

GEORGE H. BAILEY, SR.  
CHAIRMAN

C. DAVID CHINNIS  
VICE CHAIRMAN

JASON L. WARD  
COUNTY ADMINISTRATOR

TRACEY L. LANGLEY  
CLERK TO COUNCIL



JAMES LEX BYARS, III

EDWARD IVY CROSBY, JR.

WILLIAM R. HEARN, JR.

LARRY S. HARGETT

HARRIET A. HOLMAN

## **COUNTY COUNCIL OF DORCHESTER COUNTY**

500 N. MAIN STREET, SUITE 2

SUMMERVILLE, SOUTH CAROLINA 29483

(843) 832-0196 or (843) 563-0196

### **MINUTES DORCHESTER COUNTY COUNCIL DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE MARCH 04, 2019 6:00 P.M.**

Pursuant to the Freedom of Information Act, a notice was posted on the bulletin board 24 hours before the meeting, and the following media outlets were notified:  
The Eagle-Record, The Summerville Journal Scene, The Post and Courier,  
WCBF Channel 2, WCIV Channel 4 and WCSC Channel 5.

**PRESENT:** Mr. George H. Bailey, Chairman  
Mr. David Chinnis, Vice Chairman  
Mr. Jay Byars  
Mr. Eddie Crosby  
Mr. Larry S. Hargett  
Mr. William R. Hearn, Jr.  
Ms. Harriet A. Holman  
Mr. Jason L. Ward, County Administrator  
Mr. Daniel Prentice, Deputy Administrator/CFO  
Ms. Rebecca Vance, Deputy Administrator/Community Services  
Mr. John Frampton, County Attorney  
Mr. Bradley Mitchell, Deputy County Attorney  
Ms. Tracey L. Langley, Clerk to Council

Chairman Bailey called to order the meeting of Dorchester County Council. He invited all to stand for the invocation, which was given by Councilman Hargett and followed by the Pledge of Allegiance.

### **CHAIRMAN'S TIME – MR. GEORGE BAILEY**

#### **MOTION TO AMEND THE AGENDA**

1. On the motion of Councilwoman Holman, seconded by Councilman Crosby, County Council voted unanimously to amend the agenda to move item 4A to item 3A.

### **GUEST**

#### **MRS. LEONITTA L. TURNER, DORCHESTER COUNTY HUMAN RESOURCES DIRECTOR**

Mrs. Leonitta Turner recognized Ms. Heather Jenkins, 2018 Employee of the Year by presenting her with a plaque, a certificate and a gift basket.

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

- Mr. John Mott, 244 B Luden Drive, Summerville, he gave a presentation to Council on the Sawmill Trail and a Memorandum of Agreement with SCDOT. Mr. Mott requested his presentation be entered into the official record of Council.
- Ms. Peggy Bangle, 114 Ravenwood Court, Summerville, she spoke about the condition of roads, traffic signals, and the Local Government Fund. She said we need to be strong in our voice and let them know it is our money.
- Mr. Timothy Agee, 8550 Dorchester Road, North Charleston, he said North Charleston responds to many other calls which leaves their stations empty. He said they are adamant they not lose Ashley River Fire Department. He said a second EMS unit is needed in that area.
- Mr. Dennis McCoy, 122 Remington Drive, North Charleston, he asked what will happen if in the future North Charleston says they no longer want to provide service. He said he drives by North Charleston Fire Department all the time and the station are empty.
- Mr. Jim Atkinson, 6005 Mansfield Boulevard, North Charleston, he said this is personal for him as he lives in the Ashley River Fire District. He said many of the firemen at Ashley River were his students and he would hate for them to lose their job. He said he is on the Ashley River Fire District Board Members. He asked Council to take a second look before they close the fire department.
- Mr. Douglas Lowe, 42 Peppertree Lane, North Charleston, he said there is always someone at Ashley River Fire Department. He said they have a community meeting space there and doesn't believe North Charleston will allow that when they take over. He believes it is more effective having full time firemen at the station. He said their response times are better than North Charleston Fire Department.
- Mr. Scott Inabinet, 651 Gahagan Road, Summerville, he said there should be some type of public safety plan in place. He said you can go on the state website and see their response times are better than North Charleston. He played a recording of dispatch saying that they were not sending North Charleston Fire Department for a lift assist. He asked Council to look deeper into the issue.
- Mr. Jack Furr, 144 Palmetto Bluff Drive, North Charleston, he said he doesn't believe much of what he has seen on the website or has heard from Council. He said two members of Council assured him several years ago that this would not happen. He said they have been kept in the dark. He said the people will not forget what Council has done to them.
- Ms. Dianne Linken, 216 Old Dominion Road, North Charleston, she said seconds mean everything. She said Ashley River Fire Department has better response times. She requested Council reconsider and leave things the way they are now.
- Mr. Lawrence Moss, 264 Dorchester Manor, North Charleston, he said he is the Vice Chairman of the Board of Directors for Ashley River Fire Department. He asked what would happen if a building

