

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
JANUARY 5, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. 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 8, 2008, County Council Meeting
- Dorchester County Employee Recognition Program
- Dorchester County Retirement Recognition Program:
 - Mr. Gilbert Newton, Parts Manager of Fleet Services Department
 - Lieutenant Stephen M. Everett, Detention Center
- 3rd Reading for (proposed) Ordinance #09-01, "An Ordinance to Provide for the Installment Payments of Taxable Real Property within Dorchester County Pursuant to Section 12-45-75, Code of Laws of South Carolina (1976), as Amended
- Proposed Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, and Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes
- Request for Funding –Disabled American Veterans
- Correspondence

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

- Fiscal Year 2010 Budget Calendar
- 1st Reading for Rezoning Request #607, Veneer Business Park, LLC; TMS #162-05-11-023
- 1st Reading for Rezoning Request #608, Veneer Business Park, LLC; TMS #162-05-11-011

4. APPOINTMENTS TO BOARDS AND COMMISSIONS

- Reappointment of CHATS Policy Committee Members
- Reappointment of BCD-COG Board Members

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

- Executive Session
 - Legal Advice
 - Pending Detamore Lawsuit

6. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
RICHARD ROSEBROCK
KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 563-0196 FAX (843) 563-0137
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MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 5, 2009
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. Jamie Feltner– Chairman
Mr. Willie Davis – Vice Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

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

Chairman Hargett read a prepared statement and thanked the many people that helped him accomplish his two successful years as Chairman of Dorchester County Council. A copy of his statement is attached to these minutes for the record. (Attachment A)

ELECTION OF CHAIRMAN OF COUNTY COUNCIL

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

1. Mr. Davis motioned to nominate Mr. Jamie Feltner for Chairman of Council, seconded by Mr. Rosebrock.
2. Mr. Hearn motioned to nominate Mr. Willie Davis for Chairman of Council, seconded by Mr. Murphy.

Mr. Davis declined and requested to have his name removed from the nominations.

Mr. Hearn withdrew his motion and Mr. Murphy withdrew his second.

Chairman Hargett closed the nominations for Chairman of Council.

Chairman Hargett called for the vote on motion #1, election of Mr. Jamie Feltner as Chairman of Dorchester County Council for a period of two years. Council voted four in favor, with three abstentions.

Council Members Hargett, Murphy, and Hearn abstained.

Chairman Feltner took his seat as Chairman of Council.

ELECTION OF VICE CHAIRMAN OF COUNCIL

Chairman Feltner opened the floor for nominations for Vice Chairman.

3. Mr. Murphy motioned to nominate Mr. Bill Hearn for Vice Chairman of Council, seconded by Mr. Hargett.
4. Mr. Waggoner motioned to nominate Mr. Willie Davis for Vice Chairman of Council, seconded by Mr. Rosebrock.

Chairman Feltner closed the nominations for Vice Chairman of Council.

Chairman Feltner called for the vote on motion #3, on the election of Mr. Bill Hearn for Vice Chairman of Council. Council voted three in favor, with four abstentions.

Chairman Feltner called for the vote on motion #4, on the election of Mr. Davis for Vice Chairman of Council. Council voted five in favor, with two abstentions. Councilman Davis was elected as Vice Chairman of County Council.

STATEMENTS BY NEW CHAIRMAN AND NEW VICE CHAIRMAN

Chairman Feltner thanked former Chairman Hargett for his service over the last two years, not only as Council's Chairman, but also as the County's representative on the BCD-COG Board. In addition, he thanked Council for the confidence that they had placed in him as electing him Chairman, and promised to continue to pursue issues that are important to Council District #7. Chairman Feltner stated that as Chairman, it was his responsibility for setting meeting agendas, conducting the council meetings and choosing council committee members, which make recommendations to the full Council about issues affecting the County.

Vice Chairman Davis stated that he was proud to serve as Chairman Feltner's Vice Chairman, and now that he was retired, he would have more time to help accomplish the goals set by the Chairman and Council. He also stated that he looked forward to the upcoming two years as Vice Chairman.

MOTION TO AMEND THE AGENDA

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted four in favor, and two opposed, to amend the agenda to discuss the Budget Ordinance #08-08, regarding the salary raises recently received by County Council.

Council Members Davis and Waggoner opposed, and the Chairman exercised his right not to vote.

**1ST READING FOR AN ORDINANCE AMENDING ORDINANCE
#08-08, COUNTY BUDGET ORDINANCE FOR FISCAL YEAR 08-09**

6. Mr. Murphy motioned and it was seconded by Mr. Hargett, to give 1st Reading for an Ordinance Amending Ordinance #08-08, the County Budget Ordinance for Fiscal Year Budget 08-09, more specifically deleting the provisions therein that relate to raises provided to County Councilmen and to reinstate the yearly salary of County Councilmen to \$15,000 per year, and to place this item into the Budget, Finance and Purchasing Committee for further consideration.

7. Mr. Rosebrock made a motion to call for the question and end debate, seconded by Mr. Hargett, and Council voted six in favor, to give 1st Reading to a proposed Ordinance Amending Ordinance #08-08, the County Budget Ordinance for Fiscal Year Budget 08-09, more specifically deleting the provisions therein that relate to raises provided to County Councilmen and to reinstate the yearly salary of County Council to \$15,000 per year, and to place this item in the Budget, Finance and Purchasing Committee for further consideration. The Chairman exercised his right not to vote.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if anyone would like to address Council, and the following citizens replied:

- Mr. Thom Schmenk, Risk Manager for Dorchester County, addressed Council regarding the installation of the first two Automatic External Defibrillators. He stated that the first two are located outside each of the two Dorchester County Council Chambers, Summerville and St. George. He explained that inside each wall mounted box is the AED, all the pads and connections and one CPR Rescue Breather protective mask. In addition, personnel from some departments in both buildings and from Facilities Maintenance has attended and passed the AED/CPR class. Mr. Schmenk explained that the remaining two AEDs purchased this year would be placed in the new Courthouse, one on each floor.
- Mr. Rutherford Smith addressed Council regarding Trident Technical College and gave Council an update on the Trident Technical College Board, which he serves on as a Dorchester County delegate. In addition, Mr. Smith is Treasurer of the Board and wanted to thank Council for all of their support.
- Ms. Angie Lee Crum addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mr. Norvell Dickerson addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mr. Henry Pearson thanked Mr. Hargett for the past two years as Chairman, congratulated Chairman Feltner on his new position, and addressed Council regarding the proposed Ordinance concerning the installment payments for property taxes and requested Council's support.
- Mrs. Lucy Anne Cathcart addressed Council regarding the proposed Ordinance prohibiting burning and suggested the idea of leaf disposal/composting as an alternative.
- Ms. Fay Crowe addressed Council regarding emails that she had sent to Council regarding grant-funding programs that are available for the County as well as other entities.
- Mr. Allen Harkens addressed Council regarding his opposition to the proposed Ordinance prohibiting open burning in certain areas of Dorchester County.
- Mr. Dennis Kinsey addressed Council regarding his opposition to the proposed Ordinance prohibiting open burning in certain areas of Dorchester County.

ADOPTION OF MINUTES DECEMBER 8, 2008, COUNTY COUNCIL MEETING

8. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor to adopt the Minutes from the December 8, 2008, County Council Meeting.

The Chairman exercised his right not to vote.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

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

DORCHESTER COUNTY RETIREMENT RECOGNITION PROGRAM

Dorchester County Council recognized Mr. Gilbert Newton, Parts Manager for Fleet Services, with 28 years of service, who was retiring. Dept. Lt. Stephen M. Everett of the Detention Center had 9 years & 9 months of service was also retiring, but did not attend.

3RD READING FOR ORDINANCE #09-01, "AN ORDINANCE TO PROVIDE FOR THE INSTALLMENT PAYMENTS OF TAXABLE REAL PROPERTY WITHIN DORCHESTER COUNTY PURSUANT TO SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED"

9. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, to give 3rd Reading for Ordinance #09-01, "An Ordinance to Provide for the Installment Payments of Taxable Real Property within Dorchester County Pursuant to Section 12-45-75, Code of Laws of South Carolina (1976), as Amended, and in addition approving the new Senior Accountant position for the Treasurer's Office to administer this program.

The Chairman exercised his right not to vote.

A PROPOSED ORDINANCE TO PROHIBIT THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH OR BRANCH CUTTINGS, GRASS CLIPPINGS, YARD CLIPPING, OR OTHER YARD WASTE IN CERTAIN ZONING DISTRICTS OF DORCHESTER COUNTY PREDOMINANTLY ZONED FOR RESIDENTIAL PURPOSES

At the last meeting, County Council sent this item back to the Public Safety, Health, and Human Services Committee for further consideration. However, Councilman Hargett asked that Council discuss the Lexington County Ordinance to see if Council would consider adding this Ordinance to the Committee. Chairman Feltner approved the request.

REQUEST FOR FUNDING –DISABLED AMERICAN VETERANS

Chairman Feltner explained that the Disabled American Veterans are requesting up to \$26,000 to purchase two new vans. He stated that County Council Contingency has \$215,444 available, or Council could consider this request as a part of the FY 2009-2010 Budget process. In December 2007, County Council approved \$13,000 to the DAV so they could purchase a van to transport Veterans to and from the VA Medical Center and Navy Clinic.

10. Mr. Rosebrock motioned and Mr. Murphy seconded it, to fund the \$26,000 request for the Disabled American Veterans to purchase two new vans and to take the funds from County Council Contingency.

11. Mr. Hearn motioned to amend the main motion, and Mr. Davis seconded it, to fund one-third of the \$26,000 request contingent upon the Disabled American Veterans getting approval from Berkeley and Charleston counties for the other two-thirds of the funding, since the vans would be used for the tri-county area.

Mr. Richard Gilbert, Commander, South Carolina Disabled American Veterans Chapter 17, along with other members, addressed Council and stated that the organization had planned to approach Berkeley County and Charleston County to request funding. One of the members stated that in order to purchase one vehicle that has already been committed to and to be delivered in late spring; a commitment for the one-third of the \$26,000 was necessary, instead of it being contingent upon the approval of the other two counties due to timing constraints.

Mr. Hearn withdrew his motion and Mr. Davis withdrew his second.

12. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to fund the request for the Disabled American Veterans Chapter 17 for one-third of \$26,000 from County Council Contingency.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

FISCAL YEAR 2010 BUDGET CALENDAR

Mr. Ward stated that staff has prepared the Budget Calendar for Fiscal Year 2010 and would like County Council to reserve March 12, 2009 and May 7, 2009 for budget retreats and May 18, 2009 for a Budget, Finance, and Purchasing Committee meeting. Staff will update County Council on the mid-year budget at the January 20, 2009, County Council meeting.

COUNTY ADMINISTRATOR'S TIME-CONTINUED

**1ST READING FOR REZONING REQUEST #607, VENEER BUSINESS
PARK, LLC; TMS #162-05-11-023**

13. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for Rezoning Request #607, Veneer Business Park, LLC; TMS #162-05-11-023, and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone .48 acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family) to CG (General Commercial).

**1ST READING FOR REZONING REQUEST #608, VENEER BUSINESS
PARK, LLC; TMS #162-05-11-011**

14. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for Rezoning Request #608, Veneer Business Park, LLC; TMS #162-05-11-011, and to refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 1.0 acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family) to CG (General Commercial).

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

15. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to appoint Mr. Richard Behling to the Dorchester Economic Development Board.

DORCHESTER COUNTY PLANNING COMMISSION

16. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to appoint Mrs. Sue Wehmen to the Dorchester County Planning Commission.

Councilman Murphy opposed.

**APPOINTMENTS TO BOARDS AND COMMISSIONS
CONTINUED**

**ADOPTION OF A RESOLUTION HONORING MR. HOWARD
MUCKENFUSS, JR. FOR HIS DEDICATED SERVICE ON THE
DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD**

17. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to adopt a Resolution in honor of Mr. Howard Muckenfuss, Jr. for his many years of dedicated service on the Dorchester County Economic Development Board.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

18. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to reappointment Mrs. Suzie Davis, as Councilman Rosebrock's appointee to the Dorchester County Grievance Committee.

**REAPPOINTMENT OF CHATS POLICY COMMITTEE MEMBER
REAPPOINTMENT OF BCD-COG BOARD MEMBER**

19. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted five in favor, and one abstention, on the reappointment of Councilman Larry Hargett to continue to serve as one of Dorchester County's representatives on the CHATS Policy Committee and the BCD-COG Board.

Councilman Davis abstained and the Chairman exercised his right not to vote.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

**REQUEST TO AMEND THE AGENDA TO ADD A CONFIDENTIAL
ECONOMIC DEVELOPMENT PROJECT TO THE EXECUTIVE SESSION
LIST FOR DISCUSSION**

The County Attorney made a request to Council to amend the agenda and add an additional item for discussion under executive session, which would be an economic development project.

20. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to amend the agenda to add an additional item under executive session as requested by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning the pending lawsuit by Ms. Brenda Detamore and to discuss an economic development project.

EXECUTIVE SESSION 8:15 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 8:45 P.M.

The County Attorney reported that in Executive Session, Council discussed the items announced prior to going into executive session, and no action was taken.

SETTLEMENT ON DETAMORE LAWSUIT

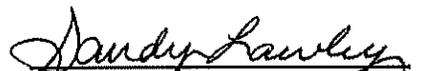
22. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one absent, to approve the settlement with Ms. Detamore as discussed in executive session and reached in mediation, and authorize the County Administrator to sign any necessary documents on behalf of the County. The funding will come from County Council Contingency.

Chairman Feltner opposed and Mr. Hargett was absent.

ADJOURNMENT 8:48 P.M.

23. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to adjourn.

Mr. Hargett was absent.


Sandy Lawley, Clerk to Council

A

January 5, 2009

I would like to take a few minutes as out-going Chairman of the Dorchester County Council, while I still hold the gavel, to reflect on the past two years as Chairman and to give some well-deserved thanks to the many friends who have helped me.

I first would like to thank those who have made my job as Chairman go very smoothly while accomplishing many, many important County Ordinances, Resolutions, Policies and Budgets. My sincere thanks to this Council with which I have been privileged to work for these two years as Chairman, especially to Councilmen Waggoner and Rosebrock for their good advice. I also have been the beneficiary of some valuable guidance given to me by two preceding County Council Chairmen, Chris Murphy and Skip Elliott. To our Administrator, Jason Ward, for his untiring and effective professional administrative management, to our County Council Clerk, Sandy Lawley, to Gina Sams, Secretary to Council and to John Frampton, Attorney to Council. To State House Representative Annette Young for her close friendship and advice given to me during my six years on County Council. To former Councilman Mike Murphree for constantly reminding Council that the #800 is used not only in dialing a toll-free telephone number but is rather the very important # of new sewer taps and hookups needed to keep Dorchester County growing each year in order to prevent a property tax increase. Finally, to my good friend, former Dorchester County Councilman, Ack Ackerman for his always insightful and helpful advice.

The Chairmanship of this County Council is, as I have personally experienced, a full time job with an average of 10-15 scheduled and unscheduled meetings each week including County Council meetings as well as the six sub-committee meetings for Council members, meetings with the County Administrative Staff, Chamber of Commerce functions, Economic Development meetings, meetings with our five municipality Mayors in Dorchester County, County Fire Chiefs, the South Carolina Association of Counties meetings and the many invitations to speak, representing Dorchester County, to groups across our Tri-County Region.

As I leave this two year Chairmanship, I have one recommendation to Council and to the Citizens of Dorchester County. Consider entering into debate, dialogue and the decision process about the merits of future Chairpersons of Dorchester County Council being elected by the voters, at large, for a term of two years. Today, six South Carolina Counties, Spartanburg, Horry, Saluda, Alken, Kershaw and Clarendon elect their County Council Chair, at large, with County Council seats elected from single member districts. This idea has merit, in my opinion, and I will make a motion before Council in early 2010 to pass an Ordinance placing this question before Dorchester County voters for a decision in the primary and/or general election cycle in 2010.

Thank you, Dorchester County, very much for the privilege and opportunity to serve.

Larry Hargett
Dorchester County Council

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

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COUNTY COUNCIL OF DORCHESTER COUNTY

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MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE JANUARY 20, 2009 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. Jamie Feltner– Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council
ABSENT: Mr. Willie Davis – Vice Chairman

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

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if anyone would like to address Council, and no citizens replied.

ADOPTION OF MINUTES JANUARY 5, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the Minutes from the January 5th, 2009, County Council Meeting.

Councilman Davis was absent.

Chairman Feltner appointed Mr. John Frampton, County Attorney, as Parliamentarian for Dorchester County Council.

CORRESPONDENCE

The County Administrator informed Council of a memo from Mary Pearson, Dorchester County Treasurer, and Brenda Nix, Dorchester County Auditor, regarding "General Fund Budget Reduction for Salary Supplements". The Treasurer and Auditor wanted to bring to County Council's attention that the S. C. General Assembly's across the board cut of the state budget would result in a total pay reduction of \$2,806.20 for the remaining 12 pay periods. The Administrator identified funds totaling \$5,612.40 to make the Treasurer's and Auditor's salaries whole through the end of the current fiscal year.

2. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted six in favor, and one absent, to place the funding for the Treasurer's and Auditor's salaries through the end of the current fiscal year in the Budget, Finance, and Purchasing Committee.

Councilman Davis was absent.

In addition, the County Administrator informed Council of an annexation notice that the County received from the City of North Charleston. The City annexed TMS# 181-00-00-021 with a zoning classification of B-2 (General Business District) on December 23, 2008. This is a 1.34 acre on the south side of Dorchester Road just past Ashley Phosphate between Park Forest Parkway and Indigo Fields.

The Administrator informed Council that the Lower Orangeburg Upper Dorchester Community Development Corporation is offering training on "Rural Entrepreneurship through Action Learning (REAL)" in conjunction with Orangeburg-Calhoun Technical College. The second session will be March 9, through April 27, 2009 at Lake Marion High School on Monday evenings.

CORRESPONDENCE CONTINUED

In addition, the Administrator informed Council that the U.S. Census Bureau is seeking qualified applicants to fill 15,000 positions to assist them with the 2010 census and interested parties should go to their website www.2010censusjobs.gov or call 1-866-861-2010.

Mr. Ward also reported that the County received a letter from Mr. Chris Kerrigan, President of the Trident United Way, thanking County employees for pledging \$10,751 and for being so generous.

MOTION TO AMEND THE AGENDA TO DISCUSS 2ND READING TO THE PROPOSED ORDINANCE, "AN ORDINANCE TO AMEND DORCHESTER COUNTY FISCAL YEAR 2008-2009 BUDGET ORDINANCE #08-08 TO REDUCE THE ANNUAL SALARY OF MEMBERS OF DORCHESTER COUNTY COUNCIL FROM \$20,000 PER ANNUM TO \$15,000 PER ANNUM"

3. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted three in favor, three opposed, and one absent, to amend the agenda and to discuss the proposed Ordinance, "An Ordinance To Amend Dorchester County Fiscal Year 2008-2009 Budget Ordinance #08-08, To Reduce the Annual Salary of Members of Dorchester County Council from \$20,000 per Annum to \$15,000 per Annum." (Motion failed)

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

GUESTS

Mrs. Carolyn Tomlinson, Director of Recycling and Education/Director of Keep Dorchester County Beautiful made a presentation of five National Awards from Keep America Beautiful to Council. The awards are as follows: Government Agency- 1st Place Waste Reduction; Cigarette Litter Prevention Program, 2nd Place; Great American Cleanup Sponsorships; President's Circle Award; and Mrs. Carolyn Tomlinson won the Keep America Beautiful Professional Leadership Award. This is KAB's highest professional honor, given annually to KAB affiliates Directors, who have built and sustained outstanding success in their field. Those honored have furthered the goals of KAB by developing training initiatives, establishing model programs, fostering long-term partnerships between the public and private sectors. Deputy County Administrator, Mrs. Ashley McDonald, read a statement from Ms. Sarah Robinson, Director of Keep South Carolina Beautiful/Palmetto Pride, who could not attend due to inclement weather.

GUESTS - CONTINUED

Mr. Lee Moulder, Director of Budget and Finance, presented Council with the December 2008 Budget Report. He stated that the Solid Waste and Stormwater fees are billed on the real property tax bills, which were due January 15, and once the revenues are received from the real property taxes coming in, staff will have a better idea of where the county stands on General Fund, Solid Waste Fund, and Stormwater Fund revenues. Mr. Moulder took questions from Council and stated he would have more information at the next County Council meeting.

Mr. Bert Lynn, and Ms. Renee Robinson, of HadenStanziale, who are a part of the consulting team working on the Dorchester County Parks and Recreation Master Plan, appeared before Council and gave a power-point presentation on the "Preliminary Parks and Recreation Master Plan". The prepared preliminary findings were based upon input from the Public Safety, Health, and Human Services Committee, staff, and citizen survey results. The Preliminary Parks and Recreation Master Plan, included the recreation facilities, inventory, background information, and recreation goals and objectives; a copy of the "Community Interest and Opinion Survey", which was distributed randomly throughout the county in the Fall of 2008, with the full results of the study; and "Conceptual Plans for each of the 5 potential park sites. In addition, Mr. Lynn explained how other surrounding counties operate parks and recreations in their respective counties. This opportunity was provided for County Council and citizens to provide input on the plan before it was finalized. Chairman Feltner asked the audience if they had any questions for the consultants and there was no response.

Mr. Rudy Curtis, Senior Solid Waste Coordinator, B P Barber, addressed Council, and made a power-point presentation regarding the Dorchester County Solid Waste Management Plan and explained the reason for the plan. Mr. Curtis is currently assisting the County with the required update of the County's Solid Waste Management Plan. He discussed the requirements of the plan and the reasons why plans are required to be updated. Mr. Curtis stated what DHEC would be looking for and what they expect to be included in the Dorchester County Solid Waste Management Plan. A final draft is being prepared for County Council's review and consideration for the February 2, 2009, County Council meeting. Prior to adopting the Solid Waste Management Plan update, County Council needs to dissolve the Solid Waste Advisory Council that has been inactive for over a decade. In addition, Mr. Curtis received and answered questions from Council.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REQUEST FOR FUNDING - FIRST ROBOTICS

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor, one opposed, and one absent, to place the request for \$10,000 from the First Robotics Program in Budget, Finance and Purchasing Committee.

Chairman Feltner opposed, and Councilman Davis was absent.

NON-PROFIT FUNDING REQUEST APPLICATION

5. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, to approve a Non-profit Funding Request Application, as amended. In an effort to streamline, the non-profit funding requests process and avoid the necessity of approving funding on an ad hoc basis at Council meetings throughout the year. Councilman Murphy's motion included having the application amended by adding a "Disclaimer", stating on the application that application does not guarantee funding, and is contingent upon availability of funds and County Council's approval.

Councilman Davis was absent.

Councilman Waggoner requested the County Administrator to look into the number of years remaining on the schedule of payments to the City of North Charleston for the road, as explained in the Intergovernmental Agreement with the City and Dorchester County.

DISSOLUTION OF SOLID WASTE ADVISORY COUNCIL

Mr. Ward requested County Council to dissolve the Solid Waste Advisory Council with a motion prepared by the County Attorney.

6. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, by explanation given to Council by the County Administrator, that the Solid Waste Advisory Council, which was required pursuant to Section 44-96-80(N) be abolished and dissolved. The Solid Waste Advisory Council was originally constituted by appointments made to the Council by a motion on May 5, 1992.

Councilman Davis was absent.

FIRST ROBOTICS MOTION AND REQUEST FOR FUNDING

Councilman Murphy stated that after looking at the request and the information provided by the FIRST Robotics Team, he noticed that they had competitions coming up soon, and he did not want the delay on the funding request to interfere with the competition deadlines. Chairman Feltner stated that there were representatives from the FIRST Robotics Team present and asked Mr. Thorpe, who attended in place of Mr. Hank Bennett, Team Leader, if he would like to address Council. Mr. Thorpe explained the program and the deadlines for the funding for the competitions, and stated that if necessary the team could wait for a response to their request.

Chairman Feltner commented that the FIRST Robotics Program was a wonderful program done mostly by volunteers and he wanted to take this opportunity to thank those individuals for their time and skills donated to this program. In addition, he stated that this program was special because it dealt with science and technology, which was something you do not see that often. Chairman Feltner stated that he would entertain a motion to reconsider the funding request if a Councilman wanted to do so at this time, or he would make sure it was on the agenda for the next Council meeting. Councilman Murphy stated that since the FIRST Robotics Program was one of the most worthwhile programs that the County had always supported and contributed to, then he would make a motion to reconsider the action.

7. Mr. Murphy motioned, seconded by Mr. Hearn, to reconsider the motion of placing the request for funding in the amount of \$10,000 from the FIRST Robotics Team in Budget, Finance and Purchasing Committee, and approving the funding from County Council Contingency .

Mr. Hargett and Mr. Rosebrock asked Council to postpone this vote until the Finance Director reports the tax revenues at the next Council meeting.

Mr. Murphy withdrew his motion and Mr. Hearn withdrew his second, and Council agreed to discuss this at the next meeting of Council.

COMMITTEE REPORT

Chairman Feltner passed the gavel to Councilman Murphy in order to give his Committee report.

COMMITTEE REPORT

WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER

REQUEST FOR SEWER AND WATER SERVICE TO SOUTHERN PALMS PHASE 5, TMS #154-00-00-003

8. Chairman Feltner reported that the Committee voted to make a recommendation for Council's approval to provide water and sewer service to Southern Palms Phase 5, identified by TMS #154-00-00-003. Council voted six in favor, and one absent, on the recommendation of the Committee.

Councilman Davis was absent.

REQUEST FOR SEWER AND WATER SERVICE TO WINDSOR HILL APARTMENTS, TMS #172-00-00-028

9. Chairman Feltner reported that the Committee voted to make a recommendation for Council's approval to provide water and sewer service to Windsor Hill Apartments, identified by TMS #172-00-00-028. Council voted four in favor, two opposed, and one absent, on the recommendation of the Committee.

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

Councilman Murphy passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

REAPPOINTMENT OF CHATS POLICY COMMITTEE MEMBER
REAPPOINTMENT OF BCD-COG BOARD MEMBER

For the record, Mr. Waggoner motioned, but he received no second to his motion to appoint Chairman Feltner to the Charleston Area Transportation Study (CHATS) Policy Committee, (along with the reappointment made at the last meeting of Councilman Hargett). This appointment would have replaced Mr. Bill Coxe, who was currently serving on this Committee. In addition, his motion included the appointment of Chairman Feltner to the BCD COG Board, (along with the reappointment made at the last meeting of Councilman Hargett), and the reappointment of Mr. Ralph James and Mr. Matthew Profit. This appointment would replace Mr. Sean Bennett, who was currently serving on this Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED
REAPPOINTMENT OF CHATS POLICY COMMITTEE MEMBER
REAPPOINTMENT OF BCD-COG BOARD MEMBER

10. Mr. Murphy motioned, and it was seconded by Mr. Hargett, and Council voted five in favor, one opposed, and one absent, to reappoint Mr. Bill Coxe, to the Charleston Area Transportation Study (CHATS) Policy Committee, and to reappoint Mr. Sean Bennett, Mr. Ralph James, and Mr. Matthew Profit to the BCD COG Board.

Councilman Rosebrock opposed and Councilman Davis was absent.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

11. On the motion of Chairman Feltner, seconded by Mr. Murphy, Council voted six in favor, and one absent, to appoint Mrs. Ann Weathers as Chairman Feltner's appointee to the Dorchester County Grievance Committee.

Councilman Davis was absent.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
REQUEST TO AMEND THE AGENDA

The County Attorney requested to amend the agenda to add an item under the County Attorney's Time to discuss under legal advice, a zoning issue.

12. Mr. Murphy motioned, seconded by Mr. Waggoner, to approve the request from the County Attorney to amend the agenda to add an item to executive session to discuss under legal advice, a zoning issue. The Administrator stated that this was to clarify the recommendation from the Sewer and Water Committee.

WATER AND SEWER COMMITTEE -CLARIFICATION FOR THE
RECORD - SOUTHERN PALMS PHASE 5 AND 6 TMS #154-00-00-003

13. Chairman Feltner reported for the record that the Water and Sewer Committee's recommendation for Council's approval was to provide water and sewer service to Southern Palms for Phase 5 and 6, identified by TMS #154-00-00-003. Council voted six in favor and one absent.

Councilman Davis was absent.

Council voted six in favor and one absent on motion #12. Councilman Davis was absent.

**COUNTY ATTORNEY'S TIME-CONTINUED
REQUEST FOR EXECUTIVE SESSION**

The County Attorney made a request for Council's consideration to enter into executive session to discuss two contractual matters, with those being the Courthouse and the proposed park on Bacon's Bridge Road, (property owned by the Lowcountry Open Land Trust), several confidential economic development prospects, and to give legal advice concerning some recommendations for condemnation and a zoning issue.

EXECUTIVE SESSION 8:45 P.M.

14. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.
Councilman Davis was absent.

RECONVENE FROM EXECUTIVE SESSION 9:52 P.M.

The County Attorney reported that in Executive Session, Council discussed the items announced prior to going into executive session, and no action was taken.

**DORCHESTER COUNTY SALES TAX TRANSPORTATION
AUTHORITY – CONDEMNATION – BERLIN MYERS PARKWAY**

15. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, based upon the recommendation of the Dorchester County Sales Tax Transportation Authority, Dorchester County Council moves to proceed with the condemnation of Tract 45, TMS #145-00-00-009, and Tract 74 A, TMS # 144-00-00-070, for the Berlin G. Myers Parkway.

Councilman Davis was absent.

NEW DORCHESTER COUNTY COURTHOUSE CHANGE ORDERS

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to approve change orders for the Dorchester County Courthouse, identified as Items 1, 2, and 3, from Southeastern Design and Development, Inc., as discussed in executive session and that the "Butterfly Pond" be constructed by the county's own forces and sub-contract labor at a date following completion of the project contract by LCM Contractors.

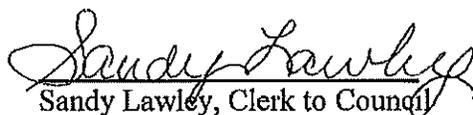
Councilman Davis was absent.

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County Council Minutes
January 20, 2009

ADJOURNMENT 9:56 P.M.

17. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, to adjourn.

Councilman Davis was absent.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 2, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from January 20, 2009, County Council Meeting
- Adoption of Resolution #09-02 in Support of Senate Bill No. 234
- Adoption of Resolution #09-03 in Support of Senate Bill No. 235
- CDBG Community Needs Assessment Public Hearing
- 1st Reading for Proposed Ordinance #09-02, An Ordinance Adopting and Approving The
Dorchester County Solid Waste Management Plan Update
- Correspondence

3. GUEST

- Mr. Darrell Givens- Request for Funding - Black Expo

4. COUNCIL MEMBER'S TIME, MR. KENNETH WAGGONER

- Presentation of Resolution #09-01 to Mr. Howard Muckenfuss, Jr.

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

- Request for 1st Reading for Rezoning Request #609 for Seago Family Limited Partnership;
TMS #008-00-00-035
- Request for 1st Reading for Rezoning Request #613 for Fit-Scape, LLC, c/o Jennifer Audi /
Kent Jordan; TMS #136-13-00-048
- Request for 1st Reading for Rezoning Request #614 for Fit-Scape, LLC, c/o Jennifer Audi /
Kent Jordan; TMS #136-13-00-002
- Request for 1st Reading for Rezoning Request #615 for Fit-Scape, LLC, c/o Jennifer Audi /
Kent Jordan; TMS #136-13-00-049
- Request for 1st Reading for Rezoning Request #616 for Fit-Scape, LLC, c/o Jennifer Audi /
Kent Jordan; TMS #136-13-00-050
- Request for 1st Reading for Rezoning Request #617 for Fit-Scape, LLC, c/o Jennifer Audi /
Kent Jordan; TMS #136-13-00-051
- Sheriff's Office Personnel Changes

6. COMMITTEE REPORTS

Chairman Larry Hargett, Public Safety, Health and Human Services Committee

-Recommendation for 3rd Reading for Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee

- GFOA Distinguished Budget Presentation Award
- Mr. Lee Moulder, Director of Budget and Finance, Budget Report
- Request for Funding - First Robotics
- Request for Funding - New Phone System DSS
- Treasurer's and Auditor's Salaries Reduction – Request for Funding through Current FY
- County Attorney's Time – Mr. John Frampton
- Executive Session -Legal Advice
 - Reduction in Council Members' Compensation

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session -Legal Advice
 - Water Authority

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 2, 2009
7:30 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Jamie Feltner– Chairman
Mr. Willie Davis – Vice Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council cards received until later in the meeting.

ADOPTION OF MINUTES JANUARY 20, 2009, COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the January 20th, 2009, County Council Meeting.

RESOLUTION #09-02, IN SUPPORT OF SENATE BILL NO. 234

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #09-02 in Support of Senate Bill No. 234.

RESOLUTION #09-03, IN SUPPORT OF SENATE BILL NO. 235

3. Mr. Rosebrock motioned to adopt Resolution #09-03 in Support of Senate Bill No. 235, and Mr. Hargett seconded it. If adopted this Resolution would authorize Dorchester School District No.2 to charge impact fees on residential development to fund K-12 school construction.
4. Mr. Hargett motioned to amend the main motion, seconded by Mr. Murphy, (for discussion), and Council voted two in favor, four opposed, and one abstention, regarding Council's Resolution #09-03, in support of South Carolina Senate Bill No. 235, and that the following changes to be made. Amendment: The school construction impact fee amount imposed by District No. 2 School Board of Trustees not exceed the actual cost each additional dwelling unit imposes on the school district for public education facilities, and that the amount of the new school construction impact fee be subject to approval by the Dorchester County Council. All new residential dwelling units within the District 2 School District shall be subject to the impact fees imposed by the school district in Dorchester County and the Municipalities within Dorchester County before an occupancy permit is issued for each dwelling unit. In addition, all said impact fees to be collected by the respective Municipality or Dorchester County and remitted directly to the Dorchester County District No. 2 School Board within 30 days of receipt of such funds by the respective Municipality or Dorchester County. In addition, that Dorchester Country District 2 School Board of Trustees be required to report to Dorchester County Council prior to the last day of June of each fiscal year the full accounting and disposition of those impact fees received during the year from Dorchester County and each Municipality within Dorchester County granting residential building and occupancy permits located within Dorchester County School District No. 2. Also, that the impact fees be utilized exclusively for capital construction projects or bonded indebtedness with a certification by the Dorchester County District 2 School Board Chairman certifying to the Dorchester County Council that collected impact fees were utilized solely for capital construction projects or bonded indebtedness.

Councilman Hargett stated that he had two conversations, one with Representative Annette Young, and she stated that with the above amendments/language added to the Resolution, she believes it would bring the Senate Bill #235, back to the floor of the House and out of the House Education Committee. In addition, Councilman Hargett stated that he spoke to Senator Rose who was in favor and supported the proposed amendments.

RESOLUTION #09-03 - CONTINUED

Councilman Hearn also had questions on the Resolution and the amendment regarding mobile homes and the subdivision of property in reference to the impact fees. He stated that he could not vote to adopt this Resolution because he was not sure exactly what he was supporting. Councilman Murphy agreed saying that there were too many unanswered questions about what the Bill meant and that he could not vote to adopt the main motion or the amendment to the main motion. Chairman Feltner stated he had a problem supporting the amendment because it showed signs of distrust by Council of the ability and authority of the District Two School Board to assess what type of impact a new development would have on the school system. Councilman Rosebrock stated that he did support the proposed amendment because it would be the only way to get the Senate Bill out of the House Committee in his opinion.

Councilman Waggoner stated that he would like to make a motion to hold off on taking any action on Resolution #09-03. However, Councilman Hargett stated that he did not want to withdraw his motion and a vote would be necessary tonight. Councilman Davis had reservations due to not having the exact figure of the impact fee and due to the exclusion of School District No. 4.

Council Members Hearn, Davis, Waggoner, and Feltner opposed, and Councilman Murphy abstained

Council voted four in favor, two opposed, and one abstention on the main motion to adopt Resolution #09-03 in Support of Senate Bill No. 235. (Motion #3)

Council Members Hargett and Hearn opposed, and Councilman Murphy abstained.

CDBG COMMUNITY NEEDS ASSESSMENT PUBLIC HEARING

Chairman Feltner opened the Public Hearing to receive comments on potential Community Development Block Grant projects from citizens and County Council.

Mr. Jason Ward, Administrator, stated that the purpose of this public hearing was to solicit citizen input concerning the Dorchester County Community Development Block Grant Citizen Participation Plan and Community Needs Assessment. The Citizen Participation Plan is a guide developed by Dorchester County in conformance with SC Department of Commerce administrative requirements and US Department of Housing & Urban Development regulations. Mr. Ward asked everyone to make sure they signed the sign in sheet for the public hearing, as it is very important to have a record of attendance in securing funding. The priorities of the County's last needs assessment conducted were as follows: Economic Development, Water and Sewer Service, and Housing & Decent Living Environment.

CDBG PUBLIC HEARING-CONTINUED

Mr. Ward asked if there were any questions or comments concerning the "County's Citizen Participation Plan", or community needs? In addition, he stated that if there were any specific comments or questions, Mr. Darryl Bullock, of the BCD Council of Governments, was present to answer them.

Hearing no public comments or questions, Chairman Feltner closed the Public Hearing.

1ST READING FOR PROPOSED ORDINANCE #09-02, AN ORDINANCE ADOPTING AND APPROVING THE DORCHESTER COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 1st Reading for proposed Ordinance #09-02, An Ordinance Adopting and Approving the Dorchester County Solid Waste Management Plan Update, and to refer it to the Public Works, Property, and Utilities Committee for further consideration.

CORRESPONDENCE

The County Administrator and Councilman Willie Davis informed Council about The Lower Orangeburg Upper Dorchester Community Development Corporation, which is offering Leadership LOUD beginning February 25th. Mr. Ward stated that the contact person was Ms. Barbara Bowman, Program Coordinator, who could be reached at (803) 467- 5670 to apply. Councilman Davis stated that this program has been in place for about 6 to 7 years, and continues to be an outstanding program that offers leadership development, as well as many other job skills to people who now may really need it in today's economy.

GUEST

BLACK EXPO 2009- MR. DARRELL GIVENS

Mr. Darrell Givens addressed Council and requested funding for the Black Expo 2009, which is an annual event held the second weekend in March in North Charleston. He stated that the Expo gives small businesses a place to display their products and services. Mr. Givens said the businesses that the Expo targets are located in Dorchester, Berkeley, and Charleston Counties. He asked County Council to consider funding Black Expo 2009 as they did last year at the silver sponsorship level of \$10,000. The funding last year came from Council Contingency. Mr. Givens took and answered questions from Council Members. Chairman Feltner thanked Mr. Givens for addressing Council.

COUNCIL MEMBER'S TIME, MR. KENNETH WAGGONER

PRESENTATION OF RESOLUTION #09-01 TO MR. HOWARD MUCKENFUSS, JR.

Chairman Feltner read Resolution #09-01, in honor of Mr. Howard Muckenfuss, Jr. for his dedicated service while serving on the Dorchester County Economic Development Board as Councilman Waggoner's representative. This Resolution was adopted at the January 5, 2009 County Council Meeting. Councilman Waggoner stated that Mr. Muckenfuss could not attend tonight's meeting, but that he would present the resolution to him personally at his home.

BLACK EXPO 2009

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, one opposed, and one abstention, to fund the Black Expo 2009, at the silver sponsorship level of \$10,000 from Council Contingency.

Chairman Feltner opposed, and Councilman Hargett abstained.

RECOGNITION OF GUEST BY COUNCILMAN WILLIE DAVIS

Councilman Davis recognized Gerrick Sands of St. George, who is a member of his church, a graduate of Woodlands High School and a student at Claflin University where he received a full academic scholarship. He asked Mr. Sands to come to the podium with his Uncle, Mr. Richard Dash. Mr. Sands stated that he was an honor student as a Business Administration Major with a minor in History. Councilman Davis presented Mr. Sands with a small gift bag from Dorchester County. Chairman Feltner thanked Mr. Sands for attending the meeting and congratulated him on behalf of County Council.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner stated that he received two requests to address Council; however, the cards were not turned in at the beginning of the meeting, so he would provide time now to hear the requests.

