

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 5, 2011
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Requests to Address Council
- Adoption of Minutes from June 20, 2011 County Council Meeting
- Dorchester County Employee Recognition Program
- Animal Concern, Old Fort Estates – Limiting the number of animals in residential areas
- Correspondence

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

- 1st Reading (By Title Only) for “An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) Dorchester County, South Carolina, General Obligation Bonds of 2011; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto”
- 3rd Reading for Ordinance # 11-11, “An Ordinance To Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, and with Respect to Article V, Section 5.6.1.2. to Change the Time Period from One Year to Two Years and With Respect to Article XIV, Section 14.3.2 to Authorize the Confiscation and Disposal of Illegal Signage”
- Request for Removal of Rezoning Request #557 for C.F.M. Haigood, TMS# 143-04-00-013 from Planning Development and Building Committee
- Audio/Visual Proposal for County Council Chambers
- Paperless Agendas

4. COMMITTEE REPORT

Chairman Larry Hargett, Water and Sewer Committee Report

- Request for (2) New Sewer Services to Knightsville Elementary School, TMS# 136-13-00-001
- Request for New Sewer Service to East Shore Athletic Club, TMS# 136-13-00-002

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Condemnation of Tract 30, Old Fort Extension
- Executive Session
 - Legal Advice
 - Magistrates Court Matter
 - Contractual Matters
 - Bacon's Bridge Road Property
 - Industrial Park Property

7. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET
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MINUTES
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 5, 2011
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. Larry Hargett, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mr. William "Bill" Hearn
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Mrs. Ashley McDonald, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

- Mr. Richard Symuleski, HOA President of Coosaw Creek addressed Council regarding the Dorchester County Emergency Operations Center and their neighborhood concerns for Dorchester County not having an Emergency Operations Director. In addition, he gave handouts to Council from the residents regarding this matter.
- Mr. Bill Baughman addressed Council about his concerns over Council not filling the Emergency Operations Director Position. He said this position needs to be filled as soon as possible.
- Ms. Angie Crum addressed Council on behalf of the Ridgeville Chapter of the NAACP regarding problems with the Redistricting Process. She requested the NAACP be a part of and notified of all meetings, public hearings, and plans on the redistricting process to make sure it is fair for all citizens concerned.

ADOPTION OF MINUTES FROM JUNE 20, 2011, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the June 20, 2011, County Council Meeting.

DORCHESTER COUNTY EMPLOYEE RECOGNITION PROGRAM

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

In addition, Chairman Hargett introduced Mrs. Sally Hebert, who is a new county employee, employed by County Council in the part-time assistant position and works in the St. George and Summerville Council Office. Chairman Hargett along with Council welcomed Sally to the County.

ANIMAL CONCERNS, OLD FORT ESTATES –ANIMALS IN RESIDENTIAL AREAS

Chairman Hargett explained that a resident of Old Fort Estates had contacted some members of Council concerning the number of neighboring dogs. The Chairman recognized Mr. Clifford Loos, who resides in Old Fort Estates, regarding this issue. He addressed Council regarding his concerns about noise from neighboring dogs and stated action needed to be taken about the barking dogs, which were loud and smelled bad. Animal Control and Planning and Zoning staff have investigated and done decibel readings and the readings have come back under the allowed level. Councilman Bailey addressed Mr. Loos and discussed the matter. After further discussion, the Chairman placed this issue in the Planning Development and Building Committee for further consideration.

CORRESPONDENCE

There were no items of correspondence.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING (BY TITLE ONLY) FOR "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS OF 2011; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

2. On the motion of Mr. Bailey, seconded by Mr. Chinnis, Council voted unanimously to give 1st Reading (By Title Only) for "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) Dorchester County, South Carolina, General Obligation Bonds Of 2011; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto," for the issuance and sale of bonds to purchase the Pine Trace property.

COUNTY ADMINISTRATOR'S TIME – CONTINUED

3RD READING FOR ORDINANCE # 11-11, “AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, AND WITH RESPECT TO ARTICLE V, SECTION 5.6.1.2. TO CHANGE THE TIME PERIOD FROM ONE YEAR TO TWO YEARS AND WITH RESPECT TO ARTICLE XIV, SECTION 14.3.2 TO AUTHORIZE THE CONFISCATION AND DISPOSAL OF ILLEGAL SIGNAGE”

3. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Ordinance #11-11, “An Ordinance To Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Previously Amended, and with Respect to Article V, Section 5.6.1.2. to Change the Time Period from One Year to Two Years and With Respect to Article XIV, Section 14.3.2 To Authorize the Confiscation and Disposal of Illegal Signage.”

REQUEST FOR REMOVAL OF REZONING REQUEST #557 FOR MR. C.F.M. HAIGOOD, TMS# 143-04-00-013 FROM PLANNING DEVELOPMENT AND BUILDING COMMITTEE

4. On the motion of Mr. Rosebrock, seconded by Mr. Byars, Council voted unanimously to remove Rezoning Request #557 for Mr. C. F. M. Haigood; TMS #143-04-00-013 from Planning, Development and Building Committee as the applicant no longer wishes to pursue rezoning.

AUDIO/VISUAL PROPOSAL FOR COUNTY COUNCIL CHAMBERS

Mr. Michael Boatwright, Information Technology Systems Director, addressed Council and explained the new system he proposed and the following motion was made:

5. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to approve the recommendation from the ITS Department on upgrading the audio/visual equipment and install monitors on the dais for both County Council Chambers (St. George and Summerville).

PAPERLESS AGENDAS

Mr. Michael Boatwright, Information Technology Systems Director, addressed Council again and explained his recommendation of the County purchasing the Fujitsu Q550 to produce “County Council Paperless Agendas”. He also received and answered questions from Council on the proposed purchase, the training for the members and staff, and the cost of the purchase versus the cost the County spends now on preparing packets.

6. On the motion of Mr. Hearn, seconded by Mr. Chinnis, Council voted unanimously to approve the recommendation from the ITS Director on purchasing 12 Fujitsu Q550 Wireless Tablets for paperless Council packets, at a cost of \$755 each, plus tax. The Tablets would be purchased for the seven Council Members, County Administrator, Deputy Administrator, County Attorney, Clerk to Council and the Administrative Assistant VI.

Chairman Hargett passed the gavel to Vice Chairman Bailey where he could give his Committee report.

COMMITTEE REPORT

WATER AND SEWER COMMITTEE- CHAIRMAN LARRY HARGETT

REQUEST FOR (2) NEW SEWER SERVICES TO KNIGHTSVILLE ELEMENTARY SCHOOL, TMS# 136-13-00-001

7. Chairman Hargett reported that the Water and Sewer Committee met tonight with three items on the agenda. The first item was a request for new sewer services to Knightsville Elementary School, identified by TMS# 136-13-00-001, and the Committee voted to recommend for Council to grant the request of approval for the sewer services. Council voted unanimously in favor of the recommendation.

REQUEST FOR NEW SEWER SERVICE TO EAST SHORE ATHLETIC CLUB, TMS# 136-13-00-002

8. Chairman Hargett reported the second request was for sewer service to the East Shore Athletic Club, identified by TMS# 136-13-00-002, and the Committee voted to recommend to Council to grant the request for sewer service to this parcel on Orangeburg Road. Council voted unanimously in favor of the recommendation.

LEASE PURCHASE AGREEMENT

9. Chairman Hargett stated the additional item was a recommendation from the Committee for Council to approve the execution by the County Administrator of a Lease Purchase Agreement for a Vactor Truck for the Sewer Department, being purchased from Southern Municipal Equipment. Council voted unanimously in favor of the recommendation.

Vice Chairman Bailey passed the gavel back to Chairman Hargett.

APPOINTMENTS TO BOARDS AND COMMISSIONS

DORCHESTER COUNTY SENIORS INC. BOARD

10. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted unanimously to make the recommendation to appoint Mr. Anthony Oglietti to the Dorchester Seniors Inc. Board, as representative for District #7.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR CONDEMNATION OF TRACT 30, OLD FORT EXTENSION

11. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to approve the condemnation as recommended by the Dorchester County Transportation Authority of Tract #30 for the widening of Old Fort Extension widening project.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to give legal advice regarding a Magistrates Court Matter and two contractual matters concerning real estate purchases.

COUNTY ATTORNEY'S TIME'S - CONTINUED

EXECUTIVE SESSION 7:43 P.M.

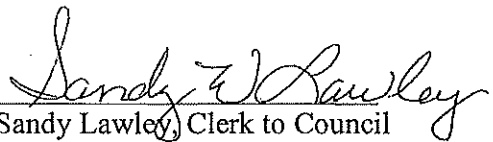
12. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session, as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 10:02 P.M.

