 JOHN & SHELIA MARTIN; TMS
151-04-00-016

17. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation to Council was for 2nd Reading for Rezoning Requests #536, Benjamin D. Matthew S. Coakley; TMS #153-09-06-008. This is a request to rezone .37 acre on Dorchester Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). Council voted unanimously in favor of the recommendation.

18. Chairman Murphy reported that a Public Hearing was held concurrently for rezoning requests # 537, #538, #539, #540, #542, #543, #544, #545, #546, and #547. The Committee's recommendation to Council was to give 2nd Reading to the requests. Council voted unanimously in favor of the recommendation.
19. Chairman Murphy reported on holding a Public Hearing regarding Rezoning Request # 548, Jake Serrano, PE, for Pearson P-F Trust; TMS #165-00-00-009. The Committee's recommendation to Council was to give 2nd Reading to the request. Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2ND READING FOR THE FOLLOWING
REZONING REQUESTS: #549 JOSEPH MYERS; TMS # 136-09-00-020,
#551 A. E. LIMHOUSE, SR., TMS #'S 152-00-00-064 & 152-00-00-065, #552
M. RUTH WIGGINS; TMS # 128-00-00-034**

20. Chairman Murphy reported the Committee's recommendation to Council was to give 2nd Reading to Rezoning Request # 549, Joseph Myers, TMS # 136-09-00-020 and to place the matter back into the Planning, Development and Building Committee. Council voted unanimously in favor of the recommendation.
21. Chairman Murphy reported the Committee's recommendation to Council was to give 2nd Reading to Rezoning Request # 551, A. E. Limehouse, Sr., TMS # 's 152-00-00-064 & 152-00-00-065 and to place the matter back into the Planning, Development and Building Committee. Council voted unanimously in favor of the recommendation.

Chairman Murphy reported on the Committee's decision to keep Rezoning Request # 552, M. Ruth Wiggins, TMS # 128-00-00-037, in Committee until August 20, 2007, and allow time for the Planning Board to review the request.

**RECOMMENDATION FOR 1ST READING TO AN AMENDMENT TO
ORDINANCE 04-13 PERTAINING TO THE SIZE OF OUT BUILDINGS**

22. Chairman Murphy reported under the agenda's section "Any Other Such Business" that the Committee recommended Council to give 1st Reading to an Amendment to Ordinance 04-13, Article 10, Paragraph 4.2, Line 4.2.1 and to send the matter to the Planning Board and keep the matter in the Planning, Development, and Building Committee; the amendment pertains to the size of out buildings on a parcel of property and would increase the size of out buildings from 1,000 sq. ft. to 2,000 sq. ft. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
2ND READING TO #07-18 ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ALBERT WEBER
MANUFACTURING, CORP.

23. The County Attorney made a recommendation for 2nd Reading to #07-18 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corp. Council voted unanimously in favor of the recommendation.

2ND READING TO #07-19 ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND GIANT CEMENT
COPORATION

24. The County Attorney made a recommendation for 2nd Reading to #07-19 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Giant Cement Corporation. Council voted unanimously in favor of the recommendation.

2ND READING TO #07-20 ORDINANCE APPROVING THE 1ST
AMENDMENT TO A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ECMD, INC.

25. The County Attorney mad recommendation for 2nd Reading to #07-20 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and ECMD, Inc. Council voted unanimously in favor of the recommendation.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss several confidential economic development prospects and to discuss a personnel matter, to give legal advice concerning Delegation Funding, Dis- patch System,

Department of Social Services Board, C Funds and to discuss a contractual matter concerning Old Fort Drive.

Page Ten
July 23, 2007
County Council Meeting

EXECUTIVE SESSION 8:14 P.M.

26. Council voted unanimously to enter into Executive Session.

RECONVENE FROM EXECUTIVE SESSION 10:14 P.M.

The County Attorney reported that in Executive Session, Council discussed the items he announced prior to going into executive session and no actions were taken on any of the items.

SOUTHERN COLORS PROJECT AND NORFOLK SOUTHERN RAILROAD WATER LINE AGREEMENT

27. Mr. Davis motioned to approve the proposed Water Line Agreement with Norfolk Southern Railroad and its \$1,000 cost in order to complete the commitment to the Southern Colors project in Harleyville, South Carolina, with recommendation subject to the approval of the content by the County Attorney, John Frampton, with the funding to come from the Dorchester County Economic Development Fund. The motion was seconded by Mr. Murphy and Council voted unanimously in favor of the motion.

ECONOMIC DEVELOPMENT PROJECT #07-26

28. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously in favor, to award Project #07-26 a local incentive, consisting of a grant from the Dorchester County Economic Development Fund for \$3,354. for the use of either a rental office trailer for six (6) months or for building an interior office, with a tax credit of \$5,000. to assist with any interior or exterior infrastructure and to be placed in the Dorchester County, Orangeburg Multi-County Industrial Park.

I-95 SITE ASSESSMENT

29. On the motion of Mr. Murphree, seconded by Mr. Waggoner, Council voted unanimously in favor, to conduct a confidential site assessment on I-95 and that Dorchester County pay \$1,100. from the Dorchester County Economic Development Fund for the study.

**RESTRUCTURING OF DORCHESTER COUNTY PUBLIC WORKS
DEPARTMENT**

30. On the motion of Mr. Murphree, seconded by Mr. Feltner, Council voted six in favor and one abstention, to restructure the Dorchester County Public Works Department into two (2) departments, the Public Works Department and the Water Sewer Department.

Mr. Waggoner abstained.

INFRASTRUCTURE FUNDING FOR LINCOLN BLVD.

31. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor and one abstention, to complete the infrastructure funding for the Lincoln Blvd. Connector at the Robert Bosch site on Dorchester Road, with the funds to come from the Dorchester County Economic Development Fund in the amount of \$290,391.96.

Mr. Feltner abstained.

ADJOURNMENT 10:17 P.M.

32. Council voted unanimously to adjourn.

Gina R. Sams, Sr. Admin. Asst. to Council

AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 13, 2007
4:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Procedural Violations of Council's Written and Adopted Ordinance #97-05
"Organization and Rules of the Dorchester County Council"
- Review of Adequate Public Facilities Ordinance

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

- Executive Session
 - Contractual Matters
 - Sheriff's Department Forensic Audit
 - Courthouse

4. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER
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
SPECIAL CALLED MEETING
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 13, 2007
4:00 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Mr. Ward gave the Invocation.

**PROCEDURAL VIOLATIONS OF COUNCIL'S WRITTEN AND
ADOPTED ORDINANCE #97-05 "ORGANIZATION AND RULES OF THE
DORCHESTER COUNTY COUNCIL"**

Chairman Hargett read the following statement for the record:

FOR THE RECORD CHAIRMAN HARGETT'S STATEMENT

"As we commence this called meeting, we need to insure that our published rules of Council are followed precisely under County Ordinance # 97-05.

Under Section II. Meetings, part 2-1, Regular and Special Meetings, special meetings may be called by the Chairman or a majority of Council for transaction of official business, but no special meetings shall be held unless all members are notified twenty four hours in advance of such meetings. Four members of Council shall constitute a quorum for the transaction of official business.

All Council members were notified as per the notification requirement and we have a quorum of Council present for this meeting.

First, according to Ordinance #97-05, the Chair has the authority to appoint a Parliamentarian. Since our current Council Parliamentarian is among those of the prevailing party of the issue to be discussed at this meeting and also with the knowledge that our Council Attorney originally drafted the text of Ordinance # 97-05, the Chair appoints Mr. Rudd Smith as Parliamentarian for this special meeting of Council.

Words are important and organization and rules of the Dorchester County Council are of paramount importance. As Chairman, I have had many, many calls, Emails and letters from Dorchester County constituents concerned with how this Council handled 1st and 2nd reading of the Adequate Public Facilities Ordinance, especially at its July 23, 2007 meeting. Four former Council members, who have served this County well, have expressed concern with Council's actions and possible violations of our published Organization and Rules of Council.

As a Council, we are here today to correct what the Chair and others believe to be at least one, possibly more, mistakes made during 2nd reading of the Adequate Public Facilities Ordinance (APFO) on July 23, 2007. Through a close examination of the procedures followed for 2nd reading, there are now legitimate questions as to whether or not 1st reading of this Ordinance was legal. At least one member of our sitting Council is quoted in a press report that I, as Chairman, 'intentionally' held up discussion of this Ordinance by keeping it in Committee and one Attorney in Summerville, in an Email message forwarded to me, went so far as to state that I am a "Dictator Chairman". Several of my constituents have written and called to say that these comments are not only untrue but are indicative of people who do not know the Chairman very well. I am not offended in the least by such emotional and unfounded comments and am determined to protect and promote this Council's reputation for good judgment, integrity, honest representation of our citizen's interests and to insure that every issue affecting our citizens receive a fair and open debate.

FOR THE RECORD CHAIRMAN HARGETT'S STATEMENT

I hereby open the floor for discussion and hope and pray for a resolution to this important matter. I will ask the Clerk to make my comments a matter of public record. What are your thoughts, gentlemen as to the matter at hand?"

PROCEDURAL VIOLATIONS OF COUNCIL'S WRITTEN AND ADOPTED ORDINANCE #97-05 "ORGANIZATION AND RULES OF THE DORCHESTER COUNTY COUNCIL" CONTINUED

Upon completion of the written statement, Chairman Hargett stated that the Clerk to Council would be taking a roll call vote from each member on motions made on certain issues at this meeting.

Chairman Hargett then addressed Council and asked for their comments and thoughts on the matter at hand.

1. On the motion of Councilman Feltner, seconded by Councilman Rosebrock, Council voted four in favor, two opposed and one absent (from this vote) to have the County Attorney address as to whether or not any rules were broken at the July 23rd, 2007, County Council meeting.

Roll Call Vote

Councilman Davis	Yes
Councilman Feltner	Yes
Councilman Hargett	No
Councilman Murphree	No
Councilman Murphy	Absent (for this vote only)
Councilman Rosebrock	Yes
Councilman Waggoner	Yes

The County Attorney, John Frampton, addressed Council and reported that after his review he found that Council acted in accordance with its own rules, with no violations. The County Attorney addressed each of the proposed violations of the Ordinance. In addition, Mr. Frampton presented Council with an opinion from Mr. Cliff Scott, a staff attorney from the South Carolina Association of Counties, who agreed with Mr. Frampton's opinion that no procedural rules were violated. He also recommended that the County look at the "Model Rules of Parliamentary Procedures for County Council", which Mr. Scott was instrumental in drafting with the Association for Counties.

**PROCEDURAL VIOLATIONS OF COUNCIL'S WRITTEN AND
ADOPTED ORDINANCE #97-05 "ORGANIZATION AND RULES OF THE
DORCHESTER COUNTY COUNCIL" CONTINUED**

2. Councilman Feltner motioned, and Councilman Rosebrock seconded it, to abide by the County Attorney's ruling that Council acted in accordance with its own rules when giving second reading to an Ordinance at the July 23, 2007, County Council Meeting.

The Chairman stated that the motion was not recognized, and as announced earlier he had appointed Mr. Rudd Smith as the Parliamentarian for this Special Called Council Meeting.

Councilman Rosebrock requested the County Attorney rule on this issue, and Mr. Frampton stated that since he was not the parliamentarian for this meeting, he could not rule on this issue.

3. Councilman Waggoner motioned to amend the main motion, and Councilman Feltner seconded it, to make the County Attorney parliamentarian for this session.

The Chairman stated the motion was not recognized, and requested that Mr. Smith, the appointed parliamentarian, address Council.

4. Councilman Rosebrock motioned, and Councilman Waggoner seconded it, for this meeting to adjourn.

The Chairman stated that the motion was not recognized, and requested for Mr. Smith to address Council. After discussion by Council, Mr. Smith gave his "Parliamentary Report".

Mr. Smith stated, he agreed with Mr. Frampton on all of the issues that were addressed, except for the question regarding the following stated Section of Ordinance #97-05. He interpreted this section differently than Mr. Frampton and Mr. Scott.

ORDINANCE # 97-05

2-3.4 REQUESTS TO BE HEARD-AGENDA ITEM:

"Should any person, group or organization request to be heard upon any appropriate matter at a regular or special meeting of Council, such person, group or organization should request and receive approval from the Administrator or Chairman to place such matter on the agenda for the meeting at least four (4) days prior to the date set for such meeting. The Administrator or Chairman may waive this requirement in cases of great urgency if the matter is presented in writing and every member of Council is informed prior to the commencement of the meeting or as otherwise specific in the agenda. Council members are encouraged to give as much notice as possible to the Clerk of Council regarding proposed agenda items."

**PROCEDURAL VIOLATIONS OF COUNCIL'S WRITTEN AND
ADOPTED ORDINANCE #97-05 "ORGANIZATION AND RULES OF THE
DORCHESTER COUNTY COUNCIL" CONTINUED**

After reading the section, Mr. Smith stated in his opinion Section 2-3.4 could be interpreted differently. In addition, in his opinion it should have taken a two-thirds majority to amend the agenda.

5. Councilman Feltner motioned and Councilman Rosebrock seconded it, to have the County Attorney's opinion on the proceedings accepted as the final word on whether the rules were broken at the July 23, 2007, County Council Meeting, regarding the vote on the Adequate Public Facilities Ordinance. (The County Attorney's opinion was that no rules were broken.)

6. Councilman Murphree motioned to amend the main motion, and Councilman Davis seconded it, for Council to adjourn debate, concede to the County Attorney's ruling that there were no violations, to concede to the Parliamentarian of this meeting, that there could be error in Council's procedures, and to refer this to the Agenda and Rules Committee for further study and recommendation on the model rules that the South Carolina Association of Counties has drafted.

After discussion, Councilman Murphree withdrew his amendment to the main motion, and Councilman Davis withdrew his second.

The vote on the main motion was five in favor, and two opposed.

Roll Call Vote

Councilman Davis	Yes
Councilman Feltner	Yes
Councilman Hargett	No
Councilman Murphree	Yes
Councilman Murphy	No
Councilman Rosebrock	Yes
Councilman Waggoner	Yes

7. On the motion of Councilman Murphree, seconded by Councilman Feltner, Council voted unanimously to refer Ordinance #97-05, "Organization and Rules of the Dorchester County Council"; to the Agenda and Rules Committee to be studied and for a determination to be made concerning whether the rules needed to be amended.

**PROCEDURAL VIOLATIONS OF COUNCIL'S WRITTEN AND
ADOPTED ORDINANCE #97-05 "ORGANIZATION AND RULES OF THE
DORCHESTER COUNTY COUNCIL" CONTINUED**

Roll Call Vote

Councilman Davis	Yes
Councilman Feltner	Yes
Councilman Hargett	Yes
Councilman Murphree	Yes
Councilman Murphy	Yes
Councilman Rosebrock	Yes
Councilman Waggoner	Yes

REVIEW OF ADEQUATE PUBLIC FACILITIES ORDINANCE

Mr. Tony Maglione, Vice President of ATM, Inc., gave a presentation and commentary on his review of the Adequate Public Facilities Ordinance, and explained his concern that levels of service have not been defined, and that the Ordinance does not address public safety, libraries or recreation. He also described potential repercussions of enacting the Ordinance, which include a negative impact on economic development, increased municipal annexation, increased costs for providing service, increased water and sewer rates, changes in demand for development, and the elimination of small developments and family subdivisions. Mr. Maglione also presented some alternatives including implementation of impact fees, addressing facility needs through Development Agreements, establishing a Municipal Improvement District and using a Tax Increment Financing (TIF) District.

Councilman Feltner stated that the Ordinance that was given 1st and 2nd Reading was not the Ordinance on the website. One change made to Section 2.2.12 Subdivision. The correct wording under Section 2.2.12 Subdivision, is as follows: "The division of land into twenty-five (25) or more dwellings unit lots".

**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 contractual matters, the Sheriff's Department Forensic Audit and the new County Courthouse.

EXECUTIVE SESSION 5:20 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 5:50 P.M.

The County Attorney reported that in Executive Session, Council discussed two contractual matters, first the Sheriff's Department Forensic Audit and second the construction bids for the new Courthouse and that no action was taken on any of the items.

COUNTY COURTHOUSE

9. On the motion of Councilman Murphy, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator and his staff, to negotiate with the lowest bidder on the County Courthouse project and to come back to full Council with a recommendation.

SHERIFF'S DEPARTMENT FORENSIC AUDIT

10. On the motion of Councilman Davis, seconded by Councilman Murphy, Council voted six in favor and one abstention, to use up to \$10,000 in additional funds, to hire the firm Rachlin, Cohen, and Holtz, to conduct the forensic audit of the Sheriff's Department.

Councilman Murphree abstained.

ADJOURNMENT 5:55 P.M.

11. On the motion of Councilman Murphy, seconded by Councilman Rosebrock, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 20, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from July 23, 2007, County Council Meeting and the August 13, 2007, Special Called Council Meeting
- Recognition of James (Jimmy) Segar
- Recognition of Doug Warren 20 Years of EMS Registration
- Adoption of Resolution #07-11, "Health Care of South Carolina"
- 1st Reading Ordinance Amending County Ordinance #97-05 "Organization and Rules of the Dorchester County Council", Regarding Corrections to Section 2-3.4, 8-1.5, and 8-1.8
- Correspondence

3. GUEST

- Ms. Tammie Hoy, Executive Director, Lowcountry Housing Trust Partnership, Proposal to Dorchester County

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

- July 2007 Financial Report
- 1st Reading to an Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article XI. Ashley River Historic District Overlay Zone, Sections 11.5.7. Additional Requirements for District 1, and Section 11.5.8. Additional Requirements for District 2
- Carryover Budget FY 2007-2008
- 1st Reading Rezoning Request # 550, for Patrick Janney; TMS# 136-07-02-008
- Recommendation for 3rd Reading for the following Rezoning Requests:
 - #536 Benjamin D. & Matthew S. Coakley; TMS# 153-09-06-008
 - #537 Violet Green; TMS# 144-13-00-007
 - #538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005
 - #539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006
 - #540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013
 - #542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020
 - #543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044
 - #544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002
 - #545 Betty Morrison; TMS# 152-01-01-003
 - #546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006

COUNTY ADMINISTRATOR'S TIME – CONTINUED

- #547 John & Shelia Martin; TMS# 151-04-00-016
- #548 Jake Serrano, PE, for Pearson P-F Trust; TMS# 165-00-00-009

5. COMMITTEE REPORTS

Chairman Rosebrock – Public Safety, Health and Human Services Committee

- Recreation Grants Program Phase 4

Chairman Hargett – Water and Sewer Committee

- Water Service to Teal on the Ashley
- Recommendation for 3rd Reading for Ordinance #07-14 “An Ordinance Amending Ordinance #04-15, an Amendment to the Dorchester County Sewer Ordinance #84-08, Pertaining to Connecting to the Sanitary Sewer Line”

Chairman Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendations for 3rd Reading for the following Rezoning Requests:

- #549, Joseph Myers, TMS# 136-09-00-020
- #551, A. E. Limehouse, Sr., TMS #'s 152-00-00-064 & 152-00-00-065
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request:
- #552 M. Ruth Wiggins; TMS#128-00-00-034
- 2nd Reading to an Ordinance to Amend Ordinance #04-13, “Dorchester County Zoning and Land Development Standards Ordinance”, Regarding Article X. Supplemental Provisions, Section 10.4.2. Accessory Structures

Chairman Murphree, Public Works, Property and Utilities Committee

- Transfer of Roads from State to County Maintenance
- Maintenance of Knight's Ave. in Pinehill Acres
- Public Hearing Ordinance Amending the Dorchester County Stormwater Ordinance #02-10 pertaining to the Classification of Property and Determination of The Interim Utility Fee
- Public Hearing and Recommendation for 3rd Reading for Ordinance #07- 21 Stormwater Ordinance N.P.D.E.S. and Intergovernmental Agreement with the Town of Summerville

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 3rd Reading for #07-18 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corp.
- Public Hearing and 3rd Reading for #07-19 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and Giant Cement Corporation
- Public Hearing and 3rd Reading for #07-20 Ordinance approving the 1st Amendment to a Fee In Lieu of Taxes Agreement between Dorchester County and ECMD, Inc.
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - County Road Maintenance Policy
 - Ordinance Approving Development Agreement between Dorchester County and Summer Tract, LLC (Audrey Park)
 - Contractual Matters
 - Old Fort Fire Department for Givhans Service
 - Lake Marion Water Purchase and Supply Agreement
 - Vocational Needs Study
 - Court Case Management System

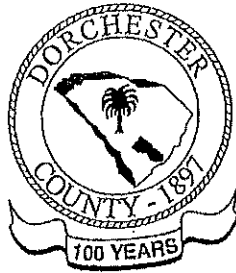
8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 20, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
Mr. Kenneth F. Waggoner
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 Hargett called the meeting to order, and Reverend David Mullins gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied:

- Mr. Buddy Metts addressed Council regarding the transfer of roads from State to County maintenance and explained that there are cut-through problems in Quail Arbor Subdivision.

