

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  
JULY 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. Con Chellis  
Mr. David Chinnis  
Mr. Larry S. Hargett  
Mr. William R. Hearn, Jr.  
Mr. Jason L. Ward, County Administrator  
Ms. Rebecca Vance, Deputy Administrator/Community Services  
Mr. John Frampton, County Attorney  
Ms. Tracey L. Langley, Clerk to Council

**ABSENT:** Mr. Willie R. Davis  
Mr. Daniel Prentice, Deputy Administrator/CFO

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**

- Ms. Shameka Smalls, 101 Deer Run Road, Summerville, she asked Council to approve Rezoning Request #770.
- Ms. Margaret Goodwine, 116 Alexander Lane, Ridgeville, she is opposed to Rezoning Request #767. She asked Council to deny the request for safety reasons.

- Ms. Loria A. Ladson, 114 Janie Lane, Summerville, she is opposed to Rezoning Request #767. She said the property has been in the family for years and they would like to keep it residential.
- Mr. Jerry Ladson, 10679 Dorchester Road, Summerville, he is opposed to Rezoning Request #767. He said he does not want a business next door to his house.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she spoke about the trash pickup issues in Summerville and recycling. She also spoke about lack of funding from the Local Government Fund.
- Dr. Richard Duncan, 5529 Jasons Cove, Charleston, he is the Chairman of the Board of Directors for the Ashley River Fire District. He spoke about funding for the Ashley River Fire District and requested Council distribute those funds to them.
- Mr. Frank Freeman, 108 King Charles Circle, Summerville, he asked Council for a non-emergency hotline number to assist with County services.
- Ms. Donna Romeo, 5058 Blair Road, Summerville, she spoke about fireworks and requested Council restrict the hours fireworks can be shot off.

### **MINUTES**

1. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adopt the minutes from the June 18, 2018, County Council Meeting.

### **MOTION TO RECONSIDER 3<sup>RD</sup> READING OF BUDGET ORDINANCE #18-10**

2. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one abstention (Chinnis), and one absent (Davis), to reconsider 3<sup>rd</sup> Reading of Dorchester County Budget Ordinance #18-10, for Fiscal Year 2018-2019, an Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2018, and Ending June 30, 2019; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County.

### **MOTION TO AMEND BUDGET ORDINANCE #18-10**

3. On the motion of Councilman Chellis, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to amend Dorchester County Budget Ordinance #18-10, for the Fiscal Year Beginning July 1, 2018, and Ending June 30, 2019, as follows:

The General Fund shall include the following adjustments:

Increase the Use of Fund Balance by \$120,000 to budget for an Interfund Loan from the General Fund to the Fire Fund in FY2019 to be repaid over 3 years.

Increase the Use of Fund Balance by \$500,000 to budget for a Transfer to the Capital Projects Fund in FY2019 for a capital contribution to the SPCA.

Increase the Transfers In from the Enterprise Funds by \$61,052 to reflect the increase in overhead allocation from the Enterprise Funds for the Deputy County Attorney allocation in FY2019.

Increase the Charges for Services revenues in the Sheriff's Office from \$877,484 to \$1,080,517 to reflect the contractual amounts for FY2019 for additional SRO's from all school entities.

Increase the Charges for Services revenues in the Treasurer's Office by \$53,203 to reflect penalty revenue estimated in FY2019 based on FY2018 YTD collections.

Increase Property Tax revenues in the Treasurer's Office by \$512,100 to reflect a .9 mill increase.

The total revenues for the General Fund shall increase from \$54,250,757 to \$55,700,145.

Increase the Communications Support line item in ITS by \$6,168 to provide additional funding needed to cover expenditures in FY2019.

Increase various personnel line items in the Auditor's Office for a total of \$19,773 to add an Admin III (PT) position in FY2019.

Increase various personnel line items in the Assessor's Office for a total of \$15,101 to provide funding for overtime related to reassessment in FY2019.

Increase various personnel line items in EMS for a total of \$40,000 to provide additional funding related to compensation and classification study results to be implemented in FY2019.

Increase various personnel line items in Detention for a total of \$17,672 to provide additional funding related to compensation and classification study results to be implemented in FY2019.

Increase regular wages line items in Building Services by \$1,272 to provide additional funding related to compensation and classification study results to be implemented in FY2019.

