

**AGENDA  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
OCTOBER 4, 2010  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. JAMIE FELTNER**

- Requests to Address Council
- Adoption of Minutes from the September 20, 2010, County Council Meeting
- Dorchester County Employee Recognition Program
- Correspondence

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

- 1<sup>st</sup> Reading for "An Ordinance Repealing Dorchester County Ordinance #10-07, & Adopting a New County Ordinance Restricting the Hours of Operation of Commercial Establishments Which Allow for the On-Premises Consumption of Alcoholic Beverages"

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

- 1<sup>st</sup> Reading for Rezoning Request #641, for Stephen Ballard; TMS# 151-04-00-047.
- 1<sup>st</sup> Reading for Rezoning Request #642, for Ronnie W. Burgess, Gary R. Burgess & Vivian L. Terry; TMS# 162-05-03-003
- 1<sup>st</sup> Reading for Rezoning Request #643, for William E. & Janet L. Burns; TMS# 162-05-03-001

**5. COMMITTEE REPORTS**

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

- 2<sup>nd</sup> Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article VII, Section 7.2.2 To Allow Not More than a Total of Ten Hen (Female) Chickens and/or Rabbits on Individual Lots Zoned R-1 (M) Which Are At Least Two Acres or More"
- 2<sup>nd</sup> Reading for "An Ordinance to Amend Dorchester County Zoning & Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article X, Section-10.6(a) So As To Delete the Requirements of a Complaint from a Civic or Homeowner's Association or Complaint By At Least Three Residents"

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

- Magistrate's Court Utilizing Sheriff's Deputies for Serving Papers

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**7. 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**

**OCTOBER 4, 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 boards 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.

### REQUEST TO ADDRESS COUNCIL

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

- Mr. Ronnie Judy addressed Council regarding the Dorchester County Sewer System and the discharge into Polk Swamp. Chairman Feltner stated that the discharge of water was clean and actually improved the water quality. Mr. Judy stated that the water was flowing into his fields, and this was a problem because he could not plant crops. The Chairman stated that it could be beavers causing the flooding issue, and the County would look into this problem.

**REQUEST TO ADDRESS COUNCIL –CONTINUED**

- Mr. Bill Craver, representing the Land Committee of Palmetto Gun Club, addressed Council about concerns over a tract of land included in a rezoning request of the “East Edisto Tract” that lies east of the Palmetto Gun Club land. The Chairman informed Mr. Craver that the County was aware of the Club’s concerns and requested that he provide written recommendations to the County Administrator, Mr. Jason Ward.

**ADOPTION OF MINUTES FROM THE SEPTEMBER 20, 2010, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the September 20, 2010, County Council Meeting.

**DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM**

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

**CORRESPONDENCE**

There was no correspondence to report.

**COUNCIL MEMBER’S TIME, MR. LARRY HARGETT**  
**1<sup>ST</sup> READING FOR “AN ORDINANCE REPEALING DORCHESTER COUNTY**  
**ORDINANCE #10-07, & ADOPTING A NEW COUNTY ORDINANCE RESTRICTING**  
**THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH**  
**ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES”**

Councilman Hargett reported he and Sheriff Knight met with five bar owners in the area and they requested that a change be made to our Ordinance #10-07, due to a loss in revenues and having to lay off employees. He stated that Charleston and Berkeley Counties have the same Ordinance that Dorchester County does, however they were not enforcing their Ordinance, and customers were not coming to the establishments in Dorchester County, but were instead going to Charleston or Berkeley Counties. The bar owners requested to be allowed to stay open for an additional four hours, between the hours of 4:00 a.m. and 6:00 a.m. on Saturdays and Sundays. Councilman Hargett stated he told the owners he would take their request back to Council, therefore, he asked the County Attorney to draft a proposed change to Dorchester County’s current ordinance for consideration. He stated the request was coming from small business owners, and requested Council to consider placing this matter in the Public Safety, Health and Human Services Committee of Council.

2. Mr. Hargett motioned and Mr. Davis seconded, and Council voted two in favor, and five opposed, to place this above named proposed Ordinance in the Public Safety, Health, and Human Services Committee of Council for further consideration. (See Discussions on the following page, which were held before the vote was taken).

Mr. Rosebrock, Mr. Feltner, Mr. Murphy, Mr. Hearn, and Mr. Davis opposed.

**1<sup>ST</sup> READING FOR "AN ORDINANCE REPEALING DORCHESTER COUNTY ORDINANCE #10-07, & ADOPTING A NEW COUNTY ORDINANCE RESTRICTING THE HOURS OF OPERATION OF COMMERCIAL ESTABLISHMENTS WHICH ALLOW FOR THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES"**  
**CONTINUED**

Discussion by Council: Councilman Rosebrock stated that he would have to oppose this Ordinance, he felt there was too much crime now, and the Ordinance the County had in place was helping bring down the crime rate in the areas where the bars were located.

Councilman Murphy stated that when the original discussion arose and the decision was made for Council to adopt Ordinance #10-07, it was to bring Dorchester County in line with Berkeley and Charleston County and with all surrounding municipalities, which adopted "2:00 A.M. Bar Closings" and he felt Council should stick with the current Ordinance.

Councilman Davis stated that he recalled the main reason for enacting the "2:00 A.M. bar closings" was to assist the Sheriff with the large number of calls he was receiving and requested for Sheriff Knight to address Council if possible.

Chairman Feltner stated that he would like to hear from the Sheriff, but first wanted to thank Councilman Hargett for bringing this issue before Council, because it was important to represent not only the people in your District, but also the businesses. However, as a Councilman who has had a huge problem in his District with a particular establishment he could not support a change to the Ordinance.

After more discussion by Council, Sheriff Knight reported that he and Councilman Hargett had a meeting with the some of the local nightclub owners, and although he did understand their situation, he stated that he had to report the facts. The facts being that since the Ordinance was enacted calls to the Sheriff's Office had gone down by 65%. He stated that his job was to keep the citizens safe and believed that this Ordinance was helping to achieve his goal.

**Vote on Motion # 2, from page two.** Council voted 2 in favor, and 5 opposed.

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

**1<sup>ST</sup> READING FOR REZONING REQUEST #641, FOR STEPHEN BALLARD;**  
**TMS# 151-04-00-047**

3. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #641, for Stephen Ballard; TMS #151-04-00-047, and to place this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone a .937 acre parcel located at 2480 US Hwy 17A South from TRM (Transitional Residential District) to CG (General Commercial District). The Planning and Zoning Staff recommended rezoning and the Planning Commission recommended rezoning.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING FOR REZONING REQUEST #642, FOR RONNIE W. BURGESS, GARY R. BURGESS & VIVIAN L. TERRY; TMS# 162-05-03-003, AND FOR REZONING REQUEST #643, FOR WILLIAM E. & JANET L. BURNS; TMS# 162-05-03-001**

Mr. Ward stated that the above two listed rezoning requests were for related properties in Tranquil Acres. He requested Council to consider the two requests together, and stated the Planning staff recommended approval of both rezoning requests and the Planning Commission recommended denying both rezoning requests.

4. On the motion of Mr. Rosebrock, seconded by Mr. Murphy, Council voted unanimously to deny 1<sup>st</sup> Reading for Rezoning Request #642, for Ronnie W. Burgess, Gary R. Burgess, and Vivian L. Terry; TMS #162-05-03-003, and Rezoning Request #643, for William E. and Janet L. Burns; TMS #162-05-03-001. Both of these requests are located in District #7. Rezoning Request #642 was a request to rezone a .578 acre parcel located at 101 Branton Avenue, in Ladson from R-2 (Single Family Residential District) to CN (Neighborhood Commercial District). Rezoning Request #643 was a request to rezone a .275 acre parcel (12,000 square foot lot) located at 100 Claudia Drive, in Ladson from R-2 (Single Family Residential District) to CN (Neighborhood Commercial District).