- Mr. Richard Dash of St. George addressed Council to congratulate them on being the finest Council in the state of South Carolina. All of Council thanked Mr. Dash for these kind words of support.
- Mayor Charles Ackerman of Harleyville, addressed Council as a private citizen, regarding a situation on his property caused by beaver dams causing Polk Swamp to reach flood stage. Chairman Feltner requested the County Administrator to look into this issue.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REQUEST FOR 1ST READING FOR REZONING REQUEST #609 FOR SEAGO FAMILY LIMITED PARTNERSHIP; TMS #008-00-00-035

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one recusal, to give 1st Reading to Rezoning Request #609 for Seago Family Limited Partnership; TMS #008-00-00-035, and to refer it to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 50.47 acres on US Highway 15 North near Harleyville from AC (Absence of control) to I (Industrial).

For the record: Councilman Hearn recused himself from this vote.

REQUEST FOR 1ST READING FOR REZONING REQUESTS FOR FIT-SCAPE, LLC, C/O JENNIFER AUDI / KENT JORDAN; #613- TMS #136-13-00-048; #614 - TMS #136-13-00-002; #615 TMS #136-13-00-049 #616; TMS #136-13-00-050 #617, TMS #136-13-00-051

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to the following Rezoning Requests and to place them in the Planning, Development, and Building Committee for further consideration. These requests are to rezone parcels off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

Rezoning Request #613 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-048 – .55 acre

Rezoning Request #614 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-002 -.48 acre

Rezoning Request #615 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-049 - .63 acre

Rezoning Request #616 for Fit-Scape, LLC, c/o Jennifer Audi /Kent Jordan; TMS #136-13-00-050 - .30 acre

Rezoning Request #617 for Fit-Scape, LLC, c/o Jennifer Audi /Kent Jordan; TMS #136-13-00-051 – 2.41 acres

SHERIFF'S OFFICE PERSONNEL CHANGES

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve all changes in the Personnel Budgets of the Sheriff's Department and Detention Center as presented. The changes provide for the payment of regular wages and overtime wages as well as retiring and resigning employees' annual leave payouts, without exceeding the County Council Approved Budget.

COMMITTEE REPORTS

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

**RECOMMENDATION FOR 3RD READING FOR ORDINANCE TO PROHIBIT
THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH OR BRANCH
CUTTINGS, GRASS CLIPPINGS, YARD CLIPPING, OR OTHER YARD
WASTE IN CERTAIN ZONING DISTRICTS OF DORCHESTER COUNTY
PREDOMINANTLY ZONED FOR RESIDENTIAL PURPOSES**

Chairman Hargett reported that at the meeting the Committee discussed the proposed "Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes". He stated that Mr. Randy Cook from the South Carolina Department of Health of Environmental Control addressed the Committee and talked about the Greenville County Ordinance regarding open burning. Chairman Hargett reported that the Committee's recommendation to Council was by a vote of two in favor and one opposed, to send this item back to Council without a recommendation. He stated that he opposed this, and the decision would be for Council to make. This Ordinance has received 1st and 2nd Reading and a public hearing was held. Chairman Feltner stated that his suggestion would be to keep this item in Committee for further discussion and to involve the fire departments in the discussions. This item was kept in Committee.

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

**BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT,
CHAIRMAN JAMIE FELTNER**

Chairman Feltner stated that two presentations were made to the Committee and actions were taken on three other issues.

REQUEST FOR FUNDING - FIRST ROBOTICS

10. Chairman Feltner reported that the Committee voted unanimously to recommend to Council to fund the request from the FIRST Robotics Program in the amount of \$10,000 from County Council Contingency. Council voted unanimously in favor of the recommendation.

**BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT-
CONTINUED**

**REQUEST FOR FUNDING - PHONE SYSTEM DEPARTMENT OF SOCIAL
SERVICES**

11. Chairman Feltner reported that the Committee voted unanimously to recommend to Council to approve the funding request for a new phone system for the Department of Social Services in the amount of \$28,100, with funding to come from Council Contingency, with a 71% reimbursement of \$19,951 from the Federal Government. Council voted unanimously in favor of the recommendation.

**TREASURER'S AND AUDITOR'S SALARIES REDUCTION – REQUEST FOR
FUNDING THROUGH THE CURRENT FISCAL YEAR**

12. Chairman Feltner reported that the Committee voted to recommend to Council to deny the request to fund the reduction of the salaries for the County Auditor and County Treasurer, due to state budget cuts for the remainder of the fiscal year. Council voted five in favor, and two opposed.

Council Members Hearn and Murphy opposed.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

**COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
REQUEST TO AMEND THE AGENDA**

The County Attorney requested Council's consideration to amend the agenda to add under the "County Attorney's Time", to discuss Council's approval of two Mutual Aid Agreements with the Dorchester County Sheriff's Office and Colleton County and Charleston County, and to add under legal advice in Execution Session the discussion of pending litigation.

13. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to add the items as requested by the County Attorney.

**APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY GRIEVANCE COMMITTEE**

14. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to appoint Ms. Eva Lunder, as Councilman Waggoner's appointee to the Dorchester County Grievance Committee.

COUNTY ATTORNEY'S TIME – CONTINUED

**MUTUAL AID AGREEMENTS DORCHESTER COUNTY SHERIFF'S
DEPARTMENT & COLLETON COUNTY - DORCHESTER COUNTY
SHERIFF'S DEPARTMENT AND CHARLESTON COUNTY**

15. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to approve two Mutual Aid Agreements, the first between the Dorchester County Sheriff's Department and Colleton County, and the second between the Dorchester County Sheriff's Department and Charleston County, as requested and explained by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss Dorchester Water Authority and pending litigation.

EXECUTIVE SESSION 8:35 P.M.

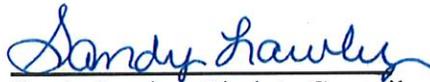
16. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:00 P.M.

The County Attorney reported that in Executive Session, Council discussed the items announced prior to going into executive session, and no action was taken.

ADJOURNMENT 9:02 P.M.

17. 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 17, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from February 2, 2009, County Council Meeting
- Correspondence

3. GUESTS

- Upper Dorchester County Historical Society – County Flag
- Mr. John Henderson, Director of Risk Management Services, SCAC-
Presentation of Risk Management Awards
- Mr. Lee Moulder, Budget and Finance Director – January 2009 Budget Report
- Ms. Charlotte Allen, CPA, WebsterRogers, LLP, - Fiscal Year 08 Audit

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

- Discussion of Electronic Council Packages

5. COMMITTEE REPORTS

Chairman Richard Rosebrock, Public Works, Property, and Utilities Committee Report

- Recommendation for 2nd Reading for Proposed Ordinance #09-02, An Ordinance Adopting and Approving The Dorchester County Solid Waste Management Plan Update
- Relocation of Yard Waste Collection Sites

Chairman Willie Davis, Planning, Development and Building Committee Report

- Recommendation for 2nd Reading for Rezoning Request #607, for Veneer Business Park, LLC; TMS #162-05-11-023
- Recommendation for 2nd Reading for Rezoning Request #608, for Veneer Business Park, LLC; TMS #162-05-11-011
- Recommendation for 2nd Reading for Rezoning Request #609 for Seago Family Limited Partnership; TMS #008-00-00-035
- Recommendation for 2nd Reading for Rezoning Request #613; TMS #136-13-00-048; #614, TMS #136-13-00-002; #615, TMS #136-13-00-049; #616, TMS #136-13-00-050; #617, TMS #136-13-00-051; for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee Report

- “An Ordinance To Amend Dorchester County Fiscal Year 2008-2009 Budget Ordinance #08-08, To Reduce the Annual Salary of Members of Dorchester County Council from \$20,000 per Annum to \$15,000 per Annum”

Chairman Jamie Feltner, Water and Sewer Committee Report

- Water and Sewer Service to McKewn Plantation Phase 7

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County Council Meeting
February 17, 2009

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

-Appointments to the CHATS Policy Committee

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

-Executive Session -Confidential Economic Development Projects
 - Legal Advice
 - Intergovernmental Agreement with North Charleston
 - Arnold Pastor
-Contractual Matter
 -Courthouse Project

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 17, 2009
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 posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Jamie Feltner – Chairman
Mr. Willie Davis – Vice Chairman
Mr. Larry Hargett
Mr. Bill Hearn
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Gina R. Sams – Sr. Admin. Asst. to Council

Chairman Feltner called the meeting to order and Mr. Davis gave the Invocation.

REQUEST TO ADDRESS COUNCIL

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

-Mr. Charles Weeks, resident of Dorchester County, addressed Council regarding having a site in St. George to take yard debris.

Page Two
February 17, 2009
County Council Meeting

REQUEST TO ADDRESS COUNCIL

-Mr. Ronnie Judy, resident of Dorchester County, addressed Council regarding the naming of the new County Courthouse.

ADOPTION OF MINUTES FROM THE FEBRUARY 2, 2009

1. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously, to adopt the Minutes from the February 2, 2009, County Council Meeting.

CORRESPONDENCE

There was no correspondence to report.

**GUESTS-UPPER DORCHESTER COUNTY HISTORICAL SOCIETY-
COUNTY FLAG**

Mrs. Jean Behling and Ms. Phyllis Hughes, members of the Upper Dorchester County Historical Society, and Mr. Heyward Hutson, member of the Summerville Preservation Society, came before County Council to address redesigning the County's flag. Mr. Hutson stated the purpose of redesigning the flag would be for the County to have a flag which would be historically accurate and significant, and proposed tasking them to develop a design for a new Dorchester County flag and to bring their recommendations back before Council for consideration.

**AUTHORIZATION FOR UPPER DORCHESTER COUNTY HISTORICAL
SOCIETY & SUMMERVILLE PRESERVATION SOCIETY TO REVIEW
DORCHESTER COUNTY'S FLAG AND SEAL**

Councilman Murphy suggested having both groups review and update the County's seal. Upon discussions by Council, the following motion was made:

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to authorize both the Upper Dorchester County Historical Society and the Summerville Preservation Society, to review, research, and redesign the County's flag and seal for the purpose of providing Council with some examples for their consideration.

Mr. Davis stated his desire of seeing an African American serving on this project.

GUESTS-CONTINUED

MR. JOHN HENDERSON, DIRECTOR OF RISK MANAGEMENT SERVICES, SCAC-PRESENTATION OF RISK MANAGEMENT AWARDS

Mr. John Henderson, Director of Risk Management Services, South Carolina Association of Counties presented an Outstanding Safety Achievement Award to County Council and County Administration for their part in supporting the Automatic Defibrillator program.

Mr. Henderson also presented the County Risk Management Department with the following two awards: "The 2009 Award for Sustained Excellence in Risk Management" and "The 2009 Risk Management Service Award".

MR. LEE MOULDER, BUDGET AND FINANCE DIRECTOR-JANUARY 2009 BUDGET REPORT

The County's Budget and Finance Director, Mr. Lee Moulder, provided Council with an overview on the status of the County's Budget for January 2009. The overview reported the following Budgetary Year to Date Funds and Figures:

FUND	YR TO DATE REVENUE	YR TO DATE EXPENDITURE
General Fund	\$26,705,411	\$22,664,754
Capital Improvement Fund	\$2,631,174	\$1,331,489
Sewer and Water Fund	\$12,214,238	\$14,203,272
Solid Waste Fund	\$3,137,107	\$3,000,816
Storm Water Utility Fund	\$1,090,453	\$656,317

There were no actions taken on this matter.

Page Four
February 17, 2009
County Council Meeting

GUESTS-CONTINUED

**MS. CHARLOTTE ALLEN, CPA, WEBSTEROGERS, LLP,-FISCAL YEAR
08 AUDIT**

Ms. Charlotte Allen, CPA, with WebsterRogers, LLP, came before County Council to provide comments on the County's Audit for the fiscal year ended June 30, 2008. Each Council member was provided with a copy of the Basic Financial Statements, Required Supplementary Financial Information, and Independent Auditors' Report, performed by WebsterRogers, LLP.

COUNTY ADMINISTRATOR'S TIME-MR. JASON WARD

DISCUSSIONS OF ELECTRONIC COUNCIL PACKAGES

Mr. Ward, County Administrator, reported the staff's desire to reduce the cost and time in producing the Council packages, and proposed producing electronic packages for Council meetings. Mr. Ward stated that with Council's consent, staff would try the electronic packages for Council's March 16, 2009, meeting. The process would include having the staff scan all the items and e-mailing them to Council. Hard copies of the agenda and memo would be printed, but the majority of the items would be sent electronically. Mr. Ward requested that if any Council member needed a printer, additional ink or paper to please notify staff.

Discussions on this matter were held and there was no action taken.

COMMITTEE REPORTS

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

**RECOMMENDATION FOR 2ND READING FOR PROPOSED ORDINANCE
#09-02, AN ORDINANCE ADOPTING AND APPROVING THE
DORCHESTER COUNTY SOLID WASTE MANAGEMENT PLAN
UPDATE**

3. Chairman Rosebrock reported the Public Works, Property, and Utilities Committee's recommendation to Council was to amend Ordinance #09-02, by removing part of a sentence in Chapter V, Section F-Class Two: Landfills SWMP. Council voted unanimously in favor on the recommendation.

COMMITTEE REPORTS-CONTINUED

**CHAIRMAN ROSEBROCK, PUBLIC WORKS, PROPERTY, AND
UTILITIES COMMITTEE REPORT-CONTINUED**

**RECOMMENDATION FOR 2ND READING FOR PROPOSED ORDINANCE
#09-02, AN ORDINANCE ADOPTING AND APPROVING THE
DORCHESTER COUNTY SOLID WASTE MANAGEMENT PLAN
UPDATE**

4. Chairman Rosebrock reported the Public Works, Property, and Utilities Committee's recommendation to Council was to give 2nd Reading to proposed Ordinance #09-02, Dorchester County Solid Waste Management Plan. Council voted unanimously in favor on the recommendation.

RELOCATION OF YARD WASTE COLLECTION SITES

Chairman Rosebrock reported out to Council that the Committee discussed the relocation of yard waste collection sites. The recommended sites allowing residents to drop-off yard debris would include the Miles Jamison (Suburban) site located in Summerville, and the Sandy Pines Landfill site located near Dorchester, South Carolina. The sites' closing and opening times would be as follows:

- Monday-Closed for Clean-up
- Tuesday-Open from 8:00 a.m. until 5:30 p.m.
- Wednesday-Closed for clean-up
- Thursday-Open from 8:00 a.m. until 5:30 p.m.
- Friday-Closed for clean-up
- Saturday-Open from 8:00 a.m. until 3:30 p.m.
- Sunday-Closed

Discussions were held by Council regarding finding a site closer to St. George, extending the opening date of the sites to March 3, 2009, and changing the recommended closing time on Saturdays from 3:30 p.m. to 5:00 p.m. County Administrator, Mr. Ward, agreed to change the closing times on Saturdays at the both sites and to research other locations closer to St. George.

COMMITTEE REPORTS- CONTINUED

CHAIRMAN ROSEBROCK, PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT-CONTINUED

RELOCATION OF YARD WASTE COLLECTION SITES

5. Chairman Rosebrock reported the Public Works, Property, and Utilities Committee's recommendation was for Council to approve the Relocation of Yard Waste Collection Sites, as were recommended. Council voted six in favor, and one opposed, to approve the Relocation of Yard Waste Collection Sites, with the amendment to change the Yard Waste Collection Sites' closing times on Saturday to 5:00 p.m. and to research future locations for Yard Waste Collection Sites in the County.

Councilman Hargett opposed.

OTHER BUSINESS-GIVHANS CONVENIENCE SITE

Chairman Rosebrock reported being contacted by Pastor Reeves of Piney Grove Baptist Church concerning the poor ground conditions at the Givhans Convenience Site. Chairman Rosebrock stated this matter would be reviewed by the County Administrator.

Councilman Waggoner also provided comments on the issue of Givhans Convenience Site and stated that he believed the property was owned by Charleston Public Works and suggested having Dorchester County Public Works Director, Richard Byrd, review this matter; Mr. Byrd agreed to review the matter.

CHAIRMAN WILLIE DAVIS, PLANNING DEVELOPMENT, AND BUILDING COMMITTEE REPORT

RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #607, FOR VENEER BUSINESS PARK, LLC; TMS # 162-05-11-023

The request would rezone .48 acres located on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-Family District) to CG (General Commercial).

6. Chairman Davis reported the Planning, Development, and Building Committee's unanimous recommendation to Council was to approve 2nd Reading to Rezoning Request #607, for Veneer Business Park, LLC; TMS #162-05-11-023. Council voted unanimously in favor on the recommendation.

COMMITTEE REPORTS-CONTINUED

**CHAIRMAN WILLIE DAVIS, PLANNING DEVELOPMENT, AND
BUILDING COMMITTEE REPORT-CONTINUED**

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST
#608, FOR VENEER BUSINESS PARK, LLC; TMS # 162-05-11-011**

The request would rezone 1.0 acre located on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-Family District) to CG (General Commercial).

7. Chairman Davis reported the Planning, Development, and Building Committee's unanimous recommendation to Council was to approve 2nd Reading to Rezoning Request #608, for Veneer Business Park, LLC; TMS #162-05-11-011. Council voted unanimously in favor on the recommendation.

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST
#609 FOR SEAGO FAMILY LIMITED PARTNERSHIP; TMS #008-00-00-
035**

The request would rezone 50.47 acres located on US Highway 15 North near Harleyville from AC (Absence of Control) to I (Industrial).

8. Chairman Davis reported the Planning, Development, and Building Committee's recommendation to Council was to approve 2nd Reading to Rezoning Request #609, for Seago Family Limited Partnership; TMS #008-00-00-035, and the vote by the Committee was two in favor, and one recusal; Mr. Hearn recused himself from the vote. Council voted six in favor, and one recusal, on the recommendation.

Mr. Hearn recused.

Chairman Davis reported a Public Hearing for Rezoning Request #609 would be held on March 2, 2009, at 6:00 p.m. in the Summerville County Council Chambers.

COMMITTEE REPORTS-CONTINUED

**CHAIRMAN WILLIE DAVIS, PLANNING DEVELOPMENT, AND
BUILDING COMMITTEE REPORT-CONTINUED**

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUESTS
FOR FIT-SCAPE, LLC, C/O JENNIFER AUDI/KENT JORDAN
#613; TMS #136-13-00-048; #614, TMS #136-13-00-002; #615, TMS #136-13-
00-049; #616, TMS #136-13-00-050; #617, TMS #136-13-00-051**

Rezoning Request #613 would rezone .55 acre located off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

Rezoning Request #614 would rezone .48 acre located off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

Rezoning Request #615 would rezone .63 acre located off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

Rezoning Request #616 would rezone .30 acres located off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

Rezoning Request #617 would rezone 2.41 acres located off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District).

County Council Chairman, Jamie Feltner, clarified that all properties for these rezoning requests were up for 2nd Reading.

9. Chairman Davis reported the Planning, Development, and Building Committee's unanimous recommendation to Council was to approve, 2nd Reading for Rezoning Requests for Fit-Scape, LLC, c/o Jennifer Audi/Kent Jordan; #613; TMS #136-13-00-048; #614, TMS #136-13-00-002; #615, TMS #136-13-00-049; #616, TMS #136-13-00-050; #617, TMS #136-13-00-051. Council voted unanimously in favor on the recommendation.

COMMITTEE REPORTS-CONTINUED

Chairman Feltner passed the gavel to Vice Chairman Davis for the purpose of reporting the following Committee Reports:

CHAIRMAN JAMIE FELTNER, BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT

"AN ORDINANCE TO AMEND DORCHESTER COUNTY FISCAL YEAR 2008-2009 BUDGET ORDINANCE #08-08, TO REDUCE THE ANNUAL SALARY OF MEMBERS OF DORCHESTER COUNTY COUNCIL FROM \$20,000 PER ANNUM TO \$15,000 PER ANNUM"

Chairman Feltner reported that the Budget, Finance, and Purchasing Committee voted to recommend to Council to give 2nd Reading to "An Ordinance to Amend Dorchester County Fiscal Year 2008-2009 Budget Ordinance #08-08, to reduce the Annual Salary of Members of Dorchester County Council from \$20,000 Per Annum to \$15,000 Per Annum"; however, the vote was three in favor, three opposed, and one abstention. Chairman Feltner stated since the Committee's recommendation for 2nd Reading had failed than this matter would be given to Council without a recommendation.

*Council voted later on this matter; reference Page Ten, Motion #11

CHAIRMAN JAMIE FELTNER, WATER AND SEWER COMMITTEE REPORT

WATER AND SEWER SERVICE TO McKEWN PLANTATION PHASE 7

10. Chairman Feltner reported out that the Water and Sewer Committee voted six in favor, and one opposed, to recommend approval for Water and Sewer Service for McKewn Plantation Phase 7, to full Council. Council voted five in favor, and two opposed, on the recommendation.

Councilmen Feltner and Rosebrock opposed.

**CHAIRMAN JAMIE FELTNER, BUDGET, FINANCE, AND PURCHASING
COMMITTEE REPORT-CONTINUED**

**2ND READING TO "AN ORDINANCE TO AMEND DORCHESTER
COUNTY FISCAL YEAR 2008-2009 BUDGET ORDINANCE #08-08, TO
REDUCE THE ANNUAL SALARY OF MEMBERS OF DORCHESTER
COUNTY COUNCIL FROM \$20,000 PER ANNUM TO \$15,000 PER
ANNUM"**

11. On the motion of Mr. Hargett, seconded by Mr. Hearn, Council voted three in favor, three opposed, and one abstention, to approve 2nd Reading to "An Ordinance to Amend Dorchester County Fiscal Year 2008-2009 Budget Ordinance #08-08, to reduce the Annual Salary of Members of Dorchester County Council from \$20,000 Per Annum to \$15,000 Per Annum".

Councilmen Feltner, Davis, and Waggoner opposed; Councilman Rosebrock abstained.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

12. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted four in favor, two opposed, and one abstention, to remove Mr. Sean Bennett as Council's appointment to the BCD COG (Berkeley, Charleston, and Dorchester Council of Governments) Board.

Councilmen Murphy and Hearn opposed; Councilman Hargett abstained.

13. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously in favor of appointing Councilmen Jamie Feltner and Larry Hargett to the CHATS Policy Committee and the BCD COG (Berkeley, Charleston, and Dorchester Council of Governments) Board, and to re-appoint Mr. Ralph James and Mr. Matthew Profit to the BCD COG (Berkeley, Charleston, and Dorchester Council of Governments) Board.

DORCHESTER COUNTY AERONAUTICS BOARD

14. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to re-appoint Mr. Carey Limehouse to the Dorchester County Aeronautics Board and for him to continue to serve as a representative of District #6.

APPOINTMENTS TO BOARDS AND COMMISSIONS-CONTINUED

DORCHESTER COUNTY PLANNING BOARD

15. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to re-appoint Mr. Robert Pratt to the Dorchester County Planning Board, and for him to continue to serve as representative of District #6.

DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY

16. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to re-appoint Mr. Johnny "J.D." Allston to the Dorchester County Sales Tax Transportation Authority and to continue to serve as a representative of District #6.

DORCHESTER COUNTY CODES BOARD OF APPEALS AND CONTRACTORS LICENSES

17. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to re-appoint Mr. John Dumas to the Dorchester County Codes Board of Appeals and Contractors Licenses and to continue to serve as representative of District #6.

COUNTY ATTORNEY'S TIME

The County Attorney requested for Council to consider amending the Agenda for the purpose of adding two matters under the County Attorney's Time; the two matters to be added were to give legal advice on a litigation matter and on the Rules to Council.

AMENDMENT TO THE AGENDA

18. On the motion of Mr. Davis, seconded Mr. Hearn, Council voted unanimously to amend the agenda, under County Attorney's Time, for the purpose of including two matters, those items being to give legal advice concerning a litigation matter, and to give legal advice concerning the Rules to Council.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into Executive Session to discuss two confidential economic development prospects, to receive legal advice concerning a litigation matter, the Rules to Council, as amended, as well as to receive legal advice for an Intergovernmental Agreement with North Charleston, for the issue of Arnold Pastor/Restitution and to discuss a contractual matter concerning the Courthouse Project.

EXECUTIVE SESSION, 8:25 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 9:45 P.M.

The County Attorney reported that in Executive Session, Council discussed all items previously announced, and no actions were taken on any of the items.

COUNTY COURTHOUSE PROJECT

20. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously, to approve items # 1, 2, 3, and 9, as presented by Southeastern Design and Development, Inc. for the following additional expenditures to the County Courthouse Project: (1) Add HVAC Testing and Balancing per LC, cost \$19,548 (2) Add safety gate at top of detention stair, cost \$2000 (3) Add culvert box and pipe at sidewalk, cost \$8,000 and (9) Butterfly Pond with retaining-wall, cost \$ 221,368.

**1ST READING AN ORDINANCE TO REPEAL A PORTION OF
DORCHESTER COUNTY ORDINANCE #97-18**

21. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously, to give 1st Reading to An Ordinance to Repeal a Portion of Ordinance #97-18, and to place the matter into the Agenda and Rules Committee of Council.

**ACCEPTANCE FOR CONFESSION OF JUDGEMENT FROM ARNOLD
PASTOR**

22. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously, that Dorchester County accept a Confession of Judgment from Arnold Pastor in the amount of \$400,000. Additionally, Arnold and Tammy Pastor would convey to Dorchester County their property and mobile home located at 134 Club Lane, St. George, South Carolina. The County would agree not to execute against Tammy Pastor's property in Hanahan, South Carolina.

APPROPRIATION OF FUNDS FOR PROJECT FIBER

23. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously for Dorchester County to appropriate \$4,000 from the Economic Development Fund (EDF) to conduct surveying related to Project Fiber.

**APPROPRIATION OF FUNDS TO REIMBURSE DORCHESTER COUNTY
WATER AND SEWER FOR INFRASTRUCTURE COST FOR THE EAST
EDISTO BUSINESS PARK**

24. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to approve the appropriation of \$360,000 from the Economic Development Fund (EDF) to reimburse Dorchester County Water and Sewer for the design and engineering of the infrastructure for the East Edisto Business Park.

ADOPTION OF RESOLUTION #09-04 FOR MR. SHELLEY JOHNSON

25. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt a Resolution #09-04, in remembrance of Mr. Shelley Johnson.

Councilman Davis will present Resolution #09-04 to the family of Mr. Johnson at the next scheduled Council meeting in St. George.

ADJOURNMENT 9:50 P.M.

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



Gina R. Sams, Admin. Asst. to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MARCH 2, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from February 17, 2009, County Council Meeting
- Correspondence

3. GUEST

- State Treasurer Converse Chellis, Check Presentation - 911 Surcharges (Refund)

4. COUNCILMEMBER'S TIME – MR. LARRY HARGETT

- Reimbursement for Travel Issue – Dorchester County Transportation Committee and Dorchester County Sales Tax Transportation Authority

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

- Funding Request CARTA Express Service in Dorchester County
- Petition for Road Name Change from Diving Duck Drive to Mandarin Court

6. COMMITTEE REPORTS

Chairman Willie Davis, Administrative and Intergovernmental Affairs Committee

- Reduction in Force - Planning and Zoning
- Reassignment of Positions - Codes Enforcement and Building Services

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendations for 3rd Reading Rezoning Request #607, for Veneer Business Park, LLC; TMS #162-05-11-023
- Public Hearing and Recommendations for 3rd Reading for Rezoning Request #608, for Veneer Business Park, LLC; TMS #162-05-11-011
- Public Hearing and Recommendations for 3rd Reading for Rezoning Request #609 for Seago Family Limited Partnership; TMS #008-00-00-035
- Public Hearings and Recommendations for 3rd Reading for Rezoning Request #613; TMS #136-13-00-048; #614, TMS #136-13-00-002; #615, TMS #136-13-00-049; #616, TMS #136-13-00-050; #617, TMS #136-13-00-051; for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan

Chairman Richard Rosebrock, Public Works, Property, and Utilities Committee

- Public Hearing and Recommendation for 3rd Reading for Proposed Ordinance #09-02, An Ordinance Adopting and Approving The Dorchester County Solid Waste Management Plan Update

Chairman Chris Murphy, Agenda and Rules Committee

- Recommendation for 2nd Reading for An Ordinance to Repeal a Portion of Dorchester County Ordinance #97-18

Page Two
Dorchester County Council Agenda
March 2, 2009

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Executive Session -Legal Advice

-Intergovernmental Agreement with North Charleston

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

ROB L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MARCH 2, 2009
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. Jamie Feltner– Chairman
Mr. Willie Davis – Vice Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward – County Administrator
Mrs. Ashley McDonald – Deputy County Administrator
Mr. John Frampton – County Attorney
Mrs. Sandy Lawley – Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council.

Chairman Feltner stated that if there were no objections by Council, he would like to change the order of the agenda and move the guest presentation by the State Treasurer under his time. Council agreed to this change.

ADOPTION OF MINUTES FEBRUARY 17, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from the February 17, 2009, Council Meeting.

GUEST

State Treasurer Converse Chellis, made a check presentation to County Council Members and to the County Treasurer in the amount of \$252,284.23 for the 911 surcharges collected. The County receives these surcharges to defray the cost of operating the 9-1-1 Call Center. All landlines and cell phones are charged this fee.

CORRESPONDENCE

Mr. Ward distributed to Council a copy of the South Carolina Association of Counties Friday Report dated February 20, 2009. He then alerted Council to the item of House Bill 3581, "Suspension of the Local Government Fund (LGF) Formula", that aims to cut Dorchester County by \$2,437,082 in State funding, as well as cuts to other Counties. Mr. Ward asked Council to contact the House Members and request their support to stop this bill from passing. This Bill would negatively affect the County by cutting funding to the following departments: Dorchester County Alcohol and Drug Abuse, Emergency Management Services, Public Defender's Office, Solicitor's Office and Dorchester County Social Services.

The County Administrator informed Council that the County received a notification from the Town of Summerville dated January 28, 2009, indicating the outcome of a Consent Order disposing of cases regarding the Watson Hill dispute.

In addition, Mr. Ward informed Council that the County received a notification from the Town of Summerville dated February 5, 2009, regarding the annexation of TMS#146-00-00-006, with a General Business Zoning Classification and TMS #154-00-00-001, with a Planned Unit Development zoning classification.

Mr. Ward informed Council that the County received a letter from Time Warner Cable indicating that service agreements with some programmers may expire soon.

COUNCILMEMBER'S TIME – MR. LARRY HARGETT

**TRAVEL REIMBURSEMENTS- DORCHESTER COUNTY
BOARDS**

Councilman Hargett stated that he would separately address two Boards appointed by Council. He began with the County Transportation Committee and recognized the members present, which were Chairman Bill Coxe, and Vice Chairman Lester Dempsey. Councilman Hargett thanked these members for their attendance, hard work and dedication. He explained that because of state law, the County was unable to pay mileage to Board Members for travel within the County and with Dorchester County being so long, that this posed a problem especially for this Board, as well as for the Sales Tax Transportation Authority, due to their need for travel. In addition, Council Hargett reported on Senator Rose and Representative Young's statement of having the Dorchester County Legislative Delegation sponsor legislation to change this, and if passed, it would allow Counties, if they desired to reimburse boards and commissions for travel expenses inside the County. He explained that no action was necessary by Council and that if this law passed it would not be mandatory. It would also be statewide, and would be open to any of the Boards and Commissions chosen by the County.

Councilman Hargett then addressed the issue of reimbursement for mileage for the County Sales Tax Transportation Authority. He recognized the members present from the Authority, which were Chairman Marshall Murdaugh, Vice-Chairman Wallace Ackerman, and Mr. Robbie Robbins, and thanked them for their attendance, hard work, and dedication. He explained what the Authority actually does and why it was created. The County Attorney stated that the Sales Tax Transportation Authority was a distinct legal entity, not a board or commission, and in order to reimburse mileage to them, County Ordinance #05-03, which created the Sales Tax Transportation Authority, would need amending.

**1st READING TO AN ORDINANCE TO AMEND DORCHESTER COUNTY
ORDINANCE #05-03, WHICH CREATED THE DORCHESTER COUNTY
SALES TAX TRANSPORTATION AUTHORITY TO ADD A NEW
SUBSECTION 9 TO SECTION 5 TO ALLOW MEMBERS OF THE
AUTHORITY TO BE REIMBURSED FOR MILEAGE FOR THE USE OF
PERSONAL VEHICLES**

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously, to give 1st Reading, to "An Ordinance to Amend Dorchester County Ordinance #05-03, Which Created the Dorchester County Sales Tax Transportation Authority, to Add a New Subsection 9 to Section 5 to Allow Members of the Authority to be Reimbursed for Mileage for the Use of Personal Vehicles", and to keep this Ordinance before full Council.

COUNCILMEMBER'S TIME - CONTINUED
TRAVEL REIMBURSEMENTS- DORCHESTER COUNTY
BOARDS AND COMMISSIONS

Additionally, there are some reimbursement requests that have not been approved for intra-county travel that occurred between May 2008 and December 2008. Mr. John Frampton indicated that it would be permissible to reimburse these expenses because board members, who were acting based upon past practices prior to January 9, 2009, incurred them.

3. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to approve the reimbursement requests from Board Members, for intra-county travel that occurred between May 2008 and December 2008, and for the funds to come from County Council Contingency.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

FUNDING REQUEST CARTA EXPRESS SERVICE IN DORCHESTER COUNTY

Mr. Ward explained that CARTA was interested in operating an additional express route from Super Wal-Mart on Dorchester Road to downtown Charleston beginning July 1, 2009. He explained that CARTA has requested that Dorchester County pay approximately \$107,775 for the first year of service, which equals one-half of the difference between the operating costs and the fare box revenue. Mr. Ward's recommendation to Council was for the County budget to include \$136,000 for a CARTA Express Route down Dorchester Road and for the funding request to be placed in the Fiscal Year 2008-2009 Budget.

4. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to refer this request for funding for CARTA Express Services to the Budget, Finance, and Purchasing Committee for consideration during the upcoming budget cycle for Fiscal Year 2009-2010.

PETITION FOR ROAD NAME CHANGE FROM DIVING DUCK DRIVE TO MANDARIN COURT

5. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to approve the petition for the Road Name Change from Diving Duck Drive to Mandarin Court for a road located in the Drakesborough Subdivision.

COMMITTEE REPORTS
ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS
COMMITTEE REPORT, CHAIRMAN WILLIE DAVIS

REDUCTION IN FORCE - PLANNING AND ZONING

6. Chairman Davis stated that the Committee discussed this issue and that a recommendation was received from the Planning and Zoning Department requesting a reduction in force of one Senior Planner, with an effective date of March 3, 2009. The Committee's recommendation to Council was to approve this request. Council voted unanimously in favor of the recommendation.

REASSIGNMENT OF POSITIONS - CODES ENFORCEMENT AND BUILDING SERVICES

Chairman Davis stated that the Committee received recommendations from the Codes Enforcement and Building Services staff on the following:

DELETION OF VACANT ANIMAL CONTROL SENIOR CODE ENFORCEMENT OFFICER POSITION AND FUND EXISTING ENVIRONMENTAL CODE ENFORCEMENT OFFICER

7. Chairman Davis stated that the Committee's first recommendation to Council was to delete the vacant Animal Control Senior Code Enforcement Officer position and fund an existing Environmental Code Enforcement Officer from the General Fund rather than the Solid Waste Enterprise Fund. Council voted unanimously in favor of the recommendation.

1ST READING TO AN AMENDMENT TO ORDINANCE #99-03, TO REFLECT THE ANIMAL CONTROL SENIOR CODE ENFORCEMENT OFFICER BEING DELETED

8. Chairman Davis stated that the Committee's second recommendation from the Codes Enforcement and Building Services staff was to give 1st Reading to an Amendment to Ordinance #99-03, to reflect the Animal Control Senior Code Enforcement Officer being deleted. Council voted unanimously in favor of the recommendation.

REASSIGN A BUILDING SERVICES CODE ENFORCEMENT OFFICER TO FILL AN ENVIRONMENTAL CODE ENFORCEMENT OFFICER

9. Chairman Davis stated that the Committee's last recommendation to Council was to authorize the County Administrator to reassign a Building Services Code Enforcement Officer to fill an Environmental Code Enforcement Officer. Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS CONTINUED

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS**

**PUBLIC HEARING AND RECOMMENDATIONS FOR 3RD READING
REZONING REQUEST #607, FOR VENEER BUSINESS PARK, LLC; TMS
#162-05-11-023**

10. Chairman Davis reported that a Public Hearing was held and the Committee voted to recommend to Council for 3rd Reading for Rezoning Request #607, for Veneer Business Park, LLC; TMS #162-05-11-023. This is a request to rezone .48 acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family District) to CG (General Commercial). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATIONS FOR 3RD READING FOR
REZONING REQUEST #608, FOR VENEER BUSINESS PARK, LLC; TMS
#162-05-11-011**

11. Chairman Davis reported that a Public Hearing was held and the Committee voted to recommend to Council for 3rd Reading for Rezoning Request #608, for Veneer Business Park, LLC; TMS #162-05-11-011. This is a request to rezone one acre on Dorchester Road near Summerville from CG/R-4 (General Commercial/Residential Multi-family District) to CG (General Commercial). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR
REZONING REQUEST #609 FOR SEAGO FAMILY LIMITED
PARTNERSHIP; TMS #008-00-00-035**

12. Chairman Davis stated that a Public Hearing was held and the Committee voted to recommend to Council for 3rd Reading to be given to Rezoning Request #609 for Seago Family Limited Partnership; TMS #008-00-00-035. This is a request to rezone 50.47 acres on US Highway 15 North near Harleyville from AC (Absence of control) to I (Industrial). Council voted six in favor and one recusal.

For the record: Councilman Hearn recused himself from this vote.

COMMITTEE REPORTS CONTINUED
PLANNING, DEVELOPMENT, AND BUILDING REPORT CONTINUED

**PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR
REZONING REQUESTS FOR FIT-SCAPE, LLC, C/O JENNIFER AUDI /
KENT JORDAN; #613- TMS #136-13-00-048; #614 - TMS #136-13-00-002; #615
TMS #136-13-00-049 #616; TMS #136-13-00-050 #617, TMS #136-13-00-051**

13. Councilman Davis reported that Public Hearings were held and the Committee recommendation to Council was to give 3rd Reading to the following Rezoning Requests. These requests are to rezone parcels off Orangeburg Road in Knightsville from R-2M (Single-Family Residential Manufactured Housing District) to CG (General Commercial District). Council voted unanimously in favor of the recommendation.

Rezoning Request #613 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-048 – .55 acre

Rezoning Request #614 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-002 - .48 acre

Rezoning Request #615 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-049 - .63 acre

Rezoning Request #616 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-050 - .30 acre

Rezoning Request #617 for Fit-Scape, LLC, c/o Jennifer Audi / Kent Jordan; TMS #136-13-00-051 – 2.41 acres

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT
CHAIRMAN RICHARD ROSEBROCK

**PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR
ORDINANCE #09-02, AN ORDINANCE ADOPTING AND APPROVING THE
DORCHESTER COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE**

14. Chairman Rosebrock reported that a Public Hearing was held and the Committee's recommendation to Council was to give 3rd Reading for Ordinance #09-02, An Ordinance Adopting and Approving the Dorchester County Solid Waste Management Plan Update. The Solid Waste Policy and Management Act of 1991 required this update. In addition, Chairman Rosebrock stated that the Administrator was tasked with two additional items when negotiating a new contract with Waste Management. The two items requested are the placement of restrictions on the importing of solid waste into the County (limiting the distance), and reviewing the matter of "Host Fees". Council voted unanimously in favor of the recommendation. The contract with Waste Management comes up in 2011, but the Administrator stated that negotiations could start earlier.