Increase various personnel line items in the Sheriff's Office for a total of \$565,493 to add 8 Dispatcher's and 2 additional Deputy's (one for DD2 and one for DD4) and 1 Lieutenant position for the SRO program as well as to provide additional funding related to the compensation and classification study results.

Increase various personnel line items in Economic Development for a total of \$70,812 to provide funding for a new Marketing & Investor Relations Administrator in FY2019.

Increase the Transfer Out to the Fire Fund by \$120,000 for an Interfund Loan to the Fire Fund.

Increase the Transfer Out to the Capital Projects Fund by \$500,000 for a capital contribution to the SPCA.

Increase the Direct Assistance line item for the Public Defender's Office by \$87,475 to provide additional funding in FY2019.

Increase the Contingency line item by \$5,622 in FY2019.

The total expenditures for the General Fund shall increase from \$54,250,757 to \$55,700,145.

The Capital Fund shall include the following revisions:

Increase the Use of Fund Balance by \$500,000 to budget for a Transfer to the Capital Projects Fund in FY2019 for a capital contribution for the SPCA.

The total revenues for the Capital Fund shall increase from \$4,167,902 to \$4,667,902.

Increase the Transfer Out to the Capital Projects Fund by \$500,000 for a capital contribution to the SPCA.

The total expenditures for the Capital Fund shall increase from \$4,167,902 to \$4,667,902.

The Capital Projects Fund shall include the following revisions:

Increase the Transfer In from the General Fund by \$500,000 to budget for a capital contribution to the SPCA.

Increase the Transfer In from the Capital Fund by \$500,000 to budget for a capital contribution to the SPCA.

The total revenues for the Capital Projects Fund shall increase from \$0 to \$1,000,000.

Increase the Direct Assistance line item by \$1,000,000 for the capital contribution to the SPCA.

The total expenditures for the Capital Projects Fund shall increase from \$0 to \$1,000,000.

The Fire Fund shall include the following revisions:

Increase the transfer line item from the General Fund to the Fire Fund by \$120,000 to reflect the Interfund Loan for the Wire Road Station.

Increase the Use of Fund Balance by \$45,000 to allocate the remaining funding from Old Fort Fire Department for the Assistant Fire Marshal position.

The total revenues for the Fire Fund shall increase from \$5,743,254 to \$5,908,254.

Increase various personnel line items in the Fire Fund for a total of \$40,558 to provide funding for additional part-time wages for the St. George station as well as a reclassification.

Increase the Travel line item by \$2,000 to provide additional funding needed to cover expenditures in FY2019.

Increase the Vehicles line item by \$2,442 to provide additional funding needed to cover expenditures in FY2019.

Increase the Buildings line item by \$120,000 to allocate funding from an Interfund Loan from the General Fund to construct a Wire Road Station in FY2019.

The total expenditures for the Fire Fund shall increase from \$5,743,254 to \$5,908,254.

The Stormwater Fund shall include the following revisions:

Increase Stormwater Fee revenues by \$75,000 for FY2019 based on YTD collections for FY2018.

The total revenues for the Stormwater Fund shall increase from \$2,734,487 to \$2,809,487.

Increase various personnel line items in the Stormwater Fund for a total of \$70,032 to add a Civil Engineer position in FY2019.

Increase the Mobile and Cellular line item by \$763 to provide additional funding needed for the Civil Engineer position in FY2019.

Increase the Travel line item by \$2,000 to provide additional funding needed for the Civil Engineer position in FY2019.

Increase the Office Furniture line item by \$190 to provide additional funding needed for the Civil Engineer position in FY2019.

Increase the Computer Equipment line item by \$2,015 to provide additional funding needed for the Civil Engineer position in FY2019.

The total expenditures for the Stormwater Fund shall increase from \$2,734,487 to \$2,809,487.

The Solicitor Fund shall include the following revisions:

Increase revenues in the Solicitor Fund by \$140,777 to accurately reflect the anticipated revenues for FY2019.

The total revenues for the Solicitor Fund shall increase from \$2,782,241 to \$2,923,018\*.

Increase various personnel line items in the Solicitor's Fund by \$140,777 to cover expenditures in FY2019.

