

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 5, 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 15, 2010, County Council Meeting
- Adoption of Resolution #10-03, "A Resolution in Honor of Reverend John Elliott"
- Adoption of Resolution #10-04, "A Resolution to Add the Vehicles of Magistrate Court Constables to the List of Vehicles Which May be Home Garaged"
- 1st Reading for "An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects"
- Dorchester County Employee Recognition Program
- Public Hearing & 3rd Reading to Ord. #10-07, "An Ordinance Repealing Dorchester County Ordinance #10-01, & 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. KENNETH WAGGONER

- Introduction of Mrs. Tammi O. Byrd, RDH, CEO/Clinical Director of Health Promotion Specialists, Presentation of School Based Dental Prevention Program

4. GUESTS

- Mr. Gary Lukridge, CEO, Summerville Family YMCA, Presentation
- Mr. Rodney Cooper, Past President of the South Carolina Litter Control Association, Presentation of the South Carolina Litter Control Association Presidential Award
- Mrs. Carolyn Tomlinson, Director of Keep Dorchester County Beautiful, and Ms. Lisa Hamilton, KDCB Board Member, Presentation of \$7000 Grant Award /Keep America Beautiful/Cigarette Litter Prevention and Presentation of the DHEC Recycles Guys Award

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

- 1st Reading for Rezoning Request #636, for Gordon Timmons, TMS #119-12-01-001

6. COMMITTEE REPORTS

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

- RFQ Recommendations for Consulting Services Old Courthouse and Jail Structural Engineering and Hazardous Materials and Jail Planning

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service to Martha Willis, TMS #143-00-00-110
- Request for New Sewer Service to Coastal Millwork and Supply, LLC, TMS #130-09-00-013
- Request for New Sewer Service for Rodger Slocum, TMS #128-00-00-199

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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Dorchester County Council
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8. COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

- Executive Session
- Contractual Matters
 - Condemnation of Parcel #34 Phase II Dorchester Road Widening
 - Bacons Bridge Park
 - Dorchester Road Property Purchase

9. 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

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MINUTES

**DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE**

APRIL 5, 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. 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. Chris Murphy

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

MOTION TO AMEND THE AGENDA

1. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to amend the agenda to add two additional items for discussions, with those items being a Rezoning Request for Mr. Joseph Myers, Jr. and "Senate Bill 1270".

Councilman Murphy was absent.

REQUEST TO ADDRESS COUNCIL

There were no cards received, requesting to address Council.

1ST READING FOR REZONING REQUEST FOR JOSEPH H. MYERS, JR.

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 1st Reading to a Rezoning Request from Mr. Joseph Myers, TMS #136-09-00-012, and to place this request in the Planning Development and Building Committee for further consideration.

Councilman Murphy was absent.

SENATE BILL 1270

Councilman Hargett reported that *Senate Bill 1270* passed by the Senate and was now going back to the House of Representatives, and Senator Mike Rose requested for Council's support, by sending a Chairman's Letter to Dorchester County House Members requesting their support of this Senate Bill. In addition, Councilman Hargett reported that our County Treasurer and Auditor spoke to Senator Rose about this issue that was ongoing in Dorchester County and had asked the County Auditor to appear before Council to discuss the matter. Mr. Messervy, County Auditor, addressed Council to explain why Council should support this Bill. Mr. Messervy stated *Senate Bill 1270* repeals the requirement that property tax refunds be given for the current tax year, plus two years retroactively. He stated that currently, Dorchester County, Dorchester School District Two, Dorchester School District Four, the municipalities within the County, and Dorchester County fire departments spend thousands of current year tax dollars to pay refunds for prior tax years, and this results in tax revenue shortfalls for these entities, which in turn affects service delivery to the citizens. After discussion by Council, the following motion was made:

3. On the motion of Mr. Hargett, seconded, by Mr. Rosebrock, Council voted six in favor, and one absent, to send a Chairman's Letter to the Dorchester County Delegation House Members and request their support of *Senate Bill 1270*.

Councilman Murphy was absent.

ADOPTION OF MINUTES FROM THE MARCH 15, 2010, COUNTY COUNCIL MEETING

4. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, to adopt the Minutes from the March 15, 2010, County Council Meeting.

Councilman Murphy was absent.

ADOPTION OF RESOLUTION #10-03, "A RESOLUTION IN HONOR OF REVEREND JOHN ELLIOTT"

5. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt Resolution #10-03, for Reverend John Elliott for his many years of service on the Dorchester County Planning Commission. Reverend Elliott was present and Council presented him with the framed Resolution. Council Members wished him well in his future endeavors and Councilman Davis thanked him for his service to District #1.

Councilman Murphy was absent.

ADOPTION OF RESOLUTION #10-04, "A RESOLUTION TO ADD THE VEHICLES OF MAGISTRATE COURT CONSTABLES TO THE LIST OF VEHICLES WHICH MAY BE HOME GARAGED"

6. On the motion of Mr. Hargett, seconded by Mr. Hearn, Council voted six in favor, and one absent, to adopt Resolution #10-04, "A Resolution to Add the Vehicles of Magistrate Court Constables to the List of Vehicles Which May be Home Garaged". This privilege was previously granted by Ordinance #07-28, but inadvertently was left out of Resolution #08-20, which list the positions that have home garaging privileges.

Councilman Murphy was absent.

1ST READING FOR "AN ORDINANCE ORDERING A REFERENDUM PURSUANT TO THE COUNTY BOND ACT FOR THE PURPOSE OF DETERMINING WHETHER DORCHESTER COUNTY, SOUTH CAROLINA SHALL BE AUTHORIZED TO ISSUE NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BONDS TO FUND WATER QUALITY, FORESTS, PARKS AND WILDLIFE HABITAT PROJECTS"

7. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 1st Reading for "An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects". This Ordinance instructs the Elections Commission to place a question on the November 2010 ballot for voters' consideration.

Councilman Murphy was absent.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

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

PUBLIC HEARING & 3RD READING TO ORDINANCE #10-07, "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"

Chairman Feltner opened the Public Hearing for Ordinance #10-07, "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".

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

8. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 3rd Reading Ordinance #10-07, "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 Murphy was absent.

COUNCIL MEMBER'S TIME, MR. KENNETH WAGGONER

MRS. TAMMI O. BYRD, RDH, CEO/CLINICAL DIRECTOR OF HEALTH PROMOTION SPECIALISTS, PRESENTATION OF SCHOOL BASED DENTAL PREVENTION PROGRAM

Mrs. Tammi O. Byrd, the CEO and Clinical Director of Health Promotions Specialists thanked Council for allowing her to address them. She presented Council with her program that allows Dorchester County Schools the opportunity to partner with the State Dental Program that is proven to improve oral health. The Dorchester County School Districts have the opportunity to partner with this school based dental sealant program at no cost to the School Districts. Mrs. Byrd reported that this same program was already in place in neighboring counties, such as Charleston, Orangeburg and Colleton. She informed Council that the Dorchester District Four School Board would be voting on this issue on April 20, 2010. Mrs. Byrd thanked Council and entertained any questions. After answering questions from Council, the following motion was made:

9. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor, and one absent, to send a Chairman's letter to the Dorchester School Districts to show County Council's support of the state dental program with Health Promotions Specialists.

Councilman Murphy was absent.

GUESTS

MR. GARY LUKRIDGE, CEO, SUMMERVILLE FAMILY YMCA

Mr. Gary Lukridge, CEO, Summerville Family YMCA, made a presentation to Council about successful YMCA collaborations with counties for recreational opportunities. He invited County Council to discuss how collaboration might work in Dorchester County. He stated that he would like to meet with Council in the next 60 to 90 days to discuss the partnership to work together to create a recreation program in Dorchester County. After comments and questions from Council, Council thanked Mr. Lukridge for his time.

MR. RODNEY COOPER, PAST PRESIDENT OF THE SOUTH CAROLINA LITTER CONTROL ASSOCIATION

Mr. Rodney Cooper, Past President of the South Carolina Litter Control Association, came before Council and made a presentation of the South Carolina Litter Control Association Presidential Award to Dorchester County Environmental Officer, Mrs. Donna Thomas. Mr. Cooper read the inscription on the award and presented it to Mrs. Thomas. Council thanked Mrs. Thomas for all of her hard work in support of the cleanup of Dorchester County.

MRS. CAROLYN TOMLINSON, DIRECTOR OF KEEP DORCHESTER COUNTY BEAUTIFUL

Mrs. Carolyn Tomlinson, Director of Keep Dorchester County Beautiful, made a presentation of a \$7000 Grant Award Check for Keep America Beautiful/Cigarette Litter Prevention program to Council, which is to implement a cigarette litter prevention program for all of Dorchester County. In addition, Mrs. Tomlinson presented the "2009 DHEC Recycles Guys Award", which was for a "Medium County" for the "Outstanding County Waste /Recycling Programs".

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

1ST READING FOR REZONING REQUEST #636, FOR GORDON TIMMONS, TMS #119-12-01-001

10. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted six in favor, and one absent, to give 1st Reading to Rezoning Request #636, for Gordon Timmons, TMS #119-12-01-001, and refer it to Planning, Development and Building Committee for further consideration. This is a request to rezone .49 acre located off Givhans Road (SC Hwy 27) near Ridgeville from R-1 (Single Family Residential District) to CN (Neighborhood Commercial District).

Councilman Murphy was absent.

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

RFO RECOMMENDATIONS FOR CONSULTING SERVICES OLD COURTHOUSE
AND JAIL STRUCTURAL ENGINEERING AND HAZARDOUS MATERIALS AND
JAIL PLANNING

11. Chairman Hargett reported the Committee's recommendation to Council was for full Council to interview the top eight ranked firms for the consulting services for the old Courthouse, jail structural engineering, hazardous materials, and jail planning. Council voted four in favor, two opposed, and one absent, on the recommendation. The top eight firms are listed as follows:

Brennan Architects	Carter Goble Lee
AECOM	Mosely Architects
Southeastern Design and Development, Inc.	MMSA, Inc.
Collins Engineering	Davis & Floyd

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

Chairman Feltner passed the gavel to Vice Chairman Davis in order to give the Water and Sewer Committee Report.

WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER
REQUEST FOR NEW SEWER SERVICE FOR MARTHA WILLIS, TMS #143-00-00-
110

12. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new sewer service for Martha Willis, identified by TMS #143-00-00-110, and adequate capacity was available and staff recommended providing service to this parcel located at 129 Clark Lane off Central Avenue near Summerville. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

REQUEST FOR NEW SEWER SERVICE TO COASTAL MILLWORK AND SUPPLY,
LLC, TMS #130-09-00-013

13. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new sewer service to Coastal Millwork and Supply, LLC, for property identified by TMS #130-09-00-013. He stated that adequate capacity was available and the staff recommended providing sewer service to this business located at 1025 West 5th North Street (US Hwy 78) near Summerville. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

COMMITTEE REPORTS- CONTINUED
WATER AND SEWER COMMITTEE REPORT

REQUEST FOR NEW SEWER SERVICE FOR RODGER SLOCUM,
TMS #128-00-00-199

14. Chairman Feltner stated the Committee's recommendation to Council was to approve the request for new sewer service for Rodger Slocum, property identified by TMS #128-00-00-199, and adequate capacity was available. Council voted six in favor, and one absent, on the recommendation.

Councilman Murphy was absent.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS
TRIDENT WORKFORCE INVESTMENT BOARD

Chairman Feltner stated he wanted to make Council aware that Charleston County who was over the Trident Workforce Investment Board wanted to now place the jurisdiction of this Board under the Council of Governments. He stated this would not affect any of the appointments. Council thanked Mr. Ron Mitchum, Director of the COG, who was present for all of his help, who would work to make this change take place sometime in the near future.

15. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to appoint Ms. Jennet Robinson Alterman, (Community Based Organization), Mr. Jim Friar, and Mr. Tommy Pruitt, (Private Sector), to the Trident Workforce Investment Board.

Councilman Murphy was absent.

TRIDENT TECHNICAL COLLEGE AREA COMMISSION

16. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to reappoint Mr. Jack Y. Harrison as Dorchester County representative to the Trident Technical College Area Commission.

Councilman Murphy was absent.

DORCHESTER COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS

17. On the motion of Mr. Waggoner, seconded by Mr. Hearn, Council voted five in favor, one recusal, and one absent, to recommend to the Governor the reappoint of Mrs. Joyce Davis to the Dorchester County Board of Disabilities and Special Needs.

Councilman Murphy was absent, and Councilman Davis recused himself from this vote.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss three contractual matters, the first being the condemnation of Tract #34 for the widening of Dorchester Road Phase II, the second being Bacons Bridge Park, and last to discuss real estate on Dorchester Road.

EXECUTIVE SESSION 8:01 P.M.

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

Councilman Murphy was absent.

RECONVENE FROM EXECUTIVE SESSION 8:24 P.M.

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

DORCHESTER ROAD PROPERTY

19. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, that Dorchester County Council decline the offer from Mr. Fulmer to purchase the 45 acres on Dorchester Road.

Councilman Murphy was absent.

CONDEMNATION FOR PHASE II OF THE DORCHESTER ROAD WIDENING

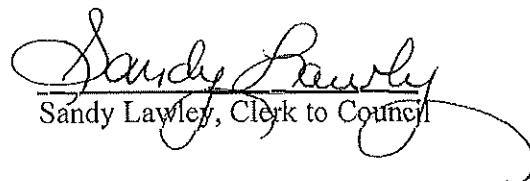
20. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted six in favor, and one absent, that Dorchester County proceed with the condemnation of the following tract of land for Phase II of the widening of Dorchester Road: Tract #34, TMS #151-00-00-030.

Councilman Murphy was absent.

ADJOURNMENT 8:26 P.M.

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

Councilman Murphy was absent.


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
APRIL 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 April 5, 2010, County Council Meeting
- 2nd Reading for “An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects”
- Correspondence

3. GUEST

- Mrs. Phyllis Hughes –Update on Upper Dorchester County Historical Society and Request for Yearly Funding for Operations

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

- Sheriff's Personnel Request

5. COMMITTEE REPORT

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Water and Sewer Service for Arborgen Phase I, TMS #150-00-00-202
- Water and Sewer Department Reorganization

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Adoption of Resolution #10-05, “A Resolution Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, so as to Allow Investment Expenditures Incurred by IMO USA Corp. to Qualify as Expenditures Eligible for A Fee-In-Lieu of Taxes Arrangement with Dorchester County, South Carolina, to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for a Sponsor Affiliate; and Other Matters Related Thereto”

COUNTY ATTORNEY'S TIME-CONTINUED

- 1st Reading for An Ordinance “Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters”
- 1st Reading for “An Ordinance Approving Further Amendment to 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
 - Yerby Equestrian Farms Development
 - Contractual Matters
 - 134 Club Road
 - Bacons Bridge Park

8. ADJOURN

JAMIE FELTNER
CHAIRMAN

VILLIE 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

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MINUTES DORCHESTER COUNTY COUNCIL KENNETH F. WAGGONER SERVICES CENTER COUNCIL CHAMBERS, ST. GEORGE

APRIL 19, 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. Chris Murphy
Mr. Larry Hargett
Mr. Kenneth Waggoner
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 Hargett gave the Invocation.

REQUEST TO ADDRESS COUNCIL

There was only one request to address Council.

- Dr. Scott Garris, DMD, addressed Council and stated he was representing other local dentists in the area who were unable to attend the meeting and voiced opposition of Council's support of Health Promotions Specialists partnership with the state dental program for the Dorchester

REQUEST TO ADDRESS COUNCIL- CONTINUED

County School Districts. This topic was an item on the agenda at the April 5, 2010, County Council Meeting. Dr. Garris stated that he and the other dentists were offended that they were not notified before the representative from Health Promotions Specialists addressed Council. Dr. Garris requested Council to rescind its support of the program.

ADOPTION OF MINUTES FROM THE APRIL 5, 2010, COUNTY COUNCIL MEETING

1. On the motion of Mr. Hargett, seconded by Mr. Hearn, Council voted six in favor, and one abstention, to adopt the Minutes from the April 5, 2010, County Council Meeting.

Councilman Murphy abstained.

2ND READING FOR "AN ORDINANCE ORDERING A REFERENDUM PURSUANT TO THE COUNTY BOND ACT FOR THE PURPOSE OF DETERMINING WHETHER DORCHESTER COUNTY, SOUTH CAROLINA SHALL BE AUTHORIZED TO ISSUE NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BONDS TO FUND WATER QUALITY, FORESTS, PARKS AND WILDLIFE HABITAT PROJECTS"

Council Members discussed the Ordinance, the Referendum, parks in the County and a Park Department in detail, and after much discussion it was decided that Council would have a Public Hearing for this Ordinance before it comes up for 3rd Reading. Mr. Ward, County Administrator, stated a Public Hearing would be scheduled for May 17th, 2010, at the County Council Meeting in Summerville.

2. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted five in favor, and two opposed, to give 2nd Reading for "An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects". This Ordinance instructs the Elections Commission to place a question on the November 2010 ballot for voters' consideration.

Council Members Hearn and Murphy were opposed.

GUESTS

PHYLLIS HUGHES, PRESIDENT AND DAVID SOJOURNER- VICE-PRESIDENT UPDATE ON UPPER DORCHESTER COUNTY HISTORICAL SOCIETY AND REQUEST FOR FUNDING

Mrs. Phyllis Hughes, President of the Upper Dorchester County Historical Society, appeared before Council, along with Mr. David Sojourner, Vice President of the Society, and Mr. George Bailey, a lifetime Charter Member.

GUESTS –CONTINUED

**UPDATE ON UPPER DORCHESTER COUNTY HISTORICAL SOCIETY AND
REQUEST FOR FUNDING**

Mrs. Hughes gave Council a brief update on the restoration of the Koger House, which has been completed. She informed Council of the plans for the house to be a learning center and a historical tourist attraction. Mrs. Hughes shared the Society's plans to create a Genealogy Museum, which, would be located in a donated home in need of restoring. Mrs. Hughes thanked Council for all their time and support.

Mr. Sojourner addressed Council and reported that the Upper Dorchester County Historical Society has 122 members with the majority being lifetime members. He explained the mission of the organization was simply to preserve history for future generations. Mr. Sojourner reported yearly operational cost for the Koger House, along with other projects, and requested Council's consideration of annual funding in the amount of \$10,000, for the Upper Dorchester County Historical Society. He thanked Council for any support that could be provided. Mr. George Bailey, a lifetime member of the Upper Dorchester County Historical Society also spoke about the Historical Society, told of all the many volunteers that work for the organization, and requested Council to consider the request for the funding.

3. Mr. Waggoner motioned, seconded by Mr. Hargett, to place this request in Budget, Finance, and Purchasing Committee for consideration in the upcoming budget.

Chairman Feltner stated no motion was required, and if there were no objection by Council, he would place this item in the Budget, Finance and Purchasing Committee for further consideration in the upcoming Budget. There was no objection. Council thanked Mrs. Hughes, Mr. Sojourner, and Mr. Bailey for their attendance and service to Dorchester County.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

Mr. Ward requested County Council to approve the Sheriff's request to convert two part-time positions and one fulltime position into a Lieutenant position. This request reduces current personnel and benefits costs by \$3,901.

4. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously, to approve the Sheriff's request to convert two part-time positions and one fulltime position into a Lieutenant position.

COMMITTEE REPORT

Vice Chairman Davis gave the Water and Sewer Committee Report for Chairman Feltner, who was unable to attend the Committee Meeting.

WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER

REQUEST FOR WATER AND SEWER SERVICE FOR ARBORGEN PHASE I, TMS #150-00-00-202

5. Vice Chairman Davis stated the Committee's recommendation to Council was to approve the request for water and sewer service for Arborgen Phase I, identified by TMS #150-00-00-202. Council voted unanimously in favor of the recommendation.

WATER AND SEWER DEPARTMENT REORGANIZATION

6. Vice Chairman Davis stated the Committee's recommendation to Council was to approve the request for the Water and Sewer Department for Reorganization. Council voted unanimously in favor of the recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY FOSTER CARE REVIEW BOARD 1-B

7. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously to recommend to the Governor the appointment of Ms. Cynthia M. Jackson to the Foster Care Review Board 1-B.

