

**AGENDA  
DORCHESTER COUNTY COUNCIL  
KENNETH F. WAGGONER SERVICES CENTER  
COUNCIL CHAMBERS, ST. GEORGE  
APRIL 2, 2012  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from March 19, 2012, County Council Meeting
- Dorchester County Employee Longevity Program (*County Council will recognize employees that completed 5, 10, 15, 20, 25, or 30 Years of service during the last quarter*)
- Adoption of Resolution #12-06, "In Memory of Judge Cranston Pinckney"
- Adoption of Proclamation #12-04, for "Peace Officers' Memorial Day"
- Adoption of Resolution #12-08, "A Resolution to Approve Mutual Aid Agreement Between the Dorchester County Sheriff's Office and the Florence County Sheriff's Office"
- Approval of a Mutual Aid Agreement between the North Charleston Police Department, and the Dorchester County Sheriff's Office
- Approval of a Mutual Aid Agreement and Inter-Jurisdictional Agreement between the Summerville Police Department and the Dorchester County Sheriff's Office
- Approval of Financial Plan for Trident Technical College Nursing and Science Building
- Approval of Application to Append Coverage for Firefighters under Police Officers Retirement System
- Correspondence

**3. GUEST**

- Sheriff L.C. Knight-Take Home Vehicle Policy

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

- 3<sup>rd</sup> Reading for Rezoning Request #486, BayCorp, Inc.; TMS# 152-00-00-039; 13.88 acres: Location-East-side of Orangeburg Road, Summerville; Requested Change SR (Suburban Residential) to R-2 (Single-Family Residential District)
- Video: Public Transportation Takes Us There

**5. COMMITTEE REPORT**

**Chairman Larry Hargett, Water and Sewer Committee Report**

- Request for New Water and Sewer Service for Westcott Commons (27 lot Subdivision); TMS #162-00-00-057
- Request for New Sewer Service for Dianne Lary (Academy Road, near St. George); TMS #045-00-00-051
- Request for New Water and Sewer Service for The Corner at Westcott, (Dorchester Road /Westcott Blvd., North Charleston); TMS #171-00-00-212
- Request for New Sewer Service for Allen Simmons, (Mallard Road, near Summerville); TMS #128-04-05-001

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Page Two**  
**April 2, 2012**  
**County Council Agenda**

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

-Request for DCTA Condemnation of Tract 293, TMS #110-00-00-104, Property Owner: Lillian Hunt  
Location: Orangeburg Road/Dawsons Branch Road- Improvements to Intersection to US 78 & SC 22

-Executive Session Legal Advice

-Agricultural Use

-Applicability of Municipal Zoning to County Owned  
Property

Contractual Matters

-Acceptance of New Right-of-Way Easement Haven Road

-Lease for Ridgeville Community Resource Center

-SC Hwy 165 Engineering Services

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

WILLIAM "BILL" HEARN, JR.

RICHARD ROSEBROCK

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 2, 2012**  
**7:00 P.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene and the Post and Courier were notified.

PRESENT: Mr. Larry S. Hargett—Chairman  
Mr. George Bailey—Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. Bill Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward—Administrator  
Ms. Ashley Jacobs—Deputy Administrator  
Mr. John Frampton—County Attorney  
Ms. Sally Hebert—Administrative Assistant

Chairman Hargett called the meeting to order and invited all to stand for the invocation by Mr. Byars followed by the Pledge of Allegiance.

### REQUEST TO AMEND AGENDA

1. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to add discussion of the Ashley River property under Executive Session.

**CHAIRMAN'S TIME – MR. LARRY HARGETT**

**REQUESTS TO ADDRESS COUNCIL**

Chairman Hargett recognized the following citizens to address Council:

- Dan Dennis, 13 Governor's Hill, Columbia, SC 29201, provided to Council a copy of his professional biography and his company's annual report. He reviewed the work that the County has already paid Dennis Corp. to complete on the design and permitting of S.C. Highway 165.
- Roger Goodman, no address provided, questioned the number of and policies regarding County-owned vehicles being taken home by employees and the employee accountability when purchasing gas for the vehicles. He asked for an outside audit.
- Betty Martin, 206 Ridge Street/146 Callaway Drive, thanked the County for assistance with the Hudson Town Community cleanup.
- John Krauss, 10597 Dorchester Road, owner of the shopping center at the corner of Dorchester and Bacons Bridge roads asked for design changes to provide easier access to tenants. He said one tenant has given 90-day notice that it will not renew.
- Charles Ackerman, Mayor of Harleyville, invited Council and citizens to participate in the April 27 Relay for Life in Harleyville. He thanked local merchants for sponsoring the event.

**ADOPTION OF MARCH 19, 2012, DORCHESTER COUNTY COUNCIL MINUTES**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the minutes from the March 19, 2012, Dorchester County Council meeting.

**DORCHESTER COUNTY EMPLOYEE LONGEVITY PROGRAM**

Dorchester County Council recognized County employees with 5, 10, 15, 20, 25 and 30 years of service to the County. Mrs. Jan Simpson, County Benefits Administrator, along with County Council, presented the following employees who attended the meeting with certificates and pins: Mike Chadwick (5), Tiffany Heber (15) and Carolyn Roberts (20).

**ADOPTION OF RESOLUTION #12-06, "IN MEMORY OF JUDGE CRANSTON PINCKNEY"**

3. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adopt Resolution #12-06, "In Memory of Judge Cranston Pinckney."

Chairman Hargett presented the framed resolution to Mr. Willie Davis, Council Member representing District 1. Mr. Davis invited family and friends of Judge Pinckney to come to the front where they took a picture with Council.

**ADOPTION OF PROCLAMATION #12-04, FOR "PEACE OFFICERS' MEMORIAL DAY"**

4. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adopt Proclamation #12-04, for "Peace Officers' Memorial Day," which designates May 15 as such in Dorchester County.

**ADOPTION OF RESOLUTION #12-08, "A RESOLUTION TO APPROVE MUTUAL AID AGREEMENT BETWEEN THE DORCHESTER COUNTY SHERIFF'S OFFICE AND THE FLORENCE COUNTY SHERIFF'S OFFICE"**

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #12-08, "A Resolution to Approve Mutual Aid Agreement Between the Dorchester County Sheriff's Office and the Florence County Sheriff's Office."

**APPROVAL OF MUTUAL AID AGREEMENT BETWEEN THE NORTH CHARLESTON POLICE DEPARTMENT AND THE DORCHESTER COUNTY SHERIFF'S OFFICE**

6. On the motion of Mr. Byars, seconded by Mr. Davis, Council voted unanimously to approve the mutual aid agreement between the North Charleston Police Department and the Dorchester County Sheriff's Office.

**APPROVAL OF MUTUAL AID AGREEMENT AND INTER-JURISDICTIONAL AGREEMENT BETWEEN THE SUMMERVILLE POLICE DEPARTMENT AND THE DORCHESTER COUNTY SHERIFF'S OFFICE**

7. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to approve the mutual aid agreement and inter-jurisdictional agreement between the Summerville Police Department and the Dorchester County Sheriff's Office.

**APPROVAL OF FINANCIAL PLAN FOR TRIDENT TECHNICAL COLLEGE NURSING AND SCIENCE BUILDING**

8. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted four in favor, one opposed and two abstentions, to approve the plan to finance the remaining \$3,628,030 for the Trident Technical College Nursing and Science Building over five years with interest. Mr. Hearn opposed; Mr. Chinnis and Mr. Byars abstained.

Mr. Byars requested that Council back up to discussion. Mr. Bailey moved to reconsider the question. Mr. Byars said he had an issue making the payment with interest rather than spending that money on Dorchester County capital projects. Council discussed whether or not to include interest payments in the financial plan for the TTC Nursing and Science Building.

9. On the motion of Mr. Byars, seconded by Mr. Chinnis, Council voted five in favor, two opposed, to approve funding the remaining \$3,628,030 without interest over five years to Trident Technical College. Chairman Hargett and Mr. Rosebrock opposed.

**APPROVAL OF APPLICATION TO APPEND COVERAGE FOR FIREFIGHTERS UNDER POLICE OFFICERS RETIREMENT SYSTEM**

10. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously for approval of application to append coverage for firefighters under police officers retirement system.

**CORRESPONDENCE**

There were no items of Correspondence.

**GUEST**

Sheriff L.C. Knight reviewed the department's policies regarding taking home County vehicles. He said supervisors check the vehicles, mileage and gas every month. He explained that home-garaging of vehicles provides an increased presence in neighborhoods because most of the vehicles are marked cars, which some deputies use in off-duty, part-time jobs such as school crossing guard. Neighboring law enforcement agencies and the S.C. Highway Patrol allow home-garaging. This privilege is a recruitment and retention tool in a competitive job market. He cited studies showing operation costs are lower for assigned take-home vehicles versus pool vehicles. Sheriff Knight also said pool vehicles present logistical nightmares for officers having to drive to pick up a department vehicle before answering a call or reporting to an assignment.

When Mr. Chinnis began to ask Sheriff Knight about gallons of fuel used as cited during public comments, Mr. Ward said he did not know where that number came from but that he was prepared to address statements made earlier and provide additional information. Mr. Ward said vehicles assigned to the following departments have GPS installed: EMS, Public Works, Water and Sewer, Code Enforcement, including Animal Control and Environmental Services, and Building Services. To the point of there's no accountability, we have a record of how fast people are travelling, where they are travelling, etc. In addition, we do audit from time to time the actual usage of the vehicles, the amount of fuel being used based upon the mileage entered and have in fact terminated several employees for the abuse of that, said Mr. Ward.

Mr. Chinnis asked about fuel usage, saying that if the numbers cited during public comments were correct, it seemed low to him.

Mr. Ward said the County has not increased its usage of fuel over the last three years. We haven't tapped into our fuel contingency fund for the last two years, and therefore have carried it over. In December, we sent out information auditing those individuals who were refusing to put their mileage in. When you go to our pump, you are asked to put in your number. If you press enter instead of waiting for it to prompt you to put the mileage in, it will go directly to allowing you to fuel. So we sent out a new directive back in December, reminding people that we are looking at it. Each month, we get a listing of the usage of the fuel for every employee and so that is something that is monitored. In addition to that, of the so-called 190 some odd vehicles, those vehicles may be eligible to be taken home but are not in fact taken home every day. And I provided that information to you in your packets. Many of the positions are positions that are on call and subject to take home in the case of an emergency, but in fact very few vehicles are actually assigned to be taken home other than public safety vehicles, which you are fully aware of in accordance with Resolution #08-20.

Chairman Hargett said the complaints he has heard do not deal with patrol officers but rather court security deputies. He asked why they would have a take-home car.

Sheriff Knight said they are subject to overtime when court runs long and are subject to responding to emergencies after hours and on weekends.

Chairman Hargett then asked about the detention center staff having take-home cars.

Sheriff Knight said the supervisor and his two top assistants have take-home vehicles because they are subject to being called out. Transport officers also have take-home vehicles because they are subject to being called to take prisoners to the hospital during the night.

Mr. Chinnis asked about victims' advocates having county vehicles. Sheriff Knight said they do have vehicles because they are needed on the scene when there is a major crime.

Several Council members said citizens and merchants have told them they like the visibility of having marked Sheriff's cars parked in neighborhoods and driven through business districts by off-duty officers.

Chairman Hargett thanked Sheriff Knight for his attendance and presentation.

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

#### **3<sup>rd</sup> READING FOR REZONING REQUEST #486, BAYCORP, INC.**

Mr. Ward requested Council give third reading to this 13.88-acre parcel located on the east side of Orangeburg Road in Summerville.

11. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously for 3<sup>rd</sup> Reading for Rezoning Request #486, BayCorp, Inc.; TMS# 152-00-00-039; changing SR (Suburban Residential) to R-2 (Single-Family Residential District).

#### **VIDEO: PUBLIC TRANSPORTATION TAKES US THERE**

Chairman Hargett announced that Tri-County Link launched bus service between Summerville and St. George today. Mr. Ward shared a short video produced by the South Carolina Department of Transportation (SCDOT) and the Transportation Association of South Carolina (TASC) about the benefits of public transportation in South Carolina.

### **COMMITTEE REPORTS**

Chairman Hargett passed the gavel to Mr. Bailey in order to give his Committee report. He reported that the Water and Sewer Committee met before the Council meeting and approved recommending to Council four water and sewer requests. Mr. Hearn said he would abstain from voting because he missed the Water and Sewer Committee meeting.

#### **REQUEST FOR NEW WATER AND SEWER SERVICE FOR WESTCOTT COMMONS; TMS #162-00-00-057**

12. Council voted six in favor with one abstention (Mr. Hearn) to approve.

#### **REQUEST FOR NEW SEWER SERVICE FOR DIANNE LARY; TMS #045-00-00-051**

13. Council voted six in favor with one abstention (Mr. Hearn) to approve.

#### **REQUEST FOR NEW WATER AND SEWER SERVICE FOR THE CORNER AT WESTCOTT; TMS #171-00-00-212**

14. Council voted six in favor with one abstention (Mr. Hearn) to approve.

**REQUEST FOR NEW SEWER SERVICE FOR ALLEN SIMMONS; TMS #128-04-05-001**

15. Council voted six in favor with one abstention (Mr. Hearn) to approve.

Mr. Bailey passed the gavel back to Chairman Hargett.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

16. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to appoint Ms. Katherine Saunders, 213 Live Oak Road, Summerville, to the **Dorchester County Library Board of Trustees**, representing District #2, and to appoint Mr. Robert (Bob) Bennett, 300 Grouse Road, Summerville, to the **Dorchester County Economic Development Board**, also representing District #2.

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

**REQUEST FOR DCTA CONDEMNATION OF TRACT 293, TMS #110-00-00-104**

17. On the motion of Mr. Davis, seconded by Mr. Byars, Council voted unanimously to authorize the condemnation of Tract 293, TMS #110-00-00-104, owned by Lillian Hunt and located as part of improvements to the intersection to U.S. 78 and S.C. Highway 22.

**EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session to receive legal advice on two issues, one is the Agricultural Use Exemption and the second is the Applicability of Municipal Zoning to County-Owned Property; also to discuss four contractual matters: the Ashley River property, the acceptance of new right-of-way easement on Haven Road, the lease for Ridgeville Community Resource Center, and the contract for S.C. Highway 165 engineering services.

18. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to enter into Executive Session as requested by the County Attorney.

**RECONVENE FROM EXECUTIVE SESSION**

The County Attorney reported that Council discussed the items announced before going into Executive Session, and no action was taken.


19. On the motion of Mr. Bailey, seconded by Mr. Chinnis, Council voted unanimously to accept the conveyance from **Showa Denko Carbon, Inc.**, of the new drainage and right-of-way easements for the relocation of a portion of the Haven Road conditioned upon the County Attorney receiving an acceptable opinion of title from their attorney.
20. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to authorize the County Administrator to negotiate a mutually agreeable contract for engineering services for the **Highway 165 project** with one of the top three ranked firms subject to approval of County Council.