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

**RECOMMENDATION FOR 2<sup>ND</sup> READING AS AMENDED “AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE VII, SECTION 7.2.2 TO ALLOW NOT MORE THAN A TOTAL OF TEN HEN (FEMALE) CHICKENS AND/OR RABBITS ON INDIVIDUAL LOTS ZONED R-1 (M) OR R-1 (M) (A) WHICH ARE AT LEAST ONE ACRE OR MORE”**

5. Committee Chairman Davis reported the Committee's recommendation for Council was to give 2<sup>nd</sup> Reading with the amendment of adding the Zoning Category R-1(M) (A) and to refer the Ordinance back to Council's Planning, Development, and Building Committee for Public Hearing and further recommendation. The title of the Ordinance reads as follows, “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article VII, Section 7.2.2 To Allow Not More than a Total of Ten Hen (Female) Chickens and/or Rabbits on Individual Lots Zoned R-1 (M) and R-1(M)(A), Which Are At Least Two Acres or More”.
6. Mr. Waggoner made a motion to amend the recommendation to change the Ordinance by reducing the acreage to “one acre or more”, instead of “two acres or more”, and Mr. Rosebrock seconded the amendment; Council voted unanimously in favor of the amendment.
7. Council voted unanimously in favor of giving 2<sup>nd</sup> Reading to the Ordinance with both amendment stated as follows: “An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article VII, Section 7.2.2 To Allow Not More than a Total of Ten Hen (Female) Chickens and/or Rabbits on Individual Lots Zoned R-1 (M), and R-1(M)(A) Which Are At Least One Acre or More”. There will be a Public Hearing on this Ordinance on November 1, 2010 at the Planning, Development and Building Committee meeting.

**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT-CONTINUED**

**RECOMMENDATION FOR 2<sup>ND</sup> READING FOR "AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE X, SECTION-10.6(A) SO AS TO DELETE THE REQUIREMENTS OF A COMPLAINT FROM A CIVIC OR HOMEOWNER'S ASSOCIATION OR COMPLAINT BY AT LEAST THREE RESIDENTS**

8. Committee Chairman Davis reported the Committee's recommendation to Council was to give 2<sup>nd</sup> Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article X, Section-10.6(a) So As To Delete the Requirements of a Complaint from a Civic or Homeowner's Association or Complaint By At Least Three Residents", and refer this item back to Council's Planning, Development, and Building Committee for Public Hearing and further recommendation. Council voted unanimously in favor of the recommendation.

**OTHER BUSINESS- STORMWATER FEE**

Committee Chairman Davis stated that the County Attorney was asked to look at other options for funding the Stormwater Program, and he would give a report to the Committee at the next Planning, Development and Building Committee in October.

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

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

**MAGISTRATE'S COURT UTILIZING SHERIFF'S DEPUTIES FOR SERVING PAPERS**

9. Chairman Feltner stated that the issue of "Magistrate's Court Utilizing Sheriff's Deputies for Serving Papers" was discussed and the recommendation from the Committee to Council was to approve. In addition, Chairman Feltner stated that the transfer was cost neutral, and the Sheriff would receive a set amount of funds to perform these services, and it was agreed that the job could be performed at that amount. Chairman Feltner stated that this issue would be revisited if any problems arose. Council voted five in favor, one opposed, and one abstention, to the recommendation.

Councilman Hargett opposed and Councilman Murphy abstained.

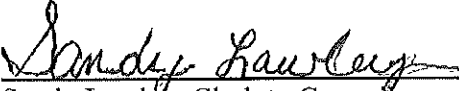
Vice Chairman Davis passed the gavel back to Chairman Feltner.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**ADJOURNMENT**

10. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to adjourn.  
Time of adjournment was 7:47 p.m.

  
Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 18, 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 October 4, 2010, County Council Meeting
- Correspondence

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

- Recognition and Authorization of a Codes Enforcement Officer-Animal Control
- Recognition and Authorization of a Senior Planner- Zoning Code Violations
- Accidental Death and Dismemberment Insurance
- Request for Funding Economic Development Website

**4. COMMITTEE REPORTS**

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

- Stormwater Fee Options from the County Attorney

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

- Funding Request - Arts, Business, Civic Coalition of Summerville/Dorchester Inc. for Operations
- Funding Request - Ridgeville Community Resource Center, Inc. for Computer Purchases

**Chairman Jamie Feltner, Water and Sewer Committee Report**

- Request for New Sewer Service to TMS #121-00-00-310 for Marty Crosby
- Request for New Water Service to TMS #119-00-00-033 for Frank Price
- Request for New Water Service to TMS #007-00-00-126 for M&D Convenience Stores

**5. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- Executive Session
  - Confidential Economic Development Project
  - Contractual Matter
  - Courthouse and Jail Study

**7. 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  
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**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**OCTOBER 18, 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 boards 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 Davis gave the Invocation.

### REQUEST TO ADDRESS COUNCIL

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

- Mr. Pete Weathers addressed Council concerning the Conservation Bond Referendum, which will appear on the November 2, 2010 ballot, and encouraged Council to assist in getting the word out that the referendum was for conservation. In addition, he asked Council to request a DHEC Public Hearing regarding Polk Swamp and the amount of water released into the swamp from the County's Sewer System. Chairman Feltner addressed both of these issues with Mr. Weathers.

**REQUESTS TO ADDRESS COUNCIL –CONTINUED**

- Mr. Herman Marchant addressed Council about taxes. Mr. Marchant placed a dollar bill in front of each Councilman and requested they take the dollar, which none of the members did, and asked Council to plant the dollar and if starts growing money, to call him where he could use the money to pay his taxes. All members requested Mr. Marchant to take his money back.

**ADOPTION OF MINUTES FROM THE OCTOBER 4, 2010, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the October 4, 2010, County Council Meeting.

**CORRESPONDENCE**

There was no correspondence reported.

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

**RECOGNITION/AUTHORIZATION -CODES ENFORCEMENT OFFICER-ANIMAL CONTROL**

2. On the motion of Mr. Davis, seconded by Mr. Murphy, Council voted unanimously to recognize and authorize Mr. Julius Batten, Code Enforcement Officer for Animal Control, to issue summons for animal control and code violations.

**RECOGNITION/AUTHORIZATION -SENIOR PLANNER- ZONING CODE VIOLATIONS**

3. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to recognize and authorize Ms. Monica Eustace, Senior Planner of Planning and Zoning Department to issue summons for zoning code violations.

**ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE**

Mr. Ward stated that the Fire Coordinator recommended this "Accidental Death and Dismemberment Insurance Coverage", and the County Risk Manager had reviewed the proposals and recommended its approval.

4. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously, to authorize the expenditure of not exceeding \$20,000 for this insurance coverage for Accidental Death and Dismemberment Insurance. It will provide coverage for the career and volunteer firefighters that protect the County.

**COUNTY ADMINISTRATOR'S TIME- CONTINUED**

**REQUEST FOR FUNDING ECONOMIC DEVELOPMENT WEBSITE**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously, based upon the recommendation of the Economic Development Director and Economic Development Board, to authorize the expenditure of \$10,000 from the Economic Development Fund for Client Management Software for updating of the Economic Development website.

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

**STORMWATER FEE OPTIONS FROM THE COUNTY ATTORNEY**

6. Committee Chairman Davis reported that the Committee met earlier and the County Attorney and staff was asked to look at other options for funding the Stormwater Program. He stated that Mr. Frampton and Mr. Richard Byrd had researched this issue and responses were received from both explaining that the County cannot raise millage sufficient to fund the stormwater program, because it would hurt more citizens that help. Therefore, Committee Chairman Davis reported that the recommendation from the Committee to Council was to deny making a change in the current methodology in the collection of the Stormwater Fees, and to remove this item from Committee. Council voted unanimously in favor of the recommendation.

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

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

**FUNDING REQUEST - ARTS, BUSINESS, AND CIVIC COALITION OF  
SUMMERSVILLE/DORCHESTER INC.**

**FUNDING REQUEST - RIDGEVILLE COMMUNITY RESOURCE CENTER, INC**

Chairman Feltner reported the Committee met earlier and both of the above subjects were discussed and it was decided to keep both of the requests in Committee.

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

**NEW SEWER SERVICE TO TMS #121-00-00-310 FOR MARTY CROSBY**

7. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new sewer service to TMS #121-00-00-310, for Marty Crosby at 445 Greyback Road near Summerville. Council voted unanimously in favor of the recommendation.

**NEW WATER SERVICE TO TMS #119-00-00-033 FOR FRANK PRICE**

8. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new water service to TMS #119-00-00-033, for Frank Price and capacity was available. Council voted unanimously in favor of the recommendation.