**DORCHESTER COUNTY MENTAL HEALTH CENTER BOARD,
DORCHESTER COUNTY FORESTRY BOARD AND THE LOW COUNTRY
RESOURCES, CONSERVATION AND DEVELOPMENT AUTHORITY**

8. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to recommend the following re/appointments: to the Governor for the reappointment of Mr. Horst Mueller to the Dorchester County Mental Health Center Board; the appointment of Mr. William DeLonge to the Low Country Resources, Conservation and Development Authority; and recommended to the State Forestry Commission for the re-appointments of Ms. Margaret Goodwine and Mr. Jerry Castleman to the Dorchester County Forestry Board.

DORCHESTER COUNTY ECONOMIC DEVELOPMENT BOARD

9. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to appoint Mr. Ronnie Givens to the Dorchester County Economic Development Board, as the appointee for District # 3.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
ADOPTION OF RESOLUTION #10-05, "A RESOLUTION IDENTIFYING A PROJECT TO SATISFY THE REQUIREMENTS OF TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, SO AS TO ALLOW INVESTMENT EXPENDITURES INCURRED BY IMO USA CORP. TO QUALIFY AS EXPENDITURES ELIGIBLE FOR A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH DORCHESTER COUNTY, SOUTH CAROLINA, TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; TO PROVIDE FOR A SPONSOR AFFILIATE; AND OTHER MATTERS RELATED THERETO"

10. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously, to adopt Resolution #10-05, "A Resolution Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, As Amended, so as to Allow Investment Expenditures Incurred by IMO USA Corp. to Qualify as Expenditures Eligible for A Fee-In-Lieu of Taxes Arrangement with Dorchester County, South Carolina, to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for a Sponsor Affiliate; and Other Matters Related Thereto".

1ST READING FOR AN ORDINANCE "AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND AMONG DORCHESTER COUNTY, SOUTH CAROLINA, AND IMO USA CORP., AND ONE OR MORE AFFILIATED OR RELATED ENTITIES, AS SPONSOR, TO PROVIDE FOR A FEE IN LIEU OF TAXES INCENTIVE; TO PROVIDE FOR A SPONSOR AFFILIATE; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; TO PROVIDE FOR SPECIAL SOURCE REVENUE CREDITS; AND TO ENTER INTO ANY OTHER NECESSARY AGREEMENTS WITH THE SPONSOR AND SPONSOR AFFILIATE TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS"

11. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1st Reading for An Ordinance "Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters".

COUNTY ATTORNEY'S TIME-CONTINUED
1ST READING FOR "AN ORDINANCE APPROVING FURTHER AMENDMENT TO
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"

12. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 1st Reading for "An Ordinance Approving Further Amendment to 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 would be to amend Ordinance #10-05 to correct the ending date for the MCIP agreement to December 31, 2030.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to give legal advice on a proposed development on Yerby Road, and to discuss two contractual matters, with those being the county property on 134 Club Road, and the Bacons Bridge Park.

EXECUTIVE SESSION 7:53 P.M.

13. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously to go into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8: 24 P.M.

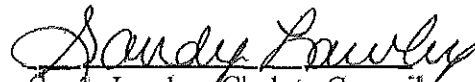
The County Attorney reported that Council discussed the three items reported, prior to going into executive session and no action was taken.

134 CLUB ROAD

14. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously that the County Administrator be authorized to execute the Change of Status Form with Remax Pro Realty reducing the price for 134 Club Road to \$199,000.

ADJOURNMENT 8:26 P.M.

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


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
MAY 3, 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 April 19, 2010, County Council Meeting
- Correspondence

3. GUEST

- Mr. Greg Lipscomb, Senior Planner, BCD -Council of Governments, 2010 HUD Sustainable Communities Planning Grant and Memorandum of Understanding for The Berkeley-Charleston-Dorchester Region

4. COUNCIL MEMBER'S TIME, MR. BILL HEARN

- Adoption of Resolution #10-06, "A Resolution Recognizing the Two Time Defending State Champion Summersville High School Varsity Cheerleaders and their Coach Sandra Guerard"

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

- 1st Reading for "An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer's Commands"

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

- 1st Reading (by title only) of Dorchester County FY 2010-2011 Budget Ordinance
- Approval of Sheriff's Transfer Request

6. COMMITTEE REPORT

Chairman Willie Davis, Planning, Development and Building Committee Report

- Recommendation for 2nd Reading for Rezoning Request #636, Gordon Timmons, TMS #126-00-00-206
- Recommendation for 2nd Reading for Rezoning Request #638, Joseph H. Myers, Jr. TMS #136-09-00-012

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Public Hearing and 2nd Reading for An Ordinance “Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters”

-2nd Reading for “An Ordinance Approving Further Amendment to 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
 - Contractual Matter
 - Relocation of Probation, Parole and Pardon Services from the Troy Knight Judicial Complex

9. 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

MAY 3, 2010

7:20 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. Chris Murphy
Mr. Larry Hargett
Mr. Kenneth Waggoner
Mr. Richard Rosebrock
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council
ABSENT: Mr. Jason Ward, County Administrator

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:

- Mrs. Vanessa Cole of Summer Glen Subdivision addressed Council in opposition of stop signs that were placed in her subdivision by Dorchester County. She presented Council with handouts,

REQUEST TO ADDRESS COUNCIL- CONTINUED

that listed arguments against the stop signs being placed in the subdivision, and read a prepared statement. The Chairman requested the Deputy County Administrator to take Mrs. Cole's information and look into this situation along with Public Works.

- Mr. Richard L. Webb addressed Council concerning the Stormwater Fee collected by the County. He stated that he was in opposition to the fee and felt that it was a tax and not fee. Mr. Webb reported that his stormwater fee has increased astronomically in the last year and he requested an explanation as to why. The Chairman told Mr. Webb that the Deputy Administrator would set up a meeting for him with the County Assessor, and Councilman Hargett recommended that Mr. Webb's Councilman also attend the meeting.

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

1. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the April 19, 2010, County Council Meeting.

MOTION TO AMEND THE AGENDA TO MOVE ITEM #3 UP TO ITEM #4

2. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to move item #3 up to item #4.

COUNCIL MEMBER'S TIME, MR. BILL HEARN

ADOPTION OF RESOLUTION #10-06, "A RESOLUTION RECOGNIZING THE TWO TIME DEFENDING STATE CHAMPION SUMMERVILLE HIGH SCHOOL VARSITY CHEERLEADERS AND THEIR COACH SAUNDRA GUERARD"

3. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted unanimously to adopt Resolution #10-06, "A Resolution Recognizing the Two Time Defending State Champion Summerville High School Varsity Cheerleaders and their Coach Sandra Guerard". A framed copy of the Resolution was presented to the cheerleaders and their Coaches.

Councilman Hearn stated that he appreciated everyone coming out tonight for Council to take the opportunity to honor the cheerleaders, coaches and their parents. He stated Coach Sandra Guerard was retiring at the end of this school year and County Council wished her the best in her future endeavors. Councilman Hearn read the Resolution aloud and stated Dorchester County Council wished to honor and recognize the Summerville High School cheerleading squad for an outstanding season, and congratulated the cheerleaders and coaches for garnering the 2009 Class AAAA State Championship title.

A copy of the adopted **Resolution #10-06** can be viewed on the Dorchester County website at www.dorchestercounty.net . A round of applause was given for the Summerville High School Varsity Cheerleaders and their Coaches, and a picture was taken with Council.

GUEST

MR. GREG LIPSCOMB, SENIOR PLANNER, BCD -COUNCIL OF GOVERNMENTS

Mr. Greg Lipscomb, Senior Planner, with the BCD-Council of Governments, presented Council with a short presentation on the 2010 HUD Sustainable Communities Planning Grant. He stated that the purpose of the grant was to promote the planning of sustainable communities in the region. EPA and DOT would be collaborating with HUD to promote sustainable communities as well. In addition, Mr. Lipscomb answered questions that Council had regarding the grant. In addition, he requested Council's approval of a Memorandum of Understanding for The Berkeley-Charleston-Dorchester Region, and stated the County was not required to provide any funding for this grant.

4. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to approve the Memorandum of Understanding for The Berkeley-Charleston-Dorchester Region.

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

1ST READING FOR "AN ORDINANCE PROHIBITING RESISTING A LAWFUL ARREST AND REQUIRING COMPLIANCE WITH A LAW ENFORCEMENT OFFICER'S COMMANDS"

5. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading for "An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer's Commands", and placement of this item in the Public Safety, Health and Human Services Committee for further consideration and a recommendation. If adopted any persons convicted for violating this Ordinance would be guilty of a misdemeanor and can be fined not more than \$500.00, or imprisoned for not more than thirty days, or both.

DEPUTY COUNTY ADMINISTRATOR'S TIME, MRS. ASHLEY MCDONALD (IN PLACE OF THE COUNTY ADMINISTRATOR-ABSENT)

1ST READING (BY TITLE ONLY) OF DORCHESTER COUNTY FY 2010-2011 BUDGET ORDINANCE

6. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to give 1st Reading (by title only) of the Dorchester County FY 2010-2011 Budget Ordinance.

APPROVAL OF SHERIFF'S TRANSFER REQUEST

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to authorize the Administrator to approve the Sheriff's transfer request of (\$32,000) from personnel (Overtime Wages) to operating (Nurses and Physicians) to cover the cost of Hepatitis B shots for law enforcement officers and those that work with inmates. Sufficient funds are available and this is a requirement.

COMMITTEE REPORT

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

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #636,
GORDON TIMMONS, TMS #126-00-00-206**

8. Chairman Davis stated the Committee's recommendation to Council was for 2nd Reading to be given to Rezoning Request #636, for Gordon Timmons, TMS #126-00-00-206. This is a request to rezone one (1) acre, located off Givhans Road (SC Hwy 27) near Ridgeville from R-1 (Single Family Residential District) to CN (Neighborhood Commercial District). The Planning Commission will make a recommendation at their meeting on May 20, 2010. Council voted unanimously in favor of the recommendation.