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

ADJOURNMENT

13. On the motion of Mr. Bailey, seconded by Mr. Chinnis, Council voted unanimously to adjourn. Time of adjournment was 10:03 p.m.


Sandy Lawley, Clerk to Council

AGENDA
SPECIAL CALLED MEETING
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 7, 2011
9:00 A.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

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

-Executive Session

-Legal Advice - East Edisto Development Agreement

3. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

WILLIAM "BILL" HEARN, JR.

RICHARD ROSEBROCK

COUNTY COUNCIL OF DORCHESTER COUNTY

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**MINUTES
SPECIAL CALLED MEETING OF
DORCHESTER COUNTY COUNCIL
HUMAN SERVICES BUILDING
500 N. MAIN STREET
COUNCIL CHAMBERS, SUMMERVILLE
JULY 7, 2011
9:00 A.M.**

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

PRESENT: Mr. George Bailey–Vice Chairman
Mr. Jay Byars (Arrived Later)
Mr. David Chinnis
Mr. Willie Davis
Mr. Bill Hearn (Arrived Later)
Mr. Richard Rosebrock
Mr. Jason Ward–Administrator
Mrs. Ashley McDonald–Deputy Administrator
Mr. John Frampton–County Attorney
Mrs. Gina R. Sams–Admin. Asst. to Council

ABSENT: Mr. Larry Hargett–Chairman

Vice Chairman Bailey called the Special Called Meeting of Dorchester County Council to order and Mr. Rosebrock gave the Invocation.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

Mr. Frampton requested Council's consideration to enter into Executive Session for the purpose of receiving legal advice concerning a Development Agreement between Dorchester County and MeadWestvaco -East Edisto, LLC. The following action was taken:

EXECUTIVE SESSION - 9:04 A.M.

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted 4 in favor and 3 absent, to enter into Executive Session for the purpose of receiving legal advice on a Development Agreement between Dorchester County and MeadWestvaco- East Edisto, LLC.

Councilman Hargett was absent, and Mr. Byars and Mr. Hearn were not present when the above action was taken, but they did arrive while Council was in Executive Session.


RECONVENE FROM EXECUTIVE SESSION - 11:44 A.M.

Mr. Frampton reported that Council had entered into Executive Session to receive legal advice on the previously announced item and no action was taken.

ADJOURNMENT

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adjourn. The time of adjournment was 11:45 a.m.

Councilman Hargett was absent.



Gina R. Sams, Admin. Asst. to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 18, 2011
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. VICE CHAIRMAN'S TIME – MR. GEORGE BAILEY

- Requests to Address Council
- Adoption of Minutes from July 5, 2011 County Council Meeting and from the July 7, 2011 Special Called County Council Meeting
- Correspondence

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

- 2nd Reading for "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) Dorchester County, South Carolina, General Obligation Bonds of 2011; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto"
- 1st Reading (By Title Only) for the Dorchester County, South Carolina Fifth Supplemental Ordinance, "A Fifth Supplemental Ordinance Making Provision for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina, on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina Through the Borrowing of not Exceeding \$1,481,830., Plus Capitalized Interest, if Any from the State Water Pollution Control Revolving Fund, by Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement Between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note from Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto"
- 1st Reading for Rezoning Request #653 for Mr. CS Carter; TMS #130-09-00-005

4. COMMITTEE REPORTS

Chairman Richard Rosebrock, Public Works Property & Utilities Committee

- Request for Establishment of Dirt Road around Moorer Widow Integrated Historical Cemetery
- Update on Beautification of Convenience Sites

Chairman George Bailey, Public Safety, Health and Human Services Committee

- Emergency Management Director Position

Vice-Chairman George Bailey, Water and Sewer Committee

- Request for New Water Service for Thomas Johnson, TMS# 162-02-02-002

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Condemnation of Tract 30A, Old Fort Widening, TMS #154-00-00-030
- Executive Session -Contractual Matter - Fire Protection Coverage

7. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM "BILL" HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

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**MINUTES
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 15, 2011
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. Larry S. Hargett, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mr. William "Bill" Hearn
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Gina R. Sams, Admin. Asst. to Council

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

REQUESTS TO ADDRESS COUNCIL

- Ms. Julie Hussey, with the Berkeley, Charleston, Dorchester Council of Governments, came before Council and spoke on the upcoming event titled: "Our Region, Our Plan", to be held on Tuesday August 23, 2011. Ms. Hussey stated that all spots have been filled due to a great response from the Tri-County region, but reported that a satellite location would be opened in Summerville at its Town Hall for those interested in attending.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Mr. Ronnie Steele, resident of Dorchester County, came before Council and addressed the issue of two Hwy 78 45 mph speed limit signs missing prior to entering into Dorchester and the Town of St. George.
- Ms. Johnnie Mae Clermont, resident of Dorchester County, came before Council to speak on the St. Paul Community Park and welcomed any participation by County Council to provide funding for the park and stated the park was opened to the public.
- Mr. Mac Baughman, resident of Dorchester County, came before Council to address safety concerns on Old Orangeburg Road and the delays caused by the 4 way stop signs. Mr. Baughman requested Council's consideration in working with the State to resolve this matter.

ADOPTION OF JULY 18, 2011, COUNTY COUNCIL MEETING MINUTES

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously, to adopt the Minutes from its July 18, 2011, regularly scheduled meeting.

ADOPTION OF RESOLUTION #11-07, "A RESOLUTION SUPPORTING AND ENDORSING SUMMERVILLE MEDICAL CENTER'S APPLICATION FOR A CERTIFICATE OF NEED TO EXPAND ITS EXISTING HOSPITAL AND TO ADD THIRTY (30) NEW BEDS IN THE TOWN OF SUMMERVILLE, COUNTY OF DORCHESTER, SOUTH CAROLINA"

2. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to adopt Resolution #11-07, "A Resolution Supporting and Endorsing Summerville Medical Center's Application for a Certificate of Need to expand its Existing Hospital and to Add Thirty (30) New Beds in the Town of Summerville, County of Dorchester, South Carolina".

ADOPTION OF RESOLUTION #11-08, "A RESOLUTION SUPPORTING THE APPLICATION FOR 50/50 MATCHING FUNDS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2012 FEDERAL MATCH PROGRAM FOR CONSTRUCTION OF BACON'S BRIDGE ROAD IMPROVEMENTS"

3. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council vote unanimously to adopt Resolution #11-08, "A Resolution Supporting the Application for 50/50 Matching Funds from the South Carolina Department of Transportation Fiscal Year 2012 Federal Match Program for Construction of Bacon's Bridge Road Improvements".

ARTS BUSINESS CIVIC COALITION-FUNDING REVISION

Chairman Hargett recognized Mr. Ward, County Administrator, and requested that he provide an overview on the above referenced titled subject.

Mr. Ward reported that Council had previously awarded funding to the Arts Business Civic Coalition for the purpose of having funding to match a grant, which did not occur as planned. The Town of Summerville and the Arts Business Civic Coalition were able to secure other funding in lieu of the grant funds; and, therefore it would have sufficient funds to hire the Strategic Advisory Group for a Civic Center Feasibility Study for the Summerville area, which would include the previously committed funds by Dorchester County.

ARTS BUSINESS CIVIC COALITION-FUNDING REVISION-CONTINUED

Mr. Ward requested Council's approval to reauthorize its participation for the use of the aforementioned study without the previously anticipated matching grant funds.

4. On the motion of Mr. Rosebrock, seconded by Mr. Bailey, Council voted unanimously to authorize the release of previously approved funding in the amount of \$4,999 to the Arts Business Civic Coalition for the purpose of hiring a Strategic Advisory Group for a Civic Center Feasibility Study for the Summerville area.

PUBLIC HEARING FOR THE 2011 JUSTICE ASSISTANCE GRANT AWARD

Chairman Hargett opened the Public Hearing to receive public comments on the above titled subject matter, which the County would receive a grant award in the amount of \$36,642 with the plan to use it to obtain 2 police pursuit vehicles to be used by a new Sex Offender Registry Officer and a new School Resource Officer for Ashley Ridge High School.

Hearing no comments the Public Hearing was closed and no action was taken.

PUBLIC HEARING AND 3RD READING TO ORDINANCE #11-12, "AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALES OF NOT EXCEEDING ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$1,350,000) DORCHESTER COUNTY, SOUTH CAROLINA, GENERAL OBLIGATION BONDS OF 2011; TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO"

Chairman Harget opened the Public Hearing to receive public comments on the above titled subject matter concerning the Pine Trace Property.

