

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 4, 2010
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 December 7, 2009, County Council Meeting
- Dorchester County Employee Recognition Program
- Dorchester County Retirement Recognition Program
- 2nd Reading for An Ordinance Restricting the Hours of Operation of Commercial Establishment Which Allow for the On-Premises Consumption of Alcohol Beverages
- Correspondence

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

- Reconsideration 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 Set Forth in Section 6-1-910, *et seq.*, Code of Laws of South Carolina (1976),as Amended"

COUNCIL MEMBER'S TIME, MR. RICHARD ROSEBROCK

- Adoption of Resolution #10-02, "A Resolution Expressing the Support of Dorchester County Council for Senate Bill S0735"

4. GUESTS

- Ms. Charlotte Allen, CPA, WebsterRogers, LLP, - Presentation of Fiscal Year 09 Audit
- Mr. John Dumas, Presentation of Framed Copy of the New County Seal
- Ms. Vonie Gilreath, Mobility Manager, Berkeley-Charleston-Dorchester Council of Governments – Presenting the Trident Rideshare Program and the Berkeley-Dorchester Hazard Mitigation Plan
- Mrs. Ashley McDonald, Deputy County Administrator - Recommendation Recovery Audit and Recommendation on Non-violent Offenders Electronic Monitoring Devices

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

- Request for Qualifications for Consulting Services Old Courthouse and Jail Structural Engineering and Hazardous Materials Analysis and Detention Center Planning
- Update on Available Debt Capacity after \$12 Million General Obligation Bonds and Other Capital Improvements Projects

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COUNTY COUNCIL AGENDA
JANUARY 4, 2010

COUNTY ADMINISTRATOR'S TIME - CONTINUED

-2nd 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

6. COMMITTEE REPORT

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to TMS #129-00-00-131 for Dorchester County Emergency Management and Election Commission Building
- Request for Sewer Service to TMS #121-00-00-346 for Drakesborough Phase 3
- Request for New Sewer Service to TMS #129-09-01-007 for Bobby Potter and Scott Harrison
- Update St. George Wastewater System Repairs

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Executive Session

- Confidential Economic Development Projects
- Legal Advice
 - Temporary Office Space in Summerville to Conduct Elections and Registration Functions
 - Condemnation of Tracts 1, 2, 25, 36, 39, 55, 60, 72B, 73, 76, 76A, 78 & 81 for Phase I of Dorchester Road
- Contractual Matter
 - Ladson Road Property EMS Site
 - Courthouse Plaza
 - Buyer Agency Contract
 - Lease Tenant Buyer Agency Contract

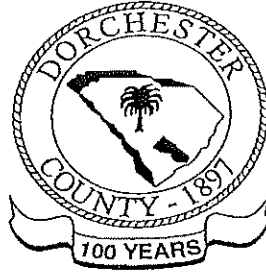
9. ADJOURN

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
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MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 4, 2010
7:02 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. John Braund, Chairman of the Dorchester County Taxpayer's Association, addressed Council and requested that Council adopt the proposed Resolution that was formally named Resolution #09-24, regarding impact fees. He stated that the Dorchester County Taxpayer's Association urged Council to support the Resolution.

REQUEST TO ADDRESS COUNCIL CONTINUED

- Mr. Phillip Ford, Executive Vice President of the Charleston Trident Homebuilders Association, addressed Council, and requested they not reconsider the proposed Resolution #09-24; regarding transportation impact fees. He further requested the Resolution be delayed as stated at the December 7th, 2009, Council Meeting.
- Mrs. Sue Wehman addressed Council, and stated that the Transportation Master Plan was completed and the next step in the process was as mandated by the Comprehensive Plan, as adopted by County Council. She stated that the next step in the process would be the adoption of the proposed Resolution #09-24, concerning a transportation impact fee plan for the Planning Commission to review and make recommendations, and that she supported this action by requesting that Council support this study by adopting the Resolution.
- Mr. Ryan Castle addressed Council in opposition to the proposed Resolution #09-24, with language that directs the County's Planning Commission to conduct studies on an impact fee ordinance, but stated that he favored an amended Resolution supporting a Capital Improvements Plan for Transportation.
- Mr. Mac Baughman, representing MeadWestvaco addressed Council regarding the proposed Resolution #09-24, and voiced their support of this Resolution. He stated that they supported funding mechanisms that are consistent with state law and offered their support during the review process directing the Dorchester County Planning Commission to conduct the studies on an impact fee ordinance for transportation improvements plans.
- Mr. Tom Roe, Executive Director of the SC Landowners Association, addressed Council in opposition to proposed Resolution #09-24. Mr. Roe stated that he felt impact fees were not in the best interest to constituents to assess a tax that would be a disincentive to residential and commercial growth and the creation of jobs. In addition, Mr. Roe said that the Landowners Associations was not against "Transportation Improvements", but against impact fees.
- Mr. Elliott Morris addressed Council regarding "An Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcohol Beverages", and he requested that Council look at this on behalf of the "gentlemen's agreement", he and other bar owners made with Council about closing at 3:00 a.m.
- Mr. Mike Murphree, a former member of Dorchester County Council, addressed Council in opposition to proposed Resolution #09-24, regarding "The Republic". He stated that impact fees would raise taxes as it has done in other counties.
- Mr. John Mojonier addressed Council and presented them with an update on the "Dorchester Road Widening Project", from Ashborough and Ashborough East Subdivisions. He also gave Council a handout regarding this subject.
- Mr. George Barber addressed Council, and requested the reconsideration of the proposed Resolution #09-24, and for the same to be passed on to the Planning Commission for their recommendations, and stated that a transportation plan was necessary.

ADOPTION OF MINUTES FROM THE DECEMBER 7, 2009, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to adopt the Minutes from the December 7, 2009, County Council Meeting.

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 employees who retired from the County in 2009, Mr. Freddie Baccous, Public Works; Mr. Marshall Bryant, Water and Sewer; Mrs. Helen Etheredge, Clerk of Court; and Mr. James Friar, Economic Development. Council thanked these individuals for their years of service to Dorchester County. Mr. Friar and Mrs. Etheredge were the only two retirees present at the meeting.

3RD READING FOR ORDINANCE #10-01, "AN ORDINANCE RESTRICTING THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOL BEVERAGES"

Chairman Feltner noted that this Ordinance was up for 3rd Reading and not for 2nd Reading as stated on the agenda.

2. Mr. Rosebrock motioned, seconded by Mr. Hearn, to give 3rd Reading for Ordinance #10-01, "An Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcohol Beverages".

Sheriff Knight along with two staff members addressed Council regarding the 2:00 a.m. closing and agreed that the 2:00 a.m. closing was the right and lawful thing to do at this time, due to the many calls that the Sheriff's Department had received. In addition, Sheriff Knight stated that his Department would enforce this Ordinance once adopted.

3. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to amend the Ordinance prior to 3rd Reading, by adding a penalty provision stating, "Any conviction of a violation of this Ordinance will result in a fine not to exceed \$500.00 and/or imprisonment not to exceed 30 days".

3RD READING AS AMENDED FOR ORDINANCE #10-01, "AN ORDINANCE RESTRICTING THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOL BEVERAGES"- CONTINUED

4. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading as amended to Ordinance #10-01, "An Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcohol Beverages".

COUNCIL MEMBER'S TIME - COUNCILMAN LARRY HARGETT

RECONSIDERATION 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 SET FORTH IN SECTION 6-1-910, ET SEQ, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED"

5. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted five in favor, and two opposed, that Dorchester County Council reconsider the motion made on December 7, 2009, for the adoption of Resolution #09-24, directing the Dorchester County Planning Commission to conduct studies and to develop and make recommendations for a Capital Improvements Plan and Impact Fee Ordinance.

Council Members Hearn and Murphy opposed.

The above was discussed and there were questions for the County Attorney regarding the Planning Commission and the way it was placed on the Planning Commission's agenda. After discussions, the following motion was made.

6. Mr. Rosebrock motioned, and it was seconded by Mr. Hargett, that Dorchester County Council adopt the previously submitted 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, previously considered by Dorchester County Council on December 7, 2009.

**COUNCIL MEMBER'S TIME - COUNCILMAN LARRY HARGETT
CONTINUED**

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 SET FORTH IN SECTION 6-1-910, *et seq.*, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED, AND REQUESTING THAT SUCH STUDIES INCLUDE CONSULTATION AND INPUT FROM THE DORCHESTER COUNTY PLANNING STAFF, THE TRANSPORTATION CITIZENS ADVISORY COMMITTEE, AND KIMLEY-HORN AND ASSOCIATES

7. Mr. Hargett motioned, seconded by Mr. Rosebrock, to amend (motion #6), and Council voted five in favor, and two opposed, that the 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, previously considered on December 7, 2009, be amended so that following such amendment, the Resolution would read as follows:

Council Members Hearn and Murphy opposed.

Councilman Hargett read the Resolution as it would read if adopted:

“STATE OF SOUTH CAROLINA)
) RESOLUTION 10-01
COUNTY OF DORCHESTER)

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 SET FORTH IN SECTION 6-1-910, *et seq.*, CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED, AND REQUESTING THAT SUCH STUDIES INCLUDE CONSULTATION AND INPUT FROM THE DORCHESTER COUNTY PLANNING STAFF, THE TRANSPORTATION CITIZENS ADVISORY COMMITTEE, AND KIMLEY-HORN AND ASSOCIATES

COUNCIL MEMBER'S TIME - CONTINUED

WHEREAS, the most recently adopted Dorchester County Comprehensive Plan includes therein an Infrastructure Concurrency Policy which provides that Dorchester County Council would amend the County's Capital Improvements Program to include all new roads which the County expects to fund, as well as identify funding sources and time lines for such improvements, as well as the enactment of transportation impact fees to raise funds from new users for capital improvements in the transportation network; and

WHEREAS, Dorchester County Council has previously appointed a Transportation Citizens Advisory Committee, as well as engaged the services of Kimley-Horn and Associates to undertake an analysis of future transportation needs in Dorchester County; and

WHEREAS, Dorchester County desires to implement impact fees within the unincorporated areas of the County for the primary purpose of funding capital improvements which increase or increased the service capacity of public facilities relating to roads, streets and bridges, including, but not limited to, rights-of-way and traffic signals as such term public facilities is defined in Section 6-1-920(18)(d), Code of Laws of South Carolina (1976), as amended; and

WHEREAS, in order to implement such fees, Dorchester County is required to enact a resolution directing the Dorchester County Planning Commission to conduct the studies and to recommend an impact fee ordinance developed in accordance with the South Carolina Development Impact Fee Act as more fully set forth in Section 6-1-950, Code of Laws of South Carolina (1976), as amended.