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #638, JOSEPH
H. MYERS, JR. TMS #136-09-00-012**

Chairman Davis stated the Committee's recommendation was to leave Rezoning Request #638, for Joseph H. Myers, Jr., TMS #136-09-00-012, in Committee, until a recommendation was received from the Planning Commission. This is a request to rezone two .5 acre tracts, 98 Cantley Drive and 100 Cantley Drive in Knightsville from R-1 (Single Family Residential District) to CG (General Commercial District). The Planning Commission will make a recommendation at their meeting on May 20, 2010.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointment to Boards and Commissions.

"NATIONAL DAY OF PRAYER"

Councilman Rosebrock announced to everyone that May 6, 2010, was "National Day of Prayer". He stated that our Country needs prayer and the Lord was what made our Country great and he hoped everyone would participate in the "National Day of Prayer", on May 6, 2010.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

PUBLIC HEARING AND 2ND READING FOR AN ORDINANCE “AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND AMONG DORCHESTER COUNTY, SOUTH CAROLINA, AND IMO USA CORP., AND ONE OR MORE AFFILIATED OR RELATED ENTITIES, AS SPONSOR, TO PROVIDE FOR A FEE IN LIEU OF TAXES INCENTIVE; TO PROVIDE FOR A SPONSOR AFFILIATE; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; TO PROVIDE FOR SPECIAL SOURCE REVENUE CREDITS; AND TO ENTER INTO ANY OTHER NECESSARY AGREEMENTS WITH THE SPONSOR AND SPONSOR AFFILIATE TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS”

Chairman Feltner opened the Public Hearing for An Ordinance “Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters”.

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

9. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to give 2nd Reading to an Ordinance “Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters”.

2ND READING FOR “AN ORDINANCE APPROVING FURTHER AMENDMENT TO 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. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading for “An Ordinance Approving Further Amendment to 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 would be to amend Ordinance #10-05 to correct the ending date for the MCIP Agreement to December 31, 2030.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss several confidential economic development projects to discuss a contractual matter concerning a potential lease between the County and a third party.

EXECUTIVE SESSION 7:55 P.M.

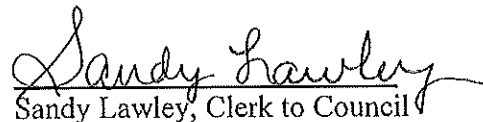
11. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to go into Executive Session as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 8:15 P.M.

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

ADJOURNMENT 8:16 P.M.

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


Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
MAY 17, 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 May 3, 2010, County Council Meeting
- Public Hearing and 3rd Reading for Ordinance #10-08, "An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects"
- Adoption of Resolution #10-09, "A Resolution to Authorize the Staff of Dorchester County to Engage in Discussions with the Staff of The Town of Summerville to Investigate the Possibility of and Report to Dorchester County Council a Recommendation for Joint, Regional Planning for an Overlay District to Include Certain Areas of Unincorporated Dorchester County Which are Adjacent to the Town Limits of The Town of Summerville"
- Correspondence

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

- Adoption of Resolution #10-07, In Memory of Mr. Wallace Ackerman

COUNCIL MEMBER'S TIME, MR. WILLIE DAVIS

- Adoption of Resolution #10-08, In Memory of Mrs. Alice Pinckney

4. GUESTS

- Mr. Mark Helfter-Eagle Scout Candidate, Walk Bridge Across Eagle Creek
- Mr. Ed Burns, Veterans Affairs Officer - Update on Changing Office Schedule Days
- Mrs. Carolyn Tomlinson, Director of Keep Dorchester County Beautiful & Ms. Lisa Hamilton, Board Member - Presentation of \$10,000 Grant Award from Keep America Beautiful/UPS

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

- Approval of Sheriff's Transfer Request
- Approval of Sheriff's Position Request

6. COMMITTEE REPORTS

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for New Sewer Service to C.S. Carter, TMS #098-00-00-116

Chairman Jamie Feltner, Budget, Finance and Purchasing Committee Report

- Budget Presentation – Trident Technical College
- Budget Presentation – Children in Crisis
- Budget Presentation – School District Two
- Budget Presentation – Dorchester Seniors, Inc.
- Public Hearing & Recommendation for 2nd Reading for Budget Ordinance for Fiscal Year 2010-2011, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 3rd Reading for Ordinance #10-09, “Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; To Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters”
- Public Hearing and 3rd Reading for Ordinance #10-10, “An Ordinance Approving Further Amendment to 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
 - Zoning Violation
 - Budgetary Issue
 - Contractual Matters
 - Consulting Services Old Courthouse and Jail Structural Engineering and Hazardous Materials and Jail Planning
 - 134 Club Lane
 - Bacons Bridge Park Lease
 - Lease for Probation, Parole and Pardon Services
 - Dorchester County Library

9. 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
MAY 17, 2010
7:28 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. Chris Murphy
Mr. Larry Hargett
Mr. Kenneth Waggoner
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Administrative Assistant to Council

Chairman Feltner called the meeting to order and the Invocation was given.

REQUEST TO ADDRESS COUNCIL

The following citizens requested to address Council:

- Ms. Kate Parks, representative from the Coastal Conservation League, came before Council and spoke in favor of the \$5 million Bond Referendum for parks and green space.
- Mr. George McDaniel came before Council and spoke in favor of the \$5 million Bond Referendum for parks and green space.
- Ms. Nancyjean Nettles came before Council and spoke in favor of the \$ 5 million Bond Referendum for parks, recreation, and green space.
- Ms. Angela Jones came before Council and spoke in favor of the \$5 million Bond Referendum for parks, recreation and green space.
- Mr. Bob Jackson, Councilman of the Town of Summerville, came before Council and spoke in favor of the Oakbrook Overlay District.

ADOPTION OF MINUTES FROM THE MAY 3, 2010, COUNTY COUNCIL MEETING

1. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously, to adopt the Minutes from the May 3, 2010, County Council Meeting.

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-08 "AN ORDINANCE ORDERING A REFERENDUM PURSUANT TO THE COUNTY BOND ACT FOR THE PURPOSE OF DETERMINING WHETHER DORCHESTER COUNTY, SOUTH CAROLINA SHALL BE AUTHORIZED TO ISSUE NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BONDS TO FUND WATER QUALITY, FORESTS, PARKS AND WILDLIFE HABITAT PROJECTS"

-Chairman Feltner opened the Public Hearing to receive comments on the above referenced title; the following spoke on the subject:

-Ms. Sue Wehman came before Council and spoke in favor of allowing the people to vote on the issue of a \$5 million Bond to fund water quality, forests, parks, and wildlife habitat projects.

-Mr. Charles Stoudenmire came before Council and expressed concerns on the timing of the \$5 million Bond for parks and recreation. He stated the real need and crisis within the community is in educating the children.

-Mr. Matt Baughman came before Council and spoke in favor of the open space initiative and requested Council to give consideration for this matter to be placed on the ballot.

-Mr. Mike Dawson, Councilman from the Town of Summerville, came before Council and spoke in favor of placing this \$5 million Bond on referendum for the citizens consideration.

PUBLIC HEARING AND 3RD READING ORDINANCE #10-08, "AN ORDINANCE ORDERING A REFERENDUM PURSUANT TO THE COUNTY BOND ACT FOR THE PURPOSE OF DETERMINING WHETHER DORCHESTER COUNTY, SOUTH CAROLINA SHALL BE AUTHORIZED TO ISSUE NOT EXCEEDING \$5,000,000 OF GENERAL OBLIGATION BONDS TO FUND WATER QUALITY, FORESTS, PARKS AND WILDLIFE HABITAT PROJECTS"-CONTINUED

-Ms. Kathrin Eastvol came before Council and stated she agreed with Mr. Stoudenmire's remarks regarding the need of educating the children. She stated she has questioned if the Bond Referendum could be used for the schools instead parks, recreation, and green space. She explained that this question had been answered, and stated she would speak in favor of placing the \$5 million General Obligation Bonds issue on referendum for parks and recreation.

-Mr. Will Abberger, representative with the Trust for Public Land, came before Council and spoke on the study concerning the \$5 million General Obligation Bonds for parks and recreation, and stated he was present to answer any questions anyone may have on the subject.

-Mr. Haskell Brown came before Council and expressed his concerns regarding the monies spent for the study of parks and recreation, and stated he was opposed to the issuance of the \$5 million General Obligation Bonds.

-Councilman Richard Rosebrock spoke in favor of placing this matter on referendum in order to determine what the public wants.

Chairman Feltner closed the Public Hearing. Upon Council's discussions, the following action was taken:

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted five in favor, and two opposed, to give 3rd Reading to Ordinance #10-08, "An Ordinance Ordering a Referendum Pursuant to the County Bond Act for the Purpose of Determining Whether Dorchester County, South Carolina Shall be Authorized to Issue Not Exceeding \$5,000,000 of General Obligation Bonds to Fund Water Quality, Forests, Parks and Wildlife Habitat Projects".

Mr. Hearn and Mr. Murphy opposed.

Ordinance #10-08 instructs the Elections Commission to place a question on the November 2010 ballot for voters' consideration. If passed by voters, Dorchester County Council would be allowed to issue, but not exceed, \$5 million in General Obligation Bonds.

ADOPTION OF RESOLUTION #10-09, "A RESOLUTION TO AUTHORIZE THE STAFF OF DORCHESTER COUNTY TO ENGAGE IN DISCUSSIONS WITH THE STAFF OF THE TOWN OF SUMMERVILLE TO INVESTIGATE THE POSSIBILITY OF AND REPORT TO DORCHESTER COUNTY COUNCIL A RECOMMENDATION FOR JOINT, REGIONAL PLANNING FOR AN OVERLAY DISTRICT TO INCLUDE CERTAIN AREAS OF UNINCORPORATED DORCHESTER COUNTY WHICH ARE ADJACENT TO THE TOWN LIMITS OF THE TOWN OF SUMMERVILLE"

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously, to adopt Resolution #10-09, "A Resolution to Authorize the Staff of Dorchester County to Engage in Discussions with the Staff of the Town of Summerville to Investigate the Possibility of and Report to Dorchester County Council a Recommendation for Joint, Regional Planning for an Overlay District to Include Certain Areas of Unincorporated Dorchester County Which are Adjacent to the Town Limits of the Town of Summerville".