REQUEST TO ADDRESS COUNCIL-CONTINUED

- Mr. Michael Ammerson addressed Council regarding the barbed wire fence on Big Bird Road by the County Airport. He stated the residents were not given proper notice about the fence or the clear cutting. In addition, he requested for the fence to be moved over and Chairman Hargett stated that this issue would be passed on to the Aeronautics Board.
- Mr. Bob Jarrett addressed Council regarding the new fence at the Dorchester County Airport in Summerville.
- Mr. Scott Coghill addressed Council regarding a fence and the logging of the trees at the Dorchester County Airport in Summerville.

ADOPTION OF MINUTES FROM TWO COUNCIL MEETINGS

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the July 23, 2007, County Council Meeting and the August 13, 2007, Special Called Council Meeting.

RECOGNITION OF MR. JAMES (JIMMY) SEGAR

Council recognized Mr. Jimmy Segar for his 13 years of dedicated service to the County in the Solid Waste Division of the Public Works Department.

**RECOGNITION OF DOUG WARREN 20 YEARS OF EMS
REGISTRATION**

Council recognized Mr. Doug Warren, Dorchester County Emergency Medical Services Director, for this honor bestowed by the National Registry of Emergency Medical Technicians. "It is a rare achievement that an EMT maintains national registration for 20 years," according to William E. Brown, Jr., Executive Director of the National Registry of Emergency Medical Technicians.

**ADOPTION OF RESOLUTION #07-11, "HEALTH CARE OF SOUTH
CAROLINA"**

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #07-11, "Health Care of South Carolina".

ORDINANCE AMENDING COUNTY ORDINANCE #97-05
"ORGANIZATION AND RULES OF THE DORCHESTER COUNTY
COUNCIL"

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to put this issue in the Agenda and Rules Committee of Council.

CORRESPONDENCE (No correspondence to report)

GUEST

Ms. Tammie Hoy, Executive Director, Lowcountry Housing Trust, addressed Council regarding a Partnership Proposal to Dorchester County. Ms. Hoy presented information on her organization including the recent Willow Trace Apartments project that provided 48 units of affordable housing in North Charleston. She also requested that County Council work with her organization to develop additional affordable housing opportunities.

COUNTY ADMINISTRATOR'S TIME -- MR. JASON WARD
JULY 2007 FINANCIAL REPORT

Mr. Ward had the Dorchester County Finance Director, Mr. Lee Moulder, address Council regarding the reformatting of the "Monthly Finance Report". Mr. Moulder explained the new report.

AN ORDINANCE TO AMEND ORDINANCE #04-13 "DORCHESTER
COUNTY ZONING AND LAND DEVELOPMENT STANDARDS
ORDINANCE", REGARDING ARTICLE XI. ASHLEY RIVER HISTORIC
DISTRICT OVERLAY ZONE, SECTIONS 11.5.7. ADDITIONAL
REQUIREMENTS FOR DISTRICT 1, AND SECTION 11.5.8.
ADDITIONAL REQUIREMENTS FOR DISTRICT 2

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to refer "An Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article XI. Ashley River Historic District Overlay Zone, Sections 11.5.7., Additional Requirements for District 1, and Section 11.5.8., Additional Requirements for District 2", to the Planning, Development, and Building Committee for further consideration.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

CARRYOVER BUDGET FY 2007-2008

5. Mr. Davis motioned, seconded by Mr. Murphy, to approve the Carryover Budget for FY 2007-2008, with a total of \$1,563,579, and allow the County departments to use funds budgeted for projects, purchases, services, and personnel in Fiscal Year 2006-07 for purposes during this current fiscal year.

6. Mr. Feltner motioned to amend the main motion, seconded by Mr. Rosebrock, to approve the Carryover Budget for FY 2007-2008, minus the \$15,000, for the Clerk of Court Department, for part-time help. Council voted one in favor and six opposed.

Council members Hargett, Murphy, Murphree, Waggoner, Rosebrock and Davis were opposed.

Council voted unanimously in favor of the main motion.

**1ST READING REZONING REQUEST # 550, FOR PATRICK JANNEY;
TMS# 136-07-02-008**

7. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to Rezoning Request # 550, for Patrick Janney, TMS# 136-07-02-008, and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 2.87 acres on Alicia Drive near Summerville from R-4 (Multi-Family Residential) to CLI (Commercial Light Industrial).

3RD READING FOR THE FOLLOWING REZONING REQUESTS:

Request for 3rd Reading for the following Rezoning Requests:

#536 Benjamin D. & Matthew S. Coakley; TMS# 153-09-06-008

Rezoning Request #536 Benjamin D. & Matthew S. Coakley - TMS# 153-09-06-008. This is a request to rezone .37 acre on Dorchester Road from R-2 (Single Family Residential) to CN (Neighborhood Commercial).

#537 Violet Green; TMS# 144-13-00-007

Rezoning Request #537 Violet Green TMS# 144-13-00-007. This is a request to rezone 3.03 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

COUNTY ADMINISTRATOR'S TIME -- CONTINUED

Request for 3rd Reading for the following Rezoning Requests continued:

#538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005
Rezoning Request #538 Betty Morrison for Sinclair Palmer; TMS# 143-12-00-005. This is a request to rezone 12.75 acres on Starr Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006
Rezoning Request #539 Betty Morrison for Harry Palmer; TMS# 144-13-00-006. This is a request to rezone 1.02 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013
Rezoning Request #540 Betty Morrison for Rueben Palmer; TMS# 151-04-00-013. This is a request to rezone .5 acre on Palmer Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020
Rezoning Request #542 Betty Morrison for Joseph & Clayton Hughes and Beatrice Linder; TMS# 151-04-00-020. This is a request to rezone 1.27 acres on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044
Rezoning Request #543 Betty Morrison for Annie Mae Admiral; TMS# 151-04-00-044. This is a request to rezone .35 acre on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002
Rezoning Request #544 Betty Morrison for Rubin Palmer; TMS# 152-01-01-002. This is a request to rezone 1.25 acres Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

Request for 3rd Reading for the following Rezoning Requests continued:

#545 Betty Morrison; TMS# 152-01-01-003
Rezoning Request #545 Betty Morrison; TMS# 152-01-01-003. This is a request to rezone 1.38 acres on Palmer Road from R-4 (Residential Multi-Family District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006
Rezoning Request #546 Wilhelmina Berry & Deloris Robinson; TMS# 152-01-01-006. This is a request to rezone 1.5 acres on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#547 John & Shelia Martin; TMS# 151-04-00-016
Rezoning Request #547 John & Shelia Martin; TMS# 151-04-00-016. This is a request to rezone .73 acres on Starr Road from CG (General Commercial District) to R-1M (Single Family Residential Manufactured Housing District). This is a #04-13 correction.

#548 Jake Serrano, PE, for Pearson P F Trust; TMS# 165-00-00-009
Rezoning Request #548 Jake Serrano, PE, for Pearson P F Trust; TMS# 165-00-00-009. This is a request to rezone 145.1 acres on Highway 17A South from AC (Absence of Controls) to SR (Suburban Residential District).

8. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Rezoning Requests # 536, 537, 538, 539, 540, 542, 543, 544, 545, 546, 547, and 548.

COMMITTEE REPORTS

PUBLIC SAFETY, HEALTH, AND HUMAN SERVICES COMMITTEE
CHAIRMAN ROSEBROCK

RECREATION GRANTS PROGRAM PHASE 4

Chairman Rosebrock reported the Committee's recommendation to Council and read the list of recommended appropriations:

RECREATION GRANTS PROGRAM PHASE 4 CONTINUED

	<u>Request</u>	<u>Recommendation</u>
<u>St. George American Legion Post 105</u> (From Administrator's Contingency Fund)	\$ 2,500.00	\$ 2,500.00
<u>Summerville American Legion Post 21</u> (From Administrator's Contingency Fund)	2,500.00	2,500.00
<u>Martin Luther King Parade</u> (From Administrator's Contingency Fund)	3,500.00	2,500.00
<u>Summerville Sertoma Club</u> (Purchase 5 acres of land to improve & develop additional facilities) (From Administrator's Contingency Fund)	50,000.00	20,000.00
<u>Town of Harleyville</u> (Improve baseball field & basketball courts)	10,000.00	10,000.00
<u>Jenkins Hill Community</u> (Sponsor summer enrichment program)	5,000.00	2,500.00
<u>Parks Dixie Youth Baseball</u> (Improve concession stand, replace umpire dressing room, and replace lighting)	54,987.00	25,000.00
<u>Town of Reevesville</u> (Purchase recreation equipment for Magnolia Park)	11,000.00	5,000.00
<u>Town of St. George</u> (Replace playground equipment; renovate walking trail, landscaping etc.)	32,000.00	16,000.00
<u>St. Paul's Recreation Site</u> (Swing set, freight, installation & a shed)	25,000.00	12,500.00
<u>Sand Hill Community</u> (Completion of Community Park)	35,000.00	14,000.00
<u>Summerville YMCA</u> (Install commercial shade, ROC for a road, and remodel bathrooms)	33,770.00	20,000.00
<u>Texas Community Recreation Site</u> (Improve cement walkway)	5,000.00	5,000.00
<u>Shady Grove Ball Park</u> (Build a Dugout)	5,000.00	5,000.00

RECREATION GRANTS PROGRAM PHASE 4 CONTINUED

9. Chairman Rosebrock reported that the total amount recommended by the Committee is \$115,000 in recreation funds, plus \$27,500 from the County Administrator's Contingency Fund. He also stated that this money (\$115,000) comes from the Cable Television Franchise Fees paid to Dorchester County.

10. Mr. Davis motioned, seconded by Mr. Waggoner, to amend the main motion to include an addition \$3,500 for the Sand Hill Community. Council voted three in favor and four opposed.

Council members Hargett, Murphree, Murphy and Rosebrock were opposed.

Council voted unanimously in favor of the main motion.

11. Chairman Rosebrock made a motion, Mr. Davis seconded it, and Council voted unanimously in favor, to authorize the County Administrator to proceed with sending the Summerville Sertoma Club the \$20,000 in funds appropriated to the Club.

Chairman Hargett passed the gavel to Vice Chairman Davis.

WATER AND SEWER COMMITTEE CHAIRMAN HARGETT

WATER SERVICE TO TEAL ON THE ASHLEY

12. Chairman Hargett reported that according to Mr. Tompkins, there are 66 lots, including 33 existing customers, in the Teal on the Ashley Subdivision. The County obtained these customers when it purchased Carolina Water Service. This area is in Dorchester Water Authority's service territory and they would like to serve all 66 lots. Public Works recommends allowing DWA to serve in Teal on the Ashley. The Committee's recommendation to Council is to transfer the 66 lots, including 33 existing customers, in the Teal on the Ashley Subdivision, to Dorchester Water Authority for service. Council voted six in favor and one opposed to the recommendation.

Councilman Feltner opposed.

WATER AND SEWER COMMITTEE CONTINUED
RECOMMENDATION FOR 3RD READING FOR ORDINANCE #07-14
"AN ORDINANCE AMENDING ORDINANCE #04-15, AN AMENDMENT
TO THE DORCHESTER COUNTY SEWER ORDINANCE #84-08,
PERTAINING TO CONNECTING TO THE SANITARY SEWER LINE"

13. Chairman Hargett reported that according to Mr. Tompkins, the County would lose \$527,505 in one time fees and 139 customers, if the tie-in distance was reduced from 150 feet to 75 feet. The Committee's recommendation to Council was to give 3rd Reading to Ordinance #07-14. The Ordinance reads as follows:

Be it ordained by Dorchester County Council duly assembled as follows:

1. Section 406 of Ordinance No. 04-15 which amended Ordinance No. 84-08 is amended to delete that section in its entirety and to substitute in its place a new Section 406 which shall read as follows:

Section 406: Any building located within 150 feet of the property line along which a sewer line is located must connect to the County sewer system; provided, however, that if an existing building at the time this Section is adopted, is connected to an existing properly operating septic system (septic tank), such connection shall not be required unless there is a malfunction of the existing system or upon notice from SCDHEC that the existing means of waste disposal is a community health hazard, or is in violation of federal, state or County law. The 150 feet shall be measured by the perpendicular distance from the closest heated space of any building to the property line along which the sewer line is located.

This connection shall be made upon the sooner of:

- a. within 90 days of the sewer line becoming operational or,
- b. immediately if there is a malfunction of the existing system or,
- c. immediately upon notice from SCDHEC that the existing means of waste disposal is a community health hazard or is in violation of federal, state or County law.

Council voted six in favor and one opposed to give 3rd Reading to Ordinance #07-14.

Councilman Waggoner was opposed.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE
CHAIRMAN MURPHY

PUBLIC HEARING AND RECOMMENDATIONS FOR 3RD READING
FOR THE FOLLOWING REZONING REQUESTS:

14. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #549 and the Committee's recommendation to Council was for 3rd Reading. Council voted unanimously in favor of the recommendation of 3rd Reading.

#549, Joseph Myers, TMS# 136-09-00-020. This is a request to rezone .678 acre on Orangeburg Road from R-1 (Single Family Residential) to CG (General Commercial).

15. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #551 and the Committee's recommendation to Council was for 3rd Reading. Council voted unanimously in favor of the recommendation of 3rd Reading.

#551, A. E. Limehouse, Sr., TMS #'s 152-00-00-064 & 152-00-00-065. This is a request to rezone 12.15 acres on Bacon's Bridge Road from R-4 (Residential Multifamily) to SR (Suburban Residential). This requested rezoning is an Ordinance #04-13 correction.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING #552
M. RUTH WIGGINS; TMS#128-00-00-034

16. Chairman Murphy reported that the Committee's recommendation to Council was to deny Rezoning Request # 552. This is a request to rezone 3.26 acres on Summerset Lane from R-1M (Single Family Residential Manufactured Housing District) to CG (General Commercial). This requested rezoning is an Ordinance #04-13 correction. Prior to #04-13, this property was zoned DE-1 (Development District). Council voted five in favor, and two opposed on the recommendation to deny 2nd Reading for this Rezoning Request.

Council Members Waggoner and Davis were opposed.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE CONTINUED

**2ND READING TO AN ORDINANCE TO AMEND ORDINANCE #04-13,
"DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT
STANDARDS ORDINANCE", REGARDING ARTICLE X.
SUPPLEMENTAL PROVISIONS, SECTION 10.4.2. ACCESSORY
STRUCTURES**

17. Chairman Murphy reported that his proposed amendment would increase the size of allowable accessory structures from 1,000 square feet to 2,000 square feet if the total imperviousness for the zoning would not be exceeded. The Committee's recommendation to Council was for 2nd Reading to be given to this Ordinance. Council voted unanimously in favor of the recommendation of 2nd Reading.

PUBLIC WORKS, PROPERTY, AND UTILITIES CHAIRMAN MURPHREE

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

18. Chairman Murphree reported that the State has agreed to give the County 6.91 miles of roads and in return, the State is getting 4.95 miles of County roads. Chairman Murphree reported that this leaves a deficit of about 1.5 miles. The Committee's recommendation to Council is to move forward with the exchange, while keeping in mind that the South Carolina Department of Transportation still owes the County in the swap. Mr. Tompkins will sign the letter authorizing the swap and keep negotiations up with the SCDOT. Council voted unanimously in favor of the recommendation.

MAINTENANCE OF KNIGHT'S AVENUE IN PINEHILL ACRES

19. Chairman Murphree reported that according to Mr. Tompkins, the County maintained 2,050 feet on this road. The rest, 1,890 feet, has never been maintained and is platted unimproved R/W. Sewer was extended down the road, and builders have bought the lots and want the road extended to them. The cost to grade and rock 1,890 feet, based on the last one-cent transportation contract, is \$49,875 or \$1,600 per lot based on 32 equivalent lots. The Committee's recommendation was to send lot owners on the last 1,890 feet of Knight's Avenue a certified letter informing them of the cost of \$1600 for the grading and rocking of the road. Council voted unanimously in favor of this recommendation.

PUBLIC WORKS, PROPERTY, AND UTILITIES CONTINUED
PUBLIC HEARING ORDINANCE AMENDING THE DORCHESTER
COUNTY STORMWATER ORDINANCE #02-10 PERTAINING TO THE
CLASSIFICATION OF PROPERTY AND DETERMINATION OF THE
INTERIM UTILITY FEE

Chairman Murphree stated that the Committee held a Public Hearing for "An Ordinance Amending the Dorchester County Stormwater Ordinance #02-10, Pertaining to the Classification of Property and the Interim Utility Fee". Chairman Murphree stated that the interim fee for the coming year would be \$29.20 per parcel and that the staff recommends a new fee of \$10.23, effective next fiscal year. The Committee was working towards setting the fee at Regulatory Compliance and no more. He stated that one suggestion that came from the Public Hearing was not to charge a flat fee, but to pay the Stormwater portion out of property taxes. This item will remain in Committee.

PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING
FOR ORDINANCE #07-21 STORMWATER ORDINANCE N.P.D.E.S. AND
INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF
SUMMERVILLE

Chairman Murphree reported that a Public Hearing was held and the Committee had no recommendation for Council. This Ordinance is a requirement of the Stormwater permit. Councilman Rosebrock addressed Council and stated that he felt that the Stormwater Fee should be financed through millage and not through any fees.

20. Mr. Rosebrock motioned, and Mr. Murphree seconded, to finance the Stormwater Fee through an increase in millage instead of charging a fee.

21. Mr. Murphy motioned to amend the amendment, and Mr. Davis seconded, and Council voted six in favor, and one opposed to keep the determination of the Stormwater Utility Fee in Committee and to give 3rd Reading to Ordinance #07-21, the Stormwater Ordinance N.P.D.E.S. and Intergovernmental Agreement with the Town of Summerville.

Councilman Rosebrock opposed.

OTHER BUSINESS

Chairman Murphree stated that Charlie Lane, off Central Avenue, was discussed, and that an easement would be needed to pipe the ditch on this property. The Committee decided to send letters to the property owners advising them that the County cannot work on private property, but once an easement was obtained, the property owners can pay the County to have the ditch piped.