COMMITTEE REPORTS CONTINUED

AGENDA AND RULES COMMITTEE REPORT, CHAIRMAN CHRIS MURPHY

RECOMMENDATION FOR 2ND READING FOR AN ORDINANCE TO REPEAL A PORTION OF DORCHESTER COUNTY ORDINANCE #97-18

15. Chairman Murphy reported that the Committee's recommendation to Council was for 2nd Reading for An Ordinance to Repeal a Portion of Dorchester County Ordinance #97-18. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY TRANSPORTATION COMMITTEE

16. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to reappoint Dr. Robert Randall to the Dorchester County Transportation Committee as representative for District #6.

DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

17. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to reappoint Mr. Craig Turner to the Economic Development Board as representative for District #6.

DORCHESTER COUNTY BOARD OF ASSESSMENT APPEALS

18. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to reappoint Mr. Jeff Bowers to the Board of Assessment Appeals as representative for District #6.

DORCHESTER COUNTY PROCUREMENT APPEALS BOARD

19. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to appoint Mr. Terry Walker, as representative for District #2 to fill the vacancy on the Procurement Appeals Board.

APPOINTMENTS TO BOARDS AND COMMISSIONS CONTINUED

DORCHESTER COUNTY FOSTER CARE REVIEW BOARD 1-B

20. On the motion of Mr. Hargett, seconded by Mr. Waggoner, Council voted unanimously to make a recommendation to the Governor, to appoint Ms. Betty Profit to the Foster Care Review Board 1-B.

**COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
REQUEST TO AMEND THE AGENDA**

The County Attorney requested Council's consideration to amend the agenda to address two additional matters under Execution Session, that being legal advice concerning Dorchester County Water Authority and legal advice concerning Arnold Pastor.

21. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to amend the agenda to add the two items to Executive Session as requested by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice regarding an Intergovernmental Agreement with the City of North Charleston, as well as the two additional items as requested by the County Attorney.

EXECUTIVE SESSION 7:55 P.M.

22. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted unanimously, to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8:29 P.M.

The County Attorney reported that in Executive Session, Council received legal advice on the three items announced prior to going into executive session, and no action was taken on any of those items.

ADJOURNMENT 8:33 P.M.

23. 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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MARCH 16, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from March 2, 2009, County Council Meeting
- 2nd Reading to “An Ordinance to Amend Dorchester County Ordinance #05-03, Which Created The Dorchester County Sales Tax Transportation Authority, to Add a New Subsection 9 to Section 5 to Allow Members of the Authority to be Reimbursed for Mileage for the Use of Personal Vehicles
- Correspondence

3. GUEST

- Mr. Will Abbeger, Associate Director, and Mr. Raleigh West, Project Associate, Trust for Public Land, - Presentation of Trust for Public Land Feasibility Study

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

- 3rd Reading for Ordinance #09-03, An Ordinance to Repeal a Portion of Dorchester County Ordinance #97-18
- Request for approval - Payoff of 134 Club Lane Mortgage

5. COMMITTEE REPORT

Chairman Willie Davis, Planning, Development, and Building Committee Report

- Recommendation for 2nd Reading for Rezoning Request #578, Arthur Bryngelson, TMS #153-00-00-056

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service Retreat at Summercreek SolSource Dev., TMS#146-00-00-006

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Approval of Mutual Aid Agreements between Dorchester County Sheriff's Office and Beaufort County Sheriff's Office, Florence County Sheriff's Office and Darlington County Sheriff's Office
- Executive Session
 - Legal Advice
 - DCTA Recommendation for Condemnation
 - 2% Procurement Preference

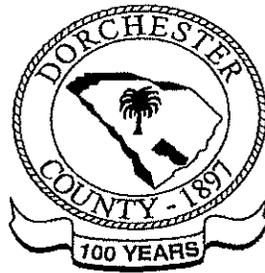
8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MARCH 16, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizens replied:

- Ms. Star Callaway with Habitat for Humanity addressed Council to inform them about "WOMEN BUILD" in Dorchester County. This is a habitat project where 75 percent of the workforce on the habitat home will be women. She encouraged volunteers and brought informational handouts for distribution.

- Mr. Michael White, Member of the Board of Directors of Eagle Run Homeowners' Association, addressed Council on behalf of the Association regarding the trash around the Old Fort Drive Recycling Center, and requested the County to keep the site cleaned up.
- Mr. Todd Helfter addressed Council on behalf of his son Mark, a sophomore at Ashley Ridge High School, and a Boy Scout with the local Scout Troup. He explained that his son was present to petition the Council for permission to conduct a community service project for his Eagle Rank, on the pedestrian bridge that crosses Chandler's Creek, which is on County property. Mark would work with the County Engineer, Mr. Richard Byrd, who was aware of the request and would support approval contingent upon Council's consent. Mr. Byrd addressed Council, and stated that Public Works would have to approve all the materials used and that he would be glad to work with Mark. Mark Helfter introduced himself to Council and explained his plans for the refurbishing of the bridge.

APPROVAL OF WORK ON PROJECT FOR EAGLE SCOUT RANK

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to grant permission to Mark Helfter, to conduct a community service project for his Eagle Rank, on the pedestrian bridge that crosses Chandler's Creek, contingent upon all plans and materials' being approved by Public Works and for Mr. Richard Byrd to oversee the project. The County Attorney stated that there were no legal reasons that the County could not approve this project.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Tom Hall addressed Council and requested that the roadwork started by the County Public Works Department on Knight Avenue in Summerville be completed. He stated that the ditches were starting to overflow in the homeowners' yards.
- Ms. Melissa Williams, Director of Tourism for the Greater Summerville - Dorchester County Chamber of Commerce, addressed Council regarding tourism in the Town of Summerville and Dorchester County and provided informational handouts.
- Mr. Robby Robbins, member of the Dorchester County Sales Tax Transportation Authority addressed Council regarding recent discussions by Charleston County Council about possible closure of one of their landfills. As a member of the Authority, Mr. Robbins stated that his concerns were over the heavy truck traffic associated with the transporting of waste to Dorchester County, and the possible damage to US Highway 78, which the Authority has spent so much money.

REQUEST TO ADDRESS COUNCIL- CONTINUED

- Ms. Linda Richards addressed Council regarding Perry Drive Road and the poor conditions of the road caused by the County. Ms. Perry requested assistance from the County on correcting the problems.
- Ms. Lucy Anne Cathcart addressed Council regarding regional disposal of yard debris.

MOTION TO AMEND THE AGENDA

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted to amend the agenda to discuss the issue regarding Charleston County and the renewal of the contract with Oakridge Landfill.

ADOPTION OF MINUTES MARCH 2, 2009, COUNTY COUNCIL MEETING

3. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the March 2, 2009, Council Meeting.

2nd READING TO AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE #05-03, WHICH CREATED THE DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY TO ADD A NEW SUBSECTION 9 TO SECTION 5 TO ALLOW MEMBERS OF THE AUTHORITY TO BE REIMBURSED FOR MILEAGE FOR THE USE OF PERSONAL VEHICLES

4. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously, to give 2nd Reading to, "An Ordinance to Amend Dorchester County Ordinance #05-03, Which Created the Dorchester County Sales Tax Transportation Authority, to Add a New Subsection 9 to Section 5 to Allow Members of the Authority to be Reimbursed for Mileage for the Use of Personal Vehicles".

CHARLESTON COUNTY WASTE AND OAKRIDGE LANDFILL

Council discussed the fact that Charleston County may possibly be looking at disposing some of their waste in Dorchester County. Chairman Feltner stated that Council needed to send a message to Charleston County Council that Dorchester County does not want to be the dumping ground for the tri-county area, and Charleston County should consider keeping their incinerator open. Councilman Rosebrock stated that his concerns were about the possible damage to US Highway 78 by heavy truck traffic as Mr. Robby Robbins expressed

CHARLESTON COUNTY WASTE – CONTINUED

expressed earlier and suggested the County review the contract with Oakridge Landfill. In addition, Councilman Hargett stated that Dorchester County may have been mentioned in error, and the regional site once discussed was in Berkeley County.

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to send a letter to Charleston County Council stating that Dorchester County was not interested in taking the additional waste from Charleston County if their incinerator were to be taken out of operation.

CORRESPONDENCE

The County Administrator informed Council that the County received a notification from the Town of Summerville dated March 5, 2009, regarding the annexation of 70.67 acres; a portion of TMS #129-00-00-058 combined with TMS#129-00-00-100 with a Planned Development District zoning classification.

Mr. Ward also told Council that the United Steel Workers (Local 9-508) had requested that County Council consider adopting a resolution in support of spending the Federal Economic Renewal Grants with American Companies on American products.

RESOLUTION#09-05, ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS TO DORCHESTER COUNTY

6. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted six in favor, and one opposed, to adopt Resolution #09-05, "A Resolution on the Spending of Federal Economic Renewal Grants to Dorchester County".

Councilman Murphy opposed.

In addition, correspondence was received from Ms. Jill Aquino, County Director of the Dorchester County Department of Social Services, regarding the reimbursement for the new telephone system Council helped purchase, and that it would be 61% versus 71% from the Federal Participation Program. Chairman Feltner requested Mr. Ward to follow-up on this issue and make sure all the information on the reimbursement was accurate.

Mr. Ward informed Council that the County received a letter from Mr. Robert Clark, District Engineering Administrator, South Carolina Department of Transportation, requesting input on sidewalk projects, which would be up for consideration. Mr. Ward requested Council to let him know of any projects, so staff can submit them by the deadline of March 31, 2009.

GUEST
MR. WILL ABBERGER, TRUST FOR PUBLIC LAND
PRESENTATION OF TRUST FOR PUBLIC LAND FEASIBILITY STUDY

Mr. Will Abberger, Associate Director for The Trust for Public Land, made a Presentation to Council on "Dorchester County South Carolina Conservation Finance Feasibility Study". Mr. Abberger explained that the study discussed asking voters to dedicate land for protection for natural and historic resources, and for parks and recreation. This would be for all people to enjoy as parks, gardens, playgrounds, greenways, recreational areas, historical areas and wilderness areas. He stated that The Trust for Public Land has found that voters across the country support this idea, as well as voters in South Carolina. Mr. Abberger gave Council his recommendation on the options they could take if Dorchester County was interested in participating in this study. He also informed Council of a grant available that the County could use to poll voters on their interest in land dedication. In addition, they discussed the possibility of a November 2010 referendum on funding for land conservation, and the cable television franchise fees that the County collects for recreational purposes. Mr. Abberger stated that with Council's approval, The Trust for Public Land could proceed with a random sample survey of registered voters, under a grant, at no cost to the County, for determining the feasibility and interest of dedicating land for conservation, preservation, and recreation. The results of the survey would be reported back to Council for consideration.

7. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to approve for The Trust for Public Land to proceed with a random sample survey of registered voters, under a grant, at no cost to the County, to determine the feasibility and interest of the dedication of land, for conservation, preservation and recreation purposes.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
3RD READING FOR ORDINANCE #09-03, AN ORDINANCE TO REPEAL
A PORTION OF DORCHESTER COUNTY ORDINANCE #97-18

8. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #09-03, An Ordinance to Repeal a Portion of Dorchester County Ordinance #97-18.

REQUEST FOR APPROVAL - PAYOFF OF 134 CLUB LANE MORTGAGE

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to authorize the Administrator to pay off the mortgage and lien of 134 Club Lane at a cost of \$134,000. This will be funded out of the Fund Balance.

COMMITTEE REPORTS

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS**

**RECOMMENDATIONS FOR 2ND READING REZONING REQUEST
#578, ARTHUR BRYNGELSON, TMS #153-00-00-056**

10. Chairman Davis reported that the Committee voted to recommend to Council for 2nd Reading for Rezoning Request #578, for Arthur Bryngelson, TMS #153-00-00-056. This is a request to rezone 3.7 acres at the corner of Dorchester Road and Shady Lane from R- 1 (Single Family Residential District to CG (General Commercial District). Council voted five in favor, and two opposed, on the recommendation of the Committee.

Council Members Feltner and Rosebrock opposed.

It was stated that all parties needed to be present or aware of possible 3rd Reading and Mr. LeaMond would be sending a letter to Old Fort Baptist Church informing them of the next County Council meeting in St. George.

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

**WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER**

**REQUEST FOR SEWER SERVICE TO RETREAT AT
SUMMERCREEK SOLSOURCE DEV., TMS#146-00-00-006**

11. Chairman Feltner stated that the Committee's recommendation to Council was to provide sewer service to this project. This is a request to provide wastewater to 276 apartment units on Lincolnville Road. Council voted five in favor, and two opposed, on the recommendation. Also, noted was that staff awaits a response to a certified letter sent out to the Summerhaven Homeowners Association to avoid the need of installing a pump station.

Council Members Feltner and Rosebrock opposed.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY GRIEVANCE COMMITTEE

12. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to appoint Ms. Theresa McKnight as the appointee for Council District #6 to the Dorchester County Grievance Committee.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

13. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to appoint Mrs. Cindy Busby as appointee for Council District #5 to the Dorchester County Grievance Committee.

DORCHESTER COUNTY SOCIAL SERVICES BOARD

14. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to recommend to the Governor the appointment of Ms. Deborah Smith to the Dorchester County Social Services Board as appointee for District #6.

DORCHESTER COUNTY FOSTER CARE REVIEW BOARD 1-B

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to recommend to the Governor the appointment of Ms. Sharon M. Atkinson for the Dorchester County Foster Care Review Board 1-B.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

**REQUEST FOR APPROVAL OF MUTUAL AID AGREEMENTS
BETWEEN DORCHESTER COUNTY SHERIFF'S OFFICE AND
BEAUFORT COUNTY SHERIFF'S OFFICE, FLORENCE COUNTY
SHERIFF'S OFFICE AND DARLINGTON COUNTY SHERIFF'S OFFICE**

16. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to approve the mutual aid agreements between Dorchester County Sheriff's Office and Beaufort County Sheriff's Office, Dorchester County Sheriff's Office and Florence County Sheriff's Office, and Dorchester County Sheriff's Office and Darlington County Sheriff's Office.

COUNTY ATTORNEY'S TIME- CONTINUED
REQUEST TO AMEND THE AGENDA

The County Attorney requested Council's consideration to amend the agenda under his time to add to "Legal Advice", the Freedom of Information Act, to discuss a contractual matter concerning fire station construction, and to discuss a personnel matter regarding fire protection services.

17. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to amend the agenda, as requested by the County Attorney to add the additional items to Executive Session.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice regarding a condemnation matter for the Dorchester County Sales Tax Transportation Authority, the 2% Local Procurement Preference, and the Freedom of Information Act, to discuss a contractual matter concerning fire station construction, and to discuss a personnel matter regarding fire protection services.

EXECUTIVE SESSION 8:25 P.M.

18. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously, to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:15 P.M.

The County Attorney reported that Council received legal advice on the items announced prior to going into executive session, and no action was taken on any of those items.

1ST READING FOR AN ORDINANCE REGARDING THE DORCHESTER COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, AS AMENDED BY DORCHESTER COUNTY ORDINANCE #97-13

19. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted five in favor, and two opposed, to give 1st Reading to an Ordinance to delete that portion of the Dorchester County Procurement Ordinance that grants a 2% preference to Dorchester County resident vendors, and to refer this to the Budget, Finance, and Purchasing Committee.

Council Members Hearn and Murphy opposed.

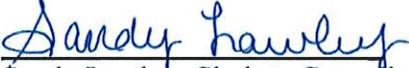
**DORCHESTER COUNTY SALES TAX TRANSPORTATION
AUTHORITY – CONDEMNATION – BERLIN MYERS PARKWAY
PHASE 111**

20. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one opposed, to precede with the condemnation of one parcel of property, identified as Tract 73, TMS #144-00-00-76, in connection with the construction of Phase III of the Berlin G. Myers Parkway, based upon the recommendation of the Dorchester County Sales Tax Transportation Authority.

Councilman Waggoner opposed.

ADJOURNMENT 9:20 P.M.

21. On the motion of Mr. Waggoner, 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
APRIL 6, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from March 16, 2009, County Council Meeting
- Adoption of Resolution #09-06, Dorchester County Fair Housing Month
- Dorchester County Employee Recognition Program
- Public Hearing for Recovery Act Justice Assistance Grant
- Correspondence

3. COUNCIL MEMBER'S TIME, MR. WILLIE DAVIS

- Presentation of Resolution #09-04, to Mr. Shelley Johnson's Family

4. GUEST

- Mr. Albert Lynn, HadenStanziale, Presentation Parks and Recreation Master Plan

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

- 1st Reading for Rezoning Request #619 for R.J. Sample, P.E., TMS #122-00-00-145
- 3rd Reading for Rezoning Request #578, Arthur Bryngelson, TMS #153-00-00-056
- Request from St. George Police Department for Computer Equipment

6. COMMITTEE REPORTS

Chairman Jamie Feltner, Water and Sewer Committee Report

- State Revolving Loan Fund Application and Resolution
- Project Status Report

Chairman Willie Davis, Administrative & Intergovernmental Affairs Committee Report

- Public Hearing and Recommendation for 2nd Reading, to "An Ordinance Relating to Control of Animals within Dorchester County; Repealing Dorchester County Ordinance 99-03"

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Project
 - Legal Advice
 - Resolution for South Carolina Association of Counties
 - Quick Jobs Center Bid Protest
 - Berlin Myers Parkway McGraw Condemnation
 - Rezoning Issue
 - Real Estate Matter

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 6, 2009

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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Chris Murphy
Mr. Jason Ward, County Administrator

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizens replied:

- Mr. John David Lary addressed Council on behalf of the Temple of Christ Church, and requested assistance for maintenance of Church Christ Drive, located near St. George. He stated that he had been maintaining the road over the years, but now the road was too hard to maintain and needed paving if possible.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Reverend Mark W. Turner addressed Council regarding Rezoning Request #578. He and the members of his congregation (those attending stood) wanted to make Council aware of their support of Rezoning Request #578. In addition, Reverend Turner presented a petition to Council, along with other information.

Mr. Harold LeaMond, Zoning Manager, addressed Council regarding Rezoning Request #578, to clarify and describe for Council the type of zoning that was requested with this request. Mr. LeaMond stated that the County classified this type of zoning as "Spot Zoning".

- Mr. James Syphrett addressed Council regarding needing their assistance in paving County Farm Road and Mount Pisgah Road because both roads were in terrible condition. Council discussed Mr. Syphrett's request and told him that someone from the County would be in touch with him about the roads.

ADOPTION OF MINUTES FROM THE MARCH 16, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt the Minutes from the March 16, 2009, County Council Meeting.

Councilman Murphy was absent.

ADOPTION OF RESOLUTION #09-06, DORCHESTER COUNTY FAIR HOUSING MONTH

2. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to adopt Resolution #09-06, "Dorchester County Fair Housing Month". This Resolution designates April, as Fair Housing Month in Dorchester County.

Councilman Murphy was absent.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the County. In addition, members of County Council received lapel pins for their dedicated public service.

PUBLIC HEARING - RECOVERY ACT JUSTICE ASSISTANCE GRANT

Chairman Feltner stated that the County was applying for a Justice Assistance Grant (JAG) in the amount of \$187,711 from the U.S. Department of Justice, Bureau of Justice Assistance, which does not require a local match and the funds were available through the America Recovery and Reinvestment Act. He stated that since the objective of the stimulus money was to preserve or create jobs, the Sheriff's Department would be applying for a Gang/Hispanic Liaison Investigator, with the remaining funds to go toward a license plate scanner, light bars/sirens, weapons and laptops for patrol cars. As a condition to this grant, the County must hold a Public Hearing to receive comments as to the appropriation of this money.

Chairman Feltner opened the Public Hearing to receive public comments on the Grant.

Hearing no comments, the Chairman closed the Public Hearing.

CORRESPONDENCE

The Deputy County Administrator, Mrs. Ashley McDonald, informed Council that the County received notification that the South Carolina Department of Transportation would replace the bridge on Gavins Road over Indian Field Swap near St. George. The work would begin on April 6, 2009, and should be completed May 29, 2009, weather permitting.

Mrs. McDonald informed Council that the County received notification of changes in cable service provided by Time Warner Cable. Mr. Ben Breazeale, Director of Governmental Relations, who sent the letter, stated that he would address any questions or concerns regarding the changes.

In addition, Mrs. McDonald informed Council that the County received notification that the City of North Charleston annexed 64 units in the Hunters Ridge Subdivision, on Hunters Ridge Lane, off Ashley Phosphate Road with a proposed Single Family Residential zoning classification.

**COUNCIL MEMBER'S TIME, VICE CHAIRMAN WILLIE DAVIS
RESOLUTION #09-04, IN HONOR & MEMORY OF MR. SHELLEY JOHNSON**

Councilman Davis made a presentation of Resolution #09-04, in honor and memory of Mr. Shelley Johnson to Mr. Johnson's Family and their minister and his wife. County Council adopted this Resolution at the February 9, 2009, County Council meeting in Summerville. Dorchester County Council wished to express its most sincere appreciation for the years of public service that Mr. Johnson had given to the citizens of Dorchester County.

GUESTS

PARKS AND RECREATION MASTER PLAN

Mr. John Wood and Mr. Albert Lynn with Haden Stanziale presented County Council with the finalized version of the Parks and Recreation Master Plan. In 2008, Haden Stanziale took an inventory and analysis of the County's recreation needs and set the goals and objectives for the County. In September and October of last year, they held "Public Open Houses", and sent out the "Community Attitude and Interest Survey," to the citizens of the County, and in November came up with a Policy Plan for the County. Mr. Lynn explained that the park sites (property already owned by the County) and the action plan, was then set through more public meetings held at the beginning 2009. Mr. Wood stated that many grants were available to the County for help with the implementation of this 10-year park plan. Once Council received the final recommendations, including a "Parks and Recreation Policy Plan," which was included in the Master Plan, Council thanked Mr. Wood and Mr. Lynn for their time and effort. Mrs. McDonald stated that if Council approved the plan, staff would then have it placed on the County Website for citizens to view.

3. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the "Dorchester County Parks and Recreation Master Plan", and to instruct the County staff to implement the short-term recommendations in the upcoming budget for Fiscal Year 2009-2010, as funding permits.

Councilman Murphy was absent.

COMMENTS FROM COUNCILMAN ROSEBROCK ON HIGHWAY CLEANUP

Council Member Rosebrock stated US Highway 78 was a major thoroughfare into Dorchester County and has recently become polluted with trash. He stated that a lot of the trash was coming from the large trucks entering Waste Management Landfill, then after dumping a load and leaving with the truck bed not cleaned out completely. Councilman Rosebrock stated that he has spoken to Waste Management and they are going to work on this problem. In addition, he stated that the South Carolina Department of Highways and Public Transportation was going to start cleaning up the Highway and that he had spoken to Sheriff L.C. Knight, and he was going to have that area patrolled to help with the cleanup. Councilman Rosebrock stated that he wanted to thank Sheriff Knight and SCDOT for helping with this issue.

COUNTY ADMINISTRATOR'S TIME – MRS. ASHLEY MCDONALD, DEPUTY COUNTY ADMINISTRATOR

1ST READING FOR REZONING REQUEST #619 FOR R.J. SAMPLE, P.E., TMS #122-00-00-145

4. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted six in favor, and one absent, to give 1st Reading for Rezoning Request #619 for R.J. Sample, P.E., TMS #122-00-00-145 and refer it to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 12.93 acres on W. 5th North Street near Summerville from I (Industrial District) to CLI (Commercial Light Industrial District).

Councilman Murphy was absent.

3RD READING REZONING REQUEST #578, ARTHUR BRYNGELSON, TMS #153-00-00-056

5. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted six opposed, and one absent, to give 3rd Reading for Rezoning Request #578, for Arthur Bryngelson, TMS #153-00-00-056. This is a request to rezone 3.7 acres at the corner of Dorchester Road Summerville from R-1 (Single Family Residential District) to CG (General Commercial District).

Council Members Feltner, Rosebrock, Hargett, Waggoner, Hearn, and Davis opposed, and Councilman Murphy was absent.

TOWNS REQUESTS FOR COMPUTER EQUIPMENT

6. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to authorize the County Administrator to provide the Town of St. George with six laptop computers, the Town of Harleyville with two computers, the Town of Ridgeville with two computers, and the Dorchester County Transportation Committee with one computer.

Councilman Murphy was absent.

The towns will install the computers in their police patrol cars so they can do driver's license, vehicle registration, and wanted person checks. After receiving the request from St. George, staff checked with Ridgeville and Harleyville for their needs. County staff would remove all files from the computers, which do not have an operating system or software.

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

COMMITTEE REPORTS
WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

**STATE REVOLVING LOAN FUND APPLICATION AND ADOPTION OF
RESOLUTION #09-08, AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A LOAN APPLICATION FOR \$3.85 MILLION**

7. Chairman Feltner stated that the Committee's recommendation was for full Council to adopt a Resolution #09-08, authorizing the County Administrator to submit a State Revolving Loan Fund Application for \$3.85 million and to authorize the Chairman of County Council to sign the application certification. Council voted six in favor, and one absent on the recommendation.

Councilman Murphy was absent.

Chairman Feltner reported that these funds were to replace, repair, or rehabilitate 70,000 linear feet of mostly clay pipe, manholes and service connections in the following neighborhoods: Dorchester Regency, Kings Grant, Spruce Wood, Stratton Capers, and Tranquil Acres. Chairman Feltner reported that staff would first look for grants to use on these projects before using any loan funds.

PROJECT STATUS REPORT

In addition, Chairman Feltner reported that the Committee received an update from Mr. Jimmy Crepeau, Deputy Director for the County's Water and Sewer Department, on the projects from BP Barber. He stated that this report was presented for information only.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS REPORT
CHAIRMAN WILLIE DAVIS
**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING, TO "AN
ORDINANCE RELATING TO CONTROL OF ANIMALS WITHIN
DORCHESTER COUNTY; REPEALING DORCHESTER COUNTY
ORDINANCE 99-03"**

8. Chairman Davis stated that a Public Hearing was held and the Committee's recommendation to Council was to give 2nd Reading to "An Ordinance Relating to Control of Animals within Dorchester County; Repealing Dorchester County Ordinance 99-03". As previously discussed, this proposed ordinance assigns the management responsibilities to the Code Enforcement Manager, since the Animal Control Supervisor position was deleted, and the enforcement responsibilities were assigned to the Animal Control Officers. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY FOSTER CARE REVIEW BOARD 1-B

9. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one absent, to recommend to the Governor the appointment of Mr. Michael A. Hess to the Dorchester County Foster Care Review Board 1-B.

Councilman Murphy was absent.

DORCHESTER COUNTY LIBRARY BOARD

10. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to reappoint Mrs. Patricia Hutton to the Dorchester County Library Board.

Councilman Murphy was absent.

**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 project, and to give legal advice regarding a request for a Resolution for the South Carolina Association of Counties, a condemnation issue on the Berlin Myers Parkway, a rezoning issue and a real estate matter. He also requested to delete from his time the item listed as "Quick Jobs Center Bid Protest", due to there being no new information on the issue at this time.

EXECUTIVE SESSION 8:15 P.M.

11. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Councilman Murphy was absent.

RECONVENE FROM EXECUTIVE SESSION 8:40 P.M.

The County Attorney reported that Council received legal advice on the items announced prior to going into executive session, and no action was taken on any of those items.

**1ST READING FOR A PROPOSED ORDINANCE AMENDING A FILOT
AGREEMENT TO PROVIDE SPECIAL SOURCE REVENUE CREDITS TO
ZODIAC BOATS**

12. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 1st Reading to a proposed Ordinance to amend the FILOT Agreement with Zodiac Boats to provide Special Source Revenue Credits to be added to the agreement over two years.

Councilman Murphy was absent.

**ADOPTION OF RESOLUTION #09-07, FOR THE SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

13. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to adopt Resolution #09-07, stating that legal Counsel for Dorchester County in the appeal which is 2007-CP-18-811, be authorized to make a request on behalf of Dorchester County to The South Carolina Association of Counties that the Association seek to file an amicus brief to the Court of Appeals, in the referenced case offering the Association's position and arguments.

Councilman Murphy was absent.

LAND DONATION DARBY DEVELOPMENT COMPANY

14. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted five in favor, one abstention, and one absent, to accept the land donation offered by Darby Development Company, Inc., identified by TMS #098-00-00-230, as stated in the letter dated April 2, 2009 to Mrs. Ashley McDonald from R. Gordon Darby.

Councilman Hearn abstained and Councilman Murphy was absent.

ADJOURNMENT 8:49 P.M.

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to adjourn.

Councilman Murphy was absent.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 20, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Request to Address Council
- Adoption of Minutes from April 6, 2009, County Council Meeting
- Adoption of Proclamation #09-01, Silver Star Banner Day
- Correspondence

3. COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

- Adoption of Resolution #09-09, Dorchester County Faith Resolution

COUNCIL MEMBER'S TIME, MR. RICHARD ROSEBROCK

- Adoption of Resolution #09-10, Supporting Republican Legislators for their Fight for Our Religious Freedoms

4. GUESTS

- Ms. Terry Seabrook, 2010 Census
- Mr. Lee Moulder, Director of Budget and Finance, March 2009 Budget Report

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

- 3rd Reading to Ordinance #09-04, "An Ordinance Relating to Control of Animals within Dorchester County, Repealing Dorchester County Ordinance #99-03"

6. COMMITTEE REPORT

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee Report

- 2nd Reading for a Proposed Ordinance Regarding The Dorchester County Centralized Procurement Ordinance, #83-05, as Amended by Dorchester County Ordinance #97-13

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 2nd Reading for "An Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee Agreement Between Dorchester County, South Carolina and STTOP, LLP and Z, LLC to provide for an Additional Special Source Revenue Credit to STTOP, LLP and Z, LLC for the Creation of New Jobs in Dorchester County; and Matters Related Thereto"
- Executive Session-
 - Confidential Economic Development Projects
 - Personnel Matters
 - Legal Advice
 - Contractual Matters

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 20, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council
ABSENT: Mrs. Ashley McDonald, Deputy County Administrator

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

Chairman Feltner informed Council that he had requested that the County Administrator check with Anderson County to investigate the cost and all other aspects of having Dorchester County's check registers placed on line, and asked if any Council Members had any objections. He stated that Mr. Ward would bring back the information to Council once completed. There were no objections by any members of County Council on this matter.

REQUESTS TO ADDRESS COUNCIL

- Mr. Pete Weathers addressed Council as a member of the State Advisory Board for the Heritage Corridor. He requested Council's support on his efforts in making Wire Road a part of the Heritage Corridor. Mr. Weathers gave each member of Council a copy of a map from 1825, which showed the historical sites located on the Wire Road, and cited several areas such as the Koger House and other homes and farms built in the 1800s. He explained that the Corridor's purpose was to improve the economic condition of historical rural areas through increased tourism, and suggested that this could be an historic day trip from Charleston to upper Dorchester County. Mr. Weathers thanked Council for their interest and support.

ADOPTION OF MINUTES - APRIL 6, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one abstention, to adopt the Minutes from the April 6, 2009, County Council Meeting.

Councilman Murphy abstained.

ADOPTION OF PROCLAMATION #09-01, "SILVER STAR BANNER DAY"

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously, to adopt Proclamation #09-01, "Silver Star Banner Day". This Proclamation declares May 1, 2009 as Silver Star Banner Day and honors wounded and ill soldiers who reside in Dorchester County.

CORRESPONDENCE

The County Administrator, Mr. Jason Ward, informed Council that the County received notification that the South Carolina Department of Transportation would replace the bridge on Two Bridges Road over Polk Swamp near St. George. The work will begin on April 20, 2009, and should be completed June 30, 2009, weather permitting.

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

ADOPTION OF RESOLUTION #09-09, DORCHESTER COUNTY FAITH RESOLUTION

Councilman Hargett read aloud proposed Resolution #09-09, the "Dorchester County Faith Resolution" (*copy attached for the record, Attachment A*). He stated that if adopted, he would travel at his own expense to Washington, DC to deliver two signed originals of the Resolution to the Honorable James Forbes, Congressman for the State of Virginia, author of Congressional Bill H.RES. 888; whereby, Resolution #09-09 supports, and to the Honorable Henry E. Brown, Jr, Congressman for the State of South Carolina, Congressional District 1, who co-sponsored the Bill. In addition, if adopted, copies of the Resolution would be mailed to the Dorchester County Legislative Delegation, members of the South Carolina General Assembly, and to the Honorable Mark Sanford, Governor of the State of South Carolina.

3. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one opposed, to adopt Resolution #09-09, "Dorchester County Faith Resolution", in support of Congressional Bill H.RES. 888. In addition to the above named individuals, Council agreed that Councilman Hargett would take original signed copies of this Resolution to Washington, DC to Congressman Gresham Barrett, Congressman Joe Wilson, and Congressman James Clyburn.

Councilman Davis opposed the adoption of the Resolution.

COUNCIL MEMBER'S TIME, MR. RICHARD ROSEBROCK

ADOPTION OF RESOLUTION #09-10, SUPPORTING LEGISLATORS FOR THEIR FIGHT FOR OUR RELIGIOUS FREEDOMS

4. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted six in favor, and one opposed, to adopt Resolution #09-10, "Supporting Legislators for their Fight for Our Religious Freedoms", as read by Councilman Rosebrock (*copy attached for the record, Attachment B*). The original Resolution will be sent to the Honorable Bobby Harrell, Speaker of the South Carolina House of Representatives, and a copy will be sent to the Honorable Mark Sanford, Governor of the State of South Carolina, and to the Dorchester County Legislative Delegation.

Councilman Davis opposed the adoption of the Resolution.

GUESTS

MS. TERRY SEABROOK, UNITED STATES CENSUS BUREAU

2010 UNITED STATES CENSUS AND COMPLETE COUNT COMMITTEE

Ms. Terry Seabrook presented Council with information that elected officials need to know about the 2010 United States Census. She informed Council that approximately \$308 billion of shared states revenue was issued, and the census was used to determine what portion of those shared funds comes into South Carolina. Ms. Seabrook explained the Complete Count Committee (CCC) Program and requested that Council consider approving a Complete Count Committee for Dorchester County. The Committee's suggested structure would consist of county staff, community leaders and local officials representing various populations and professions. Ms. Seabrook stated that it was vitally important that the County have a good census to secure the federal funds entitled to the County for the next ten years. She informed Council that, unfortunately, in the 2000 United States Census, South Carolina was number 49 in the return of census forms. Ms. Seabrook stated that South Carolina was on the verge of getting a 7th Congressional Seat and the only way that would become a reality was if the state received high return numbers from the census forms, which would be mailed out in March of 2010. Ms. Seabrook thanked Council and encouraged support for this very important census count.

Chairman Feltner with Council's consent established the "Complete County Committee", with Ms. Eva Lunder, Deputy County Administrator for Growth Management, to serve as the contact person for this Committee. He asked each member of Council to contact Ms. Lunder with names of appointments to this Committee.

MR. LEE MOULDER, BUDGET AND FINANCE DIRECTOR

MARCH 2009 BUDGET REPORT

Mr. Lee Moulder, Budget and Finance Director, presented Council with the March 2009 Budget Report for the County. He noted that the County was heading into the final quarter for 2009 fiscal year. A complete financial report was provided to each member of Council.

In addition, Council requested that Mr. Moulder ask each County Department to prepare a formal report for Council, related to their budget saving measures, which were implemented for the Fiscal Year 2009 Budget, along with their cost saving measures for the upcoming Fiscal Year 2010 Budget for their department.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD, COUNTY ADMINISTRATOR

3RD READING, TO "AN ORDINANCE RELATING TO CONTROL OF ANIMALS WITHIN DORCHESTER COUNTY; REPEALING DORCHESTER COUNTY ORDINANCE 99-03"

5. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading to Ordinance #09-04, "An Ordinance Relating to Control of Animals within Dorchester County, Repealing Dorchester County Ordinance #99-03".

2009 SOUTH CAROLINA STATE PARAMEDIC COMPETITION AWARD

Mr. Ward announced that on April 18, 2009, at the annual EMS Symposium in Myrtle Beach, Dorchester County EMS Employees Mr. Mike Peck and Mr. Gary Hobart were named "Paramedics of the Year", and received the 2009 South Carolina State Paramedic Competition Award.

Councilman Waggoner inquired if there were any Dorchester County Ordinances or Policies that would allow a monetary gift to be given to the above named employees for their outstanding accomplishments. The Administrator stated that he would check into this matter and get back with Mr. Waggoner.

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

COMMITTEE REPORT

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER**

2ND READING FOR A PROPOSED ORDINANCE REGARDING THE DORCHESTER COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, AS AMENDED BY DORCHESTER COUNTY ORDINANCE #97-13

6. Chairman Feltner stated that the Committee's recommendation was for full Council to give 2nd Reading for a Proposed Ordinance Regarding the Dorchester County Centralized Procurement Ordinance, #83-05, as Amended by Dorchester County Ordinance #97-13. Council voted five in favor, and two opposed on the recommendation.

Councilman Murphy and Hearn opposed.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

TRIDENT TECHNICAL COLLEGE AREA COMMISSION

7. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted unanimously to recommend to the Governor the reappointment of Mr. Rutherford P.C. Smith to the Trident Technical College Area Commission.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

PUBLIC HEARING AND 2ND READING FOR "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO FEE AGREEMENT BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND STTOP, LLP AND Z, LLC TO PROVIDE FOR AN ADDITIONAL SPECIAL SOURCE REVENUE CREDIT TO STTOP, LLP AND Z, LLC FOR THE CREATION OF NEW JOBS IN DORCHESTER COUNTY; AND MATTERS RELATED THERETO"

Chairman Feltner opened the Public Hearing for a proposed Ordinance, which would amend the FILOT agreement to provide additional Special Source Revenue Credits to Zodiac Boats.

Hearing no comments, Chairman Feltner closed the Public Hearing.

8. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to give 2nd Reading to "An Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee Agreement Between Dorchester County, South Carolina and STTOP, LLP and Z, LLC to provide for an Additional Special Source Revenue Credit to STTOP, LLP and Z, LLC for the Creation of New Jobs in Dorchester County; and Matters Related Thereto".

REQUEST TO AMEND THE AGENDA

The County Attorney requested Council's consideration to amend the agenda under his time to add an additional item under legal advice concerning magisterial appointments.

9. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to amend the agenda to add the additional item to executive session, as requested by the County Attorney.

COUNTY ATTORNEY'S TIME- CONTINUED
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 prospects, three personnel matters, and to give legal advice regarding two contractual matters concerning construction, and magisterial appointments.

EXECUTIVE SESSION 8:15 P.M.

10. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously, to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9: 20 P.M.

The County Attorney reported that Council discussed and received legal advice on the items announced prior to going into executive session, and no action was taken on any of those items.

EMERGENCY MANAGEMENT OPERATIONS CENTER, AND
ELECTIONS, AND REGISTRATION BUILDING

11. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously, for the County to instruct our architect, Mr. John Dumas, to proceed with schematic design and design development for the Emergency Management and Election Commission and Registration Building to be located at the Deming Way site.

ECONOMIC DEVELOPMENT WEBSITE-EXPENDITURE APPROVAL

12. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously, to approve the expenditure of \$5,000 from the Economic Development Fund to add an interactive mapping function to the Dorchester County/Economic Development Website.

ECONOMIC DEVELOPMENT PROJECT #08-034

13. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously, to approve the expenditure of \$20,000 from the Economic Development Fund to add a 500-foot gravel road extension to West Spaniel Lane in Eastport Industrial Park. This will support an existing industry that is investing \$1 million to build a 15,000 square foot building and create 15 jobs that pay \$30,000 per year.

FIRE/RESCUE COORDINATOR POSITION, PART-TIME PERSONNEL SCHEDULE, AND A NEW HARLEYVILLE FIRE STATION -PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE

14. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously, to place the issues relating to the creation of a Fire/Rescue Coordinator, a new Part-Time Personnel Schedule, and the construction of a new Fire Station in Harleyville into the Public Safety, Health, and Human Services Committee.