Hearing no comments the Public Hearing was closed and the following action was taken:

5. On the motion of Mr. Davis, seconded by Mr. Byars, Council voted unanimously to give 3rd Reading to Ordinance #11-12, "An Ordinance To Provide For The Issuance And Sale Of Not Exceeding One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) Dorchester County, South Carolina, General Obligation Bonds Of 2011; To Prescribe The Purposes For Which The Proceeds Shall Be Expended; To Provide For The Payment Thereof; And Other Matters Relating Thereto," for the issuance and sale of bonds to purchase the Pine Trace property.

CORRESPONDENCE

There were no items of correspondence presented.

COUNCIL MEMBER'S TIME-VICE CHAIRMAN GEORGE BAILEY

Vice Chairman Bailey provided a final report of the Courthouse Dedication. He reported that prior to his coming onto Council there had been \$2,000 allocated for the dedication of the County Courthouse, Flag and Seal. Vice Chairman Bailey reported the monies spent on the dedication totaled \$1,498 out of the \$2,000 allocated, which was 25% under budget. In addition, to his report on the cost savings for the dedication, Vice Chairman Bailey took a moment to recognize and thank those individuals who had taken part in this process and had served on the Courthouse Dedication Committee, which made the event such a success.

COUNTY ADMINISTRATOR'S TIME - MR. JASON WARD

2ND READING FOR THE DORCHESTER COUNTY, SOUTH CAROLINA, FIFTH SUPPLEMENTAL ORDINANCE, "A FIFTH SUPPLEMENTAL ORDINANCE MAKING PROVISION FOR THE TERMS AND CONDITIONS OF WATERWORKS AND SEWER SYSTEM REVENUE BORROWING BY DORCHESTER COUNTY, SOUTH CAROLINA, AUTHORIZED BY GENERAL BOND ORDINANCE NO. 03-06 ENACTED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, SOUTH CAROLINA, ON SEPTEMBER 2, 2003; APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS IN DORCHESTER COUNTY, SOUTH CAROLINA THROUGH THE BORROWING OF NOT EXCEEDING \$1,481,830., PLUS CAPITALIZED INTEREST, IF ANY FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN DORCHESTER COUNTY AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM DORCHESTER COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO"

Mr. Ward, County Administrator, read aloud the above referenced title and requested Council to consider giving this item 2nd Reading.

The Supplemental Ordinance would provide a portion of the funds required for the reclaimed water tank and line on Dorchester Road also known as the "Lower Dorchester Reclaimed Water Project". Upon its final adoption the remaining funds would come from a \$1.38 Million EDA grant. The following action was taken:

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 2nd Reading for the Dorchester County, South Carolina Fifth Supplemental Ordinance, "A Fifth Supplemental Ordinance Making Provision for the Terms and Conditions of Waterworks and Sewer System Revenue Borrowing by Dorchester County, South Carolina, Authorized by General Bond Ordinance No. 03-06 Enacted by the County Council of Dorchester County, South Carolina, on September 2, 2003; Approving the Financing of System Improvements in Dorchester County, South Carolina Through the Borrowing of not Exceeding \$1,481,830., Plus Capitalized Interest, if Any from the State Water Pollution Control Revolving Fund, by Agreement with the South Carolina Water Quality Revolving Fund Authority, Pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as Amended; Providing for the Agreement to Make and to Accept a Loan, the Execution and Delivery of a Loan Agreement Between Dorchester County and the South Carolina Water Quality Revolving Fund Authority, the Execution and Delivery of a Promissory Note from Dorchester County to the South Carolina Water Quality Revolving Fund Authority; and Other Matters Relating Thereto".

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

APPROVAL OF ADDITIONAL SCHOOL RESOURCE OFFICER (SRO)

Mr. Ward requested Council to approve a new Resource Officer position for Ashley Ridge High School, to be paid for by Dorchester School District Two, and the vehicle for the position would be funded by a Justice Assistance Grant. The following action was taken:

7. On the motion of Mr. Rosebrock, seconded by Mr. Byars, Council voted unanimously to approve the additional School Resource Officer (SRO) position.

APPROVAL OF A SEX OFFENDER REGISTRY POSITION

Mr. Ward requested Council to approve a full-time Sex Offender Registry position for the Sheriff's Office. This federally required position under the Adam Walsh Safety and Protection Act would increase law enforcement "Home Visits" to registered sex offenders in Dorchester County. The position would be funded by eliminating a permanent full-time Road Guard position at a cost of \$34,082 as well as monies coming from the Sheriff's Sex Offenders Discretionary Account in the amount of \$10,211. The following action was taken:

8. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to approve the Sex Offender Registry position.

COMMITTEE REPORT

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE- CHAIRMAN BILL HEARN

RECOMMENDATION FOR 2ND READING FOR REZONING REQUEST #653 FOR MR. C S CARTER; TMS #130-09-00-005

Mr. Hearn, Chairman of Council's Planning, Development, and Building Committee reported the Committee had met earlier in the evening where consideration was given to the above referenced titled Rezoning Request.

9. The Committee's recommendation to Council was to approve 2nd Reading for Rezoning Request #653 for Mr. C. S. Carter; TMS #130-09-00-005. Council voted unanimously to approve the Committee's recommendation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Discussions were held among members of Council concerning the status of establishing the County's Parks and Recreation Commission as well as the County's Conservation Commission, and no actions were taken.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR CONDEMNATION OF TRACT# 125, TMS #145-13-10-004 BACON'S BRIDGE ROAD-PHASE 2

County Attorney, Mr. Frampton, reported a request from the Dorchester County Sales Tax Transportation Authority for Council's authorization to proceed with the condemnation of Tract #125; TMS #145-13-10-004 for Phase II of the Bacon's Bridge Road project.

10. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to approve the condemnation, as recommended by the Dorchester County Transportation Authority of Tract #125; TMS #145-13-10-004 for Phase II of the Bacon's Bridge Road project.

ADOPTION OF RESOLUTION #11-10, "A RESOLUTION AUTHORIZING AN INCENTIVE AND INDUCEMENT AGREEMENT BETWEEN SRE DORCHESTER LLC AND DORCHESTER COUNTY, SOUTH CAROLINA"

11. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adopt Resolution #11-10, "A Resolution Authorizing an Incentive and Inducement Agreement between SRE Dorchester LLC and Dorchester County, South Carolina".

REQUEST FOR EXECUTIVE SESSION

Mr. Frampton, County Attorney, requested Council's consideration to enter into Executive Session for the purposes of receiving legal advice on the issues of Annexation, Fireworks, and the Dorchester Road Condemnation and the Sales Tax Transportation Authority (DCTA/Authority); in addition to discussing some contractual matters concerning the Jail Project, a Real Estate matter, a Fire Contract, Professional Services, the Highway 165 Project, and to discuss a Personnel Matter.

EXECUTIVE SESSION 7:35 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 10:44 P.M.

The County Attorney reported that Council had received legal advice and had discussed those items which he previously announced prior to entering into Executive Session, and there were no actions taken.

**AUTHORIZATION OF COUNTY ADMINISTRATOR TO EXECUTE CONTRACT FOR THE
PURPOSE OF THE COUNTY TO COMPLETE ITS DUE DILIGENCE PRIOR TO CLOSING
ON THE PINE TRACE PROPERTY**

13. On the motion of Mr. Byars, seconded by Mr. Davis, Council voted five in favor, and two abstentions, to authorize the County Administrator to execute a contract for the purpose of the County to complete its due diligence (boundary survey of the property and school site, Phase I Environment, master planning) prior to closing on the Pine Trace Property.

Mr. Bailey and Mr. Chinnis abstained.

ADJOURNMENT

14. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment was 10:44 p.m.


Gina R. Sams, Admin. Asst. to Council

**AGENDA
SPECIAL CALLED MEETING
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
AUGUST 22, 2011
6:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. COUNTY COUNCIL CHAIRMAN, MR. LARRY HARGETT

-Public Hearing on Proposed County Redistricting Plans Resulting From Reapportionment
(Pursuant to Sec. 4-9-90, SC Code Ann.)

3. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

WILLIAM "BILL" HEARN, JR.

RICHARD ROSEBROCK

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

(843) 563-0196 FAX (843) 563-0137

SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

MINUTES

SPECIAL CALLED MEETING OF DORCHESTER COUNTY COUNCIL HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE AUGUST 22, 2011 6:05 P.M.

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

PRESENT: Mr. Larry S. Hargett—Chairman
Mr. George Bailey—Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mr. Bill Hearn
Mr. Richard Rosebrock
Mr. Jason Ward—Administrator
Ms. Ashley Jacobs—Deputy Administrator
Mr. John Frampton—County Attorney
Mrs. Gina R. Sams—Admin. Asst. to Council

Chairman Hargett called the Special Called Meeting of Dorchester County Council to order, which was followed by a moment of silence in memory of the passing of former Councilman, Kenneth F. Waggoner. Councilman Rosebrock gave the Invocation.