21. On the motion of Mr. Chinnis, seconded by Mr. Hearn, Council voted unanimously to authorize the County Administrator to execute the lease and option to purchase agreement with the **Ridgeville Community Resource Center, Inc.**, for the property formerly known as the Newman Health Clinic located at 108 Dorchester St., Ridgeville, SC.

**ADJOURNMENT**

22. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to adjourn.

  
Sally Hebert, Admin. Asst. to Council

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



JAY BYARS

DAVID CHINNIS

WILLIE DAVIS

WILLIAM "BILL" HEARN, JR.

RICHARD ROSEBROCK

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES  
SPECIAL CALLED MEETING OF  
DORCHESTER COUNTY COUNCIL  
HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
APRIL 9, 2012  
9:00 A.M.**

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene and the Post and Courier were notified and a notice was posted on the bulletin board 24 hours before the meeting.

PRESENT: Mr. Larry S. Hargett—Chairman  
Mr. George Bailey—Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. Bill Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward—Administrator  
Mr. John Frampton—County Attorney  
Mrs. Sally Hebert—Admin. Asst. to Council

Chairman Hargett welcomed everyone and called to order the Special Called Meeting of Dorchester County Council. Chairman Hargett gave the invocation, which was followed by the Pledge of Allegiance.

### **CHAIRMAN'S TIME – MR. LARRY HARGETT**

Chairman Hargett announced that there was only one item of business on the agenda, the possible expansion of the Town of Summerville's historic district to include 500 North Main Street. He reported

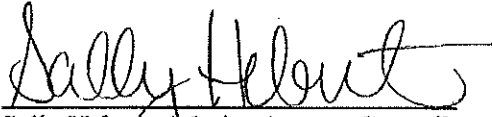
that Summerville Mayor Bill Collins called him on Friday and asked what the preference was of County Council. Chairman Hargett said he told Mayor Collins that County Council had not yet taken up this issue. Chairman Hargett said Summerville Town Council will hold 1st Reading on the matter during Wednesday's 7:30 p.m. Town Council meeting. Chairman Hargett said he wanted to leave today's meeting with an answer for Mayor Collins and the Summerville Town Council. Chairman Hargett then opened the floor for discussion, which continued for about 20 minutes.

1. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted six in favor, one opposed, for the Dorchester County Council, specifically the Chairman, to appear before Summerville Town Council at the (Wednesday, April 11, 2012) meeting and oppose placing this TMS block (#137-03-05-001, also known as the Dorchester County Human Services Building, at 500 North Main Street) into the historic district until such time that we have met with the Town and determined what the impact would be.

Mr. Hearn opposed the motion.

**ADJOURNMENT**

2. On the motion of Mr. Byars, seconded by Mr. Davis, Council voted seven in favor to adjourn.

  
Sally Hebert, Admin. Asst. to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**APRIL 16, 2012**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from the April 2, 2012, County Council Meeting, and the April 9, 2012, Special Called County Council Meeting
- Approval of Interstate Criminal Enforcement Team Multijurisdictional Task Force Agreement between Charleston County Sheriff's Office and Berkeley County Sheriff's Office
- Adoption of Resolution #12-09 "In Honor of Amber Heyward" (*Senior at Fort Dorchester High School*)
- Correspondence

**3. GUESTS**

- Mr. Will Hutto, Executive Director, Tri-County Link - Update on the Dorchester Connector (*Bus Service to and from St. George and Summerville*)
- Mrs. Kara Gunter, Interim Budget and Finance Director, - March 2012 Budget Report

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

- Request to Amend the FY 2012 Budget to Recognize Revenue from Insurance Company

**5. COMMITTEE REPORTS**

**Chairman Richard Rosebrock, Public, Works, Property and Utilities Committee Report**

- Yard Debris Collection Sites

**Chairman Larry Hargett, Water and Sewer Committee Report**

- Request for New Sewer Service to TMS #181-00-00-126, Dunkin' Donuts, Located at 8501 Dorchester Road, North Charleston

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 1<sup>st</sup> Reading for "An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter Into an Arrangement for Payments in Lieu of Property Taxes"
- 1<sup>st</sup> Reading for "An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park"
- 1<sup>st</sup> Reading for "A First Supplemental Bond Ordinance Providing for the Issuance and Sale of Not Exceeding \$1,250,000 Special Source Revenue Bonds, Series 2012, of Dorchester County, South Carolina, In One or More Series, Taxable or Tax-Exempt; Prescribing the Form and Details of the Bonds; Authorizing the Chairman or Vice-Chairman and the County Administrator to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Related Matters" (*The Bonds proceeds will be used to provide sewer service and reclaimed water to Winding Wood Industrial Park.*)

**COUNTY ATTORNEY'S TIME-CONTINUED**

-1<sup>st</sup> Reading for "A General Bond Ordinance Authorizing and Providing for the Issuance of Special Source Revenue Bonds of Dorchester County, South Carolina; Prescribing the Form of Bonds; Providing for the Issuance of Additional Bonds and Refunding Bonds; Limiting the Payment of the Bonds Solely to the Pledged Revenues Received and Retained by the County from the Payments In Lieu of Taxes from Certain Designated Multi-County Industrial and Business Parks and Deposited in the Economic Development Fund; and Pledging the Pledged Revenues for Payment; Creating Certain Funds and Providing for Payments into those Funds; and Making Other Covenants and Agreements In Connection with the Foregoing" (*For Winding Wood Industrial Park*)

- Executive Session
  - Confidential Economic Development Prospects
  - Legal Advice
    - Annexation
  - Contractual Matters
    - Revenue Collection Agreement
    - Countywide Fire Protection

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

(843) 563-0196 FAX (843) 563-0137

SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

### MINUTES

### DORCHESTER COUNTY COUNCIL KENNETH F. WAGGONER SERVICES CENTER COUNCIL CHAMBERS, ST. GEORGE

APRIL 16, 2012

7:00 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin boards 24 hours prior to the meeting.

PRESENT: Mr. Larry S. Hargett, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Hargett called the meeting to order and Councilman Hearn gave the invocation.

### REQUEST TO AMEND THE AGENDA

Councilman Bailey requested to amend the agenda to add an additional item concerning the proposed new Jail for discussion in Executive Session under contractual matters.

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to amend the agenda to add an additional item for discussion in Executive Session under contractual matters concerning the proposed new Jail site.

**REQUESTS TO ADDRESS COUNCIL**

Chairman Hargett stated only one person signed up to address Council.

- Mr. Mac Baughman, Knightsville, spoke to offer a personal thanks to Mr. Jason Ward for his quick assistance after being called about illegal dumping of commercial truck tires on Horseford Road in Ridgeville, and to the entire staff for the quick cleanup.

**ADOPTION OF APRIL 2, 2012, DORCHESTER COUNTY COUNCIL MINUTES AND APRIL 9, 2012, SPECIAL CALLED COUNTY COUNCIL MINUTES**

2. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the April 2, 2012, County Council Meeting, and the April 9, 2012, Special Called County Council Meeting.

**APPROVAL OF INTERSTATE CRIMINAL ENFORCEMENT TEAM MULTIJURISDICTIONAL TASK FORCE AGREEMENT BETWEEN CHARLESTON COUNTY SHERIFF'S OFFICE AND BERKELEY COUNTY SHERIFF'S OFFICE**

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve the Interstate Criminal Enforcement Team Multijurisdictional Task Force Agreement between Charleston County Sheriff's Office and Berkeley County Sheriff's Office. State law requires the governing body to approve these agreements prior to the Sheriff entering into them.

**RESOLUTION #12-09 "IN HONOR OF AMBER HEYWARD"**

Chairman Hargett stated he was proud to read aloud Resolution #12-09, "In Honor of Amber Heyward", which was up for adoption. Miss Heyward is a senior at Fort Dorchester who will be attending the College of Charleston this fall, under a \$10,000 a year Susan G. Komen College Scholarship Award Program from the National Komen Collegiate Ambassadors breast cancer awareness program. She is one of five National recipients from thousands of entries across the nation selected based on scholastic achievement, community service, financial need and demonstrated leadership potential. Amber aspires to become a lawyer and has created a breast cancer website that seeks to get more young people involved in breast cancer awareness. Chairman Hargett will present this to Amber at a special program at Fort Dorchester High School.

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #12-09, "In Honor of Amber Heyward".

**CORRESPONDENCE**

Mr. Ward stated there was no correspondence to report.

**GUESTS**

**MR. WILL HUTTO, EXECUTIVE DIRECTOR, TRI-COUNTY LINK**

Mr. Will Hutto, Executive Director, Tri-County Link, and Ms. Barbara Flynn of Tri-County Link appeared before Council. Mr. Hutto gave a brief presentation on the county's new shuttle service, which makes 10 stops, six of which are park and ride. He reported in the first two weeks the commuter bus trial was a super success, with 433 passenger trips logged in the second week, and so popular that expansion by connector service was in high demand. Mr. Hutto stated after looking at the demand from telephone calls and public meetings, it was decided to add an additional shuttle service beginning on April 30, with hourly stops from 9 a.m. to 3 p.m. The new Tri-County Link bus service route from Summerville to St. George and St. George to Summerville, operating Monday through Friday, has been popular and the new Dorchester Connector Shuttle service would connect riders to shopping areas on North Main Street in Summerville and to the many medical offices at and near Trident Hospital in North Charleston. Mr. Hutto told Council he was very excited the program had become so successful in Dorchester County, and wanted to thank everyone who played a part. Mr. Hutto said it was his honor and pleasure to announce to Dorchester County Council you just got "LINKED". All of Council thanked Mr. Hutto.

**MRS. KARA GUNTER, INTERIM DIRECTOR OF BUDGET AND FINANCE**

Mrs. Kara Gunter, Interim Director of Budget and Finance, presented the March 31, 2012, Monthly Budget Report to Council. She stated the county's general and capital funds were both on track, and discussed several other funds. In conclusion, Mrs. Gunter stated the County was in a solid financial position. Mrs. Gunter asked if Council had any specific questions. Council did not, and thanked Mrs. Gunter for the new look of the report and all of her hard work.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**REQUEST TO AMEND THE FY 2012 BUDGET TO RECOGNIZE REVENUE FROM**  
**INSURANCE COMPANY**

5. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to amend the 2012 Budget to recognize insurance proceeds of \$12,825 from a totaled Crown Victoria and authorize the use of these funds for the purchase of equipment, such as new vehicles.

**COMMITTEE REPORTS**

**PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT**  
**CHAIRMAN RICHARD ROSEBROCK**  
**YARD DEBRIS AND COLLECTION SITES**

Chairman Rosebrock reported the Public Works, Property, and Utilities Committee met earlier and the Public Works Director presented a report on the comparisons of convenience sites in Dorchester County with neighboring counties. The results were that Dorchester County was doing a fine job with our sites and were actually open more hours than any of our neighboring counties and were right on track with our policies and our charges. Chairman Rosebrock reported no action taken, and the Committee was pleased with the report. In conclusion, Chairman Rosebrock stated, as always the Committee still wanted the convenience sites as clean as possible and to make sure the sites never just fall along the wayside.



**COMMITTEE REPORTS-CONTINUED**

Chairman Hargett passed the gavel to Vice Chairman Bailey in order to give his Committee report.

**WATER AND SEWER COMMITTEE REPORT -CHAIRMAN LARRY HARGETT  
REQUEST FOR NEW SEWER SERVICE TO TMS #181-00-00-126, DUNKIN' DONUTS**

6. Chairman Hargett reported that the Committee's recommendation to Council was unanimous to approve the request for new sewer service to TMS #181-00-00-126, for a new Dunkin' Donuts, located at 8501 Dorchester Road, North Charleston. Council voted unanimously in favor of the recommendation.

Vice- Chairman Bailey passed the gavel back to Chairman Hargett

**APPOINTMENTS TO BOARDS AND COMMISSIONS  
TRIDENT TECHNICAL COLLEGE AREA COMMISSION**

7. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to reappoint Mr. Rutherford P.C. Smith to the Trident Technical College Area Commission, as a representative of Dorchester County.

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

**1<sup>ST</sup> READING FOR "AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT  
INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER  
COUNTY, SOUTH CAROLINA, AND SHOWA DENKO CARBON, INC., WHEREBY  
DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS  
IN LIEU OF PROPERTY TAXES"**

8. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to give 1<sup>st</sup> Reading for "An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter into an Arrangement for Payments in Lieu of Property Taxes".

**1<sup>ST</sup> READING FOR "AN ORDINANCE AUTHORIZING INCLUSION OF PROPERTY  
OF SHOWA DENKO CARBON, INC., IN MULTICOUNTY PARK**

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading for "An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park". This property has to be in the Multicounty Industrial Park in order to qualify for the FILOT.

**COUNTY ATTORNEY'S TIME-CONTINUED**

**1<sup>ST</sup> READING FOR "A GENERAL BOND ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF DORCHESTER COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE ISSUANCE OF ADDITIONAL BONDS AND REFUNDING BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENTS IN LIEU OF TAXES FROM CERTAIN DESIGNATED MULTI-COUNTY INDUSTRIAL AND BUSINESS PARKS AND DEPOSITED IN THE ECONOMIC DEVELOPMENT FUND; AND PLEDGING THE PLEDGED REVENUES FOR PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO THOSE FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING"**

10. On the motion of Mr. Davis, seconded by Mr. Byars, Council voted unanimously to give 1<sup>st</sup> Reading for the above named Ordinance. This ordinance is for Winding Wood Industrial Park, authorizes the issuance of the bonds, and designates the source of funding for making the bond payments.

**1<sup>ST</sup> READING FOR "A FIRST SUPPLEMENTAL BOND ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$1,250,000 SPECIAL SOURCE REVENUE BONDS, SERIES 2012, OF DORCHESTER COUNTY, SOUTH CAROLINA, IN ONE OR MORE SERIES, TAXABLE OR TAX-EXEMPT; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER RELATED MATTERS"**

11. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading to the above named Ordinance. The Bonds proceeds will be used to provide sewer service and reclaimed water to Winding Wood Industrial Park.

**REQUESTS FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into executive session to discuss confidential economic development prospects, to discuss a contractual matter added to the agenda concerning the proposed jail site purchase, and two other contractual matters concerning revenue collection, and countywide fire protection, and to receive legal advice concerning annexation.

**EXECUTIVE SESSION 7:32 P.M.**

12. On the motion of Mr. Davis, seconded by Mr. Byars, Council voted unanimously to enter into Executive Session, as requested by the County Attorney.

Chairman Hargett announced before going into Executive Session that one item was over looked, which was an appointment to the Board of Disabilities and Special Needs. Council addressed this item before entering into Executive Session.

**DORCHESTER COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS**

13. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously on recommending Ms. Juanita Johnson Hill to the Governor for appointment to the Dorchester County Board of Disabilities and Special Needs.

**RECONVENE FROM EXECUTIVE SESSION 8:48 P.M.**

The County Attorney reported that Council discussed the previously announced items, and no action was taken.