APPOINTMENTS TO BOARDS AND COMMISSIONS

22. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to recommend to the Governor two appointments to the Foster Care Review Board, Ms. Nancy Shows and Ms. Nettie Cusack.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
3RD READING AND PUBLIC HEARING - ORDINANCE APPROVING
THE 1ST AMENDMENT TO A FEE-IN-LIEU-OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ALBERT WEBER
MANUFACTURING CORPORATION

Chairman Hargett opened the Public Hearing to receive public comments on the above Ordinance. Hearing no comments, the Public Hearing was closed.

23. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Ordinance #07-18, Approving the 1st Amendment to a Fee-In-Lieu-of Taxes Agreement between Dorchester County and Albert Weber Manufacturing Corporation.

3RD READING AND PUBLIC HEARING - ORDINANCE APPROVING
THE 1ST AMENDMENT TO A FEE-IN-LIEU-OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND GIANT CEMENT
CORPORATION

Chairman Hargett opened the Public Hearing to receive public comments on the above Ordinance. Hearing no comments, the Public Hearing was closed.

24. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #07-19, Approving the 1st Amendment to a Fee-In-Lieu-of Taxes Agreement between Dorchester County and Giant Cement Corporation.

COUNTY ATTORNEY'S TIME – CONTINUED

**3RD READING AND PUBLIC HEARING -ORDINANCE APPROVING
THE 1ST AMENDMENT TO A FEE-IN-LIEU-OF TAXES AGREEMENT
BETWEEN DORCHESTER COUNTY AND ECMD, INC.**

Chairman Hargett opened the Public Hearing to receive public comments on the above Ordinance. Hearing no comments, the Public Hearing was closed.

25. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading to Ordinance #07-21, Approving the 1st Amendment to a Fee-In-Lieu-of Taxes Agreement between Dorchester County and ECMD, Inc.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss several Confidential Economic Development Prospects, and to give legal advice regarding the County Road Maintenance Policy, an Ordinance Approving Development Agreement between Dorchester County and Summer Tract, LLC (Audrey Park), and to discuss four contractual matters, Old Fort Fire Department for Givhans Fire District Service, and a Lake Marion Water Purchase and Supply Agreement, a Vocational Needs Study and a Court Case Management System.

EXECUTIVE SESSION 8:30 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10: 50 P.M.

The County Attorney reported that in Executive Session, Council discussed several Confidential Economic Development Projects, and received legal advice regarding the County Road Maintenance Policy, and an Ordinance regarding a Development Agreement between Dorchester County and Summer Tract, LLC. In addition, Council discussed several contractual matters concerning Old Fort Fire Department service to Givhans Fire District, a Lake Marion Water Purchase and Supply Agreement, a Vocational Needs Study and a Court Case Management System. No action was taken on any of the above items.

ECONOMIC DEVELOPMENT PROJECT

27. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to provide funds from the Dorchester County Economic Development Fund for the additional road shoulder width required by the South Carolina Department of Public Transportation for the ECMD project in the amount of \$4,300.00.

ECONOMIC DEVELOPMENT PROJECT #07-043

28. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously, to approve a revised fee in lieu of taxes for the project #07-043, which will reflect the revised total of \$410.6 million dollars that this project now plans to invest in Dorchester County beginning in 2007. A total of 29 new jobs will be added with the expansion. In addition, a special source project improvement credit of 35% be awarded to assist with the project's infrastructure and other development cost, that the site will be placed in the Dorchester-Orangeburg Multi County Industrial Park and that \$200,000 be provided from the Dorchester County Economic Development Fund to assist with highway and rail improvements at the site's entrance. An announcement is expected soon.

STATEWIDE COURT CASE MANAGEMENT SYSTEM

29. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to approve the Statewide Court Case Management System and approve the expenditure of \$2,500.00 for infrastructure costs.

**WATER PURCHASE AND SUPPLY AGREEMENT WITH LAKE
MARION REGIONAL WATER AUTHORITY**

30. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to authorize the County Administrator to enter into a Water Purchase and Supply Agreement with the Lake Marion Regional Water Authority.

**CONTRACT WITH OLD FORT FOR FIRE SERVICES IN THE
GIVHANS FIRE DISTRICT**

31. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously, to authorize the County Administrator to sign the contract with Old Fort Fire Department for fire services in the Givhans Fire District.

VOCATIONAL NEEDS ASSESSMENT STUDY

32. On the motion of Mr. Feltner, seconded by Mr. Rosebrock, Council voted unanimously, to agree to fund a portion of the Vocational Needs Assessment with \$5,000.00 from Council Contingency and \$5,000.00 from Administrator's Contingency.

ECONOMIC DEVELOPMENT PROJECT #06-027

33. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted unanimously, to approve a 6% fee in lieu of taxes for project #06-027-one of our international companies that is planning to invest over \$30 million dollars in a new plant and equipment. The firm will add 60 to 70 new employees. In addition, that the site be placed in the Dorchester-Orangeburg Multi-County Industrial Park and that a project improvement fee stream credit of \$300,000 (spread over 3 years) be awarded to the project.

RECREATION FUNDING

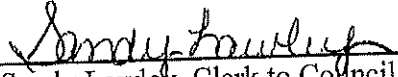
34. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted unanimously, that an additional \$5,000 in recreation funds be given to the Summerville Sertoma Club and an additional \$3,500 be given to Sandhill Community.

ECONOMIC DEVELOPMENT PROJECT #07-34

35. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously, to approve the expenditure of up to \$2,500.00 to fund conceptual road development plans for a confidential site in Dorchester County (Project #07-34). These funds will be paid from the Dorchester County Economic Development Fund.

ADJOURNMENT 10:59 P.M.

36. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adjourn.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 4, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from August 20, 2007, County Council Meeting
- Recognition of Keep Dorchester County Beautiful and Dorchester County Recycling Sprint/ Keep America Beautiful "WOW" (Wipe Out Wireless Waste) Grant
- Adoption of Resolution #07-12, "Recognition of Carolyn Tomlinson"
- Adoption of Proclamation #07-02 "International Literacy Month", September 2007 and "International Literacy Day", September 8, 2007
- Correspondence

3. GUEST

- Mr. David Garber, GIS Coordinator, -Local Update of Census Addresses (LUCA)
- Mr. Thom Schmenk, Risk Manager, -End of the Year Accident and Injury Statistics

4. COUNCIL MEMBER'S TIME MR. MIKE MURPHREE

- Adoption of Resolution #07-13, "Resolution Encouraging State Lawmakers to Enact a State Statue for Attempted Murder of a Law Enforcement Officer"
- Rescind Resolution #07-11, "Health Care for South Carolina"

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

- Request for Funding FIRST Robotics Program
- Day of Caring, September 11, 2007
- Request for Road Maintenance Acceptance Applications:
 - Eagle Run Subdivision, Phase III
 - Hickory Ridge Subdivision, Phase 2
- 1st Reading for Ordinance #07-26, "An Ordinance to provide for the issuance and sale of not exceeding seven hundred thousand dollars (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, series 2007; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto"
- 1st Reading for Ordinance #07-25, "Authorizing the borrowing by Dorchester County, South Carolina, of not exceeding five million one hundred thousand dollars (\$5,100,000) in anticipation of the collection of the Ad Valorem taxes for the year 2007-2008"
- 1st Reading to An Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Ashley River Historic District Overlay Zone, Adding a Forth District and Requirements for this District
- 1st Reading for Rezoning Request #553 for Doug Richardson, TMS# 136-07-03-003

6. COMMITTEE REPORTS

Chairman Hargett – Water and Sewer Committee

-Sewer Impact Fee Refunds

Chairman Murphree, Public Works, Property and Utilities Committee

- Public Works Building Addition
- Maintenance of Knight's Ave. in Pine Hill Acres
- Resurfacing of Roads in Windsor Hill Subdivision
- Striping of Road in Summerset Acres
- Owens Circle Petition for Change to a One-Way Street
- Request for Signs in Legend Oaks Plantation (Traffic Flow)
- Briarwood Subdivision - Request for Stop Signs
- County Road Petition for Omar Sue Lane
- County Road Petition for Angel Drive
- Old Spell Road
- Abandonment of Edisto River Road
- Ezekiel Drive
- County Road Petition for United Lane
- County Road Petition for Barricade Lane
- Transfer of Roads from State to County Maintenance

Chairman Murphy, Planning, Development and Building Committee

-Public Hearing and Recommendation for 3rd Reading for Ordinance #07-24, "An Ordinance to Amend Ordinance #04-13, "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article X. Supplemental Provisions, Section 10.4.2. Accessory Structures"

Chairman Hargett –Budget, Finance a and Purchasing Committee

-Voluntary Charitable Donations

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
- Personnel Matter
- Contractual Matters
- Airport Terminal
- Courthouse

9. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER
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 SEPTEMBER 4, 2007 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Chris Murphy
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

ABSENT: Mr. Kenneth F. Waggoner

Chairman Hargett called the meeting to order, and Reverend Eugene Murray gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. One citizen replied.

- Mr. Philip Paradise addressed Council regarding his opposition to the Harleyville motor-cross-track and the noise nuisance, due to the tracks proximity to his home.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adopt the Minutes from the August 20, 2007.

Councilman Waggoner was absent.

RECOGNITION OF KEEP DORCHESTER COUNTY BEAUTIFUL AND DORCHESTER COUNTY RECYCLING SPRINT/ KEEP AMERICA BEAUTIFUL "WOW" (WIPE OUT WIRELESS WASTE) GRANT

Council recognized and congratulated Mrs. Carolyn Tomlinson, Keep Dorchester Beautiful, Dorchester County Solid Waste, and Dorchester County Emergency Services Communications for collecting over 500 cell phones for recycling. Keep Dorchester County Beautiful and Dorchester County Recycling Sprint/ Keep America Beautiful, received a "WOW" (Wipe Out Wireless Waste) Grant and received an award for their action.

ADOPTION OF RESOLUTION #07-12, "RECOGNITION OF CAROLYN TOMLINSON"

2. On the motion of Mr. Davis, seconded by Mr. Murphree, Council voted six in favor and one absent to adopt Resolution #07-12, "Recognition of Carolyn Tomlinson". This Resolution recognized Mrs. Carolyn Tomlinson, who is a tireless champion and advocate of waste reduction, reuse, and recycling. Mrs. Tomlinson is the Keep Dorchester County Beautiful and Dorchester County Recycling Coordinator.

Councilman Waggoner was absent.

ADOPTION OF PROCLAMATION #07-02 "INTERNATIONAL LITERACY MONTH", SEPTEMBER 2007 AND "INTERNATIONAL LITERACY DAY", SEPTEMBER 8, 2007

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent to adopt Proclamation #07-02 "International Literacy Month". "International Literacy Month" is September 2007, and the "International Literacy Day", is September 8, 2007.

Councilman Waggoner was absent.

CORRESPONDENCE (No correspondence to report)

MOTION TO AMEND THE AGENDA

4. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to amend the agenda and to discuss the issue of the County Attorney's contract after the County Attorney's time on the agenda.

Councilman Waggoner was absent.

GUEST

**MR. THOM SCHMENK, RISK MANAGER, -END OF THE YEAR
ACCIDENT AND INJURY STATISTICS**

Mr. Thom Schmenk, Risk Manager, addressed Council on the "End of the Year Accident and Injury Statistics Report" and the progress of the County Departments. He stated that Public Works and EMS have made progress in reducing injuries, vehicular accidents, and costs. The costs of claims have increased for only two departments.

Mr. Schmenk stated that this past year, the County increased emphasis on workplace safety, personal protection, equipment and driver safety by all its departments, and the resulting reduction in injury claims and losses demonstrated that fact. In addition, the Risk Management & Safety Department introduced "Mandatory Driver Training" classes and Department Safety classes, which occur at least four times per month, and safety inspections and work site visits. Also, the workers' compensation claims process has been streamlined with an emphasis on patient care, and an improved drug and alcohol testing program has been renewed for the County.

Mr. Schmenk stated that the programs success was greatly due to the support received from County Council and the Administration, which was greatly appreciated by the Risk Management and Safety staff.

**MR. DAVID GARBER, GIS COORDINATOR, -LOCAL UPDATE OF
CENSUS ADDRESSES (LUCA)**

Mr. David Garber, Dorchester County GIS Coordinator, addressed Council regarding the Local Update of Census Addresses program (LUCA). Mr. Garber discussed the LUCA program, which allows the County to update addresses so that the census count would be more accurate and therefore the County and its municipalities would receive more aid to subdivisions from the State and additional federal dollars. Mr. Garber stated that the County was performing the LUCA process for all municipalities except for North Charleston, which has the majority of its population in Charleston County.

COUNCIL MEMBER'S TIME MR. MIKE MURPHREE

ADOPTION OF RESOLUTION #07-13, "RESOLUTION ENCOURAGING STATE LAWMAKERS TO ENACT A STATE STATUE FOR ATTEMPTED MURDER"

Mr. Murphree requested that Council adopt a resolution petitioning the State Legislature to pass a law making attempted murder a felony.

5. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted six in favor and one absent to adopt Resolution #07-13, a "Resolution Encouraging State Lawmakers to Enact a State Statue for Attempted Murder".

Councilman Waggoner was absent.

RESCINDING OF RESOLUTION #07-11, "HEALTH CARE FOR SOUTH CAROLINA"

Mr. Murphree requested that Council consider rescinding Resolution #07-11, "Health Care for South Carolina" adopted at the County Council Meeting held on August 20, 2007.

6. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted four in favor, two opposed and one absent to rescind Resolution #07-11, "Health Care of South Carolina".

Council Members Hargett and Davis were opposed and Councilman Waggoner was absent.

RECOMMENDATION FOR LETTER FROM COUNCIL REGARDING WATSON HILL

7. On the motion of Mr. Murphree, seconded by Mr. Feltner, Council voted five in favor, one abstention, and one absent to send a letter in opposition to the increase in housing units in the Watson Hill Development due to the traffic problems it would cause on South Carolina State Highway 165 and to the filling of the wetlands.

Councilman Murphy abstained and Councilman Waggoner was absent.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REQUEST FOR FUNDING FIRST ROBOTICS PROGRAM

8. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one absent to approve the request for funding for the "FIRST Robotics Program" in the amount of \$10,000 from the County Council Contingency Fund.

Councilman Waggoner was absent.

DAY OF CARING, SEPTEMBER 11, 2007

The County Administrator informed Council that each year since 9-11, the Trident United Way has sponsored a Day of Caring on September 11. This year our County is participating in three projects, a coat drive for adults and children, the construction of a Habitat for Humanities home, and a neighborhood clean up in Pine Hill Acres. Each volunteer will receive a t-shirt designed by Alicia Cypress of Ft. Dorchester High School.

**REQUEST FOR ROAD MAINTENANCE ACCEPTANCE APPLICATION
EAGLE RUN SUBDIVISION, PHASE III**

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one absent to approve the request to accept the road segments identified in the application for county maintenance in Eagle Run Subdivision, Phase III and authorize the Public Works Director to begin the maintenance liability period.

Councilmember Rosebrock opposed and Councilmen Waggoner was absent.

**REQUEST FOR ROAD MAINTENANCE ACCEPTANCE APPLICATION
HICKORY RIDGE SUBDIVISION, PHASE 2**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one absent to approve the request to accept the road segments identified in the application for county maintenance in Hickory Ridge Subdivision, Phase II and authorize the Public Works Director to begin the maintenance liability period.

Councilmember Rosebrock opposed and Councilmen Waggoner was absent.

1ST READING FOR ORDINANCE #07-26, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS, SERIES 2007; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

11. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted 6 in favor and one absent to give 1st Reading to Ordinance #07-26, "An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Hundred Thousand (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto", and to place this item in the Budget, Finance and Purchasing Committee for further consideration.

Councilman Waggoner was absent.

1ST READING FOR ORDINANCE #07-25, "AUTHORIZING THE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, OF NOT EXCEEDING FIVE MILLION ONE HUNDRED THOUSAND DOLLARS (\$5,100,000) IN ANTICIPATION OF THE COLLECTION OF THE AD VALOREM TAXES FOR THE YEAR 2007-2008"

12. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to give 1st Reading for Ordinance #07-25, "An Ordinance Authorizing the Borrowing by Dorchester County, South County, of not Exceeding Five Million One Hundred Thousand Dollars (\$5,100,000) in Anticipation of the Collection of Ad Valorem Taxes for the Year 2007-2008", and to place this item in the Budget, Finance and Purchasing Committee for further consideration. This note allows the County to fund operations during the Fall until the county receives the majority of its real property tax revenues in January.

Councilman Waggoner was absent.

**1ST READING TO AN ORDINANCE TO AMEND ORDINANCE #04-13
“DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT
STANDARDS ORDINANCE”, ASHLEY RIVER HISTORIC DISTRICT
OVERLAY ZONE, ADDING A FORTH DISTRICT AND REQUIREMENTS
FOR THIS DISTRICT**

13. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent to give 1st Reading to an Ordinance Amending Ordinance #04-13, “Dorchester County Zoning and Land Development Standards Ordinance, Ashley River Historic District Overlay Zone, Adding a Fourth District and Requirements for this District, and refer this item to the Planning, Development, and Building Committee for further consideration. This proposed amendment to the Ashley River Historic District Overlay Zone creates a District 4 and reduces the existing District 3.

Councilman Waggoner was absent.

**1ST READING FOR REZONING REQUEST #553 FOR DOUG
RICHARDSON, TMS# 136-07-03-003**

14. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent to give 1st Reading to Rezoning Request #553, for Doug Richardson; TMS # 136-07-03-003, and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 1.39 acres on Central Avenue near Summerville from R-4 (Multi-Family Residential) to CG (General Commercial). Prior to Ordinance #04-13 this property was zoned DE-1 (Development District).

Councilman Waggoner was absent.

Chairman Hargett passed the gavel to Vice Chairman Davis.

COMMITTEE REPORTS

**WATER AND SEWER COMMITTEE CHAIRMAN HARGETT
SEWER IMPACT FEE REFUNDS**

Chairman Hargett reported that the Committee discussed the refund of sewer impact fees. There are a number of scenarios that the Committee needs to consider in making a determination on this issue. No action was taken and this item was placed in the Committee.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

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

PUBLIC WORKS BUILDING ADDITION

Chairman Murphree reported that the addition to the Public Works Building was discussed and would be held in Committee until the next Public Works, Property, and Utilities Committee Meeting on September 17, 2007.

MAINTENANCE OF KNIGHT'S AVENUE IN PINEHILL ACRES

Chairman Murphree reported that the Committee had a discussion with Mr. Thomas Hall, President of the Homeowner's Association for Pinehill Acres. He also stated that it was believed to have been named wrong and should be Knight's Drive instead of Knight's Avenue. If this is correct, it should be paved under the One Cent Sales Tax Funds. Until a determination is reached, this item remains in Committee.

RESURFACING OF ROADS IN WINDSOR HILL SUBDIVISION

Chairman Murphree reported the resurfacing of roads in Windsor Hill Subdivision would start the first part of October. This item remains in Committee until completion.

STRIPING OF ROAD IN SUMMERSET ACRES

Chairman Murphree reported a planned completion date for the end of this month for the striping and overlay of the roads in Summerset Acres. The costs are to be jointly paid by Summerville Homes, Landcraft, Beaser Homes and Dorchester County and this item remains in Committee until completion.

OWENS CIRCLE PETITION FOR CHANGE TO A ONE-WAY STREET

Chairman Murphree reported that with regard to the Owens Circle Petition for Change to a One-Way Street, of the 20 landowners on the road, only 14 agreed to sign the petition, with a remainder of six landowners. This item remains in Committee.

BRIARWOOD SUBDIVISION REQUEST FOR STOP SIGNS

Chairman Murphree reported that this project has been completed.