SPECULATIVE BUILDING NEW CENTURY INDUSTRIAL PARK

15. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously, to approve the expenditure of \$22,000 from the Economic Development Fund for a site plan and the associated permitting for a speculative building in the New Century Industrial Park.

CONSULTING AGREEMENT FOR EMERGENCY MANAGEMENT SERVICES

16. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously, to authorize the Administrator to execute the Independent Contract Consulting Agreement for Emergency Management Services with Mr. Dennis L. Clark.

MAGISTRATE APPOINTMENTS STRUCTURE

17. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted six in favor, and one abstention, to approve the Magistrate Court Judge structure as requested by Senator Mike Rose, as Exhibit B, attached to his April 20, 2009, letter to Dorchester County Council.

For the record: Councilman Chris Murphy recused himself from the discussion on the above subject, and abstained from the vote on the above matter.

ADJOURNMENT 9:38 P.M.

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


Sandy Lawley, Clerk to Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

RESOLUTION #09-10

**RESOLUTION SUPPORTING LEGISLATORS FOR THEIR FIGHT
FOR OUR RELIGIOUS FREEDOM**

WHEREAS, the stimulus package recently signed into law by President Barack Obama prohibits funds to be used to renovate buildings on college campuses from being used for buildings with any type of religious connection; and

WHEREAS, U.S. Senator Jim DeMint has called the bill a “direct attack on students of faith”; and

WHEREAS, the South Carolina House strongly believes in protecting religious freedom, and voted to safeguard religious freedom on college campuses in South Carolina; and

WHEREAS, according to an amendment passed with overwhelming support from the House, state supported colleges receiving federal stimulus stabilization funds must continue to support and maintain existing student programs and facilities used for religious activities.

NOW THEREFORE BE IT RESOLVED that Dorchester County Council supports the South Carolina House for their fight for our religious freedom.

BE IT FURTHER RESOLVED, that upon adoption of this Resolution, the original shall be sent to the Honorable Bobby Harrell, Speaker of the South Carolina House of Representatives, and a copy shall be filed in the permanent records of Dorchester County, South Carolina.

ADOPTED this 20th day of April 2009.

DORCHESTER COUNTY COUNCIL

BY: *Jamie Feltner*
Jamie Feltner, Chairman

ATTEST: *Sandy W. Lawley*
Sandy W. Lawley, Clerk

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MAY 4, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from April 20, 2009, County Council Meeting
- Adoption of Proclamation #09-02, "Public Service Recognition Week"
- Adoption of Proclamation #09-03, "National County Government Week"
- Adoption of Resolution #09-12, "Government Spending Transparency"
- Correspondence

3. GUEST

- Mr. Jon Baggett, Economic Development Director - New Economic Development Website

4. COUNCIL MEMBER'S TIME, MR. RICHARD ROSEBROCK

- Adoption of Resolution #09-11, Approving the Proposed Annexation of 17.06 Acres of Charleston County TMS #379-00-00-065 and TMS #'s 379-00-00-171 through 379-00-00-190 Owned by Grand Palm Development, Inc., From Charleston County into Dorchester County

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

- 1st Reading (by title only) of Dorchester County FY 2009-2010 Budget Ordinance
- 1st Reading to an Ordinance to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations
- 1st Reading for Rezoning Request #620, Carmela T. Haklisch, TMS# 154-00-00-030
- Recognition and Authorization of a Codes Enforcement Officer-Animal Control
- 3rd Reading for Ordinance #09-05, "An Ordinance Regarding the Dorchester County Centralized Procurement Ordinance, #83-05, as Amended by Dorchester County Ordinance #97-13"
- Voluntary Income Tax Assistance Recognition

6. COMMITTEE REPORTS

Chairman Larry Hargett, Public Safety, Health and Human Services Committee Report

- Recommendation for 3rd Reading for Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes
- Fire/Rescue Coordinator
- New Part-Time Personnel Schedule (Fire Department Issue)
- New Harleyville Fire Station Construction

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #619, R.J. Sample, P.E., TMS #122-00-00-145

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-3rd Reading for Ordinance #09-06, "An Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee Agreement Between Dorchester County, South Carolina and STTOP, LLP and Z, LLC to provide for an Additional Special Source Revenue Credit to STTOP, LLP and Z, LLC for the Creation of New Jobs in Dorchester County; and Matters Related Thereto"

-Executive Session -Legal Advice

-Condemnation of Berlin Myers Parkway Tracts 27 & 28 and
Tract 106

-Closing of Entrance to Endicott Street

-Contractual Matters

-Personnel Matter

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 4, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Richard Rosebrock

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizens replied:

- Mr. Charlie Stoudenmire addressed Council and invited them along with the public to the School District #2 Budget Public Hearing scheduled for May 5, 2009.
- Mrs. Angie Crum addressed Council and requested information to be sent to her in writing within five working days regarding Magisterial Appointments. Mrs. Crum questioned who would have the authority to change magistrate's positions after being appointed by the Governor and with Senate approval, whether they are staggered and what was the fixed number of magistrates for Dorchester County.

REQUESTS TO ADDRESS COUNCIL – CONTINUED

- The following residents of Dorchester County addressed Council and stated their disapproval of the two Faith based Resolutions #09-10 and #09-11, passed by County Council on April 20, 2009.

Ms. Marty Turney
Mr. Bob Ielfield
Mr. Richard Hicks
Dr. Harshad Vyas
Ms. Nancy Seufert
Mr. Patrick Labbe
Ms. Susen Shapiro
Mr. Bob Burdity

- The following residents of Dorchester County addressed Council and stated their support of the two Faith based Resolutions #09-10 and #09-11, passed by County Council on April 20, 2009.

Mr. Arthur Smith
Mr. Geoffrey Southard
Mr. Ronald McGuire
Mr. Wes Birt
Mr. Bill Watts
Mr. Terry Boatwright
Mr. Jack Smith
Mr. Robert Caison

Note: A number of citizens filled out cards, but stated that another person who had spoken before them made their point either for or against the Resolutions and chose not to address the Council.

Chairman Feltner stated that when Council voted on the two Resolutions, it was to show support for efforts in the United States Congress and the South Carolina State House only. He also read the two parts of the Resolutions stating what Council resolved to do. Chairman Feltner stated there were no laws passed when the Resolutions were adopted. In addition, he thanked everyone for coming out to voice his or her opinion on this matter.

Councilman Davis stated that he was a Christian man, but he voted against both of the Resolutions due to political language or key words included in the documents. He stated that it was politics and not religion and he wanted to make that clear.

REQUESTS TO ADDRESS COUNCIL – CONTINUED

Councilman Hearn addressed the issue of the U.S. Constitution with regard to the concept of "separation of church and state". He pointed out that despite several members of the public stating that Council's actions violated the "separation of church and state" provisions of the U.S. Constitution, the concept of separation of church and state is a myth as the words appear nowhere in the Constitution. The phrase was actually excerpted from a letter written by Thomas Jefferson in 1802 and subsequently taken out of context. Councilman Hearn quoted Chief Justice Rehnquist saying, "The metaphor of a 'wall of separation' is bad history and worse law. It has made a positive chaos out of court rulings. It should be frankly and explicitly abandoned. In other words, it's a lie." He also stated that the record reflects that Councilman Davis opposed the Resolutions because of politics not religion, and Mr. Davis was a man of faith and integrity, as are the other six members of Council. Councilman Hearn also stated that he spent time with Rabbi Daniel Lapin, and what he said to him about fifteen years ago was that if we do not stand up for our religious beliefs then we leave the door open for those who wish to come in and cause us harm. Councilman Hearn concluded by stating that he has the courage of conviction and this was what he believes in and he apologized to anyone who does not understand that, but that was his vote.

Lastly, Councilman Hargett, who drafted Resolution #09-09, commented that he would not rescind this Resolution and wanted to state why he drafted it and brought it before County Council. He said that he had heard from so many citizens in Dorchester County and from the surrounding counties who were sick and tired of those in our federal government who were taking Christians on first, and they said they were not going to stand for it anymore. Councilman Hargett stated that he was reading a book called "The Criminalization of Christians", and that it was not fair, and that Christians are not criminals. Councilman Hargett stated that this Resolution was not intended to hurt anybody; it merely was a Resolution stating that Dorchester County Council believed in and supported Christian values. He also requested that for those who came and spoke against the Resolution to take another look at the U. S. Constitution under Article VII, as it stated, "Done in Convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord" He also stated that in the South Carolina Constitution there are three references to God Almighty.

MOTION FOR A RECESS

1. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to break for a short recess.

Councilman Rosebrock was absent.

Council Reconvened at 8:15 p.m.

ADOPTION OF MINUTES - APRIL 20, 2009, COUNCIL MEETING

2. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the Minutes from the April 20, 2009, County Council Meeting.

Councilman Rosebrock was absent.

ADOPTION OF PROCLAMATION #09-02, "PUBLIC SERVICE RECOGNITION WEEK"

3. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt Proclamation #09-02, "Public Service Recognition Week". This Proclamation declares May 4-10, 2009, as Public Service Week in Dorchester County.

Councilman Rosebrock was absent.

ADOPTION OF PROCLAMATION #09-03, "NATIONAL COUNTY GOVERNMENT WEEK"

4. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted six in favor, and one absent, to adopt Proclamation #09-03, "National County Government Week". This Proclamation declares May 3-9, 2009, National County Government Week in Dorchester County.

Councilman Rosebrock was absent.

ADOPTION OF RESOLUTION #09-12, "GOVERNMENT SPENDING TRANSPARENCY"

5. Mr. Murphy motioned and Mr. Waggoner seconded it, to adopt Resolution #09-12, "Government Spending Transparency". If adopted, staff will post an accounts payable check register on the County's website.
6. Mr. Waggoner motioned to amend the main motion, seconded by Mr. Davis, to adopt Resolution #09-12, but to amend by adding that Dorchester County will also post on the county website all salaries of \$50,000 are more.
7. Mr. Davis motioned, with a second, to amend the amendment to the main motion, and Council voted six in favor, and one absent, to adopt Resolution #09-12, "Government Spending Transparency", with the amendment of the addition of Dorchester County posting on the County's Website all employee salaries of \$50,000 or more. This would be contingent upon the County Attorney researching the Freedom of Information Act and finding no legal problems with the posting of this information.

Councilman Rosebrock was absent.

CORRESPONDENCE

The County Administrator, Mr. Jason Ward, informed Council that the County received notification that South Carolina Electric and Gas has applied for a General Permit from OCRM to bore directionally a gas main line across Sawmill Branch near the intersection of Dorchester and Trolley roads. He stated that comments can be made to OCRM in North Charleston through May 7, 2009.

GUEST

Mr. Jon Baggett, Economic Development Director, demonstrated the new Economic Development Website for County Council. Council thanked Mr. Baggett for his hard work and time. The website address is DorchesterForBusiness.com.

**COUNCIL MEMBER'S TIME, COUNCILMAN LARRY HARGETT
FOR COUNCILMAN RICHARD ROSEBROCK**

**ADOPTION OF RESOLUTION #09-11, APPROVING THE PROPOSED
ANNEXATION OF 17.06 ACRES OF CHARLESTON COUNTY TMS #379-
00-00-065 AND TMS #'S 379-00-00-171 THROUGH 379-00-00-190 OWNED
BY GRAND PALM DEVELOPMENT, INC., FROM CHARLESTON
COUNTY INTO DORCHESTER COUNTY**

8. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, to adopt Resolution #09-11, "Approving the Proposed Annexation of 17.06 Acres of Charleston County, TMS #379-00-00-065 and TMS #'s 379-00-00-171 through 379-00-00-190, Owned by Grand Palm Development, Inc., from Charleston County into Dorchester County".

Councilman Rosebrock was absent.

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

**1ST READING (BY TITLE ONLY) OF DORCHESTER COUNTY FY 2009-
2010 BUDGET ORDINANCE**

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to give 1st Reading (by title only) to the Dorchester County FY 2009-2010 Budget Ordinance and to refer this matter to the Budget, Finance, and Purchasing Committee for public hearings and further consideration.

Councilman Rosebrock was absent.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD, COUNTY ADMINISTRATOR – CONTINUED

1ST READING FOR AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE #02-10, TO DELETE CERTAIN SECTIONS THEREOF AND TO ESTABLISH STORMWATER UTILITY FEES APPLICABLE TO PROPERTIES IN DORCHESTER COUNTY, SOUTH CAROLINA

10. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 1st Reading to “An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina”, and to refer this matter to the Budget, Finance, and Purchasing Committee for further consideration.

Councilman Rosebrock was absent.

1ST READING TO AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE, #04-13, AS AMENDED, TO CREATE A MASTER- PLANNED OVERLAY AREAS FORM DISTRICT, AND TO AUTHORIZE THE CONSIDERATION AND APPROVAL OF MASTER-PLANNED OVERLAY AREAS FORM DISTRICT REGULATIONS

11. 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 to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations. This item will stay before Council for Public Hearing and further consideration.

Councilman Rosebrock was absent.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD, CONTINUED

1ST READING FOR REZONING REQUEST #620, CARMELA T. HAKLISCH, TMS# 154-00-00-030

12. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 1st Reading for Rezoning Request #620, Carmela T. Haklisch, TMS# 154-00-00-030, and refer this item to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 15.29 acres on Ladson Road near Limehouse Drive from OI (Office and Institutional District) to CG (General Commercial District).

Councilman Rosebrock was absent.

RECOGNITION AND AUTHORIZATION OF A CODES ENFORCEMENT OFFICER-ANIMAL CONTROL

13. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to appoint and commission Miss. Aminta Caroline Ritter, as a Codes Enforcement Officer for Animal Control, in accordance with S.C. Code of Laws Section 4-9-145.

Councilman Rosebrock was absent.

3RD READING FOR ORDINANCE #09-05, "AN ORDINANCE REGARDING THE DORCHESTER COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, AS AMENDED BY DORCHESTER COUNTY ORDINANCE #97-13"

14. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted four in favor, two opposed, and one absent, to give 3rd Reading to Ordinance #09- 05, "An Ordinance Regarding the Dorchester County Centralized Procurement Ordinance, #83-05, as Amended by Dorchester County Ordinance #97-13".

Council Members Hearn and Murphy opposed, and Councilman Rosebrock was absent.

VOLUNTEER INCOME TAX ASSISTANCE PROGRAM RECOGNITION

The County Administrator recognized Ms. Julie Byars of the Budget and Finance Office, Mr. Samuel Stephens, Procurement Director, and Mrs. Jackie Canaday and Mrs. Mae Taylor of the Water and Sewer Department for providing free income tax preparation to citizens in the St. George area as Certified Tax Preparers. Council gave Ms. Julie Byars special recognition for coordinating the entire program.

COMMITTEE REPORTS

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

**RECOMMENDATION FOR 3RD READING FOR ORDINANCE TO
PROHIBIT THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH
OR BRANCH CUTTINGS, GRASS CLIPPINGS, YARD CLIPPING, OR
OTHER YARD WASTE IN CERTAIN ZONING DISTRICTS OF
DORCHESTER COUNTY PREDOMINANTLY ZONED FOR
RESIDENTIAL PURPOSES**

Chairman Hargett reported that this item was discussed with a recommendation to be brought before Council. However, Chairman Hargett stated that after the meeting, several Fire Chiefs who attended the meeting requested the Committee to hold the recommendation for 30 days until the Dorchester County Fire Board could discuss some enforcement issues with the Committee that they had concerns over.

15. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to keep this item in Committee until the Committee hears from the Dorchester County Fire Board.

Councilman Rosebrock was absent.

FIRE/RESCUE COORDINATOR

Chairman Hargett reported the Committee discussed this item, but it would remain in Committee.

**NEW PART-TIME PERSONNEL SCHEDULE (FIRE DEPARTMENT
ISSUE)**

Chairman Hargett reported the Committee discussed this item, but it would remain in Committee.

NEW HARLEYVILLE FIRE STATION CONSTRUCTION

Chairman Hargett reported that the Committee discussed and had several questions regarding the construction of the new fire station in Harleyville, so this item would remain in Committee.

COMMITTEE REPORTS - CONTINUED
PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS

PUBLIC HEARING AND RECOMMENDATIONS FOR 2ND READING
REZONING REQUEST REZONING REQUEST #619 FOR R.J. SAMPLE,
P.E., TMS #122-00-00-145

16. Chairman Davis reported that a Public Hearing was held and the Committee voted to recommend to Council for 2nd Reading of Rezoning Request #619, for R.J. Sample, P.E., TMS #122-00-00-145. This is a request to rezone 12.93 on W. 5th North Street near Summerville from Industrial to Commercial Light Industrial District. Council voted six in favor, and one absent, on the Committee's recommendation for 2nd Reading.

Councilman Rosebrock was absent.

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY BOARD OF DISABILITIES AND SPECIAL
NEEDS

17. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted six in favor, and one absent, to recommend to the Governor the reappointments of Ms. Joan Owen and Mr. Jerry Rogers to the Dorchester County Board of Disabilities and Special Needs.

Councilman Rosebrock was absent.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
3RD READING FOR ORDINANCE #09-06, "AN ORDINANCE
AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST
AMENDMENT TO FEE AGREEMENT BETWEEN DORCHESTER
COUNTY, SOUTH CAROLINA AND STTOP, LLP AND Z, LLC TO
PROVIDE FOR AN ADDITIONAL SPECIAL SOURCE REVENUE CREDIT
TO STTOP, LLP AND Z, LLC FOR THE CREATION OF NEW JOBS IN
DORCHESTER COUNTY; AND MATTERS RELATED THERETO"

18. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 3rd Reading to Ordinance #09-06, "An Ordinance Authorizing the Execution and Delivery of a First Amendment to Fee Agreement Between Dorchester County, South Carolina and STTOP, LLP and Z, LLC to provide for an Additional Special Source Revenue Credit to STTOP, LLP and Z, LLC for the Creation of New Jobs in Dorchester County; and Matters Related Thereto".

Councilman Rosebrock was absent.

COUNTY ATTORNEY'S TIME-CONTINUED

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning condemnation of Tracts 27 and 28 for the Berlin G. Myers Parkway, and condemnation of Tract 106 for the Berlin G. Myers Parkway. In addition, he requested to discuss contractual matters, including the transfer of a trailer owned by the County, a real-estate matter concerning property owned by the County, and two contractual matters dealing with county construction, as well as a personnel matter concerning emergency management services.

EXECUTIVE SESSION 8:35 P.M.

19. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Councilman Rosebrock was absent.

RECONVENE FROM EXECUTIVE SESSION 9:17 P.M.

The County Attorney reported that Council discussed and received legal advice on the items announced prior to going into executive session, and no action was taken on any of those items.

**CONDEMNATION FOR THE BERLIN G. MYERS PARKWAY
TRACTS 27 & 28**

20. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, to recommend that the condemnation proceedings commence for the Berlin Myers Parkway on Tracts 27 and 28.

Councilman Rosebrock was absent.

AGREEMENT WITH MR. CARL WALTERS –AGENT OWNED REALTY

21. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to approve a onetime "Showing Agreement", with Mr. Carl Walters, Agent Owned Realty, for the showing of the Arnold Pastor property at 134 Club Lane, St. George, South Carolina.

Councilman Rosebrock was absent.

**CONDEMNATION FOR THE BERLIN G. MYERS PARKWAY
TRACT 106**

22. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted six in favor, and one absent, to approve the settlement and authorize the competition of the settlement of the condemnation of Tract # 106 by the County contributing \$15,000 toward the total settlement amount with the balance to be paid by SCDOT and that the County's contribution of \$15,000 be requested from the Transportation Sales Tax Authority.

Councilman Rosebrock was absent.

DONATION OF TRAILER TO THE TOWN OF SUMMERVILLE

23. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted six in favor, and one absent, to donate the EMS trailer on West 2nd North Street to the Town of Summerville once the EMS Headquarters and Medic 1 building is completed.

Councilman Rosebrock was absent.

CLOSING OF ENTRANCE TO ENDICOTT STREET

24. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted six in favor, and one absent, that the County Attorney be authorized to commence proceeding to close the entrance of Endicott Street from Dorchester Road.

Councilman Rosebrock was absent.

**REQUEST FOR EXECUTIVE SESSION BY THE COUNTY ATTORNEY
TO DISCUSS AN OFFER FOR 134 CLUB LANE, IN ST. GEORGE, SC.**

The County Attorney stated that Mr. Carl Walters had an offer to present to Council for the property located at 134 Club Lane, St. George, South Carolina, and requested that Council go back into Executive Session to hear that offer.

EXECUTIVE SESSION 9:20 P.M.

25. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted six in favor, and one absent, to go back in to executive session to discuss the above as stated by the County Attorney.

Councilman Rosebrock was absent.

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

The County Attorney reported that in executive session, Council discussed and received advice concerning an offer for the purchase of county property located at 134 Club Lane and no action was taken.

PROPERTY AT 134 CLUB LANE

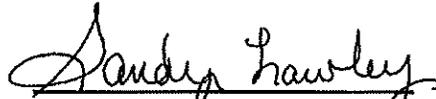
26. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted five in favor, one abstention, and one absent, to reject the offer that was presented for the sale of the Pastor property located in St. George, and to authorize the County Administrator to counter offer for the sale of the house and the land for the price of the appraised value of \$250,000. Additionally, if the buyer is interested in the trailer located on the property the price would be \$260,000.

Councilman Waggoner abstained and Councilman Rosebrock was absent.

ADJOURNMENT 9:42 P.M.

27. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to adjourn.

Councilman Rosebrock was absent.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 18, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from May 4, 2009, County Council Meeting
- 3rd Reading for Ordinance #09-07, "An Ordinance to Amend Dorchester County Ordinance #05-03, Which Created The Dorchester County Sales Tax Transportation Authority, to Add a New Subsection 9 to Section 5 to Allow Members of the Authority to be Reimbursed for Mileage for the Use of Personal Vehicles
- Correspondence

3. GUESTS

- Ms. Tammie Hoy, Executive Director Lowcountry Housing Trust – Neighborhood Stabilization Program

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

- 3rd Reading for Rezoning Request #619 for R.J. Sample, P.E., TMS #122-00-00-145

5. COMMITTEE REPORTS

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee

- Budget Presentation – Dorchester County Seniors, Inc.
- Budget Presentation – Trident Technical College
- Budget Presentation – Children in Crisis
- Budget Presentation – School District Two
- Recommendation for 2nd Reading for An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina
- Public Hearing and Recommendation for 2nd Reading of the Dorchester County Budget Ordinance Fiscal Year 2009-2010

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Legal Advice
 - Confidential Economic Development Projects
 - Contractual Matters
 - Carolina Waste
 - Charleston Regional Development Alliance

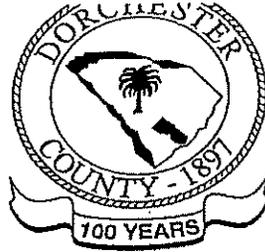
8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE MAY 18, 2009 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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizen replied:

- Mr. Mac Baughman, representing Mayfield Farms LLC., addressed Council regarding the pending Storwater Management Fees and the possibility of a portion of the funds being set aside to purchase conservation easements.

ADOPTION OF MINUTES –MAY 4, 2009, COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the May 4, 2009, County Council Meeting.

3rd READING FOR ORDINANCE #09-07, "AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE #05-03, WHICH CREATED THE DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY TO ADD A NEW SUBSECTION 9 TO SECTION 5 TO ALLOW MEMBERS OF THE AUTHORITY TO BE REIMBURSED FOR MILEAGE FOR THE USE OF PERSONAL VEHICLES

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to give 3rd Reading to Ordinance #09-07, "An Ordinance to Amend Dorchester County Ordinance #05-03, which Created the Dorchester County Sales Tax Transportation Authority, to add a New Subsection 9 to Section 5 to Allow Members of the Authority to be Reimbursed for Mileage for the Use of Personal Vehicles".

CORRESPONDENCE

There was no correspondence to report.

GUEST

Ms. Tammie Hoy, Executive Director Lowcountry Housing Trust addressed Council and made a presentation on the Neighborhood Stabilization Program. This program is designed to acquire and redevelop foreclosed properties and to reduce abandonment and blight in the community. The Neighborhood Stabilization Program is a federal program and Dorchester is receiving \$1,713,475 through the Lowcountry Housing Trust for acquisition and rehabilitation of properties. Council thanked Ms. Hoy for her hard work and attendance.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

3RD READING REZONING REQUEST REZONING REQUEST #619 FOR R.J. SAMPLE, P.E., TMS #122-00-00-145

3. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading for Rezoning Request #619 for R.J. Sample, P.E., TMS #122-00-00-145. This is a request to rezone 12.93 acres on W. 5th North Street near Summerville from I (Industrial District) to CLI (Commercial Light Industrial District).

COMMITTEE REPORT

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER
BUDGET PRESENTATIONS FOR DORCHESTER COUNTY SENIORS, INC.,
TRIDENT TECHNICAL COLLEGE, CHILDREN IN CRISIS, AND SCHOOL
DISTRICT TWO

Chairman Feltner stated that the Budget, Finance and Purchasing Committee received Budget presentations from four organizations, which were the Dorchester County Seniors, Inc., Trident Technical College, Children in Crisis, and School District #2. He stated that the Committee received additional information from these agencies and there was no action taken on any of these items.

RECOMMENDATION FOR 2ND READING FOR AN ORDINANCE TO AMEND
DORCHESTER COUNTY ORDINANCE #02-10, TO DELETE CERTAIN
SECTIONS THEREOF AND TO ESTABLISH STORMWATER UTILITY FEES
APPLICABLE TO PROPERTIES IN DORCHESTER COUNTY, SOUTH
CAROLINA

4. Chairman Feltner stated that the Committee's recommendation to Council was for 2nd Reading for "An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina". Council voted unanimously in favor of the recommendation.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING OF THE
DORCHESTER COUNTY BUDGET ORDINANCE FISCAL YEAR 2009-2010

5. Chairman Feltner reported that a Public Hearing was held and the Committee's recommendation was to give 2nd Reading to the Dorchester County Budget Ordinance for Fiscal Year 2009-2010.

Mr. Jason Ward, County Administrator, noted that there was a change and the new updated figure for the General Fund was \$41,208,541 and for the Capital fund was \$ 3,616,304.

6. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously in favor to amend the recommendation to the Dorchester County Budget Ordinance for Fiscal Year 2009-2010, to include the new figures as updated by Mr. Jason Ward.
7. Council voted unanimously in favor of the main motion as amended with the new figures.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY PROCUREMENT APPEALS BOARD

8. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to appoint Mrs. Kelly Knight Byrd, to the Dorchester County Procurement Appeals Board, as representative for District # 5.

Councilman Rosebrock stated that he wanted to thank Mr. Anton W. Sterba for serving on this Board as his former appointment.

DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

9. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to appoint Mr. Anthony "Tony" H. Pope to the Dorchester County Economic Development Board, as representative for District # 2.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning several economic development projects, and to discuss two contractual matters, one dealing with a contract with Carolina Waste concerning the removal of yard debris and the other concerning with the Charleston Regional Development Alliance.

EXECUTIVE SESSION 7:32 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 8:53 P.M.

The County Attorney reported that Council discussed and received legal advice on the items announced prior to going into executive session, and no action was taken on those items.

CAROLINA WASTE CONTRACTS

11. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to approve the contracts with Carolina Waste for the hauling of yard debris from the Suburban site and the Sandy Pines site for a three-year term and authorize the County Administrator to execute those contracts.

Councilman Hearn was absent

ECONOMIC DEVELOPMENT FUNDS

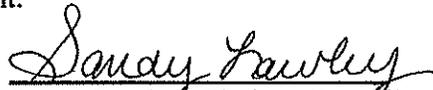
12. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted six in favor, and one absent, to approve the removal of \$23,000 of incentive funds from the Economic Development Fund from the Project Colors and to reassign those funds to the speculative building at the New Century Park.

Councilman Hearn was absent.

ADJOURNMENT 8:57 P.M.

13. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to adjourn.

Councilman Hearn was absent.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 1, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from May 18, 2009, County Council Meeting
- Public Hearing and 3rd Reading for Ordinance #09-08, "An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina"
- Public Hearing and 2nd Reading for "An Ordinance to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations"
- Correspondence

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

- 3rd Reading for Budget Ordinance #09-09, for Fiscal Year 2009-2010, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"
- 1st Reading for Rezoning Request #622, Dorchester County Council; TMS# 013-00-00-136
- 1st Reading for Rezoning Request #623, Dorchester County Council; TMS# 046-00-00-022
- 1st Reading for Rezoning Request #624, Dorchester County Council; TMS# 059-00-00-006
- 1st Reading for Rezoning Request #625, Dorchester County Council; TMS# 059-00-00-029
- 1st Reading for Rezoning Request #626, Dorchester County Council; TMS# 059-00-00-092
- 1st Reading for Rezoning Request #627, Peacock Investments, LLC; TMS# 046-00-00-023
- 1st Reading for Rezoning Request #628, Peacock Investments, LLC; TMS# 059-00-00-009

4. COMMITTEE REPORTS

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee 5/26/09

- Budget Presentation – Dorchester County Library
- Budget Presentation – Dorchester County Career and Technology Center
- Budget Presentation – Dorchester County Fire Board
- Budget Presentation Old Fort Fire Department
- Budget Presentation – School District Four
- Public Hearing for the Dorchester County Budget Ordinance FY 2009-2010

Page Two
County Council Agenda
June 1, 2009

COMMITTEE REPORTS-CONTINUED

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to TMS #121-00-00-274, Commercial Development at Highway 78 and Orangeburg Road
- Reclaimed Water Preliminary Engineering Report; Authorization of PER Preparation

Chairman Larry Hargett, Public Safety, Health and Human Services Committee Report

- Recommendation for 3rd Reading for Ordinance #09-10, "An Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes"

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #620, Carmela T. Haklisch, TMS# 154-00-00-030

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

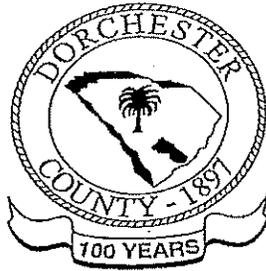
6. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 1, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizen replied:

- Ms. Linda Whetsell of 108 Atlantic Street addressed Council regarding a business on Atlantic Street and the pollution it produced which was causing problems and health issues to the residents. She presented pictures, requested assistance on this issue, and reported a problem that she has with animal control. The Chairman requested Mr. Ward to assist Ms. Whetsell with the problems presented, if possible.

ADOPTION OF MINUTES –MAY 18, 2009, COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from the May 18, 2009, County Council Meeting.

MOTION TO AMEND THE AGENDA

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to amend the agenda to discuss an additional item later in the County Council Meeting.

PUBLIC HEARING AND RECOMMENDATION FOR 3rd READING FOR ORDINANCE #09-08, "AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE #02-10, TO DELETE CERTAIN SECTIONS THEREOF AND TO ESTABLISH STORMWATER UTILITY FEES APPLICABLE TO PROPERTIES IN DORCHESTER COUNTY, SOUTH CAROLINA"

Chairman Feltner opened the Public Hearing for proposed Ordinance #09-08, "An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina", for public comments.

- Mr. Mike Murphree, former Member of Dorchester County Council, addressed Council regarding the proposed Ordinance for Stormwater Management. He stated that stormwater runoff was a natural condition and this was not the time to charge industries, and retail stores more fees.

Chairman Feltner recognized and provided time for Mr. Joe Fersner and Mr. Bill Spearman of Woolpert Consultants to present their Stormwater Rate Study. The study included important information for consideration such as the methodology used and its results, provided examples, and a comparison of other South Carolina Programs to Dorchester County, which included a comparison of the County's rates. After the presentation, there was an answer and question period. After the presentation, and upon receiving no further comments, Chairman Feltner closed the Public Hearing.

3. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted four in favor, and three opposed, to give 3rd Reading to Ordinance #09-08, "An Ordinance to Amend Dorchester County Ordinance #02-10, to Delete Certain Sections thereof and to Establish Stormwater Utility Fees applicable to Properties in Dorchester County, South Carolina".

Council Members Hearn, Hargett, and Rosebrock opposed.

PUBLIC HEARING AND 2ND READING FOR "AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE, #04-13, AS AMENDED, TO CREATE A MASTER-PLANNED OVERLAY AREAS FORM DISTRICT, AND TO AUTHORIZE THE CONSIDERATION AND APPROVAL OF MASTER-PLANNED OVERLAY AREAS FORM DISTRICT REGULATIONS"

Chairman Feltner opened the Public Hearing for "An Ordinance to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations", and recognized the Planning Director Mr. Harold LeaMond.

Mr. LeaMond addressed Council and reported that the Planning Department and the Planning Board recommended this amendment. He stated this was the plan that addressed multi-land usage, follows the Comprehensive Plan, and would allow MeadWestvaco to do form based development in the East Edisto. Chairman Feltner asked if anyone from the public would like to comment on this Ordinance. Upon hearing no comments, the Public Hearing was closed.

4. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously, to give 2nd Reading for "An Ordinance to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations".

COUNCILMAN RICHARD ROSEBROCK

CITIZENS COMPLAINTS

Councilman Rosebrock reported receiving over the past couple of weeks numerous complaints from Dorchester County citizens regarding stopped up drains and ditches, and reports of abandoned houses with yards full of trash, and dirty houses putting off terrible odors. He stated he believed this constituted a health hazard and was not fair to our citizens to withstand these conditions. Councilman Rosebrock reported not only was it just abandoned houses, but some of our citizens let trash and debris accumulate in their yards without regard as to how it affects their own neighbors. He understood the problem with liens on foreclosed houses; however, he felt Council must address these problems. Councilman Rosebrock presented pictures to Council of the poor property conditions from the areas that he witnessed. He stated that he had met with the County Attorney, showed him the pictures, and requested some advice on addressing these problems. Councilman Rosebrock would like to clean up the effected properties even if the County cannot collect the money by liens. Councilman Rosebrock stated these problems were not a reflection on County Staff and understood they were doing all they could possibly do to control problems. He stated that Mr. Harold LeaMond had sent him Ordinance #89-10, the "Dorchester County Nuisance Ordinance", regarding neglected property, where the Codes Officer, first warns the property owner of a possible lien, then proceeds with the clean up, and then places a lien on the property

COUNCILMAN RICHARD ROSEBROCK
CITIZENS COMPLAINTS – CONTINUED

for the cost of the clean up. Councilman Rosebrock stated that Mr. Frampton informed him that this Ordinance makes it a criminal offense to leave your property in this type of condition. Councilman Rosebrock requested the County Attorney, John Frampton, to address this issue with Council.

Mr. Frampton addressed Council regarding this matter and stated that his recommendation with regard to what Councilman Rosebrock and Mr. LeaMond had brought to the attention of Council would be that once he obtained those photographs, and reviewed them, would first be to determine the current owner of the properties. Next, he stated he would send notifications out to those owners advising them to clean up their properties within a certain length of time, or the County would go on the property, clean it up, and they would be charged for the cost of the clean up.

Councilman Rosebrock stated he wanted Council to go on record stating that the County would handle this as stated by the County Attorney. He stated that no motion was necessary, and County Ordinance #89-10, takes care of these problems. Council agreed.

In addition, Councilman Rosebrock stated that Mr. Richard Byrd, Director of the Public Works Department, would take care of the drainage and ditch problems that he had mentioned earlier in his statement.

CORRESPONDENCE

There was no correspondence to report.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

3RD READING - BUDGET ORDINANCE #09-09, FOR FISCAL YEAR 2009-2010,
“AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY
GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PURPOSED FOR
DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009,
AND ENDING JUNE 30, 2010; TO LEVY TAXES FOR THE PAYMENT THEREOF;
AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER
REVENUES COMING INTO THE COUNTY”

5. Mr. Rosebrock motioned, and Mr. Murphy seconded, to give 3rd Reading for Budget Ordinance #09-09, for Fiscal Year 2009-2010, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2009, and Ending June 30, 2010; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”. This is a no tax increase budget.

COUNTY ADMINISTRATOR'S TIME -CONTINUED

**3RD READING - BUDGET ORDINANCE #09-09, FOR FISCAL YEAR 2009-2010,
"AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY
GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PURPOSED FOR
DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2009,
AND ENDING JUNE 30, 2010; TO LEVY TAXES FOR THE PAYMENT THEREOF;
AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER
REVENUES COMING INTO THE COUNTY"**

6. Mr. Hargett motioned to amend the main motion, seconded by Mr. Rosebrock, to change the date in Section XI, third sentence "...no later than June 30, 2009" to, "...no later than June 30, 2010", and also change the date in Section XX, first sentence "...until January 1, 2009," to "...until January 1, 2010,". He also stated that he wanted to make an amendment to Section XI, All service charges, fees, fines, reimbursements, etc. received by insert "all" County departments shall be deposited with the bank daily, etc. Councilman Hargett stated he would like to see "all" inserted before the words "County Departments", this would include: Elected Officials, any public funds received from municipalities, County, State, and Federal sources, or any private funds received.

After discussion regarding this amendment, Council placed this item in the Budget, Finance and Purchasing Committee for further consideration. Councilman Hargett withdrew his motion, and Councilman Rosebrock withdrew his second.

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve to change the date in Section XI, third sentence "...June 30, 2009" to, "June 30, 2010", and in Section XX, first sentence "...until January 1, 2009," to "until January 1, 2010", in the Fiscal Year 09-10 Dorchester Budget Ordinance.
8. Mr. Murphy motioned, seconded by Mr. Hearn, Council voted four in favor, two opposed, and one abstention, to amend the Dorchester County Budget Ordinance #09-09, to include funding for the part-time employee for the Clerk of Court, as has been previously discussed at the County Council Budget Retreats.

Council Members Hargett and Feltner opposed, and Councilman Waggoner abstained

Council voted unanimously in favor of the main motion (#6) to give 3rd Reading to the Budget Ordinance #09-09.

Council thanked Mr. Ward and the entire staff for a job well done on the budget.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

1ST READING FOR REZONING REQUEST #622, DORCHESTER COUNTY COUNCIL; TMS# 013-00-00-136

9. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for Rezoning Request #622, Dorchester County Council; TMS# 013-00-00-136 and to refer this request to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 2 acres on Charleston Highway near St. George, from General Commercial District to Absence of Control District.

1ST READING FOR THE FOLLOWING REZONING REQUESTS

WINDING WOODS INDUSTRIAL PARK

#623, DORCHESTER COUNTY COUNCIL; TMS# 046-00-00-022

#624, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-006

#625, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-029

#626, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-092

#627, PEACOCK INVESTMENTS, LLC; TMS# 046-00-00-023

#628, PEACOCK INVESTMENTS, LLC; TMS# 059-00-00-009

10. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to Rezoning Requests #'s 623, 624, 625, 626, 627, and 628, and to refer these requests to the Planning, Development, and Building Committee for further consideration. Descriptions of each request are listed below.

Rezoning Request #623, for Dorchester County Council; TMS# 046-00-00-022

This is a request to rezone 296.11 acres on Highway 78 and Winding Woods Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #624, for Dorchester County Council; TMS# 059-00-00-006

This is a request to rezone 396.7 acres on Highway 78 near St. George from Absence of Controls District to Industrial District.

Rezoning Request #625, for Dorchester County Council; TMS# 059-00-00-029

This is a request to rezone 9.88 acres on Highway 78 near St. George from Absence of Controls District to Industrial District.

Rezoning Request #626, for Dorchester County Council; TMS# 059-00-00-092

This is a request to rezone 2 acres on Highway 78 and Coosenberry Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #627, for Peacock Investments, LLC; TMS# 046-00-00-023

This is a request to rezone 380.29 acres on Highway 78 and Winding Woods Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #628, for Peacock Investments, LLC; TMS# 059-00-00-009

This is a request to rezone 205.66 acres on Highway 78 and Pecan Tree Road near St. George from Absence of Controls District to Industrial District.

