

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 OCTOBER 07, 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, WCBD 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  
Ms. Rebecca Vance, Deputy Administrator/Community Services  
Mr. Daniel Prentice, Deputy Administrator/CFO  
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, followed by the Pledge of Allegiance.

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

##### REQUESTS TO ADDRESS COUNCIL

- Mr. William Ward, 153 Robert Drive, Ladson, he said his neighbor has an oak tree in his yard that is dead. Tree limbs have fallen on his property and destroyed his shed. He spoke with the property owner

and offered to pay for the tree to be cut down. He would like Council to assist him in getting something done before the tree falls on his home.

- Reverend Smalls, 211 North Road, Ridgeville, he spoke about the poor condition of North Road. He said the County said it is a private road and he said it is not a private road. He said one of the residents has a son that has disabilities and first responders can't get down the road.
- Mr. Henry Carson, 223 Doodle Hill Road, St. George, he said he is responsible for disabled veterans in Dorchester and Orangeburg Counties. He said he wanted to thank Council for thinking of the veterans and supporting them.
- Ms. Mary Rita Watson and Arianna Baker, 137 Northpark Avenue, Summerville, Arianna spoke about the recycling program at school. She said it taught them responsibility and maturity. She asked Council to consider bringing the recycling program back to their school.

### **MINUTES**

1. On the motion of Councilman Hearn, seconded by Councilman Hargett, County Council voted unanimously to adopt the minutes from the September 16, 2019, Special Called County Council Meeting and September 16, 2019, County Council Meeting.

### **ADOPTION OF RESOLUTION #19-15, A RESOLUTION RECOGNIZING JAMES E. STEIN**

2. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to adopt Resolution #19-15, a Resolution Recognizing James E. Stein for Twenty Years of Dedicated Service to Dorchester County.

### **ADOPTION OF PROCLAMATION #19-06, A PROCLAMATION PROCLAIMING OCTOBER AS NATIONAL COMMUNITY PLANNING MONTH**

3. On the motion of Councilman Chinnis, seconded by Councilman Crosby, County Council voted unanimously to adopt Proclamation #19-06, a Proclamation Proclaiming October as National Community Planning Month.

**CORRESPONDENCE:** No correspondence received.

### **COUNCILMEMBER'S TIME – MR. EDDIE CROSBY**

#### **MOTION TO RECONSIDER APPROVAL OF ROADWAY CONNECTION TO COMMUNITY ROAD TOWNHOMES DEVELOPMENT**

4. On the motion of Councilman Crosby, seconded by Councilwoman Holman, County Council voted unanimously to approve a motion to reconsider approval of roadway connection to Community Road Townhomes Development.

#### **MOTION TO APPROVE ROADWAY CONNECTION TO COMMUNITY ROAD TOWNHOMES DEVELOPMENT**

5. On the motion of Councilman Crosby, seconded by Councilwoman Holman, County Council discussed the motion to approve roadway connection to Community Road Townhomes Development. No action was taken.

#### **MOTION TO AMEND THE AGENDA TO DISCUSS A MOTION TO RECONSIDER APPROVAL OF ROADWAY CONNECTION TO COMMUNITY ROAD TOWNHOMES DEVELOPMENT IN EXECUTIVE SESSION**

6. On the motion of Councilman Crosby, seconded by Councilwoman Holman, County Council voted unanimously to amend the agenda to discuss a motion to reconsider approval of roadway connection to Community Road Townhomes Development in executive session.

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

### **1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND SECTIONS OF THE DORCHESTER COUNTY PROCUREMENT ORDINANCE**

7. On the motion of Councilman Crosby, seconded by Councilman Hargett, County Council voted unanimously to give 1<sup>st</sup> reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, to Revise Chapter 2, Article VI, Division 3, Section 2-542 (B)(4) and Division 5, Sections 2-561 (C)(D), 2-564 (D), and 2-565 (D) (The purpose of this Ordinance is to amend sections of the Dorchester County Procurement Ordinance including those that govern the timing of release of sealed bid responses and delegation of signature authority.)

### **1<sup>ST</sup> READING OF REZONING REQUEST #795**

8. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to give 1<sup>st</sup> reading and referral to the Planning Commission and the Planning, Development, and Building Committee for public hearings and recommendations regarding Rezoning Request #795 by Christopher and Melissa Lane, to rezone 1.0 acres located at 126 Argosy Drive, near Summerville, TMS #144-01-00-023, from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-1MA).

### **REQUEST TO USE NOT EXCEEDING \$60,000 IN HOSPITALITY TAX FUNDS FOR VETERANS DAY CELEBRATION, PARADE AND FIREWORKS SHOW**

9. On the motion of Councilman Hargett, seconded by Councilwoman Holman, County Council voted unanimously to approve a request to use not exceeding \$60,000 in Hospitality Tax Funds for Veterans Day Celebration, Parade and Fireworks Show.