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
CONTINUED

OLD SPELL ROAD

Chairman Murphree reported that surveying was completed on Old Spell Road and staff members are finalizing plans and preparing to meet with the residents. There is 7,310 LF of road that is wide enough and can be improved, but several people on this end do not want it paved. The other portion, 4,819 LF, where the residents are anxious for improvements is too narrow in some places, but Public Works hopes to widen the necessary areas. This item remains in Committee.

ABANDONMENT OF EDISTO RIVER ROAD

Chairman Murphree reported that Mr. Jim Judy would be hiring an attorney to handle the abandonment of his portion of Edisto River Road, according to Mr. Tompkins, Public Works Director.

EZEKIEL DRIVE

15. Chairman Murphree reported that according to Mr. Doug Tompkins, Public Works Director, Ezekiel Drive is not located on the property line, the County met with Austin Construction and the cost received to put the road on the property line would be \$30,000. The road was on the last rocking contract, but was not rocked due to the controversy over where the road was located. Ezekiel Drive is on the One Cent Sales Tax list for paving and the Committee's recommendation to Council was not to spend the additional cost for relocation and have the road paved at its present location. Council voted five in favor, one opposed and one absent, on the recommendation.

Councilman Feltner opposed and Councilman Waggoner was absent.

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
CONTINUED

COUNTY ROAD PETITION FOR: OMAR SUE LANE, ANGEL DRIVE,
UNITED LANE, AND BARRICADE LANE

16. Chairman Murphree reported that Omar Sue Lane, Angle Drive, United Lane and Barricade Lane have County Road Maintenance Petitions up for approval. They all meet the requirements for County maintenance. However, the concerns are no funding has been identified to pave these roads, which is contradictory to attempt to have all County roads paved as with the One-Cent Sales Tax. The cost to rock and pave Omar Sue Lane (485 feet) would be approximately \$11,581. The cost to rock and pave Angel Drive (550 feet) would be approximately \$13,133. The cost to rock and pave United Lane (625 feet) would be approximately \$14,924 and the cost to rock and pave Barricade Lane (6015 feet) would be approximately \$143,625. The Committee's recommendation to Council was not to accept these roads into the County Road Maintenance System. Council voted five in favor, one abstention and one absent on the recommendation.

Councilman Davis abstained and Councilman Waggoner was absent.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that South Carolina Department of Transportation agreed to our recent roads transfer, but they have changed their policy on accepting secondary roads. Now the SCDOT will only accept new roads into their system, if the roads are necessary for interconnectivity or the roads are major collectors with significant traffic volumes. This will make it more difficult for the County to make up its approximately two-mile deficit with the state. This was reported for information only and no action was taken.

REQUEST FOR SIGNS IN LEGEND OAKS PLANTATION (TRAFFIC FLOW)

Chairman Murphree reported that the Committee discussed the request for signs in Legend Oaks Plantation (Traffic Flow). He stated that the stop signs have been installed and the Public Works Department is currently working on the verbiage for the signs to control the traffic flow.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE
CHAIRMAN MURPHY
PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING TO
ORDINANCE #07-24, "AN ORDINANCE TO AMEND ORDINANCE #04-13,
"DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT
STANDARDS ORDINANCE", REGARDING ARTICLE X,
SUPPLEMENTAL PROVISIONS, SECTION 10.4.2. ACCESSORY
STRUCTURES"

17. Chairman Murphy reported that a Public Hearing was held for Ordinance #07-24, "An Ordinance to Amend Ordinance #04-13, "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article X. Supplemental Provisions, Section 10.4.2., Accessory Structures". This would increase the size of allowable accessory structures from 1,000 square feet to 2,000 square feet if the total imperviousness for the zoning would not be exceeded. The Committee's recommendation to Council was for 3rd Reading to be given to this Ordinance. Council voted three in favor, three opposed and one absent, on the recommendation of 3rd Reading to this Ordinance. (Motion failed)

Council Members Hargett, Davis and Rosebrock opposed and Councilman Waggoner was absent.

Chairman Hargett passed the gavel to Vice Chairman Davis.

BUDGET, FINANCE, AND PURCHASING COMMITTEE, CHAIRMAN
LARRY HARGETT
VOLUNTARY CHARITABLE DONATIONS

18. Chairman Hargett stated that the Committee's recommendation to County Council was to have the Dorchester County Treasurer add a line to the tax notices on all real and personal property tax bills issued by the County after July 1, 2007. This would allow citizens to donate funds to the County, so that Council can disburse them to charitable organizations that request financial assistance. This would replace the process of Council providing tax funds to charitable organizations from Council Contingency. The line could be added to the tax notices being sent out this year, according to the County Auditor. Any monies received by the County would be placed in a separate designated account for this purpose to be expended for such charitable purposes, as County Council would approve. Council voted four in favor, two opposed and one absent on this recommendation.

Council Members Murphy and Davis opposed and Councilman Waggoner was absent.

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 for Council's consideration to enter into executive session to discuss a personnel matter, and three contractual matters, concerning the terminal building at the County Airport, the Courthouse Project and the Court Case Management System.

EXECUTIVE SESSION 8:32 P.M.

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

Councilman Waggoner was absent.

RECONVENE FROM EXECUTIVE SESSION 9:18 P.M.

The County Attorney reported that in Executive Session, Council discussed one personnel matter and three contractual matters, concerning the Airport Terminal, the Courthouse Project and the Court Case Management System. No action was taken on any of the above items.

COURTHOUSE PROJECT

20. On the motion of Mr Murphy, seconded by Mr. Davis, Council voted six in favor and one absent, to authorize the architects, Stevens and Wilkinson of South Carolina, Inc., to move forward in negotiating a contract with the low bidder on the courthouse construction project as discussed in executive session.

Councilman Waggoner was absent.

21. Mr. Murphy motioned to amend his original motion, seconded by Mr. Feltner, and Council voted six in favor and one absent, for Council to award the contract to LCM, in the amount of \$10,129,714., as discussed in executive session.

Councilman Waggoner was absent.

Page Thirteen
September 4, 2007
County Council Meeting

CONTRACT FOR THE COUNTY ATTORNEY

22. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent, for the County Attorney's contract to be extended for a period of two (2) years from its current expiration date at the rate of \$150 per hour.

Councilman Waggoner was absent.

ADJOURNMENT 9:22 P.M.

23. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one absent to adjourn.

Councilman Waggoner was absent.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 17, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from September 4, 2007, County Council Meeting
- Adoption of Proclamation #07-03 "Industry Appreciation Week"
- Adoption of Proclamation #07-04, "South Carolina Community Associations Day"
- Public Hearing for Community Development Block Grant - Community Enrichment Program Application
- Adoption of Resolution #07-14, "Authorization to File and to Provide Matching Funds for Community Development Block Grant Application"
- Public Hearing for proposed Ordinance #07-11 "Adequate Public Facilities Ordinance"
- Correspondence

3. GUEST

- Mr. Tim Winslow, Senior Staff Attorney, South Carolina Association of Counties, Legislative Wrap-up
- Ms. Dianna Klein, Chief Program Officer, and Ms. Ann Baughman, Board Member & Volunteer, National Preparedness Month – American Red Cross, Carolina Lowcountry Chapter's Role in Dorchester County - Disaster Services
- Mr. Lee Moulder, Finance Director - Accommodations Tax Advisory Committee- Funding Recommendation
- Mr. Lee Moulder, Finance Director - August 2007 Monthly Financial Report

4. COMMITTEE REPORTS

Chairman Murphree, Public Works, Property and Utilities Committee

- Public Works Building Addition

Chairman Hargett, Budget, Finance and Purchasing Committee

- Recommendation for 2nd Reading for Ordinance #07-26, "An Ordinance to provide for the issuance and sale of not exceeding seven hundred thousand dollars (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto"
- Recommendation for 2nd Reading for Ordinance #07-25, "Authorizing the borrowing by Dorchester County, South Carolina, of not exceeding five million one hundred thousand dollars (\$5,100,000) in anticipation of the collection of the Ad Valorem taxes for the year 2007-2008"

Page Two
Dorchester County Council Agenda
September 17, 2007

Committee Reports Continued

Chairman Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #550, for Patrick Janney; TMS# 136-07-02-008
- Recommendation for 2nd Reading for Rezoning Request #553 for Doug Richardson, TMS# 136-07-03-003

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Condemnations
 - Contractual Matters
 - CDBG Workforce Development Grant

7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 SEPTEMBER 17, 2007 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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Jamie Feltner
Mr. Kenneth F. Waggoner
Mr. Chris Murphy
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 Hargett called the meeting to order, and Reverend John Miller gave the Invocation. Chairman Hargett also recognized Representative Annette Young and Representative Patsy Knight.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizen addressed Council.

- Mr. Scott Cobhill addressed Council regarding opposition to the expansion at the Airport in Summerville, regarding the new fence.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the September 4, 2007, County Council Meeting.

ADOPTION OF PROCLAMATION #07-03 "2007 INDUSTRY APPRECIATION WEEK"

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation #07-03, "Industry Appreciation Week", in recognition of the important role industries play in our community. Adoption of this proclamation thereby proclaims September 17 – September 21, 2007, as Industry Appreciation Week in Dorchester County. Mr. Rafael Menendez of Lafarge accepted the Proclamation on the behalf of industries in Dorchester County.

ADOPTION OF RESOLUTION #07-04, "SOUTH CAROLINA COMMUNITY ASSOCIATIONS DAY"

3. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted unanimously to adopt Proclamation #07-04, "Community Associations Day". Adoption of this proclamation thereby proclaims Thursday, October 25, 2007, Community Associations Day in Dorchester County, in recognition of the important role these associations play in enhancing residents' lives and giving them an opportunity for self-governance.

PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT – COMMUNITY ENRICHMENT PROGRAM APPLICATION

Chairman Hargett announced that this Public Hearing was a requirement of the application for the Community Development Block Grant for Community Enrichment Program. Mrs. Sandi Riddle of the BCD Council of Governments made a short presentation about the project. She explained that the purpose of the public hearing was to discuss Dorchester County's application to the South Carolina Department of Commerce for a Community Development Block Grant through the Community Enrichment Program.

Chairman Hargett opened the public hearing for comments on this program application.

One citizen addressed Council in favor of the project.

Hearing no further public comments, the Public Hearing was closed.

ADOPTION OF RESOLUTION #07-14 "AUTHORIZATION TO FILE AND TO PROVIDE MATCHING FUNDS FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION"

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #07-14 "Authorization to file and to Provide Matching funds for Community Development Block Grant Application". The Resolution authorized and directed the County Administrator to expend not less than 10% of the total CDBG funds requested to be utilized as matching funds as a requirement of the grant. The grant amount requested is \$1.3 million and the requested match is \$130,000.

PUBLIC HEARING FOR PROPOSED ORDINANCE #07-11 "ADEQUATE PUBLIC FACILITIES ORDINANCE"

Chairman Hargett opened the Public Hearing for proposed Ordinance #07-11 "Adequate Public Facilities Ordinance". The Chairman announced that this was the first of two public hearings on the Adequate Public Facilities Ordinance and the second public hearing will be held at the County Council Meeting on October 15, 2007, in St. George.

Chairman Hargett opened the floor to the public for comments. He announced that those in favor would have 30 minutes to address Council and requested each citizen sign in. Seventeen people addressed Council in support of the proposed Adequate Public Facilities Ordinance in the allotted time.

Chairman Hargett called a five-minute recess.

Chairman Hargett reopened the floor to the public for comments. He announced that those opposed would now have 30 minutes to address Council and requested each citizen sign in. Nineteen people addressed Council in opposition to the proposed Adequate Public Facilities Ordinance in the allotted time.

Chairman Hargett closed the Public Hearing and called another five-minute recess.

CORRESPONDENCE (No correspondence to report)

GUEST
MR. ROBERT CROOM, ASSISTANT DIRECTOR OF LEGAL AFFAIRS,
SOUTH CAROLINA ASSOCIATION OF COUNTIES,

Mr. Robert Croom, Assistant Director of Legal Affairs and Legislative Affairs for the South Carolina Association of Counties, addressed Council, briefed them on issues and legislation affecting County operations, and provided a brief legislative wrap-up.

GUEST

MS. DIANNA KLEIN, CHIEF PROGRAM OFFICER AND MS. ANN BAUGHMAN, BOARD MEMBER & VOLUNTEER, NATIONAL PREPAREDNESS MONTH – AMERICAN RED CROSS, CAROLINA LOWCOUNTRY CHAPTER’S ROLE IN DORCHESTER COUNTY’S DISASTER SERVICES

Ms. Dianna Klein, Chief Program Officer for the American Red Cross, and Ms. Ann Baughman, Board Member & Volunteer for the American Red Cross, both of the Carolina Lowcountry Chapter, addressed Council on their role in Dorchester County with regard to disaster services. September is “National Preparedness Month”. Ms. Klein and Ms. Baughman spoke about the services the Red Cross provides to Dorchester County citizens including, but not limited to shelter, food, clothing, and communications services.

MR. LEE MOULDER, FINANCE DIRECTOR, ACCOMMODATIONS TAX ADVISORY COMMITTEE – FUNDING RECOMMENDATION

Mr. Lee Moulder, Finance Director, and Mr. Marty Wall, Committee Chairman, presented the recommendations of the Accommodations Tax Advisory Committee to Council.

5. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted five in favor and two opposed, to accept the recommendations of the Accommodations Tax Committee with one change, which was to take \$3,000 in recommended funding from the Greater-Summerville Dorchester County Chamber of Commerce and add it to the recommended funding for the Upper Dorchester County’s Historical Society. A total of \$41,696.43 was distributed to thirteen community organizations.

Council Members Murphree and Murphy opposed.

MR. LEE MOULDER, FINANCE DIRECTOR – AUGUST 2007 MONTHLY FINANCIAL REPORT

Mr. Moulder presented Dorchester County’s Financial Report for August 2007 to County Council. Mr. Moulder gave an overview of the report, noting that expenditures are trending below expectations so far, and taxes are also trending low while other revenues are running higher than projected.

COMMITTEE REPORTS

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
CHAIRMAN MURPHREE

PUBLIC WORKS BUILDING ADDITION

Chairman Murphree reported that the addition to the Public Works Building was discussed in Committee and it was proposed for the billing staff to be relocated to the Wastewater Treatment Plant in North Charleston in order to provide a more convenient location for citizens to establish new accounts, pay their bills in person, and close accounts.

6. Mr. Waggoner motioned, and Mr. Davis seconded it, to hold off on any new additions for now and to keep this item in Committee. Council voted five in favor and two opposed.

Council Members Murphree and Murphy opposed.

Chairman Hargett passed the gavel to Vice Chairman Davis.

BUDGET, FINANCE, AND PURCHASING COMMITTEE,
CHAIRMAN LARRY HARGETT

2ND READING FOR ORDINANCE #07-26, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS, SERIES 2007; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

7. Chairman Hargett reported that the Committee voted to recommend to Council for 2nd Reading to Ordinance #07-26, "An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Hundred Thousand (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto". Council voted unanimously in favor of the recommendation. A public hearing will be held before County Council prior to 3rd Reading of this Ordinance.

BUDGET, FINANCE, AND PURCHASING COMMITTEE, CONTINUED

2ND READING FOR ORDINANCE #07-25, "AUTHORIZING THE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, OF NOT EXCEEDING FIVE MILLION ONE HUNDRED THOUSAND DOLLARS (\$5,100,000) IN ANTICIPATION OF THE COLLECTION OF THE AD VALOREM TAXES FOR THE YEAR 2007-2008"

8. Chairman Hargett reported that the Committee voted to recommend to Council for 2nd Reading to Ordinance #07-25, "An Ordinance Authorizing the Borrowing by Dorchester County, South County, of not Exceeding Five Million One Hundred Thousand Dollars (\$5,100,000) in Anticipation of the Collection of Ad Valorem Taxes for the Year 2007-2008". This note allows the County to fund operations during the Fall until the county receives the majority of its real property tax revenues in January. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

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

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #550 FOR PATRICK JANNEY; TMS #136-07-02-008

9. Chairman Murphy reported that a Public Hearing was held for Rezoning Request #550, for Patrick Janney; TMS #136-07-02-008. This is a request to rezone 2.87 acres on Alicia Drive near Summerville from R-4 (Multi-Family Residential) to CLI (Commercial Light Industrial), and the Committee's recommendation to Council was to give 2nd Reading to this Rezoning Request. Council voted unanimously in favor of the recommendation.

2ND READING FOR REZONING REQUEST #553 FOR DOUG RICHARDSON, TMS# 136-07-03-003

10. Chairman Murphy reported that the Committee voted unanimously to recommend to Council for 2nd Reading of Rezoning Request #553, for Doug Richardson; TMS # 136-07-03-003, and to place this item back in the Planning, Development, and Building Committee for a Public Hearing. This is a request to rezone 1.39 acres on Central Avenue near Summerville from R-4 (Multi-Family Residential) to CG (General Commercial). Prior to Ordinance #04-13 this property was zoned DE-1 (Development District). Council voted unanimously in favor of the recommendation.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE
CONTINUED**

**RECOMMENDATION FOR 1ST READING FOR A PROPOSED
ORDINANCE #07-24, "AN ORDINANCE TO AMEND ORDINANCE #04-13,
"DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT
STANDARDS ORDINANCE", REGARDING ARTICLE X.
SUPPLEMENTAL PROVISIONS, SECTION 10.4.2. ACCESSORY
STRUCTURES"**

11. Chairman Murphy reported that the Committee discussed and "An Ordinance to Amend Ordinance #04-13, "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article X. Supplemental Provisions, Section 10.4.2., Accessory Structures". This would increase the size of allowable accessory structures from 1,000 square feet to 1,500 square feet if the total imperviousness for the zoning would not be exceeded. The Committee's recommendation to Council was for 1st Reading to be given to this Ordinance, placement in the Planning, Development and Building Committee for further action and a public hearing and to send this item to the Planning Commission for a recommendation. Council voted six in favor and one opposed to the recommendation.

Chairman Hargett opposed the recommendation.

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 for Council's consideration to enter into executive session to discuss three confidential Economic Development projects, to give legal advice regarding condemnations for some properties in order to obtain right-of-ways for sales tax projects, and to discuss one contractual matter concerning the CDBG Workforce Development Grant.

EXECUTIVE SESSION 9:25 P.M.

12. On the motion of Mr Davis, seconded by Mr. Murphy, 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 three confidential Economic Development Projects, legal advice was given regarding condemnations for the Dorchester County Transportation Authority's desire to condemn some properties in order to obtain right-of-ways for sales tax projects, and one contractual matter was discussed concerning the CDBG Workforce Development Grant. No action was taken on any of the above items.

**MEMORANDUM OF UNDERSTANDING WITH DORCHESTER COUNTY
CAREER SCHOOL**

13. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to enter into a Memorandum of Understanding with the Dorchester County Career School concerning the conveyance of property by them to the County, for the purpose of the Community Development Block Grant for the Workforce Training Center in Dorchester, South Carolina.

ECONOMIC DEVELOPMENT PROJECT #07-47

14. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to approve an engineering study of site conditions for Project #07-47, which is planning a new industry at its site on Highway 178 near Harleyville. The \$2500 for the study will be provided from the Dorchester County Economic Development Fund. The firm plans to employ 18-20 new employees and have an investment of around \$1.0 Million Dollars. Dorchester County is proud to help one of its smaller firms expand. An announcement is expected later this year.

ECONOMIC DEVELOPMENT PROJECT #07-31

15. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve \$1,000 for an appraisal of a confidential site at St. George for a potential new industry—Project #07-31. The cost of the appraisal is \$1,000, which shall be paid from the Dorchester County Economic Development Fund.

ADJOURNMENT 10:30 P.M.

16. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
OCTOBER 1, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from September 17, 2007, County Council Meeting
- Adoption of Proclamation #07-05, "Dorchester County Aging in Place Week"
- Public Hearing and 3rd Reading Ordinance #07-26, "An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Hundred Thousand (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto"
- 3rd Reading for Ordinance #07-25, "An Ordinance Authorizing the Borrowing by Dorchester County, South County, of Three Million Seven Hundred Thousand Dollars (\$3,700,000), in Anticipation of the Collection of Ad Valorem Taxes for the Year 2007-2008"
- Dorchester County Employee Recognition Program
- Recognition of Woodland High School Championship Track Team
- Planning Commission Recommendation – Adequate Public Facilities Ordinance
- Economic Development Trade Mission to China
- Correspondence

3. COUNCIL MEMBER'S TIME -COUNCILMAN RICHARD ROSEBROCK

- 1st Reading for Rezoning of TMS# 144-00-00-029, owner George Miler Inc.

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

- 3rd Reading for Rezoning Request # 550, for Patrick Janney; TMS# 136-07-02-008
- 1st Reading for the Following Rezoning Requests:
 - Rezoning Request #555 Queen E. Trappier/Bobby Trappier as Trustee; TMS# 143-04-00-012
 - Rezoning Request #556 Virginia Trappier; TMS# 143-04-00-018
 - Rezoning Request #557 C. F. M. Haigood; TMS# 143-04-00-013
 - Rezoning Request #558 Isaac, Wanda, and Barbara Smalls, Elouise Williams and Althea Dubois; TMS# 143-04-00-019
 - Rezoning Request #559 Samuel A. Williams; TMS# 143-04-00-020
 - Rezoning Request #560 Bobby Trappier; TMS # 143-04-00-021
- 1st Reading Ordinance to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide that county vehicles driven by Magistrates Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate

Page Two
County Council Agenda
October 1, 2007

5. COMMITTEE REPORTS

Chairman Murphree, Public Works, Property and Utilities Committee

- Update on Expansion at County Airport Summerville
- Owens Circle Petition for Change to a One-Way Street
- Maintenance of Knight's Ave. in Pine Hill Acres
- Transfer of Roads from State to County Maintenance (Crestwood Subdivision)

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

7. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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
OCTOBER 1, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Chris Murphy
Mr. Jamie Feltner
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
ABSENT: Mr. Kenneth F. Waggoner

Chairman Hargett called the meeting to order, and Reverend Mullins gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens addressed Council.

- Ms. Samantha Gauld addressed Council regarding a rezoning request, with the TMS #144-00-00-029, owned by George Miler, Inc.
- Mr. Juan Odenwood addressed Council regarding a rezoning request, with the TMS #144-00-00-029, owned by George Miler, Inc.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adopt the Minutes from the September 17, 2007, County Council Meeting.

Councilmember Waggoner was absent.

ADOPTION OF PROCLAMATION #07-05, "DORCHESTER COUNTY AGING IN PLACE WEEK"

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adopt Proclamation #07-05, "Dorchester County Aging in Place Week". Upon Adoption of this Proclamation, Council proclaims October 1 – October 7, 2007, "Aging in Place Week in Dorchester County".

Councilmember Waggoner was absent.

PUBLIC HEARING AND 3RD READING ORDINANCE #07-26, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVEN HUNDRED THOUSAND (\$700,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS, SERIES 2007; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

Chairman Hargett opened the Public Hearing to receive public comment on Ordinance #07-26, "An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Hundred Thousand (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto". Hearing no public comments, Chairman Hargett closed the Public Hearing.

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent to give 3rd Reading to Ordinance #07-26, "An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Hundred Thousand (\$700,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2007; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto".

Councilmember Waggoner was absent.

3RD READING FOR ORDINANCE #07-25, "AN ORDINANCE AUTHORIZING THE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, OF THREE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$3,700,000), IN ANTICIPATION OF THE COLLECTION OF AD VALOREM TAXES FOR THE YEAR 2007-2008"

4. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to give 3rd Reading to Ordinance #07-25, "An Ordinance Authorizing the Borrowing by Dorchester County, South Carolina, of Three Million Seven Hundred Thousand Dollars (\$3,700,000), in Anticipation of the Collection of Ad Valorem Taxes for the Year 2007-2008". This note allows the County to fund operations during the Fall until the County receives the majority of its real property tax revenues in January.

Councilmember Waggoner was absent.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the county.

RECOGNITION OF WOODLAND HIGH SCHOOL CHAMPIONSHIP TRACK TEAM

Council recognized the Woodland High School Boys Track Team, which won the 2007 South Carolina Boys 2A High School Track Championship.

PLANNING COMMISSION RECOMMENDATION – ADEQUATE PUBLIC FACILITIES ORDINANCE

Chairman Hargett announced that the Planning Commission has reviewed the Adequate Public Facilities Ordinance and does not recommend its passage in the current form.

ECONOMIC DEVELOPMENT TRADE MISSION TO CHINA

Chairman Hargett announced that he would be attending an Economic Development Trade Mission to China beginning November 1. He will be a part of a delegation of approximately 20, including South Carolina Secretary of Commerce, Mr. Joe Taylor.

CORRESPONDENCE

The County Administrator informed Council that the Sheriff sent notification that the Dorchester County Sheriff's Office entered into a Multi-jurisdictional Alcohol Enforcement Unit Agreement within Summerville/Dorchester School District #2.

In addition, the County Administrator informed Council that South Carolina D.H.E.C. has invited the County's participation in the permit process for the regulation of hazardous waste activities on Charleston Naval Complex in North Charleston. All requests and comments must be received by November 7, 2007.

COUNCIL MEMBER'S TIME - COUNCILMAN RICHARD ROSEBROCK

1ST READING FOR REZONING OF TMS# 144-00-00-029, OWNER GEORGE MILER INC.

5. Councilman Rosebrock motioned, seconded by Mr. Feltner, and Council voted five in favor, one opposed and one absent to rezone TMS# 144-00-00-029, owned by George Miler, Inc., from TRM, Transitional Residential-Manufactured Housing District, to R-1, Single Family Residential District, and to refer this rezoning request to the Planning Commission for a recommendation and to the Planning, Development and Building Committee for further consideration. This is a 104.5-acre parcel located off Luden Drive near Summerville.

Councilmember Murphy opposed.
Councilmember Waggoner was absent.

COUNTY ADMINISTRATOR'S TIME - MR. JASON WARD

3RD READING FOR REZONING REQUEST # 550, FOR PATRICK JANNEY; TMS# 136-07-02-008

6. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to give 3rd Reading to Rezoning Request # 550, for Patrick Janney; TMS# 136-07-02-008. This is a request to rezone 2.87 acres on Alicia Drive near Summerville from R-4 (Multi-Family Residential) to CLI (Commercial Light Industrial).

Councilmember Waggoner was absent.

1ST READING FOR THE FOLLOWING REZONING REQUESTS:
REZONING REQUEST #555 QUEEN E. TRAPPIER/BOBBY TRAPPIER
AS TRUSTEE; TMS# 143-04-00-012
REZONING REQUEST #556 VIRGINIA TRAPPIER; TMS# 143-04-00-018
REZONING REQUEST #557 C. F. M. HAIGOOD; TMS# 143-04-00-013
REZONING REQUEST #558 ISAAC, WANDA, AND BARBARA SMALLS,
ELOUISE WILLIAMS AND ALTHEA DUBOIS; TMS# 143-04-00-019
REZONING REQUEST #559 SAMUEL A. WILLIAMS;
TMS# 143-04-00-020
REZONING REQUEST #560 BOBBY TRAPPIER; TMS # 143-04-00-021

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted four in favor, two opposed and one absent to give 1st Reading to the above listed, Rezoning Requests #555, 556, 557, 558, 559, and 560, and to refer them to the Planning, Development, and Building Committee for further consideration. The recommendation from the Planning Commission (3 in favor, 2 abstaining, and two absent) and Planning staff is to rezone these parcels from R-4 (Residential Multi-family District) to PD (Planned Development District).

Council Members Rosebrock and Feltner opposed.
Councilmember Waggoner was absent.

1ST READING ORDINANCE TO AMEND ORDINANCE #92-15, AS
AMENDED BY ORDINANCE #94-03, AS SUBSEQUENTLY AMENDED
BY ORDINANCE #05-02, #06-20 AND ORDINANCE #07-01, TO
PROVIDE THAT COUNTY VEHICLES DRIVEN BY MAGISTRATES
CONSTABLES BE ALLOWED TO BE HOME GARAGED AS DEEMED
APPROPRIATE BY THE CHIEF MAGISTRATE

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one abstention and one absent to give 1st Reading to an Ordinance to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide County vehicles driven by Magistrates Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate. The Chairman agreed to place this item in the appropriate Committee.

Councilman Rosebrock abstained
Councilmember Waggoner was absent.

COMMITTEE REPORT
PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
CHAIRMAN MURPHREE

UPDATE ON EXPANSION AT COUNTY AIRPORT SUMMERVILLE

9. Chairman Murphree reported that an update on the expansion at the County Airport in Summerville was given. Mr. Don Hay, Airports Manager, prepared a response to the short-term concerns of the citizens residing near the airport and the Aeronautics Commissions has requested Council's approval to send the letter. The recommendation from the Committee to Council was for the prepared response to be sent to the citizens residing near the airport. Council voted six in favor and one absent on the recommendation.

Councilmember Waggoner was absent.

OWENS CIRCLE PETITION FOR CHANGE TO A ONE-WAY STREET

10. Chairman Murphree reported on the Owens Circle Petition for Change to a One-Way Street. After the South Carolina Department of Transportation approves the swap it is Council's prerogative to change the traffic to a one-way street. The Committee's recommendation to Council was that Owens Circle be changed to a one-way street, coming off Dorchester Road heading towards Bacon's Bridge Road. Council voted six in favor and one absent on the recommendation.

Councilmember Waggoner was absent.

MAINTENANCE OF KNIGHT'S AVE. IN PINE HILL ACRES

Chairman Murphree reported on the maintenance of Knight's Avenue in Pine Hill Acres near Summerville. This road was added to the County maintenance schedule in February 2007 and therefore was not on the one-cent sales tax list. Knight's Drive near Rosinville is on the one-cent sales tax paying list. Chairman Murphree stated that this item would be kept in Committee until staff can determine whether Knight's Drive near Rosinville is a public or private road.

TRANSFER OF ROADS FROM STATE TO COUNTY MAINTENANCE
(CRESTWOOD SUBDIVISION)

Chairman Murphree reported that this item would remain in Committee while waiting on decision from the South Carolina Department of Highways and Public Transportation, on the transfer of roads from the State to County Maintenance.

Page Seven
October 1, 2007
County Council Meeting

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

ADJOURNMENT 7:50 P.M.

11. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to adjourn.

Councilman Waggoner was absent.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
OCTOBER 15, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from October 1, 2007, County Council Meeting
- Public Hearing for proposed Ordinance #07-11 "Adequate Public Facilities Ordinance"
- Correspondence

3. COUNCIL MEMBER'S TIME COUNCILMAN RICHARD ROSEBROCK

- 1st Reading to Proposed Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13"

4. GUEST

- Mr. Lee Moulder, Dorchester County Finance Director – Budget Report

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

- 1st Reading to an Ordinance to Amend Ordinance #90-09, to Change the Name of the Emergency Services Department to an Emergency Management Department
- 2nd Reading to Proposed Ordinance #07-28, to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide that county vehicles driven by Magistrates Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Mining Regulation
 - One-cent Sales Tax Condemnations
 - Contractual Matters
 - Lake Marion Regional Water Agency
 - Inducement Agreement Albert Weber Manufacturing Corporation
 - Personnel Matter

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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
OCTOBER 15, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Kenneth F. Waggoner
Mr. Chris Murphy
Mr. Jamie Feltner
Mr. Richard Rosebrock
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

ABSENT: Mr. Mike Murphree

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

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied.

- Mr. Thomas Hall addressed Council regarding the paving of Knight Avenue in Pine Hill Acres, near Summerville.
- Mrs. Lucy Anne Cathcart addressed Council regarding economics and the proposed Ordinance regarding the suspension of new residential development.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Mac Baughman of MeadWestvaco addressed Council regarding the proposed moratorium on development.
- Mr. John Templeton addressed Council regarding growth, the quality of life in Dorchester County and his opposition to the proposed Ordinance on the suspension of new residential development.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to adopt the Minutes from the October 1, 2007, County Council Meeting.

Councilman Murphree was absent.

PUBLIC HEARING FOR PROPOSED ORDINANCE #07-11 "ADEQUATE PUBLIC FACILITIES ORDINANCE"

Chairman Hargett opened the Public Hearing for proposed Ordinance #07-11 "Adequate Public Facilities Ordinance". The Chairman announced that this was the second of two public hearings on the Adequate Public Facilities Ordinance and the first public hearing was held at the County Council Meeting on September 17, 2007, in Summerville.

Chairman Hargett opened the floor to receive public comments, announced that those opposed would have 30 minutes to address Council, three minutes for each speaker, and requested that each citizen sign in.

Chairman Hargett called a five-minute recess.

Chairman Hargett re-opened the floor to the public for comments and announced that those in favor would also have 30 minutes to address Council, three minutes for each speaker and requested that each citizen sign in.

After all public comments, Chairman Hargett closed the Public Hearing on the proposed Adequate Public Facilities Ordinance.

CORRESPONDENCE

The County Administrator informed Council that Sheriff Nash sent notification that the Sheriff's Office and Officials of Dorchester County School District Two have entered into a School Resource Officer Agreement for Dubose Middle School and Givhans Alternative Program.

COUNCIL MEMBER'S TIME - COUNCILMAN RICHARD ROSEBROCK
1ST READING TO PROPOSED ORDINANCE #07-29, "AN ORDINANCE TO SUSPEND THE APPROVAL OF NEW RESIDENTIAL DEVELOPMENT UNDER THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13"

2. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted five in favor, one opposed and one absent to give 1st Reading to the proposed Ordinance #07-29, which was included in the Council packages, "Suspending Certain Development within the Confines of the Geographical Boundary of Dorchester County School District 2", that the Proposed Ordinance be referred to the Dorchester County Planning Commission for its recommendation, and that the Clerk of Council schedule a Public Hearing on the proposed Ordinance, to be held before Dorchester County Council at the regularly scheduled meeting to be held on November 19, 2007, in Summerville.

Councilman Murphree was absent and Mr. Murphy opposed.

GUEST
MR. LEE MOULDER, FINANCE DIRECTOR - SEPTEMBER 2007
MONTHLY FINANCIAL REPORT

Mr. Lee Moulder presented Dorchester County's Financial Report for September 2007 to County Council and gave an overview of the report.

COUNTY ADMINISTRATOR'S TIME - MR. JASON WARD
1ST READING TO AN ORDINANCE TO AMEND ORDINANCE #90-09
TO CHANGE THE NAME OF THE EMERGENCY SERVICES
DEPARTMENT TO EMERGENCY MANAGEMENT DEPARTMENT
AND TO DELINEATE THE DUTIES AND RESPONSIBILITIES OF THE
DEPARTMENT

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to give 1st Reading to an Ordinance to Amend Ordinance #90-09 to Change the Name of the Emergency Services Department to Emergency Management Department and to delineate the duties and responsibilities of the department and to place this item in the Public Safety, Health, and Human Services Committee for further consideration. The state and other counties have changed the names and seals of their departments to "Emergency Management" to reflect the duties associated with the departments.

Councilman Murphree was absent.

**2ND READING ORDINANCE TO AMEND ORDINANCE #92-15, AS
AMENDED BY ORDINANCE #94-03, AS SUBSEQUENTLY AMENDED
BY ORDINANCE #05-02, #06-20 AND ORDINANCE #07-01, TO
PROVIDE THAT COUNTY VEHICLES DRIVEN BY MAGISTRATES
CONSTABLES BE ALLOWED TO BE HOME GARAGED AS DEEMED
APPROPRIATE BY THE CHIEF MAGISTRATE**

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor and one absent to give 2nd Reading to and Ordinance to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide County vehicles driven by Magistrates Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate. Chief Magistrate Glenn Stephens requested this change to allow his Constables who work in the evening to have home garaging privileges.

Councilman Murphree was absent.

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 for Council's consideration to enter into executive session to discuss several confidential Economic Development projects, to give legal advice regarding Mining Regulation and One-Cent Sales Tax Condemnations, and to discuss two contractual matters, the Lake Marion Regional Water Agency and an Inducement Resolution for Albert Weber Manufacturing Corporation, and one personnel matter.

EXECUTIVE SESSION 8:45 P.M.

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

Councilman Murphree was absent.

RECONVENE FROM EXECUTIVE SESSION 10: 00 P.M.

The County Attorney reported that in Executive Session, Council discussed three confidential Economic Development prospects, and received legal advice regarding the County's authority to regulate mining and County Sales Tax Transportation Authority, and discussed two contractual matters, the Lake Marion Regional Water Agency and an Inducement Resolution for Albert Weber Manufacturing Corporation and one personnel matter. No action was taken on any of the above items.

ECONOMIC DEVELOPMENT PROJECT

6. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one absent to authorize the Dorchester County Economic Development Board to begin discussions with Mr. Charles Dantzler, owner of the Dantzler Site (TMS# 0418-00-00-025), at Harleyville, in order to prepare a joint marketing agreement for the next phase of park planning and marketing. Council stated their appreciation for the interest of Mr. Dantzler in helping to create new industrial jobs in Harleyville.

Councilman Murphree was absent.

ECONOMIC DEVELOPMENT PROJECT #05-051

7. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor and one absent to provide \$3,455 from the Dorchester County Economic Development Fund to assist project #05-051 with an access road in the new Harleyville Industrial Park. An announcement is expected in 2008 from this project that is located at this site.

Councilman Murphree was absent.

ECONOMIC DEVELOPMENT PROJECT #07-33

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted six in favor and one absent to approve \$2,500 from the Dorchester County Economic Development Fund to pay for 50% of a \$5,000 site study and assessment for project #07-33. The industrial firm has the potential to create 50 new jobs in upper Dorchester County at a site to be selected near St. George.

Councilman Murphree was absent.

LAKE MARION REGIONAL WATER AGENCY CONTRACT

9. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted six in favor and one absent to authorize the County Administrator to sign amendments to the "Customer Contract" with the Lake Marion Regional Water Agency.

Councilman Murphree was absent.

**RESOLUTION AND INDUCEMENT AGREEMENT FOR A FILOT
ARRANGEMENT WITH ALBERT WEBER MANUFACTURING
CORPORATION**

10. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one absent for County Council to adopt the Resolution #07-15 and an Inducement Agreement for a FILOT Arrangement with Albert Weber Manufacturing Corporation.

Councilman Murphree was absent.

**FUNDING FOR THE DORCHESTER COUNTY LEGISLATIVE
DELEGATION**

11. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to approve funds for the Dorchester County's Legislative Delegation for office expenses and for the funding to come from the County Council Contingency Fund in the amount of \$14,507.

Councilman Murphree was absent.

**DORCHESTER COUNTY SALES TAX AUTHORITY –BERLIN MYER
PARKWAY**

12. On the motion of Mr. Murphy, seconded, by Mr. Davis, Council voted six in favor and one absent to approve the recommendation from the Dorchester County Sales Tax Authority, that the Berlin Myer Parkway, Phase 3, Tracts 8, 9, 10, 11, 19, 20, 25, 32, 46, 53, 66, 67, 74, 74A, 78, 84, and 92 be acquired through eminent domain by Dorchester County Council. The motion was to approve acquisition of these properties through eminent domain and for these proceedings to commence. A list of the 17 properties along with there corresponding TMS numbers are listed below.

