

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
AUGUST 13, 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. Willie R. Davis (Vacant Seat)
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
Mr. Jason L. Ward, County Administrator
Mr. Daniel Prentice, Deputy Administrator/CFO
Ms. Rebecca Vance, Deputy Administrator/Community Services
Mr. John Frampton, County Attorney
Ms. Tracey L. Langley, Clerk to Council

ABSENT: Mr. David Chinnis

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

- Mayor Clarence Hughes, 487 South Railroad Avenue, Ridgeville, he asked for County Council and Public Works to assist the Town of Ridgeville with grass cutting on School Street, Beach Street, Tree Land Drive

and S. Railroad Avenue. He said it is a hazard to the children walking to school. He also requested the ditches be cleaned.

MINUTES

1. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted five in favor, with one absent (Chinnis), to adopt the minutes from the July 16, 2018, County Council Meeting and July 23, 2018, Special Called County Council Meeting.

ADOPTION OF RESOLUTION #18-24, IN MEMORY OF COUNCILMAN WILLIE R. DAVIS

2. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted five in favor, with one absent (Chinnis), to adopt Resolution #18-24, In Memory of Councilman Willie R. Davis.

Councilman Bailey said Councilman Davis was one of the first people he met when he came to Dorchester County. Councilman Bailey said he had no idea they would be serving on Council together. He said Councilman Davis' chair will never be filled. Councilman Bailey said he would like to purchase the chair and give it to the family.

Councilman Hargett said Councilman Davis was his friend also. He said he was the kind of man you could go to and ask a question or tell him something you were bothered about. Councilman Hargett said he and his wife had the privilege of going to St. Mark United Methodist Church Friday evening for the wake. He said they received a blessing because they met people like his current pastor, former pastor and his former, former pastor. Councilman Hargett said some of the things they had to say about Councilman Davis confirmed what they already knew. He was a wonderful man of God. He said it was a blessing to spend time with people he didn't know but through Councilman Davis' death and funeral he met some wonderful people at St. Mark United Methodist Church.

Councilman Chellis said as the new guy on Council it is not uncommon for him to put his foot in his mouth or make a dumb remark. He said Councilman Davis would every now and then nudge him and set him straight. Councilman Chellis said he brought up a question to Mr. Frampton during the meeting to which afterwards he was politely told by several Councilmen how dumb it was. Councilman Davis walked up to him and said "son, sometimes you just need to leave well enough alone". He said it was the simplest thing in the world, but he still remembers that quote, uses it and thinks about it all the time. Councilman Chellis said this world would be a lot better place if sometimes we just left well enough alone. He said Councilman Davis is missed.

Councilman Hearn said that he and Councilman Davis go back to 1995. He said he was the new guy on Council and Councilman Davis was a veteran of about 4 years or so. He said he sat next to him during the Council Meetings. Councilman Hearn told a story about Councilman Davis leaning back in his chair then suddenly springing forward and pounding his fist on the dais, speaking in that big booming voice. He said it horrified him and scared him to death. Councilman Hearn said when he finished, he turned around to look at him and nodded his head. He said he was a wonderful person, he was colleague, he was a friend to all. He said it is fair to say that everyone who knew him, loved him and he will be missed severely. Councilman Hearn said it is not the same. He said his smile, laugh and his encouraging words will be missed. His passing teaches us all that you never know how much time you have left. He said we are praying for the Davis family, love them and will ask the Lord to continue to bless them.

Mr. Ward said the toughest thing for him was when Councilman Davis passed out at the Economic Development Retreat. He said it was tough because he saw his father pass away and he was wondering on that day if it was going to repeat. Mr. Ward said he took his daughter and mother with him to visit Councilman Davis at Trident. He said they took the Bible and shared scripture with him. Councilman Davis said his favorite song was "I will trust in the Lord until I die." Mr. Ward said he would send You Tube videos of the song to him and would receive a reply from him or Mrs. Joyce saying his spirits had been lifted. Mr. Ward said Councilman Davis told him he was like a son to him. He said when you lose your father at a young age you are looking for those role models you can seek advice from and pattern yourself after. Mr. Ward said he looked up to Councilman Davis as someone

he had a lot of respect for because of not only his commitment to Dorchester, Colleton and Orangeburg Counties but the way he committed himself to people. He said Councilman Davis knew a whole lot of people who had a great affinity for him and he shared that great affinity for him. He said he wishes there was more he could do to help his family deal with this great loss they have experienced.