ADOPTION FOR DEVELOPING PLANS: REDISCTRICTING 2010

1. Mr. Chinnis motioned to adopt the following *7 Criteria for Developing Plans- Redistricting 2010*, Mr. Bailey seconded the motion, and Council voted unanimously to the motion:
 - 1.) *Adhere to the Court Ordered Constitutional Requirement of One Person, One Vote*
 - a. *County Council must adhere to a State law of Population Variance under 10%*
 - 2.) *Adherence to the 1965 Voting Rights Act as amended and by controlling court decisions*
 - 3.) *Ensure that parts of the District are Contiguous*
 - 4.) *Respect Communities of Interest*
 - 5.) *Attempt to Maintain Constituent Consistency*
 - 6.) *Avoid Splitting Voting Precincts*
 - 7.) *Solicit Public Input*

PUBLIC HEARING ON PROPOSED COUNTY REDISTRICTING PLANS RESULTING FROM REAPPOINTMENT (PURSUANT TO SEC. 4-9-90, SC CODE ANN.)

Chairman Hargett stated that a Public Hearing would be held on the proposed County Redistricting Plans and stated that the purpose of redistricting was to bring balance to the representation of citizens to County Council members and to come into compliance with the 1965 Voting Rights Act, as amended. He stated the process would be performed under the direction of the United States Department of Justice (DOJ). After the decennial Census, the County Council district lines would be redrawn to allow for the change of population throughout the County. Each district would be drawn in a way that allows for them to provide balanced representation based upon population.

Chairman Hargett reported the purpose of this meeting was to review the redistricting plan that the Budget and Control Board Office of Research and Statistics proposed and to review the redistricting plans, which have been produced by the County and reviewed by the Budget and Control Board Office of Research and Statistics, and to receive public comments on those plans. He further stated that the plans had been made available for public review on the County's web site and in both County Libraries.

The basic guidelines for Redistricting are as follows:

- o Adherence to the Constitutional Requirement of One Person, One vote (i.e., mathematically equal districts)
- o County Councils must adhere to State Law of Population Variance under 10%
- o Adherence to the 1965 Voting Rights Act as amended
- o Ensure that Parts of Districts are Contiguous
- o Respect Communities of Interest
- o Attempt to Maintain Constituent Consistency
- o Avoid Splitting Voting Precincts
- o Solicit Public Input

**PUBLIC HEARING ON PROPOSED COUNTY REDISTRICTING PLANS RESULTING
FROM REAPPOINTMENT (PURSUANT TO SEC. 4-9-90, SC CODE ANN.)-**
CONTINUED

Chairman Hargett opened the Public Hearing to receive comments and recognized Mr. Bobby Bowers with the South Carolina Budget and Control Board Office of Research and Statistics to present two plans that most conform to the redistricting guidelines.

Mr. Bowers thanked Council for adopting the 7 Criteria (*reference Motion #1*). He stated that although State Law recommends going under 10% of the population variance, he would recommend going way under the 10%, due to possible legalities and stated that if someone presented a plan with a lesser variance than the County's plan, then a Federal Court would take the plan with the least variance.

Mr. Bowers explained the process of how their recommendation was decided. He stated that by viewing the current bench mark plan, which was the plan the Dorchester County currently operates under from 2000 and with the 2010 data. Mr. Bowers reported reviewing the information Council had a deviation of 62.13%, which was determined by taking the largest positive and the largest negative without regard to the algebraic sign and then adding them together. Mr. Bowers reported Council District 7 was the largest positive in the County, which showed 8,040 people too high or 41.21%. The County's largest negative was Council District 1, which showed 4,082 people too low or 20.92%. Mr. Bowers explained that by combining the two percentages you come up with 62.13% deviation. He stated the goal with the criteria were to draw the deviation as close as possible without too much extreme, to adhere to the 1965 Voting Rights Act, which was formed to prevent diminishing the minorities opportunities to select a candidate of their choice. Mr. Bowers further explained the challenges for the plans being presented, and concluded that the County had done everything within its power to prevent retrogression and to construct a district that would offer minorities an opportunity to select candidates of its choice. Mr. Bowers stated they had gone out of the way to ensure they had met the Voting Rights Criteria. Mr. Bowers further stated he recommended Plan 7, due to it having the lowest deviation of 2.05% and had a 54.52% of minority population with 54.69% of Non-Hispanic/ Black voting age population, which would be slightly below the current bench mark of 55.8%.

A question and answer session was held between Mr. Bowers and members of Council, and no actions were taken.

Chairman Hargett recognized Mr. David Garber, GIS Coordinator, for the purpose of him presenting Council with an overview of the major changes for each plan being proposed by the County, which excluded Plan 4.

A question and answer session was held between Mr. Garber and members of Council and no actions were taken.

Chairman Hargett opened the Public Hearing to receive public input and the following comments were received:

- Mr. Jack Jackson, resident of Dorchester County, came before Council, Mr. Jackson stated he had sent a FOIA Request to the County requesting all information regarding this topic, including Plan 4 and as of this date he stated he had not received any information. Mr. Jackson also expressed concerns of the topic of Redistricting being discussed in Executive Session and not being discussed in open session.

PUBLIC HEARING ON PROPOSED COUNTY REDISTRICTING PLANS RESULTING FROM REAPPOINTMENT (PURSUANT TO SEC. 4-9-90, SC CODE ANN.)- CONTINUED

- Ms. Alva Jones, resident of Dorchester County, came before Council and requested for Council to continue to look at the diversity in the County's Plans and to have better communication in the communities.
- Ms. Angie Crum, resident of Dorchester County, came before Council and thanked them on a job well done, but stated she did have similar concerns as to what Mr. Jackson brought forth and stated she also saw the topic of Redistricting on the County's Agenda.

Hearing no further comments the Public Hearing was closed.

Chairman Hargett announced the following next steps/schedule of Council would be to pass an Ordinance in order to adopt a redistricting plan:

Tuesday, September 6, 2011 at 7:00 p.m. in Summerville- 1st Reading

Monday, October 3, 2011 at 7:00 p.m. in St. George- 2nd Reading and Public Hearing

Monday, October 17, 2011 at 7:00 p.m. in St. George- 3rd Reading

Chairman Hargett reported that concluding 3rd Reading of an Ordinance, the redistricting plan would be submitted to the United States Department of Justice for preclearance. The Ordinance adopting the plan would become effective upon preclearance by the United States Department of Justice.

ADJOURNMENT

2. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to adjourn. The time of adjournment was 7:35 p.m.



Gina R. Sams, Admin. Asst. to Council

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

WILLIAM "BILL" HEARN, JR.

RICHARD ROSEBROCK

COUNTY COUNCIL OF DORCHESTER COUNTY

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SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES
SPECIAL CALLED MEETING OF
DORCHESTER COUNTY COUNCIL
HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
AUGUST 25, 2011
9:00 A.M.**

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

PRESENT: Mr. Larry S. Hargett—Chairman
Mr. George Bailey—Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis (left early)
Mr. Bill Hearn (arrived later)
Mr. Richard Rosebrock
Mr. Jason Ward—Administrator
Ms. Ashley Jacobs—Deputy Administrator
Mr. John Frampton—County Attorney
Mrs. Gina R. Sams—Admin. Asst. to Council

Chairman Hargett called the Special Called Meeting of Dorchester County Council to order and stated the first item for Council's consideration would be the agenda item titled "One Cent Sales Tax Authority Road Construction Contracts and Status". Chairman Hargett gave the Invocation.

Chairman Hargett introduced Mr. Heath McCutcheon with Carsonite Composites and reported that Mr. McCutcheon would be presenting Council with an overview of its product relating to the subject of Noise/Sound Barriers (the product Acousta Shield).

ONE CENT SALES TAX AUTHORITY ROAD CONSTRUCTION CONTRACTS AND STATUS

Mr. McCutcheon, representative of Carsonite Composites located in Newberry, South Carolina, came before Council and demonstrated the type of materials used in their product of sound/noise barriers. He presented a video presentation of various completed project sites from around the country and an overview of Carsonite Composites installation process, the company's history, and explained that the product was manufactured in the State of South Carolina.

