

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
SEPTEMBER 4, 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. Willie R. Davis (Vacant Seat)
Mr. Larry S. Hargett
Mr. William R. Hearn, Jr.
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. Jason L. Ward, County Administrator

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 Chellis.

CHAIRMAN'S TIME

Chairman Byars recognized Boy Scout Troop 759. Chairman Byars said they are our future leaders and thanked their parents for getting them to the troop meetings each week.

REQUESTS TO ADDRESS COUNCIL

- Commissioner Robby Robbins, 107 Glen Abby Drive, Summerville, discussed roundabout on Orangeburg Road. He said as a resident of Pine Forest it is one of the best things Council has done in his twenty years of living in Dorchester County. He said there is no back up and everyone was navigating the roundabout just fine. He thanked Council for the time and effort and spending the money to do it. He said the intersection at Central Avenue and Orangeburg Road is now backing up at the light.
- Mr. Mac Baughman, 225 Oakwood Drive, Summerville, he also spoke about the roundabout on Orangeburg Road. He said it is wonderful the way it is handling traffic and thanked Council for the hard work.
- Ms. Juanita Scott, 118 O Mar Sue Lane, Summerville, she asked that Council deny Rezoning Request #767. She said her family would like for it to remain residential.
- Mr. Jerry Ladson, 10679 Dorchester Road, Summerville, he opposed Rezoning Request #767 and asked Council to deny 2nd reading.
- Ms. Natalie Hutt, 216 Nantucket Drive, Summerville, she spoke on behalf of Dorchester Paws and discussed the retail sale of pets. She asked Council to review the bill presented to them and requested that Dorchester County ban the sale of animals in pet stores. She discussed the retail sale of pets at Petland and the impact it will have on shelters.
- Ms. Pearl Sutton, 220 Jennie Street, Goose Creek, she said she is the President of the South Carolina Animal Care and Control Association. She discussed the purpose and mission of the SC Animal Care and Control Association. She said 10,000 animals died as a result of euthanasia in animal shelters in the State. She asked Council to help stop the importation of commercially bred puppies from out of state.
- Ms. Kim Almstedt, 136 Four Paws Lane, Summerville, she is the Executive Director of Dorchester Paws. She discussed overcapacity and said Dorchester Paws is overcapacity currently. She said they are forced to make the decision every day to save or euthanize. She asked Council to pass a bill to stop the sale of commercially bred animals.
- Ms. Joy Davis, 102 Glebe Road, Summerville, she spoke on behalf of Lowcountry Animal Rescue and H.F. Help No Kill Rescue. She said what they are asking is not an attack on breeders, it only requires what most parent clubs require of breeders in their own code of ethics.

Councilman Bailey thanked County Council for their telephone calls and understanding while he was taking care of his brother. He also thanked the Clerk for staying in touch with him, Doug Warren for his guidance when it was needed, John Frampton for giving him advice, Jason Carraher for sticking with him and taking care of things, Sheriff Knight for his kindness and Commissioner Robbins for his telephone calls. He said Ms. Diane Jamison with Hospice was great.

Councilman Hearn asked that everyone continue to keep Mr. Davis' family in their prayers.

MINUTES

1. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted unanimously to adopt the minutes from the August 13, 2018, County Council Meeting.

ADOPTION OF 2019 COUNTY COUNCIL MEETING SCHEDULE

2. On the motion of Councilman Chinnis, seconded by Councilman Bailey, County Council voted unanimously not to adopt the 2019 County Council Meeting Schedule.

3RD READING OF ORDINANCE #18-14, APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS TO THE LOWER WASTE WATER TREATMENT PLANT

3. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted unanimously to give 3rd Reading of Ordinance #18-14, 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.

ADOPTION OF RESOLUTION #18-25, HOME GARAGING OF DORCHESTER COUNTY VEHICLES

4. On the motion of Councilman Chinnis, seconded by Councilman Bailey, County Council voted unanimously to adopt Resolution #18-25, a Resolution Allowing for the Home Garaging of Dorchester County Vehicles. The Resolution adds the Public Information Officer (PIO) and the Motor Equipment Operator III, who replaces signage, especially after hours, to the home garaging list.

CORRESPONDENCE: No correspondence received.