COMMITTEE REPORTS

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

**BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT FROM
MAY 26, 2009, CHAIRMAN JAMIE FELTNER**

**BUDGET PRESENTATIONS - COUNTY LIBRARY, COUNTY CAREER AND
TECHNOLOGY CENTER, COUNTY FIRE BOARD, OLD FORT FIRE
DEPARTMENT, AND SCHOOL DISTRICT FOUR**

Chairman Feltner stated that the Budget, Finance, and Purchasing Committee received Budget presentations from five organizations, which were the Dorchester County Library, Dorchester County Career and Technology Center, Dorchester County Fire Board, Old Fort Fire Department and Dorchester County School District #4. He stated that the Committee received these presentations for informational purposes only and there was no action taken on any of these items.

**PUBLIC HEARING FOR DORCHESTER COUNTY BUDGET ORDINANCE FY
2009-2010 WITH AMENDMENTS**

Chairman Feltner reported that a Public Hearing was held for the County Budget Ordinance for FY 2009-2010. In addition, he stated that the County Administrator presented amendments to the proposed Budget due to a change in two numbers provided to Council. Chairman Feltner read the following recommendations based on the additional revenue:

Cancel six furlough days	\$283,000
Add 3% back to Sheriff's payroll	\$248,648
Fund Part-time Contingency	\$40,000
Fund ½ of Comp & Class Phase 2	\$850,000
Increase Fuel Contingency	\$49,804
Transfer to capital not to expend	\$400,000
Until after January 1, 2010, (Hold in case of Local Government Fund cut)	

ADVERTISE FOR INDEPENDENT CONTRACTOR SERVICES

11. Chairman Feltner reported the one recommendation from the Committee to Council, which was to authorize the County Administrator to advertise for an independent contractor for assisting Dorchester County and its municipalities in obtaining available grant funding. Council voted six in favor, and one abstention, on the recommendation.

Councilman Murphy abstained.

COMMITTEE REPORTS –CONTINUED
WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR SEWER SERVICE - TMS #121-00-00-274 COMMERCIAL
DEVELOPMENT AT HIGHWAY 78 AND ORANGEBURG ROAD

12. Chairman Feltner reported the Committee's recommendation was to recommend for full Council to approve a sewer service for TMS #121-00-00-274, for a commercial development at Highway 78 and Orangeburg Road. Council voted unanimously in favor of the recommendation.

RECLAIMED WATER PRELIMINARY ENGINEERING REPORT;
AUTHORIZATION OF PER PREPARATION

13. Chairman Feltner reported the Committee's recommendation to Council was to authorize B.P. Barber to perform the preliminary engineering report for the "Reclaim Water Distribution System Master Plan", for the Lower and Upper Dorchester County Systems at a cost not exceeding \$60,000. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

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

RECOMMENDATION FOR 3RD READING FOR ORDINANCE TO PROHIBIT
THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH OR BRANCH
CUTTINGS, GRASS CLIPPINGS, YARD CLIPPING, OR OTHER YARD WASTE
IN CERTAIN ZONING DISTRICTS OF DORCHESTER COUNTY
PREDOMINANTLY ZONED FOR RESIDENTIAL PURPOSES

14. Chairman Hargett reported the Committee met earlier tonight regarding 3rd Reading for Ordinance #09-10, "An Ordinance to Prohibit the Open Burning of Leaves, Tree Branches, Bush or Branch Cuttings, Grass Clippings, Yard Clipping, or Other Yard Waste in Certain Zoning Districts of Dorchester County Predominantly Zoned for Residential Purposes". He informed Council that the County Fire Departments were not interested in enforcing the Ordinance if adopted. In addition he stated this Ordinance with the amendment would not satisfy the current residents' concerns or complaints because existing neighborhoods and subdivisions would be "grandfathered in". In addition, if passed, the ban would apply only to new subdivisions and residents living on lots of 14,500 square feet or less. Chairman Hargett then reported that the County Attorney had drafted an amendment to the original proposed Ordinance that Council gave 2nd Reading on, and he read the amendment aloud.

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

RECOMMENDATION FOR 3RD READING FOR ORDINANCE TO PROHIBIT
THE OPEN BURNING OF LEAVES, TREE BRANCHES, BUSH OR BRANCH
CUTTINGS, ... CONTINUED

First, amend Paragraph 1, “To add the following language at the end of that Paragraph: “Additionally, Open Burning shall not include vegetative debris burns related to Forestry, Wildlife, and Agriculture, as authorized by the State Forestry Commission.”

Secondly, amend Paragraph 2, by deleting it in its entirety, and replacing it with a new Paragraph 2, which would read as follows: “2. Open Burning Shall Not Be Permitted on any lot which is part of a Major Subdivision as defined in the Section 17.1.3, of the Dorchester County Zoning and Land Development Standards Ordinance #04-13, which has received final Plat Approval, as set forth in Section 17.4 of Ordinance #04-13, After the Effective date Hereof; provided, however, Open Burning shall not be prohibited on any lot within a Major Subdivision, which will be used for residential purposes and which is more than Fourteen Thousand and Five-Hundred (14,500) Square Feet in size.” The Committee’s recommendation to Council was for 3rd Reading to be given to this Ordinance with the above amendment. Council voted two in favor, and five opposed.

Council Members Feltner, Murphy, Davis, Rosebrock, and Hearn opposed.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS

PUBLIC HEARING AND RECOMMENDATIONS FOR 2ND READING REZONING
REQUEST REZONING REQUEST #620 FOR CARMELA T. HAKLISCH, TMS#
154-00-00-030

15. Chairman Davis reported that a Public Hearing was held earlier in evening, and the Committee voted to recommend to Council for 2nd Reading of Rezoning Request #620, for Carmela T. Haklisch, identified with TMS #154-00-00-030. He stated this request was to rezone 15.29 acres on Ladson Road near Limehouse Drive from OI (Office and Institutional District) to CG (General Commercial District). Council voted unanimously in favor of the recommendation for 2nd Reading.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions.

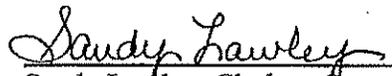
FREEDOM OF INFORMATION ACT REQUEST

16. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted five in favor, and two opposed, to charge the Summerville Journal Scene for a Freedom of Information Act Request submitted to the County.

Council Members Hearn and Murphy opposed.

ADJOURNMENT 8:30 P.M.

17. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to adjourn.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 15, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from June 1, 2009, County Council Meeting
- Public Hearing for FY 2009 Justice Assistance Grant (JAG)
- 3rd Reading for “An Ordinance to Amend Article XI, Special Areas of the
Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As
Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the
Consideration and Approval of Master-Planned Overlay Areas Form District Regulations”
- Correspondence

3. GUESTS

- Mrs. Phyllis Hughes, Upper Dorchester County Historical Society – County Flag and Seal
- Mr. Lee Moulder, Director of Budget and Finance, May 2009 Budget Report

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

- 1st Reading for Ordinance, “To Provide for the Issuance and of Fifty-Seven Million Dollars
(\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation
Projects), Series 2009; 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 Rezoning Request #620, Carmela T. Haklisch, TMS# 154-00-00-030
- Compensation and Classification Recommendation

5. COMMITTEE REPORT

Chairman Larry Hargett, Public Safety, Health, and Human Services Committee Report

- Fire/Rescue Coordinator Position
- New Part-Time Personnel Schedule
- Construction projects for Indian Field, Harleyville and Ridgeville

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to TMS #135-00-00-022, in Carriage Hill Subdivision

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session-
 - Personnel Matters
 - Legal Advice
 - Condemnation for Dorchester Road Parcels #113, 143, & 173
 - Contractual Matter

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 15, 2009
7:10 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Feltner called the meeting to order and Councilman Davis gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council.

ADOPTION OF MINUTES FROM THE JUNE 1, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the June 1, 2009, County Council Meeting.

PUBLIC HEARING FOR THE FY 2009 JUSTICE ASSISTANCE GRANT

Chairman Feltner opened the Public Hearing to receive public comments on the County's application for the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG). He stated that the County was eligible to receive a total of \$44,181 in allocation funds and the Sheriff's Office would use the grant funds to provide training, weapons, radios, laptops, safety gear, and supplies. Chairman Feltner opened the floor to the public for comments. Upon hearing no comments from the public, he closed the Hearing.

3RD READING FOR "AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE, #04-13, AS AMENDED, TO CREATE A MASTER-PLANNED OVERLAY AREAS FORM DISTRICT, AND TO AUTHORIZE THE CONSIDERATION AND APPROVAL OF MASTER-PLANNED OVERLAY AREAS FORM DISTRICT REGULATIONS"

Councilman Hargett stated that he previously proposed some issues and questions to Mr. Harold LeaMond before Council gave 3rd Reading to this Ordinance. Below is a brief summary of the issues and questions from Councilman Hargett and answers from Mr. LeaMond:

- The issue that this Ordinance is necessary for the East Edisto tract development, but the problem with the way it was written so very open ended and questionable, as to how to manage considering the County's small planning staff. In addition, the issue of the County's existing Planned Development Zoning, which was to be the tool needed, as its original intent was to develop town-center mixed-use developments. Is the staff getting in over their head with the proposed Section 11.6 of this Ordinance? Mr. LeaMond stated the current Ordinance is a Euclidian document and does not allow Form- Based-Development.
- The issue that the County does not need to loosen road buffer requirements by excluding all of section 11.2, and the section 11.2 TOD's specifying road buffers and other requirements already covers both highway 61 and 17A in the East Edisto Project. He said that Section 11.2 has some design and architectural review limitations and parking requirements, which the County may or may not want to apply to and on page 2, Section 11.6.1 it also excludes sections 11.3-*Historical and Culturally Significant Properties Requirements* and 11.4 *Ashley River Corridor Overlay Requirements*. Mr. LeaMond stated the County would have this requirement, which would have to be approved with a Development Agreement.

3RD READING FOR "AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE, #04-13, AS AMENDED, TO CREATE A MASTER-PLANNED OVERLAY AREAS FORM DISTRICT, AND TO AUTHORIZE THE CONSIDERATION AND APPROVAL OF MASTER-PLANNED OVERLAY AREAS FORM DISTRICT REGULATIONS" – CONTINUED

- Issues regarding page 5, part (6) District Master Plan, part b. (iv) to (vii) may require a new County Zoning Department to administrate the developments new rules that are yet to be written, and questions regarding whether our Zoning Department could really handle this?
Mr. LeaMond stated now while development was slow current county staff could handle the additional work.
- The issue regarding Council reviewing conceptual drawings of what the intent is before considering a rezoning request.
Mr. LeaMond stated that he gave Council copies of the SMART Code 9.2 and this answered Councilman Hargett's last question and he stated that Council could benefit from seeing at least some conceptual drawings of what the intent was before considering rezoning requests.

Councilman Hargett stated he felt Council was ready to give 3rd Reading to this Ordinance after hearing the answers from Mr. LeaMond.

Chairman Feltner stated that with the County's Comprehensive Plan and this Ordinance, it really creates an opportunity for Dorchester County to collaborate with a large landowner, such as MeadWestvaco, to enter into planned unit development agreements that would encourage mixed-use communities with a blend of houses and stores and infrastructure consideration by developing property right. He further stated the County would now be looking at some of its other zoning uses. Chairman Feltner also said this would raise the bar on how we develop, conduct business, grow, and use land in Dorchester County. He thanked Mr. LeaMond and Ms. Lunder for all their hard work on this Ordinance.

2. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously, to give 3rd Reading for "An Ordinance to Amend Article XI, Special Areas of the Dorchester County Zoning and Land Development Standards Ordinance, #04-13, As Amended, To Create a Master-Planned Overlay Areas Form District, and to Authorize the Consideration and Approval of Master-Planned Overlay Areas Form District Regulations".

CORRESPONDENCE

The County Administrator informed Council that the County received notification that the South Carolina Department of Transportation closed Peele Road near St. George to replace a bridge over Polk Swamp on June 1. The bridge should re-opened on Tuesday, June 30, 2009.

CORRESPONDENCE –CONTINUED

In addition, he informed Council that notification from the South Carolina Department of Health and Environmental Control was received reporting that the Carolina Landfill, LLC applied to increase the annual disposal rate of their Class 2-landfill facility on Harrison Road from 67,000 tons per-year to 120,120 tons per-year. Mr. Ward stated that all comments must be submitted to DHEC by Monday, June 29, 2009.

GUESTS

COUNTY FLAG AND SEAL

Mrs. Phyllis Hughes, and Mrs. Jean Behling of the Upper Dorchester County Historical Society, and Mr. Hal Rigby of the Summerville Preservation Society, addressed Council regarding designing a new County Flag and Seal, which they were charged with creating by Council on February 17, 2009. Mrs. Hughes discussed the process underway to receive submissions from County residents for a new County Flag and Seal that captures the essence, tradition, and beauty of Dorchester County. They would like to receive these by August in order to make a presentation to Council in September, and the goal was to have the new flag redesigned by February 2010, which is the County's Birthday. All submissions are to be anonymous until the winner was selected. Mrs. Hughes said each artist would submit their design using a four-digit number instead of their names. She requested that Council review the process outlined, and asked if they had any further instructions for the group. Council decided to have the Societies present recommendations for top designs, but decided to see all submitted designs before making a decision. In addition, Councilman Davis suggested the society send a letter to high schools urging students to submit designs. County Council agreed with all of the ideas from the two groups and agreed for them to start the process of collecting design ideas and to come back to Council in September to make the presentation. In addition, Mrs. Jean Behling of the Upper Dorchester County Historical Society presented a request to have a plaque made to put under the current flag and have it hung in the new Dorchester County Courthouse. Council requested that Mr. Ward note this request and take it to the Courthouse Building Committee.

MAY 2009 BUDGET REPORT

Mr. Lee Moulder, Director of Budget and Finance Department, presented the May 2009 Budget Report to Council. He reported that as anticipated the Treasurer's office has reconciled collections and has posted more than \$3,000,000 in tax revenues during May. Mr. Moulder stated this put all revenues from taxes at 101% of the amount budgeted. In the General Fund real property taxes came in 3.8% over estimates, and delinquent tax collection have also exceeded the budget amount by 4%. Mr. Moulder reported that with the continued support of the Department Head and their savings on expenditures coupled with good tax collections, it appears that the County would survive this difficult year and stay within our overall budget. Council thanked Mr. Moulder for this report.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

1ST READING FOR ORDINANCE, "TO PROVIDE FOR THE ISSUANCE AND SALE OF FIFTY-SEVEN MILLION DOLLARS (\$57,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS (TRANSPORTATION PROJECTS), SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

3. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for an Ordinance, "To Provide for the Issuance and Sale of Fifty-Seven Million Dollars (\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation Projects), Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto". This \$57 Million bond issue and sale is the remaining balance of the \$125 Million that voters authorized in the November 2004 One-cent Sales Tax Referendum.

3RD READING FOR REZONING REQUEST #620, CARMELA T. HAKLISCH, TMS# 154-00-00-030

4. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading for Rezoning Request #620, Carmela T. Haklisch, TMS# 154-00-00-030.

COMPENSATION AND CLASSIFICATION RECOMMENDATION

5. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve a 3.4% pay structure adjustment, with an effective date of July 1, 2009, the beginning of the new fiscal year. This will increase each employee's salary by 3.4%, including those in the enterprise fund.

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

FIRE/RESCUE COORDINATOR POSITION

6. Chairman Hargett reported that Council approved \$75,000, which would cover equipment and salary, for the Fire/Rescue Coordinator position in the FY 2009 -2010 Budget. The Committee discussed the possible job descriptions for the position and the Committee's recommendation to Council was to approve the job description that was recommended by staff. Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS-CONTINUED

PUBLIC SAFETY, HEALTH, AND HUMAN SERVICES- CONTINUED

PART-TIME PERSONNEL SCHEDULER

7. Chairman Hargett stated the Committee voted unanimously to recommend to Council the approval of the new Part-time Scheduler as indicated in the Minutes from the Dorchester County Fire Board's April 9, 2009 Meeting. Council voted unanimously in favor of the recommendation.

CONSTRUCTION PROJECTS FOR INDIAN FIELD, HARLEYVILLE AND RIDGEVILLE

8. Chairman Hargett stated the Committee's recommendation to Council was to approve \$43,500 for the completion of the Indian Field Fire Station, with the understanding that the Fire Board would need to come to a decision for the construction plans of the Ridgeville and Harleyville fire stations, and to seek any available federal funding for the two projects. Council voted unanimously in favor of the recommendation.

Councilman Hargett stated he wanted to schedule a Public Safety, Health, and Human Services Committee meeting in Summerville on July 6, 2009, and place the issue of "Open Burning" on the agenda. Chairman Feltner placed the issue of "Open Burning", in the Committee.

Chairman Feltner passed the gavel to Vice-Chairman Davis in order to give his Committee Report.

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR SEWER SERVICE TMS #135-00-00-022, IN CARRIAGE HILL SUBDIVISION

9. Chairman Feltner reported the Committee's recommendation was for full Council to approve sewer service for TMS #135-00-00-022, in Carriage Hill Subdivision, which will consist of 50 multi-family units off Butternut Road. Council voted six in favor, and one opposed, to the recommendation.

Chairman Feltner opposed.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

REAPPOINTMENT OF VETERAN'S AFFAIRS OFFICER

10. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to recommend to the Director of the Veterans Affairs, the reappointment of Mr. Edward Burns, as Veterans' Affairs Officer for Dorchester County.

DORCHESTER SENIOR INC., BOARD

11. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to appoint Mr. Ricky E. Strait, to the Dorchester Seniors Inc., Board to replace Ms. Martha Bateman, as representative for District #2.

DORCHESTER COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE

12. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to appoint Ms. Ansonia Pinckney to Dorchester County Accommodations Tax Advisory Committee, to replace Ms. Renee Wamer, as representative for District # 1.

REQUEST TO AMEND THE AGENDA

The County Attorney requested Council's consideration to amend the agenda to add an additional contractual matter and to include legal advice concerning a pending litigation matter.

13. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to amend the agenda to add the additional items to executive session, as requested by the County Attorney.

**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 contractual matters, receive legal advice concerning condemnations for construction of Phase I Dorchester Road, and to provide legal advice concerning a pending litigation.

EXECUTIVE SESSION 8:15 P.M.

14. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:40 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of those items.

CONTRACT FOR THE COUNTY ADMINISTRATOR

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to extend the contract for the County Administrator for two more years as discussed in Executive Session.

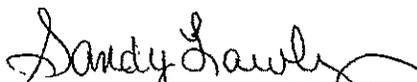
CONDEMNATION FOR DORCHESTER ROAD PARCEL #113, 143, & 173

16. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one opposed, to proceed with Phase I Dorchester Road construction condemnations for parcels #113, TMS #152-00-00-057, #143, TMS #153-09-02-041, and #173, TMS #153-09-02-041.

Councilman Rosebrock opposed.

ADJOURNMENT 9:42 P.M.

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


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 6, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from June 15, 2009, County Council Meeting
- Employee Recognition Program
- Adoption of Resolution #09-13, Confirming the Intention of Dorchester County, South Carolina to be Reimbursed for Certain Expenditures Related to Capital Projects to be Financed by the Issuance of Bonds
- 1st Reading by Title Only for An Ordinance calling for, "A Fourth Supplemental Ordinance Making Provisions for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina, Through the Borrowing of not Exceeding \$4,034,983 Plus Capitalized Interest, if any, from the State Water Pollution Control Revolving Fund, By Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note From Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto"
- Correspondence

3. GUESTS

- Mr. Ed Burns, Veterans Affairs Officer - Update Latest Figures and Information VA Office
- Mr. Jon Baggett, Economic Development Director - Economic Development Website
- Mr. Wayne Welch, Dorchester County Assessor - 2009 Reassessment & Verification of 4% Assessment Applications

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

- Dorchester County Recreational Program Phase VI Application
- 1st Reading for Rezoning Request #629, for George O. Keifer, TMS# 122-00-00-116
- 1st Reading for Ordinance "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto"
- 2nd Reading for an Ordinance "To Provide for the Issuance and Sale of Fifty-Seven Million Dollars (\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation Projects), Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto"

5. COMMITTEE REPORTS

Chairman Larry Hargett, Public Safety, Health, and Human Services Committee Report

- Selection of Interview Panel for Fire Coordinator
- Open Burning Issue

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #622, Dorchester County Council; TMS# 013-00-00-136
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #623, Dorchester County Council; TMS# 046-00-00-022
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #624, Dorchester County Council; TMS# 059-00-00-006
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #625, Dorchester County Council; TMS# 059-00-00-029
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #626, Dorchester County Council; TMS# 059-00-00-092
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #627, Peacock Investments, LLC; TMS# 046-00-00-023
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #628, Peacock Investments, LLC; TMS# 059-00-00-009

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Prospects
 - Legal Advice
 - Condemnation for Phase I of the Dorchester Road Widening
Parcels #96, 97, 124, 125, 131, 132, 169, and 170
 - Pending Litigation Hideaway Lane
 - RR #592, Dorchester County Council, TMS #161-01-04-006
 - Contractual Matters
 - Personnel Matter

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 6, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Feltner called the meeting to order and Councilman Hearn gave the Invocation.

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizens replied:

- Ms. Margaret Goodwine of Ridgeville addressed Council regarding the progress of the paving of Summers Drive. Councilman Waggoner stated after speaking to Chairman Marshall Murdaugh of the Sales Tax Transportation Authority that the hold up on this road was due to a condemnation issue and an issue with a piece of property in probate, and the estimated time for the work to begin would be in the next few weeks.

REQUESTS TO ADDRESS - CONTINUED

- Mr. Tom Hall, President of the Civic Association for Pine Hill Acres, addressed Council regarding abandoned mobile homes in Pine Hill Acres and requested help from Council on this issue. He stated he spoke to Mr. Clay Pendarvis in Codes Enforcement and was told due to a shortage in the personnel necessary to handle these abandoned mobile homes, there was nothing Codes Enforcement could do at this time. Mr. Hall requested Council's assistance with this issue. In addition, Chairman Feltner asked Mr. Hall his opinion on the *Open Burning Issue* and he addressed that subject.
- Mr. Jeffrey Tyndall, a resident of Reminisce Subdivision and representation of his neighbors, addressed Council regarding an issue with the Beazer Homes, the developers of his subdivision. Mr. Tyndall and his neighbors requested Council's support of their objection to the developers changing home designs in the middle of Phase 3 in their subdivision. He stated Reminisce is a six-phase subdivision consisting of construction plans for 345 homes, with a little over 100 homes already constructed. He stated Beazer announced, at a recent homeowners association meeting, of their plans to change home designs mid-phase and he and his neighbors were upset, because this would lower their investment in their homes, and change the look of their community. Mr. Tyndall requested Council look at the County's Zoning Ordinance regarding this issue. Mr. Ward informed Mr. Tyndall that Councilman Hearn had brought this to the attention of the Planning Department and they were looking into the matter. Mr. Tyndall stated his group was opposed to the change in design plans mid-phase, but would not be opposed to the design change in the remaining future phases. (Note: a 1 sheet hand out was given to Council, Reminisce Community Site Plan, dated 1/09, filed with address card)
- Mrs. Linda Rhyne addressed Council regarding the maintenance of Hideaway Drive in Ridgeville. She stated two years ago, that a Mr. Smith who has property on Hideaway Drive filed suit against the County in order to stop Hideaway Drive from being paved and later that suit was dismissed. Mrs. Rhyne explained three weeks ago, the same lawsuit was reinstated and at the hearing, Mr. Frampton told the Judge the road would not be maintained until the case could be heard. She said now the Ridgeville Postal Service has deemed the road unsafe and would not deliver mail to the residents until the road was repaired. Mrs. Rhyne said the majority of the residents were present and requested Council have maintenance reinstated, since the County had maintained this road for over 30 years. Mrs. Rhyne offered a file with documents regarding the statements that she made and copies of letters from other property owners to Council for review. County Attorney John Frampton requested that they be able to view this file in Executive Session, in order to discuss this issue.

ADOPTION OF MINUTES JUNE 15, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the June 15, 2009, County Council Meeting.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

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

ADOPTION OF RESOLUTION #09-13, CONFIRMING THE INTENTION OF DORCHESTER COUNTY, SOUTH CAROLINA TO BE REIMBURSED FOR CERTAIN EXPENDITURES RELATED TO CAPITAL PROJECTS TO BE FINANCED BY THE ISSUANCE OF BONDS

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #09-13, "Confirming the Intention of Dorchester County, South Carolina to be Reimbursed for Certain Expenditures Related to Capital Projects to be Financed by the Issuance of Bonds". This resolution will allow the County to be reimbursed by bond proceeds for any expenses incurred towards the completion of the EOC/Elections and Registration Building prior to the issuance of the General Obligation Bonds. (It was noted that Council Members Rosebrock and Hargett asked that the Bond Issues be clarified in the Council packets and on the Agenda)

1ST READING (BY TITLE ONLY) FOR, "A FOURTH SUPPLEMENTAL ORDINANCE MAKING PROVISIONS FOR THE TERMS AND CONDITIONS OF WATERWORKS AND SEWER SYSTEM REVENUE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, AUTHORIZED BY GENERAL BOND ORDINANCE NO. 03-06 ENACTED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, SOUTH CAROLINA ON SEPTEMBER 2, 2003; APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS IN DORCHESTER COUNTY, SOUTH CAROLINA, THROUGH THE BORROWING OF NOT EXCEEDING \$4,034,983 PLUS CAPITALIZED INTEREST, IF ANY, FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN DORCHESTER COUNTY AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM DORCHESTER COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO"

3. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading by Title Only for, "A Fourth Supplemental Ordinance Making Provisions for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond

**1ST READING (BY TITLE ONLY) ORDINANCE , "A FOURTH
SUPPLEMENTAL ORDINANCE MAKING PROVISIONS FOR THE TERMS
AND CONDITIONS OF WATERWORKS AND SEWER SYSTEM REVENUE
BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA,.....ETC" –
CONTINUED**

Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina, Through the Borrowing of not Exceeding \$4,034,983 Plus Capitalized Interest, if any, from the State Water Pollution Control Revolving Fund, By Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note From Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto".

CORRESPONDENCE

There was no correspondence to report.

GUESTS

MR. ED BURNS, VETERANS AFFAIRS OFFICER

Mr. Ed Burns, Veterans Affairs Officer, addressed Council and thanked them for their recommendation for his reappointment, and told Council of his appointment as National Commander of the American Legion to the Legion's National Legislative Council. Council congratulated Mr. Burns on this honor. In addition, he gave Council a report on the V.A. expenditure distribution for 2008, which shows the amount received by Dorchester County Veterans, which was 55.6 million dollars and provided Council with information from the Veterans Affairs Office, which was collected over the last year. Mr. Burns also proposed to County Council for consideration to allow him to have the St. George Veteran's Affairs Office open on Wednesdays vs. Tuesdays and Thursdays. He stated that they only see about two to three Veterans a day when they are in St. George. Council requested Mr. Burns to make a list of the Veterans that he assists in the St. George Office over the next 90 days, and to talk to each of them over that period to see if Wednesday would be a convenient day for the St. George Office to be open. Mr. Burns stated that he would do this and report his findings back to Council. Councilman Davis stated that he would like to see the results of the findings before he made any decisions on this matter. Council thanked Mr. Burns for his report and congratulated him again on his new appointment, and stated that they would await his findings on the St. George Office.

GUESTS-CONTINUED

MR. JON BAGGETT, ECONOMIC DEVELOPMENT DIRECTOR

Mr. Jon Baggett, Economic Development Director, addressed Council and updated them on the new County Economic Development Website, which went live in April of this year. He reported the website was a huge success and doing very well. A report with a breakdown of the statistics was given to Council in their packets for the period of June 2009.

MR. WAYNE WELCH, DORCHESTER COUNTY ASSESSOR

Mr. Wayne Welch, Dorchester County Assessor, addressed Council regarding the 2009 Reassessment. He stated that approximately 50,000 notices would be in the first mailing, and the remaining 15,000 would be mailed in September. In addition, he discussed the verification of 4% Assessment Applications. Mr. Welch also received and answered questions from Council. Council thanked Mr. Welch for his presentation.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

Mr. Ward introduced Mrs. Kristen Champagne the new Water and Sewer Director, and Council welcomed her aboard.

**DORCHESTER COUNTY RECREATIONAL PROGRAM
PHASE VI APPLICATION**

Mr. Ward informed Council that the Dorchester County Recreational Program Phase VI Applications were sent to the groups that requested funding last year and the deadline was set for Monday, August 3, 2009. In addition, he stated that public advertisements were in the two local newspapers, stating the applications were now available. Mr. Ward said that staff would bring the applications to the Public Safety, Health, and Human Services Committee for their consideration and a recommendation to Council on August 10.

**1ST READING FOR REZONING REQUEST #629, FOR GEORGE O. KEIFER,
TMS# 122-00-00-116**

4. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to give 1st Reading to Rezoning Request #629, for George O. Keifer, TMS# 122-00-00-116, and to refer it to the Planning, Development, and Building Committee for further consideration. This is a request to rezone 6 acres on Hodge Road in Jedburg from I (Industrial District) to CLI (Commercial Light Industrial District).

COUNTY ADMINISTRATOR'S TIME, CONTINUED

1ST READING FOR AN ORDINANCE "TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ELEVEN MILLION DOLLARS (\$11,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

5. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 1st Reading for an Ordinance, "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto". The purpose of this Ordinance is to give the County the opportunity to refinance the 1998 General Obligation Bonds issued for the renovation of the jail in St. George and the County Services Building (old Summerville Hospital), and the construction of the law enforcement center and to refinance the 1999 General Obligation Bonds issued for the renovation of the St. George Elementary Building (Kenneth F. Waggoner Building), if a lower interest rate and significant savings can be obtained.

2ND READING FOR ORDINANCE, "TO PROVIDE FOR THE ISSUANCE AND SALE OF FIFTY-SEVEN MILLION DOLLARS (\$57,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS (TRANSPORTATION PROJECTS), SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 2nd Reading for an Ordinance, "To Provide for the Issuance and Sale of Fifty-Seven Million Dollars (\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation Projects), Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto". This \$57 Million bond issue and sale is the remaining balance of the \$125 Million that voters authorized in the November 2004 One-cent Sales Tax Referendum. The Public Hearing and 3rd Reading are scheduled for July 20th, 2009.

COMMITTEE REPORTS

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

SELECTION OF INTERVIEW PANEL FOR FIRE COORDINATOR

7. Chairman Hargett reported that the Committee met earlier in the evening, and discussed the selection of the interview panel for the Fire Coordinator Position. The interview panel members already chosen were Jason Ward, Ashley McDonald, Doug Warren, and three representatives from the Fire Board, which includes one member from the lower end and one member from the upper end of the County and the Chairman of the Fire Board. He stated that the Committee's recommendation to Council was to add two additional members to the Interview Panel for the Fire/Rescue Coordinator Position, and they were Mr. Charlie Potts, former Deputy Administrator for the County, and the Chairman of the Public Safety, Health, and Human Services Committee, which would be Councilman Hargett. Council voted unanimously in favor of the recommendation.

OPEN BURNING ISSUE

Chairman Hargett reported that the Committee discussed this issue, but took no action.

Chairman Feltner stated he was proud of this Committee and Chairman Hargett for taking up the *Open Burning Issue*, because he felt that it was important. In addition, he stated unfortunately in some cases it was necessary to help neighbors consider their neighbors who were not responsible when they burn. Chairman Feltner encouraged Chairman Hargett to keep this in his Committee, and to discuss this with the Fire Departments and the citizens to come up with some kind of compromise to this issue.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS**

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
REZONING REQUEST #622, DORCHESTER COUNTY COUNCIL;
TMS# 013-00-00-136**

8. Chairman Davis reported that a Public Hearing was held for Rezoning Request #622, for Dorchester County Council; TMS# 013-00-00-136. He stated that this was a request to rezone 2 acres on Charleston Highway near St. George, from General Commercial District to Absence of Control District and the Committee's recommendation to Council was to give 2nd Reading to this Request. Council voted unanimously in favor of the recommendation.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CONTINUED**

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR THE
FOLLOWING REZONING REQUESTS**

WINDING WOODS INDUSTRIAL PARK

#623, DORCHESTER COUNTY COUNCIL; TMS# 046-00-00-022

#624, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-006

#625, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-029

#626, DORCHESTER COUNTY COUNCIL; TMS# 059-00-00-092

#627, PEACOCK INVESTMENTS, LLC; TMS# 046-00-00-023

#628, PEACOCK INVESTMENTS, LLC; TMS# 059-00-00-009

9. Chairman Davis reported that Public Hearings were held for Rezoning Requests #'s 623, 624, 625, 626, 627, and 628, and the Committee's recommendation to Council was to give 2nd Reading to all of the requests. Each of the rezoning requests descriptions are listed as follows, and Council voted unanimously in favor of the recommendation.

Rezoning Request #623, for Dorchester County Council; TMS# 046-00-00-022

This is a request to rezone 296.11 acres on Highway 78 and Winding Woods Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #624, for Dorchester County Council; TMS# 059-00-00-006

This is a request to rezone 396.7 acres on Highway 78 near St. George from Absence of Controls District to Industrial District.

Rezoning Request #625, for Dorchester County Council; TMS# 059-00-00-029

This is a request to rezone 9.88 acres on Highway 78 near St. George from Absence of Controls District to Industrial District.

Rezoning Request #626, for Dorchester County Council; TMS# 059-00-00-092

This is a request to rezone 2 acres on Highway 78 and Coosenberry Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #627, for Peacock Investments, LLC; TMS# 046-00-00-023

This is a request to rezone 380.29 acres on Highway 78 and Winding Woods Road near St. George from Absence of Controls District to Industrial District.

Rezoning Request #628, for Peacock Investments, LLC; TMS# 059-00-00-009

This is a request to rezone 205.66 acres on Highway 78 and Pecan Tree Road near St. George from Absence of Controls District to Industrial District.

APPOINTMENTS TO BOARDS AND COMMISSIONS
APPOINTMENTS TO THE COMPLETE COUNT COMMITTEE

10. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve the consideration of the list of names sent to Council in a letter from the Growth Manger for the 2010 Census, Complete Count Committee, and to reserve the right to add members, as Council deems necessary. The members suggested are listed as follows: Mr. Jerry Montjoy, Mr. Joe Pye, Dr. Frank Bruno, Ms. Dania McAbee, Mr. Robert Pratt or Mr. Ryan Castle, (for Real Estate) and Mr. Andrew Gentry, Chairman Jamie Feltner, Mr. Jason Ward, and the Deputy Administrator- Growth Management.

STATEMENTS FROM TWO MEMBERS OF COUNCIL

Councilman Hearn made a request to make two statements. He first welcomed and introduced our newly sworn-in County Auditor, Mr. JJ Messervy, whose term started on July 1, 2009.

In addition, Councilman Hearn thanked and apologized to Mr. Tom Hall, President of the Civic Association for Pine Hill Acres, who addressed Council regarding abandoned mobile homes in Pine Hill Acres Subdivision. Mr. Hall spoke at the beginning of the meeting regarding the condition of unsightly abandoned mobile homes in his subdivision. Councilman Hearn wanted to let Mr. Hall know that he appreciated him bringing different issues to the attention of Council and taking the time to address them at the Council Meetings.

Chairman Feltner stated that he respected Mr. Hall, and he certainly meant no disrespect to him regarding the *Open Burning Issue* discussion, which he and Mr. Hall had at the beginning of the meeting. He stated that Mr. Hall had called him regarding the *Open Burning Issue* and they had spoke for over 30 minutes about the subject, and he wanted to make a point about the difference in the two issues.

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

The County Attorney made a request for Council's consideration to enter into executive session to receive an Economic Development update on several active economic development projects, and to give legal advice regarding condemnations of eight parcels for Phase I of the Dorchester Road Widening Project, a pending litigation matter concerning Hideaway Lane, and Rezoning Request #592, and to discuss three contractual matters and one personnel matter.

EXECUTIVE SESSION 8:30 P.M.

11. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 11:04 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of those items.

CONDEMNATION FOR PHASE I OF THE DORCHESTER ROAD WIDENING

12. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously that the County proceed with the condemnation of Tracts #96, 97, 124, 125, 131, 132, 169, and 170 as requested by the County Sales Tax Transportation Authority for the construction of Phase I of the Dorchester Road Widening Project.

134 CLUB LANE

13. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously that Council list 134 Club House Lane with RE/MAX Pro Realty as discussed in Executive Session.

EOC AND ELECTIONS BUILDING

14. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously that the County Architect be authorized to engage the services of a cost estimator for the Emergency Services Building Project.

GRANTS WRITING CONSULTANT

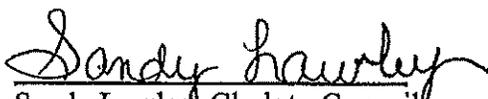
15. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously that the County Administrator be authorized to enter into the Grant Writers Agreement with Ms. Susan Shoman.

RR #592, DORCHESTER COUNTY COUNCIL, TMS #161-01-04-006

16. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to contribute the sum of \$10,000 in settlement of any claims of the Developer/owner regarding Rezoning Request #592, (TMS No. 161-01-04-006) and its permitting and is contingent upon the property being rezoned R-1. This will also help with potential drainage issues in the area.

ADJOURNMENT 11:09 P.M.

17. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to adjourn.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 20, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from July 6, 2009, County Council Meeting
- Adoption of Proclamation #09-04, "National Community Health Center Week"
- Adoption of Proclamation #09-05, "National Cigarette Litter Prevention Month", and Grant Award Presentation by Ms. Carolyn Tomlinson, Dir. of Recycling & Education/Director of KDCB
- 2nd Reading for "An Ordinance calling for, "A Fourth Supplemental Ordinance Making Provisions for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina, Through the Borrowing of not Exceeding \$4,034,983 Plus Capitalized Interest, if any, from the State Water Pollution Control Revolving Fund, By Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note From Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto" (**Wastewater Line Repairs**)
- Public Hearing and 3rd Reading for Ordinance #09-11, "To Provide for the Issuance and Sale of Fifty-Seven Million Dollars (\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation Projects), Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto" (**Transportation Projects**)
- Correspondence

3. GUESTS

- Ms. Melissa Williams, Dir. of Tourism Greater Summerville/Dor. County Chamber of Commerce

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

- 1st Reading for Rezoning Request #631, Dorchester County Council, TMS#'s 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, and 136-00-00-211
- 1st Reading for An Ordinance to Prohibit the Consumption of Alcoholic Beverages in Public Places
- 1st Reading for An Ordinance Amending a Third Supplemental Ordinance No. 08-17 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of Not Exceeding \$15,000,000; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto" (**St. George Wastewater Treatment Plant Purchase, Pump Station Upgrades, NCSD Diversions**)

COUNTY ADMINISTRATOR'S TIME-CONTINUED

-2nd Reading for Ordinance "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto"

(Refinance County Services Building, Law Enforcement Complex, & Waggoner Building)

-3rd Reading for Rezoning Request #622, Dorchester County Council; TMS# 013-00-00-136

-3rd Reading for Rezoning Request #623, Dorchester County Council; TMS# 046-00-00-022

-3rd Reading for Rezoning Request #624, Dorchester County Council; TMS# 059-00-00-006

-3rd Reading for Rezoning Request #625, Dorchester County Council; TMS# 059-00-00-029

-3rd Reading for Rezoning Request #626, Dorchester County Council; TMS# 059-00-00-092

-3rd Reading for Rezoning Request #627, Peacock Investments, LLC; TMS# 046-00-00-023

-3rd Reading for Rezoning Request #628, Peacock Investments, LLC; TMS# 059-00-00-009

5. COMMITTEE REPORT

Chairman Jamie Feltner, Water and Sewer Committee Report

-Request for Sewer Service for Metalworx, TMS#122-14-01-007

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Executive Session -Confidential Economic Development Project

 -Legal Advice

 -Contractual Matters

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
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COUNTY COUNCIL OF DORCHESTER COUNTY

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MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE JULY 20, 2009 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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Admin. Asst. to Council

Chairman Feltner called the meeting to order and Vice Chairman Davis gave the Invocation.

