

JAMES LEX BYARS, III  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY  
CLERK TO COUNCIL



CONVERSE A. CHELLIS, IV

C. DAVID CHINNIS

WILLIE R. DAVIS

LARRY S. HARGETT

WILLIAM R. HEARN, JR.

## COUNTY COUNCIL OF DORCHESTER COUNTY

500 N. MAIN STREET, SUITE 2  
SUMMERVILLE, SOUTH CAROLINA 29483  
(843) 832-0196 or (843) 563-0196

**MINUTES  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MARCH 19, 2018  
7:00 P.M.**

Pursuant to the Freedom of Information Act, a notice was posted on the bulletin board 24 hours before the meeting, and the following media outlets were notified: The Eagle-Record, The Summerville Journal Scene, The Post and Courier, WCBD Channel 2, WCIV Channel 4 and WCSC Channel 5.

**PRESENT:** Mr. Jay Byars, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Con Chellis  
Mr. David Chinnis  
Mr. Larry S. Hargett  
Mr. William R. Hearn, Jr.  
Mr. Jason L. Ward, County Administrator  
Mr. Daniel Prentice, Deputy Administrator/CFO  
Mr. John Frampton, County Attorney  
Ms. Tracey L. Langley, Clerk to Council

**ABSENT:** Mr. Willie R. Davis

Chairman Byars called the meeting of Dorchester County Council to order. He invited all to stand for the invocation and the Pledge of Allegiance by Councilman Bailey.

### **CHAIRMAN'S TIME**

Chairman Byars announced that Councilman Davis has been in the hospital and asked that everyone keep him in their thoughts and prayers.

### **REQUESTS TO ADDRESS COUNCIL**

- Mr. Thomas Reid, 400 Embassy Drive, Summerville, he spoke about his concerns regarding Rezoning Request #752 and his opposition to the construction of an apartment complex on Embassy Drive.
- Mr. Penn Wagers, 1006 Moss Haven Lane, Ridgeville, he spoke about his opposition to Rezoning Request #752 because of the burden it would put on the water and sewer system, and transportation impacts.
- Mr. Adam Ferrara, 1156 Bowman Road, Suite 243, Mount Pleasant, he spoke about Rezoning Request #756 and said he is hoping to develop the project on Old Orangeburg Road. He said his plan is the same as it was on day one and he doesn't believe there were any objections to his project.
- Mr. Paul Ferrara, 1156 Bowman Road, Suite 243, Mount Pleasant, he said the development would be good for Dorchester County.
- Mr. Jerry Sullivan, 241 Swanson Drive, Summerville, he asked about the status of paving on Swanson Drive. He also made a request for the rocks to be removed from the road.
- Ms. Scarlett Wactor, 1269 Orangeburg Road, Summerville, she spoke about the proposed gun ordinance and said she is opposed to the ordinance being passed.
- Mr. Joseph Gesling, 226 Baron Road, Summerville, he spoke about the gun ordinance. He said he is opposed to the ordinance being passed.

### **MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to adopt the minutes from the March 5, 2018, County Council Meeting.

### **RESOLUTION #18-06, HONORING MASTER SERGEANT VICKIE RENEE DAVIS**

2. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to adopt Resolution #18-06, Honoring Master Sergeant Vickie Renee Davis.

### **PROCLAMATION #18-02, PROCLAIMING APRIL 2018 CHILD ABUSE PREVENTION MONTH**

3. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adopt Proclamation #18-02, Proclaiming April 2018 Child Abuse Prevention Month. The Chairman presented the Proclamation to Dr. Kay Phillips.

**CORRESPONDENCE:** No correspondence received.

### **GUEST**

#### **MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO**

Mr. Prentice gave a summary of revenues and expenditures for the County's major funds through February 28, 2018. He also included a summary of cash on hand in the major funds and status updates on major Water & Sewer, and Stormwater projects.

Councilman Bailey received a call and had to leave the meeting early due to a family emergency.

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

#### **INTRODUCTION OF MS. REBECCA VANCE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR OF COMMUNITY SERVICES**

The County Administrator introduced Ms. Rebecca Vance. She came to the county after working most recently as the City Manager for the City of Cayce, South Carolina for over seven years.