Concluding Mr. McCutcheon's presentation, further discussions were held on the issue of Carsonite Composites not being approved by the South Carolina Department of Transportation (SCDOT). During discussions between Council members, members of the Sales Tax Transportation Authority(Authority), Davis and Floyd Engineering, Inc., and Mr. McCutcheon, it was explained that the Dorchester Road project had already been bid out to a contractor and prior to the bidding process being completed Public Hearings were held approximately 2-3 years ago, which was the time frame of when the public's input and comments were received. Mr. Dukes reported that at the time of when public meetings were being held, Ashborough subdivision was very active in the process, and during those meetings, residents were provided with several types of construction materials for consideration in constructing sound barriers for the Dorchester Road project. Mr. Dukes explained that it was the majority of participants who selected the sound barriers material (concrete), which consequently was the same material specified by the State. In addition, this is the time frame when the color selection was made by the residents, as well.

Discussions were held on the subject of Carsonite Composites not currently being a recognized as a vendor by the State of South Carolina. Chairman Hargett stated he would review this issue with one of the County's State Senators. Vice Chairman Bailey stated he would contact members within the SC DOT to discuss this matter with them. Vice Chairman Bailey agreed that Dorchester Road was a State road with State right-of-ways, and the construction of the road was required to meet State standards.

Members of Council offered their assistance to the Sales Tax Transportation Authority on future projects, and stated that if the Authority were faced with an opportunity to save money, but needed a political solution; Council would be willing to take the necessary measures needed.

Members of the Authority and Mr. Dukes provided status updates on the following projects, as requested by the County Administrator, Mr. Ward, and no actions were taken:

- Warning signs of change in speed limit, but not having the 45 mph speed limit signs located on Hwy 78 going into Dorchester and into St. George
- Hwy 78 Phase II and III funding sources and environmental permitting, right-of-way status
- Intersection of Deming Way/Orangeburg/ Hwy 27

Further discussions were held regarding various Authority projects, and there were no actions taken on any items discussed.

**MOTION TO AMEND AGENDA TO INCLUDE THE SUBJECT OF COUNTY
DETENTION CENTER**

1. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted six in favor, and one absent, to amend the Special Called Council Meeting for August 25, 2011, for the purpose of adding the subject item "County Detention Center".

Mr. Hearn was absent.

DETENTION CENTER

Chairman Hargett thanked Sheriff Knight for attending the meeting on such short notice. He explained there was a situation where time was of the essence if Council were to consider purchasing the metal building, located in Jedburg, which was previously toured by members of Council and Sheriff Knight for consideration of a future County Detention Center site. Chairman Hargett stated a contract had been offered for the property and the property owner had given the County until today to determine if it wanted to make an offer.

Chairman Hargett requested for Sheriff Knight to provide Council with his opinion on the metal building, located in Jedburg.

Sheriff Knight came before Council and stated he had concerns with the building and with its existing structure and whether it would meet the current or future needs of Dorchester County. He stated there was just one thing he liked about the site, which was its location.

Discussions were held among members of Council, Mr. Ward, and Sheriff Knight concerning the usage of existing County structures, the ability and need of having everything in one location, and possibly using phases in order to construct and meet the necessary requirements. Council concluded it would not make an offer on this property, and no actions were taken on this subject matter.

EXECUTIVE SESSION – 10:22 A.M.

2. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted six in favor, and 1 absent, to enter into Executive Session for the purpose of discussing a contractual matter concerning the East Edisto Agreement.

Mr. Hearn was absent.

RECONVENE FROM EXECUTIVE SESSION - 11:41 A.M.

Mr. Frampton reported that Council entered into Executive Session to discuss the previously announced item and no action was taken.

***Note: Upon reconvening from Executive Session Councilman Davis was absent, and Councilman Hearn had arrived after Council had voted to enter into Executive Session.*

**CHAIRMAN'S LETTER TO MEAD WESTVACO SETTING FORTH EAST EDISTO
AGREEMENT ISSUES & RECOMMENDATIONS**

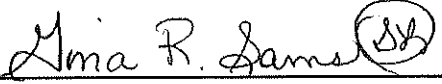
3. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor, and one absent, for the Chairman of Council to forward a letter to Mead Westvaco setting forth the Development Agreement issues and recommendations a discussed in Executive Session.

Mr. Davis was absent.

ADJOURNMENT

4. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted six in favor, and one absent, to adjourn. The time of adjournment was 11:42 a.m.

Mr. Davis was absent.


Gina R. Sams, Admin. Asst. to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 6, 2011
7:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Requests to Address Council
- Adoption of Minutes from August 15, 2011 County Council Meeting, August 22, 2011 Special Called County Council Meeting and August 25, 2011 Special Called County Council Meeting
- Adoption of Resolution #11-09, "A Resolution to Honor and Recognize the Coosaw Creek Swim Team for an Outstanding Season and to Congratulate the Swimmers and Coaches for Garnering the 2011 City Meet Championship Title"
- Adoption of Resolution #11-11, "A Resolution Supporting the Application for 50/50 Matching Funds from the South Carolina Department of Transportation Fiscal Year 2012 Federal Match Program for Construction of Bacons Bridge Road/ S.C. Highway 165 Improvements from Carolinian Drive to Ashley Ridge High School
- Public Hearing and 3rd Reading for Rezoning Request #653, for C.S. Carter, TMS #130-09-00-005
- 1st Reading for "A Proposed Ordinance Approving and Adopting a Redistricting Plan for Dorchester County Council as Required by S.C. Code Ann. Sec. 4-9-90, as Amended, Subject to Preclearance from the Department of Justice"
- Approval of County Attorney's Contract Extension
- Correspondence

3. GUEST

- Ms. Carolyn Tomlinson, Keep DC Beautiful, Check Presentation- "Think Green Grant" from Waste Management

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

- 1st Reading for Rezoning Request #651 for George R. and Beverly M. Gifford, TMS #160-11-03-013
- 1st Reading for Rezoning Request #652 for George R. and Beverly M. Gifford, TMS #160-11-03-014
- Request for Approval of 2011 Carryover Budget

5. COMMITTEE REPORT

Chairman Larry Hargett, Water and Sewer Committee Report

- Request for Approval of On Call Policy
- Request for New Sewer Service to TMS #128-07-01-008 for Mr. Craig Pang

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

- Conservation Commission
- Parks and Recreation Commission

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

-1st Reading to “An Ordinance Adopting and Enacting a New Code for the County of Dorchester South Carolina; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing A Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective”

- Executive Session
 - Confidential Economic Development Projects
 - Legal Advice-Zoning Ordinance Amendment Regarding Allowable Uses in
Absence of Control (AC) Zoning District
 - Contractual Matters-Real Estate Matters
 - Fire Contract
 - Economic Development Strategic Plan
- Personnel Matters

8. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

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MINUTES

DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE

SEPTEMBER 6, 2011

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. Larry S. Hargett, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mr. William "Bill" Hearn
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

- Mrs. Betty Settle addressed and presented Council with an invitation to a "911 Memorial Concert- A Tribute to Our First Responders", scheduled for September 10, 2011, at 7:00 P.M., at the Summerville Baptist Church. The event was sponsored by various organizations and groups.
- Mr. Louis Caputo, Director of Summerville Medical Center, addressed and thanked Council for their support on the application for the Summerville Medical Center expansion.
- Debbie and Thomas Ainscough addressed Council regarding the continuous drainage problems at 189 McMakin Road and stated that she and her husband were tired of dealing with the habitual flooding issues. Council asked the Public Works Director to look into this issue. She also told Council of problems she was having with the Dorchester Water Authority.

ADOPTION OF MINUTES FROM THE AUGUST 15, 2011, COUNTY COUNCIL MEETING

1. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the August 15, 2011, County Council Meeting.

ADOPTION OF MINUTES FROM THE AUGUST 22, 2011, SPECIAL CALLED COUNTY COUNCIL MEETING

2. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the August 22, 2011, Special Called County Council Meeting.

ADOPTION OF MINUTES FROM THE AUGUST 25, 2011, SPECIAL CALLED COUNTY COUNCIL MEETING

3. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the August 25, 2011, Special Called County Council Meeting, with two changes made by Councilman Bailey to the draft given to Council in their September 6, 2011, County Council packets. Councilman Bailey stated two words needed to be removed from the Draft minutes. (Changes were made by removing the words "counter" in front of the word "offer" in two places, located on page three, under the heading of Detention Center, at the end of paragraph one, and in the last sentence of paragraph 3).

ADOPTION OF RESOLUTION #11-09, "A RESOLUTION TO HONOR AND RECOGNIZE THE COOSAW CREEK SWIM TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE SWIMMERS AND COACHES FOR GARNERING THE 2011 CITY MEET CHAMPIONSHIP TITLE"

4. On the motion of Mr. Chinnis, seconded by Mr. Byars, Council voted unanimously to adopt Resolution #11-09, "A Resolution to Honor and Recognize the Coosaw Creek Swim Team for an Outstanding Season and to Congratulate the Swimmers and Coaches for Garnering the 2011 City Meet Championship Title". Chairman Hargett read the Resolution aloud and Councilman Byars stated that the Resolution would be presented to the Coaches and the swim team at the September 19th, 2011 County Council Meeting.