NOW, THEREFORE, BE IT RESOLVED by Dorchester County Council, duly assembled, that the Dorchester County Planning Commission is hereby directed to conduct studies and to recommend an impact fee ordinance for a capital improvements plan for public facilities, such public facilities being limited to roads, streets and bridges, including, but not limited to, rights-of-way and traffic signals, as the term public facilities is more specifically defined in Section 6-1-920(18)(d), Code of Laws of South Carolina (1976), as amended.

BE IT FURTHER RESOLVED that the Dorchester County Planning Commission shall complete such studies and make said recommendations within 180 days after the date of the adoption of this Resolution.

BE IT FURTHER RESOLVED that the Dorchester County Planning Commission is requested in conducting such studies to consult with an receive input from the Dorchester County Planning Staff, the Transportation Citizens Advisory Committee heretofore appointed by Dorchester County Council, and the firm of Kimley-Horn and Associates"

COUNCIL MEMBER'S TIME - CONTINUED
ADOPTION OF RESOLUTION #10-01 "A RESOLUTION DIRECTING
THE DORCHESTER COUNTY PLANNING COMMISSION TO CONDUCT
STUDIES AND TO DEVELOP AND MAKE RECOMMENDATIONS FOR
CAPITAL IMPROVEMENTS PLAN AND IMPACT FEE ORDINANCE AS
PROVIDED FOR IN THE SOUTH CAROLINA DEVELOPMENT IMPACT
FEE ACT AS MORE FULLY SET FORTH IN SECTION 6-1-910, et seq,
CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED, AND
REQUESTING THAT SUCH STUDIES INCLUDE CONSULTATION AND
INPUT FROM THE DORCHESTER COUNTY PLANNING STAFF, THE
TRANSPORTATION CITIZENS ADVISORY COMMITTEE, AND
KIMLEY-HORN AND ASSOCIATES"

8. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted five in favor, and two opposed, that Council adopt the amended Resolution (titled above) directing the Dorchester County Planning Commission to conduct studies and to develop and make recommendations for a Capital Improvements Plan and Impact Fee Ordinance.

Council Members Hearn and Murphy opposed.

The above item was discussed in detail by Council.

COUNCIL MEMBER'S TIME, MR. RICHARD ROSEBROCK
ADOPTION OF RESOLUTION #10-02, "A RESOLUTION EXPRESSING
THE SUPPORT OF DORCHESTER COUNTY COUNCIL FOR SENATE
BILL S0735"

9. Mr. Rosebrock motioned, seconded by Mr. Davis, to adopt Resolution #10-02, "A Resolution Expressing the Support of Dorchester County Council for Senate Bill S0735". This resolution is in support of Senate Bill S0735 which will allow political subdivisions (towns, cities, and counties) receiving aid from the Local Government Fund to reduce their support to any state mandated program or requirement by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund.
10. Mr. Hargett motioned to amend the above motion, seconded by Mr. Waggoner, and Council voted unanimously to amend Resolution #10-02, with the following amendment added in at the end of paragraph number 3: "*the Dorchester County Council does not support any future reductions in aid to subdivisions during 2010 or succeeding years; and*".
11. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #10-02, as amended, "A Resolution Expressing the Support of Dorchester County Council for Senate Bill S0735".

Chairman Feltner called a five-minute recess. Council reconvened at 8:30 p.m.

GUESTS

MS. CHARLOTTE ALLEN, CPA, WEBSTER ROGERS, LLP

Ms. Charlotte Allen, CPA, Webster Rogers, LLP, thanked Council for allowing her firm to perform the audit this year and all administrative offices in Dorchester County. Ms. Allen made a presentation to Council of the Fiscal Year 2009 Audit and pointed out items of interest. She stated that the County received a clean audit and received and answered questions from Council.

MR. JOHN DUMAS, PRESENTATION OF FRAMED COUNTY SEAL

Mr. John Dumas, who designed the County's new seal, presented Council with a matted and framed copy of the New County Seal.

DISPLAY OF COUNTY SEAL

12. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to have another copy of the new County Seal matted and framed, and to have them displayed in each of the Dorchester County Council Chambers, in St. George and Summerville.
13. Mr. Murphy amended the motion, seconded by Mr. Hearn, and Council voted unanimously, to have the second copy framed and matted exactly as the County Seal presented, and to use funds from the County Council contingency account to pay for the expenses incurred.

MS. VONIE GILREATH, MOBILITY MANAGER FOR THE BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS

Ms. Vonie Gilreath, Mobility Manager for the Berkeley-Charleston-Dorchester Council of Governments presented the Trident Rideshare Program and the Berkeley-Dorchester Hazard Mitigation Plan, 2010 Update, to County Council. She stated that the entire proposed Hazard Mitigation Plan, 2010, Update was on Dorchester County's website and the executive summary was sent to Council, and that this plan needed to be adopted at Council's next meeting. Ms. Gilreath stated that before adoption of the Hazard Mitigation Plan, 2010, Update, that public meetings were required, and Berkeley County held its meeting in December of 2009, and this was the Public Meeting for Dorchester County.

In addition, Ms. Gilreath presented the Trident Rideshare Program. She included in her presentation the many benefits of the Rideshare Program, including the reduction of travel expense, reduction in stress, improvement in air quality, benefit from flexibility, and the improvement of networking. Council thanked Ms. Gilreath for her presentation.

GUESTS- CONTINUED

MRS. ASHLEY MCDONALD, DEPUTY COUNTY ADMINISTRATOR

RECOMMENDATION ON RECOVERY AUDITS

Mrs. Ashley McDonald, Deputy County Administrator, made a presentation to Council on Recovery Audits and the potential benefits of this type of audit. The fee for this type of audit is usually a percentage of the amount discovered. After the presentation and discussion by Council, the following motion was made.

14. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to approve that the County send out a Request for Proposal to hire a firm to perform a Recovery Audit for up to the last five fiscal years.

ELECTRONIC MONITORING DEVICES FOR NON-VIOLENT OFFENDERS

In addition, Mrs. McDonald discussed using electronic monitoring devices for non-violent offenders. She stated that some Counties were using these devices to help with overcrowding in their jails. Council Members also added to the discussion of the rules of allowing an offender the use of electronic monitoring devices. This subject was discussed for information only at this time. In addition, it was discussed that a meeting should take place later between the proper officials, including the Sheriff, Family Court Judges, and other individuals to be decided later, as stated by the County Administrator.

Additionally, it was discussed that County Council needed to express concern to the Members of the South Carolina Sentencing Reform Commission and the Dorchester County Legislative Delegation regarding the potential process change that would require counties to house prisoners that are sentenced to 180-365 days in county jails (local detention facilities). According to Sheriff Knight, this change would increase the Dorchester County jail's daily population by 40-60 inmates.

15. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to send a letter to the Members of the South Carolina Sentencing Reform Commission or the Dorchester County Legislative Delegation, expressing opposition to "Sentencing Reform", regarding the holding of prisoners sentenced to 180-365 days in county jails, to express the effect of overcrowding on the Dorchester County Detention Center.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

**INTRODUCTION OF THE DORCHESTER COUNTY FIRE
COORDINATOR**

Mr. Ward introduced Mr. John Ekaitis, the new Dorchester County Fire Coordinator. Council welcomed Mr. Ekaitis to Dorchester County.

**REQUEST FOR QUALIFICATIONS FOR CONSULTING SERVICES OLD
COURTHOUSE AND JAIL STRUCTURAL ENGINEERING AND
HAZARDOUS MATERIALS ANALYSIS AND DETENTION CENTER
PLANNING**

16. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to approve to send out a Request for Qualifications for Consulting Services for Old Courthouse and Jail Structural Engineering and Hazardous Materials Analysis and Detention Center Planning. In addition, it was agreed upon that a review Committee consisting of the Chairman of the Public, Safety, Health, and Human Services Committee, the Sheriff, the Chief Deputy Sheriff, Captain of the Jail, the Administrator, the Deputy Administrator, and the Public Works Director would review the Request for Qualifications and make a decision on a consultant. Mr. Ward noted that the selection of this Committee was chosen in a meeting with the Sheriff.

**UPDATE ON AVAILABLE DEBT CAPACITY AFTER \$12 MILLION
GENERAL OBLIGATION BONDS AND OTHER CAPITAL
IMPROVEMENTS PROJECTS**

Mr. Ward gave an update on "Available Debt Capacity after \$12 Million General Obligation Bonds and Other Capital Improvements Projects". He stated that he wanted to make County Council aware that the County's 8% Constitutional Debt Limit is \$34,449,229, and the County would have approximately \$3.76 Million available in 2011 under the cap if the County issue's \$12 Million in General Obligation Bonds for the EOC/Elections and Registration and the Library Project. Mr. Ward stated that under the County's 8% Constitutional Debt Limit it would be impossible to complete the Judicial Services Center, the EOC/Elections and Registration Building and the Jail Project. However, if Council defers some of the EMS stations planned, then these projects could be completed over the period of a few years and this needed to be discussed further at the Budget, Finance, and Purchasing Committee Meeting scheduled for January 19, 2010.

COUNTY ADMINISTRATOR'S TIME, CONTINUED

2ND 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

17. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one abstention, to give 2nd 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." These bonds will finance the design, construction, and equipping of the Emergency Operations Center and Elections and Registration Building and will provide a \$1 Million match to the \$1 Million Community Development Block Grant for St. George Library renovation and expansion project. The \$1 Million for the library will be paid from Debt Service sinking fund cash balance, will be retired in the first year, and will not require a millage increase.

Councilman Rosebrock abstained.

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

COMMITTEE REPORT

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

**REQUEST FOR SEWER SERVICE TO TMS #129-00-00-131 FOR
DORCHESTER COUNTY EMERGENCY MANAGEMENT AND
ELECTION COMMISSION BUILDING**

Chairman Feltner reported that the first request was for sewer service to TMS #129-00-00-131 for the Dorchester County Emergency Management and Election Commission Building and the item was held in Committee.

WATER AND SEWER COMMITTEE REPORT CONTINUED

**REQUEST FOR SEWER SERVICE TO TMS #121-00-00-346 FOR
DRAKESBOROUGH - PHASE 3**

18. Chairman Feltner stated the Committee voted to recommend for Council to approve the request for sewer service to TMS #121-00-00-346 for Drakesborough- Phase 3, and staff recommended providing the sewer service. This project consists of 47 single-family lots off Orangeburg Road and US Highway 78 near Summerville. Council voted unanimously in favor of the Committee's recommendation.

**REQUEST FOR NEW SEWER SERVICE TO TMS #129-09-01-007 FOR
BOBBY POTTER AND SCOTT HARRISON**

19. Chairman Feltner stated the Committee voted to recommend for Council to approve the request for new sewer service to TMS #129-09-01-007 for Bobby Potter and Scott Harrison. He reported that the staff recommended providing the sewer service, located at 262 Koger Drive in the Pine Hill Acres Subdivision near Summerville and adequate capacity was available. Council voted unanimously in favor of the Committee's recommendation.