The total expenditures for the Solicitor Fund shall increase from \$2,782,241 to \$2,923,018\*.

\*This is the Solicitor's Fund and is needed to true up the budget figures provided by the Solicitor's Office in their funding request. These funds are pass through and do not reflect any change in County funding.

4. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted two in favor, with four opposed (Byars, Chellis, Chinnis, and Hearn), and one absent (Davis), to amend the Dorchester County Budget Ordinance for the Fiscal Year Beginning July 1, 2018, and Ending June 30, 2019, to give 4 mills from the Fire Fund to the Ashley River Fire District to use at their discretion.

### **3<sup>RD</sup> READING OF BUDGET ORDINANCE #18-11, AS PREVIOUSLY AMENDED AND AMENDED**

5. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one opposed (Hargett), and one absent (Davis), to give 3rd Reading and final approval of Dorchester County Budget Ordinance #18-11, as previously amended and amended to "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2018, and Ending June 30, 2019; to Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County."

### **PUBLIC HEARING AND 2<sup>ND</sup> READING OF AN ORDINANCE TO REQUIRE LOCKING CAPS ON FIRE DEPARTMENT CONNECTIONS**

6. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 2<sup>nd</sup> Reading of an Ordinance to Require Locking Caps on the Fire Department Connections of All Water-Based Fire Protection Systems (Fire Sprinkler Systems).

Chairman Byars struck the gavel, opening the public hearing. He then invited the public to come forward to speak on this issue.

- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, asked if this motion required businesses to have locking caps on all connections.

Ms. Vance explained that the locking caps were for all new businesses and exterior connections only.

In the absence of additional requests to speak, Chairman Byars struck the gavel, closing the public hearing.

### **1<sup>ST</sup> READING OF AN ORDINANCE APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS TO THE LOWER WASTE WATER TREATMENT PLANT**

7. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to give 1<sup>st</sup> Reading, by Title Only, a Tenth 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 \$5,500,000 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 of the 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. The County was awarded up to \$4.9 million in low interest SRF Loans to make improvements to the Lower Waste Water Treatment Plant to address odor concerns.

**CORRESPONDENCE:** No correspondence received.

**GUEST**

**MS. JESSICA D. SHULER, DORCHESTER COUNTY DIRECTOR OF BUSINESS SERVICES**

Ms. Shuler gave a summary of revenues and expenditures for the County's major funds through June 30, 2018. She 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**

**RECOGNITION OF EMPLOYEE OF THE QUARTER, MS. HEATHER JENKINS**

At this time, County Council recognized Ms. Heather Jenkins as the Employee of the Quarter during the second quarter of the 2018 fiscal year. Ms. Heather Jenkins was nominated by the Dorchester County Events Committee for demonstrating true compassion and acting without hesitation to take whatever steps necessary to assist a mother and five-year-old child making the best out of a very tragic situation.

**3<sup>RD</sup> READING OF REZONING REQUEST #765**

8. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to give 3<sup>rd</sup> Reading of Rezoning Request #765 by Shirley Droze to rezone .41 acre located at 1743 Central Avenue near Summerville from Multi-Family Residential District (R-4) to Neighborhood Commercial District (CN), TMS #135-16-00-058.

**3<sup>RD</sup> READING OF REZONING REQUEST #766**

9. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to give 3<sup>rd</sup> Reading of Rezoning Request #766 by Robert Behr to rezone 34.22 acres located at S. Railroad Avenue near Harleyville from Absence of Controls District (AC) to Industrial District (I), TMS #048-00-00-031.

**1<sup>ST</sup> READING OF REZONING REQUEST #767**

10. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted six in favor, with one absent (Davis), to give 1<sup>st</sup> Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #767 by Carlvell C. Ladson to rezone .51 acre located at 10681 Dorchester Road near Summerville from Single-Family Residential Manufactured Housing District (R-1M) to Office and Institutional District (OI), TMS #152-00-00-151.

**1<sup>ST</sup> READING OF REZONING REQUEST #771**

11. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted six in favor, with one absent (Davis), to give 1<sup>st</sup> Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #771 by Fredy Villafuerte and Olmer Darinel to rezone 1.21 acres located at 1950 Central Avenue near Summerville from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-1MA), TMS #143-02-00-030.