CORRESPONDENCE

There was no correspondence reported.

COUNCIL MEMBER'S TIME, MR. LARRY HARGETT

Mr. Hargett recognized and thanked those members of the Dorchester County Sales Tax Transportation Authority for their attendance, prior to reading aloud Resolution #10-07, which was created in memory of Mr. Wallace Ackerman for his years of dedicated service to the Authority and to the community; and, included a request that the South Carolina Department of Transportation (SC DOT) consider naming Old Fort Extension as "Wallace Ackerman Drive". The following action was taken:

ADOPTION OF RESOLUTION # 10-07, IN MEMORY OF MR. WALLACE ACKERMAN

4. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted unanimously in favor, to adopt Resolution #10-07, In Memory of Mr. Wallace Ackerman.

Council presented Resolution #10-07 to the Family of Mr. Wallace Ackerman.

COUNCIL MEMBER'S TIME, MR. WILLIE DAVIS

Mr. Davis read aloud Resolution #10-08, which was created in memory of Mrs. Alice Pinckney, for her years of dedicated service to her family and community, the Resolution will be presented to the Family of Mrs. Alice Pinckney at Council's upcoming meeting, to be held on June 7, 2010; the following action was taken:

ADOPTION OF RESOLUTION # 10-08, IN MEMORY OF MRS. ALICE PINCKNEY

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously in favor, to adopt Resolution #10-08, In Memory of Mrs. Alice Pinckney.

GUESTS

MR. MARK HELFTER-EAGLE SCOUT CANDIDATE, WALK BRIDGE ACROSS EAGLE CREEK

Council recognized Eagle Scout candidate, Mr. Mark Helfter.

Mr. Helfter came before Council and reported that a year ago he came before Council to receive their approval to rebuild the Walk Bridge across Eagle Creek near Miles Jamison Road, as a part of his community project requirement for his candidacy of becoming an Eagle Scout. Mr. Helfter reported that the Walk Bridge project had been completed.

County Administrator, Mr. Jason Ward, reported the Bridge project was organized by Mr. Helfter and was spearheaded by a group of volunteers, who over the past months completely restored the bridge by stripping the rust from the steel structure, priming and repainting the steel, and then completely re-decking the bridge with pressure treated lumber. The approach of the bridge was changed from steps to a ramp and it now allows full ADA accessibility. Mr. Ward reported the County's Public Works Director provided technical guidance on the construction standards, which were adhered to and the bridge has been inspected and approved by the Dorchester County Public Works Director, which is now open for service.

Council and audience members applauded Mr. Helfter for his efforts and leadership on the completion of this project. Council agreed to send a letter of recommendation for Mr. Helfter's Eagle Scout candidacy; no action was taken.

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

Mr. Ed Burns, Veterans Affairs Officer of Dorchester County, came before Council and stated that the information Council previously sought regarding the number of clients seen by the Veterans Affairs (VA) offices in St. George and Summerville had been provided to justify changing the scheduled days of operation at the Veterans Affairs (VA) St. George and Summerville sites. Mr. Burns requested Council's approval to change the schedule of days in the St. George and Summerville Veterans Affairs (VA) Offices.

Upon discussions by Council, the following action was taken:

GUESTS-CONTINUED

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

6. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted five in favor, and two opposed, to approve the changes for the Veterans Affairs Office sites; whereby, changing days of office operations, by opening the VA office in Summerville on Thursdays, opposed to the St. George office being opened on Thursdays.

Mr. Davis and Mr. Waggoner opposed.

MRS. CAROLYN TOMLINSON, DIRECTOR OF KEEP DORCHESTER COUNTY BEAUTIFUL & MS. LISA HAMILTON, BOARD MEMBER-PRESENTATION OF \$10,000 GRANT AWARD FROM KEEP AMERICA BEAUTIFUL/UPS

Mrs. Carolyn Tomlinson, Director of Keep Dorchester County Beautiful, and Ms. Lisa Hamilton, Board Member came before Council to present a \$10,000 Grant Award from Keep America Beautiful/UPS Foundation. The grant was for the Recycling Trooper Program, which will be used to purchase bins to encourage recycling in School District Two and School District Four.

Mrs. Tomlinson reported the County has a teachers closet for supplies, and reported 800 teachers have used the closet. Mrs. Tomlinson encouraged donations and for teachers to participate in the Teacher's Closet Program.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

Mr. Ward requested County Council to consider the Approval of the Sheriff's Transfer Request and the Approval of Sheriff's Position Request, together.

APPROVAL OF SHERIFF'S TRANSFER REQUEST
APPROVAL OF SHERIFF'S POSITION REQUEST

7. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously, to approve the Sheriff's Transfer Request, and to approve the Sheriff's Position Request.

COMMITTEE REPORT

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

WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER

REQUEST FOR WATER AND SEWER SERVICE FOR C.S. CARTER, TMS #098-00-00-116

8. Chairman Feltner reported the Water and Sewer Committee's recommendation to Council was to approve the request for new sewer service for C.S. Carter, parcel identified by TMS #098-00-00-116. Council voted six in favor, and one abstention, on the recommendation.

Mr. Hearn abstained.

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

Chairman Feltner reported that the Budget, Finance, and Purchasing Committee had received Budget Presentations from Trident Technical College; Children in Crisis; School District Two; Dorchester Seniors Inc., earlier in the evening, and a Public Hearing was held for 2nd Reading of the County's Budget Ordinance for Fiscal Year 2010-2011.

RECOMMENDATION FOR 2ND READING FOR BUDGET ORDINANCE FOR FISCAL YEAR 2010-2011, "AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PROPOSED FOR DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011; TO LEVY TAXES FOR THE PAYMENT THEREOF; AND TO PROVIDED FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY"

Chairman Feltner reported the Budget, Finance, and Purchasing Committee's recommendation to Council was to approve 2nd Reading for the Budget Ordinance for Fiscal Year 2010-2011, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Proposed for Dorchester County for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of said Taxes and Other Revenues Coming into the County", and for Council to approve using County Capital Funds to fund \$4.5 million for the proposed Nursing, Science and Math Building, without a tax increase. (*Reference motions 9 & 10*)

County Administrator, Mr. Jason Ward, clarified that the County's participation amount of \$4.5 million of funding for the proposed Nursing, Science, and Math Building would be contingent upon Charleston and Berkeley Counties' participation in the project. Council agreed with the Administrator's clarification.

"AMENDMENT" TO BUDGET ORDINANCE FOR FISCAL YEAR 2010-2011, "AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PROPOSED FOR DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011; TO LEVY TAXES FOR THE PAYMENT THEREOF; AND TO PROVIDED FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY"

9. Mr. Hearn motioned to amend the Committee's recommendation for the County's Budget Ordinance for Fiscal Year 2010-2011, to include the Growth Cap for Dorchester School District Two's funding, Mr. Hargett seconded the motion.

The County Administrator clarified that the current amount funded for School District Two, totaled \$35,043,128; and, with CPI plus Growth, the available amount of funding would be \$35,754,289; and whereas, the School District had requested funding in the amount of \$35,953,302. Mr. Ward stated he wanted to note one caveat on behalf of the Auditor, which was if any of the numbers change, although the County is bound by the millage rate of 168.6 mills, it may accrue to the benefit of an increase of the dollar amount.

Upon discussions, the following action was taken:

10. Council voted six in favor, and one opposed, to approve the Budget, Finance, and Purchasing Committee's recommendation, and to approve the motion of amendment (reference motion #9); whereby, giving 2nd Reading for Budget Ordinance for Fiscal Year 2010-2011, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Proposed for Dorchester County for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of said Taxes and Other Revenues Coming into the County", and to approve using Capital Funds to fund \$4.5 million for the proposed Nursing, Science and Math Building, without a tax increase, and to amend the County's Budget Ordinance for Fiscal Year 2010-2011, to include the Growth Cap for Dorchester School District Two's funding.

Mr. Murphy opposed.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY DEPARTMENT OF SOCIAL SERVICES BOARD

Council members discussed if this board was meeting routinely; the following action was taken:

11. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously in favor of recommending to the Governor the re-appointment of Ms. Pamela Stonier to the Department of Social Services Board.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
3RD READING FOR ORDINANCE #10-09, "AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND AMONG DORCHESTER COUNTY, SOUTH CAROLINA, AND IMO USA CORP., AND ONE OR MORE AFFILIATED OR RELATED ENTITIES, AS SPONSOR, TO PROVIDE FOR A FEE IN LIEU OF TAXES INCENTIVE; TO PROVIDE FOR A SPONSOR AFFILIATE; TO PROVIDE FOR THE INCLUSION OF THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK; TO PROVIDE FOR SPECIAL SOURCE REVENUE CREDITS; AND TO ENTER INTO ANY OTHER NECESSARY AGREEMENTS WITH THE SPONSOR AND SPONSOR AFFILIATE TO EFFECT THE INTENT OF THIS ORDINANCE; AND OTHER RELATED MATTERS"

County Attorney, Mr. John Frampton, recommended Council to approve 3rd Reading of the above referenced titled subject, as presented in Council's packets.

12. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously, to approve 3rd Reading for Ordinance # 10-09, "Authorizing the Execution and Delivery of One or More Incentive Agreements by and Among Dorchester County, South Carolina, and IMO USA Corp., And One or More Affiliated or Related Entities, as Sponsor, to Provide for a Fee In Lieu of Taxes Incentive; to Provide for a Sponsor Affiliate; to Provide for the Inclusion of the Project in a Multi-County Business or Industrial Park; to Provide for Special Source Revenue Credits; and to Enter into Any Other Necessary Agreements with the Sponsor and Sponsor Affiliate to Effect the Intent of This Ordinance; and Other Related Matters".

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-10, "AN ORDINANCE APPROVING FURTHER AMENDMENT TO 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"

County Attorney, John Frampton, recommended for Council to hold a Public Hearing on the above referenced title, Ordinance #10-10.

Chairman Feltner opened the Public Hearing to receive comments on Ordinance #10-10; hearing no comments the Public Hearing was closed.