**REQUEST FOR NEW WATER SERVICE TO TMS #007-00-00-126 FOR M&D CONVENIENCE STORES**

9. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new water service to TMS #007-00-00-126, for M&D Convenience Stores. 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 Commission. However, Chairman Feltner stated that before the end of the year, he might request Council to reappoint Mr. Lester Dempsey to the Executive Council of Governments Board.

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

**REQUEST TO AMEND THE AGENDA**

The County Attorney requested Council's consideration to amend the agenda to add an additional item under his time, to the Executive Session under "contractual matters", with that item being a potential real-estate purchase.

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

**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 discuss two contractual matters concerning the courthouse and jail study, and the additional item of a real estate purchase.

**EXECUTIVE SESSION 7:28 P.M.**

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

**RECONVENE FROM EXECUTIVE SESSION 8:50 P.M.**

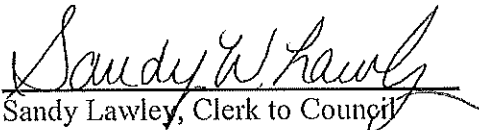
The County Attorney reported that Council discussed the items previously announced prior to going into Executive Session, and no action was taken.

**ECONOMIC DEVELOPMENT PROJECT**  
**A RESOLUTION AUTHORIZING A SECOND AMENDMENT TO FEE AGREEMENT**  
**BETWEEN DORCHESTER COUNTY AND ECMD, INC. RELATING TO AMENDMENT**  
**OF AN EXISTING FEE-IN-LIEU-OF-TAXES ARRANGEMENT**

12. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously, for County Council to adopt the Resolution approving the extension of the project period for the FILOT arrange with ECMD, Inc., for an addition 3 years or through December 31, 2010.

**ADJOURNMENT**

13. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to adjourn. Time of adjournment was 8:53 p.m.

  
Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERSVILLE  
NOVEMBER 1, 2010  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. JAMIE FELTNER**

- Requests to Address Council
- Adoption of Minutes from the October 18, 2010, County Council Meeting
- Correspondence

**3. GUESTS**

- Mrs. Millie Qualls, Program Coordinator South Carolina Heart Gallery - Presentation
- Mr. Christopher T. Whittaker, Planner II, BCD Council of Governments -Request Approval of the Hazard Mitigation Plan 2010 Update

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

- Request for Approval of County Council Meeting Schedule for 2011
- Request for Approval to Purchase a Fire Truck from the Fire Improvement Fund for use by Old Fort Fire Department
- 1<sup>st</sup> Reading by Title Only for "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Financing or Refinancing of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"
- Request to Approve NACO County Showcase Program
- Request for 1<sup>st</sup> Reading Rezoning Request #644, Greg Brooks; TMS #144-05-00-036 & #144-05-00-037
- Stormwater Arrangement with the City of North Charleston

**5. COMMITTEE REPORT**

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

- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request #639, C S Carter; TMS #160-00-00-049
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Rezoning Request #641, Stephen Ballard; TMS #151-04-00-047
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Ordinance #10-19, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article VII, Section 7.2.2 To Allow Not More than a Total of Ten Hen (Female) Chickens and/or Rabbits on Individual Lots Zoned R-1(M) or R-1(M)(A) Which Are At Least One Acre or More"
- Public Hearing and Recommendation for 3<sup>rd</sup> Reading for Ordinance #10-20, "An Ordinance to Amend Dorchester County Zoning & Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article X, Section-10.6(a) So As To Delete the Requirements of a Complaint from a Civic or Homeowner's Association or Complaint By At Least Three Residents"

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Adoption of Resolution # 10-14, "A Resolution Authorizing a First Amendment to Inducement Agreement Between Dorchester County and Lauscha Fiber International Corporation, Relating to Economic Development Incentives"

-1<sup>st</sup> Reading for "An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Lauscha Fiber International Corporation, Whereby Dorchester County will Enter into an Arrangement for Payments In Lieu of Property Taxes"

-Condemnation of Parcel #16, Phase I Bacons Bridge Road Widening

8. ADJOURN

JAMIE FELTNER  
CHAIRMAN

WILLIE DAVIS  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



LARRY S. HARGETT

WILLIAM (BILL) HEARN, JR.

CHRISTOPHER J. MURPHY

RICHARD ROSEBROCK

KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

### MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE NOVEMBER 1, 2010 7:00 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin boards 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 Rosebrock gave the Invocation.

#### REQUESTS TO ADDRESS COUNCIL

Chairman Feltner stated that one citizen had requested to address Council.

- Mr. Richard Clark-Pounder addressed Council regarding the "Safety of Dorchester County Citizens", and stated that he would like to attend any workshops that Council had on the Transportation Ordinance.



**ADOPTION OF MINUTES FROM THE OCTOBER 18, 2010, COUNTY COUNCIL MEETING**

1. On the motion of Mr. Murphy, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the October 18, 2010, County Council Meeting.

**CORRESPONDENCE**

There was no correspondence reported.

**GUESTS**

**MRS. MILLIE QUALLS, PROGRAM COORDINATOR SOUTH CAROLINA HEART GALLERY**

Mrs. Millie Qualls, Program Coordinator of the South Carolina Heart Gallery, made a presentation to County Council on the Heart Gallery Program. This is a program to promote the fostering or the adoption of foster children. She requested Council's permission to provide a place to display photos of the children in the program in need of foster parents and adoption in one of the County Buildings. Chairman Feltner thanked Mrs. Qualls for her time. He then requested for members of Council to give their feedback to Mr. Ward on the Program. In addition, Chairman Feltner requested that Mr. Ward have the Facilities Department assist in identifying a place for the photos, after Council input.

**MR. CHRISTOPHER T. WHITTAKER, PLANNER II, BCD COUNCIL OF GOVERNMENTS -REQUEST APPROVAL OF THE HAZARD MITIGATION PLAN 2010 UPDATE**

Mr. Christopher T. Whittaker, Planner II, with the BCD Council of Governments addressed Council and gave a presentation on the "Hazard Mitigation Plan 2010 Update", and requested approval of the plan. The Disaster Mitigation Act of 2000 requires the County to have a FEMA authorized Hazardous Mitigation Plan in order to receive hazard mitigation grant funding. Staff recommended approval, and is scheduling a meeting to move forward with the activities of the Action Plan, which are listed, on pages III-32 – III-35. Some activities are already in progress. Mr. Whittaker explained that the plan has to be updated every five years and that was the role of the Council of Governments. He thanked Council for their time and stated that if they had any questions or feedback to please contact him at the COG. Chairman Feltner thanked Mr. Whittaker, and requested a motion from Council.

2. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously, to approve the "Hazard Mitigation Plan 2010 Update", as presented by Mr. Christopher T. Whittaker, Planner II, BCD Council of Governments.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**REQUEST FOR APPROVAL COUNTY COUNCIL MEETING SCHEDULE FOR 2011**

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously, to adopt the County Council Meeting Schedule for 2011.

**REQUEST FOR APPROVAL TO PURCHASE A FIRE TRUCK FROM THE FIRE IMPROVEMENT FUND FOR USE BY OLD FORT FIRE DEPARTMENT**

4. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted unanimously, to approve the purchase of the fire apparatus (truck) via lease purchase with funding from the Fire Improvement Fund as recommended by the County Fire Coordinator and Dorchester County Fire Board for Old Fort Fire Department.

**1<sup>ST</sup> READING BY TITLE ONLY FOR “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT IN ORDER TO PROVIDE FOR THE FINANCING OR REFINANCING OF CERTAIN VEHICLES; TO AUTHORIZE THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO”**

5. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously, to give 1<sup>st</sup> Reading by Title Only for “An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Financing or Refinancing of Certain Vehicles; to Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto”. This refinancing of the 12 trucks at 2.07%, down from 4.5%, produces savings of \$298,515, which allows the county to purchase the new truck without increasing the current lease payment obligation.

**REQUEST TO APPROVE NACO COUNTY SHOWCASE PROGRAM**

Mr. Ward requested Council's approval for Dorchester County to participate in the NACO County Showcase Program, which will be free of charge to the County, by authorizing the Administrator to execute the Dorchester County Movie Tour Book Agreement. The cost would be paid by businesses and organizations that advertise, and Mr. Ward stated that no offensive or partisan businesses or organizations would be allowed to advertise. CGI Communications, a Premier Corporate Member of NACO, would produce a Website Welcome video from the Chairman of Council or the County Administrator, as an Education video, a Quality of Life video, and a Real Estate/Relocation video. Each video would be approximately one (1) minute in duration. CGI Communications would also produce up to three (3) additional videos to display various aspects of the county and/or organization such as economic development, recreational opportunities, or history and culture. This would be seven one-minute videos free of charge. The videos would be linked to the front page of the County's website and production would begin in January or later.

