

**AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 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 the June 18, 2012, County Council Meeting
- Adoption of Resolution #12-14, "A Resolution to Honor and Recognize the Ashley Ridge High School Baseball Team for an Outstanding Season and to Congratulate the Players and Coaches for Winning the 2012 AAAA State Championship"
- Adoption of Resolution #12-15, "A Resolution to Federal Delegation in Opposition to Sequestration" (This Resolution supports Joint Base Charleston)
- Dorchester County Employee Longevity Program (*County Council will recognize employees that completed 5, 10, and 15 years of service during the second quarter of 2012*)
- Correspondence

3. COUNCIL MEMBER'S TIME, COUNCILMAN JAY BYARS

- Approval of Pine Trace Master Plan/Conceptual Plan

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

- Request to Amend FY 2012 Budget to Recognize Revenues from Sheriff Discretionary Funds
- Request for Approval of Contract with National Fire Services Office (Assistance with Countywide Fire)
- Request to Amend FY 2012 Revenue Budget to Recognize Tax Revenues in the Fire Improvement Fund

5. COMMITTEE REPORTS

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

- Request for Legal Clarification and/or Approval of Work on Britt Cemetery Road

Chairman Larry Hargett, Water and Sewer Committee Report

- Request for New Water Service, 285 Shady Grove Road, near St. George; TMS #007-00-00-034

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

- Public Hearing and Recommendation for 2nd 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)

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Approval of a Mutual Aid Agreement with Bamberg County Sheriff's Office and Dorchester County Sheriff's Office
- Approval of a Mutual Aid Agreement with Colleton County Sheriff's Office and Dorchester County Sheriff's Office
- 3rd Reading for Ordinance #12-10, "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" *(If approved this will remove the 5% cap on overhead allocation, Transfer from the Water And Sewer Fund to the General Fund)*
- Public Hearing and 2nd 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"
- Request for Approval for Lease Agreement Town of Reevesville Convenience Site
- Executive Session –Confidential Economic Development Projects
 - Legal Advice -Extra Territorial Jurisdiction
 - Contractual Matters -Dorchester County Jail
 - 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

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MINUTES

DORCHESTER COUNTY COUNCIL

DORCHESTER COUNTY HUMAN SERVICES BUILDING COUNCIL CHAMBERS, SUMMERVILLE

JULY 2, 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. 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. Willie Davis

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

REQUESTS TO ADDRESS COUNCIL

There were six requests to address Council.

- Mr. Edwin Pearson, 161 Hill Drive, Pine Hill Acres, Summerville, addressed Council requesting assistance on several problems. First was a problem with open burning of treated wood by one of his neighbors. Next, Mr. Pearson stated when it rained his yard flooded due to problems with drainage along Hill Drive. He suggested that the water could be routed to a creek that crossed Mallard Drive. Mr. Pearson's last problem was with speeders on Hill Drive going up to 72 MPH and the need for stop signs. He reported that he clocked vehicles with radar, as he was a former Summerville Police Officer, and felt the installation of the signs would help with the speeders and other traffic issues. The Chairman stated that these issues would be looked into.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Archdale Civic Association President Norman McDonald, 160 Mansfield Blvd., Charleston, addressed Council and stated he represented 804 property owners who have experienced flooding on their streets from stormwater ditches. He stated this problem dated back to 2005, however at that time due to a lack of equipment to clean the ditches, the City of North Charleston cleaned them for the County. Mr. McDonald reported the ditches needed cleaning again, and after meeting with his Councilman and public works staff, he was told the equipment the County know has was broken. He stated he attended the meeting for assistance and to make Council aware of this problem. (A book of pictures showing the drainage problems was given to each member of Council.)
- Mr. Robbie Robbins, Summerville, addressed Council to congratulate Chairman Hargett who celebrated 50 years of marriage to his wife Linda on July 1, 2012.
- Ms. Lucy Anne Cathcart addressed Council and stated she was in favor of Council approving the request for the additional funding from the Charleston Dorchester Mental Health Center. She stated the Center does a tremendous job for the County in supporting the recovery of those living with mental illness in the local areas.
- Ms. Peggy Bangle, Summerville, addressed Council on government spending. She stated that Council needed to focus on the state of the economy and not just spend money on things that are wanted. Ms. Bangle said all three levels of Government need to spend less.
- Summerville Town Councilman Bob Jackson addressed Council concerning the County and the Town of Summerville coming to a common agreement regarding election signage around the Summerville area, which would make it easier for the citizens and the candidates during election time. He stated that he would bring this before the Summerville Council once both parties discussed specifics.

ADOPTION OF JUNE 18, 2012, DORCHESTER COUNTY COUNCIL MINUTES

1. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor and one absent to adopt the Minutes from the June 18, 2012, County Council Meeting.

Councilman Davis was absent.

ADOPTION OF RESOLUTION #12-14, "A RESOLUTION TO HONOR AND RECOGNIZE THE ASHLEY RIDGE HIGH SCHOOL BASEBALL TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE PLAYERS AND COACHES FOR WINNING THE 2012 AAAA STATE CHAMPIONSHIP"

2. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to adopt Resolution #12-14, "A Resolution to Honor and Recognize the Ashley Ridge High School Baseball Team for an Outstanding Season and to Congratulate the Players and Coaches for Winning the 2012 AAAA State Championship". Chairman Hargett read this Resolution aloud and stated that this Resolution would be presented at the next meeting.

Councilman Davis was absent.

ADOPTION OF RESOLUTION #12-15, "A RESOLUTION TO FEDERAL DELEGATION IN OPPOSITION TO SEQUESTRATION"

Chairman Hargett read Resolution #12-15, aloud and stated this Resolution supports the Joint Base in Charleston. He stated that sequestration was a procedure by which an automatic spending cut was triggered and it was most recently implemented in the Budget Control Act of 2011, which included spending cuts, but required a Congressional "super committee" to agree on at least \$1.2 trillion in additional budget cuts by that November or face sequestration for this amount. Chairman Hargett stated a Congressional Super Committee failed to achieve an agreement, and sequestration-level cuts are required beginning in fiscal year 2013, unless Congress takes action, sequestration will be implemented January 1, 2013, when an estimated \$497 billion in cuts to the Department of Defense will automatically go into effect nation-wide. He stated this would be combined with the already proposed \$400+ billion in Department of Defense cuts proposed by the current Administration. Chairman Hargett explained that these combined cuts would deal a devastating blow to the economy of the region and with sequestration, the Charleston area military could be cut by at least 50%, which would be a loss of more than \$2.33 billion to the local economy and Joint Base Charleston was now the region's largest single employer with 20,172 employees. He stated that by adopting this Resolution Dorchester County Council encouraged the Federal Delegation of South Carolina to take any action necessary to stop sequestration, and its impact to the local economy, and similar impact to local economies across the nation.

3. On the motion of Mr. Rosebrock, seconded by Mr. Bailey, Council voted six in favor and one absent to adopt Resolution #12-15, "A Resolution to Federal Delegation in Opposition of Sequestration".

Councilman Davis was absent.

DORCHESTER COUNTY EMPLOYEE LONGEVITY PROGRAM

Dorchester County Council recognized county employees for their years of dedicated service to the County. The employees were presented with certificates and pins.

CORRESPONDENCE:

Mr. Ward stated there was no correspondence to report.

COUNCIL MEMBER'S TIME – COUNCILMAN JAY BYARS
APPROVAL OF PINE TRACE MASTER PLAN/CONCEPTUAL PLAN

Councilman Byars along with Mr. Chris Campeau of Seamon Whiteside and Associates, who prepared the plan, presented the Pine Trace Master Plan/Conceptual Plan. Councilman Byars stated this was as directed by the Dorchester County Parks and Recreation Commission. Mr. Campeau's firm was chosen to develop the plans for the 306-acre property. Mr. Campeau began by giving a full description of the layout of the property. Councilman Byars and Mr. Campeau went over the different types of attractions and park concepts, such as a "Go Ape" course, which would be installed and run by a private company, with the County receiving revenue by only providing the space and the parking facilities. Mr. Campeau and Councilman Byars went over the many different types of amenities planned for the property, including a 12-acre meadow area to hold an amphitheater to host festivals (revenue generating), a Frisbee golf course (revenue generating), soccer fields or multi-use fields (revenue generating), outdoor open pavilions, picnic shelters, plus air conditioned picnic shelters (revenue generating), walking trails, and a dog park. Councilman Byars stated that having these revenue generating items will help pay for the park.

APPROVAL OF PINE TRACE MASTER PLAN-CONTINUED

Mr. Campeau stated that the total estimated cost for the envisioned park would be 8.6 million. Mr. Campeau and Councilman Byars answered questions and held discussion with Council after the presentation, regarding the phasing schedule for the park, the sale of the 25 acres, plus the sale of additional acres, and the funding for the park. Councilman Byars stated tonight what he was asking for on behalf of the Parks and Recreation Committee was not for approval to start construction, but for preliminary approval for the Pine Trace Master Plan, in order to get the rezoning started, which could take two to three months, and to get the wetland permitting processes started, which could take six to twelve months.

4. On the motion of Mr. Byars, seconded by Mr. Bailey, Council voted six in favor and one absent, to approve the Conceptual Plan for the Pine Trace Tract in order to get rezoning approval from the Town of Summerville and to get started on the wetlands permitting processes.

Councilman Davis was absent.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

REQUEST TO AMEND FY 2012 BUDGET TO RECOGNIZE REVENUES FROM SHERIFF DISCRETIONARY FUNDS

5. On the motion of Mr. Rosebrock, seconded Mr. Chinnis, Council voted six in favor and one absent to approve the request to amend FY 2012 Budget to recognize revenues from the Sheriff Discretionary Funds, and authorize the transfer of \$10,000 to the General Fund for computer software.

Councilman Davis was absent.

REQUEST FOR APPROVAL OF CONTRACT WITH NATIONAL FIRE SERVICES OFFICE

6. On the motion of Mr. Bailey, seconded by Mr. Byars, Council voted six in favor and one absent to approve the contract to hire National Fire Services Office and Skip Starling, to assist with Countywide Fire, at a cost not to exceed \$53,000 and authorize the Administrator to execute the agreement for services.

Councilman Davis was absent.

REQUEST TO AMEND FY 2012 REVENUE BUDGET TO RECOGNIZE TAX REVENUES IN THE FIRE IMPROVEMENT FUND

7. On the motion of Mr. Rosebrock, seconded by Mr. Byars, Council voted six in favor and one absent to amend the FY 2012 Revenue Budget to recognize additional tax revenues in the Fire Improvement Fund of \$69,900 and approve the designation of these funds for contract services. The funds will be used to cover the cost of the National Fire Services Office contract.

Councilman Davis was absent.

COMMITTEE REPORTS
PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT -
CHAIRMAN RICHARD ROSEBROCK
REQUEST FOR LEGAL CLARIFICATION AND/OR APPROVAL OF WORK ON
BRITT CEMETERY ROAD

Chairman Rosebrock reported the Public Works Committee met earlier and discussed paving the entrance to Britt Cemetery, which is the cemetery for the St. Marks Baptist Church in the Texas Community, near St. George. Chairman Rosebrock reported the Committee discussed this matter with delegates from the church, but would hold this item in Committee for further investigation. No action was taken.

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 WATER SERVICE, 285 SHADY GROVE ROAD, NEAR ST.
GEORGE; TMS #007-00-00-034

8. Chairman Hargett reported the Water and Sewer Committee met earlier with one item on the agenda. He stated the Committee's recommendation to Council was for approval of the request for new water service to a residence at 285 Shady Grove Road, near St. George, identified by TMS #007-00-00-034, and that water capacity was available. Council voted six in favor and one absent on approval of the recommendation.

Councilman Davis was absent.