UPDATE ST. GEORGE WASTEWATER SYSTEM REPAIRS

Chairman Feltner stated that this last item was an update from the County Administrator and no action was taken.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss several confidential economic development projects, to give legal advice concerning several tracts of land regarding the widening of Dorchester Road, and to discuss five contractual matters with those being temporary office space in Summerville for the Elections and Registration Office, the Ladson Road Property for the EMS site, the Courthouse Plaza Project, the Buyer Agency Contract, and the Lease Tenant Buyer Agency Contract.

EXECUTIVE SESSION 9:32 P.M.

20. 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 10:33 P.M.

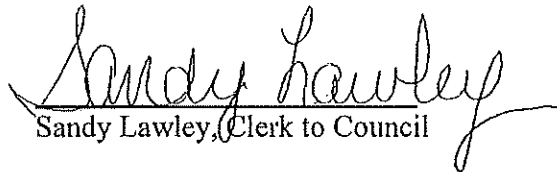
The County Attorney reported that Council received legal advice and discussed the items reported before going into executive session and no action was taken.

DORCHESTER ROAD WIDENING PROJECT

21. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted unanimously that Dorchester County proceed with the condemnation of the following tracts for the Dorchester Road Widening Project: Tracts 1, 2, 25, 36, 39, 55, 60, 72B, 73, 76, 76A, 78, and 81.

ADJOURNMENT 10:35 P.M.

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


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
JANUARY 19, 2010
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 January 4, 2010, County Council Meeting
- Adoption of Proclamation #10-01, "Boy Scouts of America, Centennial Celebration Day, February 8, 2010"
- Public Hearing and 2nd Reading for "An Ordinance Approving a First Amendment to Development Agreement between Lennar Carolinas, LLC and Dorchester County, South Carolina (Wentworth Hall Development Agreement Amendment)
- Correspondence

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

- Stormwater Fee on Campgrounds

COUNCIL MEMBER'S TIME, MR. KENNETH WAGGONER

- Introduction of Ms. Cynthia Bell

4. GUEST

- Mrs. Carolyn Tomlinson, Dir. of Recycling & Education/Dir. Keep Dorchester County Beautiful, Presentation of Two Keep America Beautiful National Awards, Presentation of a Keep South Carolina Beautiful/Palmetto Pride Grant Check, and Introduction of "Curby"

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

- 1st Reading for An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference
- Adoption of the Berkeley-Dorchester "Hazard Mitigation Plan, 2010, Update"
- Fiscal Year 2011 Budget Calendar

6. COMMITTEE REPORTS

Chairman Jamie Feltner, Budget, Finance and Purchasing Committee Report

- Discussion of Outstanding Capital Improvement Projects and Constitutional Limit on Bonded Indebtedness

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #633, Civil Site Environmental, c/o David Stevens, TMS# 200-00-00-013, 014, 015, 016, 037, 040
- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #634, Anthony R. Killiri, TMS# 151-04-00-036
- Public Hearing and Recommendation for 2nd 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)

PAGE TWO
COUNTY COUNCIL AGENDA
JANUARY 19, 2010

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-1st Reading to “An Ordinance To Amend The Agreement For Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise and Clarify Certain Terms of the Agreement and Other Matters Relating Thereto”

-Executive Session

-Legal Advice

-Condemnations of Parcels #7, 26, 27, 28, 47, 48, 57, and 72A
for Phase II of Dorchester Road

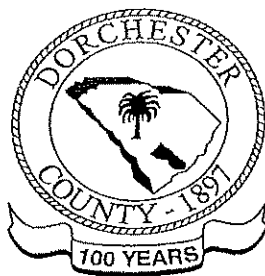
9. ADJOURN

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 HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JANUARY 19, 2010
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. 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.

REQUEST TO ADDRESS COUNCIL

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

- Ms. Suzanne Conway, a nightclub owner, addressed Council regarding the 2:00 a.m. bar closing and spoke in opposition of Ordinance #10-01, "An Ordinance Restricting the Hours of Operation of Commercial Establishments which Allow for the On-Premises Consumption of Alcoholic Beverages".

REQUESTS TO ADDRESS COUNCIL - CONTINUED

- Mr. Clement Singleton, Jr., addressed Council on behalf of the citizens who live on Acrum Lane and stated that the citizens have been waiting patiently on the paving of this road and questioned as to the date this would take place. Mr. Ward and Council stated this road was on the list for paving by the Sales Tax Transportation Authority and it would be coming to Council with recommendations on condemnation issues from the Authority soon.
- Mr. Joe Feleder addressed Council regarding the 2:00 a.m. bar closing and spoke in opposition of County Ordinance #10-01, regarding restricting the hours of operation of bars.
- Mr. Terran Nelson, a nightclub owner, addressed Council regarding the 2:00 a.m. bar closing, spoke in opposition of Ordinance #10-01, "An Ordinance Restricting the Hours of Operation of Commercial Establishments which Allow for the On-Premises Consumption of Alcoholic Beverages", and requested for Council to reconsider the Ordinance.

ADOPTION OF MINUTES FROM THE JANUARY 4, 2010 COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted six in favor, and one absent, to adopt the Minutes from the January 4, 2010 County Council Meeting.

Councilman Murphy was absent.

ANNOUNCEMENT ON THE CANCELLATION OF THE PUBLIC HEARING 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"

Chairman Feltner announced that the Public Hearing 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", that was scheduled and advertised for this meeting was cancelled.

ADOPTION OF PROCLAMATION #10-01, "BOY SCOUTS OF AMERICA, CENTENNIAL CELEBRATION DAY, FEBRUARY 8, 2010"

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to adopt Proclamation #10-01, titled "Boy Scouts of America, Centennial Celebration Day, February 8, 2010".

Councilman Murphy was absent.

PUBLIC HEARING AND 2ND READING FOR "AN ORDINANCE APPROVING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN LENNAR CAROLINAS, LLC AND DORCHESTER COUNTY, SOUTH CAROLINA (WENTWORTH HALL DEVELOPMENT AGREEMENT AMENDMENT)"

Chairman Feltner opened the Public Hearing for "An Ordinance Approving a First Amendment to the Development Agreement between Lennar Carolinas, LLC and Dorchester County, South Carolina (Wentworth Hall Development Agreement Amendment)". The Chairman recognized the attorney with Lennar Carolinas, LLC to give a project update. The attorney stated that the result of the proposed change was 160 single-family lots and the removal of the town home lots that were planned originally.

Chairman Feltner opened the floor for public comments. Hearing no public comments, the Public hearing was closed.

3. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted six in favor, and one absent, to give 2nd Reading for "An Ordinance Approving a First Amendment to Development Agreement between Lennar Carolinas, LLC and Dorchester County, South Carolina (Wentworth Hall Development Agreement Amendment).

Councilman Murphy was absent.

CORRESPONDENCE

There was no correspondence report provided.

COUNCIL MEMBER'S TIME - COUNCILMAN WILLIE DAVIS
STORMWATER FEE ON CAMPGROUNDS

Vice-Chairman Davis addressed Council regarding his concerns of the County charging Stormwater Fees, to the historic campgrounds Shady Grove, St. Paul, Indian Field, and Cypress. He stated that these religious campgrounds meet only once a year, surrounded by large amounts of land, and fees are as high as \$1,800. Councilman Davis stated that he would like Council to consider exempting these campgrounds from the Stormwater Fee.

1ST READING TO AN ORDINANCE AMENDING THE DORCHESTER
COUNTY STORMWATER FEE ORDINANCE - REGARDING STORMWATER
FEE EXEMPTIONS

4. Mr. Davis motioned and Mr. Waggoner seconded, to give 1st Reading to an Ordinance amending the Dorchester County Stormwater Fee Ordinance, by adding a provision exempting the four historic and religious campgrounds from paying a Stormwater Fee, and to place this subject in the Public Works, Property, and Utilities Committee for further study.
5. Mr. Hargett motioned, and Mr. Rosebrock seconded the motion, to amend the main motion by adding to the provision for the exemption of all churches from paying a Stormwater Fee.

After discussion by Council, Chairman Feltner stated he would combine the two motions, if there were no objections from Council; upon no objections, he called for the vote on the following:

6. Council voted six in favor, and one absent, to give 1st Reading to an Ordinance amending the Dorchester County Stormwater Fee Ordinance, by adding a provision exempting the four historic and religious campgrounds and all churches from paying a Stormwater Fee, and to place this subject in the Public Works, Property, and Utilities Committee for further study.

Councilman Murphy was absent.

COUNCIL MEMBER'S TIME, COUNCILMAN KENNETH WAGGONER

Councilman Waggoner introduced Ms. Cynthia Bell, President of the Summerville Alumnae Chapter of Delta Sigma Theta Sorority, who addressed Council on behalf of the Sorority regarding the work they are doing to promote the 2010 Census. Ms. Bell stated that the Summerville Chapter was one of over nine hundred chapters in the world, and she provided Council with information on the Delta Sigma Theta's Complete Count Committee and their plans regarding the "2010 Census Road Tour", associated with their stop in Dorchester County. She explained how it will help people learn about the census, how it affects the community, and why everyone needs to be counted. Council thanked Ms. Bell and all of the Delta Sigma Theta Sorority members in attendance for their help with this most important cause.

GUESTS

Mrs. Carolyn Tomlinson, Director of Recycling and Education, and Director of the Keep Dorchester County Beautiful Program, along with Keep Dorchester County Beautiful Board Members, presented Council with two Keep America Beautiful national awards. Mrs. Tomlinson also presented Council with a Keep South Carolina Beautiful/Palmetto Pride Grant check in the amount of \$6,500, which will expand the education programs and help with other projects. In addition, she introduced the new recycling robot, named "Curby", who was paid for by the "Think Green Grant", sponsored by Waste Management. Council thanked Mrs. Tomlinson and the Board Members for all of their hard work.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD
1ST READING FOR AN ORDINANCE TO AMEND THE DORCHESTER
COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, TO
PROVIDE FOR A DORCHESTER COUNTY LOCAL VENDOR PREFERENCE

7. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one absent, to give 1st Reading for "An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference". This amendment will define "Dorchester County Vendor," establish a "Dorchester County Vendor Preference" policy for goods supplies or construction services of \$25,000 or more, and provide for exemptions for state and federal solicitation, procurement, or request for bids that prohibit local preference.

Councilman Murphy was absent.

ADOPTION OF THE BERKELEY-DORCHESTER "HAZARD MITIGATION
PLAN, 2010, UPDATE"

8. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted six in favor, and one absent, to adopt the 2010 Update of the Berkeley-Dorchester Hazard Mitigation Plan. This plan is a requirement in order to receive FEMA funding.

Councilman Murphy was absent.