caught on fire who would respond. He is concerned about the part time and volunteer employees. He said North Charleston is a full-time department and they do not have time for part time or volunteers.

- Mr. James Roberts, 108 Beret Street, North Charleston, he said Chief Inabinet came to them and told them they had to take a First Responders class. He said the next day at his other job he saved his best friends life. He said four lives have been saved because Ashley River gave him that training.
- Dr. Richard Duncan, 5533 Jasons Cove, North Charleston, he is the Chairman of the Board of Directors of Ashley River Fire Department. He said he is there to fight for Ashley River Fire Department and the residents of the fire district. He feels like they were left out of the process, ignored and disrespected. He suggested Council put it on a ballot and let people vote. He also suggested the proposal be changed to 2020.
- Ms. Beverly Duncan, 5533 Jasons Cove, North Charleston, she said she has experienced service from Ashley River Fire Department personally. She said they worked hard to get an ISO 1 rating. She said if it isn't broke don't fix it. She believes it is taxation without representation.
- David McDoogall, 8620 Linderwood Circle, North Charleston, he said he cares very deeply about this issue and is angry about it. He asked why there were no public hearings. He asked where the equipment will go. He said he doesn't want to live in North Charleston. He said Ashley River has been to house three times and provided excellent service.
- Ms. Nadean Schnailble, 243 Knightsbridge Drive, North Charleston, she wants this to go to a vote, so the people can speak their minds.
- Mr. Jeffrey Nailling, 24 Stratton Drive, North Charleston, he lives with his 85-year-old mother and they need service from Ashley River Fire Department. He said his mother had an emergency last night and they were there in one minute.
- Ms. Ann Bryant, 114 Beret Street, North Charleston, she spoke about service from Charleston County when her father passed away. She said she has a special needs child that is seven years old who has medical issues and Ashley River Fire Department is there for her.
- Ms. Catherine Hutchinson, 221 Old Dominion Drive, North Charleston, she said she is the angry widow of Mr. Hutchinson who created Ashley River Fire Department. She said quality can not be an issue as they have an ISO 1. She doesn't believe it is a funding issue because taxpayers fund the department with taxes. She assumes that the money and equipment would revert to the taxpayers.
- Mr. Carter Weaver, 512 Tarleton Drive, North Charleston, he thanked Council for the traffic circle. He spoke about being in fire service for thirty years. He said North Charleston Fire Department's response times are up. He requested Council let the voters decide how this turn outs.
- Mr. Joe Friend, 4775 Apartment Boulevard, he said he has been a member of Ashley River Fire Department for thirty-three years. He said this department helped him start his professional career. His father in law helped start Ashley River Fire Department. He requested Council reconsider closing Ashley River Fire Department.
- Ms. Kim Williams, 8333 Longridge Road, North Charleston, she said she feels passionate about the Ashley River Fire Department. She said they protest the annexation by North Charleston. She said she doesn't want to live in North Charleston. She said she believes excellent service is a priority. She requested the matter be left to the residents to vote on.
- Mr. John Williams, 8333 Longridge Road, North Charleston, he said North Charleston Fire Department is an excellent fire department, but none are any better than Ashley River Fire Department. He said they have not heard why this is happening and would like for them to be given the opportunity to vote. He said he does not want to be annexed into North Charleston.
- Mr. Trent Kernodle, 914 G Folly Road, Charleston, he is the attorney for Ashley River Fire Department. He said there are two reasons to do this with the first being money. He said the second reason is its inevitable. He said it is not inevitable and Ashley River Fire Department can continue to flourish.