6. On the motion of Mr. Hargett, seconded by Mr. Davis, Council voted unanimously to authorize the County Administrator to execute the Dorchester County Movie Tour Book Agreement with CGI Communications firm to participate in the NACO County Showcase Program.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**  
**REQUEST FOR 1<sup>ST</sup> READING REZONING REQUEST #644, GREG BROOKS; TMS**  
**#144-05-00-036 & #144-05-00-037**

7. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #644, for Mr. Greg Brooks; TMS #144-05-00-036 & #144-05-00-037, and placed this item in the Planning, Development, and Building Committee for further consideration. This is a request to rezone 3.78 acres located at 679 Orangeburg Road near Summerville from R-4 (Multi-family Residential District) to CN (Neighborhood Commercial District). The Planning Commission and the Planning and Zoning staff recommended approval.

**STORMWATER ARRANGEMENT WITH THE CITY OF NORTH CHARLESTON**

The County Administrator explained that North Charleston contracted with Woolpert, Inc., in 2009 to complete a stormwater fee study and adopted its new stormwater fee in 2009 based upon the findings of the study. This fee is charged in Charleston County and County staff recommends that North Charleston charge this fee in Dorchester County instead of asking the County to split our fee and send them 70%.

8. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to authorize the County Administrator to send a letter, which has been reviewed by the County Attorney and Public Works Director, to North Charleston indicating that the County will disburse funds to them in accordance with the 2004 Stormwater Arrangement, but that North Charleston should meet with County staff to negotiate a new agreement for the 2011 tax year and subsequent years based on their stormwater fee.

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

**PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING FOR REZONING**  
**REQUEST #639, C S CARTER; TMS #160-00-00-049**

9. Committee Chairman Davis reported that the Committee met earlier and voted to make a recommendation to Council to give 2<sup>nd</sup> Reading to Rezoning Request #639, for Mr. C S Carter; TMS #160-00-00-049. This is a request to rezone 5 acres located at 1360 Old Beech Hill Road near Summerville from R-4 (Multi-family Residential District) to CG (General Commercial District). The owner wants to return the property to an auto repair facility, which was its past use. Council requested that Mr. Carter insure that buffering be used when the property was returned to its former use. The County has a convenience site at 1344 Old Beech Hill Road. Council voted six in favor and one opposed.

Councilman Rosebrock opposed.

**PLANNING, DEVELOPMENT AND BUILDING COMMITTEE REPORT,  
CONTINUED  
PUBLIC HEARING AND RECOMMENDATION FOR 2<sup>ND</sup> READING FOR  
REZONING REQUEST #641, FOR STEPHEN BALLARD; TMS# 151-04-00-047**

10. Committee Chairman Davis reported the Committee voted to make a recommendation for Council to give 2<sup>nd</sup> Reading to Rezoning Request #641, for Stephen Ballard; TMS #151-04-00-047. This is a request to rezone a .937 acre parcel located at 2480 US Hwy 17A South from TRM (Transitional Residential District) to CG (General Commercial District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING - RECOMMENDATION FOR 3<sup>RD</sup> READING ORDINANCE #10-19,  
"AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND  
DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY AMENDED,  
WITH RESPECT TO ARTICLE VII, SECTION 7.2.2 TO ALLOW NOT MORE THAN A  
TOTAL OF TEN HEN (FEMALE) CHICKENS AND/OR RABBITS ON INDIVIDUAL  
LOTS ZONED R-1 (M) OR R-1 (M) (A) WHICH ARE AT LEAST ONE ACRE OR  
MORE"**

11. Committee Chairman Davis reported the Committee's recommendation for Council was to give 3<sup>rd</sup> Reading to Ordinance #10-19, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article VII, Section 7.2.2 To Allow Not More than a Total of Ten Hen (Female) Chickens and/or Rabbits on Individual Lots Zoned R-1 (M), and R-1(M)(A), Which Are At Least One Acre or More". Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND RECOMMENDATION FOR 3<sup>RD</sup> READING FOR  
ORDINANCE #10-20, "AN ORDINANCE TO AMEND DORCHESTER COUNTY  
ZONING & LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS  
PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE X, SECTION-10.6(A) SO  
AS TO DELETE THE REQUIREMENTS OF A COMPLAINT FROM A CIVIC OR  
HOMEOWNER'S ASSOCIATION OR COMPLAINT BY AT LEAST THREE  
RESIDENTS"**

12. Committee Chairman Davis reported the Committee's recommendation to Council was to give 3<sup>rd</sup> Reading for Ordinance #10-20, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, As Previously Amended, with Respect to Article X, Section-10.6(a) So As To Delete the Requirements of a Complaint from a Civic or Homeowner's Association or Complaint By At Least Three Residents". Council voted unanimously in favor of the recommendation.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commission.

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

**ECONOMIC DEVELOPMENT PROJECT**

**ADOPTION OF RESOLUTION # 10-14, "A RESOLUTION AUTHORIZING A FIRST AMENDMENT TO INDUCEMENT AGREEMENT BETWEEN DORCHESTER COUNTY AND LAUSCHA FIBER INTERNATIONAL CORPORATION, RELATING TO ECONOMIC DEVELOPMENT INCENTIVES"**

13. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #10-14, "A Resolution Authorizing a First Amendment to Inducement Agreement Between Dorchester County and Lauscha Fiber International Corporation, Relating to Economic Development Incentives".

**1<sup>ST</sup> READING FOR "AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND LAUSCHA FIBER INTERNATIONAL CORPORATION, WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES"**

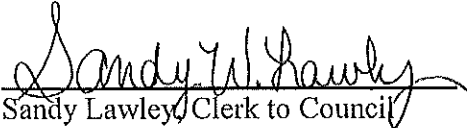
14. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading for "An Ordinance Authorizing Economic Development Incentives, Including a Fee in Lieu of Taxes Arrangement Agreement, Between Dorchester County, South Carolina, and Lauscha Fiber International Corporation, Whereby Dorchester County will Enter into an Arrangement for Payments In Lieu of Property Taxes".

**CONDEMNATION OF PARCEL #16, PHASE I BACON'S BRIDGE ROAD WIDENING**

15. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to approve the condemnation of Parcel #16, in connection with the construction of Phase I of the Bacon's Bridge Road Widening Project.

**ADJOURNMENT**

16. On the motion of Mr. Murphy, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment was 7:53 p.m.

  
Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
SPECIAL CALLED COUNCIL MEETING  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
NOVEMBER 29, 2010  
8:45 A.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. JAMIE FELTNER**

-2<sup>nd</sup> Reading for "An Ordinance To Provide for the Issuance and Sale of Five Million Dollars (\$5,000,000) Dorchester County, South Carolina, General Obligation Bonds; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; and Other Matters Relating Thereto"

**3. COMMITTEE REPORT**

**Chairman Jamie Feltner, Water and Sewer Committee Report**

-Request for New Sewer Service for Gary & Michelle Van Allen to TMS #122-16-08-015

**4. 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.

DAVID CHINNIS

RICHARD ROSEBROCK

KENNETH WAGGONER

## COUNTY COUNCIL OF DORCHESTER COUNTY

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**MINUTES  
SPECIAL CALLED MEETING  
DORCHESTER COUNTY COUNCIL  
HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
NOVEMBER 29, 2010  
8:45 A.M.**

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

**PRESENT:** Mr. Jamie Feltner, Chairman  
Mr. Willie Davis, Vice Chairman  
Mr. David Chinnis  
Mr. Larry Hargett  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Kenneth Waggoner  
Mr. Jason Ward, County Administrator  
Mrs. Ashley McDonald, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Gina R. Sams, Admin. Asst. to Council

Chairman Feltner called the meeting to order and stated that the Invocation was given at the previously held meeting of Council's Water & Sewer Committee.