FISCAL YEAR 2011 BUDGET CALENDAR

The County Administrator stated that the staff had started preparing the FY 2011 Budget for County Council's consideration, and requested that Council please note the two Council-Administrator Budget Retreats, which were planned for Thursday, March 18, 2010 and Thursday, May 6, 2010, and there was no action necessary by Council.

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

COMMITTEE REPORTS

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

**DISCUSSION OF OUTSTANDING CAPITAL IMPROVEMENT PROJECTS
AND CONSTITUTIONAL LIMIT ON BONDED INDEBTEDNESS**

9. Chairman Feltner stated that the Committee received an update from the Administrator concerning outstanding Capital Improvement Projects and the County's 8% Constitutional Debt Limit and included recommendations on paying off debt and funding smaller projects without a tax increase. He reported that the Committee's recommendation to Council was the approval of items a, b, c, and e, (see below description of each item), and Council voted five in favor, one abstention, and one absent, to the recommendation.

Councilman Hargett abstained, and Councilman Murphy was absent.

- a. Complete Construction Documents and Project Manual for EOC/Elections Building without a tax increase.
- b. Proceed with Courthouse and Detention Center Analysis to determine cost and County Council to decide on plan without a tax increase.
- c. Complete St. George Library project by issuing \$1 Million to match \$1 Million CDBG without tax increase in FY10.
- e. County Council to decide on Trident Technical College.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT
CHAIRMAN WILLIE DAVIS
PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
REZONING REQUEST #633, CIVIL SITE ENVIRONMENTAL, C/O DAVID
STEVENS, TMS# 200-00-00-013, 014, 015, 016, 037, 040

10. Chairman Davis stated the Committee held a Public Hearing for Rezoning Request #633, for Civil Site Environmental, c/o David Stevens, and the Committee's recommendation to Council was for 2nd Reading to be given to this request, identified by TMS#'s 200-00-00-013, 014, 015, 016, 037, 040. This request was to rezone 153.55 acres from SR (Suburban Residential District) to RR (Rural Residential District) on County Line Road in Ravenel. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR
REZONING REQUEST #634, ANTHONY R. KILLIRI, TMS# 151-04-00-036

11. Chairman Davis stated that the Committee held a Public Hearing for Rezoning Request #634, for Anthony R. Killiri, and the Committee's recommendation to Council was for 2nd Reading to be given for this request, identified by TMS #151-04-00-036. This is a request to rezone 1.16 acres from CG (General Commercial District) to R-4 (Multi Family Residential District) at 106 Schultz Lake Road near Summerville and was a correction to Ordinance #04-13. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

PUBLIC HEARING AND RECOMMENDATION FOR 2ND 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)

12. In addition, Chairman Davis reported the Committee held a Public Hearing 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 the Committee's recommendation to Council was for 2nd Reading to be given to this Ordinance. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

1ST READING TO "AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK SO AS TO REVISE AND CLARIFY CERTAIN TERMS OF THE AGREEMENT AND OTHER MATTERS RELATING THERETO"

13. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 1st Reading to "An Ordinance To Amend The Agreement For Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise and Clarify Certain Terms of the Agreement and Other Matters Relating Thereto". This Ordinance revises and clarifies the terms of Dorchester County's MCIP agreement with Orangeburg County.

Councilman Murphy was absent.

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 certain tracts of land regarding the widening of Dorchester Road Phase II.

EXECUTIVE SESSION 8:03 P.M.

14. On the motion of Mr. Rosebrock, 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 8:28 P.M.

The County Attorney reported that Council discussed the item reported on before going into executive session and no action was taken.

DORCHESTER ROAD WIDENING PROJECT

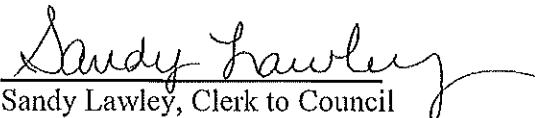
15. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, that Dorchester County proceed with the condemnation of the following tracts of land for Phase II for the widening of Dorchester Road: Tracts #7, 26, 27, 28, 47, 48, 57, and 72A.

Councilman Murphy was absent.

ADJOURNMENT 8:29 P.M.

16. On the motion of Mr. Hargett, 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
FEBRUARY 1, 2010
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 January 19, 2010, County Council Meeting
- 3rd Reading for Ordinance #10-02, “An Ordinance Approving a First Amendment to Development Agreement between Lennar Carolinas, LLC and Dorchester County, South Carolina (Wentworth Hall Development Agreement Amendment)
- Correspondence

3. GUESTS

- Mr. Will Abberger, Director of Conservation Finance, The Trust for Public Land, Conservation Finance Program Recommendations
- Mr. John H. Lewellen, President/Head Coach, Tri-County Athletics “The Original” School of Hard Knox- Summerville Boxing Team- Request for Funding

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

- 1st Reading for “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto”
- 1st Reading for Rezoning Request #635, Victor M. Prince; TMS #151-00-00-079
- 2nd Reading for An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference
- 3rd Reading for Rezoning Request #633, Civil Site Environmental, c/o David Stevens, TMS# 200-00-00-013, 014, 015, 016, 037, 040
- 3rd Reading for Rezoning Request #634, Anthony R. Killiri, TMS# 151-04-00-036
- 3rd Reading for Ordinance #10-03, “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)”
- Request for Funding New Trident Technical College Nursing and Science Building

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

Page Two
Dorchester County Council
February 1, 2009

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

-2nd Reading to “An Ordinance To Amend The Agreement For Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise And Clarify Certain Terms of the Agreement and Other Matters Relating Thereto”

- Executive Session
- Confidential Economic Development Projects
- Legal Advice
 - Condemnations of Parcels #46, 47A, 47B, 47C, 49, 51, and 59 for Phase II of Dorchester Road
 - Tax Revenue Reimbursement
- Contractual Matter
- Speculative Building

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

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 1, 2010

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. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Larry Hargett
Mr. Kenneth Waggoner

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

REQUEST TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council, and one citizen replied:

- Mr. John Mojonier addressed Council regarding the benefits of Kimley-Horn's guidelines in modeling landscaping of widening Dorchester County roadways. In addition, he gave the Chairman a copy of the presentation he prepared for Council.

ADOPTION OF MINUTES FROM THE JANUARY 19, 2010 COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted four in favor, one abstention, and two absent, to adopt the Minutes from the January 19, 2010 County Council Meeting.

Council Members Waggoner and Hargett were absent, and Councilman Murphy abstained.

3RD READING FOR ORDINANCE #10-02, "AN ORDINANCE APPROVING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN LENNAR CAROLINAS, LLC AND DORCHESTER COUNTY, SOUTH CAROLINA (WENTWORTH HALL DEVELOPMENT AGREEMENT AMENDMENT)"

2. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted five in favor, and two absent, to give 3rd Reading for Ordinance #10-02, "An Ordinance Approving a First Amendment to Development Agreement between Lennar Carolinas, LLC and Dorchester County, South Carolina (Wentworth Hall Development Agreement Amendment)".

Council Members Waggoner and Hargett were absent.

GUESTS

MR. WILL ABBERGER, DIRECTOR OF CONSERVATION FINANCE, THE TRUST FOR PUBLIC LAND, CONSERVATION FINANCE PROGRAM RECOMMENDATIONS

Mr. Will Abberger, Director of Conservation Finance for The Trust for Public Land, made a presentation to Council on the "Conservation Finance Program Recommendations". Mr. Abberger presented the key findings from the telephone survey conducted by the Trust for Public Land.

Mr. Abberger stated that in March of 2009, he presented the Dorchester County, Conservation Finance Feasibility Study to Council. The Feasibility Study reviewed funding options available for financing land conservation and open space acquisition in Dorchester County. It determined the fiscal capacity and legal requirements of various approaches and provided relevant demographic information, and election history. Mr. Abberger reported that the funding approach that best matches the needs identified by the County was a General Obligation Bond.

GUESTS, MR. WILL ABBERGER - CONTINUED
CONSERVATION FINANCE PROGRAM RECOMMENDATIONS

By State Law, general obligation debt in Dorchester County cannot exceed 8% of the total assessed valuation of taxable property. Therefore, in order to go above this constitutional debt limit, the electorate of the County must approve an increase through a Referendum. In September of 2010, The Trust for Public Land commissioned a public opinion survey of Dorchester County voters. Mr. Abberger reported that currently, a strong majority of Dorchester County voters would support a \$5 million bond to protect and improve land to improve water quality (including drinking water), natural areas, protecting wildlife habitat, historic preservation, and providing green space and parks for recreation. He stated that the Trust also found when provided with additional information, the support for the \$5 million bond increased.

In conclusion, Mr. Abberger stated that the recommendation of the Public Land Trust was that the "Council direct the County Administrator and County Attorney to work with the Trust for Public Land to develop the appropriate Resolution and ballot language for consideration by Council to refer a \$5 million General Obligation Bond to fund land conservation (for the items listed above) to the November 2, 2010 ballot." After discussions by Council members, Council thanked Mr. Abberger and the Trust for Public Land for all of their hard work on this issue. Upon no objections from Council, the Chairman referred this item to the Budget, Finance, and Purchasing Committee for further study along with the upcoming FY 2010-2011 Budget.

MR. JOHN H. LEWELLEN, PRESIDENT/ TRI-COUNTY ATHLETICS "THE ORIGINAL" SCHOOL OF HARD KNOX- SUMMERVILLE BOXING TEAM- REQUEST FOR FUNDING

Mr. John H. Lewellen, President and Head Coach of Tri-County Athletics, thanked Council for the previous funding that they provided to the School and made a new "Request for Funding" to Council. The request was in the amount of \$4,300 for training and equipment (head gear, training gloves, groin protection, and competition uniforms). Coach Lewellen addressed Council, gave an overview of his organization, and introduced a few of students. He stated that the mission of this nonprofit organization was to help each young person that walks through the door, regardless of their ability to pay, which helped the community as a whole, and strived to teach them self-esteem, self-discipline, morals, values, and sportsmanship. Council thanked Coach Lewellen and his team for attending the meeting.

The Chairman placed this item in the Budget, Finance, and Purchasing Committee for further study.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

1ST READING FOR "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000) 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 THEREOF; AND OTHER MATTERS RELATING THERETO"

3. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted five in favor, and two absent, to give 1st Reading for "An Ordinance to Provide For the Issuance and Sale of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto". This Ordinance will provide the funds needed to match the \$1 Million Community Development Block Grant that the County received to renovate and expand the St. George Library. This will not require a millage increase because the \$1 Million for the library can be paid from the balance of the Debt Service Sinking Fund.

Council Members Waggoner and Hargett were absent.