**ALLOCATION OF 2010 GO BOND PROCEEDS FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE TOWN OF HARLEYVILLE**

12. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to allocate \$9,050 from the 2010 General Obligation Bond Proceeds to the Town of Harleyville for the purchase of playground equipment. The total cost of the project is approximately \$31,647. The remaining funding for the project will be provided by the Town of Harleyville and PARD.

**APPROVAL TO USE PERSONNEL SAVINGS TO HIRE A SENIOR ACCOUNTING CLERK IN THE TREASURER'S OFFICE**

13. On the motion of Councilman Chinnis, seconded by Councilman Bailey, County Council voted six in favor, with one absent (Davis), to approve the use of personnel savings to hire a Senior Accounting Clerk in the Treasurer's Office. The Treasurer's Office has an employee who is retiring on August 31, 2018. The employee will be out of the office on FMLA leave until then.

**PARTNERSHIP AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS DIVISION OF YOUNG OFFENDER PAROLE AND REENTRY SERVICES**

14. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted six in favor, with one absent (Davis), to authorize the County Administrator to extend the Partnership Agreement with the South Carolina Department of Corrections Division of Young Offender Parole and Reentry Services (the Division) which enables the Division to occupy a single office at the Dorchester County Offices Annex for another one-year term.

**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:

15. On the recommendation of the Committee, County Council voted six in favor, with one absent (Davis), to approve 3<sup>rd</sup> 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.
16. On the recommendation of the Committee, County Council voted six in favor, with one absent (Davis), to approve 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, with the consideration as stated in the traffic study.
17. On the recommendation of the Committee, County Council voted six in favor, with one absent (Davis), to approve 2<sup>nd</sup> Reading of Rezoning Request #770 by Courtland Mackey, to Rezone .80 Acre located at 107 Deer Run Road Near Summerville from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing District (R-2M), TMS #129-00-00-009.
18. On the recommendation of the Committee, County Council voted six in favor, with one absent (Davis), to give 2<sup>nd</sup> Reading of an Ordinance to Amend the East Edisto Form District Master Plan, Ordinance Number 12-19, As Previously Amended, to Revise Schedule I: Master Plan Map, to Add New Subsection 3.6.2.a, to Delete Section 4.5.2.d.iii, to Add New Subsections 4.6.1.i and 4.6.1.j, to Add New Subsections 4.9.1.f Through 4.9.1.i, to Omit Subsection 4.9.2.b, to Revise Subsection 4.9.2.c, to Add New Subsection 4.9.2.e, to Revise Section 4.9.3 and Subsection 4.9.3.b, to Revise Subsection 4.9.4.a, to Omit Subsection 4.9.4.a.ii and 4.9.4.a.iii, to Revise Subsection 4.9.4.b.ii, to Revise Table 4 Section b, to Revise Tables 11A Through 11G Regarding Parking Placement, to Add New Sections g and h to Table 14, and to Revise the Definitions of "Building" and "Frontage Buildout."

**CHAIRMAN CHELLIS – ADMINISTRATIVE & INTERGOVERNMENTAL AFFAIRS COMMITTEE**

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

19. On the recommendation of the Committee, County Council voted six in favor, with one absent (Davis), to adopt Resolution #18-22, a Resolution to Adopt a New Human Resources Manual and Authorize the County Administrator to Enforce the Policies and Procedures Contained Therein as follows:

- **At-Will Employer statement** was modified to clarify that employees who work for Elected/Appointed officials are under their direction and authority.
- **SC Pregnancy Accommodation Act.** Added new policy to the manual. Made changes under the Equal Employment Opportunity statement “sex (or based on sex), pregnancy, childbirth or related medical conditions including but not limited to lactation.” American with Disabilities Statement. Added “and the South Carolina Human Affairs Commission.” Added “Pregnancy, childbirth or related medical conditions including but not limited to lactation.”
- **Appointed Official** definition changed to include “an individual appointed or confirmed by the Governor, State Legislature or other applicable state entity...unless otherwise noted in this manual.”
- **Grant Funded or Funded by a Non-County Source** will include “unless specifically required by the terms and conditions of the grant.”
- **Reclassification.** The following paragraph was added. An employee can request reclassification from full-time to part-time employment. When the request is to remain in the same department and position, the employee’s wage will also remain the same. The request will be granted if approved by the department head and the employee can provide proof that they have obtained full health coverage from another entity. Otherwise a 90-day separation from employment will be required.
- **Demotion.** Removed demote and added “placed in position equivalent to.”
- **Timekeeping Policy** was completely modified to address the use of Kronos which will be implemented this spring.
- All references to **Finance** were changed to Financial Services.
- **Required Work Outside of Normal Scheduled Hours.** The words, some employees are eligible for On Call Pay was removed from this section.
- **Overtime/Compensatory Time Eligibility.** Expanded overtime policy to reiterate that overtime should not be worked without County Administrator or budgetary permission.
- **Fire Protection.** Work period changed to, 106 hours in a 14-day work period.
- **Overtime for On-Call** was changed to read “eligible employees, who take call, will receive a base rate of \$15.00 for each full day of on call status. In addition to the \$15.00 on-call pay, an eligible employee who is on call and is called back to their worksite or a County assigned location while on-call will be paid for the actual time worked or a minimum of one (1) hour, whichever is greater. This is different from emergency call back. Eligible employees, who are required to perform emergency duties while **not** on call, will be paid only for the actual time worked. Eligible employees will be paid 1 1/2 times their base hourly rate after working 40 hours per week. Employees must maintain a record of all time worked.”

*Employees eligible for on-call pay are responsible for familiarizing themselves with the procedures approved for their department.*



- **Elected/Appointed Officials Increases.** The following was added: Certain elected/appointed officials are provided increases whenever Dorchester County employees receive an increase.

*Wages of certain elected/appointed officials are reviewed yearly, and the employee is provided merit, if it is awarded to regular full-time employees and the certain elected/appointed official is performing at a level acceptable to County Council.*

- **Meal Allowance.** Rate amounts were changed. Words in red below show recommended changes. Employees will be reimbursed for meal expenses at the rates approved by County Council unless a different regional rate is designated by the IRS in which use reimbursement is eligible.

*Itemized meal reimbursements including tips (excluding alcoholic beverages) for employees shall be at the standard GSA standard per-diem rate for South Carolina published at [gsa.gov/travel/plan-book/per-diem-rates](http://gsa.gov/travel/plan-book/per-diem-rates). Reimbursements are subject to proration on the first and last day of travel as published in the M&IE breakdown at [gsa.gov/m&ie](http://gsa.gov/m&ie).*

- **Retirement.** Removed "TERI" from the sentence. "When an employee retires, they must completely separate their employment with Dorchester County."

*Removed "employees that TERI" from paragraph, "Excluding elected officials, appointed officials, and a retiree who is rehired, will be paid no more than 10% above the new hire wage."*

- **Workers' Compensation.** Compensation due to a work-related injury was clarified as follows:

**Compensation Due to a Work-Related Injury:**

If an employee is injured while on duty and unable to perform their duties per the authorized physician's note and light duty cannot be provided by the employer, then the employee shall be compensated at a rate of 66 and 2/3 percent (as specified by law) of their average weekly wages, not to exceed the amount provided by State statute.

Payment will not be made for the first seven (7) calendar days unless an employee is absent more than 14 calendar days per the authorized physician's note or if light duty cannot be provided by the employer. The employee would then be entitled to Workers' Compensation benefits.

Employees must use their sick and/or annual leave time to cover medical and physical therapy appointments. Workers' Compensation does not cover lost time for medical appointments.

- **Interaction with Family Medical Leave Act FMLA.** Changed the sentence "Although Workers' Compensation Leave and FMLA Leave are taken concurrently, the employee may but is not required to use annual or sick leave."

*Light duty section added "covered by the South Carolina Pregnancy Accommodations Act or who were injured on the job."*

- **Human Resources.** Removed and changed to "ADA and the South Carolina Pregnancy Accommodations Act."

- **Holiday Pay.** "A holiday is equivalent to 8 hours of regular pay based on the employees work schedule immediately preceding the holiday" was added. We removed straight time language and base pay language for ease of understanding. Clarified that 24/48-hour fire employees are not eligible for overtime premium (2x base) pay on holiday.