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

PLANNING, DEVELOPMENT, AND BUILDING COMMITTEE REPORT
CHAIRMAN BILL HEARN
PUBLIC HEARING AND RECOMMENDATION FOR 2ND 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)

9. Chairman Hearn stated the Planning Committee had one item on the agenda. He reported the Committee held a Public Hearing for Rezoning Request #662 for Mr. Bud Knight and the Committee's recommendation to Council was two in favor and one absent for 2nd Reading to be given to this Rezoning Request for Mr. Knight, identified by TMS #136-00-00-109, located on 7.29 acres at 818 Central Avenue, in Summerville, with a requested change from R-4 (Multi-Family Residential District) to CLI (Commercial Light-Industrial District). Council voted five in favor, one abstention, and one absent, on the Committee's recommendation.

Councilman Rosebrock abstained and Councilman Davis was absent.

Mr. Alec Brebner, Planning Manager, spoke on the above issue, when asked by Councilman Rosebrock if any of the residents who live in the area near the property have spoke on the above request. Mr. Brebner stated that two did speak at the Planning Commission meeting, but not at the PDB Committee Public Hearing. He also stated that DHEC was handling some of the issues for the residents in the area.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

APPROVAL OF A MUTUAL AID AGREEMENT WITH BAMBERG COUNTY SHERIFF'S OFFICE AND DORCHESTER COUNTY SHERIFF'S OFFICE

10. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted six in favor and one absent to approve the renewal of a Mutual Aid Agreement with the Bamberg County Sheriff's Office and Dorchester County Sheriff's Office as requested by the Sheriff.

Councilman Davis was absent.

APPROVAL OF A MUTUAL AID AGREEMENT WITH COLLETON COUNTY SHERIFF'S OFFICE AND DORCHESTER COUNTY SHERIFF'S OFFICE

11. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted six in favor and one absent to approve the renewal of a Mutual Aid Agreement with the Colleton County Sheriff's Office and the Dorchester County Sheriff's Office as requested by the Sheriff.

Councilman Davis was absent.

3RD READING FOR ORDINANCE 12-10, "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"

12. On the motion of Mr. Rosebrock, seconded by Mr. Hearn, Council voted six in favor and one absent to give 3rd Reading for Ordinance 12-10, "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". This amendment will remove the cap of 5% on Water and Sewer overhead allocation (the amount the enterprise funds pay the General Fund for services provided by the General Fund department such as Human Resources, ITS, Risk Management, Fleet Services, etc).

Councilman Davis was absent.

COUNTY ATTORNEY'S TIME –CONTINUED

PUBLIC HEARING AND 2ND 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 requested the Chairman to hold a Public Hearing 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”. This amendment will put in place the new regulations and an application for a permit for Temporary Noise Control Exemption.

Chairman Hargett opened the Public Hearing on the above named Ordinance, and asked if anyone from the public would like to speak.

Mrs. Lucy Anne Cathcart addressed Council and spoke in favor of this Ordinance.

Mr. Norman McDonald addressed Council regarding this Ordinance with questions regarding the enforcement of noise ordinances, which were addressed by the County Administrator.

Upon Hearing no more comments, Chairman Hargett closed the Public Hearing.

Council discussed this item before taking a vote. Councilman Chinnis had concerns on the enforcement of the ordinance and questions on whether or not noise meters would be used to measure the noise, and the area of the County the ordinance would cover. Council discussed these items and the Administrator stated that the County Departments in charge of enforcing this Ordinance all had input into the creation of the proposed ordinance.

13. On the motion of Mr. Rosebrock, seconded by Mr. Bailey, Council voted five in favor, one abstention, and one absent to give 2nd Reading to “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”. This amendment will put in place the new regulations and an application for a permit for Temporary Noise Control Exemption.

Councilman Chinnis abstained and Councilman Davis was absent.

REQUEST FOR APPROVAL FOR LEASE AGREEMENT TOWN OF REEVESVILLE CONVENIENCE SITE

The County Attorney stated he wanted to postpone this item until a later meeting.

REQUESTS FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to receive an update from the Economic Development Director on several confidential economic development projects, and to give legal advice on the Town of Summerville to exercise zoning jurisdiction in a portion of Dorchester County, and to discuss two contractual matters, the proposed Dorchester County Jail, and a potential real estate purchase.

EXECUTIVE SESSION 8:21 P.M.

14. On the motion of Mr. Bailey, seconded by Mr. Hearn, Council voted six in favor and one absent to enter into Executive Session, as requested by the County Attorney.

Councilman Davis was absent.

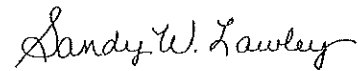
RECONVENE FROM EXECUTIVE SESSION 9:37 P.M.

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

ADJOURNMENT

15. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted six in favor and one absent to adjourn. Time of adjournment was 9:38 p.m.

Councilman Davis was absent.



Sandy Lawley, Clerk to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 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 July 2, 2012, County Council Meeting
- Adoption of Resolution #12-13, "Resolution Supporting Dorchester County Council, Dorchester School District 2, and the Dorchester County Library Board Working Together on Oakbrook Library"
- Presentation of Adopted Resolution #12-14, "A Resolution to Honor and Recognize the Ashley Ridge High School Baseball Team for an Outstanding Season and to Congratulate the Players and Coaches for Winning the 2012 AAAA State Championship"
- 3rd Reading for Ordinance #12-12, "Ordinance Regulating the Discharge of Firearms In Proximity to Schools"
- Correspondence

3. GUEST

- Mayor Anne Johnston, Town of St. George, Upper Dorchester Community Ministries, Request for Space for Community Food Bank

4. COUNCIL MEMBER'S TIME, VICE-CHAIRMAN GEORGE H. BAILEY

- 1st Reading for "An Ordinance Amending The Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New SEC. 36-180, Chapter 36, Article VI" (*This proposed amendment will provide a reduction in stormwater fees.*)

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

- 1st Reading for Rezoning Request #666, Harlon E. Joye, TMS #144-00-00-088; 4.98 acres; Location Boone Hill Road, US Highway 17A, Summerville; Requested Change from (R-2) Single Family Residential to (OI) Office and Institutional
- 1st Reading for "An Ordinance Postponing the Quadrennial Dorchester County Reassessment Pursuant to S.C. Code Ann. Sec. 12-43-217" (Postponement of the 2014 Reassessment)
- Approval of Amendment to Personnel Policy Concerning Emergency Responsibilities

6. COMMITTEE REPORTS

Chairman Larry Hargett, Water and Sewer Committee Report

- Request for New Sewer Service, Vester Hendren, 162 Rambo Drive, near Summerville; TMS #122-16-06-017
- Request for New Water Service, Billy Adams, 9606 Charleston Highway, near St. George; TMS #013-00-00-085

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

- Mental Health Board Request for Funding

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-Adoption of Resolution #12-16, "A Resolution to Approve Mutual Aid Agreement Between the Dorchester County Sheriff's Office and the Spartanburg County Sheriff's Office"

-Executive Session –

Legal Advice

-David Moore, et al. v. Dorchester County, et al

Contractual Matters

-Potential Real Estate Purchases

-Highway 165

9. ADJOURN

AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 24, 2012
9:00 AM

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

-Approval of a Tentative Notice of Award for Lower Dorchester Reclaimed Water Storage and Supply Contract Pending Final Approval by the State Revolving Fund Section of DHEC and Economic Development Administration *(This is for reclaimed water storage at the Lower Dorchester Wastewater Treatment Plant and supply lines from the Lower Dorchester Wastewater Treatment Plant for businesses along Dorchester Road, including Robert Bosch Corporation.)*

-2nd Reading “An Ordinance Amending The Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New SEC. 36-180, Chapter 36, Article VI” *(This proposed amendment will provide a reduction in stormwater fees.)*

COUNCIL MEMBER'S TIME – MR. JAY BYARS

-Approval of Contract with Seamon Whiteside & Associates *(This contract is for assistance with rezoning the Pine Trace property.)*

-Approval of Appraisal for Pine Trace Property

-Approval of Appraisal for Oakbrook Property

COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

-Discussion of Council Goals for the Fiscal Year 2012-2013 Budget Cycle

3. 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
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**MINUTES
SPECIAL CALLED MEETING OF
DORCHESTER COUNTY COUNCIL
HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
JULY 24, 2012
9:00 A.M.**

Pursuant to the Freedom of Information Act, The 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
Ms. Ashley Jacobs—Deputy 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. Councilman Rosebrock gave the invocation, which was followed by the Pledge of Allegiance.

CHAIRMAN'S TIME – MR. LARRY HARGETT

REQUESTS TO ADDRESS COUNCIL

Chairman Hargett recognized the following citizens to address Council:

- John Hull, 9697 Pebble Creek Blvd, Summerville, asked County Council to remember its core function is protection, including fiscal protection. He urged Council not to do anything expansionary and provide tax relief instead.
- Peggy Bangle, 114 Ravenwood Court, thanked Councilman Bailey for helping to reduce the stormwater fee. Additionally, she expressed concern about Council's action at the July 16 meeting, passing 3rd reading on an ordinance from 2005. She said she did not object to the ordinance but rather to the procedure. She said she would liked to have seen more discussion, letting the public know why Council was revisiting a proposed 2005 ordinance. She asked Council to prioritize and consider wants versus needs.
- Dr. Ray Hayes, 246 Marion Avenue, urged caution and expressed concern about a potential economic dive.
- Karen Smith, 139 Schoolhouse Road, Dorchester, said the public is not being informed about what is happening regarding zoning. Additionally, she asked Council to find ways to cut spending.

RECLAIMED WATER STORAGE:

(This is for reclaimed water storage at the Lower Dorchester Wastewater Treatment Plant and supply lines from the Lower Dorchester Wastewater Treatment Plant for businesses along Dorchester Road, including Robert Bosch Corporation.)

1. On the motion of Councilman Davis, seconded by Councilman Chinnis, Council voted unanimously for approval of a tentative notice of award of the construction contract for Division One, Wastewater Treatment Plant Improvements, to Wateree Construction in the amount of \$2,093,170 pending final approval by the State Revolving Fund Section of DHEC and the Economic Development Administration. Bids received are as follows: Wateree Construction of Sumter, \$2,093,170; Republic Contracting of Columbia, \$2,111,950; MB Kahn of Columbia, \$2,283,100; McClam & Associates of Little Mountain, \$2,375,298; MJL of Myrtle Beach, \$2,443,519 and Southern Champion of Savannah, Ga., \$2,457,200.

During discussion, Vice Chairman Bailey asked how the County would pay for this work. Mr. Ward, County Administrator, said the County was fortunate to receive a grant of \$1.3 million from the Economic Development Administration because Bosch is investing some \$256 million to keep jobs here and create additional jobs. The remaining funds will come from a special source revenue bond, he said. We will take existing fee streams and as additional fee streams are added, they will pay down the debt. Fee in Lieu Of Tax (FILOT) revenues will be used to repay the remaining match for that grant, which is about \$1.3 million, said Mr. Ward.

As a follow up question, Vice Chairman Bailey asked whether monies from the stormwater impact fee account could be used to pay for this work rather than using a bond. Mr. Ward explained that stormwater impact fees are sewer fees and this work is for water lines.

Council members and Mr. Ward discussed the fact that instead of the County sending reclaimed water into the Ashley River, Bosch will use about 100,000 gallons per day of reclaimed water in

cooling towers at its plant, freeing up capacity at the County's wastewater treatment plant. This project allows Bosch to make use of the reclaimed water rather than Bosch using drinking water in its cooling towers. The idea has been around for about three years and now is ready for implementation, said Chairman Hargett.

Vice Chairman Bailey added that another reason the County is implementing this project is to increase the prospects of businesses along Dorchester Road in addition to helping Bosch with its expansion.

Mr. Ward said that in terms of metrics, rather than spending somewhere between \$5 and \$7 per 1,000 gallons to create additional treatment capacity, this project costs about \$3.50 per 1,000 gallons for additional treatment capacity up to 2 million gallons.

2. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted unanimously to approve a tentative notice of award of the construction contract for Division Two, sixteen-inch and eight-inch Reclaimed Water Line, to Eadie's Construction in the amount of \$471,023 pending final approval by the State Revolving Fund Section of DHEC and Economic Development Administration. Bids received are as follows: Eadie's Construction of Ridgeville, \$471,023; MJL of Myrtle Beach, \$484,467.80; B&C Utilities of Johns Island, \$535,334; Tideland Utilities of Summerville, \$550,267; RH Moore of Murrells Inlet, \$594,321; Chandler Construction of Ninety Six, \$599,234 and Triad Engineering of Mt. Pleasant, \$604,541.

2nd READING FOR AMENDMENT TO REDUCE STORMWATER FEES
(This proposed amendment will provide a reduction in stormwater fees.)

3. On the motion of Councilman Bailey, seconded by Councilman Rosebrock, Council voted unanimously to give 2nd Reading to "An Ordinance Amending The Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New SEC. 36-180, Chapter 36, Article VI."

During discussion, Councilman Chinnis asked about the legal status of exemptions and whether Dorchester County school districts, which are partially funded by Council, could be exempt too. Dorchester County Auditor J.J. Messervy reported that Dorchester School District Two pays \$74,613 in stormwater fees, Dorchester School District Four pays \$15,079 and other public schools, such as the career school, pay \$2,250. Chairman Hargett said Council will hold 3rd Reading and a Public Hearing on this amendment at an upcoming meeting.

COUNCIL MEMBER'S TIME – MR. JAY BYARS

Councilman Byars gave a presentation titled "One Dorchester: How Dorchester County Can Work Collaboratively with Other Government Entities like School District Two to Reduce Waste and Improve Taxpayer Services." He described his vision of how to move forward with the Pine Trace property while leveraging potential partnerships. (A copy of the presentation is attached to these minutes for the record.)

SEAMON WHITESIDE & ASSOCIATES CONTRACT

(This contract is for assistance with rezoning the Pine Trace property.)

4. On the motion of Councilman Bailey, seconded by Councilman Hearn, Council voted unanimously to approve a contract with Seamon Whiteside & Associates for assistance with rezoning the Pine Trace Property.

Vice Chairman Bailey asked to be excused to go to another meeting.

APPRAISAL FOR PINE TRACE PROPERTY

5. Councilman Davis offered a motion, which was seconded by Councilman Byars, to approve an appraisal for the Pine Trace Property.

During discussion, Council talked about delaying appraisals until the rezoning of Pine Trace is complete.

6. On the motion of Councilman Chinnis, seconded by Councilman Davis, Council voted six in favor, one absent, to table the appraisal for Pine Trace Property. Vice Chairman Bailey was absent.

APPRAISAL FOR OAKBROOK PROPERTY

Councilman Byars requested that Council not take up the issue of appraisal for Oakbrook property at this time.

Vice Chairman Bailey returned at approximately 10:12 a.m.

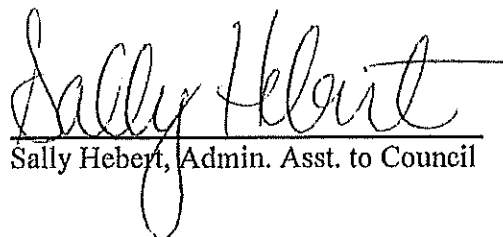
COUNCIL MEMBER'S TIME – MR. DAVID CHINNIS

DISCUSSION OF COUNCIL GOALS FOR THE FISCAL YEAR 2012-2013

Councilman Chinnis asked Council to remember the core priorities they presented to the County Administrator for the purposes of budgeting. He said Council should focus on those items and any additional items should be discussed in detail.

ADJOURNMENT

7. On the motion of Councilman Rosebrock, seconded by Councilman Chinnis, Council voted seven in favor to adjourn at approximately 10:20 a.m.


Sally Hebert, Admin. Asst. to Council

One Dorchester

How Dorchester County Can Work Collaboratively
with Other Government Entities like School District 2
To Reduce Waste and Improve Taxpayer Services

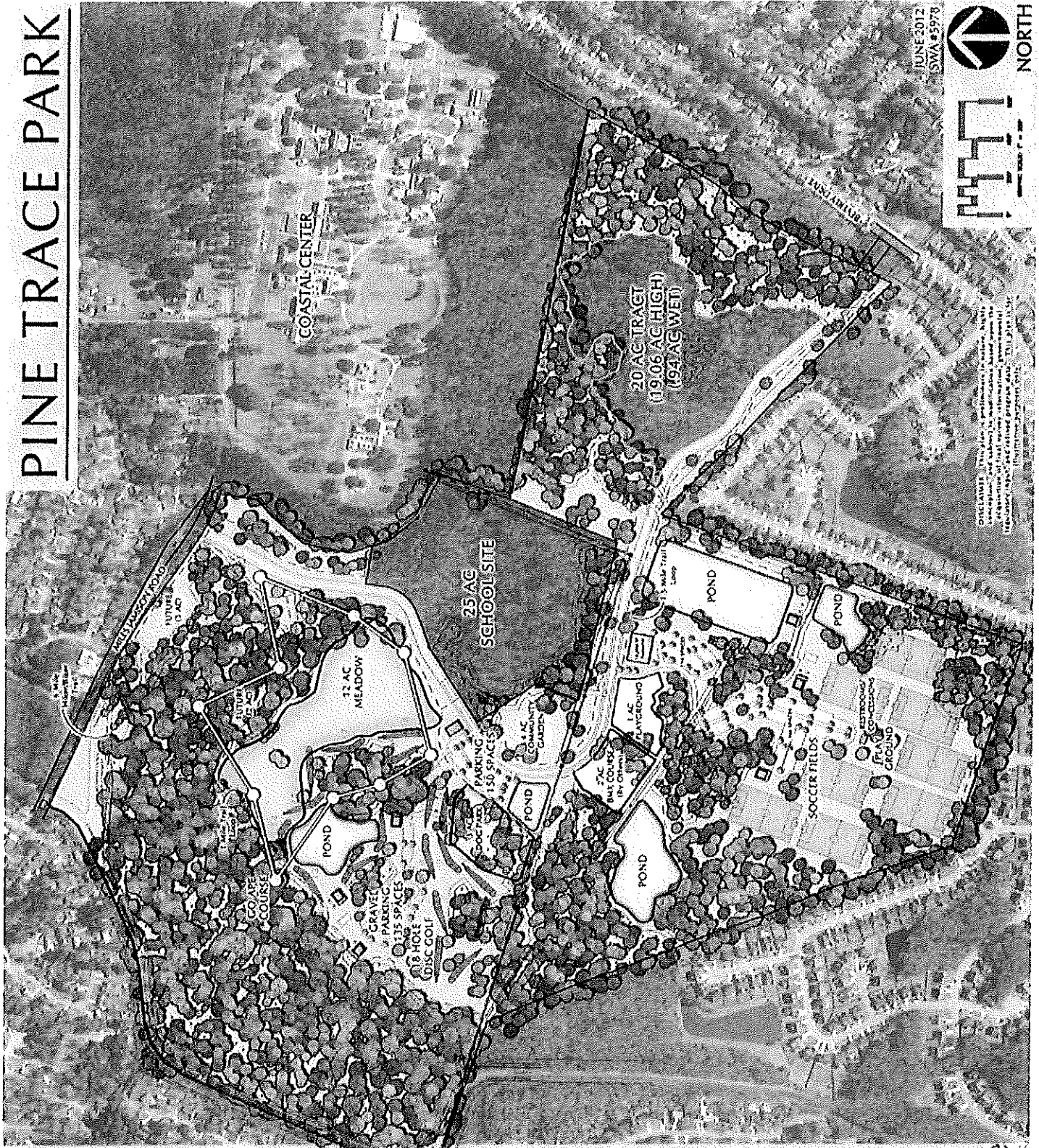
2012 Priorities

- Rezoning and Sale of Excess property at Pine Trace Tract
- Collaboration Concept with DD2 for New School of the Arts/Library and Improved YMCA Fields
- Establishment of Revenue Stream to Operate Parks without new Taxes
- Complete Acquisition of Ashley River Property
- Complete Courthouse Park Plans and Build

Pine Trace Details

- Purchased 330 Acres of Prime Real Estate for \$3.0M
- \$1M from Parks Bond Funds
- \$0.5M From DD2
- \$1.25M From Short Term Bond Serviced by FF
- \$0.25M From Cash on Hand in Rec Fund
- Can Sell off between 20 and 70 acres of excess land to Raise Capital for Building of 200 Acre park

PINE TRACE PARK



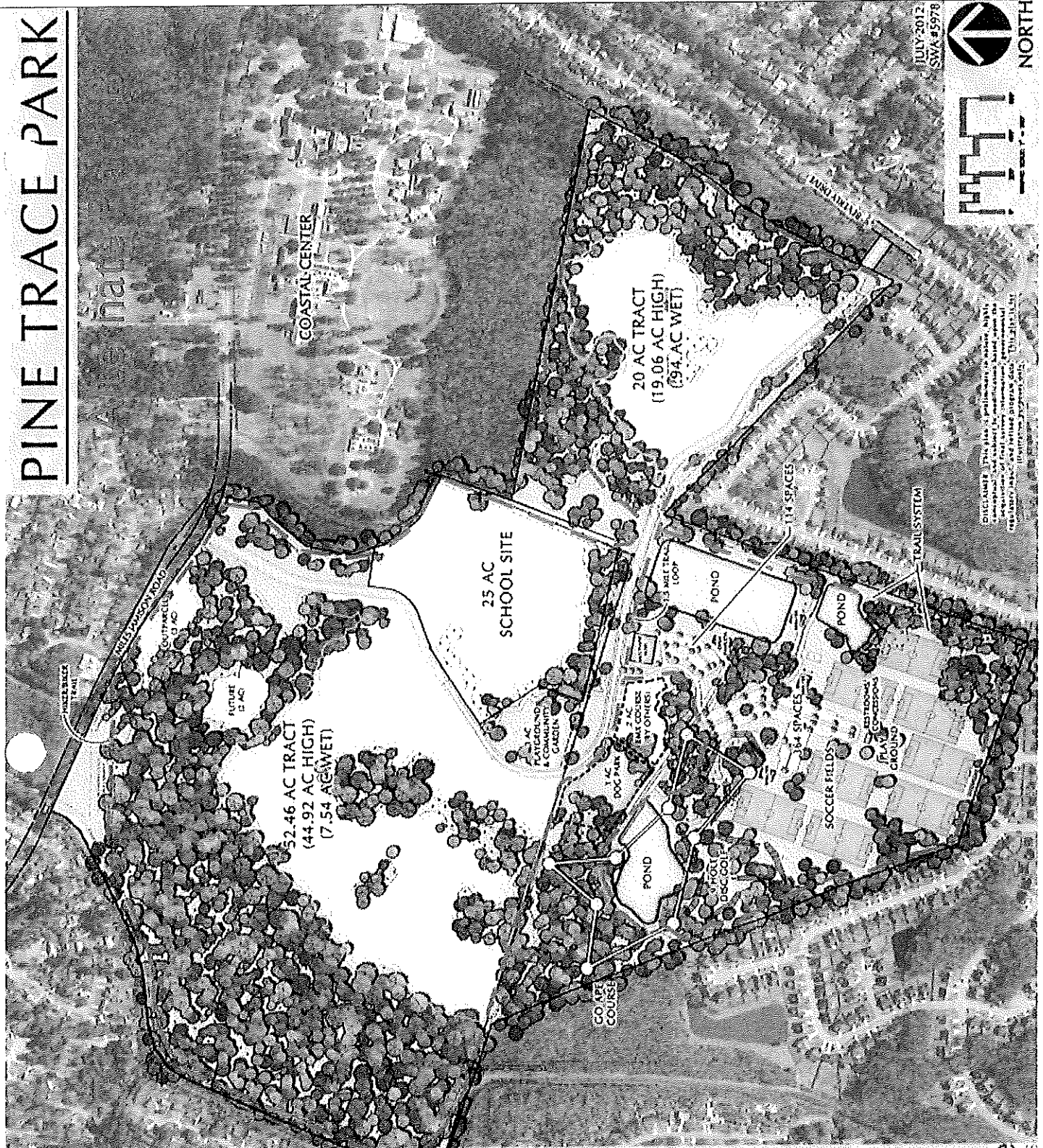
JUNE 2012
SVA #5978



DISCLAIMER: This site plan is a conceptual plan and is not intended to be used for construction. It is subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The site plan is not a contract and does not constitute an offer of any services. The client is responsible for obtaining all necessary permits and approvals. The site plan is not a contract and does not constitute an offer of any services.