**ADJOURNMENT**

14. On the motion of Mr. Byars, seconded by Mr. Chinnis, Council voted unanimously to adjourn. Time of adjournment was 8:50 p.m.

*Sandy W. Lawley*

---

Sandy Lawley, Clerk to Council

**AGENDA  
DORCHESTER COUNTY COUNCIL  
DORCHESTER COUNTY HUMAN SERVICES BUILDING  
COUNCIL CHAMBERS, SUMMERVILLE  
MAY 7, 2012  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from the April 16, 2012, County Council Meeting
- Adoption of Resolution #12-10, "In Honor of Merle Handelsman", for her Dedicated Service to Dorchester County
- Adoption of Resolution #12-11, "In Honor of Jerry Sauerbrei", for his Dedicated Service to Dorchester County
- Adoption of Resolution #12-12, "To Honor and to Recognize Beech Hill Elementary School for Receiving the Palmetto's Finest School Award"
- Correspondence

**3. GUEST**

- Ms. Nancyjean Nettles, Chair-Elect for the Greater Summerville/Dorchester County Chamber of Commerce, – Tourism Report

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

- 1<sup>st</sup> Reading for the FY 2012-2013 Dorchester County Budget (By Title Only)
- 1<sup>st</sup> Reading for Rezoning Request #662, for Bud Knight, TMS #136-00-00-109; 7.29 acres; Location 818 Central Ave., Summerville; Requested Change from R-4 (Multi-Family Residential District) to CLI (Commercial Light-Industrial District)
- 1<sup>st</sup> Reading for Rezoning Request #663, for South Carolina Federal Credit Union, c/o Marlena Franklin/John Conway, TMS# 145-09-05-004; 0.46 acre; Location 1330 Bacons Bridge Rd., Summerville; Requested Change from R-1 (Single-Family Residential District) to OI (Office and Institutional District)
- 1<sup>st</sup> Reading for An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VI, Use Group 17(c) to Add "And Establishments Engaged In the Care, Treatment, and Housing of Domestic Animals."; With Respect to Article X, Section 10.4.1(c) To Delete the Same and Substitute In Lieu Thereof A New Section 10.4.1(c); With Respect to Article XIII, Section 13.5.7(j) To Add A New Subsection 13.5.7(j)(5); With Respect to Article VI, Use Group 23(b) To Delete The Same And To Add To Use Group 23(c) "And Water Treatment Plants, Storage Tanks, or Pumping Stations for the Purification, Storage and/or Pumping of Portable Water."; And With Respect to Article X Section 10.4.18(a), (b) And (c) To Add To Each Subsection, "Water Treatment Plants and/or Water Storage Towers."

*(Amendment 1 would allow establishments engaged in the care, treatment and housing of domestic animals in General Commercial (CG) Zoning Districts.) (Amendment 2 would allow accessory dwelling units larger than the current limit of 600 square feet on lots 0.75-2.0 acres.) (Amendment 3 would allow one large façade sign on a large building with deep setbacks.) (Amendment 4 would allow set zoning requirements for water utilities equal to those requirements for electric and gas utilities.)*

**COUNTY ADMINISTRATOR'S TIME –CONTINUED**

-1<sup>st</sup> Reading for an Ordinance, “Approving an Amendment to the Loan Agreement between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01; To Provide For Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein; and Other Matters Relating Thereto” (By Title Only)

**5. COMMITTEE REPORTS**

**Chairman Larry Hargett, Audit Committee Report**

-Review of Proposals for Audit Services

**Chairman Larry Hargett, Water and Sewer Committee Report**

-Request for New Water Service to TMS #118-00-00-157, 1101 Ridge Road, Ridgeville, for Crystal Handley

**Chairman Bill Hearn, Planning, Development, and Building Committee Report**

-Public Hearing and 2<sup>nd</sup> Reading for Rezoning Request #650, for Dorchester County Council TMS# 135-00-00-219; 1.22 acres; Location –West Butternut Road, Summerville; Requested Change PD (Planned Development District) to R-1 (Residential Single Family District)  
-Public Hearing and 2<sup>nd</sup> Reading for Rezoning Request #664, for Dorchester County Council; TMS#s 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132; 24 acres; Location -Butternut Road, Summerville; Requested Change R-4 (Multi-Family Residential District) to R-1 (Single Family Residential District)  
-Public Hearing and 2<sup>nd</sup> Reading for Rezoning Request #665, for Dorchester County Council; TMS#s 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036; 23 acres; Location -Butternut Road, Summerville; Requested Change R-4 (Multi-Family Residential District) to TRM (Transitional Residential District)

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-2<sup>nd</sup> Reading and Public Hearing for “An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter Into an Arrangement For Payments in Lieu of Property Taxes”  
-2<sup>nd</sup> Reading and Public Hearing “An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park”  
-Executive Session   Legal Advice                       -Collection of Fee in Lieu of Tax Payments  
  Contractual Matters                -Contract with Tax Management Associates  
  -Solid Waste Fee Collection Agreement  
  -Engineering Services for SC Hwy 165-Road Widening  
  -Winding Wood Infrastructure Loan  
  -Architectural and Engineering Services for Emergency  
  Operations Center

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

(843) 563-0196 FAX (843) 563-0137

SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

### MINUTES

### DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE

MAY 7, 2012

7:14 P.M.

Pursuant to the Freedom of Information Act, the Dorchester Eagle Record, the Summerville Journal Scene, and the Post & Courier, were notified and a notice was posted on the bulletin boards 24 hours prior to the meeting.

PRESENT: Mr. Larry S. Hargett, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Hargett called the meeting to order, and Councilman Rosebrock gave the invocation.

### REQUEST TO ADDRESS COUNCIL

- Mr. Clement Singleton, Jr., Orangeburg Road, Summerville, came to thank Council and Public Works' Committee Chairman Rosebrock, for the completion of the paving of Ancrum Lane. He stated although it took quite sometime, it was worth the wait and he was extremely thankful.

### ADOPTION OF APRIL 16, 2012, DORCHESTER COUNTY COUNCIL MINUTES

1. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt the Minutes from the April 16, 2012, County Council Meeting.

**REQUEST TO AMEND THE AGENDA**

Councilman Byars requested to amend the agenda to include an additional item in Executive Session for discussion concerning a proposed real estate matter for the Water and Sewer Department.

2. On the motion of Mr. Byars, seconded by Mr. Rosebrock, Council voted unanimously to amend the agenda to include an additional item in Executive Session for discussion concerning a proposed real estate matter for the Water and Sewer Department.

**REQUEST TO AMEND THE AGENDA TO ADD AN ITEM TO A COMMITTEE**

Councilman Byars requested to amend the agenda to request that the item of further discussion and study of the "New Stop Signs on Carolinian Drive", be added to the Public, Safety, Health and Human, Services Committee.

3. On the motion of Mr. Byars, seconded by Mr. Chinnis, Council voted unanimously to amend the agenda to add the item of further discussion and study of the "New Stop Signs on Carolinian Drive", to the Public Safety, Health and Human Services Committee.

**RESOLUTION #12-10 "IN HONOR OF MERLE HANDELSMAN"**

Chairman Hargett announced Ms. Merle Handelsman could not attend tonight because she was home sick with the flu. However, he read the Resolution aloud and said he would personally present the Resolution to her, when she gets well, on behalf of County Council for her loyal service to the County.

4. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adopt Resolution #12-10, "In Honor of Merle Handelsman", for her dedicated service to Dorchester County.

**RESOLUTION #12-11 "IN HONOR OF JERRY SAUERBREI"**

Chairman Hargett stated he was proud to read aloud Resolution #12-11, "In Honor of Jerry Sauerbrei", for his dedicated service to Dorchester County Government.

5. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #12-11, "In Honor of Jerry Sauerbrei", for all of his faithful service to Dorchester County.

**RESOLUTION #12-12, "TO HONOR & TO RECOGNIZE BEECH HILL ELEMENTARY SCHOOL FOR RECEIVING THE PALMETTO'S FINEST SCHOOL AWARD"**

Councilman Byars read Resolution #12-12, "To Honor and to Recognize Beech Hill Elementary School for Receiving the Palmetto's Finest School Award". He stated it was a true honor for Dorchester County and County Council to have a County School receive such an esteemed award. The Chairman along with all members of Council presented the Resolution to Beech Hill Principal Rene Harris, her staff and special guests.

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #12-02, "To Honor and to Recognize Beech Hill Elementary School for Receiving the Palmetto's Finest School Award".

**CORRESPONDENCE**

Mr. Ward stated there was no correspondence to report.

**GUEST - MS. NANCYJEAN NETTLES, CHAIR-ELECT,  
GREATER SUMMERVILLE/DORCHESTER COUNTY CHAMBER OF COMMERCE**

Ms. Nancyjean Nettles, Chair-Elect of the Greater Summerville/Dorchester County Chamber of Commerce, gave an update on tourism in the Summerville area. She stated tourism was the number one economic driver in the state of South Carolina. She reported in 2011 Summerville received 11,000 visitors and as of May 2012, Summerville has received close to 4,874 visitors, already an increase from this time last year. Ms. Rita Berry, President and CEO of the Chamber, gave Council Members two packets of information that the Chamber sends out daily: a smaller packet, sent to visitors who come to the Chamber or e-mail and have questions about Summerville, and a larger packet that goes out to people who are interested in moving here, industries, and various others. It includes special advertising on Summerville and surrounding areas, the Charleston Chamber Visitor's Guide, Summerville's Azalea Magazine, and Southern Living magazine, along with other important information. In conclusion, Ms. Nettles thanked Council for all of the support for tourism and the funds the Chamber receives from the Dorchester County Accommodations' Tax.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD  
REQUEST TO AMEND THE AGENDA**

Mr. Ward first requested Council to amend the agenda regarding several budget transfers in the Fiscal Year 2011-2012 Budget.

7. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to amend the agenda as requested by the County Administrator regarding several budget transfers in the Fiscal Year 2011-2012 Budget.

**REQUEST FOR TRANSFERS BY THE COUNTY ADMINISTRATOR**

8. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to approve the request by the Administrator to transfer money from Unemployment Compensation (101-6990-469.25-01) of \$50,000 to Direct Assistance to (101-6999-469.80-85) for Tri-County Link and a transfer of \$939 to Veterans Affairs Travel (101-4695-446.57-01) to reimburse Mr. Ed Burns for attending the National Veterans Affairs and Rehabilitation Commission Conference in Washington, on which he serves as a Board Member.

**1<sup>ST</sup> READING (BY TITLE ONLY) OF THE FISCAL YEAR 2012-2013  
DORCHESTER COUNTY BUDGET**

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading for the Fiscal Year 2012-2013 Dorchester County Budget (By Title Only). The proposed budget does not include a tax increase or fee increase.

Mr. Ward announced that the first public hearing was scheduled for May 21, 2012, in Summerville and the second public hearing was scheduled for May 29, 2012, in St. George. In addition, he stated a retreat would be held on Wednesday, May 9, 2012, at 9:00 a.m. at the Medic One EMS Station in Summerville



**COUNTY ADMINISTRATOR'S TIME-CONTINUED**

**1<sup>ST</sup> READING REZONING REQUEST #662, FOR BUD KNIGHT, TMS #136-00-00-109**

10. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #662, for Bud Knight, identified by TMS #136-00-00-109, on 7.29 acres, located at 818 Central Avenue in Summerville, with a requested change in zoning from R-4 (Multi-Family Residential District) to CLI (Commercial Light-Industrial District) and to place this request in the Planning, Development, and Building Committee for further consideration.

**1<sup>ST</sup> READING REZONING REQUEST #663, FOR SOUTH CAROLINA FEDERAL CREDIT UNION, C/O MARLENA FRANKLIN/JOHN CONWAY, TMS# 145-09-05-004**

11. On the motion of Mr. Rosebrock, seconded by Mr. Bailey, Council voted unanimously to give 1<sup>st</sup> Reading to Rezoning Request #663, for South Carolina Federal Credit Union, c/o Marlena Franklin/John Conway, identified by TMS# 145-09-05-004; on .46 acre, located at 1330 Bacons Bridge Road, Summerville, with a requested change in zoning from R-1 (Single-Family Residential District) to OI (Office and Institutional District), and to place the request in the Planning, Development, and Building Committee for further consideration.

**1<sup>ST</sup> READING FOR AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE VI, USE GROUP 17(c) TO ADD "AND ESTABLISHMENTS ENGAGED IN THE CARE, TREATMENT, AND HOUSING OF DOMESTIC ANIMALS."; WITH RESPECT TO ARTICLE X, SECTION 10.4.1(c) TO DELETE THE SAME AND SUBSTITUTE IN LIEU THEREOF A NEW SECTION 10.4.1(c); WITH RESPECT TO ARTICLE XIII, SECTION 13.5.7(j) TO ADD A NEW SUBSECTION 13.5.7(j)(5); WITH RESPECT TO ARTICLE VI, USE GROUP 23(b) TO DELETE THE SAME AND TO ADD TO USE GROUP 23(c) "AND WATER TREATMENT PLANTS, STORAGE TANKS, OR PUMPING STATIONS FOR THE PURIFICATION, STORAGE AND/OR PUMPING OF POTABLE WATER."; AND WITH RESPECT TO ARTICLE X SECTION 10.4.18(a), (b) AND (c) TO ADD TO EACH SUBSECTION, "WATER TREATMENT PLANTS AND/OR WATER STORAGE TOWERS."**

12. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1<sup>st</sup> Reading and placement in the Planning, Development, and Building Committee for further consideration to the above stated Ordinance amending Dorchester County Ordinance #04-13, as amended. (All amendments described below).

*(Amendment 1 would allow establishments engaged in the care, treatment and housing of domestic animals in General Commercial (CG) Zoning Districts.) (Amendment 2 would allow accessory dwelling units larger than the current limit of 600 square feet on lots 0.75-2.0 acres.) (Amendment 3 would allow one large façade sign on a large building with deep setbacks.) (Amendment 4 would allow set zoning requirements for water utilities equal to those requirements for electric and gas utilities.)*

**COUNTY ADMINISTRATOR'S TIME-CONTINUED**

**1<sup>ST</sup> READING FOR AN ORDINANCE, "APPROVING AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY AND DORCHESTER COUNTY IDENTIFIED AS SOUTH CAROLINA WATER POLLUTION CONTROL REVOLVING FUND LOAN NUMBER S1-119-09-542-01; TO PROVIDE FOR CERTAIN CHANGES TO THE DEBT SERVICE RESERVE FUND FUNDING REQUIREMENTS THEREIN; AND OTHER MATTERS RELATING THERETO" (BY TITLE ONLY)**

13. On the motion of Mr. Byars, seconded by Mr. Rosebrock, Council voted unanimously to 1<sup>st</sup> Reading for an Ordinance, "Approving an Amendment to the Loan Agreement between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01; To Provide For Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein; and Other Matters Relating Thereto". This Ordinance was given 1<sup>st</sup> Reading by title only.

**COMMITTEE REPORTS**

Chairman Hargett passed the gavel to Vice-Chairman Bailey in order to give his Committee report.