ADOPTION OF RESOLUTION #11-11, "A RESOLUTION SUPPORTING THE APPLICATION FOR 50/50 MATCHING FUNDS FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2012 FEDERAL MATCH PROGRAM FOR CONSTRUCTION OF BACONS BRIDGE ROAD/ S.C. HIGHWAY 165 IMPROVEMENTS FROM CAROLINIAN DRIVE TO ASHLEY RIDGE HIGH SCHOOL

5. On the Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #11-11, "A Resolution Supporting the Application for 50/50 Matching Funds from the South Carolina Department of Transportation Fiscal Year 2012 Federal Match Program for Construction of Bacons Bridge Road/ S.C. Highway 165 Improvements from Carolinian Drive to Ashley Ridge High School."

PUBLIC HEARING AND 3RD READING FOR REZONING REQUEST #653, FOR C.S. CARTER, TMS #130-09-00-005

Chairman Hargett opened the Public Hearing for Rezoning Request #653, for Mr. C.S. Carter, TMS #130-09-00-005, and then recognized Mr. Alec Brebner, Planning and Zoning Manager, who provided the staff report for the Rezoning Request. Mr. Brebner stated the request was to rezone property located at 1000 W. 5th North Street near Summerville from R-4 (Residential Multi-family District) to CG (General Commercial District), and that he recommended this rezoning, as well as the Planning Commission.

Chairman Hargett opened the floor for public comment on this Rezoning Request. Upon hearing no comment from the public, Chairman Hargett closed the Public Hearing.

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3rd Reading to Rezoning Request #653, for Mr. C.S. Carter, identified by TMS #130-09-00-005.

1ST READING FOR "A PROPOSED ORDINANCE APPROVING AND ADOPTING A REDISTRICTING PLAN FOR DORCHESTER COUNTY COUNCIL AS REQUIRED BY S.C. CODE ANN. SEC. 4-9-90, AS AMENDED, SUBJECT TO PRECLEARANCE FROM THE DEPARTMENT OF JUSTICE"

7. On the motion of Mr. Bailey, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading for an Ordinance Approving and Adopting Council redistricting plan #7, to be effective upon preclearance by the Department of Justice.

APPROVAL OF COUNTY ATTORNEY'S CONTRACT EXTENSION

8. On the motion of Mr. Rosebrock seconded by Mr. Bailey, Council voted unanimously to approve that Council extend the County Attorney's contract for a period of two years from the date of its current expiration.

HONOR GUARD - DISTRICT 1 AMERICAN LEGION DEPARTMENT

Chairman Hargett recognized Commander Don Johnson and the Honor Guard of District 1 American Legion Department of South Carolina. On behalf of Council, Chairman Hargett thanked the Honor Guard for attending the meeting and for their service to our Country.

CORRESPONDENCE

The County Administrator stated that there was one item of correspondence that was also e-mailed to Council. Mr. Ward stated that it was concerning the BCD-COG holding a Public Workshop for Berkeley, Charleston, Dorchester Regional Housing Studies and Impediments to Fair Housing scheduled for September 8, 2011, from 6:30 p.m. to 8:00 p.m. at the Greater Summerville-Dorchester Chamber of Commerce located in Summerville.

GUEST

Mrs. Carolyn Tomlinson, Director of Keep Dorchester County Beautiful and several Board Members appeared before Council along with Mr. Russ Hightower of Waste Management, who was present to make a check presentation from a national competition for a "2011 Think Green Grant", sponsored by Waste Management in the amount of \$10,000. Mrs. Tomlinson stated that the County had won this grant three years in a row. Council thanked Mrs. Tomlinson and the Board Members for all of their hard work.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

**1ST READING REZONING REQUEST #651, GEORGE R. & BEVERLY M. GIFFORD,
TMS #160-11-03-013**

9. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to give 1st Reading to Rezoning Request #651 for George R. and Beverly M. Gifford, TMS #160-11-03-013, and to place this item in the Planning, Development, and Building Committee for further consideration.

**1ST READING REZONING REQUEST #652, GEORGE R. & BEVERLY M. GIFFORD,
TMS #160-11-03-014**

10. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted unanimously to give 1st Reading to Rezoning Request #652 for George R. and Beverly M. Gifford, TMS #160-11-03-014, and to place this item in the Planning, Development, and Building Committee for further consideration.

REQUEST FOR APPROVAL OF THE 2011 CARRYOVER BUDGET

11. On the motion of Mr. Hearn, seconded by Mr. Davis, Council voted unanimously to authorize the "Request for Approval of the 2011 Carryover Budget" in the amounts specified for the departments and purposes indentified.

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

COMMITTEE REPORT

**WATER AND SEWER COMMITTEE- CHAIRMAN LARRY HARGETT
REQUEST FOR APPROVAL OF ON CALL POLICY**

12. Chairman Hargett reported that the Water and Sewer Committee met earlier with two items on the agenda. He stated that the Committee's recommendation on the first item to Council was for approval of the "On Call Policy for the Water and Sewer Department". Council voted unanimously in favor of the recommendation.

REQUEST - NEW SEWER SERVICE, TMS #128-07-01-008 FOR MR. CRAIG PANG

13. Chairman Hargett stated there also was a request for new sewer service to property identified by TMS #128-07-01-008 for Mr. Craig Pang and the Committee's recommendation to Council was for approval for new sewer service to be provided. Council voted unanimously in favor of the recommendation.

Vice Chairman Bailey passed the gavel back to Chairman Hargett.

APPOINTMENTS TO BOARDS AND COMMISSIONS
DISCUSSION AND NOMINATIONS TO THE DORCHESTER COUNTY PARKS AND RECREATION COMMISSION AND THE DORCHESTER COUNTY CONSERVATION COMMISSION

Council discussed the number of members it was allowed to appoint to the Parks and Recreation Commission, which was four members, one from each of the Park Districts/Zones, with the remainder of the appointments being made by each of the County School Districts and the YMCA. The Districts/Zones are as defined in the Dorchester County Parks and Recreation Master Plan. These appointments shall serve for a term of two (2) years from the date of appointment.

NOMINATIONS FOR THE DORCHESTER COUNTY PARKS AND RECREATION COMMISSION

Councilman Bailey stated he would like to nominate Mr. Kenneth Minus for Zone 1 and Mr. John C. Welch for Zone 2.

Councilman Chinnis and Councilman Rosebrock both nominated Mr. Mike Montei for Zone 4.

Councilman Davis stated he wanted to nominate Mr. Tydles Sibert from District #1, who was affiliated with the School District #4, and Councilman Bailey stated that he felt that this nominee could serve as the representative for School District #4.

Councilman Chinnis stated he would like Councilman Byars to ask School District #2 to consider having Mr. Mark Weaver represent the School District on the Commission.

APPOINTMENTS TO THE DORCHESTER COUNTY PARKS AND RECREATION COMMISSION

Chairman Hargett stated the nominations were closed and Council would now vote on the nominations to the Dorchester County Parks and Recreation Commission by Zones.

14. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to appoint Mr. Kenneth Minus to the Dorchester County Parks and Recreation Commission for Zone 1.
15. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to appoint Mr. John C. Welch to the Dorchester County Parks and Recreation Commission for Zone 2.
16. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to appoint Ms. Rita May Ranek to the Dorchester County Parks and Recreation Commission for Zone 3.

Councilman Byars stated he had another nominee to add to Zone 4, who was Mrs. Brandi B. Griffith.

17. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted five in favor, and two abstentions to appoint Mr. Mike Monti to the Dorchester County Parks and Recreation Commission for Zone 4. (Therefore no vote was taken on Mrs. Brandi B. Griffith).

After discussion with the County Attorney the following motion was made. (See page #6)

APPOINTMENTS TO BOARDS AND COMMISSIONS- COUNTINUED

18. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to close discussion on the Parks and Recreation Commission and move on to the appointments for the Conservation Commission.

THE DORCHESTER COUNTY CONSERVATION COMMISSION

Discussion was held by Council as to the process by which the appointments would be made to the Dorchester County Conservation Commission. (Council needs to appoint seven members to serve four year terms.) Council questioned the method of the appointments. The County Attorney, Mr. John Frampton stated that Council had debated this issue at the time the Ordinance was passed, and chose to make the appointments as a body. He also stated if the process was amended, it would take three reading to amend the Ordinance. After the discussion concluded, Council made the following nominations:

- Mr. Rosebrock nominated Mr. Norman L. Brunswig, and Mr. Howard S. Bridgman, seconded by Mr. Chinnis.

