

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**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 16, 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. David Chinnis  
Mr. Larry S. Hargett  
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. Con Chellis  
Mr. Willie R. Davis  
Mr. William R. Hearn, Jr.

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**

#### **REQUESTS TO ADDRESS COUNCIL**

- Mr. Charles Keley, 126 Ryan Road, Summerville, he spoke about his opposition to the gun ordinance and said it is a violation of his rights.

- Mayor Clarence Hughes, 487 South Railroad Avenue, Ridgeville, he requested Public Work's assistance with the maintenance of a private road at 260 Church Street. He said the road is in poor condition and EMS refuses to drive down the road.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she spoke about the Local Government Fund. She applauded Dorchester County EMS for the great service provided to citizens.

### **MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adopt the minutes from the March 19, 2018, County Council Meeting.

### **PROCLAMATION #18-03, PROCLAIMING MAY 2018 BUILDING SAFETY MONTH**

2. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adopt Proclamation #18-03, proclaiming May 2018 Building Safety Month.

### **RESOLUTION #18-13, GUIDING PRINCIPLES FOR NEIGHBORHOOD AND LAND DEVELOPMENT DESIGN STANDARDS**

3. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adopt Resolution #18-13, a Resolution Adopting Guiding Principles for Neighborhood and Land Development Design Standards. The purpose of this Resolution is to provide guidance regarding residential community development, quality standards that the County expects developers to adhere to until County Council can adopt permanent regulations by amending Ordinance #04-13, the Dorchester County Zoning and Land Development Standards Ordinance.

**CORRESPONDENCE:** No correspondence received.

### **GUESTS**

#### **SENATOR JOHN W. MATTHEWS, JR., PRESENTATION OF CHECK FOR SPONSORSHIP OF THREE WORK KEYS AND MANUFACTURING CLASSES FOR CERTIFICATE**

The County received a check from Senator Matthews for \$37,425 in conjunction with the \$12,475 that County Council approved in March. These funds will cover the cost of training 100 students through Trident Technical College for three work keys and manufacturing classes for certificate.

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

Mr. Prentice gave a summary of revenues and expenditures for the County's major funds through March 31, 2018. He also included a summary of cash on hand in the major funds and status updates on major Water & Sewer, and Stormwater projects.

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

#### **3<sup>RD</sup> READING OF ORDINANCE #18-04 TO REPEAL AND REPLACE ARTICLE VII, SECTION 7.4.6 (A), WITH RESPECT TO MINIMUM LOT AND BUILDING REQUIREMENTS**

4. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading of Ordinance #18-04, 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.*]

**3<sup>RD</sup> READING OF ORDINANCE #18-05 TO REPEAL AND REPLACE ARTICLE XVII, SECTION 17.7 "TRAFFIC STUDY"**

5. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading of Ordinance #18-05, 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.*)

**REZONING REQUEST #757**

6. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading of Rezoning Request #757 by Albert Glover to rezone .73 acre located at Pernell Court from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing District (R-2M), TMS #129-00-00-171.

**REZONING REQUEST #758**

7. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading of Rezoning Request #758 by Mary V. Moon & Walter Daniel Moon to rezone 1.00 acre 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.

**REZONING REQUEST #761**

8. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading of Rezoning Request #761 by Lorene Cochran, to rezone .68 acre 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.

**REZONING REQUEST #762**

9. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 1<sup>st</sup> Reading and Referral to the Planning, Development, and Building Committee for a Public Hearing and Recommendation of Rezoning Request #762 by O'Reilly Automotive Stores, Inc. to rezone 1.34 acres located at Central Avenue in Summerville from Multi-Family Residential District (R-4) to General Commercial District (CG), TMS #135-12-00-070.

**APPROVAL OF FUNDS FOR REPLACEMENT OF COUNTY STORAGE AREA NETWORK (SAN)**

10. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to approve a request to transfer \$147,500 in Capital Fund savings from the HVAC lease purchase to acquire and replace the County's Storage Area Network (SAN) ahead of scheduled replacement in FY2019.

**APPROVAL OF FUNDS TO COVER THE OPERATION OF PRIME-TIME MEDIC UNIT**

11. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to approve a request to transfer \$48,200 in Capital Fund savings that resulted from housing EMS Medic Two at the Ladson Road station instead of building a new station to increase headcount and establish four full-time positions, two (2) Paramedic Crew Chiefs and two (2) Basic EMTs to staff a new prime-time medic unit. The prime-time medic unit (Medic 9) will function during peak hours between noon and midnight, daily. The funding will cover the operation of a new prime-time medic unit through June 30, 2018. Staff will work with County Council to fund these positions for FY2019.

**COMMITTEE REPORTS**

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

Chairman Chinnis reported that the Committee met at 6:30 p.m. to discuss the following items:

He reported that a public hearing was advertised for the following item, but a recommendation from the Planning Commission is still being formulated therefore, no action was taken.

*Public Hearing and Recommendation for 2nd Reading of an Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance, Number #04-13, With Respect to Article XXI, Section 21.13 "Oversized and Off-Site Improvements" to Add a New Subparagraph (C) Requiring Developers of Major Subdivisions and Developers of 10 Units or More of Single Family-Attached and/or Multi-Family Projects to Contribute Funding Towards Transportation Improvements in Dorchester County]*

Chairman Chinnis reported that the following item was tabled pursuant to a request from the developer pending a traffic study.

*2nd Reading of Rezoning Request #760 by Hopper Communities to rezone 4.37 acres located on Orangeburg Road in Summerville from General Commercial District (CG) to Single-Family Attached Residential District (R-3), TMS #136-00-00-202*

12. On the recommendation of the Committee, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to approve a request for a roadway connection to Wallace Ackerman Drive with the conditions as stated during the Planning, Development and Building Committee Meeting.