- 8 FULL SIZE SOCCER FIELDS (70X120 YARDS)
- SPORTS LIGHTING
- DUAL PURPOSE FIELDS FOR FOOTBALL LACROSSE, ETC.
- RESTROOM/CONCESSIONS BUILDING
- LARGE COVERED PORCH AREA
- 16 WOMEN'S & 10 MEN'S RESTROOMS
- 18,000 SF MULTI-PURPOSE BUILDING
- 378 PAVED PARKING SPACES AT SOCCER FIELDS
- SHADED PLAYGROUNDS
- EXISTING POND FOR FISHING, KAYAK RENTAL AND FITNESS CHALLENGES
- 12 ACRE MEADOW WITH ELECTRICAL CONNECTIONS
- 135 GRAVEL PARKING SPACES AT MEADOW
- 3 ACRE DOG PARK
- 4 ACRE SPACE WITH COMMUNITY GARDEN
- INTERCONNECTED WITH SCHOOL
- 1.8 HOLE DISC GOLF
- GO APE ROPES COURSE
- 2 ACRE BMX COURSE (BY OTHERS)
- 8' WIDE HIKER/BIKER TRAILS
- CONNECTED WITH SURROUNDING NEIGHBORHOODS
- VARIOUS SURFACES DEPENDING UPON LOCATION
- 6 OPEN PICNIC SHELTERS WITH VOLLEYBALL & HORSE SHOES
- 1 ENCLOSED PAVILION FOR GROUP GATHERINGS

PINE TRACE PARK



JULY 2012
SMA 45978



DISCLAIMER: This plan is preliminary in nature, subject to change without notice. It is not intended to constitute a contract. The plan is subject to the terms and conditions of the purchase agreement. This plan is not a warranty, and the developer is not responsible for any errors or omissions.

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- SPORTS LIGHTING
- DUAL PURPOSE FIELDS FOR FOOTBALL, LACROSSE, ETC.
- RESTROOM/CONCESSIONS BUILDING
- LARGE COVERED PORCH AREA
- 16 WOMEN'S & 10 MEN'S RESTROOMS
- 18,000 SF MULTI-PURPOSE BUILDING
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- SHADED PLAYGROUNDS
- EXISTING POND FOR FISHING, KAYAK RENTAL AND FITNESS CHALLENGES
- 3 ACRE DOG PARK
- 4 ACRE SPACE WITH COMMUNITY GARDEN
- INTERCONNECTED WITH SCHOOL
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- 3 OPEN PICNIC SHELTERS WITH VOLLEYBALL & HORSE SHOES
- 1 ENCLOSED PAVILION FOR GROUP GATHERINGS

SeamonWhiteside ASSOCIATES

Hypothetical Scenarios

(Based on Actual Prices)

2/7/2012

APARTMENT LAND MLS#	AI	ADDRESS	CITY	ACRES	PRICE	P/A/C	NOTES
1	2731929m	195 MAIN RD	West Ashley	14.00	\$1,949,999	\$139,286	visible from US17, 2 small wise on site
2	1114812p	0 MAYBANK HWY	Johns Island	21.24	\$2,650,000	\$124,765	Tract A, some engin avail. 276 units
3	1027127p	0 BLACK BOTTOM RD	N.Charleston	63.62	\$8,567,720	\$134,670	Has access of Pal.Comm.Pky
4	1126241p	0 LADSON RD	N.Charleston	21.04	\$2,460,000	\$116,920	Wraps corner of Palmetto Comm Pky
5	1201828	0 WINDSOR HILL BLVD	N.Charleston	20.00	\$2,992,000	\$149,600	Off Ashley Phos.,across Cathedral Pr
6	1013570p	0 DORCHESTER RD	Summerville	17.89	\$995,000	\$55,618	West Svile near Catholic Ch.
7	not listed	HARRIS TEETER/PONDS DEV	Summerville	20.00	\$3,000,000	\$150,000	estimated cost of raw land avail.
8	1122969m	0 MONTAGUE PLANTATION RD	Goose Ck	12.20	\$1,049,200	\$86,000	low ac. high density, future S/C
9	1026189	Foxbank Plantation Blvd/US52	Goose Ck	31.50	\$1,900,000	\$60,317	Prime site fronting US52/220u max
10	1104465m	1095 ST JAMES AVE/US17A	Goose Ck	35.48	\$4,789,800	\$135,000	Part of large future dev, private sch.
					AVERAGE	\$115,218	
					High Value	\$150,000	
					Low Value	\$55,618	
					Mean with Outliers Removed	\$118,320	
					Assume 75% of Mean for Sales Price of Excess Property	\$86,413	
					If 50 Acres Sold	\$4,320,675	

Summary

- Mean Sales Price is \$115,218 for raw land multifamily (Senior Housing)
- Assume Conservative Sales price of 75% of Mean = \$86,413/acre
- Using "Plan B" and Selling 50 Acres would Generate \$4,320,675

Collaborate with DD2

- Help DD2 with location of a central magnet middle school of the arts optimally positioned to be easily accessed from most of DD2 area
- Explore collaboration with making a school library into a public library in central location to upgrade/replace existing outdated library
- Help Relocate YMCA recreation and upgrade community resources via multiple options