Councilman Murphree was absent.

<u>Tract No.</u>	<u>TMS No.</u>
8	152-01-02-010
9	152-01-01-012
10	152-01-01-013
11	152-01-01-014
19	152-01-02-007
20	144-00-00-035
25	152-00-00-078
32	144-14-00-009
46	152-00-00-074
53	145-02-11-050
66	152-00-00-050
67	144-14-00-005
74	144-00-00-070
74A	144-00-00-070
78	144-00-00-046
84	144-00-00-055
92	144-00-00-028

ADJOURNMENT 10:05 P.M.

13. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor and one absent to adjourn.

Councilman Murphree was absent.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
NOVEMBER 5, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. VICE CHAIRMAN'S TIME – MR. WILLIE DAVIS

- Request to Address Council
- Adoption of Minutes from October 15, 2007, County Council Meeting
- Public Hearing JEDA Economic Development Revenue Bonds not to exceed \$20,000,000 (Proceeds of which will be made available to Waste Management of South Carolina, Inc.)
- Adoption of Resolution #07-17 “DORCHESTER COUNTY IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (WASTE MANAGEMENT OF SOUTH CAROLINA, INC. PROJECT) SERIES 2007, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$20,000,000”
- Adoption of Resolution #07-16, “RESOLUTION TO ADOPT A REGIONAL WATERSHED STORMWATER EDUCATION STRATEGY”
- Correspondence

3. GUEST

- Mr. Tom Hund, Urban Land Institute, Reality Check

- Mrs. Carolyn Tomlinson- Grant Award Presentation for \$8,000 to Keep Dorchester County Beautiful and Dorchester County from Keep South Carolina Beautiful/Palmetto Pride

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

- CARTA's Commuter Express Service to Summerville
- 3rd Reading to Proposed Ordinance #07-28, to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide that County vehicles driven by Magistrates Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate

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

- 1st Reading for Rezoning Request #561, Robin I G Jefferson; TMS# 152-11-04-011
- 1st Reading for Rezoning Request #562, Clement Singleton, Jr.; TMS# 144-13-00-003
- 1st Reading for Rezoning Request #563, Clement Singleton, Jr; TMS# 144-13-00-004
- 1st Reading for Rezoning Request #564, Clement Singleton, Jr; TMS# 144-13-00-005
- 1st Reading for Rezoning Request #566, ELG Properties, LLC; TMS# 121-00-00-18
- 1st Reading for Rezoning Request #567, Harold Scott Baucum; TMS# 135-15-00-046
- 1st Reading for Rezoning Request #568, Casey McKinley; TMS# 172-15-15-020
- 1st Reading for Rezoning Request #569, Debora Henry; TMS# 135-15-00-045
- 1st Reading for Rezoning Request #570, Debora Henry; TMS# 135-15-00-032
- 1st Reading for Rezoning Request #571, George H Burbage, Jr; TMS# 121-00-00-006
- 1st Reading an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance 04-13 To Amend Article IX, Section 9.1.3 "Use Groups Permitted" To Additionally Prohibit that Portion of Article VI. Use Groups, 1(d) "Extraction of Mineral Resource Operations"

5. COMMITTEE REPORTS

Chairman Murphree, Public Works, Property and Utilities Committee

- Maintenance of Knight's Ave. in Pine Hill Acres
- Change in Speed Limits - Dubois Road, Genell Road, Sojourner Road, and Mattie Lane
- Quail Arbor V Homeowner's Association (Drainage & Paving)
- Striping of road in Summerset Acres
- Beaver dam problem
- Request for signs in Legend Oaks Plantation (Traffic Flow)
- Old Spell Road
- Abandonment of Edisto River Road
- Four Way Stop Sign on Navaho Blvd. in Indian Springs
- Charlie Lane
- Transfer roads from State to County maintenance
- United Lane (Janie Mae Simmons Council)

Chairman Murphy, Planning, Development and Building Committee

- Public Hearing and Recommendation for 2nd Reading for Proposed Ordinance #07-24, "An Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", to delete section 10.4.2 Accessory Structures (1)(e) and to substitute a new section 10.4.2 Accessory Structures (1)(e).
- Public Hearing and Recommendation for 2nd Reading for Proposed Ordinance #07-27 to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Ashley River Historic District Overlay Zone, Adding a Fourth District and Requirements for this District

Chairman Murphy, Planning, Development and Building Committee Continued

- Public Hearing and Recommendation for 3rd Reading for Rezoning Request #553, Doug Richardson, TMS #136-07-03-003
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #555, Queen E. Trappier/Bobby Trappier as Trustee; TMS# 143-04-00-012
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #556, Virginia Trappier; TMS# 143-04-00-018
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #557, C. F. M. Haigood; TMS# 143-04-00-013
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #558, Isaac, Wanda, and Barbara Smalls, Elouise Williams and Althea Dubois; TMS# 143-04-00-019
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #559, Samuel A. Williams; TMS# 143-04-00-020
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #560, Bobby Trappier; TMS # 143-04-00-021

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-1st Reading for Proposed Ordinance # 07-31, "AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND ALBERT WEBER MANUFACTURING CORPORATION, WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES"

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Contractual Matters
 - Kings Grant
 - Court Management System
 - Charleston Water System
 - North Charleston Sewer District
 - Rachlin, Cohen, and Holtz
 - Real Estate Purchase
 - Old Fort Fire Department and Town of Summerville Annexation Issue
 - Personnel Matter

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 5, 2007
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. Willie Davis – Vice Chairman
Mr. Kenneth F. Waggoner
Mr. Mike Murphree
Mr. Chris Murphy
Mr. Jamie Feltner
Mr. Richard Rosebrock
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council
ABSENT: Mr. Larry Hargett – Chairman

Vice Chairman Davis called the meeting to order, and Rev. Jerry Styles gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Vice Chairman Davis asked if anyone would like to address Council. One citizen replied.

- Mr. Leif Grytebust from Quail Arbor V addressed Council regarding paving and drainage issues.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted five in favor, one abstention and one absent to adopt the Minutes from the October 15, 2007, County Council Meeting.

Chairman Hargett was absent and Councilman Murphree abstained.

PUBLIC HEARING JEDA ECONOMIC DEVELOPMENT REVENUE BONDS NOT TO EXCEED \$20,000,000

Vice Chairman Davis opened the public hearing to receive public comments on the following, "Dorchester County in Support of the Issuance by the South Carolina Jobs Economic Development Authority of Its Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. Project) Series 2007, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, As Amended, In the Aggregate Principal Amount of Not Exceeding \$20,000,000". Mr. Lee McCormick with Community Development Associates, LLC, Mr. Mark Muckenfuss, representing Waste Management of South Carolina, Inc., and Mr. Tushar Chikhlikar of Nexsen Pruet, LLC, were present, and answered questions from Council regarding the issue.

Vice Chairman Davis opened the floor for public comment. Two citizens addressed Council. Hearing no further comments, Vice Chairman Davis closed the public hearing.

ADOPTION OF A PROPOSED RESOLUTION IN SUPPORT OF THE ISSUANCE OF BONDS BY THE SOUTH CAROLINA JOBS ECONOMIC DEVELOPMENT AUTHORITY

2. On the motion of Mr. Waggoner, seconded by Mr. Feltner, Council voted six in favor and one absent to hold off on the adoption of a proposed Resolution stated as follows, "Dorchester County in Support of the Issuance by the South Carolina Jobs Economic Development Authority of Its Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. Project) Series 2007, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, As Amended, In the Aggregate Principal Amount of Not Exceeding \$20,000,000", until the issue of a "Host Fee" paid to Dorchester County from Waste Management, Incorporated has been reconsidered.

Chairman Hargett was absent.

ADOPTION OF RESOLUTION IN SUPPORT OF THE ISSUANCE OF BONDS BY SC JEDA CONTINUED

3. Mr. Rosebrock motioned to amend the main motion, seconded by Mr. Feltner, and Council voted six in favor and one absent, that in addition to the "Host Fee Issue" that a written agreement between Dorchester County and Waste Management, Inc., be approved, stating that no waste was taken by Waste Management, Inc., from any other areas except from Charleston and Dorchester Counties.

Chairman Hargett was absent.

#07-16, "RESOLUTION TO ADOPT A REGIONAL WATERSHED STORMWATER EDUCATION STRATEGY"

4. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted five in favor, one opposed and one absent to adopt #07-16, "Resolution to Adopt a Regional Watershed Stormwater Education Strategy". Dorchester County will pay \$25,000 as a part of the Ashley-Cooper Stormwater Education Consortium.

Chairman Hargett was absent and Councilman Murphree opposed.

CORRESPONDENCE

The County Administrator informed Council that the South Carolina Department of Health and Environmental Control, Solid Waste Permitting Section gave Carolina Resource Development, LLC, with a Demonstration of Need Extension through October 18, 2008, for a proposed C&D Landfill in Jedburg. This will give Carolina Resource Development, LLC, time to obtain one year of groundwater elevation data.

The County Administrator informed Council that the County received free a 27-foot Coachman Mobile Command Post Support Travel Trailer from FEMA through a partnership with DHEC Region 7. The Facilities and Grounds Department will modify the trailer and then the Emergency Services Department will use it in conjunction with the Mobile Command Post.

GUESTS

Mr. David Ramey, representing Urban Land Institute, Reality Check made a short presentation to Council and requested Council's endorsement on the BCD Reality Check, a regional dialogue on planning where new residents will live, work and play in the future. This is a collaborative regional visioning process, developed by the Urban Land Institute, which engages diverse leaders in a dialogue on how their region should grow.

GUESTS- CONTINUED

Mrs. Carolyn Tomlinson made a Grant Award Presentation for \$8,000 to Keep Dorchester County Beautiful and Dorchester County from Keep South Carolina Beautiful/Palmetto Pride.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
CARTA'S COMMUTER EXPRESS SERVICE TO SUMMERVILLE

5. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor and one absent to refer CARTA's Commuter Express Service to Summerville, to the Budget, Finance, and Purchasing Committee and for the Administrator to contact the Town of Summerville and City of North Charleston to see if they have an interest in sharing in the cost of this service.

Chairman Hargett was absent.

3RD READING ORDINANCE #07-28 TO AMEND ORDINANCE #92-15, AS AMENDED BY ORDINANCE #94-03, AS SUBSEQUENTLY AMENDED BY ORDINANCE #05-02, #06-20 AND ORDINANCE #07-01, TO PROVIDE THAT COUNTY VEHICLES DRIVEN BY MAGISTRATE CONSTABLES BE ALLOWED TO BE HOME GARAGED AS DEEMED APPROPRIATE BY THE CHIEF MAGISTRATE

6. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor and one absent to give 3rd Reading to Ordinance #07-28, to Amend Ordinance #92-15, as amended by Ordinance #94-03, as subsequently amended by Ordinance #05-02, #06-20 and Ordinance #07-01, to provide County vehicles driven by Magistrate Constables be allowed to be Home Garaged as deemed appropriate by the Chief Magistrate. Chief Magistrate Glenn Stephens requested this change to allow his Constables who work in the evening to have home garaging privileges.

Chairman Hargett was absent.

REQUEST FOR 1ST READING FOR THE FOLLOWING REZONING REQUESTS: #561, ROBIN I G JEFFERSON; TMS# 152-11-04-011
#562, CLEMENT SINGLETON, JR.; TMS# 144-13-00-003
#563, CLEMENT SINGLETON, JR; TMS# 144-13-00-004
#564, CLEMENT SINGLETON, JR; TMS# 144-13-00-005
#566, ELG PROPERTIES, LLC; TMS# 121-00-00-18
#567, HAROLD SCOTT BAUCUM; TMS# 135-15-00-046
#568, CASEY MCKINLEY; TMS# 172-15-15-020
#569, DEBORA HENRY; TMS# 135-15-00-045
#570, DEBORA HENRY; TMS# 135-15-00-032
#571, GEORGE H BURBAGE, JR; TMS# 121-00-00-006

7. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to give 1st Reading to the above listed rezoning requests (#561, 562, 563, 564, 566, 567, 568, 569, 570, and 571) and to refer these requests to the Planning, Development, and Building Committee for further consideration.

Chairman Hargett was absent.

1ST READING FOR AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE 04-13 TO AMEND ARTICLE IX, SECTION 9.1.3 "USE GROUPS PERMITTED" TO ADDITIONALLY PROHIBIT THAT PORTION OF ARTICLE VI. USE GROUPS, 1(D) "EXTRACTION OF MINERAL RESOURCE OPERATIONS"

8. Mr. Murphy motioned, seconded by Mr. Murphree, to refer this item to the Planning, Development, and Building Committee until a recommendation comes from the Planning Commission on an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance 04-13, To Amend Article IX, Section 9.1.3 "Use Groups Permitted" To Additionally Prohibit that Portion of Article VI. Use Groups, 1(d) "Extraction of Mineral Resource Operations".

9. Mr. Rosebrock motioned to amend the main motion, seconded by Mr. Feltner, and Council voted four in favor, two opposed, and one absent, to give 1st Reading on an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance 04-13, To Amend Article IX, Section 9.1.3 "Use Groups Permitted" To Additionally Prohibit that Portion of Article VI. Use Groups, 1(d) "Extraction of Mineral Resource Operations", and to refer this item to the Planning, Development, and Building Committee and to the Planning Commission for a recommendation.

Council Members Murphy and Murphree opposed and Chairman Hargett was absent.

COMMITTEE REPORTS
PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
MAINTENANCE OF KNIGHT'S AVE. IN PINE HILL ACRES

Chairman Murphree reported on the issues regarding Knight's Avenue in Pine Hill Acres and Knights Lane in Rosinville. He stated that the petition, along with letters, and signed easements for Knights Lane in Rosinville were received and included on the one-cent sales tax list for paving. Chairman Murphree further explained that Knight's Avenue in Pine Hill Acres, was not added back on to the County Road Maintenance List, for motor grading, until February 2007. Until a determination on the status of this road was made, it remains in Committee.

**CHANGE IN SPEED LIMITS - DUBOIS ROAD, GENELL ROAD,
SOJOURNER ROAD, AND MATTIE LANE**

10. Chairman Murphree reported on the "Change in Speed Limits" for Dubois Road, Genell Road, Sojourner Road, and Mattie Lane. The average daily traffic counts are as follows: Dubois Road - 262, Genell Road - 114, Sojourner Road - 39 and Mattie Lane - 179. The recommendation from the Committee was to set the speed limit at a minimum of 25 MPH for these roads, based on traffic counts, narrow road widths, house locations, and dead end roads. Council voted six in favor and one absent on the recommendation.

Chairman Hargett was absent.

**QUAIL ARBOR V HOMEOWNER'S ASSOCIATION (DRAINAGE &
PAVING)**

11. Chairman Murphree reported that Quail Arbor V Homeowner's Association issues were discussed at the Committee meeting and the improvements to pave Bramblewood Road Extension in Quail Arbor V require the documents to be approved and signed to accommodate the drainage on the road. The recommendation from the Committee was to complete the approval and the recording of documents and construct the road extension. Council voted six in favor and one absent on the recommendation.

Chairman Hargett was absent.

STRIPING OF ROAD IN SUMMERSET ACRES

Chairman Murphree reported on the striping of the roads in Summerset Acres. He stated that the County needed to repair the road and meet with builders and developer for cost sharing. The estimated cost for reclamation and paving damaged areas and striping the entire subdivision would be \$87,126. This item remains in Committee until completion.

COMMITTEE REPORT CONTINUED
PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
BEAVER DAM PROBLEM

Chairman Murphree reported on the Beaver dam problem, and stated that the Public Works Superintendent would investigate and determine which Beaver dams are affecting areas and a map would be generated upon the completion of the investigation. The County would then seek bid proposals for a cost to tear the dams down and remove the beavers. This item remains in Committee until completion.

REQUEST FOR SIGNS IN LEGEND OAKS PLANTATION (TRAFFIC FLOW)

Chairman Murphree gave the status on the request for signs in Legend Oaks Plantation for Traffic Flow. He reported that the signs were ordered saying, No Stopping on Pavement, with time restraints and that upon delivery they would be installed.

OLD SPELL ROAD

Chairman Murphree reported that the areas of Old Spell Road that need improvements have been surveyed and this would determine how much of the existing right of way or addition would be needed to construct the road to meet the One Cent Sales Tax requirement widths. This item remains in Committee until completion.

ABANDONMENT OF EDISTO RIVER ROAD

12. Chairman Murphree reported that the property owner would be responsible, including all cost, for the abandonment of Edisto River Road, through the court system and not the County. The recommendation from the Committee was to remove this item from Committee. Council voted six in favor and one absent on the recommendation.

Chairman Hargett was absent.

FOUR WAY STOP SIGN ON NAVAHO BLVD. IN INDIAN SPRINGS

Chairman Murphree reported that the Four Way Stop Sign on Navaho Boulevard in Indian Springs was installed on September 27, 2007.

COMMITTEE REPORT CONTINUED
PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE
CHARLIE LANE

Chairman Murphree reported that the County Attorney had sent a letter to the residents requiring an easement to pipe a ditch off Charlie Road and the residents would be required to pay for the cost. There has been no responses from the property owners as of yet. This item remains in Committee.

TRANSFER ROADS FROM STATE TO COUNTY MAINTENANCE

Chairman Murphree reported that the Committee discussed the transfer of roads from State to County maintenance. He stated that the Committee has received a request from Quail Arbor, on a time change for NO THRU TRAFFIC from 5:30 p.m. until 8:00 p.m., versus the original no through traffic set times. The Committee decided to keep this in Committee and speak to the other participating subdivisions about the setting of the time line.

OWENS DRIVE

Chairman Murphree reported that Owens Drive would now have One Way signs placed off Dorchester Road.

UNITED LANE (JANIE MAE SIMMONS COUNCIL)

Chairman Murphree reported that the Committee again discussed the cost (\$14,924.) to rock and pave United Lane (625 feet). He stated that Council voted not to pave this road at the September 4, 2007, Council meeting and the Committee has decided to stay with that decision.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR PROPOSED ORDINANCE #07-24, "AN ORDINANCE TO AMEND
ORDINANCE #04-13 DORCHESTER COUNTY ZONING AND LAND
DEVELOPMENT STANDARDS ORDINANCE", TO DELETE SECTION
10.4.2 ACCESSORY STRUCTURES (1)(E) AND TO SUBSTITUTE A NEW
SECTION 10.4.2 ACCESSORY STRUCTURES (1)(E)

13. Chairman Murphy reported that a Public Hearing was held for Ordinance #07-24, "An Ordinance to Amend Ordinance #04-13, "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article X. Supplemental Provisions,

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR PROPOSED ORDINANCE #07-24, CONTINUED**

Section 10.4.2., Accessory Structures". This would increase the size of allowable accessory structures from 1,000 square feet to 1,500 square feet if the total imperviousness for the zoning would not be exceeded. The Committee's recommendation to Council was for 2nd Reading to be given to Ordinance #07-24. Council voted six in favor and one absent, on the recommendation.

Chairman Hargett was absent.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR PROPOSED ORDINANCE #07-27 TO AMEND ORDINANCE #04-13,
"DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT
STANDARDS ORDINANCE", ASHLEY RIVER HISTORIC DISTRICT
OVERLAY ZONE, ADDING A FOURTH DISTRICT AND
REQUIREMENTS FOR THIS DISTRICT**

14. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation was for 2nd Reading for Proposed Ordinance #07-27 to Amend Ordinance #04-13, "Dorchester County Zoning and Land Development Standards Ordinance", Ashley River Historic District Overlay Zone, Adding a Fourth District and Requirements for this District. The Committee's recommendation to Council was for 2nd Reading to be given to Ordinance #07-27. Council voted six in favor and one absent on the recommendation.