Mr. Frampton said Councilman Davis was a great man. He said he was loving, caring and if he told you something you could depend on it. He said Councilman Davis will be missed greatly.

Chairman Byars said he didn't know Councilman Davis long enough. He said he remembers Councilman Davis telling him "you have to stay focused son, we have a job to do." He said, "son you have to remember its some of the people but it's not all of the people and we have to serve all the people." Chairman Byars said we love him and we are going to miss him. He asked that Ms. Joyce and Jasmin be kept in everyone's prayers.

2ND READING OF AN ORDINANCE APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS TO THE LOWER WASTE WATER TREATMENT PLANT

3. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted five in favor, with one absent (Chinnis), to give 2nd Reading of 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

MR. DANIEL PRENTICE, DORCHESTER COUNTY DEPUTY ADMINISTRATOR/CFO

Mr. Prentice gave a summary of revenues and expenditures for the County's major funds through July 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

1ST READING OF REZONING REQUEST #768

4. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to give 1st Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #768 by Virginia and Joe VonDohlen to rezone .22 acre located at 106 Beret Street near North Charleston from Neighborhood Commercial (CN) to General Commercial (CG), TMS #172-15-15-009.

1ST READING OF REZONING REQUEST #769

5. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to give 1st Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #769 by Lori Sparks to rezone .82 acre located at 1700 Central Avenue near Summerville from Multi-Family Residential (R-4) to Neighborhood Commercial (CN), TMS #135-12-00-082.

1ST READING OF ORDINANCE #04-13 TO EXCLUDE PINE TREES FROM PROTECTION IN THE INDUSTRIAL ZONING DISTRICT

6. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to give 1st Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, to Revise Article XII, Section 12.4.3(a)(8) (The purpose of this amendment is to exclude pine trees from protection in the Industrial Zoning District.)

1ST READING OF ORDINANCE #04-13, "ADMINISTRATION, ENFORCEMENT, APPEALS, COMPLAINTS AND REMEDIES"

7. On the motion of Councilman Hearn, seconded by Councilman Chellis, County Council voted five in favor, with one absent (Chinnis), to give 1st Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Previously Amended, to Repeal Article XIV "Administration, Enforcement, Appeals, Complaints and Remedies", Article XV "Board of Zoning Appeals", and Article XVI "Amendments" and Replace with New Article XIV, "Administration, Enforcement, & Amendments", New Article XV "Board of Zoning Appeals", and New Article XVI "Planning Commission"; and to Revise Sections 7.4.4, 7.5.5, 7.7.5, 7.8.5, 7.9.5, 7.12.5, 8.2.4, 8.3.4, 9.1.3.2, 9.2.4, 11.1.6(a), 11.1.6(e), 11.1.7, 11.1.8, 11.1.9, 11.2.11, and 11.6.6, to Update Code Section References (The purpose of this amendment is to eliminate errors and inconsistencies, update public notice requirements, create standard processes, and allow for easier finding of information for the Board of Zoning Appeals and Planning Commission.)

REQUEST FOR APPROVAL OF A CASH HANDLING PROCEDURES MANUAL

8. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to approve a request to include a Cash Handling Procedures Manual as an Appendix to the Human Resources Policy Manual as authorized by Resolution #18-22 and adopted on July 16, 2018, by Dorchester County Council.

REQUEST FOR APPROVAL TO AMEND THE DORCHESTER COUNTY FINANCIAL POLICIES

9. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted five in favor, with one absent (Chinnis), to approve a request to Amend Policies #1 through #7 of the Dorchester County Financial Policies.

REQUEST FOR APPROVAL TO PROVIDE DIFFERENTIAL PAY TO FLUENT BI-LINGUAL DORCHESTER COUNTY EMPLOYEES

10. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to approve a request to provide differential pay to fluent bi-lingual Dorchester County employees meeting the established criteria for this skill.