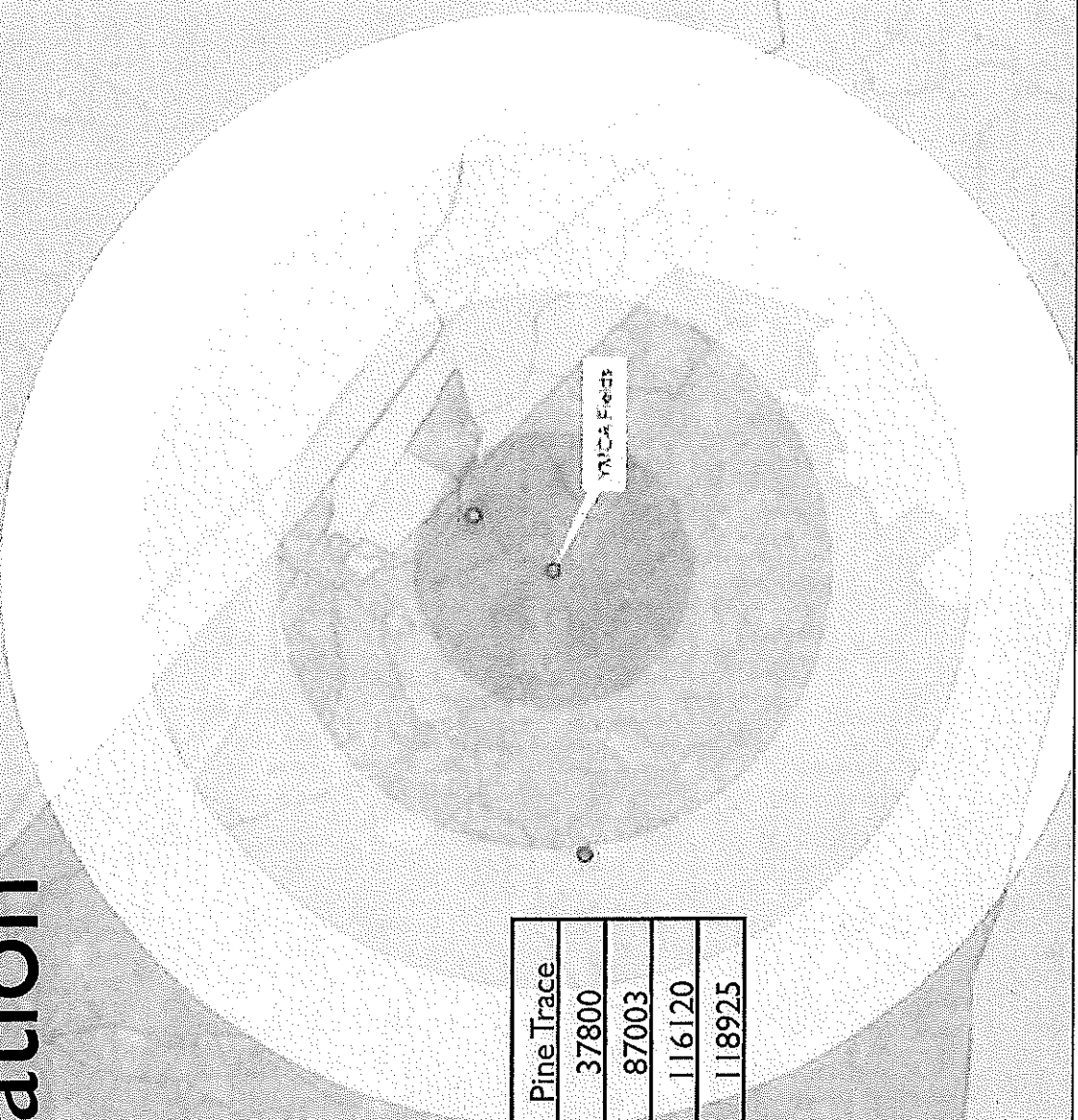


Conceptual School/Library In Oakbrook



2.5 Mile Service Area Increments - YMCA Fields Dorchester County Population Estimates

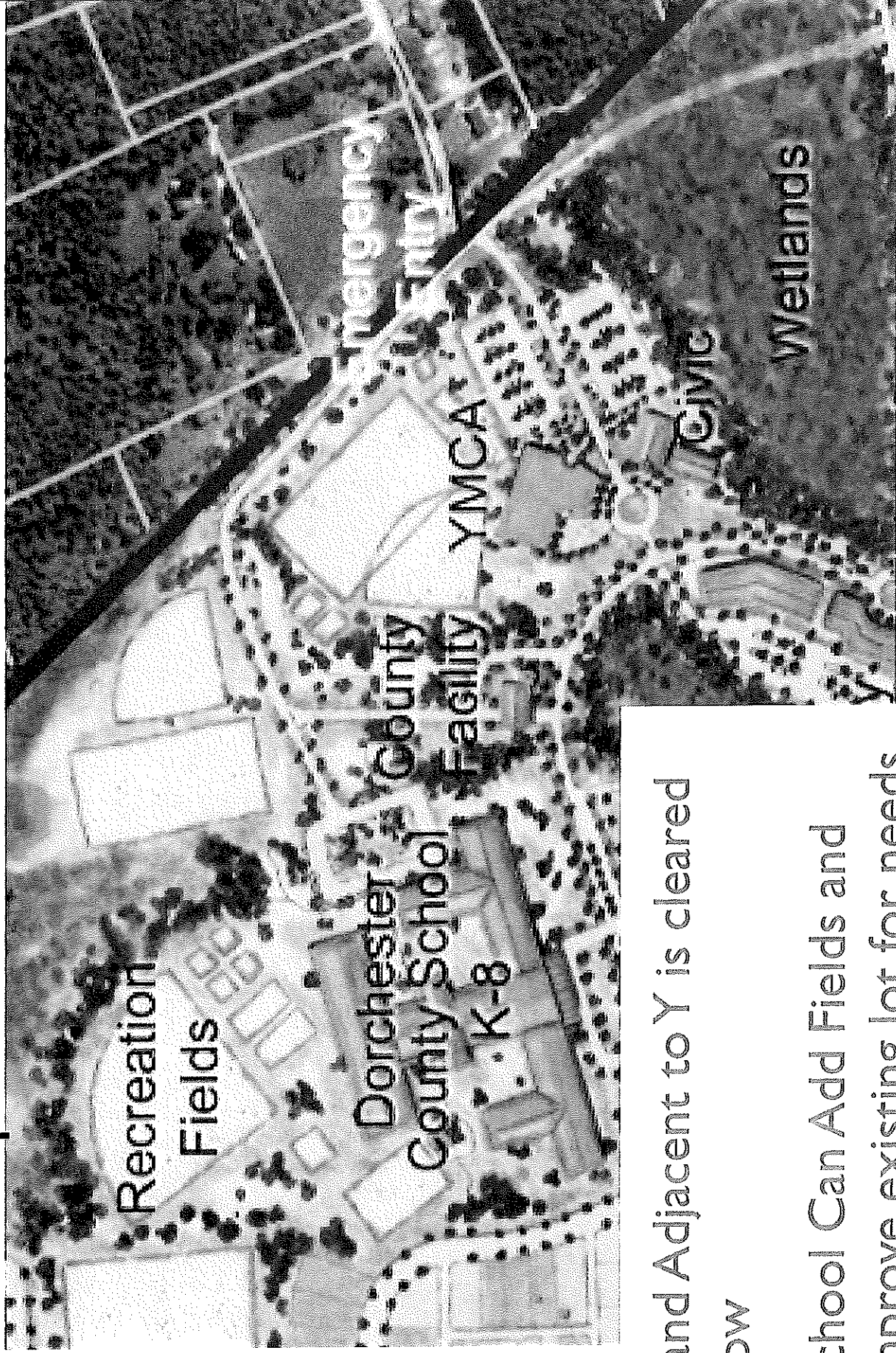
Central Location



	YMCA	Summers & 61	Pine Trace
2.5 Miles	36758	6515	37800
5 Miles	89505	36143	87003
7.5 Miles	115825	90208	116120
10 Miles	119,703	119,258	118,925

	YMCA	SUMMERS	PINE TRACE
2.5 miles	36758	6515	37800
5 miles	89505	36143	87003
7.5 miles	115825	90208	116120
10 miles	119,703	119,258	118,925
Total	119,703	119,258	118,925

Possible Temporary Solution for Replacement of Affected Y Fields



- Land Adjacent to Y is cleared now
- School Can Add Fields and improve existing lot for needs and share with Y

Emancipate Operating Revenue Stream

- Currently over \$300k of annual revenue from Cable Franchise Fees are being used to service bond to purchase Pine Trace Tract
- By paying off this bond, over \$300k of revenue can be freed to properly maintain Rosebrock Park and begin a budget for overall County Parks Operations/Maintenance

Quick History of Franchise Fees

- According to staff Email, over \$700k of Cable Franchise fees are received annually
- Currently a 60/40 split of those fees has been allocated as general fund 60% and recreation 40% (\$300k)
- Historically these fees were used to fund smaller parks all over the county
- In order to properly operate any park at the Courthouse, Ashley River, Rosebrock or even Pine Trace, this revenue stream must be accessible and prioritized. If not, we **SHOULD NOT BUILD**.

Summary

- We need to rezone Pine Trace to free up operations and maintenance revenue stream by selling excess land and paying off bond serviced by Franchise Fee revenues
- We should collaborate with DD2 to help them build a centrally located magnet school and also partner to build a new county library to serve the Summerville/North Charleston area residents
- By working together and looking at the projects from a big picture standpoint, we can vastly improve local services without burdening the taxpayer
- DD2 is going to ask the voters to support a referendum, whether we work with them or not. We should work to ensure that the taxpayer can get a maximum ROI by integrating collaboration concepts to reduce waste and duplication, and improving our county services substantially, without a tax increase from County Council

AGENDA
DORCHESTER COUNTY COUNCIL
KENNETH F. WAGGONER SERVICES CENTER
COUNCIL CHAMBERS, ST. GEORGE
AUGUST 13, 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 July 16, 2012, County Council Meeting, and the July 24, 2012, Special Called County Council Meeting
- Public Hearing and 3rd Reading for Ordinance #12-11, "An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New SEC. 36-180, Chapter 36, Article VI" *(This proposed amendment will provide a reduction in stormwater fees.)*
- 1st Reading to "An Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, To Amend Chapter 2, Article III, Division 2. Sec. 2-98 (c) (4) a. to Delete Certain Language Dealing With Placing Items on the County Council Agenda and Substitute New Language in Lieu Thereof"
- Selection of Library Material
- Correspondence

3. COUNCIL MEMBER'S TIME, COUNCILMAN JAY BYARS

- Approval of Conceptual Plan and Budget for St. George Courthouse Park

4. GUEST

- Mrs. Kara Gunter, Interim Budget and Finance Director, Budget Report for the Month Ended June 30, 2012

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

- 2nd Reading for "An Ordinance Postponing the Quadrennial Dorchester County Reassessment Pursuant to S.C. Code Ann. Sec. 12-43-217" *(Postponement of the 2014 Reassessment)*
- Request to Amend the FY 2013 Budget to Reclassify the Fireman's Assistance Expenditure from Personnel to Operating Expenditure
- Approval of School Resource Officer for Dorchester County Career and Technology Center
- Approval of Amendment of the FY 2012-2013 to Recognize and Appropriate Local Government Fund Revenue
- Approval of Local Match for Lake Marion Regional Water Agency
- Request for Old Fort Fire Department Station 5 Repair
- Request for Purchase of Tankers and Hose for ISO

6. COMMITTEE REPORT

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

- Upper Dorchester Community Ministries, Request for Space for Community Food Bank
- Rosebrock Park Restroom Facilities and Park Maintenance

7. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- Adoption of Resolution #12-13, "A Resolution Amending Resolution #83-14, As Previously Amended By Resolution #12-03, Regarding Membership on the Old Fort Fire District Board of Directors"
- 1st Reading for "An Ordinance to Supplement the Code of Ordinances, Dorchester County, South Carolina, By Adding a New Section 28-7 to Article I, Chapter 28 Regulating the Discharge of Firearms From Public Roadways in Certain Zoning Districts"
- 3rd Reading for Ordinance #12-13, "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"
- 1st Reading By Title Only for "A Seventh Supplemental Ordinance Providing For the Issuance and Sale of a Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bond, Series 2012B, in The Principal Amount of Not Exceeding \$1,700,000; Prescribing the Form and Details of Such Bond; and Other Matters Relating Thereto"
- 1st Reading By Title Only for "An Ordinance Approving a Loan from the South Carolina Public Service Authority to Dorchester County, South Carolina to Finance a Portion of the Cost of the Expansion of the Wastewater System of the County and the Installation of a Reclaimed Water System; Authorizing the Execution and Delivery of an Intergovernmental Loan Agreement between the South Carolina Public Service Authority and Dorchester County in Connection Therewith; and Other Matters Relating Thereto"
- Request for Condemnation of Property for the US Highway 78 and Deming Way; Tract #365, TMS #129-00-00-091.000, Owner: Tamsberg and Tamsberg
- Executive Session
 - Contractual Matters
 - Givhans Fire Contract
 - Retention of Nelson, Mullins, Riley and Scarborough, LLP
 - Intergovernmental Agreement with S.C. Transportation Infrastructure Bank
 - Jail Site Purchase

9. 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 COUNTY COUNCIL CHAMBERS

AUGUST 13, 2012

7:04 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 invited all to stand for the invocation given by Councilman Davis, which was followed by the Pledge of Allegiance.

CHAIRMAN'S TIME - MR. LARRY HARGETT **REQUESTS TO ADDRESS COUNCIL**

The Chairman recognized the following citizens to address Council:

- Ms. Joan Brown, Summerville, addressed Council regarding alarming trends of over spending and debt accumulations by municipalities and county governments by issuing bonds. She respectfully requested Council to be prudent and stop spending and focus only on the needs of the citizens.
- Ms. Peggy Bangle, Summerville, addressed Council concerning the County being financially prepared and requested them to stop spending, and stop borrowing money. She challenged Council to find the County's strengths and to focus on those when trying to market the County.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Ms. Joy Davis, Lowcountry Animal Rescue organization, addressed Council about an amendment to the proposed "Noise Ordinance", as it pertains to any animal welfare organization, which has obtained 501-C3 status from the IRS or non profit status. She stated she had spoken to the County Attorney on the language, and also Councilman Byars, who agreed to make a motion to amend the ordinance before 3rd Reading later in the meeting.
- Mr. Ron Turner, Summerville, addressed Council on behalf of the Dorchester County Taxpayers Association, regarding the Ordinance to delay reassessment of property from the year 2014 to the year 2015. He gave each member a copy of his remarks. Mr. Turner stated after reading a newspaper article, he decided to attend the Council meeting hoping to hear a more collective deliberation and get clarification from Council on the proposed Ordinance. Mr. Turner questioned whether the delay in reassessment might be to let another year go by for property values to recover allowing the County to collect higher taxes. He requested Council to address this matter when deliberating and voting on the Ordinance, and asked if this was the right decision for the taxpayers of Dorchester County.
- Ms. Anne Kennedy, St. George, addressed Council regarding her family business on the Edisto River named Carolina Heritage Outfitters, LLC a camping and canoeing retreat. She gave each member a handout on the business along with other documents. Ms. Kennedy spoke about concerns she had on a shooting range, Belt, LLC, located near her business, which she stated had caused her to lose business because of the noise. She reported on the many complaints from former guests and also neighbors due to the noise from gunfire, and requested assistance from Council. The Chairman placed this item in the Public Safety, Health and Human Services Committee for further investigation.

ADOPTION OF JULY 16, 2012, COUNTY COUNCIL MINUTES AND JULY 24, 2012, SPECIAL CALLED COUNTY COUNCIL MINUTES

1. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt the minutes from both meetings, as listed above.

PUBLIC HEARING AND 3RD READING FOR ORDINANCE #12-11, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY DELETING SEC. 26-179(10) AND SEC. 36-180, CHAPTER 36, ARTICLE VI AND SUBSTITUTING IN LIEU THEREOF A NEW SEC. 36-180, CHAPTER 36, ARTICLE VI"

Chairman Hargett opened the Public Hearing for "An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New Section 36-180, Chapter 36, Article VI". He stated that the Stormwater Enterprise Fund would be adjusted to meet the new revenues. In addition, he said this proposed amendment would reduce the fees on residential, commercial, and industrial properties and exempt "parcels of land being used for religious purposes by religious organizations who have received tax exempt status from the Internal Revenue Service."

Chairman Hargett opened the floor for public comment. Mr. Wallace Kizer thanked Council for the phrase explaining the Ordinance on the Agenda. Hearing no further comments, Chairman Hargett closed the Public Hearing.

2. On the motion of Mr. Bailey, seconded by Mr. Davis, Council voted unanimously to give 3rd Reading to Ordinance #12-11, "An Ordinance Amending the Code of Ordinances, Dorchester County, South Carolina, By Deleting SEC. 26-179(10) and SEC. 36-180, Chapter 36, Article VI and Substituting In Lieu Thereof a New SEC. 36-180, Chapter 36, Article VI".

1ST READING TO "AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, TO AMEND CHAPTER 2, ARTICLE III, DIVISION 2. SEC. 2-98 (c) (4) a. TO DELETE CERTAIN LANGUAGE DEALING WITH PLACING ITEMS ON THE COUNTY COUNCIL AGENDA AND SUBSTITUTE NEW LANGUAGE IN LIEU THEREOF"

The Chairman stated that the County Attorney reviewed the current Rules of County Council as contained in Article III, Division 2, of the Dorchester County Code of Ordinances in light of the recent Court decision finding that it is improper to amend an agenda at a meeting of County Council. Therefore, the Section 2-98 (c) (4) a, will be deleted and the following substituted in lieu thereof, "This requirement may be waived by the Administrator or Chairman in cases of great urgency so long as the matter is specified in the agenda." Councilman Chinnis noted that this ruling may require more Special Called Meetings in the future.