**AUDIT COMMITTEE REPORT -CHAIRMAN LARRY HARGETT**

**REVIEW OF PROPOSALS FOR AUDIT SERVICES**

Chairman Hargett reported the Committee met earlier and reviewed proposals for Audit Services from firms interested in performing the County's independent audit for information only. He stated that no action was taken and the Committee would discuss this again at the next Council meeting scheduled for May 21, 2012.

**WATER AND SEWER COMMITTEE REPORT -CHAIRMAN LARRY HARGETT**

**REQUEST FOR NEW WATER SERVICE TO TMS #118-00-00-157, 1101 RIDGE ROAD, RIDGEVILLE, FOR CRYSTAL HANDLEY**

14. Chairman Hargett reported the Water and Sewer Committee met and had one item on the agenda, which was a request for new water service to TMS #118-00-00-157, located at 1101 Ridge Road, Ridgeville, for Crystal Handley. The Committee's recommendation to Council was to approve. Council voted unanimously in favor of the recommendation.

Vice-Chairman Bailey passed the gavel back to Chairman Hargett

**COMMITTEE REPORTS –CONTINUED**

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE**

**CHAIRMAN BILL HEARN**

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST #650, FOR DORCHESTER COUNTY COUNCIL TMS# 135-00-00-219; 1.22 ACRES; LOCATION – WEST BUTTERNUT ROAD, SUMMERVILLE; REQUESTED CHANGE PD (PLANNED DEVELOPMENT DISTRICT) TO R-1 (RESIDENTIAL SINGLE FAMILY DISTRICT)**

15. Chairman Hearn reported that the Committee held a public hearing on this request and voted to recommend to Council for 2<sup>nd</sup> Reading to be given to Rezoning Request #650, for Dorchester County Council, identified by TMS# 135-00-00-219, located on West Butternut Road in Summerville, with a requested change in zoning from PD (Planned Development District) to R-1 (Residential Single Family District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST #664, FOR DORCHESTER COUNTY COUNCIL; TMS#S 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132; 24 ACRES; LOCATION -BUTTERNUT ROAD, SUMMERVILLE; REQUESTED CHANGE R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT)**

16. Chairman Hearn reported that the Committee held a public hearing on this request and voted to recommend to Council for 2<sup>nd</sup> Reading to be given to Rezoning Request #664, for Dorchester County Council, identified by TMS#s 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132, located on Butternut Road in Summerville, with a requested change in zoning from R-4 (Multi-Family Residential District) to R-1 (Single Family Residential District). Council voted unanimously in favor of the recommendation.

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR REZONING REQUEST #665, FOR DORCHESTER COUNTY COUNCIL; TMS#S 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036; 23 ACRES; LOCATION -BUTTERNUT ROAD, SUMMERVILLE; REQUESTED CHANGE R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO TRM AS AMENDED BY COMMITTEE (TRANSITIONAL RESIDENTIAL DISTRICT)**

17. Chairman Hearn reported on the Committee's agenda was Rezoning Request #665, for Dorchester County Council, identified with the TMS#s 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036, located on 23 acres, located on Butternut Road in Summerville. However, this Rezoning Request #665 was amended to 94 acres, with the addition of the following TMS#'s 128-00-00-004, 128-00-00-008, 128-00-00-031, 128-00-00-032, 128-00-00-205, 135-00-00-012, 135-00-00-013, 135-00-00-123, located on Butternut Road and Mentor Street in Summerville, with the same requested change in zoning from R-4 (Multi-Family Residential District) to TRM (Transitional Residential District), as recommended by the Planning Department. Chairman Hearn reported the Committee held the public hearing including the amendment, and the Committee's recommendation to Council was for 2<sup>nd</sup> Reading to be given to Rezoning Request #665, as amended. Council voted unanimously in favor of the Committee's recommendation for 2<sup>nd</sup> Reading to be given to Rezoning Request #665, as amended.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**CHARLESTON DORCHESTER MENTAL HEALTH CENTER BOARD OF DIRECTORS**

18. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to recommend Ms. Annette D. Doyle to the Governor for appointment to the Charleston Dorchester Mental Health Center Board of Directors.

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

**2<sup>ND</sup> READING AND PUBLIC HEARING FOR “AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND SHOWA DENKO CARBON, INC., WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES”**

The County Attorney requested Council to hold a Public Hearing on this FILOT Ordinance.

Chairman Hargett opened the Public Hearing for public comment on “An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter into an Arrangement for Payments in Lieu of Property Taxes”.

The Chairman asked if anyone from the public would like to comment. Upon hearing no comment, he closed the Public Hearing.

19. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to give 2<sup>nd</sup> Reading for “An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter into an Arrangement for Payments in Lieu of Property Taxes”.

**2<sup>ND</sup> READING AND PUBLIC HEARING “AN ORDINANCE AUTHORIZING INCLUSION OF PROPERTY OF SHOWA DENKO CARBON, INC., IN MULTICOUNTY PARK”**

The County Attorney requested Council to hold a Public Hearing on the above named Ordinance.

Chairman Hargett opened the Public Hearing to receive public comments on “An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park”.

The Chairman asked if anyone from the public would like to comment. Upon hearing no comment, he closed the Public Hearing.

20. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 2<sup>nd</sup> Reading to “An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park”. This property has to be in the Multi-County Industrial Park in order to qualify for the FILOT. This also allows for additional job tax credits from the State of South Carolina.

**COUNTY ATTORNEY'S TIME- CONTINUED**

**REQUESTS FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into executive session to give legal advice on the collection of fee in lieu of tax payments, and to discuss several contractual matters, with those being a contract with Tax Management Associates, a Solid Waste Fee Collection Agreement with the Town of Summerville, engineering services for the widening of SC Hwy 165, the Winding Woods Infrastructure Loan, architectural and engineering services for the Emergency Operations Center and lastly the item added, which was a real estate matter regarding the Water and Sewer Department.

**EXECUTIVE SESSION 7:59 P.M.**

21. On the motion of Mr. Davis, seconded by Mr. Byars, Council voted unanimously to enter into Executive Session, as requested by the County Attorney.

**RECONVENE FROM EXECUTIVE SESSION 11:04 P.M.**

The County Attorney reported that Council discussed the previously announced items, but no action was taken.

**SOLID WASTE FEE COLLECTION AGREEMENT**

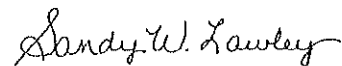
22. On the motion of Mr. Byars, seconded by Mr. Chinnis, Council voted unanimously that the County Administrator be authorized to sign the Solid Waste Fee Collection Agreement with the Town of Summerville.

**CONTRACT WITH TAX MANAGEMENT ASSOCIATES**

23. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to authorize the County Administrator to execute the audit services agreement with Tax Management Associates, Inc., contingent upon the entities for whom we collect taxes to execute the Intergovernmental Agreement for the cost sharing.

**ADJOURNMENT**

24. On the motion of Mr. Bailey, seconded by Mr. Chinnis, Council voted unanimously to adjourn. Time of adjournment was 11:07 p.m.



---

Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 21, 2012**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from the May 7, 2012, County Council Meeting
- Correspondence

**3. GUESTS**

- First Circuit Solicitor, David Pascoe, First Circuit Public Defender, Mark Leiendecker, Sheriff L.C. Knight, and Judge Katrina Patton, - Summary Court Pilot Program
- Mr. Geoffrey Southard, Lease Purchase Detention Centers
- Mr. Ed Burns, Veterans Affairs Officer, - Update on VA Office
- Mrs. Kara Gunter, Interim Budget and Finance Director, - April 2012 Budget Report

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

- Request to Amend the FY 2012 Budget to Recognize Revenue from Insurance Company
- 3<sup>rd</sup> Reading for Rezoning Request #650, for Dorchester County Council TMS# 135-00-00-219; 1.22 acres; Location –West Butternut Road, Summerville; Requested Change PD (Planned Development District) to R-1 (Residential Single Family District)
- 3<sup>rd</sup> Reading for Rezoning Request #664, for Dorchester County Council; TMS#s 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132; 24 acres; Location -Butternut Road, Summerville; Requested Change R-4 (Multi-Family Residential District) to R-1 (Single Family Residential District)
- 1<sup>st</sup> Reading for An Ordinance, “Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto” *(By Title Only)*

**5. COMMITTEE REPORTS**

**Chairman Larry Hargett, Water and Sewer Committee Report**

- Request for New Sewer Service, TMS# 129-00-00-160; SCE&G, Spaniel Lane, Jedburg
- Request for New Water Service, TMS# 118-00-00-027; Leona Green, 428 Eagle Drive, near Ridgeville
- Request for New Water Service, TMS# 162-08-02-027; Angela Davidson, 531 Old Fort Drive, near Ladson
- Request for New Water Service, TMS# 172-15-15-020; Twice the Ice, 3955 Ashley Phosphate, North Charleston

**COMMITTEE REPORTS –CONTINUED**

**Chairman Larry Hargett, Budget, Finance and Purchasing Committee Report**

- Budget Presentation for Dorchester Seniors Inc.
- Budget Presentation for Children in Crisis
- Budget Presentation for Dorchester County School District #2
- Budget Presentation for Trident Technical College
- Public Hearing and Recommendation for 2<sup>nd</sup> Reading for Dorchester County Budget Ordinance For Fiscal Year 2012-2013, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposed for Dorchester County for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"

**Chairman Larry Hargett, Audit Committee Report**

- Review of Proposals for Audit Services

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

- 3<sup>rd</sup> Reading for Ordinance #12-05, "An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter Into an Arrangement For Payments in Lieu of Property Taxes"
- 3<sup>rd</sup> Reading for Ordinance # 12-06, "An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park"
- 1<sup>st</sup> Reading for "An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Repealing Section 44-202 of Chapter 44, Article III, Division 21, and Enacting in Place Thereof a New Section 44-202 of Chapter 44, Article III, Division 21, With Regard to Use of Enterprise Funds"
- Executive Session Legal Advice  
Contractual Matters
- Agricultural Use Exemption  
-Engineering Services for SC Hwy 165-Road Widening  
-Potential Real Estate Purchase  
-Potential Real Estate Sale

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**DORCHESTER COUNTY HUMAN SERVICES BUILDING**  
**COUNCIL CHAMBERS, SUMMERVILLE**  
**MAY 21, 2012**  
**7:01 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post & Courier were notified  
and a notice was posted on the bulletin boards 24 hours before the meeting.

PRESENT: Mr. Larry S. Hargett, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Hargett called the meeting to order, and Councilman Davis gave the invocation, which was followed by the Pledge of Allegiance.

### **REQUEST TO AMEND THE AGENDA TO ADD A PROCLAMATION**

Councilman Bailey stated he had two requests. The first was to amend the agenda to add under the Chairman's Time a proclamation recognizing "Emergency Medical Services Week".

1. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted unanimously to amend the agenda to include under the Chairman's Time a Council Proclamation recognizing "Emergency Medical Services Week".



**REQUEST TO AMEND THE AGENDA TO ADD AN ITEM TO EXECUTIVE SESSION**

Councilman Bailey stated his second request was to amend the agenda to add Haven Road for discussion in executive session under legal advice.

2. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to amend the agenda to add Haven Road for discussion in executive session under legal advice.

**REQUEST TO AMEND THE AGENDA TO MAKE PRESENTATION TO COUNCIL**

Councilman Chinnis requested to amend the agenda to present information he compiled concerning county ordinances and other information on a subject that Council has discussed in executive session, but as a matter of public record would like to present to full Council in public session.

3. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to amend the agenda to approve the request as stated above.

**REQUESTS TO ADDRESS COUNCIL**

Chairman Hargett stated there were two requests to address Council.

- Mr. Robbie Robbins, Summerville, spoke highly in favor of the "Summary Court Pilot Program", and strongly encouraged Council's support. He stated he practiced law in the Magistrate's Court weekly and this program has placed the patrol officers back on the highways and has the court system functioning more effectively and efficiently.
- Mr. Barry Keeney, Summerville, addressed Council as a consumer to inform them of problems he was having with Time Warner Cable. He explained his internet service was down for over two weeks. Mr. Keeney stated in today's times where we bank and pay bills over the internet, this becomes serious. Mr. Keeney stated he informed Time Warner, as did others, who were having the same or similar problems, and received little or no response from the company and requested assistance from Council. Chairman Hargett stated he also had the same problem with his internet service, and met Mr. Keeney in the Time Warner office. Chairman Hargett requested writing a Chairman's Letter to the Company making them aware of the issues brought to Council, if there were no objections.

**ADOPTION OF MAY 7, 2012, DORCHESTER COUNTY COUNCIL MINUTES**

4. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the Minutes from the May 7, 2012, County Council Meeting.

**ADOPTION OF PROCLAMATION NUMBER #12-05, "EMERGENCY MEDICAL SERVICES WEEK"**

Chairman Hargett asked all of the County's EMS personnel to stand, while he read aloud Proclamation #12-05, which proclaimed the week of May 20-26, 2012, as Emergency Medical Services Week, and encouraged all citizens of Dorchester County to observe this week with appropriate programs and ceremonies. The Chairman along with Council recognized the extraordinary achievement of the award-winning County Emergency Medical Service Department, and each individual employee, who takes great pride in the quality of service provided to the citizens of Dorchester County.

**ADOPTION OF PROCLAMATION CONTINUED:**

5. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to adopt Proclamation #12-05, which hereby proclaims the week of May 20-26, 2012, as Emergency Medical Services Week.

**CORRESPONDENCE**

Mr. Ward stated there was no correspondence to report.

**GUESTS: SUMMARY COURT PILOT PROGRAM - FIRST CIRCUIT PUBLIC DEFENDER, MARK LEIENDECKER, SHERIFF L.C. KNIGHT, JUDGE KATRINA PATTON AND MS. ANN HUTTO PETERSON, SOLICITOR'S OFFICE**

All of the above named persons appeared before Council and gave a report on the "Summary Court Pilot Program", which has been in place since January 2012. Mr. Leiendecker said during the first three months of the program, which puts a full-time prosecutor and a full-time public defender in the Magistrate Courts, the Jury trial docket was reduced from over 200 cases to 88 cases as of March 2012. He also noted the increased fine monies collected over this same period and the reduced time people spend in jail before cases are resolved. Mr. Leiendecker stated in March alone the County saved over \$8,000 in reduced incarceration costs for Magistrate Court cases. He also noted the importance of providing legal representation for people at all levels of criminal cases because of the impact it can have on future matters such as driving under suspension and all matters of property and drug crimes. Judge Katrina Patton told Council that the Magistrate Court has found the program to be a great help in moving cases and eliminating case backlogs. She stated that this provides faster trials and makes the collection of fees and fines faster for the County. Sheriff Knight also expressed his satisfaction with the program. He stated it had provided his office with an in-house attorney to assist in the preparation of cases for trial, and provided legal advice to his deputies. Council had questions on the total cost for the program, and Mr. Leiendecker explained the cost was the same provided to Council in January when they approved the pilot program. The Solicitor's cost would be \$80,000.00 for the year, and the Public Defender's cost would be \$67,500.00 for a total program cost of \$147,500.00 for the next fiscal year. Mr. Leiendecker pointed out that the savings on cost associated with incarceration and the increased revenues from fines appeared to come close to meeting or exceeding the total cost of the program. In conclusion, all of the speakers present stated they were highly in favor of Council allowing the continuation of the program. Council thanked everyone for their time and effort on this presentation.