1ST READING FOR REZONING REQUEST #635, VICTOR M. PRINCE; TMS #151-00-00-079

4. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted five in favor, and two absent, to give 1st Reading for Rezoning Request #635, Victor M. Prince, identified by TMS #151-00-00-079, and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 2.68 acres on Schultz Lake Road near Summerville from CG (General Commercial District) to R-4 (Multi-Family Residential District). This is also an Ordinance #04-13 correction.

Council Members Waggoner and Hargett were absent.

COUNTY ADMINISTRATOR'S TIME –CONTINUED

2ND READING FOR AN ORDINANCE TO AMEND THE DORCHESTER COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, TO PROVIDE FOR A DORCHESTER COUNTY LOCAL VENDOR PREFERENCE

5. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, and two absent, to give 2nd Reading for “An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference”. This amendment will define a “Dorchester County Vendor,” establish a “Dorchester County Vendor Preference” policy for goods and supplies or construction services of \$25,000 or more, and provide for exemptions for state and federal solicitation, procurement, or request for bids that prohibit local preference.

Council Members Waggoner and Hargett were absent.

3RD READING FOR REZONING REQUEST #633, CIVIL SITE ENVIRONMENTAL, C/O DAVID STEVENS, TMS# 200-00-00-013, 014, 015, 016, 037, 040

6. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted five in favor, and two absent, to give 3rd Reading to Rezoning Request #633, for Civil Site Environmental, c/o David Stevens, identified by TMS#'s 200-00-00-013, 014, 015, 016, 037, 040. .

Council Members Waggoner and Hargett were absent.

3RD READING FOR REZONING REQUEST #634, ANTHONY R. KILLIRI, TMS# 151-04-00-036

7. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted five in favor, and two absent, to give 3rd Reading to Rezoning Request #634, for Anthony R. Killiri, identified by TMS #151-04-00-036.

Council Members Waggoner and Hargett were absent.

COUNTY ADMINISTRATOR'S TIME –CONTINUED
3RD READING FOR ORDINANCE #10-03, “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)”

8. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted five in favor, and two absent, to give 3rd Reading for Ordinance #10-03, “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)”.

Council Members Waggoner and Hargett were absent.

REQUEST FOR FUNDING NEW TRIDENT TECHNICAL COLLEGE NURSING
AND SCIENCE BUILDING

The County Administrator stated that with regard to the request for funding the new Trident Technical College Nursing and Science building, at a cost of \$4.5 million based upon County Council's directive at the January 19, 2010 County Council Meeting, that he devised a potential solution. Mr. Ward stated that if Council decides to defer the four EMS stations (Medic 2, Medic 6, Harleyville, and Ravenel); \$4.266 Million would be available to fund the new Trident Technical College Nursing and Science Building. However, staff would have to find \$234,000 that will be available in June 2013 based upon Trident Technical College's work and cash flow schedule. He also requested Council to consider the affect this will have on the Capital Improvement Plan as outlined. Upon Councils' discussions and no objections, the Chairman placed this item in the Budget, Finance, and Purchasing Committee for further study for the upcoming Fiscal Year 2010-2011 Budget.

APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY PLANNING COMMISSION

9. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, and two absent, to appoint Mr. Grady Jones to the Planning Commission as the appointee for District # 1, to replace Rev. John H. Elliott, who has served since 1991.

Council Members Waggoner and Hargett were absent.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

2ND READING TO "AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK SO AS TO REVISE AND CLARIFY CERTAIN TERMS OF THE AGREEMENT AND OTHER MATTERS RELATING THERETO"

10. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted five in favor, and two absent, to give 2nd Reading to "An Ordinance To Amend The Agreement For Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise and Clarify Certain Terms of the Agreement and Other Matters Relating Thereto".

Council Members Waggoner and Hargett were absent.

REQUEST TO AMEND THE AGENDA

The County Attorney made a request to Council for the agenda to be amended to add two additional items under legal advice for executive session with those items being, the Harleyville Rural Voluntary Fire Department, and receive legal advice on the paving of Ancrum Lane.

11. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted five in favor, and two absent, to amend the agenda to add the 2 additional items to executive session under legal advice as requested by the County Attorney.

Council Members Waggoner and Hargett were absent.

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to discuss and give legal advice on the two additional items as previously approved, as well as the condemnation of certain tracts of land for the widening of Dorchester Road Phase II, a tax revenue reimbursement proposal, confidential economic development prospects, and one contractual matter concerning the speculative building.

COUNTY ATTORNEY'S TIME- CONTINUED

EXECUTIVE SESSION 7:56 P.M.

12. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, and two absent, to enter into Executive Session as requested by the County Attorney.

Council Members Waggoner and Hargett were absent.

RECONVENE FROM EXECUTIVE SESSION 8:38 P.M.

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

SPECULATIVE BUILDING

13. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted five in favor, and two absent, that Council approve the funding in the amount of \$114,615.50 for the site work related to the development of a new speculative building in New Century Industrial Park.

Council Members Waggoner and Hargett were absent.

DORCHESTER ROAD WIDENING PROJECT

14. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted five in favor and two absent, that Dorchester County proceed with the condemnation of the following tracts of land for Phase II for the widening of Dorchester Road: #46, 47A, 47B, 47C, 49, 51, and 59.

Council Members Waggoner and Hargett were absent.

ADJOURNMENT 8:41 P.M.

15. On the motion of Mr. Murphy seconded by Mr. Rosebrock, Council voted five in favor, and two absent, to adjourn.

Council Members Waggoner and Hargett were absent.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
FEBRUARY 16, 2010
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 February 1, 2010, County Council Meeting
- Correspondence

3. GUESTS

- Ms. Sarah Robinson, Director of Keep South Carolina Beautiful, and Mrs. Carolyn Tomlinson, Director of Recycling and Education/Director of Keep Dorchester County Beautiful, Presentation of Keep South Carolina Beautiful Lifetime Achievement Award
- Mr. Garon Jackson, Executive Director, Lower Orangeburg Upper Dorchester CDC, -Request for Funding
- Mr. John Henderson, South Carolina Workers Compensation Trust- Risk Management Award Presentation
- Mr. Lee Moulder, Director of Budget and Finance, January 2010 Budget Report

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

- 3rd Reading for Ordinance #10-04, "An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference"
- 2nd Reading for "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto"

5. COMMITTEE REPORT

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to TMS # 044-00-00-093, Brown and Sons Funeral Home

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Public Hearing and 3rd Reading for Ordinance #10-05, "An Ordinance To Amend The Agreement for Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise And Clarify Certain Terms of the Agreement and Other Matters Relating Thereto"
- Executive Session
 - Legal Advice
 - Exemptions to the Stormwater Fee
 - St. George Fire
 - Contractual Matters
 - Waste Management Contract Amendment
 - Airport Land Purchase

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT

WILLIAM (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 16, 2010

7:03 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. Larry Hargett
Mr. Kenneth Waggoner
Mr. Chris Murphy
Mr. Richard Rosebrock
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. William (Bill) Hearn

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

REQUEST TO ADDRESS COUNCIL

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

- Mr. Charlie Green, Jr. addressed Council regarding Britt-Green Road, the paved road that he lives on. Mr. Green gave Council pictures of the road and requested the road be fixed properly and the stripes be repainted. The Chairman stated that the County Public Works Department would look into this problem, and repair the issues mentioned.

REQUEST TO ADDRESS COUNCIL- CONTINUED

- Mr. Paul R. Cobbs addressed Council requesting assistance with problems that he was having with the County's sewer system. The County Administrator was directed to contact Mr. Cobbs and assist him with this problem.

ADOPTION OF MINUTES FROM THE FEBRUARY 1, 2010 COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, one absent, to adopt the Minutes from the February 1, 2010 County Council Meeting.

Council Member Hearn was absent.

Chairman Feltner, along with Council, publicly thanked the Public Works Director, Water and Sewer Director, County Administrator, and Emergency Services Department, and all Public Safety Departments, along with the staff of all of these Departments for all of their work and efforts during the period of extreme winter weather Dorchester County experienced over this past weekend. They all made sure that the citizens of the County were safe during a difficult time and that all necessary services were restored.

GUESTS

Ms. Sarah Robinson, Director of Keep South Carolina Beautiful, and Mrs. Carolyn Tomlinson, Director of Recycling and Education and Director of Keep Dorchester County Beautiful, were present to make a presentation of the *Keep South Carolina Beautiful Lifetime Achievement Award* to Councilman Richard Rosebrock. This was the first lifetime achievement award that has been presented by Keep South Carolina Beautiful. Ms. Robinson said that she wished every County could have a Councilman as active as Councilman Rosebrock, and that he was an inspiration to all citizens for the work he does with the Keep Dorchester County Beautiful Program, and the Adopt a Highway Program. Councilman Rosebrock said he was humbled and honored by this special award, and intended to continue his work by "*Keeping Dorchester County Beautiful*". In addition, Councilman Rosebrock's family attended the presentation.

Mr. Garon Jackson, Executive Director, Lower Orangeburg Upper Dorchester CDC, addressed Council and requested funding in the amount of \$27,000. The funding request was to provide training to the residents of Upper Dorchester County. Chairman Feltner thanked Mr. Jackson for attending the meeting and referred this item to the Budget, Finance, and Purchasing Committee for further consideration along with other Non-profit funding requests for the FY 2011 Budget.

Mr. John Henderson, South Carolina Workers Compensation Trust presented three awards to recognize the excellence in Risk Management in Dorchester County. The awards to the County were the following: *Sustained Excellence in Risk Management*, the County's third year *Service Award*, and lastly the *Outstanding Safety Achievement Award* for the Wellness Program. Council thanked the entire Safety Department for all of their hard work.

GUESTS –CONTINUED

Mr. Lee Moulder, Director of Budget and Finance, presented Council with the January 2010 Budget Report. He stated that the County now has received the majority of the tax revenues and the fees for the solid waste and the stormwater funds, and he was encouraged that with the collections that the County was close to the average amount collected versus the budget in prior years. After Mr. Moulder gave the Budget Report, he and the Administrator addressed concerns and answered questions from Council. Mr. Moulder informed Council that he along with the Administrator had met with all the revenue-generating departments and reviewed year-to-date revenues (including real property taxes), year-to-date expenditures, identified savings, and cuts to end the FY2010 Budget in balance. Council thanked Mr. Moulder for his report.

COUNTY ADMINISTRATOR’S TIME, MR. JASON WARD

3RD READING FOR ORDINANCE #10-04, “AN ORDINANCE TO AMEND THE DORCHESTER COUNTY CENTRALIZED PROCUREMENT ORDINANCE, #83-05, TO PROVIDE FOR A DORCHESTER COUNTY LOCAL VENDOR PREFERENCE”

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to give 3rd Reading for Ordinance #10-04, “An Ordinance To Amend the Dorchester County Centralized Procurement Ordinance, #83-05, to provide for a Dorchester County Local Vendor Preference”. This amendment will define “Dorchester County Vendor,” establish a “Dorchester County Vendor Preference” policy for goods, supplies or construction services of \$25,000 or more, and provide for exemptions for state and federal solicitation, procurement, or request for bids that prohibit local preference.