**2<sup>ND</sup> READING FOR "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALES OF FIVE MILLION DOLLARS (\$5,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"**

1. Mr. Davis motioned to give 2<sup>nd</sup> Reading to the above referenced titled subject, Mr. Hargett seconded.

*\*\*Reference: "Motion 1- Continued" located on Page Three for final vote on the above motion.*

**DISCUSSIONS PRIOR TO VOTE:**

**FOR THE RECORD-COUNCILMAN BILL HEARN**

The following comments were stated for the record by Councilman Bill Hearn prior to the vote being taken:

Mr. Hearn stated, "I just want to point out that in our last meeting, you know, I... indicated that I was concerned about some of the confusion that was created, and... you spoke to that issue. But I just want to point out that there were other comments made that really go to the point that I was making. I mean there are still people that believe that this is going to be used for recreation in the forms of ball fields and that kind of thing, and Mr. Chairman I understand that is not what we are doing here today. Is that correct?"

**DISCUSSIONS PRIOR TO VOTE-CONTINUED:**

Chairman Feltner stated Mr. Hearn's statement was incorrect and that the referendum included: Parks, Recreation, and Conservation. Chairman Feltner clarified that an informational meeting was held on August 12, 2010, where discussions were held on the makeup of the Committees, the 4 zones and some of the properties the County controls that could be used for parks and recreation. Chairman Feltner reported the "Rosebrock County Park" sets a good example of conservation and recreation and also sets a good example for leveraging other funds to create these parks and recreation.

Mr. Hearn stated he did not disagree that the meeting was held on August 12, 2010 and stated, "We were not the ones that needed to be there.... It was the public that needed to be there and that was my point. Thank you."

Chairman Feltner and Councilman Hearn held a discussion regarding the public being part of the August meeting. Chairman Feltner reported that the public would have another opportunity to speak on this subject at the next meeting to be held on December 6, 2010.

Mr. Hargett made comments on the passage of two referendums during his tenure on Council and spoke on the one which just passed and stated that 89% of the voters in his district voted for this referendum. Councilman Hargett stated he and Councilman Hearn would be on the Council which would be deciding how the money would be spent.



**2<sup>ND</sup> READING FOR "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALES OF FIVE MILLION DOLLARS (\$5,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"-**  
**CONTINUED**

**DISCUSSIONS PRIOR TO VOTE-CONTINUED:**

Mr. Davis stated he voted for this and it was his hope that this Council would be inclusive, and hoped Council would continue to work together and look at both ends of the County.

Chairman Feltner stated the public had more input on this matter due to it being passed by referendum. He stated the public would have another opportunity to speak on this subject at Council's next meeting on December 6, 2010. The following action was taken:

***\*\*Motion 1-Continued (Vote on 1<sup>st</sup> Motion referenced on Page Two):***

Council voted six in favor, and one opposed, to give 2<sup>nd</sup> Reading for "An Ordinance to Provide for the Issuance and Sales of Five Million Dollars (\$5,000,000) Dorchester County, South Carolina, General Obligation Bonds, to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and other matters Relating Thereto".

Councilman Hearn opposed.

Chairman Feltner passed the gavel to Vice Chairman Davis for the purpose of reporting on Council's Water & Sewer Committee held prior to this Special Called Meeting of Council.

**COMMITTEE REPORT**

**CHAIRMAN JAMIE FLETNER, WATER & SEWER COMMITTEE REPORT**

**REQUEST FOR NEW SEWER SERVICE FOR GARY & MICHELLE VAN ALLEN TO TMS #122-16-08-015**

2. Chairman Feltner reported Council's Water & Sewer Committee had recommended for Council to approve the request for new sewer service for Gary & Michelle Van Allen; TMS #122-16-08-015. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner and the following action was taken:

**ADJOURNMENT**

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adjourn. Time of adjournment was 8:53 a.m.

  
Gina R. Sams, Admin. Asst. to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**DECEMBER 6, 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 November 15, 2010, County Council Meeting
- Adoption of Minutes from the November 29, 2010, Special Called Council Meeting
- Adoption of Resolution #10-18, "A Resolution in Honor of Councilman Kenneth F. Waggoner"
- Adoption of Resolution #10-19, "A Resolution in Memory of Mr. Roy Britt"
- Public Hearing and 3<sup>rd</sup> Reading for Ordinance #10-21, "An Ordinance To Provide for the Issuance and Sale of Five Million Dollars (\$5,000,000) Dorchester County, South Carolina, General Obligation Bonds; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; and Other Matters Relating Thereto"
- 3<sup>rd</sup> Reading to #10-23, "An Ordinance Approving the Adoption of a Capital Improvements Plan for Public Facilities, Such Public Facilities Being Limited to Roads, Streets, and Bridges, Including, But Not Limited to, Rights-of-Way and Traffic Signals as the Term Public Facilities Is More Specifically Defined in Section 6-1-920(18) (d), Code of Laws of South Carolina
- 3<sup>rd</sup> Reading to #10-24, "A Transportation Impact Fee Ordinance for Unincorporated Dorchester County"
- Correspondence

**3. GUEST**

- Judge Maite' Murphy- Presentation of Plaque to Constable James A. Creel Upon His Retirement

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

- 1<sup>st</sup> Reading for "An Ordinance to Create the Dorchester County Parks and Recreation Commission"
- 1<sup>st</sup> Reading for "An Ordinance to Amend Dorchester County Ordinance #02-03 Which Created the Dorchester County Conservation Commission"
- 3<sup>rd</sup> Reading for Ordinance #10-22, "An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Financing or Refinancing of Certain Vehicles; To Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto"
- Request for Approval Magistrate's Court Transfer
- Request for Approval Quick Jobs Facilities Use Agreement
- Request for Approval of Transfers for Carryover Items

**5. COMMITTEE REPORT**

**Chairman Jamie Feltner, Water and Sewer Committee Report**

- Request for New Sewer Service to TMS #181-00-00-057 for Indigo Fields Phase 2
- Request for New Sewer Service to TMS #129-16-00-011 for Jerome Simmons
- Request for New Sewer Service to TMS #143-03-01-003 & #143-03-01-072 for Myers Mill Phase 7

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 3<sup>rd</sup> Reading for Ordinance #10- 25, “An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Lauscha Fiber International Corporation, Whereby Dorchester County will Enter into an Arrangement for Payments In Lieu of Property Taxes”
- Public Hearing and 2<sup>nd</sup> Reading for “An Ordinance Authorizing the First Amendment of that Certain Fee Agreement by and Between Dorchester County, South Carolina and Lafarge Building Materials, INC., Relating to, Without Limitation, the Payment to Dorchester County of a Fee In Lieu of Taxes, an Extension of the Investment Period to Allow Continuing and Further Investment in the Project, and Revision of a Special Source Revenue Credit for Project Infrastructure”
- Public Hearing and 2<sup>nd</sup> Reading for “An Ordinance Authorizing the Execution and Delivery of an Amendment To The Fee Agreement By and Between Dorchester County, South Carolina, and IMO USA Corporation, to Provide For Infrastructure Credits; and Other Related Matters”
- Condemnation of Parcel #'s 1, 63, 64 and 205 for Phase 1 of the Bacons Bridge Road Widening Project
- Executive Session
  - Contractual Matter
  - St. George Library
  - Personnel Matter

**8. ADJOURN**

JAMIE FELTNER  
CHAIRMAN

WILLIE DAVIS  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



LARRY S. HARGETT

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### MINUTES

### DORCHESTER COUNTY COUNCIL KENNETH F. WAGGONER SERVICES CENTER COUNCIL CHAMBERS, ST. GEORGE DECEMBER 6, 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 boards 24 hours prior to the meeting.

PRESENT: Mr. Jamie Feltner, Chairman  
Mr. Willie Davis, Vice Chairman  
Mr. William "Bill" Hearn  
Mr. David Chinnis  
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 Rosebrock gave the Invocation.

### REQUESTS TO ADDRESS COUNCIL

Chairman Feltner stated that the following citizens requested to address Council.

- Mayor Charles Ackerman first thanked Councilmen Waggoner and Feltner for their dedicated service to Dorchester County. Mayor Ackerman explained that over the last several years the "Relay for Life" event had been a huge success on the upper end of the County, raised a lot of money and won several national awards. He stated his reason for addressing Council was to request for the plaques and awards to be displayed in the KFW County Building so all citizens could view the awards. Upon the Mayor's request, Council made the following motion:

**DISPLAY OF AWARDS IN THE KENNETH F. WAGGONER SERVICES BUILDING**

1. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to grant the request of Mayor Charles Ackerman to display the awards from the "Relay from Life" Event in the Kenneth F. Waggoner Building for all citizens to view.