**MR. ED BURNS, VETERANS AFFAIRS OFFICER, UPDATE ON VA OFFICE**

Mr. Ed Burns, VA Officer, updated Council on the "Geographic Distribution of VA Expenditures", compiled by the Department of Veterans Affairs. He stated benefits paid to the Veterans in Dorchester County were around \$70 million for FY 2009, with a veteran population of 16,654. Furthermore, Mr. Burns stated in FY 2010, the figure jumped over \$10 million, and the benefits paid to the Veterans in Dorchester County was now at \$80.5 million, with an increase in veterans serviced. Chairman Hargett thanked Mr. Burns on behalf of Council for this good news. Council all agreed how important our Veterans are to Dorchester County and thanked Mr. Burns and his staff for their hard work and the service provided to our Veterans.

**MRS. KARA GUNTER, INTERIM DIRECTOR OF BUDGET AND FINANCE**

Mrs. Kara Gunter, Interim Director of Budget and Finance, presented the April 2012, Monthly Budget Report, to Council. She stated all funds were coming in as expected, and the sales of fixed assets were coming in above the budgeted amount. Mrs. Gunter provided in the report a list of revenue collections and expenditures for all major funds. In conclusion, Mrs. Gunter went over several county projects and reported all were running on target. Council thanked Mrs. Gunter for her work.

**COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD**  
**AMENDMENT TO FY 2012 BUDGET RECOGNIZES REVENUE FR. INSURANCE CO.**

6. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to authorize the County Administrator to transfer \$8,285 in Revenues from Insurance Proceeds (201-2180-392-02-00) from a 2004 Chevy Impala that was totaled to Vehicles (201-2180-421-74-02) for use by the Sheriff to purchase equipment for new vehicles.

**3<sup>RD</sup> READING FOR REZONING REQUEST #650, FOR DORCHESTER COUNTY COUNCIL; TMS# 135-00-00-219; 1.22 ACRES; LOCATION –WEST BUTTERNUT ROAD, SUMMERVILLE; REQUESTED CHANGE PD (PLANNED DEVELOPMENT DISTRICT) TO R-1 (RESIDENTIAL SINGLE FAMILY DISTRICT)**

7. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #650, for Dorchester County Council, identified by TMS# 135-00-00-219, located on West Butternut Road in Summerville, with a requested change in zoning from PD (Planned Development District) to R-1 (Residential Single Family District).

**3<sup>RD</sup> READING FOR REZONING REQUEST #664, FOR DORCHESTER COUNTY COUNCIL; TMS#S 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132; 24 ACRES; LOCATION -BUTTERNUT ROAD, SUMMERVILLE; REQUESTED CHANGE R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT)**

8. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #664, for Dorchester County Council, identified by TMS#s 128-00-00-077, 128-00-00-073, 128-00-00-198, 128-00-00-037, 128-00-00-199, 128-00-00-014, 128-00-00-081, 128-00-00-118, 128-00-00-013, 128-00-00-132, located on Butternut Road in Summerville, with a requested change in zoning from R-4 (Multi-Family Residential District) to R-1 (Single Family Residential District).

**1<sup>ST</sup> READING FOR AN ORDINANCE, “AMENDING FOURTH SUPPLEMENTAL ORDINANCE NO. 09-12 AND FIFTH SUPPLEMENTAL ORDINANCE NO. 11-17 AND APPROVING AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY AND DORCHESTER COUNTY IDENTIFIED AS SOUTH CAROLINA WATER POLLUTION CONTROL REVOLVING FUND LOAN NUMBER S1-119-09-542-01 TO PROVIDE FOR CERTAIN CHANGES TO THE DEBT SERVICE RESERVE FUND FUNDING REQUIREMENTS THEREIN AND OTHER MATTERS RELATING THERETO”**

**1<sup>ST</sup> READING FOR AN ORDINANCE CONTINUED:**

9. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to give 1<sup>st</sup> Reading for An Ordinance, "Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto". (By Title Only)

First Reading was given to this Ordinance because the Ordinance now applies to the 2009 and 2011 SRF loans. Due to the County's recent Water and Sewer bond rating upgrade to AA-, the County can eliminate its debt service reserve fund for the 2009 SRF Loan.

**COMMITTEE REPORTS**

Chairman Hargett passed the gavel to Vice-Chairman Bailey in order to give his Committee reports.

**WATER AND SEWER COMMITTEE REPORT - CHAIRMAN LARRY HARGETT**

Chairman Hargett started to give his Committee report when Councilman Davis asked would the Chairman be willing to do all four requests in one motion, since they were all for recommendation to Council for approval. Chairman Hargett stated he agreed.

**REQUEST FOR NEW SEWER SERVICE, TMS# 129-00-00-160; SCE&G, SPANIEL LANE, JEDBURG**

**REQUEST FOR NEW WATER SERVICE, TMS# 118-00-00-027; LEONA GREEN, 428 EAGLE DRIVE, NEAR RIDGEVILLE**

**REQUEST FOR NEW WATER SERVICE, TMS# 162-08-02-027; ANGELA DAVIDSON, 531 OLD FORT DRIVE, NEAR LADSON (OFF DORCHESTER ROAD)**

**REQUEST FOR NEW WATER SERVICE, TMS# 172-15-15-020; TWICE THE ICE, 3955 ASHLEY PHOSPHATE ROAD, NORTH CHARLESTON**

10. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to take all four requests (as listed above) and as stated by Chairman Hargett on the recommendation of the Water and Sewer Committee that all four requests were recommended for approval.

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT - CHAIRMAN LARRY HARGETT**

**BUDGET PRESENTATIONS -DORCHESTER SENIORS INC., CHILDREN IN CRISIS, DORCHESTER COUNTY SCHOOL DISTRICT #2, AND TRIDENT TECHNICAL COLLEGE**

Chairman Hargett stated the Committee heard Budget Presentations from Dorchester Seniors Inc., Children in Crisis, Dorchester County School District #2, and Trident Technical College, and the Committee received this as information only.

**PUBLIC HEARING AND RECOMMENDATION FOR 2ND READING FOR DORCHESTER COUNTY BUDGET ORDINANCE FOR FISCAL YEAR 2012-2013, "AN ORDINANCE TO MAKE APPROPRIATIONS FOR COUNTY GOVERNMENT, EDUCATIONAL, AND FIRE PROTECTION PURPOSES FOR DORCHESTER COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013; TO LEVY TAXES FOR THE PAYMENT THEREOF; AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY"**

11. Chairman Hargett stated the Committee held a Public Hearing and voted to make a recommendation to full Council for 2<sup>nd</sup> Reading to be given to the Dorchester County Budget Ordinance For Fiscal Year 2012-2013, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County". Council voted unanimously in favor of the recommendation.

**COMMITTEE REPORTS CONTINUED**  
**AUDIT COMMITTEE REPORT -CHAIRMAN LARRY HARGETT**  
**REVIEW OF PROPOSALS FOR AUDIT SERVICES**

12. Chairman Hargett reported the Audit Committee met earlier and rated the Audit firms interested in performing the County's independent audit. The Committee's recommendation to Council was for Elliott Davis Firm. Council voted unanimously in favor of the recommendation.

Vice-Chairman Bailey passed the gavel back to Chairman Hargett

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions

**PRESENTATION ON HIGHWAY 165 BY COUNCILMAN DAVID CHINNIS**

Councilman Chinnis requested earlier to amend the agenda to make a presentation in open session to Council. He requested Council to look at information he compiled since the last Council meeting concerning an issue Council had discussed in executive session regarding the Highway 165 Road Project. Councilman Chinnis said media and citizens were asking questions and wanted to know about this issue; therefore, he put together a presentation for open session to help the citizens understand better. **(A copy of the presentation is attached to these minutes for the record.)**

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

**3<sup>RD</sup> READING FOR ORDINANCE #12-05, "AN ORDINANCE AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVES, INCLUDING A FEE AGREEMENT, BETWEEN DORCHESTER COUNTY, SOUTH CAROLINA, AND SHOWA DENKO CARBON, INC., WHEREBY DORCHESTER COUNTY WILL ENTER INTO AN ARRANGEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES"**

13. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #12-05, "An Ordinance Authorizing Economic Development Incentives, Including a Fee Agreement, Between Dorchester County, South Carolina, and Showa Denko Carbon, Inc., Whereby Dorchester County Will Enter into an Arrangement for Payments in Lieu of Property Taxes".

**3<sup>RD</sup> READING FOR ORDINANCE #12-06, "AN ORDINANCE AUTHORIZING INCLUSION OF PROPERTY OF SHOWA DENKO CARBON, INC., IN MULTICOUNTY PARK"**

14. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance # 12-06, "An Ordinance Authorizing Inclusion of Property of Showa Denko Carbon, Inc., in Multicounty Park". This property has to be in the Multi-County Industrial Park in order to qualify for the FILOT. This also allows for additional job tax credits from the State of South Carolina.

**1<sup>ST</sup> READING FOR "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY REPEALING SECTION 44-202 OF CHAPTER 44, ARTICLE III, DIVISION 21, AND ENACTING IN PLACE THEREOF A NEW SECTION 44-202 OF CHAPTER 44, ARTICLE III, DIVISION 21, WITH REGARD TO USE OF ENTERPRISE FUNDS"**

15. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1<sup>st</sup> Reading for "An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Repealing Section 44-202 of Chapter 44, Article III, Division 21, and Enacting in Place Thereof a New Section 44-202 of Chapter 44, Article III, Division 21, With Regard to Use of Enterprise Funds."

**REQUESTS FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into executive session to give legal advice concerning Haven Road, Agricultural Use Exemption, and to discuss three contractual matters, Engineering Services for SC Hwy 165-Road Widening, a potential real estate purchase, and a potential real estate sale.

**EXECUTIVE SESSION 8:02 P.M.**

16. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to enter into Executive Session, as requested by the County Attorney.

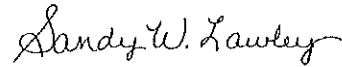
Vice-Chairman George Bailey made a request to Chairman Hargett that before Council enters into executive session that he would like to recognize the Mayor of St. George Mrs. Anne Johnston. Mrs. Johnston was recognized with a warm welcome.

**RECONVENE FROM EXECUTIVE SESSION 10:54 P.M.**

The County Attorney reported that Council discussed the previously announced items, but no action was taken.

**ADJOURNMENT**

17. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment was 10:55 p.m.



---

Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 4, 2012**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from the May 21, 2012, County Council Meeting
- Public Hearing for the 2012 Justice Assistance Grant Award (*This program furthers the Justice Department's mission by assisting state, local & tribal efforts to prevent or reduce crime & violence.*)
- Public Hearing and 3<sup>rd</sup> Reading-Rezoning Request #665 As Amended, for Dorchester County Council; TMS#S 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036, 128-00-00-004, 128-00-00-008, 128-00-00-031, 128-00-00-032, 128-00-00-205, 135-00-00-012, 135-00-00-013, 135-00-00-123; 94 acres; Location -Butternut Road and Mentor Street, Summerville; Requested Change R-4 (Multi-Family Residential District) to TRM (Transitional Residential District)
- Correspondence

**3. GUESTS**

- Mr. Mike Dawson, Conservation Commission - Recommendation for Funding

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

- 3<sup>rd</sup> Reading for Ordinance #12-07, Dorchester County Budget Ordinance Fiscal Year 2012-2013, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013, To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"
- 2<sup>nd</sup> Reading for An Ordinance, "Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto"
- Amendment to Personnel Policy Regarding Judges' Salaries

**5. COMMITTEE REPORTS**

**Chairman Larry Hargett, Budget, Finance, and Purchasing Committee Report (5-29-2012)**

- Budget Presentation – School District #4
- Budget Presentation – Dorchester County Library
- Budget Presentation – Dorchester County Career and Technology Center
- Budget Presentation – Dorchester County Fire Departments
- Public Hearing for Dorchester County Budget Ordinance for Fiscal Year 2012-2013, "An Ordinance to Make Appropriations for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013; To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County"



- Approval of Memorandum of Understanding with S.C. Judicial Department for Court Case Management System

-Executive Session -Contractual Matter Fire Protection

**Chairman George Bailey, Public Safety, Health and Human Services Committee**

-New Stop Signs on Carolinian Drive in Legend Oaks Subdivision

**Chairman Bill Hearn, Planning, Development, and Building Committee Report**

-Public Hearing and Recommendation for 2<sup>nd</sup> Reading for An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VI, Use Group 17(c) to Add “And Establishments Engaged In the Care, Treatment, and Housing of Domestic Animals.”; With Respect to Article X, Section 10.4.1(c) To Delete the Same and Substitute In Lieu Thereof A New Section 10.4.1(c); With Respect to Article XIII, Section 13.5.7(j) To Add A New Subsection 13.5.7(j) (5); With Respect to Article VI, Use Group 23(b) To Delete The Same and To Add To Use Group 23(c) “And Water Treatment Plants, Storage Tanks, or Pumping Stations for the Purification, Storage and/or Pumping of Potable Water”; And With Respect to Article X Section 10.4.18(a), (b) And (c) To Add To Each Subsection, “Water Treatment Plants and/or Water Storage Towers.”

*(Amendment 1 would allow establishments engaged in the care, treatment and housing of domestic animals in General Commercial (CG) Zoning Districts.) (Amendment 2 would allow accessory dwelling units larger than the current limit of 600 square feet on lots 0.75-2.0 acres.) (Amendment 3 would allow one large façade sign on a large building with deep setbacks.) (Amendment 4 would allow set zoning requirements for water utilities equal to those requirements for electric and gas utilities.)*

**Chairman Larry Hargett, Water and Sewer Committee Report**

-Request for New Sewer Service, TMS# 180-00-00-046; The Ryland Group, Taylor Plantation Phase 3B, North Charleston

-Request for New Sewer Service, TMS# 136-00-00-117; Van Malphrus, Cameron Place, Harvest Way, Summerville

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**7. COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON**

-1<sup>st</sup> Reading for “An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Repealing Chapter 28, Section 28-2, and Substituting in Lieu Thereof a New Section 28-2 to Chapter 28 Providing for Noise Control in the Unincorporated Areas of Dorchester County”

-Executive Session

Contractual Matters -Real Estate Matter Ashley River Property

-Potential Conservation Real Estate Purchases

-Potential Real Estate Purchase

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET

ST. GEORGE, SOUTH CAROLINA 29477

(843) 563-0196 FAX (843) 563-0137

SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

### MINUTES

### DORCHESTER COUNTY COUNCIL

KENNETH F. WAGGONER SERVICES CENTER

COUNCIL CHAMBERS, ST. GEORGE

JUNE 4, 2012

7:00 P.M.