County Attorney, Mr. John Frampton, recommended Council give 3rd Reading to Ordinance #10-10; the following action was taken:

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #10-10, "AN ORDINANCE APPROVING FURTHER AMENDMENT TO 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"- CONTINUED

13. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to give 3rd Reading for Ordinance #10-10, "An Ordinance Approving Further Amendment to 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".

Ordinance #10-10 amends Ordinance #10-05, to correct the ending date for the MCIP Agreement to December 31, 2030.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into Executive Session to give legal advice on two issues: Zoning Violation and a Budgetary Issue, and to discuss several contractual matters dealing with the Consulting Services for the Old Courthouse and Jail Structural Engineering and Hazardous Materials and Jail Planning, 134 Club Road, Bacons Bridge Park Lease, Lease for Probation, Parole and Pardon Services, and the Dorchester County Library.

EXECUTIVE SESSION 8:45 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:19 P.M.

The County Attorney reported that Council discussed the items previously reported, prior to going into Executive Session, and no actions were taken.

134 CLUB ROAD

15. Mr. Hearn motioned for the Dorchester County Administrator to be authorized to negotiate a contract of sale with the potential purchaser for the County's Real Property, located at 134 Club Road, and execute a sales contract should such negotiations result in an acceptable offer as discussed in Executive Session, Mr. Murphy seconded; Council voted unanimously in favor on the motion.

ADJOURNMENT 10:21 P.M.

16. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to adjourn.



Gina R. Sams, Admin. Asst. to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 7, 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 May 17, 2010, County Council Meeting
- Public Hearing and 3rd Reading for Rezoning Request #636, Gordon Timmons, TMS #126-00-00-206
- Correspondence

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

- Presentation of Resolution #10-08, In Memory of Mrs. Alice Pinckney

4. GUEST

- Mr. Norman Brunswig, Executive Director Audubon South Carolina-
Request for \$5,000 & Partner Letter – Woods Lake Tract

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

- 3rd Reading Ordinance #10-11, Dorchester County FY 2010-2011 Budget Ordinance, “An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”

6. COMMITTEE REPORTS

Chairman Jamie Feltner, Budget, Finance and Purchasing Committee Report May 24, 2010

- Budget Presentation - Dorchester County Library
- Budget Presentation - Dorchester County Career and Technology Center
- Budget Presentation - Dorchester County Fire Board
- Budget Presentation - School District Four
- Public Hearing Dorchester County FY 2010-2011 Budget Ordinance

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

- Public Hearing and 2nd Reading for “An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer’s Commands”

Chairman Willie Davis, Planning, Development and Building Committee Report

- Recommendation for 2nd Reading for Rezoning Request #638, Joseph H. Myers, Jr.
TMS #136-09-00-011 and TMS #136-09-00-012

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Dorchester County Council
June 7, 2010

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Executive Session
- Confidential Economic Development Projects
- Contractual Matters
 - Consulting Services Old Courthouse and Jail Structural Engineering and Hazardous Materials and Jail Planning
 - Bacons Bridge Park Lease
 - Lease for Probation, Parole and Pardon Services

9. 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

JUNE 7, 2010

7:08 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. Chris Murphy
Mr. Larry Hargett
Mr. Kenneth Waggoner
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. Richard Rosebrock

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

MOTION TO AMEND THE AGENDA

1. On the motion of Mr. Waggoner, seconded by Mr. Hargett, Council voted six in favor, and one absent, to amend the agenda to discuss a zoning issue.

Councilman Rosebrock was absent.

REQUEST TO ADDRESS COUNCIL

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

- Mr. Ryan Stephens addressed Council regarding his opposition to a proposed cement plant near his residence on Zion Road in the community of Dorchester.
- Mr. Shannon Stephens addressed Council regarding his opposition to a proposed cement plant near his residence on Zion Road in the community of Dorchester.
- Mr. Tom Sams addressed Council regarding changing the County's Zoning Ordinance with regard to the areas of the County currently zoned AC (absence of control). His main concern was the area where he resides on Breeze Way Road located near Zion Road in Dorchester. In addition, he stated his opposition to any proposed industrial development in the area and provided Council with a letter from his neighbors.
- Mrs. Cherylee Bowerbank addressed Council and requested a change to the Dorchester County Ordinance #04-13, regarding changing the zoning in the County zoned AC (Absence of Control). In addition, she stated her opposition to any proposed industrial development in the residential area where she lived, and this was her reason for her request in changing the Zoning Ordinance.
- Mr. Tharel Utsey addressed Council regarding his opposition to a proposed cement plant or industrial development on Zion Road in the community of Dorchester where he resides.
- Mr. George Bailey addressed Council regarding the Stormwater Fee and requested the 4 religious Campgrounds to be exempted from paying the fee. In addition, he stated his opposition to a cement plant or an industrial development on Zion Road in the community of Dorchester.

Council Member Waggoner stated he agreed with Mr. Bailey on the matter of the Campgrounds being exempted from the "Stormwater Fee". He explained that Council had already discussed the exemption from the fee and had requested the County Attorney research the issue; however, the opinion received from Mr. Frampton was that it was not legally possible to exempt them from the fee. Councilman Davis also spoke and stated he agreed with Councilman Waggoner on not charging the Campgrounds a "Stormwater Fee", but Council had to follow the law.

- Mr. Wallace Kizer addressed Council regarding an advertisement in the Dorchester Eagle Record regarding the new St. George Library expansion.
- Mr. Timothy M. Murray addressed Council regarding all opposition to his proposed plans for his property, which is located on Zion Road in Dorchester, and stated that he was not building a cement plant on his property. Mr. Murray stated that heavy equipment may be parked on the property, and his sign business would be located there. He further stated his office was designed to blend in with his home and would not be an eye sore to the community.

1ST READING TO AMEND THE COUNTY'S ZONING ORDINANCE

2. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 1st Reading to amend the County's Zoning Ordinance to rezone those parcels designated and zoned AC (Absences of Control) to the zoning category TRM (Transitional Residential District) and to refer this matter to the Planning Commission for its recommendation and to Council's Planning, Development, and Building Committee for further action. (This would apply to all parcels in the County that are zoned AC)

Councilman Rosebrock was absent.

Mr. Harold LeaMond addressed Council at this time regarding the above action and stated he would be meeting with the County Attorney as the County moves forward on this issue. He explained the posting of such a large amount of property/parcels would be a huge undertaking and his Department would have to look into the different ways this could be accomplished given the scope of the project.

ADOPTION OF MINUTES FROM THE MAY 17, 2010, COUNTY COUNCIL MEETING

3. On the motion of Mr. Hargett, seconded by Mr. Murphy, Council voted six in favor, and one absent, to adopt the Minutes from the May 17, 2010, County Council Meeting.

Councilman Rosebrock was absent.

PUBLIC HEARING AND 3RD READING FOR REZONING REQUEST #636, GORDON TIMMONS, TMS #126-00-00-206

Chairman Feltner opened the Public Hearing for Rezoning Request #636, for Mr. Gordon Timmons, TMS #126-00-00-206. He stated that this request was to rezone one (1) acre located off Givhans Road (SC Hwy 27) near Ridgeville from R-1 (Single Family Residential District) to CN (Neighborhood Commercial District).

The Chairman opened the Public Hearing for comments; upon hearing no public comments, the Public Hearing was closed.

4. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted six in favor, and one absent, to give 3rd Reading to Rezoning Request #636, for Mr. Gordon Timmons, TMS #126-00-00-206.

Councilman Rosebrock was absent.

CORRESPONDENCE

There was no correspondence reported.

**COUNCIL MEMBER'S TIME, MR. WILLIE DAVIS- PRESENTATION OF
RESOLUTION # 10-08, IN MEMORY OF MRS. ALICE PINCKNEY**

Councilman Davis read aloud Resolution #10-08, which was adopted at the County Council Meeting on May 17, 2010. This Resolution was created in memory of Mrs. Alice Pinckney for her years of dedicated service to her family and community. Councilman Davis, along with Council presented the framed Resolution to her family who attended. Mrs. Smith, who was Mrs. Pinckney's youngest daughter spoke on behalf of the family and thanked Council for creating such a special tribute to her mother in the form of a Resolution.

GUEST

**MR. MICHAEL DAWSON FOR MR. NORMAN BRUNSWIG
WOODS LAKE TRACT- REQUEST FOR PARTNER LETTER AND SUPPORT**

Mr. Michael Dawson appeared before Council in place of Mr. Norman Brunswig, to request that Council give a written commitment in the form of a partner letter, with \$5,000 in support as a match to the Audubon's grant request to North America Wetlands Conservation Act (NAWCA), to purchase the 214 acre Woods Lake Tract in Dorchester County. He stated that the Audubon would like to send the letter, along with its application to the North America Wetlands Conservation Act for \$1 Million to purchase the tract. It was noted that the funds would be earmarked to come out of the Recreation Fund.

5. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to give a written commitment partner letter, with \$5,000 in support to match the Audubon's grant request to North America Wetlands Conservation Act (NAWCA) to buy the 214 acre Woods Lake Tract in Dorchester County.

Councilman Rosebrock was absent.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

**3RD READING ORDINANCE #10-11, DORCHESTER COUNTY FY 2010-2011 BUDGET
ORDINANCE, "AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY
GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PURPOSED FOR
DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND
ENDING JUNE 30, 2011; TO LEVY TAXES FOR THE PAYMENT THEREOF; AND TO
PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES
COMING INTO THE COUNTY"**

Mr. Ward requested for Council to give 3rd Reading to the Ordinance #10-11, Dorchester County FY 2010-2011 Budget Ordinance, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"

COUNTY ADMINISTRATOR'S TIME, CONTINUED

3RD READING ORDINANCE #10-11, DORCHESTER COUNTY FY 2010-2011 BUDGET ORDINANCE - CONTINUED

6. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted five in favor, one opposed, and one absent, to give 3rd Reading to Ordinance #10-11, Dorchester County FY 2010-2011 Budget Ordinance, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2010, and Ending June 30, 2011; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County".

Councilman Murphy opposed and Councilman Rosebrock was absent.

Councilman Davis commented about all of the non-profit agencies that were from the budget this year. He stated that the one agency he felt needed the funding due to the amount of jobs they create and the amount of money they put into the economy in Dorchester County was Shady Grove LOUD. Councilman Davis stated he knew he did not have enough votes to fund this; however, he did want to bring this to Council's attention.