- **Educational Assistance.** The requirement that an employee has to work for at least one full year to be eligible for reimbursement was removed. For clarification, we separated Tuition Reimbursement from Educational Assistance for Training and Seminars and added a section on apprenticeships. If an employee resigns in lieu of termination they must reimburse the county was also added.

Also, made changes to the percentage refundable for Grade B to 90% reimbursement and Grade C to 80% reimbursement.

- **Military Leave.** Rewrote the first paragraph to read "Full-time county employees will be entitled to military leave in accordance with State and Federal law. Employees must submit a copy of their yearly calendar for drill weekends or their orders supporting any other request for military leave prior to departure. When an employee is unable to obtain a copy of their orders prior to the time they are required to serve, then the employee should submit a DD Form 48 when they return. Employees must notify Human Resources in writing if they would like to suspend their benefits while serving."

*The policy also provides department heads flexibility on when to charge against military leave.*

- **The Family and Medical Leave Act.** Change sentence to add the word "FMLA". FMLA provides up to twelve (12) weeks of unpaid job-protected leave to "eligible" employees for certain family and medical reasons.
- **Gifts and Gratuities.** Change Attorney to Officer. "Any questions as to the propriety of acceptance shall be referred to the County Ethics Officer."
- **Smoking.** "All county employees and visitors who use tobacco or vaping products will be required to use these products no less than 50 feet away from all County buildings. This will ensure our non-smoking visitors and employees a smoke free entrance and exit to all County buildings."
- **Grievance Procedure.** Changed to align with State Code of Laws.
- **Emergency Assignment.** Added "Assigned area and location will be made based on County need and can change with or without prior notice. Explanation of Assignments can be found on the P drive /Human Resources."
- **Employee Recognition Policy.** Added the Employee Recognition Policy to the manual as Appendix IV.

#### **FORM CHANGES**

- **Request to Hire Above Minimum Salary.** Department Heads can now select if they are requesting the percentage above the minimum or the employee's current salary.
- **Employee Action Form.** Action Requested drop-down now includes separation as an option, and the Department Head can also type other responses.
- **Overtime Request.** Department Heads can now utilize form with drop-down selection boxes.
- **Employee of the Quarter & Superior Service Award.** Forms added to the drive for user access.

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

20. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to appoint Mr. Bill Tullock to the Dorchester County Board of Zoning Appeals.

21. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to reappoint Mr. Sidney B. "Monty" Jones as Dorchester County Delinquent Tax Collector for a two-year term, commencing July 1, 2018, and ending June 30, 2020.

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

#### **RESOLUTION #18-23 (PALMETTO GOODWILL PROJECT)**

The County Attorney requested Council's consideration to open the public hearing so County Council can receive public comments, for a Resolution in Support of the Issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bond (Palmetto Goodwill Project) Series 2018, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$20,000,000.

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.

22. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to adopt Resolution #18-23, a Resolution in Support of the Issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bond (Palmetto Goodwill Project) Series 2018, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$20,000,000.

#### **AMENDMENT TO EAST EDISTO DEVELOPMENT AGREEMENT**

The County Attorney requested Council's consideration to open the Public Hearing so County Council can receive public comments, for a proposed Amendment to that Certain East Edisto Development Agreement by and between WestRock-Charleston Land Partners, MWV-East Edisto Summers Corner, LLC and Dorchester County, regarding portions of the East Edisto Tract located along U.S. Highways 61, 165, and 17A.

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.

23. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted six in favor, with one absent (Davis), to approve a proposed Amendment to that Certain East Edisto Development Agreement by and between WestRock-Charleston Land Partners, MWV-East Edisto Summers Corner, LLC and Dorchester County, regarding portions of the East Edisto Tract located along U.S. Highways 61, 165, and 17A.

#### **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session at 8:18 p.m. to discuss the following:

- Legal Advice
  - East Edisto Development Agreement and Form Based Code Amendments
- Personnel Matter
  - Director of Veteran Affairs

#### **RECONVENE FROM EXECUTIVE SESSION**

At approximately 9:19 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

**ADJOURNMENT**

24. On the motion of Councilman Bailey, seconded by Councilman Chinnis, County Council voted six in favor, with one absent (Davis), to adjourn at approximately 9:20 p.m.

  
Tracey L. Langley, Clerk to Council