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post & Courier were notified  
and a notice was posted on the bulletin boards 24 hours before the meeting.

PRESENT: Mr. Larry S. Hargett, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. David Chinnis  
Mr. Willie Davis  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Sandy W. Lawley, Clerk to Council

Chairman Hargett called the meeting to order, and Councilman Byars gave the invocation, which was followed by the Pledge of Allegiance.

### REQUEST TO ADDRESS COUNCIL

There were two requests to address Council.

- Ms. Angie Crum, Ridgeville, came before Council to thank them, Mr. Jason Ward, Mr. Alec Brebner, Mrs. Tiffany Heber, and all other County Departments who provided labor and services to the Ridgeville Resource Community Center. Ms. Crum added she was speaking on behalf of the citizens of Ridgeville, who will benefit from the center.
- Probate Court Judge Mary Blunt addressed Council on the proposed amendment regarding Judges' Salaries. She requested Council to hold off on this issue and place it into the AIA Committee for further investigation and clarification. She stated there was no rush and would like to get all questions addressed.

**ADOPTION OF MAY 21, 2012, DORCHESTER COUNTY COUNCIL MINUTES**

1. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to adopt the Minutes from the May 21, 2012, County Council Meeting.

**PUBLIC HEARING FOR THE 2012 JUSTICE ASSISTANCE GRANT AWARD**

Chairman Hargett opened the Public Hearing for the 2012 Justice Assistance Grant Award. He stated the US Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance was accepting applications for funding under the Edward Byrne Memorial Justice Assistance Grant Program, which furthers the Justice Department's mission by assisting state, local and tribal efforts to prevent or reduce crime and violence. Chairman Hargett stated the County was eligible to apply for \$30,281 and the Sheriff's Office had requested the use of these funds. He stated they plan to purchase communications equipment, specifically eight digital vehicle radios for patrol deputies. Chairman Hargett opened the floor for public comment. Upon hearing none, he closed the Public Hearing. (No action required by Council.)

**PUBLIC HEARING AND 3<sup>RD</sup> READING-REZONING REQUEST #665, AS AMENDED, FOR DORCHESTER COUNTY COUNCIL; TMS#S 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036, 128-00-00-004, 128-00-00-008, 128-00-00-031, 128-00-00-032, 128-00-00-205, 135-00-00-012, 135-00-00-013, 135-00-00-123; 94 ACRES; LOCATION - BUTTERNUT ROAD AND MENTOR STREET, SUMMERVILLE; REQUESTED CHANGE R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO TRM (TRANSITIONAL RESIDENTIAL DISTRICT)**

Chairman Hargett opened the Public Hearing for Rezoning Request #665, as amended, for Dorchester County Council, and recognized Mr. Alec Brebner, Planning and Zoning Manager, who provided an overview of the request. Mr. Brebner stated that Rezoning Request #665, for Dorchester County Council, identified with the TMS#s 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036, located on 23 acres, on Butternut Road in Summerville, was amended on May 7, 2012. He stated at that meeting he informed Council that several other property owners requested to be added, which changed the request to a total of 94 acres, with the addition of the following TMS#'s 128-00-00-004, 128-00-00-008, 128-00-00-031, 128-00-00-032, 128-00-00-205, 135-00-00-012, 135-00-00-013, 135-00-00-123, located on Mentor Street and Butternut Road in Summerville, with the same requested change in zoning. Mr. Brebner added that a public hearing was held at the Planning, Development, and Building Committee meeting in May and the request was recommended to full Council for 2<sup>nd</sup> Reading. However, Council decided to hold another Public Hearing on the entire request, as amended, before 3<sup>rd</sup> Reading. Chairman Hargett thanked Mr. Brebner for the report.

Chairman Hargett opened the floor to receive public comment. Upon hearing none, the Public Hearing was closed.

2. On the motion of Mr. Hearn, seconded by Mr. Bailey, Council voted unanimously to give 3<sup>rd</sup> Reading to Rezoning Request #665, as amended, for Dorchester County Council identified by the following TMS #s 128-00-00-091, 128-00-00-074, 128-00-00-035, 128-00-00-036, 128-00-00-004, 128-00-00-008, 128-00-00-031, 128-00-00-032, 128-00-00-205, 135-00-00-012, 135-00-00-013, 135-00-00-123, consisting of a total of 94 acres located on Butternut Road and Mentor Street, in Summerville, with a requested change in zoning from R-4 (Multi-Family Residential District) to TRM (Transitional Residential District).

**CORRESPONDENCE:** Mr. Ward stated there was no correspondence to report.

**GUEST- MR. MIKE DAWSON, CONSERVATION COMMISSION  
RECOMMENDATION FOR FUNDING**

Mr. Mike Dawson, Conservation Commission, addressed Council, thanked them for their time, and stated he would read his statement to ensure he covered all bases. "To Dorchester County Council, Back in November of 2010, the voters of Dorchester County resoundingly voted to approve a bond referendum to raise revenue to be used for the purposes of conservation. Specifically, the referendum language stated that it was to be used... "for the purpose of protecting and improving land and water by...

- purchasing land from willing sellers on a voluntary basis in order to protect drinking water sources;
- protect forests, wildlife habitat, and natural areas;
- reduce flooding;
- provide parks;
- preserve historic buildings and sites;
- protect scenic views;
- provide new recreational trails for walking, hiking, and biking; and
- improve the water quality of rivers, lakes, and streams"

Shortly after the vote, Council approved the creation of the Conservation Commission with an enabling ordinance that called for a Conservation Commission Fund to be used for the above-approved purposes. It was not until October of 2011 that the Commission was finally appointed and began meeting in November. Since that time, they created the group's mission statement, by-laws, website, and conservation project criteria and scoring protocol, as well as educated Council about the benefits of Conservation Easements. However, over all this time, there are still no dollars dedicated to the Fund. Without obligate bond proceeds to work with the Conservation Commission finds itself in an awkward spot, a bona fide Catch 22. On one hand, County Council is requesting that we show a list of potential properties and how much it would take to conserve them, so that you might obligate the funding on a case-by-case basis. On the other hand, area Land Trusts are asking us to tell them how much money there is in the "competitive pot." Armed with this knowledge, they will work hard to bring us the best, most compelling, most leveraged projects for our consideration, hoping to "win the prize" so to speak. But to expect them to spend all the time it takes to initiate a project, work with prospective landowners, undertake lengthy due diligence, complete our lengthy application process, etc. all on the offhand chance that there will be funding is not only a disincentive, it might actually hurt the future prospect of a given landowner ever doing an easement with anyone. Hopefully, you can see the quandary this leaves us with.

Instead, I have a proposal to make. Obligate \$500,000 (10%) of bond referendum revenue to the Conservation Commission Fund and give us at least through January to let us show you what can be done with that money. That will create the confidence in the land trust community to put forth their time and best efforts to cultivate easement prospects, at least to the point of concrete landowner commitments, if not actual closings. If after this period, we and the land trusts have impressed you with not only the quality, but also the quantity of acres that you can vote to protect, then we will request the balance of the funds so that we might continue to contribute to your successful achievement of Bond Referendum and the County Comp Plan goals. In the meantime, we will respectfully ask that you make every effort to hold off on spending the balance of the bond fund, reserving it for future discretion based on value received for dollars expended. I am not suggesting that you bring this to a vote during tonight's meeting. This proposal is for your information tonight, but I am requesting that you discuss and vote on this proposal at the next Council meeting."

**GUEST CONSERVATION COMMISSION –CONTINUED**

Upon completion of reading his remarks, Mr. Dawson asked if Council had any questions. Upon hearing none, Chairman Hargett thanked Mr. Dawson for his time and the information.

3. Mr. Chinnis motioned, seconded by Mr. Davis, and Council voted unanimously for County Council to reserve \$500,000 of the Conservation, Park, Recreation Bond Funds for the specific use that Mr. Mike Dawson of the Conservation Commission suggested.

Chairman Hargett asked if Council had any questions on the above motion. Discussions were held and Mr. Dawson received and answered questions. After more discussion on this issue, the above vote was taken and it was stated that this issue would also be discussed in executive session.

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

**3<sup>RD</sup> READING FOR ORDINANCE #12-07, DORCHESTER COUNTY BUDGET  
ORDINANCE FISCAL YEAR 2012-2013, "AN ORDINANCE TO MAKE  
APPROPRIATIONS FOR COUNTY GOVERNMENT, EDUCATIONAL, AND FIRE  
PROTECTION PURPOSES FOR DORCHESTER COUNTY FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, TO LEVY TAXES FOR THE  
PAYMENT THEREOF; AND TO PROVIDE FOR THE EXPENDITURE OF SAID  
TAXES AND OTHER REVENUES COMING INTO THE COUNTY"**

Mr. Ward requested prior to giving 3<sup>rd</sup> Reading for Council to give consideration to several amendments to the proposed Budget Ordinance. He stated a formal motion with the exact figures and wording was prepared and given to Council for consideration.

4. Mr. Chinnis motioned, and it was seconded by Mr. Rosebrock, to amend prior to giving 3<sup>rd</sup> Reading the proposed Budget Ordinance, "SECTION I of the Dorchester County Budget Ordinance for Fiscal Year 2012-2013 in the following particulars: Increase County General Fund from \$41,219,368 to \$41,756,582 to reflect additional Local Government Fund revenues from the State and revised revenue estimates, and Decrease School District #4 Operating Budget, Dorchester County (Net of State Portion) from \$9,250,417 to \$8,908,812 and the total budget from \$12,641,864 to \$12,300,259 to reflect lower revenues from taxes, and Increase the Stormwater Utility Fund Budget from \$2,098,114 to \$2,131,000 to reflect anticipated revenues based on FY 2011-2012 collections year-to-date, and Add the words the unincorporated areas of so that the top of page two of budget ordinance reads, "Furthermore, there is hereby levied a 15.0 mill tax upon the taxable property in the unincorporated areas of the county for fire protection."  
(Council voted unanimously on this motion – see page 5)

Chairman Hargett asked if Council wanted to make any comments before taking a vote on the amendment to the proposed Budget Ordinance. Discussion was held on the budget as whether or not to approve the budget with the amendments and give 3<sup>rd</sup> Reading or to wait and see if the state might appropriate more of the funds owed to the County. Before discussion ended, Councilman Byars asked Mr. Ward to name the programs that the County could not fund due to the state cuts. Mr. Ward stated if the House only includes \$20 Million in additional local government fund appropriations, Dorchester County would have to cut \$491,724.50 from the budget. Cuts would be for Pilot Summary Court Program and Tri-County Link Bus service for Summerville to St. George, the money for deferred comp/comp and class, and a cut to the Administrator's Contingency. After a very lengthy discussion, Councilman Rosebrock requested the Chairman to call for the question.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**3<sup>RD</sup> READING FOR ORDINANCE #12-07, DORCHESTER COUNTY BUDGET  
ORDINANCE FISCAL YEAR 2012-2013, “AN ORDINANCE TO MAKE  
APPROPRIATIONS FOR COUNTY GOVERNMENT, EDUCATIONAL, AND FIRE  
PROTECTION PURPOSES FOR DORCHESTER COUNTY FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, TO LEVY TAXES FOR THE  
PAYMENT THEREOF; AND TO PROVIDE FOR THE EXPENDITURE OF SAID  
TAXES AND OTHER REVENUES COMING INTO THE COUNTY”  
CONTINUED**

The County Attorney stated Council would first need to vote on the amendment to the Budget Ordinance, motioned by Mr. Chinnis, and seconded by Mr. Rosebrock. **(Motion #4), before voting on a motion to delay 3<sup>rd</sup> Reading, as made below by Mr. Rosebrock during the discussion.**

**Vote on Motion #4 – Council voted unanimously to amend the Proposed Budget Ordinance Prior to giving 3<sup>rd</sup> Reading. (As stated on page 4 of these minutes)**

Council held another very lengthy discussion on the budget and whether a delay would be beneficial or not in sending a message to the State that the County needs its money before the vote was taken on the following motion. Many members spoke and expressed their views and opinions.

5. Mr. Rosebrock motioned, seconded by Mr. Bailey, Council voted three in favor, and four opposed, to delay the vote on 3<sup>rd</sup> Reading of the Dorchester County Budget Ordinance for Fiscal Year-2013, as amended.

Council Members Hargett, Davis, Chinnis, and Hearn opposed.

6. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to give 3<sup>rd</sup> Reading to Ordinance #12-07, the Dorchester County Budget Ordinance for Fiscal Year 2012-2013, as amended, “An Ordinance to Make for County Government, Educational, and Fire Protection Purposes for Dorchester County for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013, To Levy Taxes for the Payment Thereof; and to Provide for the Expenditure of Said Taxes and Other Revenues Coming into the County”.

Several members of Council discussed how important items were that were cut or removed from the County's Budget this year and in the past. They discussed the fact that many of the programs and items cut were necessary and important to county personnel and the citizens of the County due to the lack of funding and unfunded state mandates. Council asked the citizens to take this time and let their representatives in Columbia know what they thought about these issues.

**COUNTY ADMINISTRATOR'S TIME – CONTINUED**

**2<sup>ND</sup> READING FOR AN ORDINANCE, “AMENDING FOURTH SUPPLEMENTAL ORDINANCE NO. 09-12 AND FIFTH SUPPLEMENTAL ORDINANCE NO. 11-17 AND APPROVING AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY AND DORCHESTER COUNTY IDENTIFIED AS SOUTH CAROLINA WATER POLLUTION CONTROL REVOLVING FUND LOAN NUMBER S1-119-09-542-01 TO PROVIDE FOR CERTAIN CHANGES TO THE DEBT SERVICE RESERVE FUND FUNDING REQUIREMENTS THEREIN AND OTHER MATTERS RELATING THERETO”**

7. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 2<sup>nd</sup> Reading for An Ordinance, “Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto.”

Mr. Ward stated due to the County's recent Water and Sewer bond-rating upgrade to AA-, the County can eliminate its debt service reserve fund for the 2009 SRF Loan, which is \$241,564.28, as well as eliminate its debt service reserve fund for its 2011 SRF Loan.

**AMENDMENT TO PERSONNEL POLICY REGARDING JUDGES' SALARIES**

Mr. Ward requested this item be referred to the Administrative and Intergovernmental Affairs Committee before taking any action.

8. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted unanimously to refer the “Amendment to Personnel Policy Regarding Judges' Salaries”, to the Administrative and Intergovernmental Affairs Committee for further study.

**COMMITTEE REPORTS**

Chairman Hargett passed the gavel to Vice-Chairman Bailey in order to give his Committee report.

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT - CHAIRMAN LARRY HARGETT**

Chairman Hargett reported that the Budget, Finance, and Purchasing Committee Meeting met on Tuesday, May 29, 2012, and received public budget presentations from School District Four, the Dorchester County Library, the Dorchester County Career and Technology Center, and the Dorchester County Fire Departments and no action was taken. He also reported the Committee held a public hearing for the County Budget for Fiscal Year 2012-2013 and no action was taken.