In addition, Chairman Feltner congratulated and thanked the Administrator, his staff, all Department Heads and County Council for this FY 2010-2011 Budget. He stated this was a tough Budget year and in the beginning the County was looking at a shortfall, although it was difficult in the end, everyone came together and worked hard to put together a Budget that was in line and covered the priorities of County Council, as well as the County.

Councilman Hargett stated he liked the Budget, but he did wish the County could have done more for the Schools, and felt that School District II and the Career School needed more funding, as well as School District IV.

COMMITTEE REPORTS

Chairman Feltner passed the gavel to Vice Chairman Davis for the purpose of providing the following Committee Report:

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

Chairman Feltner reported that the Budget, Finance and Purchasing Committee met on May 24, 2010, and received Budget Presentations, and no action was taken.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

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

**PUBLIC HEARING AND 2ND READING FOR "AN ORDINANCE PROHIBITING
RESISTING A LAWFUL ARREST AND REQUIRING COMPLIANCE WITH A LAW
ENFORCEMENT OFFICER'S COMMANDS"**

7. Chairman Hargett reported that the Committee held a Public Hearing and voted unanimously to make a recommendation for Council to give 2nd Reading for "An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer's Commands". Council voted six in favor, and one absent, on the Committee's recommendation.

Councilman Rosebrock was absent.

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

**RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #638, JOSEPH
H. MYERS, JR. TMS #136-09-00-011 AND TMS #136-09-00-012**

Chairman Davis stated the Committee's recommendation to Council was to deny 2nd Reading for Rezoning Requesting #638, for Joseph H. Myers, Jr. TMS #136-09-00-011 and TMS #136-09-00-012. This was a request to rezone two .5-acre tracts, 98 Cantley Drive and 100 Cantley Drive in Knightsville from R-1 (Single Family Residential District) to CG (General Commercial District). He also reported that Mr. Myers attended the meeting and withdrew the request; therefore, no action was necessary by Council.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY'S TIME -- MR. JOHN FRAMPTON
REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss two confidential economic development prospects, and to discuss several contractual matters dealing with the consulting services for the old Courthouse and Jail, Bacons Bridge Park Lease, and the Lease for Probation, Parole and Pardon Services.

EXECUTIVE SESSION 7:54 P.M.

8. On the motion of Mr. Davis, seconded by Mr. Murphy, 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

The County Attorney reported that Council discussed the items previously reported, prior to going into Executive Session, and no actions were taken.

CONSULTING SERVICES OLD COURTHOUSE AND JAIL STRUCTURAL ENGINEERING AND HAZARDOUS MATERIALS AND JAIL PLANNING

9. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, that Council proceed with negotiation of a contract for consulting services for the old Courthouse and jail with Mosley Architects.

Councilman Rosebrock was absent.

LEASE FOR PROBATION, PAROLE AND PARDON SERVICES

10. On the motion of Mr. Murphy, seconded by Mr. Davis, Council voted six in favor, and one absent, for Council to authorize the County Administrator to execute the Lease for Probation, Parole and Pardon Services as presented in Executive Session.

Councilman Rosebrock was absent.

CONFIDENTIAL ECONOMIC DEVELOPMENT PROJECT - SOUTHERN COLOR

11. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted six in favor, and one absent, that an additional \$4,000 be allocated from the Economic Development Fund to reimburse the Town of Harleyville for the construction of a waterline to serve Southern Color and the Harleyville Industrial Park, bringing the total project \$18,000.

Councilman Rosebrock was absent.

BACONS BRIDGE PARK LEASE

12. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor, and one absent, that the County Administrator be authorized to execute the Lease agreement with the Dorchester Trust Foundation for the Bacon's Bridge Park Property as discussed in Executive Session.

Councilman Rosebrock was absent.

CONFIDENTIAL ECONOMIC DEVELOPMENT KING PROJECT

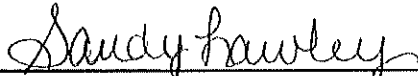
13. On the motion of Mr. Hearn, seconded by Mr. Murphy, Council voted six in favor, and one absent, that Council appropriate \$15,000 from the Economic Development Fund to assist in the installation of a sewer line for King Products' expansion.

Councilman Rosebrock was absent.

ADJOURNMENT

14. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted six in favor, and one absent, to adjourn. Time of adjournment was 8:22 p.m.

Councilman Rosebrock was absent.



Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
JUNE 21, 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 June 7, 2010, County Council Meeting
- Public Hearing for the 2010 Justice Assistance Grant Award
- 3rd Reading of Ordinance #10-12, "An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer's Commands"
- 1st Reading for "An Ordinance of Dorchester County to Establish Procedures to Consider and Enter into Development Agreements"
- 1st Reading for "An Ordinance to Amend Article XXVI, Legal Status Provisions of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, Regarding the Effect of Development Agreements"
- 1st Reading for "An Ordinance to Amend Article XI, Special Areas of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, to Regulate the Application and Enforcement of the Ashley River Historic District Overlay Zone Regulations within Master-Planned Overlay Areas Form Districts"
- 1st Reading for "An Ordinance to Amend Article XI, Special Areas of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, to Authorize the Establishment and Regulation of Consolidated Review Committees in Regulations for Master-Planned Overlay Areas Form Districts, and to Vest Each Specific Consolidated Review Committee with Authority and Jurisdiction Regarding Development Permitting within the Specific Master-Planned Overlay Areas Form District"
- Correspondence

3. GUESTS

- Mr. Russ Hightower and Mr. Bob Peeler, Waste Management – Check Presentation
- Mr. Tripp Muldrow, Presentation Dorchester County Market Study Results and Strategy Recommendations
- Mrs. Terry Seabrook, Partnership Specialist US Census 2010, "Update/Positive Highlights" 2010 Census

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

- Application for State-Issued Certificate of Franchise Authority AT&T SC
- Accounts Payable Recovery Audit Proposals
- Amendment to Change Employee Longevity Program

Page Two
County Council Meeting
June 21, 2010

5. COMMITTEE REPORTS

Chairman Jamie Feltner, Water and Sewer Committee Report

- Request for Sewer Service to TMS# 143-07-00-019 for Embassy Estates, LLC
- Request for Water Service to TMS# 162-03-03-010 for Jennifer Young
- Request for Water Service to TMS# 172-00-00-074 for Sunoco Inc.

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- 1st Reading to “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Previously Amended, with Respect to Article IX, Section 9.1.3 To Specify the Permitted use Groups and Special Exception Uses within Zoning Category AC (Absences of Control District)
- Executive Session
 - Confidential Economic Development Project
 - Legal Advice
 - Proposed Condemnation

8. ADJOURN

AMIE 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

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MINUTES

DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE

JUNE 21, 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. Chris Murphy
Mr. Larry Hargett
Mr. Richard Rosebrock
Mr. Kenneth 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.

There were no requests to address Council.

ADOPTION OF MINUTES FROM THE JUNE 7, 2010, COUNTY COUNCIL MEETING

1. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted six in favor, and one absent, to adopt the Minutes from the June 7, 2010, County Council Meeting.

Councilman Murphy was absent.

PUBLIC HEARING FOR THE 2010 JUSTICE ASSISTANCE GRANT AWARD

Chairman Feltner opened the Public Hearing to receive public comments on the County's application for the 2010 Justice Assistance Grant Award, and he reported that the application for \$43,683 was sent to County Council in May for its review. He stated the County was eligible to receive the funds and the Sheriff's Office would use the grant funds to purchase radios, computer equipment, weaponry, gear, and supplies. Chairman Feltner opened the floor to the public for comment. Upon hearing no public comments, the Public Hearing was closed.

3RD READING FOR "AN ORDINANCE PROHIBITING RESISTING A LAWFUL ARREST AND REQUIRING COMPLIANCE WITH A LAW ENFORCEMENT OFFICER'S COMMANDS"

2. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, to give 3rd Reading to Ordinance #10-12, "An Ordinance Prohibiting Resisting a Lawful Arrest and Requiring Compliance with a Law Enforcement Officer's Commands".

Councilman Murphy was absent.

Chairman Feltner stated that the following four ordinances are a part of the procedures required to establish the East Edisto Development.

1ST READING FOR "AN ORDINANCE OF DORCHESTER COUNTY TO ESTABLISH PROCEDURES TO CONSIDER AND ENTER INTO DEVELOPMENT AGREEMENTS"

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, to give 1st Reading for "An Ordinance of Dorchester County to Establish Procedures to Consider and Enter into Development Agreements". According to the County Attorney, this ordinance will establish procedures whenever Dorchester County considers a development agreement. It mirrors state law and the requirements of state law for development agreements.

Councilman Murphy was absent.

1ST READING FOR "AN ORDINANCE TO AMEND ARTICLE XXVI, LEGAL STATUS PROVISIONS OF DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS AMENDED, REGARDING THE EFFECT OF DEVELOPMENT AGREEMENTS"

4. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted six in favor, and one absent, to give 1st Reading for "An Ordinance to Amend Article XXVI, Legal Status Provisions of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, Regarding the Effect of Development Agreements", and referral to the Planning Commission for a recommendation back to County Council. If adopted this ordinance would amend Ordinance #04-13 in regard to Section 26.1 and 26.2.

Councilman Murphy was absent.

Councilman Murphy arrived at this time, 7:09 p.m.

1ST READING FOR "AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS AMENDED, TO REGULATE THE APPLICATION AND ENFORCEMENT OF THE ASHLEY RIVER HISTORIC DISTRICT OVERLAY ZONE REGULATIONS WITHIN MASTER-PLANNED OVERLAY AREAS FORM DISTRICTS"

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading for "An Ordinance to Amend Article XI, Special Areas of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, to Regulate the Application and Enforcement of the Ashley River Historic District Overlay Zone Regulations within Master-Planned Overlay Areas Form Districts", and referral to the Planning Commission for a recommendation back to Council. It was stated that this Ordinance would strengthen the Ashley River Historic Overlay District.