### **REQUEST FOR APPROVAL OF THE 2019 DORCHESTER COUNTY COMPREHENSIVE SPACE NEEDS ANALYSIS AND FACILITIES MASTER PLAN**

10. On the motion of Councilman Hargett, seconded by Councilman Crosby, County Council voted unanimously to approve the 2019 Dorchester County Comprehensive Space Needs Analysis and Facilities Master Plan as corrected.

### **REQUEST FOR APPROVAL TO UPGRADE VARIOUS POSITIONS IN THE DORCHESTER COUNTY SHERIFF'S OFFICE RELATED TO SPECIALIZED UNITS AND PUBLIC INFORMATION**

11. On the motion of Councilman Hearn, seconded by Councilwoman Holman, County Council voted five in favor, with two opposed (Chinnis and Hargett) to approve an upgrade for various positions in the Dorchester County Sheriff's Office related to specialized units and public information.

### **REQUEST FOR APPROVAL OF AN ADDITIONAL \$202,000 FROM THE SOLID WASTE FUND FOR THE PURPOSE OF FUNDING DEBRIS REMOVAL AND MONITORING SERVICES ASSOCIATED WITH THE HURRICANE DORIAN**

12. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to approve an additional \$202,000 from the Solid Waste fund for the purpose of funding debris removal and monitoring services associated with Hurricane Dorian.

## **COMMITTEE REPORTS**

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

Chairman Chinnis reported that the Committee met at 5:00 p.m. to discuss the following items:

13. On the recommendation of the Committee, County Council voted unanimously to give 3<sup>rd</sup> reading of Rezoning Request #792 by Jason Esposito C/O CenterPark Homes, to rezone 112.20 acres located on Highway 27, near Ridgeville, TMS #098-00-00-280 and a portion of TMS #098-00-00-094 from Absence of Controls District (AC) to Single-Family Residential District (R-1).
14. On the recommendation of the Committee, County Council voted unanimously to give 3<sup>rd</sup> reading of Rezoning Request #793 by Joseph A. Tucker, to rezone 109 acres located on Highway 61, near Ridgeville, TMS #150-00-00-028 from Absence of Controls District (AC) to Single-Family Residential District (R-1).
15. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading of Rezoning Request #794 by Floyd Haynes, to rezone .48 acre located at 321 Industrial Road, near Summerville, TMS #129-00-00-163; .48 acre located at 319 Industrial Road, near Summerville, TMS #129-00-00-184; and .48 acre located at 317 Industrial Road, near Summerville, TMS #129-00-00-185, from Multi-Family Residential District (R-4) to Single-Family Residential Manufactured Housing District (R-1M).
16. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading and invoke the Pending Ordinance Doctrine of an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Amended, to Add New Article V, Section 5.4.8 "Setbacks from Designated Corridors" (The purpose of this amendment is to require developments to adhere to the future right-of-way boundaries for designated corridors.)
17. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading and invoke the Pending Ordinance Doctrine of an Ordinance to Amend Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as Amended, to Revise Article XI, Section 11.5.8 "Requirements Imposed Upon All Districts" (The purpose of this amendment is to modify the requirements for underground utility lines within the buffers parallel to the roadway.)

**CHAIRMAN BAILEY – WATER AND SEWER COMMITTEE**

Vice Chairman Chinnis reported that the Committee met at 5:30 p.m. to discuss the following items and Chairman Bailey would give the recommendations of the Committee:

18. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading of an Ordinance to Amend and Supplement the Code of Ordinances, Dorchester County, South Carolina, by Revising Section 44-112, Late and Delinquent Fees; Courtesy Reminders (This revision eliminates the mailing of courtesy reminders.)
19. On the motion of Councilman Crosby, seconded by Councilman Hearn, County Council voted unanimously to amend the Ordinance by amending Sec. 44-206 to rename the Courtesy Reminder Fee to a Past Due Fee.
20. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading of an Ordinance as Amended to Amend and Supplement the Code of Ordinances, Dorchester County, South Carolina, by Revising Section 44-112, Late and Delinquent Fees; Courtesy Reminders (This revision eliminates the mailing of courtesy reminders.)
21. On the recommendation of the Committee, County Council voted unanimously to approve an Agreement with Summerville CPW to provide meter readings and customer information.

22. On the recommendation of the Committee, County Council voted unanimously to approve new sewer service by Hopper Communities for a 127- lot townhome subdivision off Orangeburg Road near the Town of Summerville, TMS #136-00-00-130, -202, -224, and -286.