3. On the motion of Mr. Bailey, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading to "An Ordinance to Amend the Code of Ordinances, Dorchester County, South Carolina, To Amend Chapter 2, Article III, Division 2. Sec. 2-98 (c) (4) a. to Delete Certain Language Dealing With Placing Items on the County Council Agenda and Substitute New Language in Lieu Thereof".

SELECTION OF LIBRARY MATERIALS

Chairman Hargett stated there was concern about some of the materials in circulation in the County Libraries. He stated this was only a discussion on the subject and Council was not taking action. Chairman Hargett stated first Council wanted to compliment all members of the Library Board, as they do a great job at managing the County Library System. However, it has been brought to Council's attention that there were a few "R" rated videos and a few explicit books in circulation in the libraries, and this brought concern. The Chairman asked if any other Council Members had any comments. Councilman Rosebrock stated he felt the library should represent family values. Councilman Bailey stated he visited the St. George Library and checked into this matter and said that there were no "X" rated videos or books in the St. George Library. Councilman Chinnis stated from what he understood the subject arose from the Library Director making the decisions on his own when choosing the books for the Libraries and not consulting the Board, which was a clear violation of the Ordinance. He requested Dr. Bruno be made aware of this failure to follow the Ordinance. Chairman Hargett agreed and stated he had a copy of the Ordinance and the Board By-Laws. Hearing no further comments, The Chairman moved forward with the agenda.

CORRESPONDENCE

Mr. Ward informed Council he received good news today by e-mail, which was not the official notice, but that the St George Airport received a grant award in the amount of \$134,425. He stated this grant will enable the airport to control land use within the runway protection zone for Runway 5, and remove obstructions in the approaches to Runway 5. The new runway vertical/visual guidance system will make the airport more accessible to pilots by providing improved approaches to the runway ends.

In addition, Councilman Hearn stated that he provided each Member of Council copies of two pieces of correspondence. He said one was from the Charpia Law Firm, which will be addressed later, and the other was concerning speed limits on East Butternut Road. Councilman Hearn asked if the last one could be placed in the Public Safety, Health and Human Services Committee, and the Chairman agreed.

COUNCIL MEMBER'S TIME – COUNCILMAN JAY BYARS
APPROVAL OF CONCEPTUAL PLAN AND BUDGET FOR COURTHOUSE PARK

Councilman Byars along with Mr. Elliott Locklair of Locklair Consulting, Inc., who prepared the County Courthouse Park Conceptual Plan, presented it to Council. The Park will be located on the grounds of the Dorchester County Courthouse. Mr. Locklair gave the presentation of the plan, which included a walking trail around the current water feature, along with little league ball fields, which will double for women's softball usage, two baseball fields and a football type field that will be used for soccer also. He stated the baseball fields would also have batting cages for warming up, and all the fields were lighted, which was included in the cost of the plan. Mr. Locklair stated a longer walking trail, and places for concession stands, restroom facilities and a large pavilion that could be used for the County and other special public events was included in Phase I. He pointed out that the first phase was of minimal cost due to the infrastructure already in place.

At this time, Councilman Byars took over the presentation and pointed out some of the major features and explained a few of the changes in the design of the park. He then said at this time his recommendation to Council was to approve the concept of the plan, noting that this Park was something on the books and planned when the voters approved the \$5 Million Bond Referendum for Parks and Conservation in November of 2010. He stated that at that time the amount was estimated to be around \$850,000 for the St. George Park, which would come from the \$5 million Bond Referendum Funds and he hoped the rest of the money would come from grants at the state and federal level, and if not then he would come back again to request more funding. Therefore, he would ask Council to earmark the funds in the amount of \$850,000 from the \$5 Million Bond Funds for the St. George Courthouse Park and to approve the Conceptual Plan for the Courthouse Park. Councilman Bailey also reported he found out today that the USDA would also be assisting with the park. He stated that the Parks and Recreation Commission were seeking matching funds from other sources as well. A copy of the Conceptual Plan is attached to these minutes.

4. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to earmark \$850,000 from the \$5 Million Bond Referendum for Parks and Conservation and to approve the Conceptual Plan for the St. George Park, with the understanding that there will be flexibility in the amount to complete Phase I.

Mr. Locklair thanked the Parks and Recreation Commission for their time and commitment, along with Councilman Byars and Bailey, and the other members of Council who all had a hand in this project.

COUNCILMAN CHINNIS STATEMENT

Councilman Chinnis stated he wanted to address Mr. Ron Turner concerning the reassessment issue, and wanted to assure Mr. Turner that his comments to Bo Peterson from The Post and Courier were accurate. He said if you look at the problems Charleston County had, which were caused by their new computer system, during their last reassessment, it caused him concern. He felt the cost that the County could incur by having to fix problems of any type would be very costly. In addition, Councilman Chinnis stated that the County was not expecting a windfall, and hopefully by being prudent and listening to the County Assessor and other staff, Council was going in the right direction and making the right decision.

GUEST

Mrs. Kara Gunter, Interim Budget and Finance Director, presented the budget reported for the month ended June 30, 2012. Mrs. Gunter stated that these figures were unaudited and subject to change based upon payables and revenues received in month 13 (July 2012) that will be included in Fiscal Year 2011-2012. She reported on carryover funds, and stated that interest came in lower than expected. She spoke on stormwater and stated that there were several positions not filled, which left a positive variance in that line item. Mrs. Gunter also gave the cash report. Council thanked Mrs. Gunter for her time and effort.

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD
2ND READING FOR “AN ORDINANCE POSTPONING THE QUADRENNIAL
DORCHESTER COUNTY REASSESSMENT PURSUANT TO S.C. CODE ANN. SEC. 12-
43-217”

After much discussion by all members of Council, the following motion was made.

5. On the motion of Mr. Davis, seconded by Mr. Chinnis, Council voted six in favor, and one opposed, to give 2nd Reading for “An Ordinance Postponing the Quadrennial Dorchester County Reassessment Pursuant to S.C. Code Ann. Sec. 12-43-217”. If adopted, reassessment will be delayed until 2015, which will give county staff time to install and test a new Computer Aided Mass Appraisal System (CAMA) prior to beginning reassessment.

Chairman Hargett opposed.

REQUEST TO AMEND THE FY 2013 BUDGET TO RECLASSIFY THE FIREMAN'S
ASSISTANCE EXPENDITURE FROM PERSONNEL TO OPERATING EXPENDITURE

6. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to amend the FY 2013 Budget to reclassify the Fireman's Assistance Expenditure from personnel expenditures to operating expenditures by approving the transfer from regular wages in the fire fund to Fireman's Accident Insurance and Fireman's Assistance in the amounts of \$17,078 and \$57,922, respectively.

APPROVAL OF SCHOOL RESOURCE OFFICER FOR DORCHESTER COUNTY
CAREER AND TECHNOLOGY CENTER

7. On the motion of Mr. Bailey, seconded by Mr. Rosebrock, Council voted unanimously on the approval of a School Resource Officer for Dorchester County Career and Technology Center with funding of \$46,252 coming from the Career School for salary and benefits and \$18,744 to be funded by Sheriff's discretionary funds for equipment for a total of \$65,269 for the first year. A spare vehicle will be used.

AMEND THE FY2012-2013 BUDGET TO RECOGNIZE \$245,499 IN ADDITIONAL
LOCAL GOVERNMENT FUND REVENUE

8. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to amend the FY 2012-2013 Budget to recognize \$245,499 in additional Local Government Fund revenue and to appropriate these revenues as follows: \$100,000 for the Summary Court Program, \$50,000 for the St. George – Summerville Bus Program, and \$95,499 for Legal costs.

COUNTY ADMINISTRATOR'S TIME-CONTINUED

APPROVAL OF LOCAL MATCH FOR LAKE MARION REGIONAL WATER AGENCY

9. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve the Local Match for Lake Marion Regional Water Agency appropriation of not exceeding \$300,000 in water impact fees to be used as local match to obtain \$6 Million to \$8 Million in state funding and \$24 Million in federal funding to complete reaches to connect Holly Hill, Harleyville, and Jedburg to the Lake Marion Regional Water System. It was stated that with the understanding that the Holly Hill – Harleyville Reach can be completed under the current \$60 Million authorization for the project and a connection to St. George from Harleyville can be used until the St. George reach is completed.

REQUEST FOR OLD FORT FIRE DEPARTMENT STATION 5 REPAIR

10. On the motion of Mr. Davis, seconded by Mr. Hearn, Council voted unanimously to approve the reimbursement of \$1,982.50 to Old Fort Fire Department from the Fire Fund for a new pump and floater to repair the sewer at this county owned station on US Highway 78. Funding is available in the Fire Fund for this urgent repair.

REQUEST FOR PURCHASE OF TANKERS AND HOSE FOR ISO

11. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to approve the request for the purchase of two Class A, 3,000 gallon tankers, and 18,000 feet of 5-inch supply hose and appliances for ISO. This equipment will be employed to address the split classification for those structures that are not within 1,000 feet of a fire hydrant and for water shuttle.

COMMITTEE REPORT

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE REPORT
CHAIRMAN GEORGE H. BAILEY**

**UPPER DORCHESTER COMMUNITY MINISTRIES, REQUEST FOR SPACE FOR
COMMUNITY FOOD BANK**

Chairman Bailey reported the Committee discussed the above stated item and no action was taken.

ROSEBROCK PARK RESTROOM FACILITIES AND PARK MAINTENANCE

Chairman Bailey stated the Committee discussed the Rosebrock Park Restroom Facilities and the Park Maintenance and no action was taken on these items.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON
ADOPTION OF RESOLUTION #12-13, "A RESOLUTION AMENDING RESOLUTION #83-14, AS PREVIOUSLY AMENDED BY RESOLUTION #12-03, REGARDING MEMBERSHIP ON THE OLD FORT FIRE DISTRICT BOARD OF DIRECTORS"

12. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Resolution #12-13, "A Resolution Amending Resolution #83-14, As Previously Amended by Resolution #12-03, Regarding Membership on the Old Fort Fire District Board of Directors". This Resolution will make residents or property owners in the Old Fort Fire District as well as residents or property owners in a fire protection district served by Old Fort Fire Department eligible to serve on the Old Fort Fire Department Board of Directions.

1ST READING FOR "AN ORDINANCE TO SUPPLEMENT THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY ADDING A NEW SECTION 28-7 TO ARTICLE I, CHAPTER 28 REGULATING THE DISCHARGE OF FIREARMS FROM PUBLIC ROADWAYS IN CERTAIN ZONING DISTRICTS"

13. On the motion of Mr. Hearn, seconded by Mr. Chinnis, Council voted unanimously to give 1st Reading for "An Ordinance to Supplement the Code of Ordinances, Dorchester County, South Carolina, By Adding a New Section 28-7 to Article I, Chapter 28 Regulating the Discharge of Firearms from Public Roadways in Certain Zoning Districts". The County Attorney stated that this ordinance would prohibit the discharge of firearms within five hundred (500) feet of a public road within any residential zoning district. He stated that law enforcement officials and military personnel in the performance of their duties and persons operating a "shooting range" or "range" are exempt from this prohibition, and this Ordinance would be enforced by the Sheriff's Office. In addition, if adopted the western end of the County would not be affected by this Ordinance (portion of the county zoned absence of control). It was noted that the following zoning districts would be affected by this Ordinance if adopted: R1, R1M, R2, R2M, R3, PD, TRM, and MUC.