- Mr. Wes Carter, 4229 Lavendar Lane, North Charleston, he said North Charleston Fire Department rode by and flipped them off. He said they pulled three children out of a home with a five-minute response time. He said EMS enjoys working with them and wants to be at their station.

**MOTION TO RECONSIDER ADOPTION OF MINUTES FROM THE FEBRUARY 04, 2019, COUNTY COUNCIL MEETING**

1. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted six in favor with one abstention (Byars) to approve a Motion to Reconsider Adoption of Minutes from the February 04, 2019, County Council Meeting.

**MINUTES**

2. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted six in favor, with one abstention (Byars), to approve the minutes from the February 04, 2019, County Council Meeting.
3. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted six in favor, with one abstention (Chinnis), to approve the minutes from the February 19, 2019, County Council Meeting.

**3<sup>RD</sup> READING OF ORDINANCE #19-08, GENERAL OBLIGATION BONDS, SERIES 2019**

Chairman Bailey announced Council would hold a public hearing for 3<sup>rd</sup> reading of an Ordinance to Provide for the Issuance and Sale of Not Exceeding Sixteen Million Dollars (\$16,000,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2019; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto.

He struck the gavel, opening the Public Hearing. He invited the public to come forward to speak on this issue. In the absence of any additional requests to speak, Chairman Bailey struck the gavel again, closing the Public Hearing.

4. On the motion of Councilman Chinnis, seconded by Councilman Hearn, County Council voted unanimously to give 3<sup>rd</sup> reading of Ordinance #19-08, an Ordinance to Provide for the Issuance and Sale of Not Exceeding Sixteen Million Dollars (\$16,000,000) Dorchester County, South Carolina, General Obligation Bonds, Series 2019; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto.

**1<sup>ST</sup> READING OF AN ORDINANCE TO PROHIBIT THE PASSING OF OBJECTS TO AND FROM MOTOR VEHICLES IN THE RIGHT OF WAY**

5. On the motion of Councilman Hearn, seconded by Councilman Chinnis, County Council voted unanimously to give 1<sup>st</sup> reading (by title only) and refer to the Public Safety, Health and Human Services committee for a recommendation regarding an Ordinance to Prohibit the Passing of Objects to and from Motor Vehicles in the Right of Way in Dorchester County.

**1<sup>ST</sup> READING OF AN ORDINANCE, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019**

6. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted unanimously to give 1<sup>st</sup> reading of an Ordinance to Provide for the Issuance and Sale of Not Exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) Dorchester County, South Carolina, General Obligation Refunding Bonds, Series 2019; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto.

**CORRESPONDENCE:** No correspondence received.

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

**MOTION TO COMMISSION JOY KRUTEK TO ISSUE SUMMONSES FOR VIOLATIONS OF DORCHESTER COUNTY HOSPITALITY TAX ORDINANCE**

7. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted unanimously to approve a motion to commission Joy Krutek to issue summonses for violations of Dorchester County Hospitality Tax Ordinance, pursuant to S.C. Code of Laws Section 4-9-145.

**APPROVAL TO USE PERSONNEL SAVINGS IN THE PUBLIC WORKS DEPARTMENT TO PURCHASE ROAD MATERIALS**

8. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted unanimously to approve the use of \$35,000 in personnel savings to purchase sand, rock, and ROC to repair dirt roads damaged from recent heavy rains.

**1<sup>ST</sup> READING OF REZONING REQUEST #781**

9. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted unanimously to give 1<sup>st</sup> reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #781 by Doug Richardson to rezone 3.6 acres on Dorchester Road, near Summerville from Multi-Family Residential District (R-4) to Neighborhood Commercial District (CN), TMS #153-00-00-056.

**1<sup>ST</sup> READING OF REZONING REQUEST #782**

10. On the motion of Councilman Hearn, seconded by Councilwoman Holman, County Council voted six in favor, with one abstention (Byars), to give 1<sup>st</sup> reading and referral to the Planning, Development, and Building Committee for a Public Hearing and recommendation regarding Rezoning Request #782 by Michele Costanzo to rezone .84 acre on Dorchester Road, near Summerville, TMS #153-00-00-006; .92 acre on Dorchester Road, near Summerville, TMS #153-00-00-039; and 1.93 acres on Dorchester Road, near Summerville, TMS #153-00-00-052, from Multi-Family Residential District (R-4) to Neighborhood Commercial District (CN).