**REQUESTS TO ADDRESS COUNCIL-CONTINUED**

- Mr. Phillip Ford of Summerville addressed Council in opposition to the Transportation Impact Fees and requested that Council not adopt the Ordinance.
- Mr. Mike Lewis of North Charleston, addressed Council in opposition to the Transportation Impact Fees, and requested that Council vote against the Fee Ordinance.
- Mr. Mike Murphree of Summerville addressed Council in opposition to the Transportation Impact Fees and stated that it would hurt small business and just be another tax.
- Mr. Tom Roe of Myrtle Beach addressed Council on behalf of the SC Landowners Association addressed Council in opposition of the Transportation Impact Fees. He also requested that our new Council Member Mr. David Chinnis not vote on the issue because he was new and not here in the beginning of the start of the Ordinance.
- Mr. Robert Pratt, Chairman of the Dorchester County Planning Commission, addressed Council, provided handouts, and spoke about a meeting that was held last year with the Planning Commission and Council. He discussed the hiring and the cost of the consultants that worked on the Impact Fee study. He also stated he was not in favor of the Transportation Impact Fees and the Ordinance that was before Council.
- Mr. Steve Morey of Summerville addressed Council in opposition to the Transportation Impact Fees. In addition, he discussed how the fees would adversely affect his contractor's business.
- Mr. George McDaniel addressed Council and spoke in favor of the "Ordinance to Provide for the Issuance and Sale of the (\$5,000,000) General Obligation Bonds", for recreation and conservation. He also stated that he wanted to voice his support of the Impact Fees and the Ordinances that supported them and he felt now was the time for this to be a reality. Lastly, Mr. McDaniel stated he wanted to thank all of Council and especially Councilman Feltner and Waggoner for their dedicated public service to the County.
- Ms. Sue Wehman of Summerville and a member of the County Planning Commission addressed Council to comment on the issue of the plan being brought before the Planning Commission. She stated the Planning Commission was requested to review the plan for errors and discrepancies, not to commission the plan. In addition, Mrs. Wehman requested Council to give 3<sup>rd</sup> Reading to the Transportation Impact Fee Ordinance and the Capital Improvements Ordinance in order to keep this income stream option on the table at a meaningful level for transportation.
- Mr. George Barber of Summerville addressed Council and spoke in favor of the Transportation Impact Fees, and requested Council to pass both Ordinances. He also spoke about the Sales Tax Transportation Authority and the Dorchester County Master Plan.
- Mrs. Barbara Mojonier of Summerville thanked Council for their public service and addressed Council on the issue of the group she referred to as lobbyists who were opposed to the Transportation Impact Fees and how they had worked to oppose both Ordinances that were before Council tonight. She stated she supported the Transportation Impact Fees and requested that Council go forward and give 3<sup>rd</sup> Reading to the Transportation Impact Fee Ordinance and the Capital Improvements Ordinance in order to pay for transportation in Dorchester County to help the citizens of the County.
- Mr. William Hayne of Summerville addressed Council and stated he was in support of the Transportation Impact Fees, and hoped Council would pass the Impact Fee Ordinance.

**REQUEST TO AMEND THE AGENDA**

2. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to amend the agenda to add an item under the County Administrator's Time, to discuss the "Lower County Reclaimed Water Storage and Supply Project".

**ADOPTION OF MINUTES FROM THE NOVEMBER 15, 2010, COUNTY COUNCIL MEETING**

3. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the November 15, 2010, County Council Meeting.

**ADOPTION OF MINUTES FROM THE NOVEMBER 29, 2010, SPECIAL CALLED COUNTY COUNCIL MEETING**

4. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the November 29, 2010, Special Called County Council Meeting.

**ADOPTION OF RESOLUTION #10-18, "A RESOLUTION IN HONOR OF COUNCILMAN KENNETH F. WAGGONER"**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one abstention, to adopt the Resolution #10-18, "A Resolution in Honor of Councilman Kenneth F. Waggoner", honoring Councilman Waggoner for his 34 years of service to Dorchester County and its citizens.

Councilman Waggoner abstained.

Councilman Davis read the Resolution aloud.

Councilman Waggoner took pictures with Council and his family, and took a few moments to express his thanks to the current Council. He stated it had been an honor working with them over the past years. Councilman Waggoner gave a special thanks to Mr. Jason Ward, Mrs. Ashley McDonald, Mr. Lee Moulder and Mr. John Frampton for all of their support, and thanked his family for their love and support during his years on Council.

**ADOPTION OF RESOLUTION #10-19, "A RESOLUTION IN MEMORY OF MR. ROY BRITT"**

6. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #10-19, "A Resolution in Memory of Mr. Roy Britt".

Councilman Davis read Resolution #10-19 aloud and stated Council would present a framed copy to his family at the Council Meeting in St. George in February. Mr. Roy Britt passed away on Thanksgiving Day and was a former employee of Dorchester County who worked in Fleet Services.

**PUBLIC HEARING AND 3<sup>RD</sup> READING FOR ORDINANCE #10-21, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF FIVE MILLION DOLLARS (\$5,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"**

Chairman Feltner opened the Public Hearing for Ordinance #10-21, "An Ordinance To Provide for the Issuance and Sale of Five Million Dollars (\$5,000,000) Dorchester County, South Carolina, General Obligation Bonds; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; and Other Matters Relating Thereto". These bonds will be used to fund the purposes as described in the referendum.

- Ms. Kate Parks of Charleston a representative of the Coastal Conservation League presented Council with a letter. She stated that she and the CCL was in favor of the Bond Ordinance and looked forward to all efforts that supported land conservation and protection.
- Mr. Dick Kofmuller of Summerville addressed and commended Council on the Ordinance and stated he supported the issue of land protection and conservation in Dorchester County.
- Mr. Mike Dawson of Summerville representing the Audubon Center thanked Council for putting the referendum on the ballot and for realizing the importance of conservation. He stated that he supported the Ordinance and requested Council to all vote in favor of its 3<sup>rd</sup> Reading.
- Ms. Anne Shahid of Summerville addressed Council and stated that she supported preserving green space and requested Council to support 3<sup>rd</sup> Reading of the Ordinance.
- Ms. Vicky Stiles of Summerville stated that she voted against the Referendum and requested Council to oppose the Ordinance.
- Mr. Mike Murphree of Summerville addressed Council and stated that this Ordinance if passed would only be a tax and just cost the County and the citizens more money.
- Ms. Angie Crum of Ridgeville addressed the Council and stated she opposed the Ordinance and felt that it was just a tax on the citizens and that she did not vote for the Referendum.
- Mr. John Muckenfuss of Ridgeville addressed Council stated he opposed green space and that his property (heir's property) would not pass a perk test and this reason was why he opposed the Ordinance on conservation and protection of green space.
- Mr. David Whitfield of Summerville addressed Council and stated he opposed the Ordinance and felt that it was just another tax and would end up raising taxes more over time on the citizens of Dorchester County.
- Mayor Charles Ackerman of Harleyville addressed Council and stated that he opposed the Ordinance because he felt the Ordinance would hurt funding of parks and recreational areas for the towns.
- Mr. Wallace Kizer of St. George addressed Council and asked questions about a park that the County owned and gave to the Town of St. George several years ago, and stated he opposed the Ordinance.
- Mr. Bill Hayne of Summerville addressed Council and stated he opposed the Ordinance.

Upon hearing no more public comment, the Chairman closed the public hearing.

After much discussion by Council, the following motion was made:

**PUBLIC HEARING AND 3<sup>RD</sup> READING FOR ORDINANCE #10-21, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF FIVE MILLION DOLLARS (\$5,000,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO" –CONTINUED**

7. On the motion of Mr. Davis, seconded by Mr. Hargett, Council voted six in favor and one opposed to give 3<sup>rd</sup> Reading to Ordinance #10-21, "An Ordinance To Provide for the Issuance and Sale of Five Million Dollars (\$5,000,000) Dorchester County, South Carolina, General Obligation Bonds; To Prescribe the Purposes for Which the Proceeds Shall Be Expended; To Provide for the Payment Thereof; and Other Matters Relating Thereto".