Chairman Hargett was absent.

**PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING
FOR REZONING REQUEST #553, DOUG RICHARDSON, TMS #136-07-
03-003**

15. Chairman Murphy reported that a Public Hearing was held and the Committee's recommendation was for 3rd Reading for Rezoning Request #553, for Doug Richardson, TMS #136-07-03-003. This is a request to rezone 1.39 acres on Central Avenue near Summerville from R-4 (Multi-Family Residential) to CG (General Commercial). Prior to Ordinance #04-13 this property was zoned DE-1 (Development District). Council voted six in favor and one absent for the recommendation.

Chairman Hargett was absent.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CONTINUED**

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING
FOR THE FOLLOWING:**

**REZONING REQUEST #555, QUEEN E. TRAPPIER/BOBBY TRAPPIER
AS TRUSTEE; TMS# 143-04-00-012**

REZONING REQUEST #556, VIRGINIA TRAPPIER; TMS# 143-04-00-018

REZONING REQUEST #557, C. F. M. HAIGOOD; TMS# 143-04-00-013

**REZONING REQUEST #558, ISAAC, WANDA, AND BARBARA
SMALLS, ELOUISE WILLIAMS AND ALTHEA DUBOIS; TMS# 143-04-
00-019**

**REZONING REQUEST #559, SAMUEL A. WILLIAMS; TMS# 143-04-00-
020**

REZONING REQUEST #560, BOBBY TRAPPIER; TMS # 143-04-00-021

16. Chairman Murphy reported that Public Hearings were held for Rezoning Requests #555, 556, 557, 558, 559, and 560. These Rezoning Requests are to rezone these parcels from R-4 (Residential Multi-family District) to PD (Planned Development District), so these parcels could be added to Myers Mill Subdivision. The Committee's recommendation was to keep these rezoning requests in Committee with no action, and to recommend 1st Reading to Council, and placement into the Planning Development and Building Committee to amend the Development Agreement between Dorchester County and the Myers Mill Developer, to include the additional properties (listed above). In addition, that the issue be sent to the Planning Commission for their consideration and to conduct a Public Hearing as required by the Development Agreement Statute. Council voted six in favor and one absent on the recommendation.

Chairman Hargett was absent.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
1ST READING FOR PROPOSED ORDINANCE #07-31, "AN
ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT
INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN
DORCHESTER COUNTY, SOUTH CAROLINA, AND ALBERT WEBER
MANUFACTURING CORPORATION, WHEREBY DORCHESTER
COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS
IN LIEU OF PROPERTY TAXES"**

17. Council voted six in favor and one absent to give 1st Reading to Ordinance #07-31, including a Fee in Lieu of Tax Agreement between Dorchester County and Albert Weber Manufacturing Corporation.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session, to discuss confidential Economic Development projects, contractual matters concerning, a sewer disposal site in Kings Grant, the Court Management System, a contract with Charleston Water System, and two contractual agreements, one with North Charleston Sewer District, and the other with the firm conducting the audit of the Sheriff's Department. In addition to give legal advice, concerning a potential real estate purchase, the relationship between the County, Old Fort Fire Department, and the Town of Summerville, regarding annexation of certain areas of that fire district, and a personnel matter.

EXECUTIVE SESSION 8:05 P.M.

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

Chairman Hargett was absent.

RECONVENE FROM EXECUTIVE SESSION 9:35 P.M.

The County Attorney reported that in Executive Session, Council discussed two Economic Development prospects, a proposed agreement with KG Golf concerning a sewer system in Kings Grant, the Court Management System, an agreement with Charleston Water System, an agreement with North Charleston Sewer District, a proposed real estate purchase with Ms. Kizer, the status of a proposed annexation issue concerning Old Fort Fire Department and the Town of Summerville, the audit proposal for the Sheriff's office and a personnel matter. No action was taken on any of the items.

ECONOMIC DEVELOPMENT FUNDING APPROVAL

19. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one absent to allow the Economic Development Department to use previously approved funds from the Dorchester County Economic Development Fund to assist a confidential project with pre-development of site 2B at the St. George New Century Industrial Park.

Chairman Hargett was absent.

AUTHORIZATION FOR NEGOTIATIONS

20. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to authorize the County Administrator to enter into contract negotiations with the applicant for the Dorchester County Assessor's position as discussed in executive session.

Chairman Hargett was absent.

ECONOMIC DEVELOPMENT PROJECT #07-47

21. On the motion of Mr. Feltner, seconded by Mr. Waggoner, Council voted six in favor and one absent that Council apply a previously approved \$2,500 for a site assessment for project #07-47 from its former site to a site on Highway 15, north of St. George. This project intends to build a 10,000 square foot metal fabrication facility at that location.

Chairman Hargett was absent.

AUTHORIZATION FOR VICE CHAIRMAN TO SIGN CONTRACT TO PURCHASE REAL ESTATE

22. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to authorize the Vice Chairman to sign a contract with Ms. F. Kizer, regarding the purchase of real estate.

Chairman Hargett was absent.

Page Thirteen
November 5, 2007
County Council Meeting

ADJOURNMENT 9:45 P.M.

23. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor and one absent to adjourn.

Chairman Hargett was absent.

Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
NOVEMBER 19, 2007
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from November 5, 2007, County Council Meeting
- Request for Waiver of Code Enforcement Officer Contract Payment
- Public Hearing and 2nd Reading to Proposed Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13"
- Correspondence

3. GUEST

- Ms. Louise Welch, Executive Director, Carolina Lowcountry Chapter of the American Red Cross
- Mr. Lee Moulder, Dorchester County Finance Director, October 2007 Finance Report

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

- 3rd Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Ashley River Historic District Overlay Zone, Adding a Forth District and Requirements for this District
- 3rd Reading for Proposed Ordinance #07-24, "An Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", to delete section 10.4.2 Accessory Structures (1)(e) and to substitute a new section 10.4.2 Accessory Structures (1)(e).
- Request for Funds Transfer Court Management System
- Request for Road Maintenance Acceptance Application for Highwoods Plantation, Phase 4
- Request of County Road Maintenance Petition for Cornerstone Lane

5. COMMITTEE REPORTS

Chairman Larry Hargett, Water and Sewer Committee

- Recommendation to Collect 100% of the Sewer Impact Fee Prior to Submitting the Delegated Review Program (DRP) Package to DHEC
- Water and Sewer Plan Review Process

COMMITTEE REPORTS CONTINUED

Chairman Murphy, Planning, Development and Building Committee

-Recommendation for 1st Reading Ordinance to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Regarding Article XI. Ashley River Historic District Overlay Zone, Sections 11.5.7. (a) Additional Requirements for District 1, and Section 11.5.8. (a) Additional Requirements for District 2

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 1st Reading for an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in conjunction with Orangeburg County, Such Industrial/Business Park to be Geographically Located in Orangeburg County and Established Pursuant to the South Carolina Codes of Laws of 1976 Section 4-1-170
- 2nd Reading for Proposed Ordinance # 07-31, "AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND ALBERT WEBER MANUFACTURING CORPORATION, WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES"
- Executive Session
 - Confidential Economic Development Prospects
 - Legal Advice -Storm Water Ordinance
 - Contractual Matters
 - County Courthouse
 - Rachlin, Cohen, and Holtz
- Personnel Matter

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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 19, 2007
7:00 P.M.
(AMENDED*)

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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Kenneth F. Waggoner
Mr. Mike Murphree
Mr. Chris Murphy
Mr. Jamie Feltner
Mr. Richard Rosebrock
Mr. Jason Ward – County Administrator
Ms. Ashley Jacobs – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

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

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council.

- Ms. Kelley Wanish addressed Council regarding controlled growth and the State Endangered Species Habitat that is being threatened.
- Mr. Matthew King addressed Council regarding the Summerville area Little League and requested Council's support of a grant.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. George Bailey addressed Council about his concern over the Stormwater Fee charged to churches and cemeteries.
- Ms. Kendra Linkowski addressed Council concerning the Illegal Immigration Ordinance in Dorchester County and a drive by shooting.
- Ms. Catherine Wheeler addressed Council about a Health Care Resolution.
- Ms. Janie Mae Simmons Council addressed Council and requested consideration on the paving of United Lane.

ADOPTION OF MINUTES

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor and one abstention to adopt the Minutes from the November 5, 2007, County Council Meeting.

Chairman Hargett abstained.

REQUEST FOR WAIVER OF CODE ENFORCEMENT OFFICER CONTRACT PAYMENT

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to place the "Request for Waiver of Code Enforcement Officer Contract Payment from the St. George Town Council", in to the Budget, Finance, and Purchasing Committee.

PUBLIC HEARING & 2ND READING TO PROPOSED ORDINANCE #07-29, "AN ORDINANCE TO SUSPEND THE APPROVAL OF NEW RESIDENTIAL DEVELOPMENT UNDER THE DORCHESTER COUNTY ZONING & LAND DEVELOPMENT STANDARDS ORDINANCE #04-13"

Chairman Hargett opened the Public Hearing for the Proposed Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13". Twelve individuals in favor of this Ordinance addressed Council. Hearing no further comment, Chairman Hargett closed the Public Hearing.

3. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted six in favor and one opposed to give 2nd Reading to the Proposed Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13", in the boundaries of School District II.

Councilman Murphy opposed.

CORRESPONDENCE

The County Administrator informed Council that the South Carolina Department of Health and Environmental Control Bureau of Air Quality sent a "Notice of a draft Prevention of Significant Deterioration (PSD) Air Construction Permit" for Lafarge Building Materials. He stated that if Council had any comments, they are due by November 29, 2007. If approved, this permit will allow LaFarge to increase its production of Portland Cement in Kiln 2 from 1.3 million tons per year to 1.92 million tons per year.

GUESTS

Ms. Louise Welch, Executive Director, Carolina Lowcountry Chapter of the American Red Cross, addressed County Council about the services the Red Cross offers in Dorchester County and made a request for support in the amount of \$10,000. Council stated that this request would be taken under advisement.

Mr. Lee Moulder, Dorchester County Finance Director, addressed Council regarding the October 2007 Finance Report. In addition, Mr. Moulder provided an update to Council on the revenues and expenditures year to date and explained trends and concerns. He stated that fines and penalties are running low, and interest, rent and other revenues are running higher than expected, and general government expenditures are within budget.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

3RD READING FOR ORDINANCE #27-07, TO AMEND ORDINANCE #04-13 "DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE", ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE, ADDING A FORTH DISTRICT AND REQUIREMENTS FOR THIS DISTRICT

4. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted unanimously to give 3rd Reading for Ordinance #07-27, to Amend Ordinance #04-13 "Dorchester County Zoning and Land Development Standards Ordinance", Ashley River Historic District Overlay Zone, Adding a Forth District and Requirements for this District.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

3RD READING FOR PROPOSED ORDINANCE #07-24, “AN ORDINANCE TO AMEND ORDINANCE #04-13 “DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE”, TO DELETE SECTION 10.4.2 ACCESSORY STRUCTURES (1)(E) AND TO SUBSTITUTE A NEW SECTION 10.4.2 ACCESSORY STRUCTURES (1)(E)

5. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted six in favor and one opposed, to give 3rd Reading Ordinance #07-24, “An Ordinance to Amend Ordinance #04-13 “Dorchester County Zoning and Land Development Standards Ordinance”, to delete section 10.4.2 Accessory Structures (1)(e) and to substitute a new section 10.4.2 Accessory Structures (1)(e).

Chairman Hargett opposed.

REQUEST FOR FUNDS TRANSFER COURT MANAGEMENT SYSTEM

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve the request for a funds transfer for the Court Management System in the amount \$41,744 and authorize the Administrator to transfer funds from the line items identified to cover the additional cost of implementing the system. Staff has identified savings due to position vacancies during the first quarter.

ROAD MAINTENANCE APPLICATION HIGHWOODS PLANTATION PHASE 4

7. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted unanimously to approve “Road Maintenance Application for Highwoods Plantation Phase 4” (two roads) and begin the maintenance liability period.

COUNTY ROAD MAINTENANCE PETITION: CORNERSTONE LANE

8. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to refer County Road Maintenance Petition for Cornerstone Lane to the Public Works, Property, and Utilities Committee for a recommendation. This road is located in Clemson Terrace.

Chairman Hargett passed the gavel to Vice Chairman Davis, in order to give his Committee Report.

COMMITTEE REPORTS

**CHAIRMAN LARRY HARGETT, WATER AND SEWER COMMITTEE
RECOMMENDATION TO COLLECT 100% OF THE SEWER IMPACT
FEE PRIOR TO SUBMITTING THE DELEGATED REVIEW PROGRAM
(DRP) PACKAGE TO DHEC**

9. Chairman Hargett stated that the Water and Sewer Committee's recommendation to Council was to collect 100% of the Sewer Impact Fee prior to submitting the Delegated Review Program package to Columbia for approval by the Department of Health and Environmental Control. This will improve the Water and Sewer Department's cash flow, since they use rates and fees to repay debts. The County collects 100% of the Water Impact Fee, \$690 up front. *In addition, the Committee recommended requesting B. P. Barber to do a study looking at the County's Sewer Impact Fees and to research what the County could charge for a Reservation Fee. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Hargett.

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

Chairman Murphy stated that there was no report from his Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

COUNTY ATTORNEY'S TIME -- MR. JOHN FRAMPTON

**1ST READING TO AN ORDINANCE TO DEVELOP A JOINTLY
OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN
CONJUNCTION WITH ORANGEBURG COUNTY, SUCH
INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED
IN ORANGEBURG COUNTY AND ESTABLISHED PURSUANT TO THE
SOUTH CAROLINA CODES OF LAWS OF 1976 SECTION 4-1-170**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in conjunction with Orangeburg County, Such Industrial/Business Park to be Geographically Located in Orangeburg County and Established Pursuant to the South Carolina Codes of Laws of 1976 Section 4-1-170.

COUNTY ATTORNEY'S TIME – CONTINUED

2ND READING FOR PROPOSED ORDINANCE #07-31, “AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND WEBER AUTOMOTIVE CORPORATION (FORMERLY KNOWN AS ALBERT WEBER MANUFACTURING CORPORATION), WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES”

11. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 2nd Reading to Ordinance #07-31, including a Fee in Lieu of Tax Agreement between Dorchester County and Weber Automotive Corporation, formally known as Albert Weber Manufacturing Corporation.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss six confidential Economic Development prospects, to receive legal advice concerning the Stormwater Ordinance, and to discuss contractual matters concerning the new County Courthouse project, the audit for the Sheriffs' Office and a personnel matter.

EXECUTIVE SESSION 8:10 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:10 P.M.

The County Attorney reported that in Executive Session, Council discussed six confidential Economic Development prospects, received legal advice concerning the Stormwater Ordinance, and discussed two contractual matters, those being the new County Courthouse project and the audit of the Sheriffs' Office, and a personnel matter. No action was taken on any of the items.

ECONOMIC DEVELOPMENT PROJECT # 07-42

13. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve a 6% Fee-in-lieu-of-taxes (FILOT) for Project #07-42. This firm plans to invest over \$5,000,000 in new buildings and equipment and to create 19 new jobs at its existing site in Dorchester County. In addition, approve a tax credit of \$60,000., per year for 3 years (\$180,000), be awarded to assist the project with infrastructure at the site and that the site be included in the Dorchester-Orangeburg Multi-County Industrial Park. Council was proud to assist another Dorchester County existing industry to grow; an announcement will be in the near future.

ECONOMIC DEVELOPMENT PROJECT #07-50

14. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously, to approve the use of \$4,300 from the Dorchester County Economic Development Fund to assist Project #07-50 with the installation of a fire hydrant to serve their site.

ECONOMIC DEVELOPMENT PROJECT #05-51

15. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve the transfer of \$100,000 in Economic Development Funds to Project #05-51 to reimburse the project for its rail spur expenses of up to \$100,000 upon presentation of paid receipts for the cost of the infrastructure.

ECONOMIC DEVELOPMENT PROJECT #07-49

16. On the motion of Mr. Murphree, seconded by Mr. Murphy, Council voted unanimously to provide project #07-49 with a 5-year tax credit of \$30,000 per-year for 5 years to assist with the infrastructure needed at its new site in Dorchester County. This project would invest over \$2,000,000., have a potential of 50 new jobs with a projected compensation of \$32,000 and up per year. In addition, the project would be placed in the Dorchester-Orangeburg Multi-County Industrial Park.

ADJOURNMENT 10:15 P.M.

17. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
DECEMBER 10, 2007
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Request to Address Council
- Adoption of Minutes from November 19, 2007, County Council Meeting
- Adoption of Council Meeting Schedule for 2008
- 3rd Reading to Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13"
- Red Cross Funding Request
- Disabled American Veterans Funding Request
- Resolution JEDA – Waste Management
- Correspondence

3. GUEST

- Mr. Ted Creech, AT&T, -AT&T Presentation of Grant Checks
- Ms. Audrey Holzhausen, Old Fort Fire Department, -Old Fort Fire Department Apparatus Contracts
- Mr. Darrell Givens-Request for Funding "Black Expo" (Gold Sponsorship)

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

- 1st Reading for Proposed Amendment to Ordinance #04-13, As it Pertains to Boats, Trailers and Recreational Vehicles Parking, To Add: Section 10.7 Restrictions on Recreational Vehicles Parked in Residential Zoned Districts
- 1st Reading for Rezoning Request #573, Summit Rubber Company, TMS# 129-00-00-030
- E 9-1-1 and Dispatch Upgrade
- Lease for St. George EMS Station

5. COMMITTEE REPORTS

Chairman Rosebrock, Public Safety, Health and Human Services Committee

- Recommendation for 2nd Reading Ordinance to Repeal Dorchester County Ordinance #90-09, and to substitute in lieu thereof the following, which shall bear the above-Referenced Ordinance Number

5. COMMITTEE REPORTS CONTINUED

Chairman Murphree, Public Works, Property and Utilities Committee

-Quail Arbor Drainage

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 2nd Reading for an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in conjunction with Orangeburg County, Such Industrial/Business Park to be Geographically Located in Orangeburg County and Established Pursuant to the South Carolina Codes of Laws of 1976 Section 4-1-170
- Public Hearing and 3rd Reading for Ordinance # 07-31, “An Ordinance Authorizing Economic Development Incentives, Including A Fee Agreement, Between Dorchester County, South Carolina, and Weber Automotive Corporation, Whereby Dorchester County will enter into an Arrangement for Payments In Lieu of Property Taxes”
- Adoption of Resolution Identifying a Certain Economic Development Project to be Located in Dorchester County, South Carolina by Lafarge Building Materials, Inc., and Authorizing a Fee Agreement by and between Lafarge Building Materials, Inc., and Dorchester County
- 1st Reading to an Ordinance Authorizing a Fee Agreement by and between Lafarge Building Materials, Inc., and Dorchester County
- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice
 - Myers Mill Development Agreement
 - Collection of Municipal Taxes by the County
 - Water and Sewer Service Commitments
 - Stormwater Exemptions
 - Annexation Swap with Berkeley County
 - FOIA Request
 - Dorchester County's Practice of Reassessing Property Upon Subdivision of Land
 - Contractual Matters
 - Waste Water Treatment Plant Lease Agreement
 - Sheriffs' Audit
 - Personnel Matter

8. ADJOURN

LARRY HARGETT
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAMIE FELTNER

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
DECEMBER 10, 2007
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. Larry Hargett – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Kenneth F. Waggoner
Mr. Chris Murphy
Mr. Jamie Feltner
Mr. Richard Rosebrock
Mr. Jason Ward – County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council
ABSENT: Ms. Ashley Jacobs – Deputy County Administrator

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

REQUEST TO ADDRESS COUNCIL

Chairman Hargett asked if anyone would like to address Council. The following citizens replied.