CHAIRMAN'S TIME

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizen replied:

- Former County Councilman, Mike Murphree, came before Council to address the 1st Reading to the proposed Ordinance to Prohibit the Consumption of Alcoholic Beverages in Public Places. Mr. Murphree cited the current 18 state statutes dealing with the related issues of alcohol, and stated this matter should be enforced within the parameters which have been set by the state, and the County would not need to create an Ordinance to deal with these issues.

CHAIRMAN'S TIME-CONTINUED

ADOPTION OF MINUTES JULY 6, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from its July 6, 2009 meeting.

ADOPTION OF PROCLAMATION #09-04, "NATIONAL COMMUNITY HEALTH CENTER WEEK"

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt the Proclamation #09-04, "National Community Health Center Week".

ADOPTION OF PROCLAMATION #09-05, "NATIONAL CIGARETTE LITTER PREVENTION MONTH"

3. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Proclamation #09-05, "National Cigarette Litter Prevention Month".

Chairman Feltner recognized Director of Recycling & Education and Keep Dorchester County Beautiful, Ms. Carolyn Tomlinson. Ms. Tomlinson presented Council with a \$7,000 Keep America Beautiful Cigarette Butt Litter Program Grant Award and provided brief remarks on the program.

2ND READING FOR "AN ORDINANCE CALLING FOR,"A FOURTH SUPPLEMENTAL ORDINANCE MAKING PROVISIONS FOR THE TERMS AND CONDITIONS OF WATERWORKS AND SEWER SYSTEM REVENUE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, AUTHORIZED BY GENERAL BOND ORDINANCE NO. 03-06 ENACTED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, SOUTH CAROLINA ON SEPTEMBER 2, 2003; APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS IN DORCHESTER COUNTY, SOUTH CAROLINA, THROUGH THE BORROWING OF NOT EXCEEDING \$4,034,983 PLUS CAPITALIZED INTEREST, IF ANY, FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM DORCHESTER COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO"

Chairman Feltner reported that these bonds were being issued in order to evaluate and repair the wastewater lines in Dorchester Regency, Kings Grant, Spruce Wood, Stratton Capers, and Tranquil Acres.

CHAIRMAN'S TIME-CONTINUED

2ND READING FOR "AN ORDINANCE CALLING FOR, "A FOURTH SUPPLEMENTAL ORDINANCE MAKING PROVISIONS FOR THE TERMS AND CONDITIONS OF WATERWORKS AND SEWER SYSTEM REVENUE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, AUTHORIZED BY GENERAL BOND ORDINANCE NO. 03-06 ENACTED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, SOUTH CAROLINA ON SEPTEMBER 2, 2003;...ETC.-CONTINUED

4. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 2nd Reading for An Ordinance calling for "A Fourth Supplemental Ordinance Making Provisions for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No.03-06 Enacted by the County Council of Dorchester County, South Carolina on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina, Through the Borrowing of not Exceeding \$4,034,983 Plus Capitalized Interest, if any, from the State Water Pollution Control Revolving Fund, By Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note from Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto".

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #09-11, "TO PROVIDED FOR THE ISSUANCE AND SALE OF FIFTY-SEVEN MILLION DOLLARS(\$57,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENREAL OBLIGATION BONDS (TRANSPORTATION PROJECTS), SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

Chairman Feltner reported this matter was for the bond issuance of \$57 million, which was the remaining balance of the original \$125 million in General Obligation Bonds that voters authorized in the November 2004 One-cent Sales Tax Referendum.

Chairman Feltner opened the Public Hearing to receive comments on proposed Ordinance #09-11; hearing no comments the Public Hearing was closed.

5. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #09-11, "To Provide for the Issuance and Sale of Fifty-Seven Million Dollars (\$57,000,000) Dorchester County, South Carolina, General Obligation Bonds (Transportation Projects), Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto".

CHAIRMAN'S TIME-CONTINUED

CORRESPONDENCE

There was no correspondence reported.

GUEST

**MS. MELISSA WILLIAMS, DIR. OF TOURISM GREATER
SUMMERVILLE/DOR. COUNTY CHAMBER OF COMMERCE**

Ms. Melissa Williams, Director of Tourism with the Greater Summerville Dorchester County Chamber of Commerce, came before Council to provide a brief report on the Chambers summer-time promotions efforts, which included marketing, advertising, and website information. Ms. Williams reported that the Chamber of Commerce did not receive grant funding from the State for next year's marketing, but she did not see this creating any changes to what they do. Ms. Williams requested Council to forward anyone who may have questions about the area, to the Greater Summerville Dorchester County Chamber of Commerce.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

**1ST READING FOR REZONING REQUEST #631, DORCHESTER COUNTY
COUNCIL, TMS#'S 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-
215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-320,
136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-
00-216, AND 136-00-00-211**

Mr. Ward requested Council to refer Rezoning Request #631 to Council's Planning, Development, and Building Committee, as well as the Dorchester County Planning Board for further consideration and recommendation back to County Council.

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to Rezoning Request #631, and to place this item into the Dorchester County Planning, Development, and Building Committee as well as the Dorchester County Planning Board for further consideration and recommendation back to County Council.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD-CONTINUED

1ST READING FOR AN ORDINANCE TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES

Mr. Ward requested for Council to consider giving 1st Reading to the above reference Ordinance and recommended sending this matter to Dorchester County Public Safety, Health, and Human Services Committee of Council.

County Attorney, John Frampton, stated there was not a state law addressing the issue that the proposed Ordinance addresses, which would prohibit the consumption of alcoholic beverages in public places; the following action was taken:

7. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading to An Ordinance to Prohibit the Consumption of Alcoholic Beverages in Public Places and to place this item into the Dorchester County Public Safety, Health, and Human Services Committee of Council.

The Public Hearing and 2nd Reading have been scheduled to be held at Council's regularly scheduled meeting on August 10th, 2009, in St. George, South Carolina.

1ST READING FOR AN ORDINANCE AMENDING A THIRD SUPPLEMENTAL ORDINANCE NO. 08-17 ENTITLED "A THIRD SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF DORCHESTER COUNTY, SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$15,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO"

Mr. Ward recommended 1st Reading to the above reference Ordinance; the following action was taken:

8. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to An Ordinance Amending a Third Supplemental Ordinance No. 08-07 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of not Exceeding \$15,000,000; Prescribing the Form and Details of Such bonds; and Other Matters Relating Thereto".

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD-CONTINUED

2ND READING FOR ORDINANCE "TO PROVIDED FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ELEVEN MILLION DOLLARS (\$11,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

The purpose of this Ordinance is to give the County the opportunity to refinance the 1998 General Obligation Bonds issued for the renovation of the jail in St. George and the County Services Building (old Summerville Hospital), and the construction of the Law Enforcement Center and to refinance the 1999 General Obligation Bonds issued for the renovation of the St. George Elementary Building (Kenneth F. Waggoner Building), if a lower interest rate and significant savings can be obtained.

Mr. Ward recommended 2nd Reading to the above referenced Ordinance; the following action was taken:

9. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading for an Ordinance "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Proposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other matters Relating Thereto"

3RD READING FOR REZONING REQUEST #622, DORCHESTER COUNTY COUNCIL; TMS #013-00-00-136

Mr. Ward recommended Council to give 3rd Reading to Rezoning Request #622; the following action was taken:

10. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading for Rezoning Request #622, Dorchester County Council; TMS #013-00-00-0136.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD-CONTINUED

3RD READING FOR THE FOLLOWING REZONING REQUESTS

#623, DORCHESTER COUNTY COUNCIL; TMS #046-00-00-022

#624, DORCHESTER COUNTY COUNCIL; TMS #059-00-00-006

#625, DORCHESTER COUNTY COUNCIL; TMS #059-00-00-029

#626, DORCHESTER COUNTY COUNCIL; TMS #059-00-00-092

#627, PEACOCK INVESTMENTS, LLC; TMS #046-00-00-023

#628, PEACOCK INVESTMENTS, LLC; TMS #059-00-00-009

Mr. Ward recommended Council give 3rd Reading to the above referenced Rezoning Requests; the following action was taken:

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to give 3rd Reading for Rezoning Requests #'s 623, 624, 625, 626, 627, and 628.

COMMITTEE REPORTS

CHAIRMAN FELTNER-WATER AND SEWER COMMITTEE REPORT

REQUEST FOR SEWER SERVICE FOR METALWORX, TMS# 122-14-01-007

12. Chairman Feltner reported the recommendation from the Water and Sewer Committee, which was held earlier in the evening. The recommendation coming out of the Committee was to recommend for Council to approve the request of providing sewer service for Metalworx, TMS# 122-14-01-007. 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 discuss a Confidential Economic Development Project, to receive legal advice on a contractual matter.

EXECUTIVE SESSION 7:27 P.M.

13. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8:05 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of those items.

1ST READING TO AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN DORCHESTER COUNTY AND MWV PINE HILL COMMERCE PARK, LLC

14. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to approve 1st Reading to An Ordinance Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC, and to refer this item to the Planning Committee of Dorchester County Council for its recommendation, and refer this item to the Dorchester County Planning Board so that it might conduct the 1st Public Hearing and also make a recommendation to County Council.

AUTHORIZATION FOR COUNTY ADMINISTRATOR TO EXECUTE QUIT-CLAIM CONVEYANCE DOCUMENTS FOR THE NORTHERN PORTION OF SPANIEL LANE CUL-DE-SAC

15. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve authorizing the County Administrator to execute Quit-Claim Conveyance document for the northern portion of the Spaniel Lane cul-de-sac, contingent upon receiving from the owner a right-of-way dedication for Spaniel Lane, as shown on the plat by B.P. Barber.

ALLOCATION OF FUNDS FROM ECONOMIC DEVELOPMENT FUND FOR LEGAL SERVICES FOR UPDATES TO THE MULTI-COUNTY PARK ORDINANCE

16. On the motion of Mr. Hearn, seconded by Mr. Waggoner, Council voted unanimously to allocate \$5,500 from the Economic Development Funds for legal services for updates to the Multi-County Park Ordinance.

AUTHORIZATION FOR COUNTY ADMINISTRATOR TO EXECUTE THE PUBLIC EDUCATION FACILITIES IMPACT FEE COLLECTION AGREEMENT BETWEEN THE COUNTY AND SCHOOL DISTRICT NO. 2 OF DORCHESTER COUNTY

17. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to authorize the County Administrator to execute the Public Education Facilities Impact Fee Collection Agreement between the County and School District No. 2 of Dorchester County.

AMENDMENT TO AGENDA TO ENTER INTO EXECUTIVE SESSION- 8:08 P.M.

18. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to amend the Agenda and to enter back into Executive Session to discuss a personnel matter.

RECONVENE FROM EXECUTIVE SESSION 8:35 P.M.

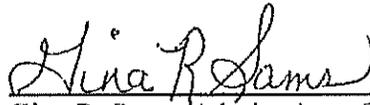
Chairman Feltner reported that Council entered into Executive Session to discuss a personnel matter and no action was taken.

ADOPTION OF A RESOLUTION AUTHORIZING THE INCLUSION OF CERTAIN PROPERTY IN A MULTI-COUNTY PARK AND THE GRANTING OF AN INFRASTRUCTURE TAX CREDIT IF SUCH PROPERTY DOES NOT QUALIFY FOR THE 4% AGRICULTURAL USE ASSESSMENT RATIO FOR PROJECT FOREST AND OTHER ENTITIES, A PROJECT TO BE LOCATED WITHIN DORCHESTER COUNTY

19. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to adopt a Resolution Authorizing the Inclusion of Certain Property in a Multi-County Park and a granting of an Infrastructure Tax Credit if such property does not qualify for the 4% Agricultural Use Assessment Ratio for Project Forest and other entities, a project to be located within Dorchester County.

ADJOURNMENT 8:39 P.M.

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


Gina R. Sams, Admin. Asst. Council

AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 27, 2009
8:30 A.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

-Request for American Wetlands Conservation Act Proposal Partner Contribution, Ace Basin:
Edisto River Corridor Project, Phase IV (Way Tract)

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

-Executive Session:
Confidential Economic Development Prospect

4. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
RICHARD ROSEBROCK
KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 563-0196 FAX (843) 563-0137
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 27, 2009
8:30 A.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. Jamie Feltner, Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn (Arrived Later)
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Admin. Asst. to Council
ABSENT: Mr. Willie Davis, Vice Chairman

Chairman Feltner called the meeting to order and Mr. Rosebrock gave the Invocation.

CHAIRMAN'S TIME- MR. JAMIE FELTNER

REQUEST FOR AMERICAN WETLANDS CONSERVATION ACT PROPOSAL PARTNER CONTRIBUTION, ACE BASIN: EDISTO RIVER CORRIDOR PROJECT, PHASE IV (WAY TRACT)

1. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted five in favor, and two absent, to approve the request for American Wetlands Conservation Act Proposal Partner Contribution, Ace Basin: Edisto River Corridor Project, Phase IV (Way Tract).

Mr. Davis and Mr. Hearn were absent.

CHAIRMAN'S TIME-CONTINUED

**AUTHORIZATION TO EXECUTE THE NORTH AMERICAN WETLANDS
CONSERVATION ACT PROPOSAL PARTNER CONTRIBUTION FORM AND
TO PROVIDE \$10,000 FOR THE WAY TRACT**

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to authorize the Chairman of County Council to execute the North American Wetlands Conservation Act Proposal Partner Contribution Form and that the County provide \$10,000 toward the purchasing of the Way Tract from County Council Contingency, to be paid at the time of closing.

Mr. Davis was absent; Mr. Hearn arrived prior to Council's action being taken.

COUNTY ATTORNEY'S TIME-MR. JOHN FRAMPTON

The County Attorney requested Council's consideration to go into Executive Session for the purpose of discussing a Confidential Economic Development Prospect.

EXECUTIVE SESSION 8:34 A.M.

3. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Mr. Davis was absent.

RECONVENE FROM EXECUTIVE SESSION 8:43 P.M.

The County Attorney reported that Council discussed the item announced prior to going into executive session, and no action was taken.

**ISSUANCE OF COMMITMENT LETTER TO MEADWESTVACO RELATED
TO PROJECT PART**

4. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to approve that County Council issue a commitment letter to MeadWestvaco and to issue the Special Source Revenue Bonds in the amount of \$1.2 million to run infrastructure to a proposed Industrial Park related to Project Part.

Mr. Davis was absent.

ADJOURNMENT 8:45 A.M.

5. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to adjourn.

Mr. Davis was absent.


Gina R. Sams, Admin. Asst. Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 10, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from July 20, 2009, County Council Meeting, and July 27, 2009, Special Call County Council Meeting
- 3rd Reading for Ordinance #09-12, "A Fourth Supplemental Ordinance Making Provisions for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina, Through the Borrowing of not Exceeding \$4,034,983 Plus Capitalized Interest, if any, from the State Water Pollution Control Revolving Fund, By Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note From Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto" (**Wastewater Line Repairs**)
- Contract with County Attorney
- Correspondence

3. GUEST

- Mrs. Ashley McDonald, Deputy County Administrator, - NEOGOV Presentation

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

- 2nd Reading for An Ordinance Amending a Third Supplemental Ordinance No. 08-17 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of Not Exceeding \$15,000,000; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto" (**St. George Wastewater Treatment Plant Purchase and Upgrades, Pump Station Upgrades, NCSO Diversions**)
- Approval of Location for Sheriff's Physical Abilities Test Site
- Criminal Patrol Transfer Agreement
- Fiscal Year 2010 Carryover Budget
- Dorchester County Recreational Program Phase VI Applications
- New Residential and Commercial Development Review Process

5. COMMITTEE REPORTS

Chairman Willie Davis, Planning, Development and Building Committee Report

-2nd Reading for An Ordinance Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC

-2nd Reading for Rezoning Request #631, Dorchester County Council, TMS#'s 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, and 136-00-00-211

Chairman Jamie Feltner, Water and Sewer Committee Report

-Request for Reduction in Water and Sewer Services for McKewn Phases 2 and 9

-Request for Sewer Service on Orangeburg Road for TMS #121-00-00-272

-Request for Sewer Service for 131 Prince Thomas Drive TMS #128-14-01-020 and 125 Prince Thomas Drive TMS #128-14-01-010

-Request for Sewer Service for 129 Boone Street TMS #130-14-07-008 and 131 Boone Street TMS #130-14-07-007

Chairman Larry Hargett, Public Safety, Health, and Human Services Committee Report

-Public Hearing and Recommendation for 2nd Reading for An Ordinance to Prohibit the Consumption of Alcoholic Beverages in Public Places

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Executive Session -Legal Advice

-Economic Development Project

-Condemnation for Phase I of the Dorchester Road Widening Project Tracts #112,117,118,119,120,121, 135, 82, 93, 212, 219, 220, 221, 247, 281, and 282

-Contractual Matter

-Memorandum of Understanding with Dorchester County and The Lowcountry Open Land Trust

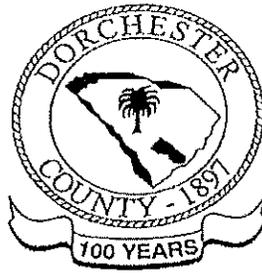
8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
RICHARD ROSEBROCK
KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
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(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 10, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council, and the following citizen replied:

- Mr. Robby Robbins addressed Council regarding the proposed Ordinance to Prohibit the Consumption of Alcoholic Beverages in Public Places, and thanked Sheriff Knight on the great job he was doing. He also thanked the members of Council and requested that they adopt the Ordinance as amended by the Committee.

**ADOPTION OF MINUTES FROM JULY 20, 2009, COUNTY COUNCIL MEETING,
AND JULY 27, SPECIAL CALL COUNTY COUNCIL MEETING**

1. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to adopt the Minutes from July 20, 2009, County Council Meeting, and July 27, 2009, Special Call County Council Meeting.

**3RD READING FOR ORDINANCE #09-12, "A FOURTH SUPPLEMENTAL
ORDINANCE MAKING PROVISIONS FOR THE TERMS AND CONDITIONS OF
WATERWORKS AND SEWER SYSTEM REVENUE BORROWING BY
DORCHESTER COUNTY, SOUTH CAROLINA, AUTHORIZED BY GENERAL
BOND ORDINANCE NO. 03-06 ENACTED BY THE COUNTY COUNCIL OF
DORCHESTER COUNTY, SOUTH CAROLINA ON SEPTEMBER 2, 2003;
APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS IN DORCHESTER
COUNTY, SOUTH CAROLINA, THROUGH THE BORROWING OF NOT
EXCEEDING \$4,034,983 PLUS CAPITALIZED INTEREST, IF ANY, FROM THE
STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT
WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND
AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF
SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT
TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A
LOAN AGREEMENT BETWEEN DORCHESTER COUNTY AND THE SOUTH
CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE
EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM DORCHESTER
COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND
AUTHORITY; AND OTHER MATTERS RELATING THERETO" (WASTEWATER
LINE REPAIRS)**

2. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance # 09-12, title as stated above. These bonds are being issued in order to evaluate and repair the wastewater lines in Dorchester Regency, Kings Grant, Spruce Wood, Stratton Capers, and Tranquil Acres, and to determine a method to rehabilitate the wastewater lines to reduce inflow and infiltration.

CONTRACT WITH THE COUNTY ATTORNEY

3. On the motion of Mr. Rosebrock, seconded with Mr. Davis, Council voted unanimously to extend the County Attorney's contract for a period of two years from its current expiration date at the same level of compensation.

MOTION TO AMEND THE AGENDA

4. On the motion of Mr. Hargett, seconded by Mr. Hearn, Council voted unanimously to amend the agenda.

TASK FORCE AGREEMENT - COUNTY SHERIFF'S DEPARTMENT

5. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to approve the Dorchester County Sheriff's Office to enter into a Task Force Joint Agreement with the United States Department of Justice, Drug Enforcement Administration for joint investigative work. This agreement is between the "DEA", and the "DCSO", and is known as a State and Local Task Force Agreement".

CORRESPONDENCE

The Administrator informed Council that the County received notification that Holcim Inc. will be conducting a comprehensive performance test and continuous emission monitoring performance evaluation at its Holly Hill facility beginning on or about August 31, 2009.

GUEST

MRS. ASHLEY MCDONALD, DEPUTY COUNTY ADMINISTRATOR
NEOGOV PRESENTATION

Mrs. Ashley McDonald, Deputy County Administrator made a presentation to Council on the County's new program NEOGOV. This system will allow applicants interested in employment with the County to apply online. Mrs. McDonald explained how this would save time and money for Dorchester County. She stated that in the Human Resources Department, a computer was set up and assistance was available to anyone who needed it when applying for employment on line, in both Dorchester County Libraries, at Adult Education, Job Center and Trident One Stop.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

2ND READING - ORDINANCE AMENDING A THIRD SUPPLEMENTAL
ORDINANCE #08-17 ENTITLED "A THIRD SUPPLEMENTAL ORDINANCE
PROVIDING FOR THE ISSUANCE AND SALE OF DORCHESTER COUNTY,
SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BONDS,
IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$15,000,000;
PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AND OTHER
MATTERS RELATING THERETO"

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 2nd Reading for An Ordinance Amending a Third Supplemental Ordinance No. 08-17 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of not Exceeding \$15,000,000; Prescribing the Form and Details of Such bonds; and Other Matters Relating Thereto".

COUNTY ADMINISTRATOR'S TIME, CONTINUED

APPROVAL OF SHERIFF'S "PHYSICAL ABILITIES TEST" SITE

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the location for the Sheriff's new "Physical Abilities Test" site.

CRIMINAL PATROL TRANSFER AGREEMENT

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve a "Criminal Patrol Transfer Agreement", so the Sheriff's Office can assist the Spartanburg County Sheriff's Office with criminal patrol and interdiction efforts.

FISCAL YEAR 2010 CARRYOVER BUDGET

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve the Fiscal Year 2010 Carryover Budget in the amounts and for the purposes identified in the information presented to Council.

**DORCHESTER COUNTY RECREATIONAL PROGRAM
PHASE VI APPLICATION**

10. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously to refer these applications to the Public Safety, Health, and Human Services Committee for further consideration and a recommendation back to Council.

NEW RESIDENTIAL AND COMMERCIAL DEVELOPMENT REVIEW PROCESS

11. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to approve the new Residential and Commercial Development Review Process. Mr. Ward stated staff would be notifying all engineers and developers of the new process and it would not begin until October of 2009.

COMMITTEE REPORTS

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS**

**2ND READING FOR AN ORDINANCE APPROVING A DEVELOPMENT
AGREEMENT BETWEEN DORCHESTER COUNTY AND MWV PINE HILL
COMMERCE PARK, LLC**

12. Chairman Davis stated that the Committee's recommendation to Council was to give 2nd Reading for An Ordinance Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC. Council voted unanimously in favor of the recommendation.

**AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
AUGUST 17, 2009
9:00 A.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

-3rd Reading for Ordinance #09-13, An Ordinance to Prohibit the Consumption of Alcoholic Beverages at Public Boat Landings

3. ADJOURN

AMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

JANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
RICHARD ROSEBROCK
KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
ST. GEORGE, SOUTH CAROLINA 29477
(843) 563-0196 FAX (843) 563-0137
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

MINUTES DORCHESTER COUNTY COUNCIL SPECIAL CALLED MEETING DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE AUGUST 17, 2009 9:00 A.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. Chris Murphy
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Admin. Asst. to Council
- ABSENT:** Mr. Jamie Feltner, Chairman
Mr. William (Bill) Hearn
Mr. Jason Ward, County Administrator

Vice Chairman Davis called the meeting to order; Mr. Rosebrock gave the Invocation.

CHAIRMAN'S TIME

3RD READING FOR ORDINANCE #09-13, AN ORDINANCE TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT PUBLIC BOAT LANDINGS

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted five in favor and two absent, to give 3rd Reading for Ordinance #09-13, An Ordinance to Prohibit the Consumption of Alcoholic Beverages at Public Boat Landings.

Mr. Feltner and Mr. Hearn were absent.

ADJOURNMENT 9:03 A.M.

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor, and two absent, to adjourn.

Mr. Feltner and Mr. Hearn were absent.


Gina R. Sams, Admin. Asst. Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
SEPTEMBER 8, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the August 10, 2009, County Council Meeting, and the August 17, 2009, Special Call County Council Meeting
- Public Hearing for a Proposed Ordinance Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC
- Public Hearing and 3rd Reading for Rezoning Request #631, Dorchester County Council, TMS#'s 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, and 136-00-00-211
- Public Hearing and 3rd Reading for Ordinance #09-14, "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto" **(Refinance County Services Building, Law Enforcement Complex, & Waggoner Building)**
- Correspondence

3. COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

- Return of Weapons to the Dorchester County Sheriff's Office

4. GUEST

- Mr. Jason Inman, Concerns About 2010 Census
- Mr. Richard Byrd, Public Works Dir., Letter to SC Dept. of Transportation Regarding CTC Funding

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

- 1st Reading for "An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer
- 3rd Reading for Ordinance #09-15, An Ordinance Amending a Third Supplemental Ordinance No. 08-17 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of Not Exceeding \$15,000,000; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto" **(St. George Wastewater Treatment Plant Purchase, Pump Station Upgrades, NCSD Diversions) (St. George Wastewater Treatment Plant Purchase and Upgrades, Pump Station Upgrades, NCSD Diversions)**
- Request for a Street Name Change - Circle Drive to Rambo Drive
- Adoption of Resolution #09-15, Authorization to File and to Provide Matching Funds for Community Development Block Grant Application (St. George Library Addition)

6. COMMITTEE REPORTS

Chairman Larry Hargett, Public Safety, Health, and Human Services Committee Report

- Approval of Recreation Grant Requests
- Approval of Truck Purchase for the Upper Dorchester Rescue Squad

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Water Service to 524 Old Fort Drive - TMS #162-08-03-011
- Request for Sewer and Water Service - TMS #163-00-00-027
- Request for Sewer Service to 102 Pringle Lane - TMS #130-10-00-071
- Request for Sewer Service to 100 Duggins Lane – TMS #130-14-01-004,
103 Duggins Lane – TMS #130-14-01-008, 107 Duggins Lane – TMS #130-14-01-007,
108 Duggins Lane – TMS #130-14-01-005, and 111 Duggins Lane – TMS #130-14-01-006
- Request for Sewer Service to 136 Gailynn Lane – TMS #143-15-00-016
- Request for Sewer Service to 318 Aulds Lane – TMS #130-14-01-001
- Request for Sewer Service to Metalworx Inc. Phase II, TMS #122-00-00-138

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 3rd Reading to Rezoning Request #629, for George O. Keifer, TMS# 122-00-00-116

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Confidential Economic Development Project
 - Legal Advice
 - Stormwater Fee
 - Rezoning Request
 - Real Estate matter
 - Assessment Issue
 - Contractual Matters
 - EOC/Elections Building
 - KG Golf Acquisition
 - 134 Club Lane
 - NCSD

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
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MINUTES

DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE

SEPTEMBER 8, 2009

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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council, and the following citizen replied:

- Ms. Carol Craig addressed Council regarding a drainage line issue and problem at her home located at 149 Palmetto Bluff Court in Archdale Subdivision. She presented a photo to Council, and the Chairman requested the Administrator to look into this issue and get with Mr. Richard Byrd, Public Works Director, to work on this problem for Ms. Craig.

ADOPTION OF MINUTES FROM AUGUST 10, 2009, COUNTY COUNCIL MEETING, AND THE AUGUST 17, 2009, SPECIAL CALLED COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to adopt the Minutes from August 10, 2009, County Council Meeting, and the August 17, 2009, Special Called County Council Meeting.

PUBLIC HEARING FOR A PROPOSED ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN DORCHESTER COUNTY AND MWV PINE HILL COMMERCE PARK, LLC.

Chairman Feltner opened the Public Hearing for a Proposed Ordinance Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC.

Chairman Feltner opened the floor to receive public comments, upon hearing no comments the Public Hearing was closed.

PUBLIC HEARING AND 3RD READING FOR REZONING REQUEST #631, DORCHESTER COUNTY COUNCIL, TMS#'S 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, AND 136-00-00-211

Chairman Feltner opened the Public Hearing for Rezoning Request #631, for Dorchester County Council, TMS#'s 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, and 136-00-00-211. He stated that this request would rezone 16 parcels (29.8 acres) in Senrab Farms, off Central Avenue, near Summerville, from R-4 (Multi-Family Residential District) to SR (Suburban Residential District).

Chairman Feltner opened the floor to receive public comments, upon hearing no comments the Public Hearing was closed.

2. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously in favor of giving 3rd Reading to Rezoning Request #631, for Dorchester County Council, TMS#'s 136-00-00-212, 136-00-00-213, 136-00-00-214, 136-00-00-215, 136-00-00-207, 136-00-00-183, 136-00-00-285, 136-00-00-222, 136-00-00-230, 136-00-00-229, 136-00-00-228, 136-00-00-227, 136-00-00-226, 136-00-00-219, 136-00-00-216, and 136-00-00-211.

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #09-14, "TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ELEVEN MILLION DOLLARS (\$11,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO" (REFINANCE COUNTY SERVICES BUILDING, LAW ENFORCEMENT COMPLEX, & WAGGONER BUILDING)

Chairman Feltner opened the Public Hearing to the public for the above named Ordinance which he stated was for the purpose to give the County the opportunity to refinance the 1998 General Obligation Bonds issued for the renovation of the jail in St. George and the County Services Building and the construction of the Law Enforcement Center and to refinance the 1999 General Obligation Bonds issued for the renovation of the St. George Elementary Building (Kenneth F. Waggoner Building), if a lower interest rate and significant savings can be obtained.

Chairman Feltner opened the floor to receive public comments, upon hearing no comments the Public Hearing was closed.

3. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3rd Reading to Ordinance #09-14, "To Provide for the Issuance and Sale of not Exceeding Eleven Million Dollars (\$11,000,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2009; to Prescribe the Purposes for which the Proceeds shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto".

CORRESPONDENCE

There was no Correspondence to report.

COUNCIL MEMBER'S TIME - COUNCILMAN LARRY HARGETT

RETURN OF WEAPONS TO THE DORCHESTER COUNTY SHERIFF'S OFFICE

Councilman Hargett spoke on an issue brought to Council's attention on a recent tour of the Sheriff's Office given by Sheriff Knight. This issue was a concern to Sheriff Knight and Council after realizing that former Sheriff Ray Nash gave some of his departing Sheriff's Officers weapons that belonged to Dorchester County. Councilman Hargett stated that he wanted to make the following motion to get these weapons returned to the County.

COUNCIL MEMBER'S TIME - COUNCILMAN LARRY HARGETT

**RETURN OF WEAPONS TO THE DORCHESTER COUNTY SHERIFF'S OFFICE-
CONTINUED**

4. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to instruct the County Administrator to write a letter to each of the previous employees in the Dorchester County Sheriff's Office who were given a weapon at the direction of Sheriff Ray Nash when he left office requesting that the weapon be returned to the current Sheriff, so that the weapons can be used for current County Law Enforcement Officers.
5. On the motion of Mr. Waggoner, seconded by Mr. Davis, to amend the motion to read as follows: instruct the County Administrator to write a letter to each of the previous employees in the Dorchester County Sheriff's Office, who were given a weapon, *or any other property of Dorchester County*, at the direction of Sheriff Ray Nash when he left office requesting that the weapon or any other property of Dorchester County be returned to the current Sheriff, so that the weapons can be used for current County Law Enforcement Officers.

(This does not apply to any Officer who retired from the County under Sheriff Nash's term and was actually due to keep their weapon.)

GUESTS

MR. RYAN INMAN, CONCERNS ABOUT 2010 CENSUS

Mr. Ryan Inman first apologized for never attending a Council meeting or any other government meeting in the County. He stated that he wanted to get involved and show that the people need to get involved with government. Mr. Inman addressed Council as a member of the Dorchester County Complete Count Committee regarding concerns about a potential constitutional conflict with the County and Federal laws and regulations regarding the census counting illegal immigrants. Mr. Inman stated that he had checked this issue out with Ms. Terry Seabrook, our Census Agent.

*The County is not responsible in any way for enumerating residents (citizens or non-citizens/legal or illegal immigrants). Enumeration of residents is a Federal responsibility.

MR. RICHARD BYRD, PUBLIC WORKS DIRECTOR, LETTER TO SC DEPT. OF TRANSPORTATION REGARDING CTC FUNDING

Mr. Richard Byrd addressed Council at the request of the Dorchester County Transportation Committee. He requested Council to send a letter to the South Carolina Department of Transportation expressing the County's willingness to guarantee final payment of up to \$606,202.67 in potential final costs, pending future receipt of future C Program funds. Mr. Byrd explained that this would allow the CTC to start additional projects early.

6. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to have the County Administrator send a letter on behalf of Council to the South Carolina Department of Transportation expressing the County's willingness to guarantee final payment of up to \$606,202.67 in potential final costs, pending future receipt of future C Program funds.

Chairman Hargett requested to make the following motion regarding the County Transportation Committee.

7. On the motion of Mr. Hargett, seconded by Mr. Waggoner, Council voted unanimously to have the County Administrator send a letter on behalf of County Council to the Dorchester County Legislative Delegation requesting consideration of payment of per-diem from the CTC State Funds to the Dorchester County Transportation Committee Members.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

1ST READING FOR "AN ORDINANCE ACCEPTING THE TRANSFER OF THE AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS IN THE TOWN OF HARLEYVILLE FROM THE HARLEYVILLE MUNICIPAL ELECTION COMMISSION TO THE DORCHESTER COUNTY BOARD OF ELECTIONS AND REGISTRATION AND TO PRESCRIBE THE TERMS OF SUCH TRANSFER"

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for "An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer".

COUNTY ADMINISTRATOR'S TIME-CONTINUED

3RD READING FOR ORDINANCE #09-15, AN ORDINANCE AMENDING A THIRD SUPPLEMENTAL ORDINANCE #08-17 ENTITLED "A THIRD SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF DORCHESTER COUNTY, SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$15,000,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AND OTHER MATTERS RELATING THERETO"

9. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading for Ordinance #09-15, An Ordinance Amending a Third Supplemental Ordinance No. 08-17 entitled "A Third Supplemental Ordinance Providing for the Issuance and Sale of Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Principal Amount of not Exceeding \$15,000,000; Prescribing the Form and Details of Such bonds; and Other Matters Relating Thereto".

REQUEST FOR A STREET NAME CHANGE - CIRCLE DRIVE TO RAMBO DRIVE

10. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve the request for a Street Name Change of "Circle Drive to Rambo Drive", as recommended by the Planning Commission. The change alleviates a duplicate road name in the same zip code in Dorchester County.

ADOPTION OF RESOLUTION #09-15, AUTHORIZATION TO FILE AND TO PROVIDE MATCHING FUNDS FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION (ST. GEORGE LIBRARY ADDITION)

11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to Adopt Resolution #09-15, Authorization to File and to Provide Matching Funds for Community Development Block Grant Application (St. George Library Addition).

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

APPROVAL OF RECREATION GRANT REQUESTS

12. Chairman Hargett reported that the Committee voted to recommend the list of *Dorchester County 2009 Recreation Grants Projects* to Council, as listed below in the amount of \$252,800. Council voted unanimously in favor of the recommendation.

Dorchester County 2009 Recreation Projects

<u>Recreation Project</u>	<u>Committee Recommendation</u>
The Town of Reevesville	\$ 13,800
The Town of St George	14,000
The Town of Harleyville	15,000
The Town of Ridgeville	10,000
Texas Community Recreation Program	7,500
Givhan Recreation Program	10,000
St. Paul Community Recreation Program	15,000
Summerville YMCA	25,000
St. Marks Community Recreation Program	10,000
Summerville Miracle League	15,000
Summerville Sertoma Club	25,000
Summerville Soccer Club	25,000
Summerville American Legion Baseball	2,500
Summerville Little League	25,000
St. George Soccer League	10,000
St. George Dixie Youth Baseball	15,000
Parks Field	<u>15,000</u>
Total	\$ 252,800

APPROVAL OF TRUCK PURCHASE FOR THE UPPER DORCHESTER
RESCUE SQUAD

13. Chairman Hargett reported that the Committee voted unanimously to recommend for Council to approve funding for the purchase of a new heavy-duty truck at a cost not to exceed \$150,000 from the fund balance in the Fire Capital Improvement Fund, and that the truck would be stationed at the Indian Field Fire Department. Council voted unanimously in favor of the recommendation. The truck will be used by the Upper Dorchester Rescue Squad.

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

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR WATER SERVICE TO 524 OLD FORT DR. - TMS #162-08-03-011

14. Chairman Feltner stated that the Committee voted to recommend for Council to approve the request for water service to 524 Old Fort Drive, TMS #162-08-03-011. Council voted unanimously in favor of the recommendation.

REQUEST FOR SEWER AND WATER SERVICE - TMS #163-00-00-027

15. Chairman Feltner stated the Committee voted to recommend that Council approve the request for sewer and water service for a new Dorchester District 2 School, TMS #163-00-00-027. The new school is to be located on Patriots Boulevard in the City of North Charleston. Council voted unanimously in favor of the recommendation.

REQUEST FOR SEWER SERVICE TO 102 PRINGLE LANE - TMS #130-10-00-071

16. Chairman Feltner stated that the Committee voted to recommend to full Council for approval of the request for sewer service to 102 Pringle Lane, TMS #130-10-00-071. Council voted unanimously in favor of the recommendation.

**REQUEST FOR SEWER SERVICE TO 100 DUGGINS LANE – TMS #130-14-01-004,
103 DUGGINS LANE – TMS #130-14-01-008, 107 DUGGINS LANE – TMS #130-14-01-
007, 108 DUGGINS LANE – TMS #130-14-01-005, AND 111 DUGGINS LANE – TMS
#130-14-01-006**

17. Chairman Feltner stated the Committee voted to recommend that Council approve the request for sewer service to 100 Duggins Lane, TMS #130-14-01-004, 103 Duggins Lane, TMS #130-14-01-008, 107 Duggins Lane, TMS #130-14-01-007, 108 Duggins Lane, TMS #130-14-01-005, and 111 Duggins Lane, TMS #130-14-01-006, contingent upon all tap and impact fees being paid before any work starts. Council voted unanimously in favor of the recommendation.

REQUEST FOR SEWER SERVICE TO 136 GAILYNN LANE TMS #143-15-00-016

18. Chairman Feltner stated the Committee's recommendation to Council was for approval of sewer service to 136 Gailynn Lane, TMS #143-15-00-016. Council voted unanimously in favor of the recommendation.

REQUEST FOR SEWER SERVICE TO 318 AULDS LANE TMS #130-14-01-001

19. Chairman Feltner stated the Committee's recommendation to Council was for approval of sewer service to 318 Aulds Lane, TMS #130-14-01-001. Council voted unanimously in favor of the recommendation.

COMMITTEE REPORTS- CONTINUED
WATER AND SEWER COMMITTEE REPORT

REQUEST FOR SEWER SERVICE TO METALWORX INC. PHASE II, TMS #122-00-00-138

20. Chairman Feltner stated the Committee's recommendation to Council was for approval of sewer service to Metalworx Inc. Phase II, TMS #122-00-00-138. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS

PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR REZONING REQUEST #629, FOR GEORGE O. KEIFER, TMS# 122-00-00-116

21. Chairman Davis stated that the Committee held a Public Hearing with no comments, and the recommendation to Council was to give 3rd Reading to Rezoning Request #629, for George O. Keifer, TMS# 122-00-00-116. This is a request to rezone 6 acres on Hodge Road in Jedburg from I (Industrial District) to CLI (Commercial Light Industrial District). Council voted unanimously in favor of the recommendation for 3rd Reading.