**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT-CONTINUED**  
**APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH S.C. JUDICIAL**  
**DEPARTMENT FOR COURT CASE MANAGEMENT SYSTEM**

9. Chairman Hargett reported that the Committee recommendation to Council was for the Approval of a Memorandum of Understanding with S.C. Judicial Department for Court Case Management System on a vote of five in favor and two abstaining. Council voted unanimously in favor.

Chairman Hargett also reported the Committee discussed a Contractual Matter regarding Fire Protection in Executive Session and no action was taken.

Vice- Chairman Bailey gave the gavel back to Chairman Hargett.

**PUBLIC SAFETY, HEALTH, AND HUMAN SERVICES COMMITTEE REPORT,**  
**CHAIRMAN GEORGE BAILEY**  
**NEW STOP SIGNS ON CAROLINIAN DRIVE IN LEGEND OAKS SUBDIVISION**

10. Chairman Bailey reported the Committee met earlier and with the assistance of the Public Works Director voted to make a recommendation to Council for the installation of an all-way stop sign at the intersection of Carolinian Drive and Gathering Island in Legend Oaks Subdivision. Council voted unanimously in favor.

**PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT**  
**CHAIRMAN BILL HEARN**  
**PUBLIC HEARING & RECOMMENDATION FOR 2<sup>ND</sup> READING FOR AN**  
**ORDINANCE TO AMEND DC ZONING AND LAND DEVELOPMENT STANDARDS**  
**ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO**  
**ARTICLE VI, USE GROUP 17(c) TO ADD "AND ESTABLISHMENTS ENGAGED IN**  
**THE CARE, TREATMENT, AND HOUSING OF DOMESTIC ANIMALS."; WITH**  
**RESPECT TO ARTICLE X, SECTION 10.4.1(c) TO DELETE THE SAME AND**  
**SUBSTITUTE IN LIEU THEREOF A NEW SECTION 10.4.1(c); WITH RESPECT TO**  
**ARTICLE XIII, SECTION 13.5.7(j) TO ADD A NEW SUBSECTION 13.5.7(j)(5); WITH**  
**RESPECT TO ARTICLE VI, USE GROUP 23(b) TO DELETE THE SAME AND TO ADD**  
**TO USE GROUP 23(c) "AND WATER TREATMENT PLANTS, STORAGE TANKS, OR**  
**PUMPING STATIONS FOR THE PURIFICATION, STORAGE AND/OR PUMPING OF**  
**POTABLE WATER."; AND WITH RESPECT TO ARTICLE X SECTION 10.4.18(a), (b)**  
**AND (c) TO ADD TO EACH SUBSECTION, "WATER TREATMENT PLANTS AND/OR**  
**WATER STORAGE TOWERS."**

11. Chairman Hearn reported a Public Hearing was held on the Ordinance and the Committee's recommendation to Council was for 2<sup>nd</sup> Reading to be given to, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VI, Use Group 17(c) to Add "And Establishments Engaged In the Care, Treatment, and Housing of Domestic Animals."; With Respect to Article X, Section 10.4.1(c) To Delete the Same and Substitute In Lieu Thereof A New Section 10.4.1(c); With Respect to Article XIII, Section 13.5.7(j) To Add A New Subsection 13.5.7(j) (5); With Respect to Article VI, Use Group 23(b) To Delete The Same and To Add To Use Group 23(c) "And Water Treatment Plants, Storage Tanks, or Pumping Stations for the Purification, Storage and/or Pumping of Potable Water"; And With Respect to Article X Section 10.4.18(a), (b) And (c) To Add To Each Subsection, "Water Treatment Plants and/or Water Storage Towers." Council voted six in favor and one abstention. Councilman Bailey abstained.



**COMMITTEE REPORTS-CONTINUED**

Chairman Hargett passed the gavel to Vice-Chairman Bailey in order to give his Water and Sewer Committee Report.

**WATER AND SEWER COMMITTEE REPORT -CHAIRMAN LARRY HARGETT  
REQUEST FOR NEW SEWER SERVICE, TMS #180-00-00-046; THE RYLAND GROUP,  
TO TAYLOR PLANTATION PHASE 3B, NORTH CHARLESTON**

12. Chairman Hargett reported the Water and Sewer Committee voted unanimously to make a recommendation to Council for approval of new sewer service, to property identified by TMS #180-00-00-046, for The Ryland Group, for a proposed subdivision, "Taylor Plantation Phase 3B", located in North Charleston. Council voted unanimously in favor of the recommendation.

**REQUEST FOR NEW SEWER SERVICE, TMS #136-00-00-117; VAN MALPHRUS, TO  
CAMERON PLACE SUBDIVISION, SUMMERVILLE**

13. Chairman Hargett reported the Water and Sewer Committee voted unanimously to make a recommendation to Council for approval of new sewer service, to property identified by TMS #136-00-00-117, for Van Malphrus, to Cameron Place Subdivision, Harvest Way, Summerville. Council voted unanimously in favor of the recommendation.

Vice-Chairman Bailey passed the gavel back to Chairman Hargett

**APPOINTMENTS TO BOARDS AND COMMISSIONS  
DORCHESTER COUNTY DISABILITIES AND SPECIAL NEEDS BOARD**

14. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to make a recommendation to the Governor for the reappointment of Ms. Shirley J. Lang to the Dorchester County Disabilities and Special Needs Board for a four-year term.

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

**1<sup>ST</sup> READING FOR "AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE  
OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY REPEALING  
CHAPTER 28, SECTION 28-2, AND SUBSTITUTING IN LIEU THEREOF A NEW  
SECTION 28-2 TO CHAPTER 28 PROVIDING FOR NOISE CONTROL IN THE  
UNINCORPORATED AREAS OF DORCHESTER COUNTY"**

15. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted six in favor, and one abstained, to give 1<sup>st</sup> Reading for "An Ordinance Amending and Supplementing the Code of Ordinances, Dorchester County, South Carolina, By Repealing Chapter 28, Section 28-2, and Substituting in Lieu Thereof a New Section 28-2 to Chapter 28 Providing for Noise Control in the Unincorporated Areas of Dorchester County." The County Attorney also requested a public hearing for the Ordinance be scheduled.

Councilman Chinnis abstained.

**COUNTY ATTORNEY'S TIME- CONTINUED  
REQUESTS FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into executive session to discuss two matters; he stated the real estate matter concerning the Ashley River Property was not ready; therefore, the only items for discussion under contractual matters were the potential conservation real estate purchases and another potential real estate purchase.

**EXECUTIVE SESSION 8:22 P.M.**

16. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to enter into Executive Session, as requested by the County Attorney.

**RECONVENE FROM EXECUTIVE SESSION 9:20 P.M.**

The County Attorney reported that Council discussed the previously announced items, but no action was taken.

**HAVEN ROAD**

Chairman Hargett stated he had an additional item to discuss concerning an e-mail he received on his way to the meeting and would read the e-mail aloud. He stated Council would like to get comments from the Public Works Director on the subject. Chairman Hargett stated the e-mail was from Bob Whitten concerning the signs agreed to, at the site on "Haven Road" by Show Denko, reading, "No Stopping, No Standing, or No Parking" on this Road, and that EPA had agreed to the expansion if there could be additional signage, which would state, private property, Access restricted to local and emergency traffic.

Mr. Byrd had no issues with this signage requirement.

Mr. Frampton said that he would like to see the new language in the easement document before he could approve the same.

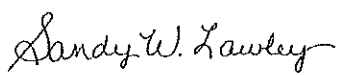
17. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to approve the Haven Road easement with the additional signage requested by EPA Assuming approval by the County Attorney.

**PURCHASE OF REAL PROPERTY**

18. On the motion of Mr. Byars, seconded by Mr. Davis, Council voted unanimously to authorize the County Administrator to offer to purchase real property located at 235 Deming Way, Summerville, South Carolina, TMS #129-00-00-123, from W. Towne Properties Limited Partnership for the sum of \$1,750,000.

**ADJOURNMENT**

19. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to adjourn. Time of adjournment was 9:25 p.m.

  
Sandy Lawley, Clerk to Council

**AGENDA**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 18, 2012**  
**7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CHAIRMAN'S TIME – MR. LARRY HARGETT**

- Requests to Address Council
- Adoption of Minutes from the June 4, 2012, County Council Meeting
- Request for Funding Mental Health Board
- Correspondence

**3. GUESTS**

- Mrs. Kara B. Gunter, Interim Budget and Finance Director, May 2012 Budget Report
- Ms. Tish Lynn, Resource Development Coordinator for the Center for Heirs' Property Preservation

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

- Request for Approval Magistrate's Department Transfer Funds from Personnel to Operating
- Projected Salary and Benefits Savings Due to Budget and Finance Vacancy and One Time Performance Bonus
- Request to Amend the FY 2012 Budget to Recognize Revenue from Insurance Company
- 3<sup>rd</sup> Reading for Ordinance #12-08, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VI, Use Group 17(c) to Add "And Establishments Engaged In the Care, Treatment, and Housing of Domestic Animals."; With Respect to Article X, Section 10.4.1(c) To Delete the Same and Substitute In Lieu Thereof A New Section 10.4.1(c); With Respect to Article XIII, Section 13.5.7(j) To Add A New Subsection 13.5.7(j)(5); With Respect to Article VI, Use Group 23(b) To Delete The Same And To Add To Use Group 23(c) "And Water Treatment Plants, Storage Tanks, or Pumping Stations for the Purification, Storage and/or Pumping of Potable Water."; And With Respect to Article X Section 10.4.18(a), (b) And (c) To Add To Each Subsection, "Water Treatment Plants and/or Water Storage Towers." *(Amendment 1 - allow establishments engaged in the care, treatment and housing of domestic animals in General Commercial (CG) Zoning Districts.) (Amendment 2- allow accessory dwelling units larger than the current limit of 600 square feet on lots 0.75-2.0 acres.) (Amendment 3- allow one large facade sign on a large building with deep setbacks.) (Amendment 4- allow set zoning requirements for water utilities equal to those requirements for electric and gas utilities.)*
- 3<sup>rd</sup> Reading for Ordinance #12-09, "An Ordinance, "Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto"

**5. COMMITTEE REPORTS**

**Chairman Larry Hargett, Budget, Finance, and Purchasing Committee Report**

-Mr. Geoffrey L. Southard, Municipal Capital Corporation, Lease Purchase Detention Centers

**Chairman Larry Hargett, Water and Sewer Committee Report**

-Request for Use of Impact Fees, SCDOT Road Improvement Orangeburg Road

-Request for New Sewer Service, TMS# 128-00-00-203; The Spinx Company, Inc., Corner of Orangeburg Road and Mallard Road near Summerville

-Request for Main Line Extension, Mallard/Mose Circle near Summerville

-Approval for Sale Kings Grant Lot; TMS #171-01-01-016

**6. APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

-Public Hearing and 2<sup>nd</sup> Reading for “An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Repealing Section 44-202 of Chapter 44, Article III, Division 21, and Enacting in Place Thereof a New Section 44-202 of Chapter 44, Article III, Division 21, With Regard to Use of Enterprise Funds”

-Executive Session	Legal Advice	-David Moore, et al. v. Dorchester County, et al -Dorchester Seniors, Inc.
	Contractual Matters	-Winding Woods Infrastructure Project -Real Estate Matter Ashley River Property -Potential Real Estate Purchase -SC Hwy 27 Sewer Diversion

**8. ADJOURN**

LARRY S. HARGETT  
CHAIRMAN

GEORGE H. BAILEY  
VICE-CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

SANDY W. LAWLEY  
CLERK TO COUNCIL



WILLIE R. DAVIS

WILLIAM (BILL) HEARN, JR.

DAVID CHINNIS

RICHARD ROSEBROCK

JAY BYARS

## COUNTY COUNCIL OF DORCHESTER COUNTY

201 JOHNSTON STREET  
ST. GEORGE, SOUTH CAROLINA 29477  
(843) 563-0196 FAX (843) 563-0137  
SUMMERVILLE (843) 832-0043 FAX (843) 875-8509

**MINUTES**  
**DORCHESTER COUNTY COUNCIL**  
**KENNETH F. WAGGONER SERVICES CENTER**  
**COUNCIL CHAMBERS, ST. GEORGE**  
**JUNE 18, 2012**  
**7:11 P.M.**

Pursuant to the Freedom of Information Act, The Eagle-Record,  
The Summerville Journal Scene and The Post & Courier were notified  
and a notice was posted on the bulletin boards 24 hours before the meeting.

PRESENT: Mr. Larry S. Hargett, Chairman  
Mr. George H. Bailey, Vice Chairman  
Mr. Jay Byars  
Mr. William "Bill" Hearn  
Mr. Richard Rosebrock  
Mr. Jason Ward, County Administrator  
Ms. Ashley Jacobs, Deputy County Administrator  
Mr. John Frampton, County Attorney  
Mrs. Sandy W. Lawley, Clerk to Council

ABSENT: Mr. David Chinnis  
Mr. Willie Davis

Chairman Hargett called the meeting to order, and Vice-Chairman Bailey gave the invocation. Before the invocation, Vice-Chairman Bailey asked everyone to bow in a moment of silence in memory of Ross Reeves, the 23-year-old Chief of Cattle Creek Volunteer Fire Department, who died in an auto accident on June 5, 2012. Vice-Chairman Bailey spoke about the fine young man Ross was and the service he provided to the County and the community.

### **REQUEST TO ADDRESS COUNCIL**

- Mr. Ordie Brown of St. George addressed Council on behalf of the St. Mark Baptist Church requesting assistance on repairing Britt Cemetery Road. He provided a photo of the road showing its poor condition, and reminded them that Pastor Britt had approached Council last year about repairing this road. Councilman Bailey requested placement of this subject in the Public Works Committee. Chairman Hargett agreed and asked who owned the road. Mr. Brown said the Church owned the property.

**ADOPTION OF JUNE 4, 2012, DORCHESTER COUNTY COUNCIL MINUTES**

1. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted five in favor and two absent to adopt the Minutes from the June 4, 2012, County Council Meeting.

Council Members Davis and Chinnis were absent.

**REQUEST FOR FUNDING FOR THE MENTAL HEALTH BOARD**

2. On the motion of Mr. Rosebrock, seconded by Mr. Byars, Council voted five in favor and two absent to place the request for funding from the Mental Health Board for an additional \$5,000 for use to help indigent clients from Dorchester County in the Budget, Finance, and Purchasing Committee of Council for study.

Council Members Davis and Chinnis were absent.

**CORRESPONDENCE:** Mr. Ward stated there was no correspondence to report.

**GUESTS- MRS. KARA GUNTER, INTERIM DIRECTOR OF BUDGET AND FINANCE**

Mrs. Kara Gunter, Interim Director of Budget and Finance, presented the May 2012, Budget Report. She stated that all funds with regard to the collections and expenditures were coming in as expected. In addition, Mrs. Gunter went over the expected carryovers for the upcoming budget and provided a brief overview of the end of the year for all major funds. In conclusion, she thanked Council, received, and answered questions. Council thanked Mrs. Gunter for the report.