Councilman Hearn opposed.

Chairman Feltner called a five-minute recess at 8:24 p.m.

Later Councilman Feltner called the meeting back to order. The Chairman stated the reason for the long delay was Mrs. Sandy Lawley, Clerk of Council, fell ill and would be unable to continue as Clerk for the remainder of the Council meeting, therefore Mrs. Ashley McDonald, Deputy County Administrator, was appointed as Temporary Clerk to Council for the remainder of this Council meeting.

**APPOINTMENT OF TEMPORARY CLERK TO COUNCIL**

8. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to appoint Ms. Ashley McDonald Clerk to Council for the remainder of the meeting.

**3<sup>RD</sup> READING TO ORDINANCE #10-23, "AN ORDINANCE ADOPTING THE CAPITAL IMPROVEMENTS PLAN FOR PUBLIC FACILITIES, SUCH PUBLIC FACILITIES BEING LIMITED TO ROADS, STREETS, AND BRIDGES, INCLUDING, BUT NOT LIMITED TO, RIGHTS-OF-WAY AND TRAFFIC SIGNALS AS THE TERM PUBLIC FACILITIES IS MORE SPECIFICALLY DEFINED IN SECTION 6-1-920(18) (D), CODE OF LAWS OF SOUTH CAROLINA**

Mr. Hargett thanked the Greater Summerville Chamber of Commerce for their leadership on the above named issue and made the following motion.

9. Mr. Hargett motioned, seconded by Mr. Rosebrock, and Council voted six in favor, and one opposed, that prior to giving 3<sup>rd</sup> Reading to proposed Ordinance #10-23, adopting the Capital Improvements Plan for Public Facilities, that the Ordinance be amended to add that the Capital Improvements Plan for roadways in unincorporated Dorchester County was revised and updated by Final Report dated November 23, 2010 and the Transportation Impact Fee Study Report was revised and updated by Final Report dated November 22, 2010 and to delete the words "both of".

Councilman Hearn opposed.

10. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to give 3<sup>rd</sup> Reading to Ordinance #10-23, to adopt the Capital Improvements Plan for Public Facilities as amended.  
Councilman Hearn opposed.



**3<sup>RD</sup> READING TO #10-24, "A TRANSPORTATION IMPACT FEE ORDINANCE FOR UNINCORPORATED DORCHESTER COUNTY"**

The Chairman announced that a retreat was held on the "Transportation Impact Fee" and several changes would be made amending the Ordinance. He stated the changes were based on the impact fee being recalculated because of the changes in credits and offsets associated with the Glen McConnell Parkway and Dorchester Road as well as changing the time the impact fee would be collected to prior to the issuance of the certificate of occupancy.

11. Mr. Hargett motioned and it was seconded by Mr. Rosebrock, and Council voted six in favor and one opposed, that prior to giving 3<sup>rd</sup> Reading to the Transportation Impact Fee Ordinance for Unincorporated Dorchester County #10-24, that it be amended as follows:  
Add to Article III (d) after the word "which" the following: "together with revisions and updates dated November 23, 2010 and November 22, 2010, respectively"; Add to Article III (e) after the date April 12, 2010, the following: "and revised and updated by Final Report dated November 22, 2010"; Add to Article III (f) after the words "Transportation Impact Fee Study Report For Dorchester County" the words "Final Report dated November 22, 2010"; Add to Article IX, Section 9.1(b) after the words "for a development will be determined at the time of application for a Building Permit" the following words: "and collected prior to the issuance of a Certificate of Occupancy"; Change the cost per trip in Article IX, Section 9.2 from \$345.79 to \$423.69.; Change the cost per trip in Article IX, Section 9.4 (e) (6) from \$345.79 to \$423.69.; Delete existing Exhibit B consisting of two pages and substitute a new Exhibit B consisting of two pages dated November 22, 2010, reflecting a cost per trip of \$423.69.; Change the discount rate from 20% to 45% and setting the fees at 55% of the maximum instead of 80% of the maximum as provided in Article III(i), Article IX, Section 9.2 CDR, Article IX, Section 9.3 Note 5, Article IX, Section 9.4(e)(5) and Article IX, Section 9.4(e)(6) CDR.; and finally to change the effective date in Article XX from "3<sup>rd</sup> and final Reading" to an effective date of February 1, 2011.

Councilman Hearn opposed.

12. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to give 3<sup>rd</sup> Reading to Ordinance #10-24, "The Transportation Impact Fee Ordinance for Unincorporated Dorchester County", as amended.

Councilman Hearn opposed.

The Chairman asked if Council wanted to make any comments before the above-recorded vote was taken for 3<sup>rd</sup> Reading on the Ordinance #10-24. Discussions took place by Council Members before the vote, where Council Members expressed their views on the impact fees.

**CORRESPONDENCE**

There was no correspondence reported.

**GUEST**

**JUDGE MAITE' MURPHY**

Judge Maite' Murphy, Chief Magistrate, came before Council and presented a plaque to Constable James A. Creel upon his retirement. She read the plaque aloud and requested County Council to join in recognizing Constable Creel for his 39 years of service as a County Constable.

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

**EDA GRANT IN SUPPORT OF THE ROBERT BOSCH EXPANSION**

Mr. Jason Ward, County Administrator, stated the agenda was amended earlier in the evening to discuss the "Lower County Reclaimed Water Storage and Supply Project". He stated a notice was posted in the Summerville Journal Scene advertising that the project would be discussed at tonight's meeting. He then read the following: "Dorchester County proposes the following project to improve the County's wastewater system: Lower County Reclaimed Water Storage and Supply. The project will provide the County with the means to produce, store, and distribute reclaimed quality water. The project includes the following upgrades to the existing Lower Dorchester County Wastewater Treatment Plant: construction of a pump supply station, 2 million gallon storage tank, high service pump station, post-chlorination system, and associated plant piping and electrical upgrades. In addition, distribution improvements include the installation of approximately 2,200 linear feet of 16" reclaimed water main from the WWTP to Dorchester Road through an existing utility easement and approximately 8,010 linear feet of 8" reclaimed water main along Dorchester Road right-of-way." He concluded by stating that it gave the location, date, and time of this regular scheduled meeting of Dorchester County Council and that the public was allowed to submit written comments to the Water and Sewer Department located at 2120 East Main Street, Dorchester, SC. 29437 or comment by calling (843) 563-0070 or (843) 832-0070. In addition, Mr. Ward stated that in terms of financing for this project the County had applied for several different grants, one being a grant for \$1.5 million from the U.S. Economic Development Administration. Mr. Ward concluded by stating that this project was an EDA Grant in support of the Robert Bosch expansion that was announced on Friday, December 3, 2010, and then asked if Council or anyone would like to add additional comments.

Chairman Feltner stated the project would make Dorchester County the only entity in the region that could provide reclaimed water to any industry and no other competitors will have that ability.

Councilman Davis said we would be doing the same thing in the upper part of the County.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**1<sup>ST</sup> READING FOR “AN ORDINANCE TO CREATE THE DORCHESTER COUNTY PARKS AND RECREATION COMMISSION”**

13. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to give 1<sup>st</sup> Reading for “An Ordinance to Create the Dorchester County Parks and Recreation Commission”. Once adopted, this ordinance will create a Parks and Recreation Commission and set forth the membership and duties for the same.

Councilman Hearn opposed.

**1<sup>ST</sup> READING FOR “AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE #02-03 WHICH CREATED THE DORCHESTER COUNTY CONSERVATION COMMISSION”**

14. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one opposed, to give 1<sup>st</sup> Reading for “An Ordinance to Amend Dorchester County Ordinance #02-03 Which Created the Dorchester County Conservation Commission”. Once adopted, this amended ordinance would re-establish the Conservation Commission (formed in 2002) and its composition for making annual recommendations to County Council regarding land conservation and preservation.

Councilman Hearn opposed.

Councilman Rosebrock said the County needs to consider those who work with conservation now in its efforts to re-establishing the Conservation Commission now with so many people interested in serving.