REQUEST FOR RECREATION GRANT FUNDING FOR ASHBOROUGH CIVIC ASSOCIATION

Councilman Rosebrock stated the Public Safety, Health, and Human Services Committee had rejected a request from the Ashborough Civic Association, who had requested funding in the amount of \$40,000 from the Dorchester County 2009 Recreation Grants Program. He further stated Chairman Feltner had requested that the Association be funded in the amount of \$15,000, and at the Committee meeting Committee Member Waggoner motioned to recommend, which did not carry, to fund the Association in the amount of \$7,500. Councilman Rosebrock requested to discuss this issue further with full Council. Public Safety, Health, and Human Services Committee Chairman, Larry Hargett, addressed Council and explained the reason the Committee had a problem with funding any organizations associated with subdivisions. He stated the Committee felt it might start a precedent of funding recreation projects in subdivisions because there are approximately 300 subdivisions in Dorchester County. After discussions by Council, Chairman Feltner thanked Council for discussing this matter at this time.

22. On the motion of Mr. Rosebrock, seconded by Mr. Waggoner, Council voted three in favor, and four opposed, that the Ashborough Civic Association receive \$7,500 from the Dorchester County 2009 Recreation Grants Program. (motion failed)

Council Members Murphy, Davis, Hearn, and Hargett opposed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY LIBRARY BOARD

Councilman Rosebrock stated that his appointee Mr. J.G. "Jim" Moore, to the Dorchester County Library Board had resigned from the Board as of September 7, 2009. Councilman Rosebrock stated that he wanted the minutes of this meeting to reflect the following statements. He wanted to take this opportunity to thank Mr. Moore for being such an asset to the Board, and for his long and dedicated service, which he had given to the Dorchester County Library Board.

23. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to appoint Mr. Thomas Socha, as representative for District #5, to the Dorchester County Library Board to replace Mr. J.G. "Jim" Moore, who resigned.

DORCHESTER COUNTY SENIORS INC. BOARD

24. On the motion of Mr. Feltner, seconded by Mr. Davis, Council voted unanimously to appoint Mr. Joseph Valentino, as representative for District #7, to the Dorchester County Seniors Inc., 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 a confidential economic development prospect, and to give legal advice concerning the application of the stormwater fee, a rezoning request, a real estate matter, an assessment issue, and to discuss four contractual matters dealing with the EOC/Elections Building, an agreement with KG Golf Acquisition, a proposed offer to purchase 134 Club Lane, and contractual obligations with North Charleston Sewer District.

EXECUTIVE SESSION 7:49 P.M.

25. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 10:10 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of the items.

ECONOMIC DEVELOPMENT PROJECT ADOPTION OF RESOLUTION #09- 16

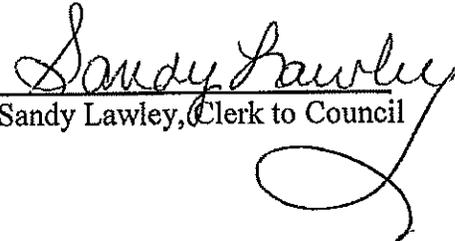
26. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #09-16, "Declaring the County's Intent to Reimburse Itself for Certain Expenditures made prior to the County's Consummation of Federally Tax-Exempt Financing".

ECONOMIC DEVELOPMENT PROJECT " ADOPTION OF RESOLUTION AND #09-17

27. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #09-17, "Making Application to the State Budget and Control Board of South Carolina for Approval of the Issuance by Dorchester County, South Carolina, of its Special Source Revenue Bond, Series 2009, in an Aggregate Principal Amount of not to exceed \$3,250,000, Pursuant to the Provisions of the Code of Laws of South Carolina 1976, as Amended, Title 4, Chapters 1 and 29; and Providing for Other Matters Thereto Relating".

ADJOURNMENT 10:10 P.M.

28. 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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
SEPTEMBER 21, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the September 8, 2009, County Council Meeting
- Correspondence

3. GUEST

- Mr. Russell Hightower, Waste Management, Check Presentation/Grant Award to Keep Dorchester County Beautiful “Think Green Grant” for 2009

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

- 2nd Reading for “An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer”

5. COMMITTEE REPORTS

Chairman Jamie Feltner, Budget, Finance, and Purchasing Committee Report

- 2009 Accommodations Tax Committee Recommendation

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service – TMS #160-09-00-012
- Request for Qualifications for Professional Engineering Services

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
- Legal Advice
- Pending Litigation
- Contractual Matters

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 21, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Chris Murphy

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

REQUESTS TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council, and the following citizen replied:

- Mr. Charlie Stoudenmier, a member of the Dorchester District II School Board, addressed Council concerning the death of Dr. Gene Sires who passed away on Sunday, September 20, 2009. Dr. Sires was a beloved retired principal of Summerville Elementary School. Council took a moment of silence in remembrance of Dr. Sires. Mr. Stoudenmier thanked Council for their time.

ADOPTION OF MINUTES FROM SEPTEMBER 8, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt the Minutes from September 8, 2009, County Council Meeting.

Councilman Murphy was absent.

MOTION TO AMEND THE AGENDA

2. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, to amend the agenda to discuss the Dorchester County Zoning and Land Development Standards Ordinance #04-13.

Councilman Murphy was absent.

1ST READING TO AMEND THE ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13 , SECTION 9.1.4

3. On the motion of Mr. Waggoner, seconded by Davis, voted six in favor, and one absent, to amend Section 9.1.4 of the Zoning and Land Development Standards Ordinance #04-13, to exclude buildings used for agricultural uses from any accessory structure square footage limitations, and to refer this item to the Planning, Development and Building Committee for further consideration.

Councilman Murphy was absent.

CORRESPONDENCE

Mr. Ward, County Administrator, informed Council that the County received notification of an annexation from the City of North Charleston (seven parcels on Hunters Ridge Lane).

Mr. Ward, County Administrator, informed Council that the County received notification of three annexations from the Town of Summerville (Martin's Creek Apartments near Trolley Road; Dolphin Drive; and US Hwy 78).

GUESTS

Mr. Russell Hightower of Waste Management, and Mr. Mark Muckenfuss, Manager of Oakridge Landfill, addressed Council and made a \$10,000 check presentation to Dorchester County Council and Keep Dorchester County Beautiful for the "Think Green" grant award for 2009. This grant was a competition sponsored by Waste Management.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD
2ND READING FOR "AN ORDINANCE ACCEPTING THE TRANSFER OF
THE AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS IN THE
TOWN OF HARLEYVILLE FROM THE HARLEYVILLE MUNICIPAL
ELECTION COMMISSION TO THE DORCHESTER COUNTY BOARD OF
ELECTIONS AND REGISTRATION AND TO PRESCRIBE THE TERMS
OF SUCH TRANSFER"

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 2nd Reading for "An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer".

Councilman Murphy was absent.

COMMITTEE REPORTS

Chairman Feltner passed the gavel to Vice Chairman Davis in order to give his Committee Reports.

BUDGET, FINANCE, AND PURCHASING COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER
2009 ACCOMMODATIONS TAX COMMITTEE RECOMMENDATION

5. Chairman Feltner stated the Committee's recommendation to Council was for approval of the recommendations made by the Accommodations Tax Advisory Committee as provided to Council. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR NEW SEWER SERVICE – TMS #160-09-00-012

6. Chairman Feltner stated that the Committee's recommendation to Council was to approve the request for new sewer service to TMS #160-09-00-012, in Legend Oaks, as recommended for approval by County staff. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

WATER AND SEWER COMMITTEE REPORT CONTINUED
REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL
ENGINEERING SERVICES

7. Chairman Feltner stated the Committee's recommendation to Council was to approve the "Request for Qualifications for Professional Engineering Services", for water and sewer projects as requested by staff. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
REQUEST FOR EXECUTIVE SESSION AND REQUEST TO AMEND THE
AGENDA

The County Attorney requested Council to amend the agenda to take up two additional matters in Executive Session; the first being a contractual matter with Waste Management and the second being legal advice concerning assessment issues.

8. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted six in favor, and one absent, to amend the agenda to take up two additional items in Executive Session as requested by the County Attorney.

Councilman Murphy was absent.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss the two additional items as approved, to give legal advice concerning a pending litigation matter, and discuss a contractual matter.

EXECUTIVE SESSION 7: 15 P.M.

9. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Councilman Murphy was absent.

RECONVENE FROM EXECUTIVE SESSION 9:55 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of the items.

ADJOURNMENT 9:55 P.M.

10. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one absent, to adjourn.

Councilman Murphy was absent.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
OCTOBER 5, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the September 21, 2009, County Council Meeting
- Dorchester County Employee Recognition Program
- Correspondence

3. COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

- Adoption of Resolution #09-18, "Resolution in Support of School Impact Fee Legislation"

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

- 3rd Reading for Ordinance #09-16, "An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer"

5. COMMITTEE REPORTS

Chairman Richard Rosebrock, Public Works, Property and Utilities Committee Report

- Maintenance of Knight's Avenue in Pine Hill Acres
- Striping of Roads in Summerset Acres
- Old Spell Road
- Yerby Road
- County Road Maintenance Petition - Cornerstone Lane
- County Road Maintenance Petition - Winger Lane
- Historical Cemeteries (Zeigler)

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service – TMS #136-13-00-009 (Margaret Blair)
- Request for New Sewer Service – TMS #135-00-00-225 (Angela Deese)
- Request for Sewer Service to Wentworth Hall Phase 2 - TMS #128-00-00-007
- Request for New Water and Sewer Service for McKewn Plantation (Remaining Phases)
TMS #163-00-00-001, TMS #163-00-00-002, TMS #163-00-00-004, TMS #163-00-00-023,
TMS #163-00-00-024, TMS #163-00-00-025, TMS #163-00-00-027, TMS #163-00-00-028,
TMS #163-01-05-028 and TMS #163-01-05-044

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

Page Two
October 5, 2009
Dorchester County Council Agenda

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

- Request for Approval -Memorandum of Understanding between Dorchester County Sheriff's Office and the Harleyville Police Department
- Executive Session
 - Legal Advice
 - Pending Litigation Tax Sale Matter
 - Assessment Issue
 - Contractual Matters

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 5, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council.

ADOPTION OF MINUTES FROM SEPTEMBER 21, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one abstention, to adopt the Minutes from the September 21, 2009, County Council Meeting.

Councilman Murphy abstained.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

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

CORRESPONDENCE

There was no correspondence to report.

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

ADOPTION OF RESOLUTION #09-18, A RESOLUTION IN SUPPORT OF SCHOOL IMPACT FEES LEGISLATION

Councilman Hargett read aloud the proposed Resolution #09-18, which supports school impact fee legislation for School District #2. He explained that Council previously passed Resolution #09-03, which expressed Council's support for South Carolina Senate Bill No. 235, authorizing the Board of Trustees for Dorchester School District # 2, to impose an impact fee on any developer for each new residential dwelling unit constructed by the developer within the school district, to provide funds for the construction of public education facilities for grades K-12 within the District.

2. Mr. Hargett motioned to adopt Resolution #09-18, a Resolution in support of "School Impact Fee Legislation" for School District #2, and Mr. Rosebrock seconded the motion.
3. Mr. Davis motioned to amend the main motion to place this item in the Administrative and Intergovernmental Affairs Committee for further study, Mr. Waggoner seconded, and Council voted unanimously in favor the amendment.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

3RD READING FOR ORDINANCE #09-16, "AN ORDINANCE ACCEPTING THE TRANSFER OF THE AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS IN THE TOWN OF HARLEYVILLE FROM THE HARLEYVILLE MUNICIPAL ELECTION COMMISSION TO THE DORCHESTER COUNTY BOARD OF ELECTIONS AND REGISTRATION AND TO PRESCRIBE THE TERMS OF SUCH TRANSFER"

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 3rd for Ordinance #09-16, "An Ordinance Accepting the Transfer of the Authority to Conduct Municipal Elections in the Town of Harleyville from the Harleyville Municipal Election Commission to the Dorchester County Board of Elections and Registration and to Prescribe the Terms of Such Transfer".

COMMITTEE REPORTS

**PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE REPORT,
CHAIRMAN RICHARD ROSEBROCK**

MAINTENANCE OF KNIGHT AVENUE IN PINE HILL ACRES

5. Chairman Rosebrock reported that the Committee discussed the maintenance of Knight Avenue in Pine Hill Acres. He stated this unpaved road and its drainage system were county maintained, and according to the Public Works Director, Knight Avenue was not under the Dorchester County Sales Tax Transportation Authority for paving. Chairman Rosebrock stated that the Committee's recommendation was to bring this item before Council without a recommendation since the County was currently maintaining the road, and there was no further action that the Committee could take other than removing it from the Committee.
6. Mr. Hearn motioned to amend the recommendation of the Committee, seconded by Mr. Hargett, and Council voted unanimously, to remove this item from the Public Works, Property, and Utilities Committee and to have Mr. Richard Byrd, Public Works Director, make a request to the Dorchester County Transportation Committee to have Knight Avenue in Pine Hill Acres paved by the CTC.

STRIPING OF ROADS IN SUMMERSET ACRES

7. Chairman Rosebrock stated the Committee discussed the issue of "Striping of Roads in Summerset Acres", and the Committee's recommendation to Council was that the striping was not necessary and to remove this item from the Public Works, Property, and Utilities Committee's Item Listing. Council voted unanimously in favor of the recommendation.

OLD SPELL ROAD

Chairman Rosebrock reported on Old Spell Road and that the Dorchester County Sales Tax Transportation Authority contractor had performed preliminary survey work to determine required easements for the roadway and drainage. In addition, he reported the work would continue on this project with the next step being acquisition of easements and no action was necessary by Council and it would stay in Committee to follow.

YERBY ROAD

Chairman Rosebrock reported the Committee discussed Yerby Road. He stated that the plans and easement acquisitions were completed for this project while awaiting final issuance of US ACOE wetlands permits for Summer Drive, which would complete the bid package for Yerby Road, Winding Woods Road and Summer Place Road. Chairman Rosebrock stated that this process would allow procurement to place these three Dorchester County Sales Tax Transportation Authority projects out for bid. He stated solicitations of bids are expected out this month; and no action was necessary on this item, which would remain in Committee.

COUNTY ROAD MAINTENANCE PETITION - CORNERSTONE LANE

8. Chairman Rosebrock reported that Cornerstone Lane does not meet the standards for acceptance into the County Road Maintenance System. He stated that the Committee's recommendation to Council was to deny the Petition for County Road Maintenance for Cornerstone Lane, and to have this item removed from the Public Works, Property, and Utilities Committee's Item Listing. Council voted unanimously in favor of the recommendation.

COUNTY ROAD MAINTENANCE PETITION - WINGER LANE

9. Chairman Rosebrock reported that Winger Lane does not meet the standards for acceptance into the County Road Maintenance System and the Committee's recommendation to Council was to deny the Petition for County Road Maintenance, and to have this item removed from the Public Works, Property, and Utilities Committee's Item Listing. Council voted unanimously in favor of the recommendation.

HISTORICAL CEMETERIES (SEIGLER)

10. Chairman Rosebrock reported that the Committee's recommendation to Council was for approval of County maintenance of the road going to Seigler Historical Cemetery near Grover, in accordance with County Ordinance #97-12. Council voted unanimously in favor of the recommendation.

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

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR NEW SEWER SERVICES TMS #136-13-00-009 (M. BLAIR)

11. Chairman Feltner stated the Committee voted to recommend for Council to approve the request to provide sewer services for property on Orangeburg Road, identified by TMS #136-13-00-009. Council voted unanimously in favor of the recommendation.

REQUEST FOR NEW SEWER SERVICE – TMS #135-00-00-225 (A. DEESE)

12. Chairman Feltner stated the Committee voted to recommend for Council to approve the request for sewer service on Columns Road, identified by TMS #135-00-00-225. Council voted unanimously in favor of the recommendation.

REQUEST FOR SEWER SERVICE TO WENTWORTH HALL PHASE 2 -
TMS #128-00-00-007

13. Chairman Feltner reported the Committee's recommendation to Council was for approval of the request for sewer service to Wentworth Hall Phase 2, identified by TMS #128-00-00-007. Council voted unanimously in favor of the recommendation.

REQUEST FOR NEW WATER AND SEWER SERVICE FOR MCKEWN
PLANTATION (REMAINING PHASES) TMS #163-00-00-001, TMS #163-00-
00-002, TMS #163-00-00-004, TMS #163-00-00-023, TMS #163-00-00-024,
TMS #163-00-00-025, TMS #163-00-00-027, TMS #163-00-00-028, TMS #163-
01-05-028 AND TMS #163-01-05-044

14. Chairman Feltner reported the Committee's recommendation to Council to approve the request for a water and sewer availability letter, with the understanding that the developers would pay for all upgrades to the water and sewer systems, to accommodate all phases of its development for water and sewer service for McKewen Plantation. This would be for the remaining phases identified by TMS #'s; #163-00-00-001, #163-00-00-002, #163-00-00-004, #163-00-00-023, #163-00-00-024, #163-00-00-025, #163-00-00-027, #163-00-00-028, #163-01-05-028, and #163-01-05-044. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointment to Boards and Commissions.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

**REQUEST FOR APPROVAL -MEMORANDUM OF UNDERSTANDING
BETWEEN DORCHESTER COUNTY SHERIFF'S OFFICE AND THE
HARLEYVILLE POLICE DEPARTMENT**

15. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve the Memorandum of Understanding between Dorchester County Sheriff's Office and the Harleyville Police Department for Mutual Aid.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice regarding a pending lawsuit concerning the tax sale, an assessment issue, and to discuss three contractual matters.

EXECUTIVE SESSION 7:37 P.M.

16. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

Councilman Davis recognized constituents from his District who were in attendance of the meeting and thanked them for taking the time to support their local government.

RECONVENE FROM EXECUTIVE SESSION 8:58 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of the items.

**1ST READING BY TITLE ONLY TO "AN ORDINANCE AMENDING
ORDINANCE #09-09, "THE FY 2009-2010 DORCHESTER COUNTY
BUDGET ORDINANCE", TO REDUCE THE DORCHESTER COUNTY
SCHOOL DISTRICT #2 OPERATING BUDGET, TO FUND THE FY 2008-
2009 DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING
BUDGET DEFICIENCY, AND TO CORRECT A SCRIVENER'S ERROR"**

17. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading by title only to "An Ordinance Amending Ordinance #09-09, "The FY 2009-2010 Dorchester County Budget Ordinance", to Reduce the Dorchester County School District #2 Operating Budget, to Fund the FY 2008-2009 Dorchester County School District #2 Operating Budget Deficiency, and to Correct a Scrivener's Error".

APPROVAL OF LETTER REF: SEWER

18. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to approve the proposed letter to Mr. John Templeton dated October 5, 2009, concerning the sewer service to his development, owned by Domino Properties, LLC, and authorize Ms. Kristin Champagne to sign the letter.

3RD READING FOR ORDINANCE #09-17, "APPROVING A DEVELOPMENT AGREEMENT BETWEEN DORCHESTER COUNTY AND MWV PINE HILL COMMERCE PARK, LLC."

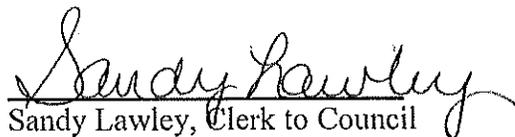
19. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading for Ordinance #09-17, "Approving a Development Agreement between Dorchester County and MWV Pine Hill Commerce Park, LLC."

DORCHESTER COUNTY COURTHOUSE

20. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to authorize the expenditure of not to exceed \$631,000 for completion of the new Dorchester County Courthouse, and for the County Administrator to identify the funding source.

ADJOURNMENT 9:03 P.M.

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


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
OCTOBER 12, 2009
8:30 A.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

-2nd Reading to “An Ordinance Amending Ordinance #09-09, “The FY 2009-2010
Dorchester County Budget Ordinance”, to Reduce the Dorchester County School District #2
Operating Budget, to Fund the FY 2008-2009 Dorchester County School District #2
Operating Budget Deficiency, and to Correct a Scrivener’s Error”

3. ADJOURN

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
OCTOBER 19, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the October 5, 2009, County Council Meeting and the October 12, 2009, Special Called Council Meeting
- Adoption of Proclamation #09-06, "National Save for Retirement Week"
- Correspondence

3. GUESTS

- Upper Dorchester County Historical Society, and Summerville Preservation Society-
New County Flag and Seal

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

- Recommendation for Displaying the Old Dorchester County Flag

5. COMMITTEE REPORTS

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for an "Ordinance to Amend The Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, and as Amended by Dorchester County Ordinance #08-21"

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service – TMS #162-00-00-007 (William and Betty Tisdale)

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 1st Reading to an Ordinance to Amend the Dorchester County Multicounty Industrial Park Agreement to Add a Parcel in Orangeburg County
- 1st Reading for an Ordinance Authorizing Amendment of 2007 Fee Agreement, Between Dorchester County SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes
- 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 Audit Committee (By Title Only)
- Executive Session
 - Confidential Economic Development Projects
 - Contractual Matters
 - Rail Spur Conveyance
 - License Agreement with Summerville CPW
 - Commercial/Retail Study
 - Legal Advice
 - Condemnation of Tract 46 for Berlin Myers Parkway Phase III

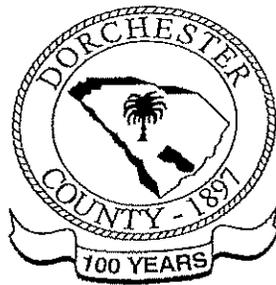
8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 19, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council.

ADOPTION OF MINUTES FROM THE OCTOBER 5, 2009, COUNTY COUNCIL MEETING AND OCTOBER 12, 2009, SPECIAL CALLED COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously, to adopt the Minutes from the October 5, 2009, County Council Meeting and the October 12, 2009, Special Called Council Meeting.

ADOPTION OF PROCLAMATION #09-06, "NATIONAL SAVE FOR RETIREMENT WEEK"

2. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt Proclamation #09-06, "National Save for Retirement Week", declaring October 18-24 National Save for Retirement Week.

CORRESPONDENCE

There was no correspondence to report.

GUESTS: UPPER DORCHESTER COUNTY HISTORICAL SOCIETY, AND SUMMERVILLE PRESERVATION SOCIETY-

Mrs. Phyllis Hughes and Mrs. Jean Behling, representing the Upper Dorchester County Historical Society, and Mr. Heyward Hutson and Mr. Hal Rigby, representing the Summerville Preservation Society, were present at the meeting to support Council in announcing their choice for the new Dorchester County Flag and County Seal. The organizations worked very hard on this project and Council thanked them for their dedicated work to Dorchester County, along with the entire group of artists that submitted designs for the flags and seals.

Mr. John Dumas, a Summerville architect, won with his submission of a new County Seal, which in addition, will be made into the new County Flag. Mr. Heyward Hutson read aloud the explanation that Mr. Dumas submitted with his design. In the explanation, he stated that the design depicts the old bell tower of St. George's Anglican Church, located at the site of colonial Dorchester. The bell tower is the last remaining archeological and architectural features of the colonial town. Also, on Mr. Dumas's design is the live oak tree, which symbolizes the richness of the old forests of this land and the longevity of this tree relates to the heritage of the county. The circle of leaves represents magnolia leaves and links together like the hands of all the citizens of our county, linking together for a common purpose. In addition, Mr. Dumas included a motto, "service, justice, prosperity" and this was included as the overall goals of county government in his explanation, along with the date that the Dorchester County was founded "1897".

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

RECOMMENDATION FOR DISPLAYING THE OLD DORCHESTER COUNTY FLAG

Mr. Ward made a recommendation to Council requesting the authorization to display the old Dorchester County Flag outside of the County Council Chambers in the Kenneth F. Waggoner Building in St. George. Mr. Ward stated that the recommendation was to have the flag matted and framed along with a description of the flag and a picture of those Dorchester County School District Number One officials that presented the flag to County Council. This location seems appropriate because the Kenneth F. Waggoner Services Center is the former Dorchester County School District Number One St. George Elementary School, erected in 1972, and the former St. George High School, erected in 1927.

3. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously, to display the old Dorchester County Flag outside of the County Council Chambers in the Kenneth F. Waggoner Building in St. George, as recommended by the County Administrator.

COMMITTEE REPORTS
PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT,
CHAIRMAN WILLIE DAVIS

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
AN "ORDINANCE TO AMEND THE DORCHESTER COUNTY ZONING
AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS
PREVIOUSLY AMENDED, AND AS AMENDED BY DORCHESTER
COUNTY ORDINANCE #08-21"

4. Chairman Davis stated that a Public Hearing was held on the proposed "Ordinance to Amend The Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, and as Amended by Dorchester County Ordinance #08-21", and explained this amendment would exempt accessory structures which are being used for agricultural purposes from the accessory structure square footage limitations as set forth in Section 10.4.2(1)(e) for Rural District. He stated that there were no public comments and the Committee's recommendation to Council was for 2nd Reading. Council voted unanimously in favor of the recommendation.

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

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR NEW SEWER SERVICES TMS #162-00-00-007 (WILLIAM AND BETTY TISDALE)

5. Chairman Feltner stated the Committee voted to recommend to Council for approval of the request from William and Betty Tisdale for new sewer services on Old Fort Drive in Summerville, identified by TMS #162-00-00-007. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY BOARD OF ASSESSMENT APPEALS

6. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to appoint Mr. Ted French, to serve on the Dorchester County Board of Assessment Appeals, as representative for District #4, to replace Mr. Joe LeNoir, who has resigned from the Board after serving 14 years.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

7. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to appoint Sergeant Michael (Mike) Mann, of the Sheriff's Office, to serve on the Dorchester County Grievance Committee, as representative for District #3.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

1ST READING TO AN ORDINANCE TO AMEND THE DORCHESTER COUNTY MULTICOUNTY INDUSTRIAL PARK AGREEMENT TO ADD A PARCEL IN ORANGEBURG COUNTY

8. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1st Reading to an Ordinance to Amend the Dorchester County Multi-county Industrial Park Agreement to Add a Parcel in Orangeburg County. This amendment would add an additional 52.96-acre parcel.

COUNTY ATTORNEY'S TIME -- CONTINUED
1ST READING FOR AN ORDINANCE AUTHORIZING AMENDMENT OF
2007 FEE AGREEMENT, BETWEEN DORCHESTER COUNTY SC AND
WEBER AUTOMOTIVE CORPORATION FOR PAYMENTS IN LIEU OF
PROPERTY TAXES

9. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for "An Ordinance Authorizing an Amendment of a 2007 Fee Agreement, Between Dorchester County SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes". This amendment will extend the investment period and Special Source Revenue Credits period to December 31, 2017.

1ST READING BY TITLE ONLY 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 AUDIT COMMITTEE

10. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading, by title only 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 Audit Committee".

REQUEST TO AMEND THE AGENDA

The County Attorney requested Council's consideration to amend the agenda under executive session to add an additional contractual matter concerning the county's waste disposal contract with Waste Management.

11. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to amend the agenda to add the additional item to executive session, as requested by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to receive an update on Economic Development Prospects, and to discuss three contractual matters, with those items being the conveyance of the county's rail spur, the license agreement with Summerville CPW, and conducting a "Commercial/Retail Study, the waste disposal contract with Waste Management, and to receive legal advice regarding a condemnation issue of Tract #46.

COUNTY ATTORNEY'S TIME – CONTINUED

EXECUTIVE SESSION 7:25 P.M.

12. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8:22 P.M.

The County Attorney reported that Council received legal advice and discussed all of the items announced prior to going into executive session, and no action was taken on any of the items.

COMMERCIAL/RETAIL STUDY

13. On the motion of Mr. Hargett, seconded by Rosebrock, Council voted unanimously to approve funding from the Economic Development Fund in the amount of \$15,500 for Dorchester County's portion for the Commercial/Retail Study.

CONDEMNATION OF TRACT #46

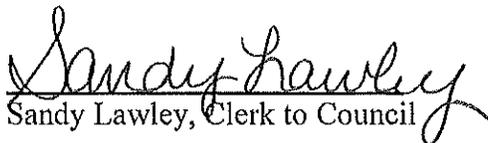
14. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to proceed with the condemnation of Tract 46, owned by W & M Enterprises for the purposes shown on the Davis and Floyd Right of Ways Plans pertaining to bike paths 1, 2, and 5 and an access road.

RAIL SPUR TRANSFER

15. On the motion of Mr. Murphy, seconded by Rosebrock, Council voted unanimously to authorize the County Administrator to execute the assignment of easements agreement, whereby Dorchester County transfers to the South Carolina Division of Public Railways, its easements upon which Dorchester County constructed the rail spur to serve industries in the East Port Industrial Park.

ADJOURNMENT 8:23 P.M.

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

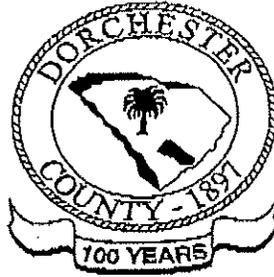

Sandy Lawley, Clerk to Council

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT

BILL HEARN, JR.

CHRISTOPHER J. MURPHY

RICHARD ROSEBROCK

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**MINUTES
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
OCTOBER 23, 2009
9:05 A.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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Larry Hargett
Mr. William (Bill) Hearn
Mr. Chris Murphy
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Admin. Asst. to Council

ABSENT: Mr. Kenneth F. Waggoner

Chairman Feltner called the meeting to order; Councilman Rosebrock gave the Invocation.



CHAIRMAN'S TIME

PUBLIC HEARING AND 3RD READING TO ORDINANCE #09-18 "AN ORDINANCE AMENDING ORDINANCE #09-09, "THE FY 2009-2010 DORCHESTER COUNTY BUDGET ORDINANCE", TO REDUCE THE DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET, TO FUND THE FY 2008-2009 DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET DEFICIENCY, AND TO CORRECT A SCRIVENER'S ERROR"

Chairman Feltner stated the Special Called Meeting of Dorchester County Council was being held for the purposes of holding a Public Hearing and for 3rd Reading to Ordinance #09-18 to amend Ordinance #09-09, as referenced in the above listed title.

PUBLIC HEARING

Chairman Feltner opened the Public Hearing and provided time for the Dorchester County Auditor, J. J. Messervy, to offer his remarks and to start the public comments period of the Public Hearing:

-Mr. Messervy came before Council to offer a breakdown on deficit millages for various properties. He stated the current deficit millage projection was 2.2 mills and the following information was reported:

Six Percent (6%) Properties:

- Valued at \$100,000 would incur a one (1) time fee of \$13.20
- Valued at \$250,000 would incur a one (1) time fee of \$33.00
- Valued at \$1,000,000 would incur a one (1) time fee of \$132.00

Vehicles:

- Valued at \$20,000 would incur a one (1) time fee of \$2.64

-Allyson Dukes, Finance Director for Dorchester School District II, came before Council and reported the District's Fund Balance had been depleted to approximately seven (7) percent, which consists of less than one (1) month's operating expenditures. She stated that as of this year \$4 million have been cut in District II funding and the combining budget cuts from last year and this year have totaled over \$15 million. In addition, Ms. Dukes reported teachers would not receive increases this year and with the school district currently operating at 85% personnel it would be very difficult for the cuts in funding not to effect personnel, either through furloughs or positions. Ms. Dukes requested Council to consider reducing the funding cuts by half or by adding at least \$1 million because furloughs would cost the school district approximately \$600,000 per day.

CHAIRMAN'S TIME

PUBLIC HEARING AND 3RD READING TO ORDINANCE #09-18 "AN ORDINANCE AMENDING ORDINANCE #09-09, "THE FY 2009-2010 DORCHESTER COUNTY BUDGET ORDINANCE", TO REDUCE THE DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET, TO FUND THE FY 2008-2009 DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET DEFICIENCY, AND TO CORRECT A SCRIVENER'S ERROR"

PUBLIC HEARING-CONTINUED

-Janet Frisco, resident of Dorchester County and parent of a former District School II student, came before Council and spoke of her negative experience with the school district. She expressed concerns on the quality of education provided by School District II, and stated she was opposed to providing the school district with additional funding.

-David Chinnis, resident of Dorchester County and parent of a former District School II student, came before Council and spoke of his positive experience with the school district, and stated that if the school system has made the determination that they have done everything they could and there was no dead weight, then the school system needs what they need. Mr. Chinnis spoke in favor of providing the school district with additional funding.

-Frances Townsend, School District II Board Member, came before Council and spoke on how the school district was a significant part of what brings growth into the community, through residents and industries. Ms. Townsend also reported the negative impacts budget cuts have on the school district and requested Council to consider the negative impacts, and to see if they could prevent cutting funding for School District II one more time.

-Charlie Stoudenmire, School District II Board Member, came before Council and stated Mr. Ken Seeger with MeadWestvaco, Inc. had recently given a report and half of Mr. Seeger's report consisted of remarks on the quality of education the children receive in Dorchester School District II. Mr. Stoudenmire stated this was the reason why this developer, a developer of 32,000 acres, and of 6000 acres in the school district, selected this community for their development. Those monies and funds remain in this community because the developer cares about the quality of learning provided to children.

-Paul Culver, D.M.D., resident of Dorchester County, came before Council to address his concerns of having budget cuts during the middle of the school year and stated growth was always present. In addition, he stated improvements in all areas were needed in order to bring industry into the County, and the community needed to invest in the children by emphasizing on education for all children, through conventional schooling and vocational schooling. Dr. Culver commented on the funding through impact fees, and questioned if loans could be provided to the school district until the impact fees could be utilized.

CHAIRMAN'S TIME

PUBLIC HEARING AND 3RD READING TO ORDINANCE #09-18 "AN ORDINANCE AMENDING ORDINANCE #09-09, "THE FY 2009-2010 DORCHESTER COUNTY BUDGET ORDINANCE", TO REDUCE THE DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET, TO FUND THE FY 2008-2009 DORCHESTER COUNTY SCHOOL DISTRICT #2 OPERATING BUDGET DEFICIENCY, AND TO CORRECT A SCRIVENER'S ERROR"

PUBLIC HEARING-CONTINUED

-Joe Pye, Superintendent for Dorchester School District II, came before Council and spoke on the matter of last year's and the current year's budget cuts. Superintendent Pye stated he wanted to clarify the statistic concerning the drop-out rate for the school district, which currently stands at 3.5%. He stated the school district was working to reduce this figure. Additionally, he reported the school district's graduation rate, with students graduating on time, currently stands at 76%. Superintendent Pye also stated the school district was currently projecting to meet the demands growth has placed on the school system, and they were also reviewing the district's budget on operational and facility costs.

Chairman Feltner reported the Public Hearing would remain open for the purpose of Council having a discussion period prior to any action being taken on the subject matter.

COUNCIL DISCUSSION

Members of Council held discussions relative to the legalities and stipulations of using the 6% assessment properties on unoccupied properties as a funding source for the budgetary shortfalls vs. the County's inability of legally being able to utilize monies within the General Fund and Fund Balance as a funding source for budgetary shortfalls. Additional discussions were held concerning this being a State issue and for the County to get with state officials in order to receive assistance on this matter.

Chairman Feltner closed the Public Hearing and the following action was taken:

1. On the motion of Councilman Murphy, seconded by Councilman Rosebrock, Council voted five in favor, one opposed, and one absent, to give 3rd Reading to Ordinance #09-18 "An Ordinance Amending Ordinance #09-09 for "Fiscal Year 2009-2010 Dorchester County Budget Ordinance", to Reduce the Dorchester School District #2 Operating Budget to Fund the Fiscal Year 2008-2009 Dorchester County School District #2 Operating Budget Deficiency, and to Correct a Scrivener's Error".

Councilman Hargett opposed; Councilman Waggoner was absent.

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 contractual matter dealing with a conservation easement.

EXECUTIVE SESSION 9:41 A.M.

2. On the motion of Councilman Davis, seconded by Councilman Murphy, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Councilman Waggoner was absent.

RECONVENE FROM EXECUTIVE SESSION 9:53 A.M.

The County Attorney reported that Council discussed the item announced prior to going into executive session, and no action was taken on the subject.

DORCHESTER COUNTY ACCEPTANCE FOR ASSIGNMENT AND
TRANSFER BY THE CONSERVATION FUND OF ITS RIGHTS AS GRANTEE
UNDER THE CONSERVATION ESEMENT FOR MIDDLETON PLACE
WOODLAND

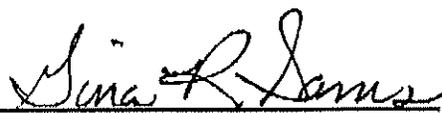
3. On the motion of Councilman Hargett, seconded by Councilman Rosebrock, Council voted six in favor, and one absent, to accept the assignment and transfer by the Conservation Fund of its rights as grantee under the conservation easement for Middleton Place Woodlands, and become the holder thereof; pursuant to South Carolina Code Section 27-8-20(2) provided that the conservation easement is in substantially the same form as presented for consideration by County Council and that Dorchester County receive from the Conservation Fund the sum of \$25,000.00 to offset the County's costs for monitoring and reporting to ensure compliance with the conservation easement.

Councilman Waggoner was absent.

ADJOURNMENT 10:01 A.M.

4. On the motion of Councilman Murphy, seconded by Councilman Davis, Council voted six in favor, and one absent, to adjourn.

Councilman Waggoner was absent.


Gina R. Sams, Admin. Asst. Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
NOVEMBER 2, 2009
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the County Council Meeting October 19, 2009, and County Council Special Called Meeting October 23, 2009
- Adoption of Proclamation #09-07, In Honor of International Literacy Month, September 2009
- Adoption of Proclamation #09-08, "National Hunger and Homeless Awareness Week, November 15-21, 2009"
- Adoption of Resolution #09-18, "A Resolution Establishing the Criteria for the Presentation of a Service Weapon Upon the Retirement of a Law Enforcement Officer with the Dorchester County Sheriff's Office"
- Correspondence

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

- 1st Reading for Rezoning Requesting #632, Robin M. Knight, TMS# 135-00-00-131
- 3rd Reading for Ordinance # 09-19, "Ordinance to Amend The Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, and as Amended by Dorchester County Ordinance #08-21"

4. COMMITTEE REPORTS

Chairman Willie Davis, Administrative and Intergovernmental Affairs Committee Report

- Resolution Supporting S.235, School District II Impact Fee Bill and Opposing H. 3018, Exemption of New Single Family Housing

Chairman Jamie Feltner, Water and Sewer Committee Report

- Recommendation on Professional Engineering Services

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 2nd Reading to an Ordinance to Amend the Dorchester County Multicounty Industrial Park Agreement to Add a Parcel in Orangeburg County
- 2nd Reading for an Ordinance Authorizing Amendment of 2007 Fee Agreement, Between DC, SC and Weber Automotive Corp. for Payments In Lieu of Property Taxes
- 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 Audit Committee
- Executive Session
 - Legal Advice
 - Special Source Revenue Bonds
 - Courthouse Rules and Regulations
 - Contractual Matters
 - County Courthouse
 - St. George Wastewater System Purchase

7. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
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SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE NOVEMBER 2, 2009 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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Chris Murphy

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

REQUESTS TO ADDRESS COUNCIL

The following citizens requested to address Council.

- Ms. Debbie Ainscough addressed Council regarding drainage problems on McMakin Drive in Pine Hill Acres in Summerville. She stated that the culvert needed to be replaced, the ditches needed to be deeper, and a retention pond installed. The County Administrator was requested to handle this problem by Council.

REQUESTS TO ADDRESS COUNCIL- CONTINUED

- Ms. Linda Haynes Whetsell of 108 Atlantic Street addressed Council regarding a business on Atlantic Street and the pollution it produced, which was causing problems and health issues to the residents. She stated she was still having problems from the last time she appeared before Council, and the Town of Summerville would not assist her. Ms. Whetsell requested help from Council to get assistance from the Town of Summerville. Councilman Hearn stated that he was her Councilman and would work with the Town of Summerville and Ms. Whetsell on her concerns.
- Ms. Dale Parkey addressed Council regarding drainage problems on McMakin Drive in Pine Hill Acres in Summerville. She stated that the culvert needed replacing and the ditches needed to be deeper. As stated earlier, Council informed Ms. Parkey that the County would be looking into this problem.

ADOPTION OF MINUTES FROM THE OCTOBER 19, 2009, COUNTY COUNCIL MEETING AND OCTOBER 23, 2009, SPECIAL CALLED COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the Minutes from the October 19, 2009, County Council Meeting, and the October 23, 2009, Special Called Council Meeting.