1ST READING FOR "AN ORDINANCE TO AMEND ARTICLE XI, SPECIAL AREAS OF DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS AMENDED, TO AUTHORIZE THE ESTABLISHMENT AND REGULATION OF CONSOLIDATED REVIEW COMMITTEES IN REGULATIONS FOR MASTER-PLANNED OVERLAY AREAS FORM DISTRICTS, AND TO VEST EACH SPECIFIC CONSOLIDATED REVIEW COMMITTEE WITH AUTHORITY AND JURISDICTION REGARDING DEVELOPMENT PERMITTING WITHIN THE SPECIFIC MASTER-PLANNED OVERLAY AREAS FORM DISTRICT"

6. On the motion of Mr. Hearn seconded by Mr. Davis, Council voted unanimously to give 1st Reading for "An Ordinance to Amend Article XI, Special Areas of Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Amended, to Authorize the Establishment and Regulation of Consolidated Review Committees in Regulations for Master-Planned Overlay Areas Form Districts, and to Vest Each Specific Consolidated Review Committee with Authority and Jurisdiction Regarding Development Permitting within the Specific Master-Planned Overlay Areas Form District", and referral to the Planning Commission for a recommendation back to Council. If adopted this ordinance would create consolidated review committees, which would have the power to approve development permits in developments within master planned overlay area form districts (10,000 acres or more).

GUESTS

**MR. RUSS HIGHTOWER AND MR. BOB PEELER, WASTE MANAGEMENT --
CHECK PRESENTATION**

Chairman Feltner welcomed Mr. Hightower and Mr. Peeler, and thanked them on behalf of Dorchester County Council. He stated that this was a major event for the County to receive a check specifically for "Road Infrastructure Improvements". Mr. Hightower and Mr. Peeler addressed Council on behalf of Waste Management Industries and presented a check for \$180,000, which was the largest and the first of two installments. Mr. Peeler said the funds were for "Road Infrastructure Improvements", to help improve the intersection of US Highway 78 and SC Hwy 27, to provide acceleration, deceleration, and turn lanes to the landfill in Dorchester, South Carolina. Council thanked Mr. Hightower and Mr. Peeler for this wonderful donation from Waste Management to improve roads. In addition, Council stated that Waste Management Industries has committed to keeping the highways clean along the road going to the landfill.

**MR. TRIPP MULDROW, PRESENTATION DORCHESTER COUNTY MARKET
STUDY RESULTS AND STRATEGY RECOMMENDATIONS**

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 the study results and strategy recommendations of the "Market Study and Branding Plan for Dorchester County". Mr. Muldrow stated the study represented a unique partnership between the County, the Towns of Summerville and 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.

Mr. Muldrow reported the highlights of the data collected, presented the study's findings, and made recommendations to County Council to adopt the study's "Strategy and Recommendations" and was available to receive and answer questions from Council. Council thanked Mr. Muldrow for his time and hard work. The study's findings and recommendations are broken down as follows:

- The market study report found significant retail "leakage" in both the Summerville and St. George communities and in the County as a whole. Retail leakage occurs when consumers within a defined geography spend more on retail goods than store sales within that same geography. The consumers, in turn, must turn to alternate locations for their consumer expenditures. In fact, retail leakage for Dorchester County as a whole totals \$656 million dollars each year.
- Dorchester County is not likely to recoup all of the lost sales within the County because of the concentration of retail within Summerville in Berkeley County and the impact of being close to a retail sales center as strong as Charleston County.
- However, the sheer size of the retail leakage represents a significant opportunity for Dorchester County and its communities to capture significant increases in sales. This is particularly true because the County continues to see population growth and this data is but a snapshot in time.

GUESTS

STUDY RESULTS AND STRATEGY RECOMMENDATIONS- CONTINUED

Mr. Muldrow stated that with keeping the three-listed finding (page four) in mind, his firm recommended Dorchester County and its communities pursue a series of recommendations revolving around four key strategies:

- A Marketing Strategy to recruit and retain customers for existing retailers.
 - A Planning and Development Strategy that allows for future retail growth both within incorporated and unincorporated areas of Dorchester County.
 - A Recruitment and Retention Strategy that indicates the types of retail that is most likely to see success in the Dorchester County market and in both St. George's and Summerville's submarkets.
 - An Organizational Strategy that helps all of the partners in the study understand roles and responsibilities to see the successful implementation of the plan.
-
- The Marketing Strategy includes a series of brand identity designs for each community and partner organizations, including Dorchester County. The consulting team worked with County Staff on applications of the new County Seal and a consistent font and word type for the County to use in a variety of applications. Arnett Muldrow also recommended a strategy to promote the unincorporated and small towns of the County. Similar recommendations were made for St. George and Summerville.
 - The Planning and Development Strategy recommendations affirm the findings of the Dorchester County Comprehensive Plan with regard to creating nodes for future commercial development at key crossroads and locations throughout the County. The plan recommended that Dorchester County take a pro-active approach for retail development in these nodes because retail development is likely to cluster along interstate interchanges outside of the County in the absence of a positive planning strategy for these areas.
 - The Recruitment and Retention Strategy recommends that the County explore a series of incentives for retail development including a small matching grant program for existing businesses and the pursuit of "Tax Increment Financing" to help finance public infrastructure costs for developments in key areas. These incentives are designed as a short-term investment to stimulate retail development. Ultimately, the goal is for Dorchester County to have a healthy balance of commercial development within the County itself to serve the growing population base. Of course, the investment will be recouped in future property, sales, and local option tax revenues.
 - The Organizational Strategy recommends developing a program within Dorchester County Economic Development focused on retail recruitment and retention alongside specific recommendations for St. George and Summerville.

DORCHESTER COUNTY MARKET STUDY RESULTS AND STRATEGY RECOMMENDATIONS

7. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the Strategies and Recommendations made by Mr. Tripp Muldrow, Project Manager with Arnett Muldrow & Associates, Ltd., for Dorchester County.

GUESTS- CONTINUED

**MRS. TERRY SEABROOK, PARTNERSHIP SPECIALIST US CENSUS 2010,
"UPDATE/POSITIVE HIGHLIGHTS" 2010 CENSUS**

Ms. Terry Seabrook, Partnership Specialist with the US Census 2010, appeared before County Council and gave an "Update and Positive Highlights" from the 2010 Census for Dorchester County and the State of South Carolina. She stated that according to figures South Carolina, ranked 49th in the 2000 Census in terms of mail back participation, moved all the way up to 23rd out of 50 States. In addition, she reported that Dorchester County went from a 69% response rate in 2000 to a 76% response rate in 2010. Ms. Seabrook called the 7% response rate "significant". She also complimented and thanked the Dorchester County Staff, specifically Mr. Jason Ward, Mr. Clay Pendarvis, Mr. David Garber, and Mr. Harold LeaMond, that worked on the 2010 Census. Ms Seabrook told Council what a fabulous job the county employees working with the Census performed and how much she appreciated Mr. Jason Ward's continuous support. She reported that the "Non-response Follow-ups", were completed for the Census throughout South Carolina, but that she and the teams were still out in the communities letting people know there was still time to be counted, and the teams were still doing quality control work. Ms. Seabrook thanked Council for all of their help and support, and received, and answered questions from Council. Council thanked Ms. Seabrook for a job well done.

COUNTY ADMINISTRATOR'S TIME, MR. JASON WARD

**APPLICATION FOR STATE-ISSUED CERTIFICATE OF FRANCHISE
AUTHORITY AT&T SC**

8. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to give the County Administrator authorization to execute the "Notice of Application for State-Issued Certificate of Franchise Authority", for Bell South Telecommunications, Inc. d/b/a AT&T South Carolina, in accordance with the "South Carolina Competitive Cable Services Act of 2006." Mr. Ward explained that the County's current franchise fee rate is 5% (with 2 of the 5% designated to the Recreation Fund).

ACCOUNTS PAYABLE RECOVERY AUDIT PROPOSALS

9. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to place issue of the accounts payable recovery audit in the Budget, Finance, and Purchasing Committee for further consideration.

AMENDMENT TO EMPLOYEE LONGEVITY PROGRAM

10. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to refer a change to the Employee Longevity Program to the Administrative, and Intergovernmental Affairs Committee.

COMMITTEE REPORTS

Chairman Feltner passed the gavel to Vice Chairman Davis for the purpose of providing his Committee Report:

**WATER AND SEWER COMMITTEE, CHAIRMAN JAMIE FELTNER
REQUEST FOR SEWER SERVICE TO TMS #143-07-00-019 FOR EMBASSY
ESTATES, LLC**

11. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for sewer service for Embassy Estates, LLC, identified by TMS #143-07-00-019 and stated adequate capacity was available. Council voted unanimously in favor of the recommendation.

REQUEST FOR WATER SERVICE TO TMS# 162-03-03-010 FOR JENNIFER YOUNG

12. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for water service to TMS #162-03-03-010 for Jennifer Young. Council voted unanimously in favor of the recommendation.

REQUEST FOR WATER SERVICE TO TMS #172-00-00-074 FOR SUNOCO INC.

13. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for water service to TMS #172-00-00-074 for Sunoco Inc. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

**1ST READING TO "AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING
AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY
AMENDED, WITH RESPECT TO ARTICLE IX, SECTION 9.1.3 TO SPECIFY THE
PERMITTED USE GROUPS AND SPECIAL EXCEPTION USES WITHIN ZONING
CATEGORY AC (ABSENCES OF CONTROL DISTRICT)**

14. On the motion of Mr. Waggoner, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Previously Amended, with Respect to Article IX, Section 9.1.3 To Specify the Permitted use Groups and Special Exception Uses within Zoning Category AC (Absences of Control District)", and to refer this amendment to the Planning Commission for a recommendation and to Council's Planning, Development, and Building Committee for a recommendation back to Council.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into Executive Session to discuss a confidential economic development project, and to give legal advice concerning a proposed condemnation.

EXECUTIVE SESSION 7:49 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 8:10 P.M.

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

PROPOSED CONDEMNATION


16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted six in favor, and one absent, that Dorchester County proceed with the condemnation as discussed in Executive Session.

Councilman Hargett was absent.

ADJOURNMENT

17. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted six in favor, and one absent, to adjourn. Time of adjournment was 8:11 p.m.

Councilman Hargett was absent.


Sandy Lawley, Clerk to Council