Councilman Hearn was absent.

2ND READING FOR “AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000) 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 THEREOF; AND OTHER MATTERS RELATING THERETO”

3. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 2nd Reading for “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto”.

Councilman Hearn was absent.

Chairman Feltner passed the gavel to Vice Chairman Davis.

**WATER AND SEWER COMMITTEE REPORT CHAIRMAN JAMIE FELTNER
REQUEST FOR NEW SEWER SERVICE TO TMS # 044-00-00-093, BROWN AND
SONS FUNERAL HOME**

4. Chairman Feltner stated the Committee voted to recommend for Council to approve the request for sewer service to Brown and Sons Funeral Home, identified by TMS #044-00-00-093. Council voted six in favor, and one absent, on the Committee's recommendation.

Councilman Hearn was absent.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

**APPOINTMENTS TO BOARDS AND COMMISSIONS
DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY**

5. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to appoint Mr. Marvin Johnson to the Sales Tax Transportation Authority as the appointee for District # 4.

Councilman Hearn was absent.

**COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON
PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-05, "AN
ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT
COUNTY INDUSTRIAL PARK BY AND BETWEEN DORCHESTER COUNTY,
SOUTH CAROLINA AND ORANGEBURG COUNTY, SOUTH CAROLINA,
PROVIDING FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK SO
AS TO REVISE AND CLARIFY CERTAIN TERMS OF THE AGREEMENT AND
OTHER MATTERS RELATING THERETO"**

Chairman Feltner opened the Public Hearing for Ordinance #10-05, "An Ordinance To Amend The Agreement for Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise and Clarify Certain Terms of the Agreement and Other Matters Relating Thereto".

Chairman Feltner opened the floor to the public; upon hearing no comments from the public, the Chairman closed the Public Hearing.

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 #10-05, "An Ordinance To Amend The Agreement for Development of A Joint County Industrial Park by and Between Dorchester County, South Carolina and Orangeburg County, South Carolina, Providing For Development of a Joint County Industrial Park so as to Revise and Clarify Certain Terms of the Agreement and Other Matters Relating Thereto".

Councilman Hearn was absent.

COUNTY ATTORNEY'S TIME- CONTINUED

REQUEST TO AMEND THE AGENDA

The County Attorney made a request to Council to consider amending the agenda by adding two additional items under executive session, with those items being the discussion of a confidential economic development prospect, and additional contractual matter concerning Bacons Bridge Park.

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to amend the agenda to add the 2 additional items to executive session under legal advice as requested by the County Attorney.

Councilman Hearn was absent.

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, the St. George fire service contract, and to give legal advice concerning exemptions from the Stormwater Fee, and to discuss three contractual matters, with those being the Waste Management contract amendment, a land purchase at the Airport, and the Bacon's Bridget Park property.

EXECUTIVE SESSION 8:05 P.M.

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

Councilman Hearn was absent.

RECONVENE FROM EXECUTIVE SESSION 8:40 P.M.

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

WASTE MANAGEMENT AGREEMENT SECOND ADDENDUM

9. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to approve that the County Administrator be authorized to execute the second addendum to the agreement between Dorchester County and Waste Management.

Councilman Hearn was absent.

BACON'S BRIDGE PARK PROPERTY

10. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted five in favor, one opposed, and one absent, that the County Administrator arrange for a Phase I Environmental Assessment on the Bacon's Bridge Park Property with the cost being paid from the Council Contingency Fund.

Councilman Murphy opposed, and Councilman Hearn was absent.

AIRPORT LAND PURCHASE


11. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to authorize the County Administrator be authorized to execute an agreement to purchase real estate bearing TMS #120-00-00-014, which contains approximately 69 acres, and TMS #120-00-00-16, which contains approximately 11.5 acres, as discussed in Executive Session.

Councilman Hearn was absent.

ADJOURNMENT 8:44 P.M.

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

Councilman Hearn was absent.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MARCH 1, 2010
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 February 16, 2010, County Council Meeting
- 1st Reading to “An Ordinance Repealing Dorchester County Ordinance #10-01, and Adopting a New County Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcoholic Beverages”
- Correspondence

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

- Adoption of Resolution #10-03, “Dorchester County Council Requesting Support from the Public Service Commission of South Carolina to Deny the Current Request from South Carolina Electric & Gas Seeking a 9.5% Rate Increase”

4. GUESTS

- Mr. Mark S. Eckels, Vice President Board of Directors, Frances R. Willis SPCA
- Mr. Jon Baggett, Economic Development Director, Presentation of Plaque for Mr. Andy Gresham Dorchester County Ambassador for Economic Development

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

- 1st Reading for Rezoning Request #630, Ms. Dana L. Eiser; TMS# 143-16-00-050, & 143-16-00-061
- Public Hearing and 3rd Reading for Ordinance #10-06, “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto”

6. COMMITTEE REPORTS

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

- Update Parks and Recreation
- RFQ Recommendations for Consulting Services Old Courthouse and Jail Structural Engineering and Hazardous Materials Analysis and Detention Center Planning

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to Wentworth Hall Phase 1B, TMS# 128-00-00-039
- Request for New Water Service for Horace Lewis, TMS# 007-00-00-109
- Request for Sewer Service to Ridgeville Fire Department, TMS# 108-00-00-089

Chairman Willie Davis, Planning, Development and Building Committee Report

- Public Hearing and Recommendation for 2nd Reading for Rezoning Request #635, Victor M. Prince, TMS #151-00-00-079

Page Two
Dorchester County Council
March 1, 2010

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
 - Legal Advice
 - Harleyville Rural Voluntary Fire Department Bylaws
 - Contractual Matter
 - Lease /Purchase Agreement for Elections and Registration

9. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY
ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIAM (BILL) HEARN, JR.

CHRISTOPHER J. MURPHY

RICHARD ROSEBROCK

LARRY S. HARGETT

KENNETH WAGGONER

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

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MINUTES

DORCHESTER COUNTY COUNCIL

DORCHESTER COUNTY HUMAN SERVICES BUILDING

COUNCIL CHAMBERS, SUMMERVILLE

MARCH 1, 2010

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. Larry Hargett
Mr. Kenneth Waggoner
Mr. Chris Murphy
Mr. Richard Rosebrock
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.

MOTION TO AMEND THE AGENDA

1. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to amend the agenda, to honor Councilman Hearn's request to present a petition to Council, under Councilmember's Time, following Councilman Hargett's time.

REQUEST TO ADDRESS COUNCIL

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

- Mrs. Angie Lee Crum addressed Council regarding a request for sewer in a rural area of Ridgeville. She requested that Dorchester County assist this area in getting sewer service for the citizens who live there, when and if the County becomes aware of any available grant funding for rural sewer projects. The Chairman requested Mrs. Crum to provide the County Administrator with the exact location of the area in Ridgeville.
- Mrs. Jean Bunch addressed Council regarding Rezoning Request #630, for Ms. Dana L. Eiser, and requested that this request be denied and not be rezoned. She also presented Council with a petition supporting this request.
- Mr. Frank Thomas addressed Council on behalf of the Upper Dorchester County Historical Society and invited Council to visit significant sites in the upper part of Dorchester County on March 20, 2010. An invitation/letter was given to each Council Member and the Administrator. (note: The Clerk was not provided with a copy.)
- Mr. John Hammontree addressed Council regarding the road he lives on, Dogwood Ridge Road. He informed Council of the ongoing situation regarding this road, the standards required for county maintenance and requested the County take over the maintenance of Dogwood Ridge Road. (By request of Councilman Waggoner and no objections from Council, Mr. Hammontree was given extra time to speak). Chairman Feltner placed this item/request in the Public Works, Property, and Utilities Committee.
- Mr. Jim Bryan with SCANA Corporation addressed Council regarding the proposed Resolution regarding the South Carolina Electric and Gas 9.5% rate increase in retail electric base rates, and said the company has done everything it can to cut costs. He explained the reasons his company finds it necessary to request an increase in their rates and explained how they plan to implement the increase over time. Mr. Bryan thanked Council for allowing him to address them on this issue.

ADOPTION OF MINUTES FROM THE FEBRUARY 16, 2010, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the February 16, 2010, County Council Meeting.

1ST READING TO "AN ORDINANCE REPEALING DORCHESTER COUNTY ORDINANCE #10-01, AND ADOPTING A NEW COUNTY ORDINANCE RESTRICTING THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES"

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading to "An Ordinance Repealing Dorchester County Ordinance #10-01, and Adopting a New County Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcoholic Beverages".

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT
ADOPTION OF PROPOSED RESOLUTION #10-03, "DORCHESTER COUNTY
COUNCIL REQUESTING SUPPORT FROM THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA TO DENY THE CURRENT REQUEST FROM SOUTH
CAROLINA ELECTRIC & GAS SEEKING A 9.5% RATE INCREASE"

Councilman Hargett made remarks with regard to the proposed Resolution and stated his views on why now was not the time for SCE&G to request a rate increase from the Public Service Commission. He stated that he had received many calls from taxpayers who had extremely high electric bills and felt they could not afford to pay any higher cost. Councilman Hargett stated that SCE&G was a good partner with Dorchester County and its economic development activities and Dorchester County does appreciate the partnership participation, however now was not the time in our economy, for a rate increase for our citizens. After his remarks, Councilman Hargett read aloud his proposed Resolution as follows:

"WHEREAS, the Dorchester County Council requests that the Public Service Commission (PSC) of South Carolina deny the current request from South Carolina Electric and Gas (SCE&G) seeking a 9.5% rate increase in retail electric base rates. An increase in electric base rates during this current recessionary period with families, businesses, churches, and governmental agencies struggling to survive would cause hardship and jeopardize the viability of many in our county. Some small businesses whose electric bills are a significant part of their operating cost factor are fighting to keep their heads above water. Notwithstanding the increase in rates that SCE&G is requesting, this Council has received reports from some concerned citizens who are now paying \$500 to \$900 per month for residential electric bills from SCE&G, which is more than an average family's monthly food cost. The Dorchester County School District 2 paid over \$4,000,000 in electric bills last year to SCE&G and would realize a \$380,000 increase in electricity bills for School District 2 should the requested rate increase receive approval by the Public Service Commission (PSC). Dorchester County Government paid \$1,260,000 last year for electricity from SCE&G for operation of county government operations with an expected increase of \$119,700 for next year's electricity billing. South Carolina law entitles SCE&G to a reasonable return on their investment to produce and distribute electricity to its customers; however, the timing of this requested rate increase is not prudent due to the present economic recession.