**MOTION TO AMEND AGENDA**

13. On the motion of Chairman Byars, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to amend the agenda.

**RECONSIDER MOTION TO DENY REZONING REQUEST #756**

14. On the motion of Chairman Byars, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to reconsider the motion to deny Rezoning Request #756 by Michael Adam Ferrara to rezone 14.55 acres on Orangeburg Road from Single-Family Residential District (R-2) to Multi-Family Residential District (R-4), TMS #152-00-00-039.

**REFERRAL OF REZONING REQUEST #756 TO THE PLANNING, DEVELOPMENT AND BUILDING COMMITTEE**

15. On the motion of Chairman Byars, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to refer Rezoning Request #756 by Michael Adam Ferrara to rezone 14.55 acres on Orangeburg Road from Single-Family Residential District (R-2) to Multi-Family Residential District (R-4), TMS #152-00-00-039 to the Planning, Development and Building Committee.

**CHAIRMAN BYARS – WATER AND SEWER COMMITTEE**

Chairman Byars reported that the Committee met at 6:45 p.m. to discuss the following items:

16. On the recommendation of the Committee, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to approve a request to reallocate \$40,000 for the repair of Pump Station 100 in Kings Grant and to reallocate \$60,000 for the repair of Pump Station 23. The savings from the Pump Station 77 rehabilitation project total \$123,133.
17. On the recommendation of the Committee, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to approve a request for new sewer service by Eastport Commerce Center, LLC for a 128,000 SF industrial/flex building near Jedburg, TMS #129-00-00-091.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

18. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to reappoint Mr. Bob Bennett to the Dorchester County Economic Development Board of Directors.
19. On the motion of Chairman Byars, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to appoint Mr. Tony Pope to the Charleston Regional Development Alliance.
20. On the motion of Chairman Byars, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to appoint Ms. Kathleen Randall to the Trident Technical College Area Commission.

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

**3<sup>RD</sup> READING OF ORDINANCE #18-06, PROJECT STEER**

The County Attorney requested Council's consideration to open the public hearing so County Council can receive public comments on 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 Paul Bippus Precision, LLC to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Special Source Revenue Credits; Locating the Project in a Multi-County Industrial Park; and Other Related Matters.

Chairman Byars struck the gavel, opening the public hearing. He then invited the public to come forward to speak on this issue. In the absence of additional requests to speak, Chairman Byars struck the gavel, closing the public hearing.

21. On the motion of Councilman Chinnis, seconded by Councilman Hargett, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 3<sup>rd</sup> Reading to Ordinance #18-06, 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 Paul Bippus Precision, LLC to Provide for Payment of a Fee-In-Lieu of Taxes; Authorizing Certain Special Source Revenue Credits; Locating the Project in a Multi-County Industrial Park; and Other Related Matters.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session at 7:37 p.m. to discuss the following:

- Confidential Economic Development Projects
- Contractual Matter
  - Non-Renewal of Multi-Party Agreements Between Dorchester County and Area Jurisdictions
- Legal Advice
  - 507 Ladybug Lane – Dan Ryan Homes
  - Non-Disclosure Agreement Between the Town of Hollywood and Dorchester County

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 8:38 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

**NON-DISCLOSURE AGREEMENT WITH THE TOWN OF HOLLYWOOD**

22. On the motion of Councilman Chinnis, seconded by Councilman Bailey, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to authorize the County Administrator to execute a Non-Disclosure Agreement with the Town of Hollywood.

**RESOLUTION #18-14, PROJECT AMBASSADOR**

23. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adopt Resolution #18-14, Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code of Laws 1976, as Amended, so as to Allow Investment Expenditures Incurred by a Company Known to the County as Project Ambassador, its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-In-Lieu of Taxes Arrangement with Dorchester County, South Carolina; Providing for Other Related Economic Development Incentives; and Other Matters Related Thereto.

**1<sup>ST</sup> READING OF AN ORDINANCE, PROJECT AMBASSADOR**

24. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 1st Reading of an Ordinance Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Dorchester County, South Carolina and Project Ambassador, as Sponsor; to Amend an Existing Amended and Restated Agreement for Development of Joint County Industrial Park; and Other Related Matters.

**RESOLUTION #18-15, PROJECT SHORE**

25. On the motion of Councilman Hargett, seconded by Councilman Bailey, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adopt Resolution #18-15, A Resolution Identifying a Project to Satisfy the Requirements of Title 12, Chapter 44 of the South Carolina Code of Laws 1976, as Amended, so as to Allow Investment Expenditures Incurred by a Company Known to the County as Project Shore, its Affiliates and Related Entities, to Qualify as Expenditures Eligible for a Fee-In-Lieu of Taxes Arrangement with Dorchester County, South Carolina; Providing for Other Related Economic Development Incentives; and Other Matters Related Thereto.

**1<sup>ST</sup> READING OF AN ORDINANCE, PROJECT SHORE**

26. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to give 1<sup>st</sup> Reading by Title Only of an Ordinance Authorizing Pursuant to Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as Amended, the Execution and Delivery of a Fee-In-Lieu of Ad Valorem Taxes Agreement, By and Between Dorchester County, South Carolina and Project Shore, as Sponsor; to Amend an Existing Amended and Restated Agreement for Development of Joint County Industrial Park; and Other Related Matters.

**ADJOURNMENT**

27. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted four in favor, with three absent (Chellis, Davis and Hearn), to adjourn at approximately 8:41 p.m.

  
Tracey L. Langley, Clerk to Council