**MS. TISH LYNN, RESOURCE DEVELOPMENT COORDINATOR, CENTER FOR HEIRS' PROPERTY PRESERVATION**

Ms. Tish Lynn, Resource Development Coordinator for the Center for Heirs' Property Preservation, thanked Council, and especially Councilman Bailey for responding to her request to address Council. Ms. Lynn provided Council with a packet of information on the seven-year-old Center, established as an independent non-profit organization in 2005, in response to the overwhelming need to provide assistance to those who needed help to obtain a clear title and preserve their land. The Center's mission, as she explained was serving, supporting, and empowering heirs' property owners, and their communities. Ms. Lynn explained that they accomplish this mission by providing education and legal services to low-income heirs' property owners, nonprofit organizations serving the owners, and attorneys and judges handling the heirs' property cases and the community-at-large, in Beaufort, Berkeley, Charleston, Colleton, Dorchester, and Georgetown counties. Ms. Lynn explained her undertaking was reaching out to those residents to provide advice and counsel and to educate them on heirs' property rights through the center. She stated that generally heirs' property was rural property, usually in rural families, passed down without an estate or a will by oral tradition. In the Lowcountry, heirs' property was most prevalent among African Americans who purchased the land or were deeded the land, but were denied the legal system. Now this land was more vulnerable to be lost than it was to be saved. In conclusion, Ms. Lynn said the Center was working in Dorchester County because of a study the center completed, which found that there were about 41,000 acres of heirs' property, and Dorchester, Berkeley and Colleton counties contained the majority of that property. She reported that Dorchester County contained 5,000 acres of heirs' property. Ms. Lynn thanked Council for their time and said she was available for questions anytime, and would be working within the communities to conduct educational seminars to help those people who had heirs' property and wanted to keep their property. Council thanked her for this most informative and interesting presentation.

**COUNTY ADMINISTRATOR'S TIME -- MR. JASON WARD**

**REQUEST FOR APPROVAL FOR MAGISTRATE'S DEPARTMENT -FUNDS  
TRANSFER FROM PERSONNEL TO OPERATING**

3. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted five in favor and two absent to approve the transfer of \$5,221.31 in savings from personnel line items in the Magistrate's Department to operating line items in the Magistrate's Department for the purchase of two desktop computers and four printers.

Council Members Davis and Chinnis were absent.

**PROJECTED SALARY AND BENEFITS SAVINGS DUE TO BUDGET AND FINANCE  
DIRECTOR VACANCY AND ONE TIME PERFORMANCE BONUS**

4. On the motion of Mr. Hearn, seconded by Mr. Byars, Council voted five in favor and two absent to approve the recommendation of the County Administrator to pay a one-time performance bonus of \$2,500 to Ashley Jacobs, Deputy Administrator; James H. (J.J.) Messervy, Jr., County Auditor; and Jessica Shuler, Internal Auditor, for their work on the 2013 County Budget in the absence of a Budget and Finance Director.

Council Members Davis and Chinnis were absent.

**REQUEST TO AMEND THE FY 2012 BUDGET TO RECOGNIZE REVENUE FROM  
INSURANCE COMPANY**

5. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted five in favor and two absent to authorize the County Administrator to amend the FY 2012 Budget to recognize revenue from insurance proceeds in the amount of \$53,900 and approve the use of these revenues to purchase heavy equipment for the Water and Sewer Department.

Council Members Davis and Chinnis were absent.

**3<sup>RD</sup> READING FOR ORDINANCE #12-08, "AN ORDINANCE TO AMEND THE  
DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS  
ORDINANCE NUMBER 04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO  
ARTICLE VI, USE GROUP 17(c) TO ADD "AND ESTABLISHMENTS ENGAGED IN  
THE CARE, TREATMENT, AND HOUSING OF DOMESTIC ANIMALS."; WITH  
RESPECT TO ARTICLE X, SECTION 10.4.1(c) TO DELETE THE SAME AND  
SUBSTITUTE IN LIEU THEREOF A NEW SECTION 10.4.1(c); WITH RESPECT TO  
ARTICLE XIII, SECTION 13.5.7(j) TO ADD A NEW SUBSECTION 13.5.7(j)(5); WITH  
RESPECT TO ARTICLE VI, USE GROUP 23(b) TO DELETE THE SAME AND TO ADD  
TO USE GROUP 23(c) "AND WATER TREATMENT PLANTS, STORAGE TANKS, OR  
PUMPING STATIONS FOR THE PURIFICATION, STORAGE AND/OR PUMPING OF  
POTABLE WATER."; AND WITH RESPECT TO ARTICLE X SECTION 10.4.18(a), (b)  
AND (c) TO ADD TO EACH SUBSECTION, "WATER TREATMENT PLANTS AND/OR  
WATER STORAGE TOWERS."**

**COUNTY ADMINISTRATOR'S TIME-CONTINUED**  
**3<sup>RD</sup> READING ORDINANCE #12-08, "AN ORDINANCE TO AMEND DC ZONING**  
**AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, -CONTINUED**

6. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted five in favor and two absent to give 3<sup>rd</sup> Reading for Ordinance #12-08, "An Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, As Previously Amended, With Respect to Article VI, Use Group 17(c) to Add "And Establishments Engaged In the Care, Treatment, and Housing of Domestic Animals."; With Respect to Article X, Section 10.4.1(c) To Delete the Same and Substitute In Lieu Thereof A New Section 10.4.1(c); With Respect to Article XIII, Section 13.5.7(j) To Add A New Subsection 13.5.7(j)(5); With Respect to Article VI, Use Group 23(b) To Delete The Same And To Add To Use Group 23(c) "And Water Treatment Plants, Storage Tanks, or Pumping Stations for the Purification, Storage and/or Pumping of Potable Water."; And With Respect to Article X Section 10.4.18(a), (b) And (c) To Add To Each Subsection, "Water Treatment Plants and/or Water Storage Towers." (Amendment 1 - allows establishments engaged in the care, treatment and housing of domestic animals in General Commercial (CG) Zoning Districts.) (Amendment 2 - allows accessory dwelling units larger than the current limit of 600 square feet on lots 0.75-2.0 acres.) (Amendment 3 - allows one large façade sign on a large building with deep setbacks.) (Amendment 4 - allows set zoning requirements for water utilities equal to those requirements for electric and gas utilities.)

Council Members Davis and Chinnis were absent.

**3<sup>RD</sup> READING FOR ORDINANCE #12-09, "AMENDING FOURTH SUPPLEMENTAL**  
**ORDINANCE NO. 09-12 AND FIFTH SUPPLEMENTAL ORDINANCE NO. 11-17 AND**  
**APPROVING AN AMENDMENT TO THE LOAN AGREEMENT BETWEEN THE**  
**SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY AND**  
**DORCHESTER COUNTY IDENTIFIED AS SOUTH CAROLINA WATER POLLUTION**  
**CONTROL REVOLVING FUND LOAN NUMBER S1-119-09-542-01 TO PROVIDE FOR**  
**CERTAIN CHANGES TO THE DEBT SERVICE RESERVE FUND FUNDING**  
**REQUIREMENTS THEREIN AND OTHER MATTERS RELATING THERETO"**

7. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted five in favor and two absent to give 3<sup>rd</sup> Reading to Ordinance #12-09, "Amending Fourth Supplemental Ordinance No. 09-12 and Fifth Supplemental Ordinance No. 11-17 and Approving an Amendment to the Loan Agreement Between the South Carolina Water Quality Revolving Fund Authority and Dorchester County Identified as South Carolina Water Pollution Control Revolving Fund Loan Number S1-119-09-542-01 to Provide for Certain Changes to the Debt Service Reserve Fund Funding Requirements Therein and Other Matters Relating Thereto."

Council Members Davis and Chinnis were absent.

**COMMITTEE REPORTS**

Chairman Hargett passed the gavel to Vice-Chairman Bailey in order to give his Committee reports.



Chairman Hargett then reported the Water and Sewer Committee's recommendations to Council.

**WATER AND SEWER COMMITTEE REPORT -CHAIRMAN LARRY HARGETT  
REQUEST FOR USE OF IMPACT FEES, SCDOT ROAD IMPROVEMENT  
ORANGEBURG ROAD**

8. Chairman Hargett stated the first request for the Committee was a request for approval to use \$500,000 in sewer impact fees to relocate a force main for the intersection improvement of Orangeburg Road by the SCDOT, and the Committee's recommendation to Council was for approval. Chairman Hargett stated this would also provide additional transmission capacity. Council voted five in favor and two absent for approval of the recommendation of the Committee.

Council Members Davis and Chinnis were absent.

**REQUEST FOR NEW SEWER SERVICE, TMS# 128-00-00-203; THE SPINX CO., INC.,  
CORNER OF ORANGEBURG ROAD AND MALLARD ROAD NEAR SUMMERVILLE**

9. Chairman Hargett reported the Committee's recommendation to Council was for approval on the request for new sewer service, to property identified by TMS# 128-00-00-203, for the Spinx Company, Inc., at the corner of Orangeburg Road and Mallard Road near Summerville. Council voted five in favor and two absent for approval of the recommendation of the Committee.

Council Members Davis and Chinnis were absent.

**REQUEST FOR MAIN LINE EXTENSION, MALLARD/MOSE CIRCLE NEAR  
SUMMERVILLE**

10. Chairman Hargett stated the Committee's recommendation to Council was for approval on the request for a main line extension, on Mallard/Mose Circle near Summerville, for Mr. Allen Simmons' septic tank, which was failing to allow continued occupancy. Council voted five in favor and two absent for approval of the recommendation of the Committee.

Council Members Davis and Chinnis were absent.

**APPROVAL FOR SALE OF KINGS GRANT LOT; TMS #171-01-01-016**

11. Chairman Hargett stated the Committee's recommendation to Council was to adjourn debate and hold on the request, which was to sell a lot, identified by TMS #171-01-01-016, located in King's Grant Subdivision until the next Water and Sewer Committee meeting, where the County Attorney could do a title examination on this property, to see what is of record in terms of any access. Council voted five in favor and two absent for approval of the recommendation of the Committee.

Council Members Davis and Chinnis were absent.

**COMMITTEE REPORTS –CONTINUED**  
**BUDGET, FINANCE AND PURCHASING COMMITTEE REPORT –**  
**CHAIRMAN LARRY HARGETT**  
**MR. GEOFFREY L. SOUTHARD, MUNICIPAL CAPITAL CORPORATION, LEASE**  
**PURCHASE DETENTION CENTERS**

Chairman Hargett stated the Budget, Finance and Purchasing Committee listened to a very informative and interesting presentation from staff of Municipal Capital Markets Group, Inc., on “Jail Financing”. This firm does lease purchase options for detention centers, which is their specialty. The Committee discussed this issue and took the presentation as information. In addition, the Committee requested Municipal Capital Markets Group, Inc. to provide a Jail Pro Forma using the County’s actual figures and return that to the County, where it could be compared with other options.

Vice-Chairman Bailey passed the gavel back to Chairman Hargett.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were no appointments to Boards and Commissions.

**COUNTY ATTORNEY’S TIME – MR. JOHN FRAMPTON**  
**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR “AN ORDINANCE AMENDING THE**  
**CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY**  
**REPEALING SECTION 44-202 OF CHAPTER 44, ARTICLE III, DIVISION 21, AND**  
**ENACTING IN PLACE THEREOF A NEW SECTION 44-202 OF CHAPTER 44,**  
**ARTICLE III, DIVISION 21, WITH REGARD TO USE OF ENTERPRISE FUNDS**

The County Attorney requested for the Chairman to hold a Public Hearing for “An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Repealing Section 44-202 of Chapter 44, Article III, Division 21, and Enacting in Place Thereof a New Section 44-202 of Chapter 44, Article III, Division 21, With Regard to Use of Enterprise Funds”. Mr. Frampton stated that this amendment would remove the cap of 5% on Water and Sewer overhead allocation.

Chairman Hargett opened the Public Hearing on the above named Ordinance, and asked if anyone from the public would like to speak. Mr. Wallace Kizer addressed Council from his seat requesting more information on this Ordinance. Mr. Ward explained the Ordinance in detail, regarding the difference in county funds, such as the enterprise fund, and stated that this would be removing the 5% cap on this fund. He also stated that the Solid Waste and Stormwater funds do not have a cap. Councilman Bailey made a suggestion concerning clarification on Ordinances. One other person spoke from his seat, but was inaudible for the Clerk to hear. Upon Hearing no more comments, Chairman Hargett closed the Public Hearing.

12. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted five in favor and two absent, to give 2<sup>nd</sup> Reading for “An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Repealing Section 44-202 of Chapter 44, Article III, Division 21, and Enacting in Place Thereof a New Section 44-202 of Chapter 44, Article III, Division 21, With Regard to Use of Enterprise Funds”.

Council Members Davis and Chinnis were absent.

**COUNTY ATTORNEY'S TIME-CONTINUED  
REQUESTS FOR EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into executive session to give legal advice concerning a pending lawsuit (David Moore, et al. vs. Dorchester County), and to give advice concerning Dorchester Seniors, Inc. and to discuss the following contractual matters: Winding Woods Infrastructure Project, a potential real estate purchase concerning the property on the Ashley River, a potential real estate purchase of property on Deming Way, and the SC Highway 27 Sewer Diversion.

**EXECUTIVE SESSION**

13. On the motion of Mr. Bailey, seconded by Mr. Rosebrock, Council voted five in favor and two absent to enter into Executive Session, as requested by the County Attorney.

Council Members Davis and Chinnis were absent.

**RECONVENE FROM EXECUTIVE SESSION 8:56 P.M.**

The County Attorney reported that Council discussed the previously announced items, but no action was taken.

**REAL ESTATE PURCHASE**

14. On the motion of Mr. Hearn, seconded by Mr. Byars, Council voted five in favor and two absent, to authorize the County Administrator to execute the agreement of sale between Dorchester County and Quality Properties Asset Management Company for the purchase of Tract A, containing approximately 83 acres and bearing TMS #161-00-00-074 for a purchase price of \$1.35 Million and to further authorize the Administrator to execute the Environmental Confidentiality Agreement.

Council Members Davis and Chinnis were absent.

**REAL ESTATE PURCHASE –DEMING WAY**

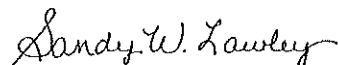
15. On the motion of Mr. Byars, seconded by Mr. Bailey, Council voted five in favor and two absent, to authorize the County Administrator to offer \$1,950,000 for the purchase of 235 Deming Way, TMS #129-00-00-123, from W. Towne Properties Limited Partnership.

Council Members Davis and Chinnis were absent.

**ADJOURNMENT**

16. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted five in favor and two absent to adjourn. Time of adjournment was 8:58 p.m.

Council Members Davis and Chinnis were absent.



Sandy Lawley, Clerk to Council