3RD READING FOR PROPOSED ORDINANCE #12-13, "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"

14. On the motion of Mr. Byars, and seconded by Mr. Hearn, Council voted unanimously to amend "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", prior to giving 3rd Reading, by amending Section (f), subsection 5, by adding the language in italics to that section, "*Animal noise emanating from any animal welfare organization which has obtained 501C3 status from the Internal Revenue Service or Non-Profit status from South Carolina Secretary of State for that purpose*", or any such service, entity, or society through which impoundment services are contracted with the County.
15. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to amend Sec. 28-2 (f) (14) to delete the word "merchandise", prior to giving 3rd Reading, to the above named proposed Ordinance.

CONTINUED - 3RD READING FOR PROPOSED ORDINANCE #12-13, "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"

16. Mr. Rosebrock motioned and it was seconded by Mr. Davis, to give 3rd Reading, as amended, to Ordinance #12-13, "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".

After the above motion was made, much discussion was held by Council, and the County Attorney on the Ordinance. Discussion took place over who was going to enforce this Ordinance and how hard it would be to enforce. It was stated that a Committee with the following members: the Sheriff, the County Attorney (author of the Ordinance), a Dorchester County citizen, County Planning Manager, Chief Building Official, Chief Magistrate, the County Administrator, and the Chairman of Council, worked on this Ordinance to try and address the issues that were not addressed in the current noise ordinance, which the County has, but was described as weak and nonspecific. Several members of Council were concerned about the type activities that may be considered noise, such as sporting events, and the ending times given for the event, and how the noise would be measured. Upon close of discussion, the following motion was made.

17. On the motion of Mr. Hearn, seconded by Mr. Chinnis, Council voted four in favor, two opposed and one abstention, to table this Ordinance.

Mr. Rosebrock and Mr. Hargett opposed, and Mr. Bailey abstained.

1ST READING BY TITLE ONLY FOR "A SEVENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A DORCHESTER COUNTY, SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BOND, SERIES 2012B, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,700,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; AND OTHER MATTERS RELATING THERETO"

18. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to give 1st Reading, by Title Only for "A Seventh Supplemental Ordinance Providing For the Issuance and Sale of a Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bond, Series 2012B, in The Principal Amount of Not Exceeding \$1,700,000; Prescribing the Form and Details of Such Bond; and Other Matters Relating Thereto". Once approved this loan for \$1.7 Million will be used to complete the purchase of 235 Deming Way for primary use by the Water and Sewer Department and will allow a portion of Elections and Registration to be relocated as well.

1ST READING BY TITLE ONLY FOR "AN ORDINANCE APPROVING A LOAN FROM THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO DORCHESTER COUNTY, SOUTH CAROLINA TO FINANCE A PORTION OF THE COST OF THE EXPANSION OF THE WASTEWATER SYSTEM OF THE COUNTY AND THE INSTALLATION OF A RECLAIMED WATER SYSTEM; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL LOAN AGREEMENT BETWEEN THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND DORCHESTER COUNTY IN CONNECTION THEREWITH; AND OTHER MATTERS RELATING THERETO"

19. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading, by title only, for "An Ordinance Approving a Loan from the South Carolina Public Service Authority to Dorchester County, South Carolina to Finance a Portion of the Cost of the Expansion of the Wastewater System of the County and the Installation of a Reclaimed Water System; Authorizing the Execution and Delivery of an Intergovernmental Loan Agreement between the South Carolina Public Service Authority and Dorchester County in Connection Therewith; and Other Matters Relating Thereto".

REQUEST FOR CONDEMNATION OF PROPERTY TRACT #365

20. On the motion of Mr. Chinnis, seconded by Mr. Hearn, Council voted unanimously to approve the request for the condemnation of property for the improvements to US Highway 78 and Deming Way, identified as Tract #365, with the TMS #129-00-00-091.000. The property owner is Tamsberg and Tamsberg.

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter into executive session to discuss the following contractual matters; the Givhans Fire Contract, the retention of Nelson, Mullins, Riley and Scarborough for County assistance, an Intergovernmental Agreement with the S.C. Transportation Infrastructure Bank, and the jail site purchase.

21. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session at 8:54 p.m., as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 9:50 P.M.

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

INTERGOVERNMENTAL AGREEMENT WITH S.C. TRANSPORTATION INFRASTRUCTURE BANK

22. On the motion of Mr. Chinnis, seconded by Mr. Rosebrock, Council voted unanimously for the County Administrator to be authorized to execute the Intergovernmental Agreement with the S.C. Transportation Infrastructure Bank for four projects.

RETENTION OF NELSON, MULLINS, RILEY AND SCARBOROUGH, LLP

23. On the motion of Mr. Hearn, seconded by Mr. Rosebrock, Council voted unanimously to renew the contract with Nelson, Mullins, Riley and Scarborough, LLP for another year, regarding governmental affairs consulting.

ADJOURNMENT

24. On the motion of Mr. Rosebrock, seconded by Mr. Chinnis, Council voted unanimously to adjourn. Time of adjournment was 9:53 p.m.

Sandy W. Lawley

Sandy Lawley, Clerk to Council

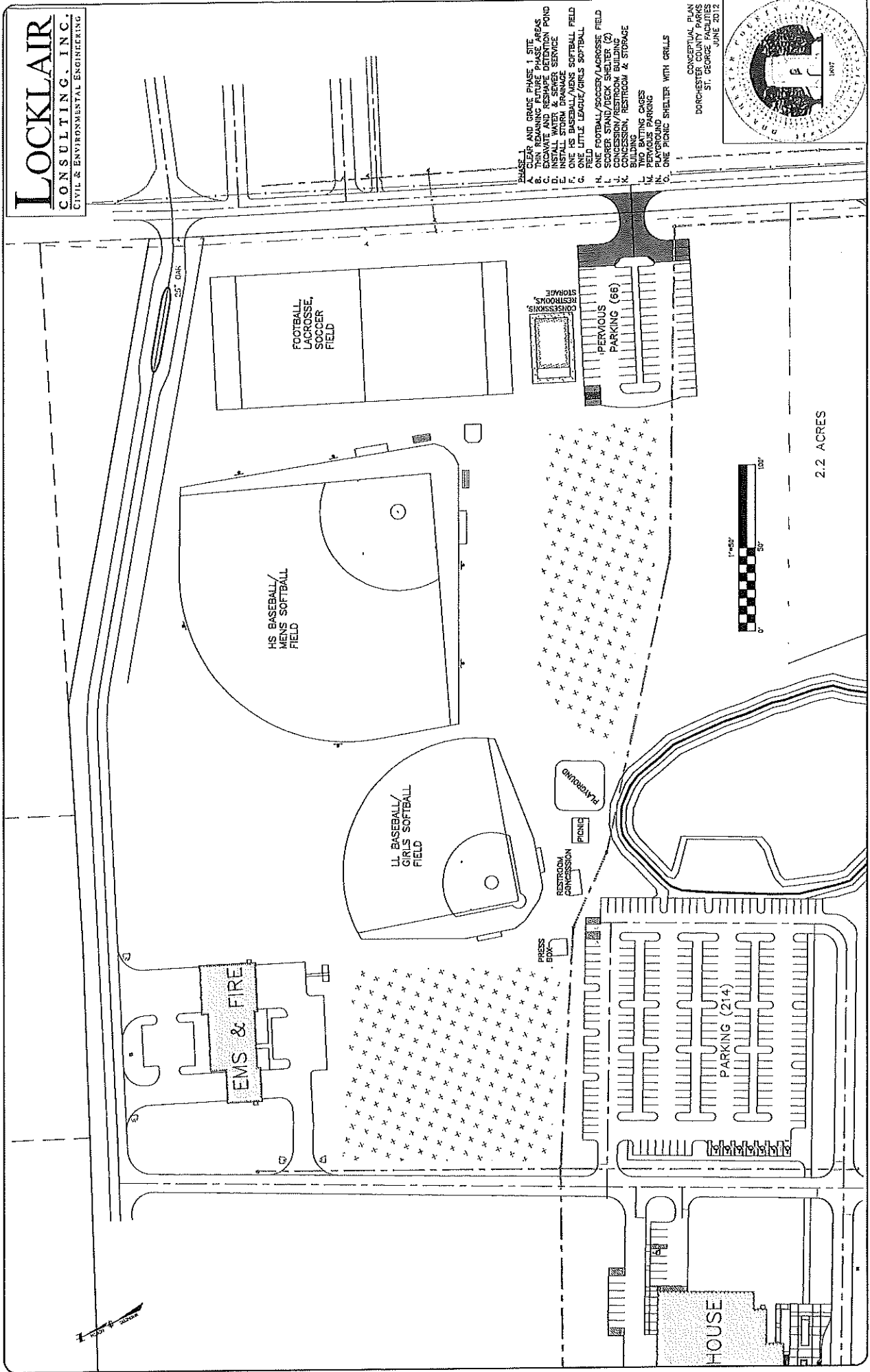
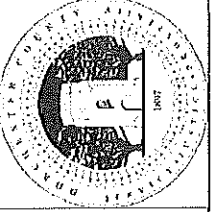
Construction Cost Estimate
 Dorchester County - St. George Recreation Facility
 6/27/2012

ITEM	TOTAL PRICE
PHASE 1	
Site Work	\$ 1,110,885
Parking	\$ 69,840
Drainage	\$ 122,600
Sewer	\$ 6,750
Water	\$ 28,525
Total	\$ 1,338,600
PHASE 2	
Site Work	\$ 433,951
Parking	\$ 20,535
Total	\$ 454,486
PHASE 3	
Site Work	\$ 560,590
Total	\$ 560,590

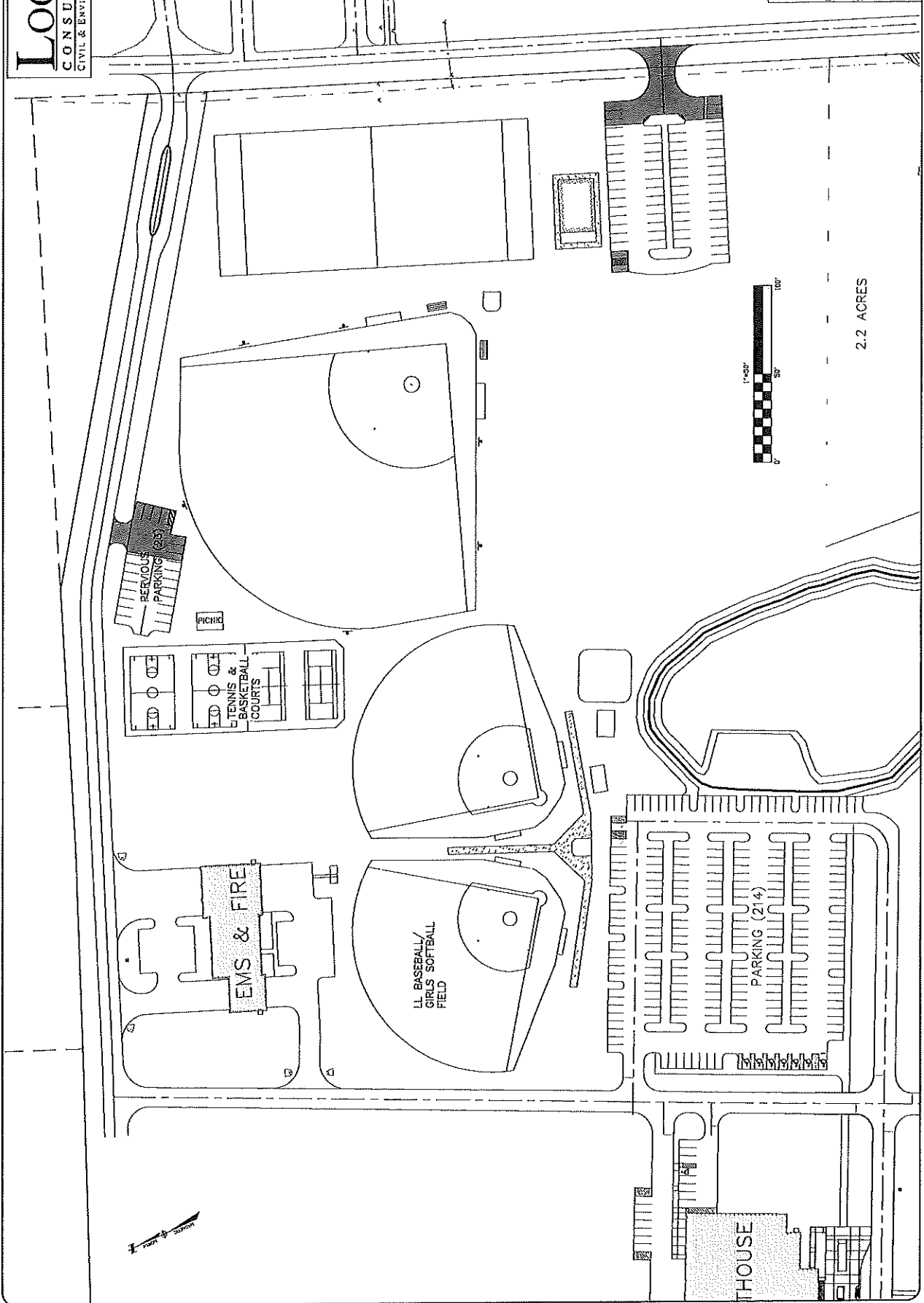
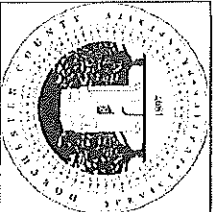
FACILITY TOTAL \$ 2,353,676