#### **1<sup>ST</sup> READING OF AN ORDINANCE TO REPEAL AND REPLACE ARTICLE XI, SECTION 11.1 "AREAS SURROUNDING AIRPORTS"**

4. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to give 1<sup>st</sup> Reading by Title Only, of an Ordinance to Repeal and Replace Article

XI, Section 11.1 "Areas Surrounding Airports" of the Dorchester County Zoning and Land Development Standards, Ordinance #04-13, as Previously Amended and refer to the Planning Commission and the Planning Development, and Building Committee for a recommendation back to County Council. The S.C. Aeronautics Commission has drafted a "Model Compatible Land Use Ordinance" to help guide development around airports in order to promote safety.

**MOTION TO APPOINT JESUS CEJA AS A CODE ENFORCEMENT OFFICER**

5. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to appoint and commission Jesus Ceja as a Code Enforcement Officer to issue summonses for violations of Dorchester County Code of Ordinances Chapter 14 Environment, Article I. General and Article III. Nuisances, Pursuant to the S.C. Code of Laws, Section 4-9-145.

**APPROVAL OF FUNDING FOR WORK KEYS AND MANUFACTURING CLASSES FOR CERTIFICATE**

6. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to approve funding of \$12,475 from the Dorchester County Economic Development Fund to pay for one Work Keys and Manufacturing Class for Certificate for 25 students. Senator Matthews and Representative Knight will sponsor three classes at a cost of \$37,425 and County Council will sponsor one class at \$12,475. Trident Technical College will offer a Work Keys and Manufacturing Certificate that will be accepted by companies in lieu of two (2) years of manufacturing experience. It will allow our workforce to obtain training for higher paying manufacturing jobs. Trident Technical College has estimated the training cost to be \$499 per student (up to 100 students).

**REALLOCATION OF CAPITAL FUNDS FOR RESURFACING AND CHIP SEALING**

7. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted four in favor, with one opposed (Hargett), and two absent (Davis and Bailey), to approve a reallocation of Capital Funds in the amount of \$748,823 to match County Transportation Commission funding of at least \$500,000 and as much as \$750,000, if funding is available, to make critical repairs such as resurfacing, full depth patching, chip sealing, and triple treatment on Dorchester County streets and roads. Funding sources include \$655,000 in savings from the Delemar Highway Project, \$50,000 from sidewalk repairs, and \$43,823 from patching.

**COMMITTEE REPORTS**

**CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE**

Chairman Chinnis reported that the Committee met at 6:00 p.m. to consider a recommendation for the following requests:

8. On the motion of Chairman Chinnis, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to approve an amendment to the recommendation of the Committee to give 2<sup>nd</sup> Reading to invoke the pending ordinance doctrine.
9. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to give 2<sup>nd</sup> Reading of an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance #04-13, as Previously Amended, With Respect to Article XVII, Section 17.7 "Traffic Study"; With Respect to Article XVIII, Section 18.4(h) "Traffic Study"; and With Respect to Article XXI, Section 21.13 "Oversized and Off-Site Improvements" (*The purpose of this amendment is to enhance the requirements for Traffic Studies and identified improvements.*)
10. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to give 2<sup>nd</sup> Reading of an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, To Amend Article VII, Section 7.4, With Respect to Adding 'Residential' to the Section Title; and To Repeal and Replace Article VII, Section 7.4.6 (a), With Respect to Minimum Lot and Building Requirements [*The purpose of this amendment is to clarify the minimum*

*lot size for attached single-family residential units (townhomes), two-family residential units (duplexes), and detached multi-family residential units (patio homes) in the R-3, Single-Family Attached 'Residential' District.]*

11. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to deny 2<sup>nd</sup> Reading of Rezoning Request #752 by David Steele, to rezone 12.4 acres located at Embassy Drive near Summerville from Single-Family Residential District (R-2) to Single-Family Attached Residential District (R-3), TMS #143-07-00-019.
12. On the recommendation of the Committee, County Council voted four in favor, with one opposed (Chellis), and two absent (Davis and Bailey), to deny 2<sup>nd</sup> Reading of Rezoning Request #756 by Michael Adam Ferrara to rezone 14.55 acres on Orangeburg Road near Summerville from Single-Family Residential District (R-2) to Single-Family Attached Residential District (R-3), TMS #152-00-00-039.
13. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to approve 2<sup>nd</sup> Reading of Rezoning Request #757 by Albert Glover to rezone .73 acres located at Pernell Court from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing District (R-2M), TMS #129-00-00-171.
14. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to approve 2<sup>nd</sup> Reading of Rezoning Request #758 by Mary V. Moon and Walter Daniel Moon to rezone 1.00 acres located at 9728 Jamison Road from Single-Family Residential District (R-1) to Single-Family Residential Manufactured Housing District (R-2M), TMS #154-03-00-002.
15. On the recommendation of the Committee, County Council voted five in favor, with two absent (Davis and Bailey), to approve 2<sup>nd</sup> Reading of Rezoning Request #761 by Lorene Cochran, to rezone .68 acres located at 138 Salters Lane near Summerville from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing District (R-1M), TMS #153-09-08-004.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:** There were no appointments.

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

**2<sup>ND</sup> READING OF AN ORDINANCE, PROJECT STEER**

16. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted five in favor, with two absent (Davis and Bailey), to amend 2<sup>nd</sup> Reading of an Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement by and Between Dorchester County, South Carolina and Project Steer LLC, to delete LLC from Project Steer, to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Special Source Revenue Credits; Locating the Project in a Multicounty Industrial Park; and Other Related Matters.
17. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to give 2<sup>nd</sup> Reading of an Ordinance Authorizing the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement by and Between Dorchester County, South Carolina and Project Steer LLC, to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Special Source Revenue Credits; Locating the Project in a Multicounty Industrial Park; and Other Related Matters as Amended.

**RESOLUTION #18-07, ZEUS INDUSTRIAL PRODUCTS, INC.**

18. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-07, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Zeus Industrial Products, Inc.

**RESOLUTION #18-08, ALLIED AIR ENTERPRISES, LLC**

19. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-08, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Allied Air Enterprises, LLC

**RESOLUTION #18-09, PROJECT GLOBAL**

20. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-09, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Project Global.

**RESOLUTION #18-10, PROJECT BOWMAN**

21. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-10, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Project Bowman.

**RESOLUTION #18-11, PROJECT EAGLE**

22. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-11, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Project Eagle.

**RESOLUTION #18-12, PROJECT HUNTLEY**

23. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted five in favor, with two absent (Davis and Bailey), to adopt Resolution #18-12, a Resolution Amending Multi-County Industrial Park with Orangeburg County to Include Property of Project Huntley.

**EXECUTIVE SESSION**

The County Attorney requested that the County Council Agenda be amended to include an additional item in Executive Session as legal advice, that additional item being Dennis Corporation Litigation.

24. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to amend the agenda to discuss as legal advice, Dennis Corporation Litigation.

The County Attorney requested Council's consideration to enter into Executive Session at 8:13 p.m. to discuss the following:

- Contractual Matter
  - Extension of Lease Agreement with Town of St. George for Space in the Former Dorchester County Detention Center
- Legal Advice
  - Transportation Impact Fee Litigation
  - Dennis Corporation Litigation

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 8:36 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

**TRANSPORTATION IMPACT FEE LITIGATION**

25. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to authorize the County Administrator to execute any and all documents necessary and appropriate to resolve the litigation regarding the Transportation Impact Fee.

**DENNIS CORPORATION LITIGATION**

26. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted five in favor, with two absent (Davis and Bailey), to authorize the County Administrator to execute any and all documents necessary and appropriate to resolve the litigation regarding Dennis Corporation.

**LEASE AGREEMENT WITH TOWN OF ST. GEORGE FOR SPACE IN THE FORMER DORCHESTER COUNTY DETENTION CENTER**

27. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted five in favor, with two absent (Davis and Bailey), to authorize the County Administrator to execute a Lease Extension Agreement between Dorchester County and the Town of St. George for the area currently leased by the town in the former Dorchester County Detention Center. The current lease expires March 31, 2018, the extension would be until to June 30, 2019, after which it would be month to month.

**ADJOURNMENT**

28. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council five in favor, with two absent (Davis and Bailey), to adjourn at approximately 8:38 p.m.

  
Tracey L. Langley, Clerk to Council