**COMMITTEE REPORTS**

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

Chairman Chinnis reported that the Committee met at 5:45 p.m. to discuss the following item:

11. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> Reading of an Ordinance to Adopt the Cooks Crossroads Design Guidelines "Standing at the Crossroads - Designing a Gateway for the Future."

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

12. On the motion of Councilman Byars, seconded by Councilman Hearn, County Council voted unanimously to appoint Ms. Julie Johnston, Ms. Laurie Holwell, Mr. Bryan Sparks, Mr. Daniel Burbage, Mr. Bryson Jeffords, Ms. Natalie Tarpine, and Mr. Michael Kohler to the Dorchester County Rivers and Waterways Commission.

Councilman Chinnis announced that Mr. Mike Mercer would be resigning from the Board of Zoning Appeals. Councilman Chinnis will be making an appointment at a future meeting.

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

#### **MEMORANDUM OF AGREEMENT RELATED TO SECTION 4(F) IMPACTS TO THE SAWMILL BRANCH TRAIL**

13. On the motion of Councilwoman Holman, seconded by Councilman Chinnis, County Council voted unanimously to approve an agreement between Dorchester County, Town of Summerville, FHWA, and SCDOT to mitigate impacts to the Sawmill Branch resulting from the Berlin G. Myers Phase III project.

#### **2<sup>ND</sup> READING OF AN ORDINANCE, PROJECT TC**

Mr. Frampton announced that 2<sup>nd</sup> reading of an Ordinance Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement By and Between "Project TC" and Dorchester County, South Carolina, Whereby the County Will Enter Into a Fee In Lieu of Tax and Incentive Agreement With Project TC Providing for Payment by Project TC of Certain Fees In Lieu of Ad Valorem Taxes; Providing for the Location of the Property and the Allocation of Fees In Lieu of Taxes Payable Under the Agreement for the Establishment of a Multi-County Industrial/Business Park; and Other Matters Relating Thereto would be discussed in Executive Session and therefore he asked that no action be taken at this time.

14. On the motion of Councilman Byars, seconded by Councilman Hearn, County Council voted unanimously to authorize and instruct the County Administrator, County Attorney, and other appropriate County Staff to prepare any necessary Ordinances, Resolutions, and any other documents necessary to commence the process of the abolishment and dissolution of the Ashley River Special Tax District, Effective July 1, 2019.

### **EXECUTIVE SESSION**

The County Attorney requested Council's consideration to enter into Executive Session at 7:12 p.m. to discuss the following:

- Contractual Matters
  - Discussion of a Lease for the Dorchester County Archives and History Center
  - Intergovernmental Agreement for Berlin Myers Parkway Phase 3 Project in Dorchester County
  - Discussion of a Potential Lease Agreement for the First Circuit Solicitors Office
  - Fee In Lieu of Tax Project TC
- Personnel Matter
  - Extension of Employment Agreement (County Administrator)

### **RECONVENE FROM EXECUTIVE SESSION**

At approximately 9:17 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

#### **2<sup>ND</sup> READING OF AN ORDINANCE, PROJECT TC**

15. On the motion of Councilman Crosby, seconded by Councilman Chinnis, County Council voted unanimously to give 2<sup>nd</sup> reading of an Ordinance Authorizing the Execution and Delivery of a Fee In Lieu of Tax and Incentive Agreement By and Between "Project TC" and Dorchester County, South Carolina, Whereby the County Will Enter Into a Fee In Lieu of Tax and Incentive Agreement With

Project TC Providing for Payment by Project TC of Certain Fees In Lieu of Ad Valorem Taxes; Providing for the Location of the Property and the Allocation of Fees In Lieu of Taxes Payable Under the Agreement for the Establishment of a Multi-County Industrial/Business Park; and Other Matters Relating Thereto.

**PERSONNEL MATTER**

16. On the motion of Councilman Byars, seconded by Councilman Chinnis, Council voted unanimously to extend the current contract with the County Administrator for a period of three years and forty-eight days from its current expiration at an annual salary of \$195,000, commencing August 1, 2019.

**ADJOURNMENT**

17. On the motion of Councilwoman Holman, seconded by Councilman Hearn, County Council voted unanimously to adjourn at approximately 9:30 p.m.

*Tracey L. Langley*

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Tracey L. Langley, Clerk to Council