GUESTS

INTRODUCTION OF BRADLEY A. MITCHELL, DORCHESTER COUNTY DEPUTY ATTORNEY

Mr. Frampton introduced Bradley A. Mitchell, newly hired Dorchester County Deputy Attorney. Mr. Mitchell is a certified Circuit Court Mediator with a strong track record as an eminent domain, real estate, and property tax attorney, specializing in eminent domain and inverse condemnation actions. Prior to joining the Dorchester County team, Mr. Mitchell practiced with Hinchey, Murray & Pagliarini, LLC and served as an Assistant County Attorney for Charleston County for seven years.

MR. TRACEY TODD, CHAIRMAN, ACCOMMODATIONS TAX ADVISORY COMMITTEE

The Accommodations Tax Committee met on August 29, 2018, to discuss the disbursement of 65% of the Accommodations Tax funds for FY 2017-2018. The Accommodations Tax worksheet provides a listing of the amounts requested by the various organizations for FY 2017-2018 collections as well as the amounts recommended by the Accommodations Tax Committee to be distributed to each organization. County staff will provide a recommendation to County Council at a later date on the disbursement of the 30% portion of the Accommodations Tax funding for FY 2017-2018, which is to be allocated to a special fund and used only for advertising and promotion of tourism to develop and increase tourist attendance through the generation of publicity.

5. On the motion of Councilman Bailey, seconded by Councilman Hargett, County Council voted unanimously to approve the recommendations by the Dorchester County Accommodations Tax Advisory Committee as presented, regarding the allocation of \$43,941.16 for tourism related expenditures.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING OF AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE #18-11

6. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted unanimously to give 1st Reading of an Ordinance to Amend the FY 2018-2019 Dorchester County Budget Ordinance Number 18-11, to Recognize Revenues in the General Fund and Hospitality Tax Special Revenue Fund, and Increase Expenditures in Both Funds.

1ST READING OF AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP

7. On the motion of Councilman Chellis, seconded by Councilman Bailey, County Council voted unanimously to give 1st Reading and referral to the Planning, Development, and Building Committee for a public hearing and recommendation regarding an Ordinance to Amend the Official Zoning Map by Dorchester County to Rezone TMS#s 160-00-00-007, -039, 161-00-00-001, -002, -004 thru -011, -015 thru -020, -035, -040, -041, -098, -099,

-105, -107, -112, -113, -116, -117, -121 thru -125, 170-00-00-001 thru -003, -005 thru -007, -009 thru -016, -018, -020 thru -027, -029 thru -031, -036 thru -039, 171-00-00-045, -057, -062, -065, -069, -133 thru -136, -143, -149 thru -154, -156 thru -159, -182, -206, -219, -222 thru -224, 180-00-00-001 thru -003, -005 thru -009, -012, -014, -016, -020, -021, -023 thru -033, -040, -041, -047 thru -049, 189-00-00-001 thru -013 from R-4, Multi-Family Residential District to RR, Rural Residential District; and TMS#s 161-00-00-013, -021, -023, -092, 169-00-00-003, and 180-00-00-002 from R-4, Multi-Family Residential District to CV, Conservation District (This Ordinance is to rezone properties in the Ashley River Overlay District from R-4 to CV, which will allow the zoning of these properties to match the standards of the ARHOD.)

1ST READING OF REZONING REQUEST #772

8. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to give 1st Reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #772 by Christina Weatherford to rezone 2.27 acres located at 110 Barton Lane near Summerville from Multi-Family Residential (R-4) to Single-Family Residential Manufactured Housing (R-1MA), TMS #143-02-00-042.

APPROVAL OF FY 2018 CARRYOVER BUDGET

9. On the motion of Councilman Hearn, seconded by Councilman Chellis, County Council voted unanimously to approve the FY 2018 carryover budget to complete ongoing projects and purchases that were not completed by the end of Fiscal Year 2018.

APPROVAL OF FY 2019-2020 BUDGET CALENDAR

10. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted unanimously to approve the budget calendar for FY 2019-2020, as presented.

APPROVAL OF FUNDING FOR ACCELERATE GREATER CHARLESTON 2

11. On the motion of Councilman Chellis, seconded by Councilman Hargett, County Council voted unanimously to approve a request for \$25,000 in carryover funding and \$25,000 from County Council contingency to fund scholarships for local students for the second and third years of a three-year commitment as requested by the Charleston Metro Chamber of Commerce. Berkeley County is providing \$25,000 a year and Charleston County is providing \$50,000 per year. Several municipalities and companies are funding this program as well.