REQUEST FOR APPROVAL TO USE ECONOMIC DEVELOPMENT FUND PROCEEDS FOR STREET LIGHTS ON PATRIOT BOULEVARD

11. On the motion of Councilman Hargett, seconded by Councilman Bailey, County Council voted five in favor, with one absent (Chinnis), to approve a request for \$52,509 in Economic Development Fund proceeds to be used to match the City of North Charleston for street lights on Patriot Boulevard.

REQUEST FOR APPROVAL TO USE ECONOMIC DEVELOPMENT FUNDS FOR IMPROVEMENTS TO DEMING WAY

12. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted five in favor, with one absent (Chinnis), to approve a request for \$38,430 to be allocated from the Economic Development Fund to fund improvements to Deming Way.

REQUEST FOR APPROVAL TO HIRE AN INTERN IN THE PLANNING AND ZONING DEPARTMENT

13. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to approve a request to use personnel savings to hire an intern to assist with special projects in the Planning and Zoning Department.

REQUEST FOR APPROVAL TO USE FUNDS FOR ST. PAUL PARK PARKING LOT IMPROVEMENTS AND HIGHWAY RIGHT-OF-WAY MOWING SERVICES

14. On the motion of Councilman Hargett, seconded by Councilman Chellis, County Council voted five in favor, with one absent (Chinnis), to approve a request use FY19 Parks and Recreation Department Operating Funds for St. Paul Park parking lot improvements and highway right-of-way mowing services.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

1ST READING OF AN ORDINANCE, PROJECT SC 2

15. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to give 1st Reading (By Title Only) of an Ordinance Authorizing the Amendment of Certain Economic Development Incentives Applicable to Project SC2, Including Entering Into a First Amendment to Fee Agreement, and Other Related Matters, Among Dorchester County, South Carolina, Project SC2, and Certain Sponsor Affiliates, Pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as Amended.

EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into Executive Session at 7:41 p.m. to discuss the following:

- Contractual Matters
 - Agreements for Building Code Services with Harleyville, Ridgeville, and Reevesville
 - Discussion of a Development Services Agreement and an option to purchase industrial property located off Patriot Boulevard
 - Intergovernmental Agreement between Dorchester County and the Town of Hollywood
- Legal Advice
 - Courthouse Construction Litigation
- Confidential Economic Development Projects
 - Confidential Economic Development Projects
- Personnel Matter
 - Deputy County Attorney

RECONVENE FROM EXECUTIVE SESSION

At approximately 8:46 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

COURTHOUSE CONSTRUCTION LITIGATION

16. On the motion of Councilman Bailey, seconded by Councilman Chellis, County Council voted five in favor, with one absent (Chinnis), to authorize the County Administrator to execute the Memorandum of Settlement resolving the current litigation between the County and LCM Constructors, Inc. regarding the construction defects at the County Courthouse.

INTERGOVERNMENTAL AGREEMENT BETWEEN DORCHESTER COUNTY AND THE TOWN OF HOLLYWOOD

17. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted five in favor, with one absent (Chinnis), to authorize the County Administrator to execute an Intergovernmental Agreement with the Town of Hollywood to provide assistance to the Town in the operation of its Wastewater Plant.

AGREEMENTS FOR BUILDING CODE SERVICES WITH HARLEYVILLE, RIDGEVILLE, AND REEVESVILLE

18. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to authorize the County Administrator to execute agreements with the Towns of Harleyville, Ridgeville, and Reevesville for building code enforcement services.

DEPUTY COUNTY ATTORNEY


19. On the motion of Councilman Chellis, seconded by Councilman Hearn, County Council voted five in favor, with one absent (Chinnis), to approve an increase to the base salary of the Deputy County Attorney position to \$75,000 per year as requested by the County Attorney.

DEVELOPMENT SERVICES AGREEMENT, PATRIOT BOULEVARD

20. On the motion of Councilman Hearn, seconded by Councilman Chellis, County Council voted five in favor, with one absent (Chinnis), to authorize the use of \$50,000 from the Economic Development Fund for the Dorchester County Development Corp to acquire a one-year option on approximately 40 acres of land at the Whitfield Corporate Park from the Whitefield Company, LLC.

ADJOURNMENT

21. On the motion of Councilman Bailey, seconded by Councilman Chellis, County Council voted five in favor, with one absent (Chinnis), to adjourn at approximately 8:50 p.m.


Tracey L. Langley, Clerk to Council