**CHAIRWOMAN HOLMAN – PUBLIC WORKS, PROPERTY AND UTILITIES COMMITTEE**

Chairman Bailey reported the Committee met at 5:45 p.m. to discuss the following item and Chairwoman Holman would give the recommendation of the Committee:

23. On the recommendation of the Committee, County Council voted unanimously to give 2<sup>nd</sup> reading of an Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, by Deleting Sec. 38-225(15) Dealing With Ingress/Egress Over Private Driveways When an Emergency Exists and referral back to the Public Works, Property and Utilities Committee for consideration.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

24. On the motion of Councilman Chinnis, seconded by Councilman Byars, County Council voted unanimously to appoint John Wesley Donehue to the Parks and Recreation Commission.

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

**ADOPTION OF RESOLUTION #19-16, A RESOLUTION APPROVING THE ASSESSMENT ROLLS FOR SPECIAL ASSESSMENTS A AND B FOR THE SUMMERS CORNER IMPROVEMENT DISTRICT**

25. On the motion of Councilman Hargett, seconded by Councilman Crosby, County Council voted unanimously to adopt Resolution #19-16, a Resolution Approving the Assessment Rolls for Special Assessments A and B for the Summers Corner Improvement District.

**3<sup>RD</sup> READING OF ORDINANCE #19-25, AN ORDINANCE DISSOLVING THE DORCHESTER COUNTY FIRE PROTECTION SPECIAL TAX DISTRICT**

26. On the motion of Councilman Chinnis, seconded by Councilwoman Holman, County Council voted unanimously to give 3<sup>d</sup> reading of Ordinance #19-25, an Ordinance Pursuant to S.C. Code Ann. Sec. 4-19-10, Et Seq. Abolishing and Dissolving the Dorchester County Fire Protection Special Tax District Created by Resolution Adopted May 1, 1989.

**EXECUTIVE SESSION**

The County Attorney requested Council’s consideration to enter into Executive Session at 6:59 p.m. to discuss the following:

- Contractual Matters
  - Agreement Regarding the Issuance of Building Permits Prior to the Receipt of a Permit to Operate Potable Water System and Sewer System in East Edisto
- Legal Advice
  - Status of E-911 Litigation
  - Audit Services
  - Status of the Wallace Ackerman Road Swap
  - Connectivity Permit for a Roadway Connection to Community Road Townhomes
- Potential Real Estate Matter
  - Ridgeville Library Location

**RECONVENE FROM EXECUTIVE SESSION**

At approximately 9:56 p.m., Mr. Frampton reported that Council discussed the previously announced items, but no action was taken.

**AGREEMENT REGARDING THE ISSUANCE OF BUILDING PERMITS PRIOR TO RECEIPT OF PERMIT TO OPERATE POTABLE WATER SYSTEM BETWEEN DORCHESTER COUNTY AND LENNAR CAROLINAS, LLC**

27. On the motion of Councilman Hargett, seconded by Councilman Hearn, County Council voted unanimously to authorize the County Administrator to execute the Agreement regarding the issuance of building permits prior to receipt of permit to operate potable water system between Dorchester County and Lennar Carolinas, LLC, together with any modifications or amendments recommended by staff.

**APPROVAL OF JOINT SETTLEMENT BY THE TOWN OF SUMMERVILLE AND DORCHESTER COUNTY WITH DEFENDANTS AT&T, BANDWIDTH AND COMCAST**

28. On the motion of Councilman Hearn, seconded by Councilman Crosby, County Council voted unanimously to approve the joint settlement by the Town of Summerville and Dorchester County with the Defendant AT&T in the gross amount of approximately \$284,500, with the Defendant Bandwidth in the gross amount of \$80,000, and with respect to Defendant Comcast in the gross amount of \$13,000 regarding the pending E911 litigation and authorize the County Administrator to execute and documents necessary to consummate the settlements. The apportionment of the settlement amounts between the Town of Summerville and Dorchester County will later be approved by the respective governing bodies of each.

**ROADWAY CONNECTION TO COMMUNITY ROAD TOWNHOMES DEVELOPMENT**

29. On the motion of Councilman Crosby and Councilwoman Holman, Councilman Crosby withdrew his motion and Councilwoman Holman withdrew her second for the motion to reconsider approval of roadway connection to Community Road Townhomes Development.

**ROADWAY CONNECTION TO COMMUNITY ROAD TOWNHOMES DEVELOPMENT**

30. On the motion of Councilman Crosby, seconded by Councilman Chinnis, County Council voted unanimously to defer the motion for approval of roadway connection to Community Road Townhomes Development to the November 04, 2019, County Council Meeting.

**ADJOURNMENT**

31. On the motion of Councilwoman Holman, seconded by Councilman Hargett, County Council voted unanimously to adjourn at approximately 9:58 p.m.

*Tracey L. Langley*

Tracey L. Langley, Clerk to Council