APPROVAL TO ALLOCATE 2010 BOND PROCEEDS FOR SUMMERVILLE MIRACLE LEAGUE PRESS BOX AND RAMP IMPROVEMENTS

12. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to approve the allocation of \$3,605 in 2010 Bond Proceeds for the Summerville Miracle League press box and ramp improvements as requested by Leadership Dorchester and recommended by the Dorchester County Parks and Recreation Commission.

COMMITTEE REPORTS

CHAIRMAN CHINNIS – PLANNING, DEVELOPMENT AND BUILDING COMMITTEE

Chairman Chinnis reported that the Committee met at 6:00 p.m. to discuss the following items:

13. On the recommendation of the Committee, County Council voted unanimously to approve 2nd Reading of 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.
14. On the recommendation of the Committee, County Council voted unanimously to deny 2nd Reading of 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.

15. On the recommendation of the Committee, County Council voted unanimously to approve 2nd Reading of 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.
16. On the recommendation of the Committee, County Council voted unanimously to approve 2nd Reading 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.
17. On the recommendation of the Committee, County Council voted unanimously to give 2nd Reading of an Ordinance to Amend the Dorchester County Zoning and Land Development Standards Ordinance #04-13, With Respect to Article VI, Section 13(b) "Adult Establishments", and Article XXV "Definitions" to Amend Adult Book Stores to Adult Novelty Stores (The purpose of this amendment is to broaden the definition of adult stores to include novelty items and devices.)
18. On the recommendation of the Committee, County Council voted unanimously to give 2nd Reading of 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.)
19. On the recommendation of the Committee, County Council voted unanimously to give 2nd Reading of 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.)

CHAIRMAN BYARS – BUDGET, FINANCE AND PURCHASING COMMITTEE

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

20. On the recommendation of the Committee, County Council voted unanimously to give 1st Reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Repeal Chapter 2, Article VI, Divisions 1 Through 10 and Substitute In Lieu Thereof New Divisions 1 Through 10 (The purpose of this ordinance is to repeal and replace the Dorchester County Procurement Ordinance, first adopted in 1983 and last revised in 2015. These changes reflect a modernization of the ordinance, alignment with the State Procurement Ordinance, and adhere to best practices in public procurement.)

CHAIRMAN BYARS – WATER AND SEWER COMMITTEE

Chairman Byars reported that the Committee met at 6:55 p.m. to discuss the following items:

21. On the recommendation of the Committee, County Council voted unanimously to postpone a request for new water and sewer service by the Spectrum Companies for a 286-unit apartment complex near Meeting Oaks Drive and Patriot Boulevard in the City of North Charleston, TMS #163-00-00-031.

APPOINTMENTS TO BOARDS AND COMMISSIONS: There were no appointments.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

2ND READING OF AN ORDINANCE, PROJECT SC 2

22. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted unanimously to give 2nd Reading 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.

APPROVAL OF CONDEMNATIONS AS REQUESTED BY THE DORCHESTER COUNTY SALES TAX AUTHORITY

23. On the motion of Councilman Hargett, seconded by Councilman Chinnis, County Council voted unanimously to approve a request for condemnations for a portion of four parcels TMS #086-00-00-019, TMS #086-00-00-008, TMS #098-00-00-001 and TMS #098-00-00-214, that are needed to construct US Highway 78 Phase 2A as requested by the Dorchester County Sales Tax Authority.

EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into Executive Session at 8:09 p.m. to discuss the following:

- Legal Advice
 - E-911 Under Collections
 - Summers Corner Improvement District Assessment Bonds

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.

E-911 UNDER COLLECTIONS

24. On the motion of Councilman Hearn, seconded by Councilman Bailey, County Council voted unanimously to authorize the County Administrator to execute the Contract for Legal Services with the Motley Rice, LLC law firm and the Professional Services Contract with Phone Recovery Services, LLC for consulting services to pursue any underpaid 911 emergency system of fees and/or surcharges due Dorchester County.

ADJOURNMENT

25. On the motion of Councilman Bailey, seconded by Councilman Hearn, County Council voted unanimously to adjourn at approximately 9:20 p.m.


Tracey L. Langley, Clerk to Council