- Mr. James McGraw addressed Council concerning Rezoning Request #572.

ADOPTION OF MINUTES FROM THE NOVEMBER 19, 2007

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the November 19, 2007, County Council Meeting, as amended.

ADOPTION OF COUNCIL MEETING SCHEDULE FOR 2008

2. On the motion of Mr. Rosebrock, seconded by Mr. Feltner, Council voted to approve Proposal #1 as the County Council Meeting Schedule for 2008. The 2008 Council Meeting Schedule will be posted on the County Website.

CHANGE OF ORDER OF THE PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE REPORT

Council unanimously approved the request to have Chairman Murphree give his Public Works, Property and Utilities Committee Report after Executive Session.

3RD READING TO PROPOSED ORDINANCE #07-29, "AN ORDINANCE TO SUSPEND THE APPROVAL OF NEW RESIDENTIAL DEVELOPMENT UNDER THE DORCHESTER COUNTY ZONING & LAND DEVELOPMENT STANDARDS ORDINANCE #04-13"

3. Mr. Rosebrock motioned and Mr. Feltner seconded it, to give 3rd Reading to the Proposed Ordinance #07-29, "An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13", in the boundaries of School District II, for six months.

4. Mr. Murphree motioned to amend the main motion, and Mr. Murphy seconded it, to have weekly meetings to discuss the implementation of three critical parts in conjunction with the Comprehensive Plan during the six-month period of the moratorium. The three parts are as follows: 1) Creation of a Master Water and Sewer Plan, 2) Creation of a Municipal Improvement District in coordination with School District 2 and School District 4 to Build Schools, 3) Review Development Agreements in conjunction with the Comprehensive Plan and prepare for approval Development Agreements that conform to the Plan.

The County Attorney addressed Council and stated that in his opinion, this motion would be an additional issue, and needs to be addressed separately, instead of being an amendment to Ordinance #07-29. After much discussion, Mr. Murphree withdrew his amendment, and Mr. Murphy withdrew his second.

3RD READING TO PROPOSED ORDINANCE #07-29 – CONTINUED

Chairman Hargett requested for Mr. Harold LeaMond, Planning Director, to address the effective date of the moratorium and the effects it would have on pending applications. He stated that the start of the moratorium would be 8:00 a.m. the day following this meeting and new applications would be returned to the applicants. Mr. LeaMond stated that an amendment to the Ordinance would be necessary to address specific definitions and specific language regarding certain types of developments. He further stated that rezoning requests would go forward, but no building permits would be issued during the moratorium. The County Attorney addressed several issues regarding the types of developments included in the proposed Ordinance #07-29, which was up for 3rd Reading.

5. Mr. Feltner motioned, and Mr. Rosebrock seconded it, to amend the main motion, and to give 3rd Reading to Ordinance #07-29, “An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13”, in the boundaries of School District II, for six months, and to include Multi-family Developments, which is not currently included in this moratorium.

Mr. Murphree stated that Multi-family comes under Industrial, Commercial, and Retail, which was to be exempt from this moratorium and made the suggestion that maybe this Ordinance needs to be looked at further and that Council should hold off until that time.

After much discussion, Mr. Feltner withdrew his amendment to the main motion and Mr. Rosebrock withdrew his second.

Council voted six in favor and one opposed on the main motion, to give 3rd Reading to Ordinance #07-29, “An Ordinance to Suspend the Approval of New Residential Development under the Dorchester County Zoning and Land Development Standards Ordinance #04-13”, in the boundaries of School District II, for six months.

Councilman Murphy opposed.

MOTION REGARDING ORDINANCE #07-29

6. Mr. Murphree motioned, seconded by Mr. Murphy, and Council voted two in favor and five opposed, to have weekly meetings to discuss the implementation of three critical parts in conjunction with the Comprehensive Plan during the six-month period of the moratorium. The three parts are as follows: 1) Creation of a Master Water and Sewer Plan, 2) Creation of a Municipal Improvement District in coordination with School District 2 and School District 4 to Build Schools, 3) Review Development Agreements in conjunction with the Comprehensive Plan and prepare for approval Development Agreements that conform to the Plan.

Council Members Feltner, Rosebrock, Davis, Waggoner and Murphy opposed.

RED CROSS FUNDING REQUEST AND SC DISABLED AMERICAN VETERANS FUNDING REQUEST

7. On the motion of Mr. Davis, seconded by Mr. Feltner for discussion, regarding the funds requested from the Carolina Lowcountry Chapter of the American Red Cross, in the amount of \$10,000. If approved the funding would come from the County Council Contingency Fund, which is running low at this point in time.

8. Mr. Feltner motioned, seconded by Mr. Murphy, to amend the main motion to approve funding the Carolina Lowcountry American Red Cross, in the amount of \$5,000 instead of the requested amount of \$10,000.

9. Mr. Waggoner motioned, and Mr. Murphy seconded it, to add to the amendment to include the SC Disabled American Veterans Request, for a total approval of \$18,000 in requested funding. Council voted unanimously to approve the funding in the amount of \$5,000 for the Carolina Lowcountry Chapter of the American Red Cross, and to approve funding in the amount of \$13,000 for the SC Disabled American Veterans. The funds for the SC Disabled American Veterans are to assist with the purchase of a van to transport veterans to the VA Medical Center in Charleston and the new VA Clinic being constructed at the Naval Weapons Station. Their old van was severely damaged in a recent accident.

**ADOPTION OF RESOLUTION #07-17, IN SUPPORT OF THE
ISSUANCE OF BONDS BY THE SOUTH CAROLINA JOBS ECONOMIC
DEVELOPMENT AUTHORITY FOR WASTE MANAGEMENT**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #07-17, stated as follows, "Dorchester County in Support of the Issuance by the South Carolina Jobs Economic Development Authority of Its Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. Project) Series 2007, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, As Amended, In the Aggregate Principal Amount of Not Exceeding \$20,000,000".

Mr. Russ Hightower, Manager of Community Relations for Waste Management, was present to answer questions and has already provided answers to the questions posed by County Council and staff relative to the origin of the waste stream and the reduction in host fees. Additionally, the Business Case was provided and explained the improvements to the site in Dorchester. Mr. Hightower stated he would also find out about the 40 acres as requested by Councilman Rosebrock and look at the possibility of renegotiations of host fees paid to Dorchester County.

CORRESPONDENCE

There was no correspondence to report.

GUESTS

MR. TED CREECH, PRESENTATION OF GRANT CHECK

Mr. Ted Creech, AT&T, addressed Council and presented them with a grant check for \$55,000 from AT&T to be used towards specific Economic Development projects.

MS. AUDREY HOLZHAUSEN, OLD FORT FIRE DEPARTMENT

Ms. Audrey Holzhausen, Old Fort Fire Department, thanked Council for their active support during this past year and stated that she had requested to address County Council regarding the Dorchester County contracts on the newly acquired apparatus for Old Fort Fire Department. The request from Old Fort Fire Department was to consider assigning the trucks purchased for Knightsville and Givhans to those areas for the life of the vehicles or duration of the County's contract with them for fire service in those areas. Ms. Holzhausen stated that the Capital Improvement Fund was a wonderful tool to assist the county fire services and the Dorchester County residents and business owners. While

MS. AUDREY HOLZHAUSEN, CONTINUED

there have been many challenges and frustrations, the willful support that we offer to one another has always been in the best interest of our District. The contracts describe two 2007 Ferrara Pumpers, one custom pumper designated for Old Fort District, and one commercial pumper designated for the Old Fort (Givhans) District. They understand that this apparatus is titled to the County and request that each apparatus be assigned to the District, for which it was approved and intended, for the duration of the service contracts for each District. This requires a change in time from six months to a more permanent level. She asked that Council consider this request.

11. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to place this item in the Public Safety, Health, and Human Services Committee for further consideration.

FUNDING OF THE "BLACK EXPO"

Mr. Darrell Givens, coordinator for the "Black Expo", addressed Council, explained what the "Black Expo" does, and requested that County Council consider becoming a gold level sponsor of the Black Expo, which will be held in March 2008. In the past, County Council has supported the Expo at the Bronze Level in the amount of \$6,000 vs. the Gold Level of \$15,000.

12. It was motioned by Mr. Rosebrock, and seconded by Mr. Murphree, to fund the "Black Expo" at the Bronze Level in the amount of \$6,000., and to place this in the Public Safety, Health and Human Services Committee to explore other funding sources.

13. Mr. Davis motioned to amend the motion, seconded by Mr. Murphy, and Council voted unanimously to fund the "Black Expo" at the Silver Level, in the amount of \$10,000.

SUMMERVILLE LITTLE LEAGUE FUNDING REQUEST

Mr. Rosebrock informed Council of a request that he received from the Summerville Little League in the amount of \$35,000 to purchase equipment, and for the funds to come from the Recreation Fund.

Chairman Hargett stated that this item would be on the agenda for the first meeting in January 2008 for Council to receive a report from the County Administrator as to the fund balance in the Recreation Fund.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

**1ST READING FOR PROPOSED AMENDMENT TO ORDINANCE #04-13,
AS IT PERTAINS TO BOATS, TRAILERS AND RECREATIONAL
VEHICLES PARKING, TO ADD: SECTION 10.7 RESTRICTIONS ON
RECREATIONAL VEHICLES PARKED IN RESIDENTIAL ZONED
DISTRICTS**

14. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted 5 in favor, one opposed, and one abstention, to give 1st Reading to a Proposed Amendment to Ordinance #04-13, As it Pertains to Boats, Trailers and Recreational Vehicles Parking, To Add: Section 10.7 Restrictions on Recreational Vehicles Parked in Residential Zoned Districts and to place this item in the Planning, Development, and Building Committee for further consideration.

Councilman Murphree opposed and Councilman Waggoner abstained.

**1ST READING FOR REZONING REQUEST #573, SUMMIT RUBBER
COMPANY, TMS# 129-00-00-030**

15. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted unanimously to give 1st Reading to Rezoning Request #573, for Summit Rubber Company, TMS# 129-00-00-030 and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 104.53 acres on Corporate Way from I (Industrial) to CLI (commercial Light Industrial).

E 911 AND DISPATCH UPGRADE

16. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to approve an E-911 and Dispatch Upgrade project and budget as discussed.

Installation of a new Public Safety Answering Point (PSAP) system is underway and will be completed by the week of December 17. This system will include seven chairs, five for call takers, one for the supervisor, and one for training. Additionally, the County needs to payoff the existing lease (\$366,000) for the system we are currently using that has a software platform that will no longer be supported. This funding will allow the County to purchase a new Computer Aided Dispatch (CAD) system. The funding for this project will come from state reimbursement, E 9-1-1 fund balance, PC refresh, and next year's CIP.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

LEASE FOR ST. GEORGE EMS STATION

17. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to authorize the Administrator to execute a two-year extension to the current lease for the St. George EMS Station. The monthly rent will increase from \$450 to \$475 in 2008 and \$475 to \$500 in 2009. In the future, this EMS unit is to be relocated to a new station on the Courthouse site, in accordance with the Capital Improvement Plan.

COMMITTEE REPORTS

CHAIRMAN RICHARD ROSEBROCK PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE

RECOMMENDATION FOR 2ND READING TO AN ORDINANCE TO REPEAL DORCHESTER COUNTY ORDINANCE #90-09

18. Chairman Rosebrock reported that the recommendation from the Committee to Council was to give 2nd Reading to a new Ordinance which will replace our existing Ordinance #90-09, which established the Emergency Services Department and outlined the duties for the Emergency Services Director. This ordinance will establish the Emergency Management Department and outline the duties and responsibilities of the Director as well as the procedures for County Council to declare a State of Emergency. Council voted unanimously in favor of this recommendation.

CHAIRMAN MIKE MURPHREE, PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE

This Committee Report was deferred until Council returns from Executive Session.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

**COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
PUBLIC HEARING AND 2ND READING TO AN ORDINANCE TO
DEVELOP A JOINTLY OWNED AND OPERATED
INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH
ORANGEBURG COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO
BE GEOGRAPHICALLY LOCATED IN ORANGEBURG COUNTY AND
ESTABLISHED PURSUANT TO THE SOUTH CAROLINA CODES OF
LAWS OF 1976 SECTION 4-1-170**

Chairman Hargett opened the Public Hearing for an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in conjunction with Orangeburg County, Such Industrial/Business Park to be Geographically Located in Orangeburg County and Established Pursuant to the South Carolina Codes of Laws of 1976 Section 4-1-170.

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

19. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading to an Ordinance to Develop a Jointly Owned and Operated Industrial/Business Park in conjunction with Orangeburg County, Such Industrial/Business Park to be Geographically Located in Orangeburg County and Established Pursuant to the South Carolina Codes of Laws of 1976 Section 4-1-170.

**PUBLIC HEARING AND 3RD READING FOR ORDINANCE #07-31, "AN
ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT
INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN
DORCHESTER COUNTY, SOUTH CAROLINA, AND WEBER
AUTOMOTIVE CORPORATION (FORMERLY KNOWN AS ALBERT
WEBER MANUFACTURING CORPORATION), WHEREBY
DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT
FOR PAYMENTS IN LIEU OF PROPERTY TAXES"**

Chairman Hargett opened the Public Hearing for the proposed Ordinance #07-31, including a Fee in Lieu of Tax Agreement between Dorchester County and Weber Automotive Corporation, formally known as Albert Weber Manufacturing Corporation.

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

20. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor and one abstention, to give 3rd Reading to Ordinance #07-31, including a Fee in Lieu of Tax Agreement between Dorchester County and Weber Automotive Corporation.

Mr. Murphree abstained.

COUNTY ATTORNEY'S TIME – CONTINUED

ADOPTION OF RESOLUTION IDENTIFYING A CERTAIN ECONOMIC DEVELOPMENT PROJECT TO BE LOCATED IN DORCHESTER COUNTY, SOUTH CAROLINA BY LAFARGE BUILDING MATERIALS, INC., AND AUTHORIZING A FEE AGREEMENT BY AND BETWEEN LAFARGE BUILDING MATERIALS, INC., AND DORCHESTER COUNTY

21. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor, and one abstention, to adopt a Resolution Identifying a Certain Economic Development Project to be Located in Dorchester County, South Carolina by Lafarge Building Materials, Inc., and Authorizing a Fee Agreement by and between Lafarge Building Materials, Inc., and Dorchester County.

Councilman Murphree abstained.

1ST READING TO AN ORDINANCE AUTHORIZING A FEE AGREEMENT BY AND BETWEEN LAFARGE BUILDING MATERIALS, INC AND DORCHESTER COUNTY

22. On the motion of Mr. Murphy, seconded by Mr. Feltner, Council voted six in favor, and one abstention, to give 1st Reading to An Ordinance Authorizing a Fee Agreement by and between Lafarge Building Materials, Inc. and Dorchester County.

Councilman Murphree abstained.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss confidential economic development projects, to receive legal advice concerning Myers Mill Subdivision and its Agreement with the County, collection of municipal taxes by the County, water and sewer service commitments, stormwater exemptions, an annexation boundary property line swap with Berkeley County, a FOIA Request, and the practice of reassessing property upon subdivision of land, and the addition of an issue concerning Quail Arbor and Mr. Everett Knight, and to discuss several contractual matters, those being the Waste Water Treatment Plant Lease Agreement with School District II, the Sheriff's Audit and a CDBG Grant with Trident Technical College, and one personnel matter.

Page Eleven
December 10, 2007
County Council Meeting

COUNTY ATTORNEY'S TIME – CONTINUED
EXECUTIVE SESSION 8:50 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 11:25 P.M.

The County Attorney reported that in Executive Session, Council discussed all items previously announced and no action was taken on any of the items.

COMMUNITY DEVELOPMENT BLOCK GRANT WITH TRIDENT
TECHNICAL COLLEGE

24. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to commit Lot 1(4.4 acres) and Lot 2 (4.74 acres) at the St. George Courthouse site for the purpose of the Community Development Block Grant with Trident Technical College.

ECONOMIC DEVELOPMENT PROJECT #07-61

25. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to approve \$2,000 to fund the appraisal of a Dorchester County site being considered for confidential project #07-61. These funds will come from the Dorchester County Economic Development Fund.

ECONOMIC DEVELOPMENT PROJECT #07-42

26. On the motion of Mr. Murphree, seconded by Mr. Waggoner, Council voted unanimously, to approve \$2,500 from the Dorchester County Economic Development Fund to assist Project #07-42 with a road improvement plan to serve the site of the planned \$5.0 million dollar project. An announcement will be made in the spring of 2008.

CHAIRMAN MIKE MURPHREE, PUBLIC WORKS, PROPERTY AND
UTILITIES COMMITTEE REPORT
QUAIL ARBOR DRAINAGE

27. Chairman Murphree reported that with regard to the Quail Arbor Issue, the Committee's recommendation to Council was to have Mr. Rosebrock work with Mr. Everett Knight and negotiate some sort of resolution. Council voted unanimously in favor of the recommendation.

Page Twelve
December 10, 2007
County Council Meeting

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

SIGN DESIGN FOR "NO THRU TRAFFIC" FOR QUAIL ARBOR

Chairman Murphree reported that the Committee discussed the request concerning the sign design for "No Thru Traffic" in Quail Arbor Subdivision and that this subject would be discussed again in January 2008.

**RECOMMENDATION FOR 1ST READING FOR AN ORDINANCE
AMENDING THE DORCHESTER COUNTY ROAD MAINTENANCE
ORDINANCE NUMBER 97-12, PERTAINING TO THE STANDARDS
FOR MAINTAINING EXISTING ROADS**

28. Chairman Murphree reported that the Committee's recommendation to Council was to give 1st Reading to an Ordinance Amending The Dorchester County Road Maintenance Ordinance #97-12, pertaining to the Standards for Maintaining Existing Roads and to place this item in the Public Works, Property and Utilities Committee for further action. Council voted unanimously in favor of the recommendation. This amendment would add to the Ordinance that road petition requests for acceptance into the County Maintenance System must meet subdivision specifications.

OWENS CIRCLE – ONE WAY STREET REQUEST

Chairman Murphree reported that a resident of Owens Circle addressed the Committee concerning the Owens Circle Petitions request and the Committee will follow up with this in January 2008.

AUDIT OF THE SHERIFF'S DEPARTMENT

29. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to expand the audit of the Sheriff's Department as discussed in executive session for a fee not to exceed \$60,000.

Page Thirteen
December 10, 2007
County Council Meeting

RESOLUTION #07-19 APPROVING A PROPOSED ANNEXATION

30. On the motion of Mr. Murphy, seconded by Mr. Murphree, Council voted five in favor and two opposed, to adopt Resolution #07-19, approving the proposed annexation of approximately 49.99 acres of TMS #207-00-01-025, owned by Carolina Resource Development, LLC, from Berkeley County into Dorchester County and consenting to the proposed annexation of approximately 25.712 acres of the Dorchester County portion of TMS #'S 221-00-00-008 and 130-00-00-022, owned by Salisbury Farm L.P., Uchee Farms L.P., Salisbury Farms II, LLC and LSB, LLC, #220-00-02-019, owned by Rosemary S. Ward and TMS#130-00-00-021, owned by Margaret S. Bell, from Dorchester into Berkeley County.

ADJOURNMENT 11:25 P.M.

31. On the motion of Mr. Davis, seconded by Mr. Feltner, Council voted unanimously to adjourn.

Sandy Lawley, Clerk to Council