WHEREAS, electric utility base rates are set, and monitored by the Public Service Commission (PSC) in South Carolina, the Dorchester County Council respectfully requests that the PSC deny any increase in retail electric base rates by SCE&G. With summertime coming in a few months, many homes and businesses will experience even higher electric bills than in past months should the requested increase rate by SCE&G be granted by the PSC.

NOW, THEREFORE, BE IT RESOLVED, that upon adoption of this Resolution, the original shall be presented to the Public Service Commission, with a copy to the members of the Dorchester County Legislative Delegation and a copy shall be filed in the permanent records of Dorchester County, South Carolina." After reading the proposed Resolution, the following motion was made.

3. Mr. Hargett motioned, seconded by Mr. Rosebrock, to adopt the proposed Resolution #10-03, as read aloud by Councilman Hargett.

COUNCIL MEMBER'S TIME, CONTINUED

ADOPTION OF PROPOSED RESOLUTION #10-03, "DORCHESTER COUNTY COUNCIL REQUESTING SUPPORT FROM THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA TO DENY THE CURRENT REQUEST FROM SOUTH CAROLINA ELECTRIC & GAS SEEKING A 9.5% RATE INCREASE"

After Council held discussions, Councilman Murphy stated that it was the Public Service Commission's job to determine if a rate increase was warranted or not and it should be left to them to decide. Councilman Murphy proposed having a letter drafted to the Public Service Commission, expressing the same sentiments as the proposed Resolution, and this way each Council Member who chooses to sign the letter could. He made the following amendment to Councilman Hargett's motion:

4. Mr. Murphy motioned to amend the main motion, seconded by Mr. Hearn, Council voted five in favor, and two opposed, to have a letter drafted to the Public Service Commission instead of a Resolution, expressing the same sentiments as the proposed Resolution, with each Council Member having the option of signing it.

Council Members Waggoner and Hargett opposed.

At the end of the discussions, Chairman Feltner thanked SCE&G for helping the County when the winter weather hit Dorchester County in February, and many residents lost power. He stated that they worked around the clock to restore power to their customers. Each Member of Council took time to thank South Carolina Electric and Gas for being an excellent economic development partner with Dorchester County.

COUNCIL MEMBER'S TIME, MR. BILL HEARN

PETITION FROM RESIDENTS OF RENAU BOULEVARD, HUNTERS CREEK AND PINE FOREST COUNTY CLUB

Councilman Hearn reported he had received a call over the past weekend concerning a petition from residents of Renau Boulevard, Hunters Creek and Pine Forest County Club. He stated that as of today's date, the petition was provided to him and he in turn presented it to the County Administrator. In addition, Councilman Hearn read the heading on the petition: "We the undersigned residents of Renau Boulevard, Hunters Creek and Pine Forest County Club would like to bring to the attention of Dorchester County and South Carolina DHEC our concerns regarding the concrete and asphalt recycling facility located on Mellichamp Road, just off Highway 78 near Boral Bricks and across from the Dorchester County Law Enforcement Center. For many months we have had to endure the constant noise at all hours of the day and night; an extreme amount of dust that covers our cars and homes and even gets inside our home; and the strong odors that come from the facility, particularly if your home is located close to their plant. We are not only upset about the nuisance this plant has created but we also have concerns about the effects this plant maybe having on our health." In addition, Councilman Hearn stated that he, Mr. Harold LeaMond, and Mr. Jason Ward had attended a meeting with some of the residents and he was now taking this opportunity to present this matter to full Council.

GUESTS

MR. MARK S. ECKELS, VICE PRESIDENT FRANCES R. WILLIS SPCA

Mr. Mark S. Eckels, Vice President Board of Directors for the Frances R. Willis SPCA, addressed Council and requested a fee increase under the current contract for services, which was signed on February 2, 1999. He provided several alternatives and proposals to help with the fee increase request. Council thanked Mr. Eckels for the work that the SPCA does for the County, and the Chairman referred this matter to the Budget, Finance, and Purchasing Committee for further consideration during the FY 2011 Budget.

Chairman Feltner called a two-minute recess to allow people from the SPCA to leave.

Chairman Feltner called the meeting back to order.

MR. ANDY GRESHAM, DORCHESTER COUNTY AMBASSADOR FOR ECONOMIC DEVELOPMENT, PRESENTATION OF PLAQUE

Mr. Jon Baggett, Economic Development Director, presented Mr. Andy Gresham, the 2010 Dorchester County Ambassador for Economic Development with a plaque. Mr. Gresham is the Plant Manager of Raisio Staest. Council thanked Mr. Gresham for his dedicated service to Dorchester County.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD
1ST READING FOR REZONING REQUEST #630, MS. DANA L. EISER;
TMS# 143-16-00-050, & 143-16-00-061

5. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one recusal, to deny 1st Reading for Rezoning Request #630, for Ms. Dana L. Eiser; TMS# 143-16-00-050, & 143-16-00-061, based upon recommendations from both the Planning Commission and Planning Department. This is a request to rezone two parcels on Central Avenue near Summerville.

Councilman Hearn recused himself from this vote.

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-06, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000) 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 THEREOF; AND OTHER MATTERS RELATING THERETO"

Chairman Feltner opened the Public Hearing for Ordinance #10-06, "An Ordinance to Provide For The Issuance and Sale of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto".

COUNTY ADMINISTRATOR'S TIME- CONTINUED

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-06, CONTINUED

Chairman Feltner opened the floor to the public; upon hearing no comments, the Public Hearing was closed.

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading for Ordinance #10-06, "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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 Thereof; And Other Matters Relating Thereto".

COMMITTEE REPORTS

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

UPDATE PARKS AND RECREATION

Chairman Hargett stated the Deputy Administrator updated the Committee on Parks and Recreation in accordance with the Parks and Recreation Master Plan. He stated that this was for information only and no action was taken.

**RFQ RECOMMENDATIONS FOR CONSULTING SERVICES OLD COURTHOUSE
AND JAIL STRUCTURAL ENGINEERING AND HAZARDOUS MATERIALS
ANALYSIS AND DETENTION CENTER PLANNING**

Chairman Hargett reported the Committee's action on this item was to provide each Council Member the opportunity to review the qualification statements by each company who submitted requests. Chairman Hargett stated that this item would remain in Committee, and the remaining members of Council would each receive the proposals for qualifications for their review. At this point, no action was necessary by Council.

Chairman Feltner passed the gavel to Vice Chairman Davis.

COMMITTEE REPORTS

**WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER
REQUEST FOR SEWER SERVICE TO WENTWORTH HALL PHASE 1B, TMS# 128-00-00-039**

7. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for sewer service to Wentworth Hall Phase 1B, a subdivision off Orangeburg Road near Summerville, identified by TMS# 128-00-00-039. He reported that adequate capacity was available and staff recommended providing the sewer service. Council voted unanimously in favor of the recommendation.

REQUEST FOR NEW WATER SERVICE FOR HORACE LEWIS, TMS# 007-00-00-109

8. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new water service to property, identified by TMS# 007-00-00-109, located in the Shady Grove community off U.S. Hwy 178, near St. George, for Mr. Horace Lewis. He reported that adequate capacity was available and staff recommended providing the water service. Council voted unanimously in favor of the Committee's recommendation.

**REQUEST FOR SEWER SERVICE TO RIDGEVILLE FIRE DEPARTMENT,
TMS# 108-00-00-089**

9. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for Sewer Service to Ridgeville Fire Department, identified by TMS# 108-00-00-089. He reported that adequate capacity was available and staff recommended providing the sewer service because the septic system had failed. In addition, Chairman Feltner stated that there were questions as to where the funding for the Impact Fee would come from and it was decided for the Ridgeville Fire Department to approach the Fire Board concerning the funds. Council voted unanimously in favor on 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 2ND READING FOR REZONING
REQUEST #635, VICTOR M. PRINCE, TMS #151-00-00-079**

10. Chairman Davis stated that a Public Hearing for Rezoning Request #635, for Victor M. Prince, TMS #151-00-00-079, was held and the Committee voted in favor of recommending for Council to give 2nd Reading to this request. This is a request to rezone 2.68 acres on Schultz Lake Road near Summerville from CG (General Commercial District) to R-4 (Multi-Family Residential District), and that this was an Ordinance #04-13 correction. Council voted unanimously in favor of the Committee's recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY GRIEVANCE COMMITTEE

11. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to reappoint Mrs. Theresa McKnight to the Dorchester County Grievance Committee, as the appointee for District # 6.

DORCHESTER COUNTY GRIEVANCE COMMITTEE

12. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to reappoint Ms. Wendy Lee to the Dorchester County Grievance Committee, as the appointee for District # 4.

DORCHESTER COUNTY SALES TAX TRANSPORTATION AUTHORITY

13. On the motion of Mr. Feltner, seconded by Mr. Davis, Council voted unanimously to appoint Mr. George Barber to the Dorchester County Sales Tax Transportation Authority as the appointee for District # 7. Chairman Feltner publicly thanked Mr. Fred Luxmore, his representative on the Dorchester County Sales Tax Transportation Authority, who has to resign, for his dedicated service to Dorchester County.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

REQUEST FOR EXECUTIVE SESSION

The County Attorney made a request for Council's consideration to enter into executive session to give legal advice concerning the Harleyville Rural Voluntary Fire Department By-Laws, and to discuss a contractual matter concerning a lease and/or purchase of property for the Elections and Registration Department.

EXECUTIVE SESSION 8:12 P.M.

14. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to go into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION P.M.

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

HARLEYVILLE RURAL VOLUNTARY FIRE DEPARTMENT BY-LAWS

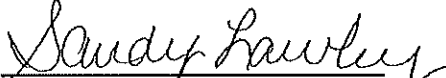
15. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to authorize the County Attorney to forward the draft letter to the Board of Directors of the Harleyville Rural Voluntary Fire Department requesting that they adopt the draft by-laws.

DORCHESTER ROAD MAINTENANCE STANDARDS ORDINANCE

Councilman Waggoner discussed the standards for taking roads under county maintenance. After discussion on this subject, Chairman Feltner placed the subject of the Dorchester Road Maintenance Standards Ordinance Policy in the Public Works, Property and Utilities Committee.

ADJOURNMENT 9:20 P.M.