Mr. Hearn called for a point of order, and requested the County Attorney look at the Ordinance to confirm the number of nominations each Councilman was allowed. Once he received the Ordinance, he stated that any member of Council can nominate as many members as they would like.

- Mr. Chinnis nominated Mr. George M. Neil, Jr., seconded by Mr. Rosebrock.
- Chairman Hargett nominated Mr. Richard Kopfmuehler, seconded by Mr. Davis.
- Mr. Davis nominated Mrs. Agnes Morrison, seconded by Mr. Bailey.
- Mr. Bailey nominated Mr. Peter D. Weathers, seconded by Mr. Hearn.
- Mr. Hearn nominated Mr. William (Mac) Baughman, seconded by Mr. Chinnis.
- Mr. Byars nominated Mrs. Sue T. Wehman, seconded by Mr. Davis.
- Mr. Davis nominated Mr. Michael R. Dawson, seconded by Mr. Rosebrock.
- Mr. Byars nominated Mrs. Angela T. Jones, seconded by Mr. Rosebrock.

19. On the motion of Mr. Bailey, seconded by Mr. Mr. Rosebrock, Council voted unanimously to close the nominations for the Dorchester County Conservation Commission.

The County Attorney stated the first seven to receive the majority vote would be the appointees to the Commission. After a long discussion by Council regarding the process of how members would be chosen with the County Attorney the following actions were taken.

20. The Chairman called the names of the persons nominated and Council voted on each:
- Mrs. Angela T. Jones-received 2 votes in favor and 5 opposed
 - Mr. Howard S. Bridgman received 6 votes in favor and 1 opposed
 - Mr. Michael R. Dawson received 3 votes in favor and 4 opposed
 - Mr. Norman L. Brunswig received 2 votes in favor and 5 opposed
 - Mr. Richard Kopfmuehler received 2 votes in favor and 5 opposed
 - Mrs. Sue T. Wehman received 7 votes in favor
 - Mrs. Agnes Morrison received 5 votes in favor and 2 opposed
 - Mr. Peter D. Weathers received 6 votes in favor and 1 opposed
 - Mr. William (Mac) Baughman received 6 votes in favor and 1 opposed
 - Mr. George M. Neil, Jr., received 4 votes in favor and 3 opposed

THE DORCHESTER COUNTY CONSERVATION COMMISSION - COUNTINUED

Chairman Hargett called out the names of the nominees that received the high votes, which were selected to serve on the Dorchester County Conservation Committee: Mr. Howard S. Bridgman, Mrs. Sue T. Wehman, Mrs. Agnes Morrison, Mr. Peter D. Weathers, Mr. William (Mac) Baughman, and Mr. George M. Neil, Jr.

(Based on the advice of the County Attorney the abstentions were treated as opposing votes regarding this matter. Motion #20)

After discussion by Council and the County Attorney the following action was taken to add the last member to the Conservation Commission.

21. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to reconsider the vote on the four remaining nominated candidates, Mr. Michael R. Dawson, Mr. Norman L. Brunswig, Mr. Richard Kopfmuehler, and Mrs. Angela T. Jones.

The County Attorney stated that on this vote each candidate would need to be voted on and each Councilman's vote counted including those who opposed and abstained, and each Council Member would only get one vote per candidate, unless the first candidate gets the majority of the votes cast.

22. Chairman Hargett called for a vote on Mrs. Angela T. Jones and Council voted five opposed and two abstentions.

Councilmen Rosebrock, Davis, Bailey, Chinnis, and Hargett opposed, and Councilmen Hearn and Byars abstained.

23. Chairman Hargett called for a vote on Mr. Michael R. Dawson and Council voted four in favor. The County Attorney stated no more voting was necessary and Mr. Michael R. Dawson would be the last member named to the Dorchester County Conservation Commission.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

1ST READING TO "AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE COUNTY OF DORCHESTER SOUTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE"

24. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to give 1st Reading to "An Ordinance Adopting and Enacting a New Code for the County of Dorchester South Carolina; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing A Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance shall Become Effective".

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

The County Attorney requested Council's consideration to enter into executive session to receive information on certain confidential economic development projects, to give legal advice regarding a Zoning Ordinance Amendment concerning allowable uses in the (AC) Zoning District, to discuss two contractual matters, one concerning the sale of real estate and the other concerning the purchase of real estate, to discuss a proposed fire contract that serves the unincorporated areas of the County, to discuss the Economic Development Strategic Plan, and two personnel matters.

EXECUTIVE SESSION 8:11 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 11:15 P.M.

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

**AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND
DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY
AMENDED, WITH RESPECT TO ARTICLE IX, SECTION 9.1.3.1 TO REMOVE
PERMITTED USE GROUP NUMBER 23(A) THEREFROM**

26. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to an Ordinance amending Dorchester County Ordinance 04-13 with respect to Article IX, Section 9.1.3.1 so as to remove as a permitted Use Group Number 23(a), which deals with waste disposal facilities, refer this amendment to the Planning Commission for its recommendation at its September meeting, and to schedule a public hearing on the amendment at the October 3, 2011, meeting of Dorchester County Council.

AN AGREEMENT TO BUY AND SELL PROPERTY- KNIGHT FAMILY L.P.

27. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to execute an agreement to Buy and Sell between Dorchester County and the Knight Family L.P. for the purchase of TMS # 122-00-00-158 and a portion of TMS #122-00-00-143 for a total of 20 acres at a sales price of \$1,125,000 as discussed in executive session.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

28. On the motion of Mr. Davis, seconded by Mr. Bailey, Council voted unanimously to approve that \$48,000 be allocated from the Economic Development Fund for the Strategic Plan.

COUNTY ATTORNEY'S TIME-COUNTINUED

1ST READING FOR AN AMENDMENT TO THE RULES OF COUNCIL

29. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to amend the Rules of Council by moving the position of Administrative Assistant to County Council, as provided for in the Rules of Council, and have that position be placed under the authority of the County Administrator.

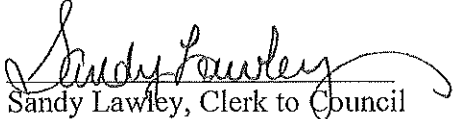
TERMINATION OF EMPLOYMENT

30. On the motion of Mr. Hargett, seconded by Mr. Hearn, Council voted six in favor, and one abstention, to terminate the employment of Gina Sams who is the Administrative Assistant to Council pursuant to the Rules of Council.

Councilman Rosebrock abstained.

ADJOURNMENT

31. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to adjourn.
Time of adjournment was 11:21 p.m.


Sandy Lawley, Clerk to Council

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERSVILLE
SEPTEMBER 19, 2011
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

- Requests to Address Council
- Adoption of Minutes from September 6, 2011 County Council Meeting
- Adoption of Proclamation #11-02, "In Honor of International Literacy Month, September 2011"
- Presentation of Adopted Resolution #11-09, "A Resolution to Honor and Recognize the Coosaw Creek Swim Team for an Outstanding Season and to Congratulate the Swimmers and Coaches for Garnering the 2011 City Meet Championship Title"
- 2nd Reading for "An Ordinance to Amend Dorchester County Ordinance Number 97-05 as Previously Amended Pertaining to the Organization and Rules of Dorchester County Council to Delete the Last Sentence of Section 1-3 and Substitute a New Sentence in Lieu Thereof"
- 2nd Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, With Respect to Article IX, Section 9.1.3.1 to Remove Permitted Use Group Number 23(a) Therefrom"
- Correspondence

3. GUESTS

- Mr. Tracey Todd- Approval of FY 2012 Accommodations Tax Committee Recommendation
- Mr. Lee Moulder, Budget & Finance Director, -Budget Report Year Ended June 30, 2011 and Budget Report for July-August 2011

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

- Request for Approval to Sell EMS Explorer to Reevesville Volunteer Fire Department
- Request for Funding Charleston Metro-Chamber of Commerce Military Council

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Request for Condemnation of Tract 174, Bacons Bridge Rd. Widening, TMS #145-10-03-005
- Request for Condemnation of Tract 116, Bacons Bridge Rd. Widening, TMS #145-13-03-002
- Request for Condemnation of Tracts 164/165/166 (combined), Bacons Bridge Rd. Widening, TMS's #145-09-06-035, 145-09-06-011, and 145-09-06-013
- Request for Condemnation of Tract 92, Bacons Bridge Rd. Widening, TMS #153-01-11-011.000
- Executive Session
 - Contractual Matters -Lake Marion Regional Water Agency
 - Tri-County Link Bus Service
 - Real Estate Matter -Property near LEC

7. ADJOURN

LARRY S. HARGETT
CHAIRMAN

GEORGE H. BAILEY
VICE-CHAIRMAN

JASON L. WARD
COUNTY ADMINISTRATOR

SANDY W. LAWLEY
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

(843) 563-0196 FAX (843) 563-0137

SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

MINUTES

DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE SEPTEMBER 19, 2011 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. Larry S. Hargett, Chairman
Mr. George H. Bailey, Vice Chairman
Mr. Jay Byars
Mr. David Chinnis
Mr. Willie Davis
Mr. William "Bill" Hearn
Mr. Richard Rosebrock
Mr. Jason Ward, County Administrator
Ms. Ashley Jacobs, Deputy County Administrator
Mr. John Frampton, County Attorney
Mrs. Sandy W. Lawley, Clerk to Council

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

REQUESTS TO ADDRESS COUNCIL

There were no requests to address Council.