Councilman Murphy was absent.

(The above motion was clarified later in the meeting, to insure that the minutes from both meetings were adopted.)

ADOPTION OF PROCLAMATION #09-07, IN HONOR OF INTERNATIONAL LITERACY MONTH, SEPTEMBER 2009

2. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to adopt Proclamation #09-07, in honor of International Literacy Month, which was in the month of September for 2009.

Councilman Murphy was absent.

ADOPTION OF PROCLAMATION #09-08, "NATIONAL HUNGER AND HOMELESS AWARENESS WEEK", NOVEMBER 15-21, 2009

3. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt Proclamation #09-08, "National Hunger and Homeless Awareness Week", which will be November 15-21, 2009.
Councilman Murphy was absent.

ADOPTION OF RESOLUTION #09-18, "A RESOLUTION ESTABLISHING THE CRITERIA FOR THE PRESENTATION OF A SERVICE WEAPON UPON THE RETIREMENT OF A LAW ENFORCEMENT OFFICER WITH THE DORCHESTER COUNTY SHERIFF'S OFFICE"

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt Resolution #09-18, "A Resolution Establishing the Criteria for the Presentation of a Service Weapon Upon the Retirement of a Law Enforcement Officer with the Dorchester County Sheriff's Office".

Councilman Murphy was absent.

CORRESPONDENCE

The County Administrator informed Council that the County received a Notice of Annexation from the Town of Summerville for 125 Saddle Trail (TMS #136-00-00-183), a 5.485-acre parcel with an Agricultural Conservation zoning classification.

**COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD
1ST READING FOR REZONING REQUEST #632, PERCIVAL D. JR., AND
ROBIN M. KNIGHT, TMS# 135-00-00-131**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 1st Reading to Rezoning Request #632, for Percival D. Jr., and Robin M. Knight, TMS# 135-00-00-131, and to refer this matter to the Planning, Development, and Building Committee for further consideration. This is a request to rezone a 1-acre tract located at 113 Orangeburg Road in Knightsville from CG (General Commercial District) to TRM (Transitional Residential District).

Councilman Murphy was absent.

3RD READING FOR ORDINANCE # 09-19, "ORDINANCE TO AMEND THE DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY AMENDED, AND AS AMENDED BY DORCHESTER COUNTY ORDINANCE #08-21"

6. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to give 3rd Reading to Ordinance #09-19, "An Ordinance to Amend The Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, and as Amended by Dorchester County Ordinance #08-21".

Councilman Murphy was absent.

COMMITTEE REPORTS

**ADMINISTRATIVE AND INTERGOVERNMENTAL AFFAIRS
COMMITTEE REPORT CHAIRMAN WILLIE DAVIS**

**RESOLUTION #09-20 , A RESOLUTION SUPPORTING S.235, SCHOOL
DISTRICT II IMPACT FEE BILL AND OPPOSING H. 3018, EXEMPTION
OF NEW SINGLE FAMILY HOUSING**

7. Chairman Davis reported that the Committee voted to send the proposed Resolution Supporting S.235, School District II Impact Fee Bill and Opposing H. 3018, Exemption of New Single Family Housing, to full Council without a recommendation.
8. On the motion of Mr. Rosebrock, seconded by Mr. Hargett , Council voted five in favor, one opposed, and one absent, to adopt Resolution #09-21, Supporting S.235, School District II Impact Fee Bill and Opposing H. 3018, Exemption of New Single Family Housing, by removing the third paragraph from the proposed Resolution.

Councilman Hearn opposed, and Councilman Murphy was absent.

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

**WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER**

RECOMMENDATION ON PROFESSIONAL ENGINEERING SERVICES

9. Chairman Feltner stated the Committee voted to recommend for Council to approve the awarding of two-year agreements for "engineering services on as needed or assigned basis" to six firms, as recommended by staff. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

TRIDENT WORKFORCE INVESTMENT BOARD

10. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted six in favor, and one absent, to appoint Mr. Jon Baggett, Mr. Jim Friar, Mr. Terry Kinder, and Mr. Earl Capps, to the Trident Workforce Investment Board.

Councilman Murphy was absent.

ACCOMMODATIONS TAX COMMITTEE

11. On the motion of Chairman Feltner, seconded by Mr. Davis, Council voted six in favor, and one absent, to reappoint Mr. Marty Wall to the Accommodations Tax Committee, as representative for District #7.

Councilman Murphy was absent.

BOARD OF ASSESSMENT AND APPEALS

12. On the motion of Chairman Feltner, seconded by Mr. Davis, Council voted six in favor, and one absent, to appoint Mr. Ben Cheetum, to the Board of Assessment Appeals, as representative for District #7.

Councilman Murphy was absent.

A point of order request was made and the County Attorney's opinion was requested on whether the Chairman should have passed the gavel prior to making appointments. Upon receiving the County Attorney's opinion Chairman Feltner passed the gavel to Vice Chairman Davis and the following action was taken.

VOTE ON BOARD APPOINTMENTS – (MOTION #11 AND #12)

13. Vice Chairman Davis stated that the Chairman had motioned to reappoint Mr. Marty Wall to the Accommodations Tax Committee, and to appoint Mr. Ben Cheetum, to the Board of Assessment Appeals, as representatives for District #7, and both motions had received a second. Council voted six in favor, and one absent, on the motion.

Councilman Murphy was absent.

Vice Chairman Davis passed the gavel back to Chairman Feltner

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
2ND READING TO AN ORDINANCE TO AMEND THE DORCHESTER
COUNTY MULTICOUNTY INDUSTRIAL PARK AGREEMENT TO ADD
A PARCEL IN ORANGEBURG COUNTY

14. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 2nd Reading to an Ordinance to Amend the Dorchester County Multi-County Industrial Park Agreement to add a parcel in Orangeburg County.

Councilman Murphy was absent.

2ND READING FOR AN ORDINANCE AUTHORIZING AMENDMENT OF
2007 FEE AGREEMENT, BETWEEN DORCHESTER COUNTY SC AND
WEBER AUTOMOTIVE CORPORATION FOR PAYMENTS IN LIEU OF
PROPERTY TAXES

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 2nd Reading for "An Ordinance Authorizing an Amendment of a 2007 Fee Agreement, Between Dorchester County, SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes".

Councilman Murphy was absent.

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 AUDIT COMMITTEE

16. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 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 Audit Committee".

Councilman Murphy was absent.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to receive legal advice concerning a Special Source Revenue Bond Ordinance, a contractual matter concerning the courthouse, to discuss courthouse rules and regulations, and to discuss a contractual matter dealing with the purchase of the sewer system from the Town of St. George.

EXECUTIVE SESSION

17. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to enter into Executive Session as requested by the County Attorney.

Councilman Murphy was absent.

RECONVENE FROM EXECUTIVE SESSION 8:07 P.M.

The County Attorney reported that Council received legal advice and discussed the four items mentioned before going into executive session and no action was taken.

LETTER OF REQUEST TO CLERK OF COURT- NEW COURTHOUSE

18. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted four in favor, one opposed, one abstention, and one absent, for County Council to send a letter to the Dorchester County Clerk of Court requesting that no animals, except service animals be allowed in the new County Courthouse.

Councilman Hearn opposed, Councilman Waggoner abstained, and Councilman Murphy was absent.

LETTER OF REQUEST TO SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

19. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, that Council request the Dorchester County Administrator to submit a letter to the South Carolina Department of Corrections requesting a permanent waiver of the square foot requirement regarding the three single occupant detention cells in the new Courthouse, which do not meet the minimum square foot standard.

Councilman Murphy was absent.

ADOPTION OF RESOLUTION #09-19 – PUBLIC WATER SERVICE TOWN OF ST. GEORGE

20. On the motion Mr. Waggoner, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to adopt Resolution #09-19, concerning Public Water Service in Specified Areas Adjacent to and within the Town of St. George.

Councilman Murphy was absent.

3RD READING FOR ORDINANCE #09-20, "AN ORDINANCE OF DORCHESTER COUNTY CONCERNING ACQUISITION OF THE PUBLIC SEWER SYSTEM ASSETS OF THE TOWN OF ST. GEORGE"

21. On the motion Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor and one absent, to give 3rd Reading to Ordinance #09-20, "An Ordinance of Dorchester County Concerning the Acquisition of the Public Sewer System Assets of the Town of St. George."

Councilman Murphy was absent.

1ST READING FOR A GENERAL BOND ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS

22. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 1st Reading for a General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds and Providing for the Issuance of Additional Bonds and Refunding Bonds and Other Related Matters Connected with the Foregoing.

Councilman Murphy was absent.

1ST READING TO A FIRST SUPPLEMENTAL BOND ORDINANCE

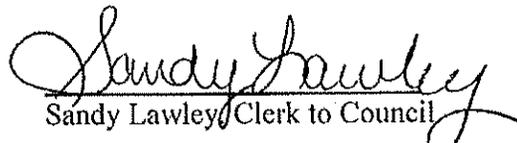
23. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 1st Reading to a First Supplemental Bond Ordinance, Providing for the Issuance and Sale of not Exceeding \$3,250,000 Special Source Revenue Bonds Series 2009, in One or More Series, Taxable or Tax-Exempt, Prescribing the Form and Details of the Bonds; and Other Related Matters.

Councilman Murphy was absent.

ADJOURNMENT 8:12 P.M.

24. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to adjourn.

Councilman Murphy was absent.


Sandy Lawley Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
NOVEMBER 16, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the November 2, 2009, County Council Meeting
- Adoption of Resolution 09-21, A Resolution to Declare County Council's Support of the Employee Wellness Program in Dorchester County
- Adoption of Resolution 09-22, A Resolution Authorizing the Lake Marion Regional Water Agency to File a Pre-Application with the United States Department of Agriculture's Rural Development Loan Program; and Other Matters Relating Thereto
- Correspondence

3. GUESTS

- Senator John W. Matthews, Jr., District #39, and Representative Patsy G. Knight, District #97, Check Presentation for the St. George Wastewater System Purchase
- Mr. Thom Schmenk, Dorchester County Risk Manager -Wellness Program Presentation
- Mr. Michael Boatwright, Dorchester County Information Technology Serv. Dir. –Webcasting Presentation

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

- Parks and Recreation Master Plan Update
- Approval of Final Design of the County Flag and Seal

5. COMMITTEE REPORTS

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service for Appian Way Apartments Pool, TMS #172-00-00-111

Chairman Willie Davis, Planning, Development and Building Committee Report

- Request for 2nd Reading for Rezoning Requesting #632, Percival D. Knight, Jr. and Robin M. Knight, TMS# 135-00-00-131

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 3rd Reading for Ordinance #09-21, to Amend the Dorchester County Multicounty Industrial Park Agreement to Add a Parcel in Orangeburg County
- Public Hearing and 3rd Reading for Ordinance #09-22, Authorizing Amendment of 2007 Fee Agreement, Between Dorchester County SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes
- 3rd Reading to Ordinance #09-23, 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 Audit Committee

COUNTY ATTORNEY'S TIME- CONTINUED

-Public Hearing and 2nd Reading to a First Supplemental Bond Ordinance, Providing for the Issuance and Sale of not Exceeding \$3,250,000, Special Source Revenue Bonds Series 2009, of Dorchester County, South Carolina, in One or More Series, Taxable or Tax-Exempt; Prescribing the Form and Details of the Bonds; Authorizing the Chairman or Vice-Chairman and The County Administrator to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Related Matters

-Public Hearing and 2nd Reading for a General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds; Providing for the Issuance of Additional Bonds and Refunding Bonds; Limiting the Payment of the Bonds Solely to the Pledged Revenues Received and Retained by the County from the Payment of Fees In Lieu Of Taxes From Certain Designated Multi-County Industrial and Business Parks and Pledging the Pledged Revenues for Payment; Creating Certain Funds and Providing for Payments into Those Funds; and Making Other Covenants and Agreements and in Connections with the Foregoing

-Executive Session

-Legal Advice

-Tax Revenue Reimbursement

-Contractual Matters

-Ladson Road Property- EMS Site

-McKewn Cost Sharing Agreement

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
NOVEMBER 16, 2009
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. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUEST TO ADDRESS COUNCIL

Mr. George Barber, an Ashborough East resident and engineer, addressed Council on behalf of the large number of residents who attended the County Council Meeting. Mr. Barber gave a lengthy presentation to Council on the concerns of the residents over the Dorchester Road Widening Improvement Project, also known as "Project #3", which they feel would severely impact the Ashborough East Homeowners property values, destroy the beauty, and the appeal of their community. The Chairman was given a petition from the "Ashborough East Homeowners Petitioners", and each member of Council received a letter and a copy of the presentation.

The Chairman called a short recess after the request to address Council.

Chairman Feltner called the meeting back to order.

ADOPTION OF MINUTES FROM THE NOVEMBER 2, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously, to adopt the Minutes from the November 2, 2009, County Council Meeting.

ADOPTION OF RESOLUTION #09-21, A RESOLUTION TO DECLARE COUNTY COUNCIL'S SUPPORT OF THE EMPLOYEE WELLNESS PROGRAM IN DORCHESTER COUNTY

2. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to adopt Resolution #09-21, "A Resolution to Declare County Council's Support of the Employee Wellness Program in Dorchester County". This resolution would be declaring FY 2010 the "Year of Employee Health and Wellness."

ADOPTION OF RESOLUTION #09-22, A RESOLUTION AUTHORIZING THE LAKE MARION REGIONAL WATER AGENCY TO FILE A PRE-APPLICATION WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE'S RURAL DEVELOPMENT LOAN PROGRAM; AND OTHER MATTERS RELATING THERETO

3. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #09-22, A Resolution Authorizing the Lake Marion Regional Water Agency to File a Pre-Application with the United States Department of Agriculture's Rural Development Loan Program; and Other Matters Relating Thereto.

CORRESPONDENCE

There was no Correspondence to report.

GUESTS
SENATOR JOHN W. MATTHEWS, JR., AND REPRESENTATIVE PATSY G. KNIGHT, CHECK PRESENTATION

Senator John W. Matthews, Jr., District #39, and Representative Patsy G. Knight, District #97, made a check presentation to Council for \$1 Million dollars towards the purchase of the St. George Wastewater System. The remaining funds will come from the recently issued water and sewer revenue bonds.

GUESTS CONTINUED

**MR. THOM SCHMENK, DORCHESTER COUNTY RISK MANAGER -
WELLNESS PROGRAM PRESENTATION**

Mr. Thom Schmenk, Dorchester County Risk Manager, gave a presentation to Council on the County's Wellness Program and thanked Council for their support of the program. He presented County Council with the employee health statistics and the strategies of the Wellness Program, which, are intended to improve employee health and productivity. In addition, County Council was given Wellness packages from the Wellness Committee.

**MR. MICHAEL BOATWRIGHT, DORCHESTER COUNTY INFORMATION
TECHNOLOGY SERVICES DIRECTOR - WEBCASTING PRESENTATION**

Mr. Michael Boatwright, Dorchester County Information Technology Services Director, and Mr. Chuck Wheatly, Network Administrator, made a presentation to Council on webcasting the Council meetings over the County's website for public viewing. He presented two options for Webcasting to Council. The names of the two companies presented were Granicus and Earth Channel. Mr. Boatwright stated that the free webcasting alternatives did not provide the same level of quality.

4. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to accept the presentation as information only.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

PARKS AND RECREATION MASTER PLAN UPDATE

The Administrator updated County Council on the Parks and Recreation Master Plan from Handen-Standizel Consultants. After a short discussion by Council, the Chairman placed this item in the Public Safety, Health, and Human Services Committee.

APPROVAL OF FINAL DESIGN OF THE COUNTY FLAG AND SEAL

Council discussed the approval of the final design of the County Flag and Seal, which was included in the Council packets. Mr. John Dumas was present and showed Council the final design for the County Flag.

5. On the motion of Mr. Murphy, seconded on Mr. Hargett, Council voted unanimously to approve the design of the new flag and seal as presented by Mr. John Dumas.

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

COMMITTEE REPORTS
WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR NEW SEWER SERVICE FOR APPIAN WAY APARTMENTS
POOL, TMS #172-00-00-111

Chairman Feltner stated the Committee had one item on the agenda and more information was necessary for action, therefore the item was placed in Committee.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS

RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #632,
PERCIVAL D. JR., AND ROBIN M. KNIGHT, TMS# 135-00-00-131

6. Chairman Davis stated that the Committee voted to recommend to Council that 2nd Reading be given to Rezoning Request #632, for Percival D. Jr., and Robin M. Knight, TMS# 135-00-00-131, and to refer this item back to the Planning, Development, and Building Committee for a Public Hearing and for further consideration. 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

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #09-21, TO AMEND
THE DORCHESTER COUNTY MULTICOUNTY INDUSTRIAL PARK
AGREEMENT TO ADD A PARCEL IN ORANGEBURG COUNTY

Chairman Feltner opened the Public Hearing for Ordinance #09-21, to amend the Dorchester County Multi-County Industrial Park Agreement to Add a Parcel in Orangeburg County.

Hearing no comments from the public, Chairman Feltner closed the Public Hearing.

7. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to give 3rd Reading to Ordinance #09-21, to Amend the Dorchester County Multi-County Industrial Park Agreement to add a parcel in Orangeburg County.

COUNTY ATTORNEY'S TIME-CONTINUED

**PUBLIC HEARING AND 3RD READING FOR ORDINANCE #09-22,
AUTHORIZING AMENDMENT OF 2007 FEE AGREEMENT, BETWEEN
DORCHESTER COUNTY SC AND WEBER AUTOMOTIVE CORPORATION
FOR PAYMENTS IN LIEU OF PROPERTY TAXES**

Chairman Feltner opened the Public Hearing for Ordinance #09-22, "An Ordinance Authorizing an Amendment of the 2007 Fee Agreement, Between Dorchester County, SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes".

Hearing no comments from the public, Chairman Feltner closed the Public Hearing.

8. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Ordinance #09-22, "An Ordinance Authorizing an Amendment of a 2007 Fee Agreement, Between Dorchester County, SC and Weber Automotive Corporation for Payments In Lieu of Property Taxes".

**3RD READING TO #09-23, 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 AUDIT
COMMITTEE**

9. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Ordinance #09-23, 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 Audit Committee.

COUNTY ATTORNEY'S TIME-CONTINUED

PUBLIC HEARING AND 2ND READING TO A FIRST SUPPLEMENTAL BOND ORDINANCE, PROVIDING FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$3,250,000, SPECIAL SOURCE REVENUE BONDS SERIES 2009, OF DORCHESTER COUNTY, SOUTH CAROLINA, IN ONE OR MORE SERIES, TAXABLE OR TAX-EXEMPT; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER RELATED MATTERS

Chairman Feltner opened the Public Hearing for the proposed Ordinance as titled above.

Hearing no comments from the public, Chairman Feltner closed the Public Hearing.

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 2nd Reading to a First Supplemental Bond Ordinance, Providing for the Issuance and Sale of not Exceeding \$3,250,000, Special Source Revenue Bonds Series 2009, of Dorchester County, South Carolina, in One or More Series, Taxable or Tax-Exempt; Prescribing the Form and Details of the Bonds; Authorizing the Chairman or Vice-Chairman and the County Administrator to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Related Matters.

PUBLIC HEARING AND 2ND READING FOR A GENERAL BOND ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF DORCHESTER COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE ISSUANCE OF ADDITIONAL BONDS AND REFUNDING BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM CERTAIN DESIGNATED MULTI-COUNTY INDUSTRIAL AND BUSINESS PARKS AND PLEDGING THE PLEDGED REVENUES FOR PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO THOSE FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS AND IN CONNECTIONS WITH THE FOREGOING

Chairman Feltner opened the Public Hearing for the proposed Ordinance as titled above.

Hearing no comments from the public, Chairman Feltner closed the Public Hearing.

COUNTY ATTORNEY'S TIME-CONTINUED

**PUBLIC HEARING AND 2ND READING FOR A GENERAL BOND ORDINANCE
CONTINUED**

11. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading for a General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds; Providing for the Issuance of Additional Bonds and Refunding Bonds; Limiting the Payment of the Bonds Solely to the Pledged Revenues Received and Retained by the County from the Payment of Fees In Lieu Of Taxes From Certain Designated Multi-County Industrial and Business Parks and Pledging the Pledged Revenues for Payment; Creating Certain Funds and Providing for Payments into Those Funds; and Making Other Covenants and Agreements and in Connections with the Foregoing.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning Tax Revenue Reimbursement, and to discuss two contractual matters, one being the purchase of property on Ladson Road for the EMS site and a cost sharing agreement for the expansion and upgrades to the Wescott lift station.

EXECUTIVE SESSION 8:49 P.M.

12. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:10 P.M.

The County Attorney reported that Council received legal advice and discussed the items reported before going into executive session and no action was taken.

LADSON ROAD PROPERTY - EMS SITE

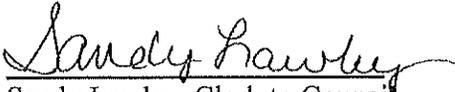
13. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to authorize the County Administrator to engage the services of an appraiser to provide the County with a valuation of a potential EMS site on Ladson Road.

MCKEWN COST SHARING AGREEMENT

14. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously that the County Administrator be authorized to execute the Cost Sharing Agreement for the upgrades and expansion to the Westcott Lift Station.

ADJOURNMENT 9:14 P.M.

15. 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
DECEMBER 7, 2009
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. JAMIE FELTNER

- Requests to Address Council
- Adoption of Minutes from the November 16, 2009, County Council Meeting
- Adoption of 2010 County Council Meeting Schedule
- Adoption of Resolution 09-23, In Honor of Mr. Richard Behling
- Adoption of Resolution 09-24 “A Resolution Directing the Dorchester County Planning Commission to Conduct Studies and to Develop and Make Recommendations for a Capital Improvements Plan and Impact Fee Ordinance as Provided for in the South Carolina Development Impact Fee Act as More Fully Act Set Forth in Section 6-1-910, *et seq*, Code of Laws of South Carolina (1976),as Amended”
- Correspondence

3. GUEST

- Mr. Alec Brebner, AICP - Planning Director, Berkeley-Charleston-Dorchester Council of Governments – Berkeley-Dorchester Hazard Mitigation Plan

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

- 1st Reading for An Ordinance to Provide For the Issuance and Sale of Not Exceeding Twelve Million Dollars (\$12,000,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2010, To Prescribe the Purposes for Which the Proceeds Shall Be Expended, To Provide For the Payment Therefore, and Other Matters Relating Thereto **(By Title Only)**
- Adoption of Resolution #09-25, Confirming the Intention of Dorchester County, South Carolina, to be Reimbursed for Certain Expenditures Related to Capital Projects to be Financed by the Issuance of Bonds
- 1st Reading for Rezoning Request #633, Civil Site Environmental, c/o David Stevens, TMS# 200-00-00-013, 014, 015, 016, 037, 040
- 1st Reading for Rezoning Request #634, Anthony R. Killiri, TMS# 151-04-00-036
- 1st Reading for An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, and To Delete in its Entirety Article X, Section 10.4.2(1)(e) and to Substitute In Lieu Thereof a New Article X, Section 10.4.2(1)(e)

5. COMMITTEE REPORTS

Chairman Jamie Feltner, Water and Sewer Committee Report

-Request for New Sewer Service for Appian Way Apartments Pool, TMS #172-00-00-111

-Request for New Water Service for Irene Green, TMS #007-00-00-240

Chairman Willie Davis, Planning, Development and Building Committee Report

-Public Hearing and Request for 3rd Reading for Rezoning Request #632, Percival D. Knight, Jr. and Robin M. Knight, TMS# 135-00-00-131

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-3rd Reading for Ordinance # 09-24, A First Supplemental Bond Ordinance, Providing for the Issuance and Sale of not exceeding \$3,250,000, Special Source Revenue Bonds Series 2009, of Dorchester County, South Carolina, in One or More Series, Taxable or Tax-Exempt; Prescribing the Form and Details of the Bonds; Authorizing the Chairman or Vice-Chairman and The County Administrator to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Related Matters

-3rd Reading for Ordinance #09-25, A General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds; Providing for the Issuance of Additional Bonds and Refunding Bonds; Limiting the Payment of the Bonds Solely to the Pledged Revenues Received and Retained by the County from the Payment of Fees In Lieu Of Taxes From Certain Designated Multi-County Industrial and Business Parks and Pledging the Pledged Revenues for Payment; Creating Certain Funds and Providing for Payments into Those Funds; and Making Other Covenants and Agreements and in Connections with the Foregoing

-Executive Session

-Legal Advice

-Tax Sale Overage

-Service Weapons

-Interpretation of TMDL Limits

-Contractual Matters

-Old Courthouse

-134 Club Road

-Wentworth Hall Development Agreement Amendment

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT
BILL HEARN, JR.
CHRISTOPHER J. MURPHY
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 7, 2009
7:04 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin board 24 hours prior to the meeting.

PRESENT: Mr. Jamie Feltner, Chairman
Mr. Willie Davis, Vice Chairman
Mr. Chris Murphy
Mr. William (Bill) Hearn
Mr. Richard Rosebrock
Mr. Larry Hargett
Mr. Kenneth F. Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUEST TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council and the following citizens replied:

- Mr. Jody C. Eargle, a member of the Harleyville Rural Voluntary Fire Department, addressed Council on behalf of 15 of the 26 firefighters from the Fire Department regarding problems about the Fire Department Bylaws. Mr. Eargle requested Council's assistance with this problem and the County Administrator was directed to handle this matter. Mr. Ward stated he would send Mr. Eargle a copy of the bylaws. Mr. Frampton addressed Council and Mr. Eargle and stated that he had drafted changes to the bylaws, and that they were ready and he would send them to Mr. Ward.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Mike Murphree, a former member of Dorchester County Council, addressed Council in opposition to proposed Resolution #09-24, regarding impact fees assessed to builders to help finance road improvements and development projects, which was on the County Council Agenda for action.
- Mr. Jeff Meyer, Vice President of the Charleston Trident Home Builders Association, addressed Council in opposition to proposed Resolution #09-24, regarding transportation impact fees, and stated that he felt it would hurt jobs in the area.
- Mr. Phillip Ford, Director of the Charleston Trident Homebuilders Association, addressed Council in opposition of transportation impact fees and stated that he opposed the proposed Resolution #09-24. He stated that this would not help the growth problems in Dorchester County and asked Council Members not to adopt the proposed Resolution.
- Mr. Matt Timmons, a resident of North Charleston, addressed Council in opposition to impact fees assessed to builders to help finance road improvements and development projects, and he stated that he was now moving his business to North Charleston.
- Mr. Tom Roe, Executive Director of the South Carolina Landowners Association, addressed Council in opposition to proposed Resolution #09-24, and his opposition to transportation impact fees and how he believed that they hurt small businesses. In addition, he stated that he felt impact fees inadvertently hurt property owners when they become sellers and are not necessary.
- Mr. Robert Pratt, Chairman of the Dorchester County Planning Commission, addressed Council in opposition to proposed Resolution #09-24, and stated that the County was in a credit crunch at this time and now was not the time for more impact fees on transportation or on anything for that matter. In addition, he stated that the Planning Commission was very busy with the Comprehensive Plan, Formed Base Codes, and Smart Code, etc. and could not handle the extra work that this proposed Resolution would impose on the Commission at this time.
- Mr. Ryan Castle addressed Council in opposition to the proposed Resolution #09-24, and stated that home prices needed to stay low at this time with new companies coming to local areas and people looking for affordable housing.

ADOPTION OF MINUTES FROM THE NOVEMBER 16, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to adopt the Minutes from the November 16, 2009, County Council Meeting.

ADOPTION OF 2010 COUNTY COUNCIL MEETING SCHEDULE

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously, to adopt the 2010 County Council Meeting Schedule.

ADOPTION OF RESOLUTION #09-23 FOR MR. RICHARD BEHLING

3. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted unanimously, to adopt Resolution #09-23 for Mr. Richard Behling for his many years of service on Dorchester County Boards. Mr. Behling was present and Council presented him with the framed Resolution. Council members wished Mr. Behling well in his future endeavors.

ADOPTION OF RESOLUTION 09-24 "A RESOLUTION DIRECTING THE DORCHESTER COUNTY PLANNING COMMISSION TO CONDUCT STUDIES AND TO DEVELOP AND MAKE RECOMMENDATIONS FOR A CAPITAL IMPROVEMENTS PLAN AND IMPACT FEE ORDINANCE AS PROVIDED FOR IN THE SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT AS MORE FULLY ACT SET FORTH IN SECTION 6-1-910, ET SEQ, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED"

4. Mr. Waggoner motioned, and it was seconded by Mr. Davis, to adopt Resolution #09-24, "A Resolution Directing the Dorchester County Planning Commission to Conduct Studies and to Develop and Make Recommendations for a Capital Improvements Plan and Impact Fee Ordinance as Provided for in the South Carolina Development Impact Fee Act as More Fully Act Set Forth In Section 6-1-910, *et seq*, Code of Laws of South Carolina (1976), as Amended".

The above motion was discussed by Council.

5. Mr. Murphy motioned to amend the main motion, and it was seconded by Mr. Rosebrock, to postpone the issue of the proposed "Resolution Directing the Dorchester County Planning Commission to Conduct Studies and to Develop and Make Recommendations for a Capital Improvements Plan and Impact Fee Ordinance as Provided for in the South Carolina Development Impact Fee Act as More Fully Act Set Forth in Section 6-1-910, *et seq*, Code of Laws of South Carolina (1976), as Amended", for at least one year, which would be December 7, 2010.

The above motion was discussed by Council.

6. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted five in favor, and two opposed, to call for the question, to end discussion, and to vote on motion #5.

Council Members Davis and Feltner opposed.

Council voted four in favor and three opposed to motion #5.

Council Members Waggoner, Davis, and Feltner, opposed.

CORRESPONDENCE

There was no correspondence to report.

GUEST

MR. ALEC BREBNER, PLANNING DIRECTOR, BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS, BERKELEY, DORCHESTER HAZARD MITIGATION PLAN

Mr. Alec Brebner, Planning Director for the Berkeley-Charleston-Dorchester Council of Governments, was not present so this item was postponed.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

1ST READING FOR AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING TWELVE MILLION DOLLARS (\$12,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS, SERIES 2010, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREFORE, AND OTHER MATTERS RELATING THERETO (BY TITLE ONLY)

7. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading for An Ordinance to Provide For the Issuance and Sale of Not Exceeding Twelve Million Dollars (\$12,000,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2010, To Prescribe the Purposes for Which the Proceeds Shall Be Expended, To Provide For the Payment Therefore, and Other Matters Relating Thereto (By Title Only).

ADOPTION OF RESOLUTION #09-25, CONFIRMING THE INTENTION OF DORCHESTER COUNTY, SOUTH CAROLINA, TO BE REIMBURSED FOR CERTAIN EXPENDITURES RELATED TO CAPITAL PROJECTS TO BE FINANCED BY THE ISSUANCE OF BONDS

8. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #09-25, "Confirming the Intention of Dorchester County, South Carolina, to be Reimbursed for Certain Expenditures Related to Capital Projects to be Financed by the Issuance of Bonds". Mr. Ward stated that this Resolution was contingent upon the County receiving the Community Development Block Grant funds for the construction for the new Library, and if the Bonds were not issued, then this Resolution would not be necessary.

COUNTY ADMINISTRATOR'S TIME- CONTINUED

1ST READING FOR REZONING REQUEST #633, CIVIL SITE ENVIRONMENTAL, C/O DAVID STEVENS, TMS# 200-00-00-013, 014, 015, 016, 037, 040

9. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading for Rezoning Request #633, Civil Site Environmental, c/o David Stevens, identified by TMS# 200-00-00-013, 014, 015, 016, 037, 040, and to refer this request to Council's Planning, Development, and Building Committee for further consideration. This is a request to rezone 153.55 acres from SR, Suburban Residential to RR, Rural Residential District.

1ST READING FOR REZONING REQUEST #634, ANTHONY R. KILLIRI, TMS# 151-04-00-036

10. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading for Rezoning Request #634, Anthony R. Killiri, identified by TMS# 151-04-00-036, and to refer this request to Council's Planning, Development, and Building Committee for further consideration. This is a request to rezone 1.16 acres from CG, General Commercial District to R-4, Multi Family Residential. This is a correction to Ordinance #04-13.

1ST READING FOR AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, AND TO DELETE IN ITS ENTIRETY ARTICLE X, SECTION 10.4.2(1)(E) AND TO SUBSTITUTE IN LIEU THEREOF A NEW ARTICLE X, SECTION 10.4.2(1)(E)

11. On the motion of Mr. Hearn, seconded by Mr. Waggoner, Council voted unanimously to give 1st Reading for An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, and To Delete in its Entirety Article X, Section 10.4.2(1)(e) and to Substitute In Lieu Thereof a New Article X, Section 10.4.2(1)(e), and to refer this Ordinance to Council's Planning, Development, and Building Committee for further consideration. This ordinance, which is an amendment to Ordinance #04-13, would increase the size of accessory structures for larger parcels.

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

COMMITTEE REPORTS

WATER AND SEWER COMMITTEE REPORT
CHAIRMAN JAMIE FELTNER

REQUEST FOR NEW SEWER SERVICE FOR APPIAN WAY APARTMENTS
POOL, TMS #172-00-00-111

12. Chairman Feltner stated the Committee voted unanimously to recommend for Council to approve the request for new sewer service for Appian Way Apartments Pool, identified by TMS #172-00-00-111. He stated that staff recommended providing the sewer service to this project located at the intersection of Patriot's Boulevard and Appian Way in North Charleston. Council voted unanimously in favor of the Committee's recommendation.

REQUEST FOR NEW WATER SERVICE FOR IRENE GREEN, TMS #007-00-00-240

13. Chairman Feltner stated the Committee voted unanimously to recommend for Council to approve the request for new water service for Irene Green, identified by TMS #007-00-00-240, and staff recommended providing the water service to this property located at 290 Shady Grove Road. Council voted unanimously in favor of the Committee's recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS

PUBLIC HEARING AND RECOMMENDATION FOR 3RD READING FOR
REZONING REQUEST #632, PERCIVAL D. JR., AND ROBIN M. KNIGHT, TMS#
135-00-00-131

14. Chairman Davis stated that the Committee voted unanimously to recommend for Council to give 3rd Reading to Rezoning Request #632, for Percival D. Jr., and Robin M. Knight, identified by TMS# 135-00-00-131. Council voted unanimously in favor of the recommendation for 3rd Reading to Rezoning Request #632, for Percival D. Jr., and Robin M. Knight, identified by TMS# 135-00-00-131.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY LIBRARY BOARD OF TRUSTEES

15. On the motion of Mr. Waggoner, seconded by Mr. Murphy, Council voted unanimously to re-appoint Mrs. Carolyn Baker to the Dorchester County Library Board as representative for Council District #3.

DORCHESTER COUNTY BOARD OF DISABILITIES & SPECIAL NEEDS

Mr. Waggoner motioned to nominate Mrs. Michele Lichtenberger, who resides in Indian Springs, to the Dorchester County Board of Disabilities and Special Needs. This motion did not receive a second.

16. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one abstention, to make a recommendation to the Governor to appoint Mrs. Martha Ann Baggett to the Dorchester County Board of Disabilities and Special Needs.

Councilman Waggoner abstained. Councilman Waggoner also requested that if a vacancy arises on another Board that Mrs. Michele Lichtenberger be considered.

DORCHESTER COUNTY MENTAL HEALTH CENTER BOARD

17. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to make a recommendation to the Governor to re-appoint Mr. Wilson V. Inabinet to the Dorchester County Mental Health Center Board.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

The County Attorney requested for the order of the agenda to be changed and the General Bond Ordinance be given 3rd Reading first and it be numbered 09-24 and the First Supplemental Bond Ordinance be given 3rd Reading seconded and it be numbered 09-25.

MOTION TO CHANGE THE ORDER OF THE AGENDA

18. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted unanimously to change the order of the agenda under the County Attorney's time regarding 3rd Reading of two Ordinances and to change the numbers of the ordinances as requested by the County Attorney.

COUNTY ATTORNEY'S TIME – CONTINUED

3RD READING FOR ORDINANCE #09-24, A GENERAL BOND ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF DORCHESTER COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE ISSUANCE OF ADDITIONAL BONDS AND REFUNDING BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM CERTAIN DESIGNATED MULTI-COUNTY INDUSTRIAL AND BUSINESS PARKS AND PLEDGING THE PLEDGED REVENUES FOR PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO THOSE FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS AND IN CONNECTIONS WITH THE FOREGOING

19. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading to Ordinance #09-24, A General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds; Providing for the Issuance of Additional Bonds and Refunding Bonds; Limiting the Payment of the Bonds Solely to the Pledged Revenues Received and Retained by the County from the Payment of Fees In Lieu Of Taxes From Certain Designated Multi-County Industrial and Business Parks and Pledging the Pledged Revenues for Payment; Creating Certain Funds and Providing for Payments into Those Funds; and Making Other Covenants and Agreements and in Connections with the Foregoing.

3RD READING FOR ORDINANCE # 09-25 A FIRST SUPPLEMENTAL BOND ORDINANCE, PROVIDING FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$3,250,000, SPECIAL SOURCE REVENUE BONDS SERIES 2009, OF DORCHESTER COUNTY, SC, IN ONE OR MORE SERIES, TAXABLE OR TAX-EXEMPT; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER RELATED MATTERS

20. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to give 3rd Reading for Ordinance #09-25, A First Supplemental Bond Ordinance, Providing for the Issuance and Sale of not exceeding \$3,250,000, Special Source Revenue Bonds Series 2009, of Dorchester County, South Carolina, in One or More Series, Taxable or Tax-Exempt; Prescribing the Form and Details of the Bonds; Authorizing the Chairman or Vice-Chairman and the County Administrator to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Related Matters.

COUNTY ATTORNEY'S TIME – CONTINUED

REQUEST TO AMEND THE AGENDA

Mr. Frampton requested to amend the agenda to add an additional item in executive session under contractual matters, concerning an agreement for the extension of the services of a commercial appraiser.

21. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to add an additional item in executive session under contractual matters concerning an agreement for the extension of the services of a commercial appraiser, as requested by the County Attorney.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning a tax sale overage issue, the return of certain service weapons, and the interpretation of TMDL limits, and to discuss four contractual matters, with those items being the old courthouse structure, a piece of real estate owned by the County, an amendment to the Wentworth Hall Development Agreement, and a contractual matter concerning appraisals services.

EXECUTIVE SESSION 8:07 P.M.

22. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:10 P.M.

The County Attorney reported that Council received legal advice and discussed the items reported before going into executive session and no action was taken.

134 CLUB HOUSE ROAD

23. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to reduce the selling listing price for 134 Club Road, in St. George, to \$229,000., and to extend our current listing agreement, with REMAX - Pro Realty to July 6, 2010.

COMMERCIAL APPRAISAL AGREEMENT

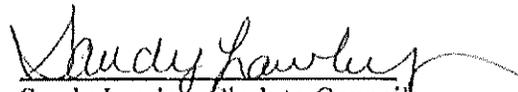
24. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously that the County Administrator be authorized to extend the commercial appraisal agreement with D. Michael Huggins for up to four months beginning December 22, 2009, in order for him to assist the County with the appeal process, upon the recommendation of the County's Administrator and the Assessor.

**1ST READING FOR AN ORDINANCE CONCERNING A PROPOSED AMENDMENT
TO THE DEVELOPMENT AGREEMENT BETWEEN LENNAR CAROLINAS, LLC**

25. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to give 1st Reading to an Ordinance Authorizing the Execution of a First Amendment to the Development Agreement between Dorchester County and Lennar Carolinas, LLC, referring the Matter to the Dorchester County Planning Commission for its recommendation, and for it to conduct the first public hearing on the amendment to the Development Agreement, referring the matter to the Dorchester County Planning Committee for its recommendation, and scheduling the second public hearing before Dorchester County Council at its meeting on Tuesday, January 19, 2010.

ADJOURNMENT 9:06 P.M.

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


Sandy Lawley, Clerk to Council