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


Sandy Lawley
Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MARCH 15, 2010
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 March 1, 2010, County Council Meeting
- 2nd Reading to “An Ordinance Repealing Dorchester County Ordinance #10-01, and Adopting a New County Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcoholic Beverages”
- Correspondence

3. GUESTS

- Mrs. Janice Jolly, Mr. Hank Bennett - Robert Bosch Corp., and Mr. Tony Graziani - BAE Systems, Request for Funding - First Robotics
- Mr. Aaron Arnett, and Mr. Tripp Muldrow, Presentation of Market Study and Branding Plan for Dorchester County
- Mr. Ed Burns, Veterans Affairs Officer - Update on Changing Office Schedule Days

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

- 3rd Reading for Rezoning Request #635, Victor M. Prince, TMS #151-00-00-079

5. COMMITTEE REPORT

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service to Auto 1 of Summersville, TMS# 130-13-00-033
- Request for New Sewer Service to Josephine Goudy, TMS# 130-13-00-030

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Approval of Law Enforcement Mutual Aid Agreement with Colleton County
- Request for Approval of Law Enforcement Mutual Aid Agreement with Bamberg County
- Request for Approval of Law Enforcement Mutual Aid Agreement with Berkeley County
- Request for Approval of a Inter-Jurisdictional Agreement between the Sheriff of Berkeley County and the Sheriff of Dorchester County
- Executive Session
 - Confidential Economic Projects
 - Legal Advice
 - Condemnations of Parcels #10, 11, 12, and 13 for Phase II of Dorchester Road Widening Project
 - Contractual Matters
 - Lease /Purchase Agreement for Elections and Registration

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

WILLIE DAVIS
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



LARRY S. HARGETT

WILLIAM "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 15, 2010

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. Larry Hargett
Mr. Kenneth Waggoner
Mr. Chris Murphy
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 Hearn gave the Invocation.

REQUEST TO ADDRESS COUNCIL

Chairman Feltner asked if there were any requests to address Council, and one citizen replied:

- Mr. James D. McGraw addressed Council regarding the proposed Resolution that was on the March 1, 2010 Council Agenda, concerning the SCE&G rate increase. He requested Council to reconsider the Resolution and to speak with one voice.

ADOPTION OF MINUTES FROM THE MARCH 1, 2010, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt the Minutes from the March 1, 2010, County Council Meeting.

Councilman Rosebrock was absent.

2ND READING TO "AN ORDINANCE REPEALING DORCHESTER COUNTY ORDINANCE #10-01, AND ADOPTING A NEW COUNTY ORDINANCE RESTRICTING THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES"

2. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 2nd Reading to "An Ordinance Repealing Dorchester County Ordinance #10-01, and Adopting a New County Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcoholic Beverages".

Councilman Rosebrock was absent.

GUESTS
MRS. JANICE JOLLY, MR. HANK BENNETT, AND MR. TONY GRAZIANI,
REQUEST FOR FUNDING - FIRST ROBOTICS

Mrs. Janice Jolly from Dorchester School District #2, Mrs. Laura Shipman from Dorchester School District #4, Mr. Hank Bennett with the Robert Bosch Corporation, and Mr. Tony Graziani with BAE Systems, addressed Council and requested funding for the First Robotics Program in the amount of \$10,000.

Mrs. Jolly of School District #2, explained the importance of the First Robotics Program and how it positively represented and reflected upon Dorchester County. Mrs. Shipman of School District #4, introduced the middle school participants from the program. Mr. Graziani of BAE Systems spoke on his positive experiences as a mentor with the program. In addition, many students attended the meeting and spoke about their personal experiences with the First Robotics Program. Mr. Bennett with the Robert Bosch Corporation thanked Council for their partnership with the First Robotics Program. Council thanked everyone who attended and made the following motion.

3. On the motion of Mr. Murphy, seconded by Mr. Hargett, Council voted six in favor, and one absent, that Dorchester County fund the First Robotics Program in the amount of \$10,000 out of the County Council Contingency Fund.

Councilman Rosebrock was absent.

GUESTS – CONTINUED

MR. TRIPP MULDROW, PRESENTATION OF MARKET STUDY

Mr. Tripp Muldrow, Project Manager with Arnett Muldrow & Associates, Ltd., who was hired by Dorchester County Economic Development to complete a retail market study for the County, came before Council to provide an update and presentation of the “Market Study and Branding Plan for Dorchester County”. Mr. Muldrow stated the study represented a unique partnership between the County, the Town of Summerville, the Town of St. George, both Chambers of Commerce, and Summerville DREAM to examine retail trade patterns in the county, evaluate opportunities for retaining and recruiting businesses, and develop a market strategy to retain and recruit customers.

The presentation included the initial findings of the retail market study and branding plan. Mr. Muldrow reported that the study was ongoing and the project team was conducting a series of stakeholder interviews and roundtables on March 15th, 16th, and 17th, with business owners, real estate professionals, property owners, and community leaders in both upper and lower ends of the County. Additionally, Mr. Muldrow stated he wanted to solicit any comments from Council, and offered to answer any questions they had on the subject.

Upon hearing no questions, Chairman Feltner thanked Mr. Muldrow for the presentation, and stated, Council would be looking forward to the upcoming reports and finds from the Market Study.

MR. ED BURNS, VETERANS AFFAIRS OFFICER - UPDATE ON OFFICE SCHEDULE

Mr. Ed Burns, Veterans Affairs Officer, updated Council on changing the office schedule days of the Veterans Affairs Office. Mr. Burns presented Council with the number of visits to the St. George office on Tuesdays and Thursdays vs. the number of visits received in the Summerville office. He requested Council to approve the closing of the Veterans Affairs Office in St. George on Thursdays leaving that office open on Tuesdays only starting June 1, 2010. Mr. Burns reported the following figures: total number of clients in St. George from July 2009 until February 2010 was 231 and for the same period in Summerville, the total was 2,119. He requested the date of June 1, 2010, to implement the change, for the purpose of advertising the new schedule. He stated if the numbers increased in the upper part of the County, he would certainly change the schedule back to opening the VA Office on Thursdays in St. George. In addition, Councilman Murphy stated that he would like Council to see the numbers for March, April and May of 2010, and if the numbers were up for the St. George Office, then Council could resend the motion if passed, to revert to the original scheduled days. Councilman Waggoner inquired if Council could wait until June to make their decision, upon Mr. Burns receiving the number of clients from March thru May 2010. Chairman Feltner stated that the only problem with waiting would be the lack of time for advertisement for the change in the schedule.

4. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted four in favor, two opposed, and one absent, to approve the request from the Veterans Affairs Officer for the closing of the Veterans Affairs Office in St. George on Thursdays, leaving the St. George office open on Tuesdays only, effective as of June 1st, 2010. The Summerville Veterans Affairs Office would be open all other days of the week.

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

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD
3RD READING FOR REZONING REQUEST #635, VICTOR M. PRINCE,
TMS #151-00-00-079

5. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to give 3rd Reading to Rezoning Request #635, for Victor M. Prince, TMS #151-00-00-079. This is a request to rezone 2.68 acres on Schultz Lake Road near Summerville from CG (General Commercial District) to R-4 (Multi-Family Residential District) and this was an Ordinance #04-13 correction.

Councilman Rosebrock was absent.

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

COMMITTEE REPORT
WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER

REQUEST FOR SEWER SERVICE TO AUTO 1 OF SUMMERVILLE,
TMS# 130-13-00-033

6. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new sewer service to Auto 1 of Summerville, TMS# 130-13-00-033. He stated that adequate capacity was available for this business on Richardson Avenue in Summerville. Council voted five in favor, one recusal, and one absent on the recommendation.

Councilman Rosebrock was absent, and Councilman Murphy recused himself from the vote.

REQUEST FOR NEW SEWER SERVICE TO JOSEPHINE GOUDY,
TMS# 130-13-00-030

7. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new sewer service for Josephine Goudy, TMS# 130-13-00-030. He stated that adequate capacity was available and staff recommended providing the sewer service to this lot off Richardson Avenue in Summerville. Council voted five in favor, one recusal, and one absent on the recommendation.

Councilman Rosebrock was absent and Councilman Murphy recused himself from the vote.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

8. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, to appoint Mr. Edward Jordan to the Dorchester County Economic Development Board, as the representative for District # 3. (See page #6, Motion #12)

Councilman Rosebrock was absent.

COUNTY ATTORNEY'S TIME - MR. JOHN FRAMPTON

REQUEST FOR APPROVAL OF THE FOLLOWING AGREEMENTS:
LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH COLLETON COUNTY
LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH BAMBERG COUNTY
LAW ENFORCEMENT MUTUAL AID AGREEMENT WITH BERKELEY COUNTY
INTER-JURISDICTIONAL AGREEMENT BETWEEN THE SHERIFFS OF
BERKELEY COUNTY AND DORCHESTER COUNTY

9. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to approve the request by Sheriff Knight for the authorization to execute the following 4 agreements: Law Enforcement Mutual Aid Agreements with Colleton, Bamberg, and Berkeley Counties (3 separate agreements), and an Inter-Jurisdictional Agreement between the Sheriffs of Berkeley and Dorchester Counties.

Councilman Rosebrock was absent.

MOTION TO AMEND THE AGENDA

The County Attorney made a request for Council to consider amending the agenda to add an additional contractual matter to discuss in executive session with that being a proposed Fee In Lieu of Taxes Agreement with IMO Group.

10. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted six in favor, and one absent, to amend the agenda to add an additional contractual matter under executive session as requested by the County Attorney.

Councilman Rosebrock was absent.

COUNTY ATTORNEY'S TIME- CONTINUED
REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss several confidential economic development projects, give legal advice concerning several proposed condemnations for the widening of Dorchester Road Phase II, and to discuss a contractual matter dealing with a lease/purchase agreement for Elections and Registration Department and to discuss the additional contractual matter concerning the IMO Group Fee In Lieu of Taxes Agreement.

EXECUTIVE SESSION 7:51 P.M.

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

Councilman Rosebrock was absent.

RECONVENE FROM EXECUTIVE SESSION 8:52 P.M.

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

MOTION TO RECONSIDER APPOINTMENT TO THE
DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

12. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, to reconsider the motion to appoint Mr. Edward Jordan to the Dorchester County Economic Development Board, due to a legal conflict. (See page #5, motion #8)

Councilman Rosebrock was absent.

CONFIDENTIAL ECONOMIC PROJECT

13. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, to approve \$14,000 from the Economic Development Fund for a water line to serve Southern Color and the Harleyville Industrial Park.

Councilman Rosebrock was absent.

APPOINTMENT TO ECONOMIC DEVELOPMENT BOARD- CONTINUED

Councilman Waggoner withdrew his motion to appoint Mr. Edward Jordan to the Economic Development Board, and Councilman Davis withdrew his second to the motion. (See page #5, motion #8, and motion #12)

CONDEMNATION FOR PHASE II OF THE DORCHESTER ROAD WIDENING

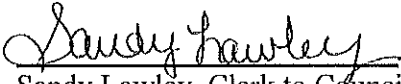
14. On the motion of Mr. Murphy, seconded by Mr. Waggoner, Council voted six in favor, and one absent, that Dorchester County proceed with the condemnation of the following tracts of land for Phase II of the widening of Dorchester Road, Tracts #10, 11, 12, and 13.

Councilman Rosebrock was absent.

ADJOURNMENT 8:57 P.M.

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

Councilman Rosebrock was absent.


Sandy Lawley, Clerk to Council