ADOPTION OF MINUTES FROM THE SEPTEMBER 6, 2011, COUNTY COUNCIL MEETING

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the September 6, 2011, County Council Meeting.

ADOPTION OF PROCLAMATION #11-02, "IN HONOR OF INTERNATIONAL LITERACY MONTH, SEPTEMBER 2011"

2. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adopt Proclamation #11-02, "In Honor of International Literacy Month, September 2011". Chairman Hargett read the Proclamation aloud, and on behalf of the Trident Literacy Association, Mrs. Judianne Schmenk was presented with the adopted Proclamation.

PRESENTATION OF ADOPTED RESOLUTION #11-09, "A RESOLUTION TO HONOR AND RECOGNIZE THE COOSAW CREEK SWIM TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE SWIMMERS AND COACHES FOR GARNERING THE 2011 CITY MEET CHAMPIONSHIP TITLE"

Councilman Jay Byars read Resolution #11-09, "A Resolution to Honor and Recognize the Coosaw Creek Swim Team for an Outstanding Season and to Congratulate the Swimmers and Coaches for Garnering the 2011 City Meet Championship Title", which was adopted by Dorchester County Council on September 6, 2011, at its regularly scheduled County Council meeting. Councilman Byars and all members of Council presented Coach Jaeson May, his staff, and all members of the swim team, that were in attendance with the framed Resolution and congratulated all for such an outstanding accomplishment.

2ND READING FOR "AN ORDINANCE TO AMEND DORCHESTER COUNTY ORDINANCE NUMBER 97-05 AS PREVIOUSLY AMENDED PERTAINING TO THE ORGANIZATION AND RULES OF DORCHESTER COUNTY COUNCIL TO DELETE THE LAST SENTENCE OF SECTION 1-3 AND SUBSTITUTE A NEW SENTENCE IN LIEU THEREOF"

3. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to give 2nd Reading to "An Ordinance to Amend Dorchester County Ordinance Number 97-05 as Previously Amended Pertaining to the Organization and Rules of Dorchester County Council to Delete the Last Sentence of Section 1-3 and Substitute a New Sentence in Lieu Thereof".

2ND READING FOR "AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE IX, SECTION 9.1.3.1 TO REMOVE PERMITTED USE GROUP NUMBER 23(A) THEREFROM"

4. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to deny 2nd Reading for "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, With Respect to Article IX, Section 9.1.3.1 to Remove Permitted Use Group Number 23(a) Therefrom".

CORRESPONDENCE

The County Administrator stated that there were no items of correspondence to report.

GUESTS

**MR. TRACEY TODD- APPROVAL OF FY 2012 ACCOMMODATIONS TAX
COMMITTEE RECOMMENDATION**

Mr. Tracey Todd, Chairman of the Accommodations Tax Committee, came before Council to submit the Committee's recommendations for Council's consideration and approval. Mr. Todd reported that the Committee met with in the last month to make the recommendation on the distribution of the \$25,000 collected in Accommodations Tax.

5. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to approve the recommendations as submitted by the Accommodations Tax Committee.

**MR. LEE MOULDER, BUDGET & FINANCE DIRECTOR, -BUDGET REPORT
YEAR ENDED JUNE 30, 2011 AND BUDGET REPORT FOR JULY - AUGUST 2011**

Mr. Lee Moulder, Budget and Finance Director, addressed Council and stated he had two short presentations. First was a wrap-up of the past "Budget Year Ended June 30, 2011", where the general fund revenues for the Fiscal Year 2011 came in lower than budgeted, however the County spent less than budgeted. Mr. Moulder stated that overall the County had done very well last year despite all the financial uncertainty. He stated that this credit was due to all Department Heads and Elected and Appointed Officials being diligent with their budget the entire year.

In addition, Mr. Moulder presented Council with a Budget Report for the current Fiscal Year July 1, 2011, through August 31, 2011. He stated that this report was preliminary and would be adjusted, due to it being at the beginning of the year. Mr. Moulder stated that the report was mostly self-explanatory, and he would take any questions that Council had regarding this statement. Council thanked Mr. Moulder for his time.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

**REQUEST FOR APPROVAL TO SELL EMS EXPLORER TO REEVESVILLE
VOLUNTEER FIRE DEPARTMENT**

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve the request to authorize the sale of the 2008 Ford Explorer to Reevesville Volunteer Fire Department at a cost of \$8,000.

**REQUEST FOR FUNDING CHARLESTON METRO-CHAMBER OF COMMERCE
MILITARY COUNCIL**

7. On the motion of Mr. Byars, seconded by Mr. Bailey, Council voted unanimously to approve the request for funding Charleston Metro-Chamber of Commerce Military Council and to authorize the appropriation of \$5,000 from County Council Contingency to fund the Military Council for the current Fiscal Year. The Chairman stated that this Military Council would be working to attract the Africa Command to our region. If approved, the County would include the \$5,000 for the second year in the FY 2012-2013 Budget for Council's consideration.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR CONDEMNATION OF TRACT 174, TMS #145-10-03-005
REQUEST FOR CONDEMNATION OF TRACT 116, TMS #145-13-03-002
REQUEST FOR CONDEMNATION OF TRACTS 164/165/166 (COMBINED),
TMS'S #145-09-06-035, 145-09-06-011, AND 145-09-06-013,
REQUEST FOR CONDEMNATION OF TRACT 92,, TMS #153-01-11-011.000
(BACONS BRIDGE RD. WIDENING PROJECT)

The County Attorney requested Council authorize the condemnation of the above listed Tracts as requested by the Dorchester County Transportation Sales Tax Authority for the widening of the Bacons Bridge Road project.

8. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to approve the requests to authorize the condemnations for the widening of the Bacons Bridge Road project as recommended by the Dorchester County Transportation Sales Tax Authority for the following: Tract 174, TMS #145-10-03-005, Tract 116, TMS #145-13-03-002, Tracts 164/165/166 (combined), TMS's #145-09-06-035, 145-09-06-011, and 145-09-06-013, and Tract 92, TMS #153-01-11-011.000.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss contractual matters dealing with the Lake Marion Regional Water Agency, the Tri-County Link Bus Service, and to discuss a potential real estate purchase.

EXECUTIVE SESSION 7:31 P.M.

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

RECONVENE FROM EXECUTIVE SESSION 8:25 P.M.

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

REAL ESTATE MATTER - PROPERTY NEAR THE LAW
ENFORCEMENT COMPLEX

10. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously that the County Administrator be authorized to send a letter to the South Carolina Budget and Control Board expressing the County's interest in purchasing the tract at the corner of US Highway 78 and Deming Way as discussed in Executive Session.

TRI-COUNTY LINK BUS SERVICE

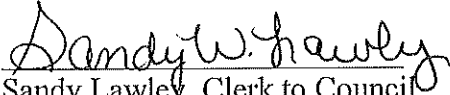
11. Chairman Hargett motioned, seconded by Mr. Davis, and Council voted four in favor, two opposed, and one abstained, that Council approve the 6-month Tri-County Link Bus Service Pilot Program from Summerville to St. George and St. George to Summerville, not to exceed \$50,000 from the County, with the understanding that the Upper Dorchester County Economic Fund commit up to \$50,000. Additionally, the County will only fund 6-month Pilot Program if the Federal Match is acquired, and then the County would fund only half of the local match.

Councilman Rosebrock and Byars opposed, and Councilman Bailey abstained.

Discussions were held by Council. The discussions included what type metric to use to evaluate the 6-month Pilot Program to decide if it worked, where to park the buses, and several other issues that would help in the final decision if the program would continue. It was decided that revenue and ridership would be the main keys to evaluate the service.

ADJOURNMENT

12. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adjourn. Time of adjournment was 8:40 p.m.


Sandy Lawley, Clerk to Council