**3<sup>RD</sup> READING FOR ORDINANCE #10-22, “AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT IN ORDER TO PROVIDE FOR THE FINANCING OR REFINANCING OF CERTAIN VEHICLES; TO AUTHORIZE THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO”**

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #10-22, “An Ordinance to Authorize the Execution and Delivery of a Lease Purchase Agreement in Order to Provide for the Financing or Refinancing of Certain Vehicles; To Authorize the Execution and Delivery of Various Documents in Connection Therewith; and Other Matters Relating Thereto”. This refinancing of the 12 trucks at 2.07% down from 4.50% produces savings of \$298,515, which allows the county to purchase the new truck without increasing the current lease payment obligation.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**REQUEST FOR APPROVAL MAGISTRATE'S COURT TRANSFER**

16. On the motion of Mr. Rosebrock, seconded by Mr. Hargett, Council voted unanimously to authorize the transfer of \$4,500 from "Regular Wages" savings in the Planning and Zoning Division to "Court Personnel" in the Magistrate's Court to pay for jury trials, and to approve the transfer of \$4,500 from personnel and benefits savings in Planning and Zoning to cover advertising and printing costs in Planning and Zoning.

**REQUEST FOR APPROVAL QUICK JOBS FACILITIES USE AGREEMENT**

17. On the motion of Mr. Davis, seconded by Mr. Waggoner, Council voted unanimously to authorize the Administrator to execute the approval for the Quick Jobs Facilities Use Agreement with Trident Technical College as presented.

**REQUEST FOR APPROVAL OF TRANSFERS FOR CARRYOVER ITEMS**

18. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to authorize the transfer of funds for carryover items from the departments and personnel line items identified for the purposes of ITS and Elections and Registration.

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

**WATER AND SEWER COMMITTEE REPORT, CHAIRMAN JAMIE FELTNER  
NEW SEWER SERVICE TO TMS #181-00-00-057 FOR INDIGO FIELDS PHASE 2**

19. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new sewer service to TMS #181-00-00-057 for Indigo Fields Phase 2. Council voted unanimously in favor of the recommendation.

**NEW SEWER SERVICE TO TMS #129-16-00-011 FOR JEROME SIMMONS**

20. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new sewer service to TMS #129-16-00-011 for Jerome Simmons. Council voted unanimously in favor of the recommendation.

**REQUEST FOR NEW SEWER SERVICE TO TMS #143-03-01-003 & #143-03-01-072  
FOR MYERS MILL PHASE 7**

21. Chairman Feltner reported the Committee's recommendation to Council was to approve the request for new sewer service to TMS # 143-03-01-003 & #143-03-01-072 for Myers Mill Phase 7. He stated that capacity was available and staff had recommended providing sewer service. Council voted unanimously in favor of the recommendation.

Vice Chairman Davis passed the gavel back to Chairman Feltner.

### **COMMENTS BY COUNCIL MEMBERS**

Chairman Feltner took time to make a few comments with this being his last Council meeting. He first thanked the Councilmen and stated that it had been an honor and privilege to serve together with them, and to serve as Chairman. He then thanked Mr. Jason Ward, Ms. Ashley McDonald, Mrs. Sandy Lawley, Mr. John Frampton and the entire Council and Administrator's staff. In addition, he thanked the department heads and everyone for this experience. Chairman Feltner wished Councilman Waggoner well and thanked him for his long and dedicated service to Dorchester County.

Councilman Davis thanked Chairman Feltner for his leadership and said that he felt that this Council had moved the County forward, and he commended Chairman Feltner and Councilman on their service.

Councilman Rosebrock commended Chairman Feltner for his service and for voting his convictions and doing what he thought was the right thing for Dorchester County. In addition, Councilman Rosebrock said he enjoyed working with Councilman Waggoner and appreciated all the times they were able to work together and on how much he would be missed.

Councilman Hargett also commended Chairman Feltner for his service and said that he had enjoyed serving with Councilman Waggoner. In addition, he stated that he hoped that both men would still be very involved in some way with Dorchester County.

Councilman Waggoner commended Councilman Feltner for his service as Chairman and congratulated him on a superior job.

Councilman Hearn thanked Chairman Feltner for his service and congratulated him on his many accomplishments. He also wished Councilman Waggoner well and noted their many years of service together.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

#### **DORCHESTER COUNTY LIBRARY BOARD**

22. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously on the appointment of Mrs. Christine Walker to the Dorchester County Library Board, as the appointee for District # 6.

#### **DORCHESTER SENIORS INC.**

23. On the motion of Mr. Hearn, seconded by Mr. Hargett, Council voted unanimously on the appointment of Mrs. Faith Sellers to the Dorchester Seniors Inc., as the appointee for District # 6.

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

**3<sup>RD</sup> READING FOR ORDINANCE #10- 25, “AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND LAUSCHA FIBER INTERNATIONAL CORPORATION, WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES”**

24. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading for Ordinance #10- 25, “An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Lauscha Fiber International Corporation, Whereby Dorchester County will Enter into an Arrangement for Payments In Lieu of Property Taxes”.

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR “AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT OF THAT CERTAIN FEE AGREEMENT BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA AND LAFARGE BUILDING MATERIALS, INC., RELATING TO, WITHOUT LIMITATION, THE PAYMENT TO DORCHESTER COUNTY OF A FEE IN LIEU OF TAXES, AN EXTENSION OF THE INVESTMENT PERIOD TO ALLOW CONTINUING AND FURTHER INVESTMENT IN THE PROJECT, AND REVISION OF A SPECIAL SOURCE REVENUE CREDIT FOR PROJECT INFRASTRUCTURE”**

Chairman Feltner opened the Public Hearing for “An Ordinance Authorizing the First Amendment of that Certain Fee Agreement by and Between Dorchester County, South Carolina and Lafarge Building Materials, Inc., Relating to, Without Limitation, the Payment to Dorchester County of a Fee In Lieu of Taxes, an Extension of the Investment Period to Allow Continuing and Further Investment in the Project, and Revision of a Special Source Revenue Credit for Project Infrastructure”.

Hearing no comments from the public, the Chairman closed the public hearing.

25. On the motion of Mr. Rosebrock, seconded by Davis, Council voted unanimously to give 2<sup>nd</sup> Reading for “An Ordinance Authorizing the First Amendment of that Certain Fee Agreement by and Between Dorchester County, South Carolina and Lafarge Building Materials, Inc., Relating to, Without Limitation, the Payment to Dorchester County of a Fee In Lieu of Taxes, an Extension of the Investment Period to Allow Continuing and Further Investment in the Project, and Revision of a Special Source Revenue Credit for Project Infrastructure”.

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE FEE AGREEMENT BY AND BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND IMO USA CORPORATION, TO PROVIDE FOR INFRASTRUCTURE CREDITS; AND OTHER RELATED MATTERS"**

Chairman Feltner opened the Public Hearing for "An Ordinance Authorizing the Execution and Delivery of an Amendment to The Fee Agreement By and Between Dorchester County, South Carolina, and IMO USA Corporation, to Provide for Infrastructure Credits; and Other Related Matters".

After hearing a comment from one citizen, the Chairman closed the Public Hearing.

26. On the motion of Mr. Hargett, seconded by Mr. Rosebrock, Council voted unanimously to give 2<sup>nd</sup> Reading for "An Ordinance Authorizing the Execution and Delivery of an Amendment To The Fee Agreement By and Between Dorchester County, South Carolina, and IMO USA Corporation, to Provide For Infrastructure Credits; and Other Related Matters".

**CONDEMNATION OF PARCEL #'S 1, 63, 64 AND 205 FOR PHASE 1 OF THE BACONS BRIDGE ROAD WIDENING PROJECT**

27. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to authorize the condemnation of parcel #'s 1, 63, 64 and 205 for Phase 1 of the Bacons Bridge Road Widening Project.

**REQUEST FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to discuss a contractual matter.

**EXECUTIVE SESSION 10:10 P.M.**

28. 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 11:03 P.M.**

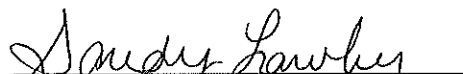
The County Attorney reported that Council discussed the item previously announced prior to going into Executive Session, and no action was taken. He stated that the personnel matter listed on the agenda was not discussed in executive session.

**ADJOURNMENT**

29. On the motion of Mr. Waggoner, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment was 11:04 p.m.



Ashley McDonald, Appointed Temporary Clerk



Sandy Lawley, Clerk to Council