- PHASE 1
- A. CLEAR AND GRADE PHASE 1 SITE
 - B. EXCAVATE AND REPAIR DETENTION POND
 - C. EXCAVATE AND REPAIR DETENTION POND
 - D. INSTALL WATER & SEWER SERVICE
 - E. INSTALL STORM DRAINAGE
 - F. ONE HS BASEBALL/ MENS SOFTBALL FIELD
 - G. FIELD LITTLE LEAGUE/ GIRLS SOFTBALL
 - H. ONE FOOTBALL/ SOCCER/ LACROSSE FIELD
 - I. SCORER STAND/ DECK SHELTER (2)
 - J. CONCESSION/ RESTROOM BUILDING
 - K. BUILDING
 - L. TWO BATTING CAGES
 - M. PERVIOUS PARKING
 - N. ONE PAVING SHED
 - O. ONE PAVING SHELTER WITH GRILLS

CONCEPTUAL PLAN
 DORCHESTER COUNTY PARKS
 ST. GEORGE FACILITIES
 JUNE 2012



- PHASE 2
 A. ONE LITTLE LEAGUE/GIRLS
 B. PAVED WALKWAY
 C. TENNIS & BASKETBALL
 D. COUNTY SHELTER
 E. PERVIOUS PARKING (23)
- CONCEPTUAL PLAN
 DORCHESTER COUNTY PARKS
 ST. GEORGE
 JUNE 2012

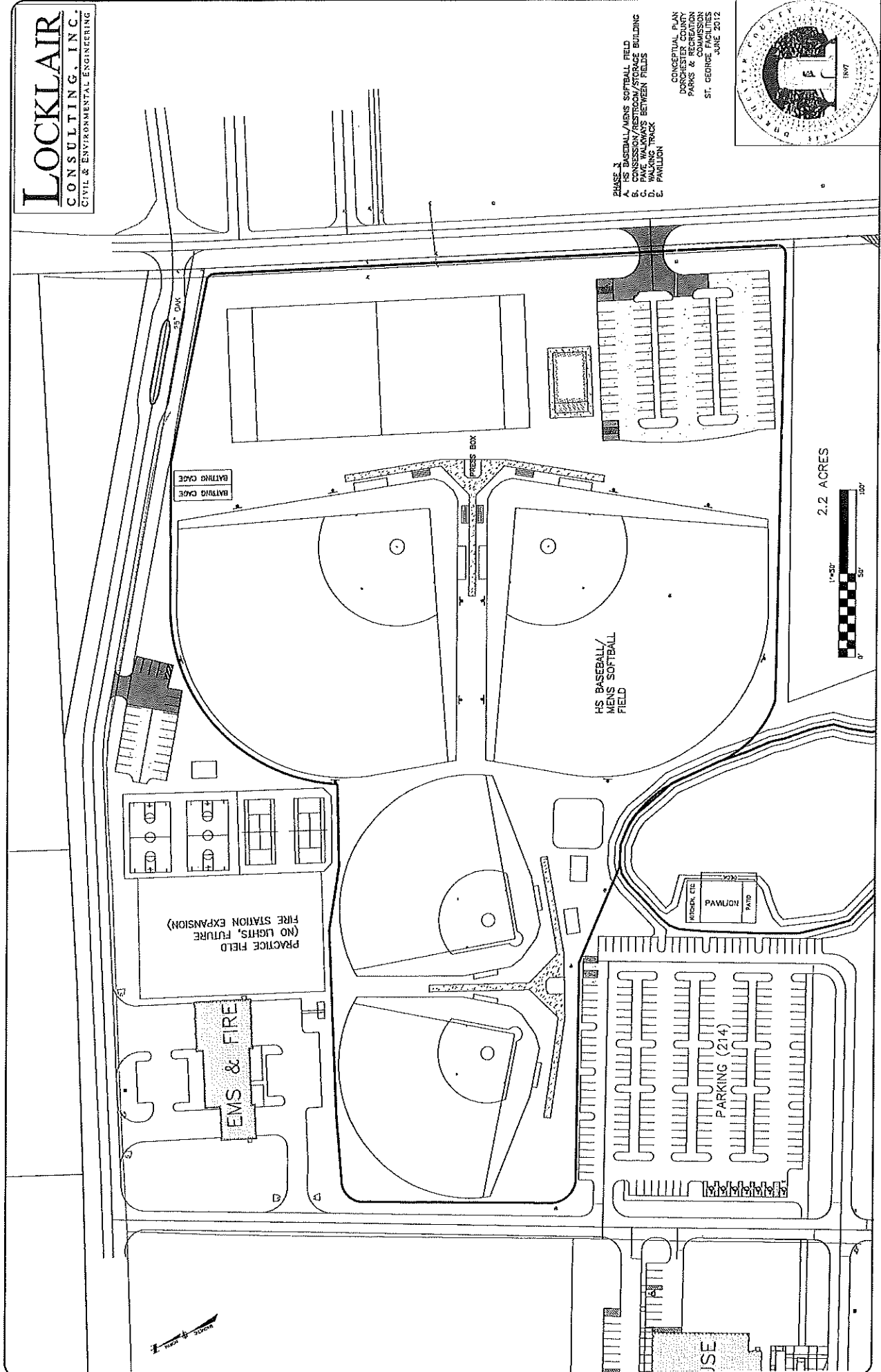
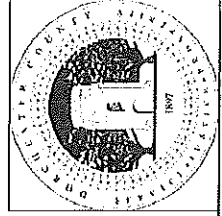


2.2 ACRES

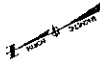
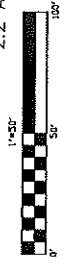


PHASE 1
 A. HS. BASEBALL/MENS SOFTBALL FIELD
 B. PAVILION
 C. PAVE WALKWAYS BETWEEN FIELDS
 D. WALKING TRACK
 E. PAVILION

CONCEPTUAL PLAN
 DORCHESTER COUNTY
 PARKS & RECREATION
 ST. GEORGE FACILITIES
 JUNE 2012



2.2 ACRES



AGENDA
DORCHESTER COUNTY COUNCIL
SPECIAL CALLED COUNCIL MEETING
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
AUGUST 15, 2012
2:00 P.M.

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CHAIRMAN'S TIME – MR. LARRY HARGETT

-Authorization of Transfer from Stormwater Utility Fund to General Fund for the Purchase of the Jail Site from Knight Family, LP

-Adoption of Resolution #12-17, "Confirming the Intention of Dorchester County, South Carolina to Be Reimbursed For Certain Expenditures Related To Capital Projects to Be Financed By the Issuance of Bonds"

3. 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
SPECIAL CALLED MEETING OF
DORCHESTER COUNTY COUNCIL
HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
AUGUST 15, 2012
2:00 P.M.**

Pursuant to the Freedom of Information Act, The 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 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
Ms. 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

FUND TRANSFER FOR JAIL SITE PURCHASE

1. On the motion of Councilman Chinnis, seconded by Councilman Rosebrock, Council voted unanimously that the County Administrator be authorized to transfer not to exceed \$1,200,000 from the Storm Water Utility Fund to the General Fund for the purpose of purchasing the real property for the jail site from the Knight Family LP with the understanding that the sum transferred would be repaid out of the borrowing by way of GO bonds or Installment Purchase Revenue bonds which will be issued for the construction of the detention facility on that site.

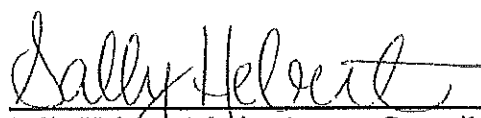
Before the vote, Mr. Frampton displayed a map of the site and reviewed property line changes, including the exclusion of a retention pond, at the County's request, and other minor modifications. He said these changes will reduce the size of the property to be acquired from 20 acres to 19.07 acres, thereby reducing the purchase price by \$56,000.

ADOPTION OF RESOLUTION #12-17

2. On the motion of Councilman Davis, seconded by Councilman Rosebrock, Council voted unanimously to adopt Resolution #12-17, "Confirming the Intention of Dorchester County, South Carolina To Be Reimbursed For Certain Expenditures Related To Capital Projects To Be Financed By The Issuance Of Bonds."

ADJOURNMENT

3. On the motion of Councilman Bailey, seconded by Councilman Davis, Council voted unanimously to adjourn at approximately 2:12 p.m.


Sally Hebert, Admin. Asst. to Council

AGENDA
DORCHESTER COUNTY COUNCIL
DORCHESTER COUNTY HUMAN SERVICES BUILDING
COUNCIL CHAMBERS, SUMMERVILLE
SEPTEMBER 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 August 13, 2012, County Council Meeting, and the August 15, 2012, Special Called County Council Meeting
- Adoption of Resolution #12-18, "An Endorsement by Dorchester County Council for a 50/50 Grant from SCDOT for the Resurfacing of U.S. Highway 78 Phase 3"
- Adoption of Proclamation #12-06, "In Honor of International Literacy Month, September 2012 and International Literacy Day, September 8, 2012"
- Correspondence

3. GUESTS

- Mayor Anne Johnston, Town of St. George, Ditches
- Mrs. Kara Gunter, Interim Budget and Finance Director -Budget Report Month Ended July 31, 2012
-Fiscal Year 2011-2012 Carryover Budget

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

- 1st Reading for Rezoning Request #667, for Alan Reynolds, TMS #137-07-03-001, located at 151 Alicia Drive, and TMS #136-07-03-009, located at 1215 Central Avenue, both in Summerville, SC; Adjoining Lots Total 1.51 acres; Requested Change for both lots are from R-4 (Multi-Family Residential District) to CG (General Commercial District)
- 3rd Reading for Ordinance #12-13, "An Ordinance Postponing the Quadrennial Dorchester County Reassessment Pursuant to S.C. Code Ann. Sec. 12-43-217" (*Postponement of the 2014 Reassessment*)
- Approval of Reorganization

5. COMMITTEE REPORTS

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

- Upper Dorchester Community Ministries, Request for Space for Community Food Bank
- Belt Shooting Range
- Water and Sewer at Rosebrock Park
- East Butternut Road Reduction in Speed Limit

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

- Request for Approval of FY 2012-2013 Stormwater Projects

Chairman Larry Hargett, Water and Sewer Committee Report

- Request for New Sewer Service, TMS #123-13-05-015, Josphina and Carlos Calle, 169 West Medina Drive, near Summerville
- Request for New Sewer Service, TMS #058-02-13-006, Frances Horne, 315 S. Parler Ave, St. George
- Request for New Sewer Service, TMS #045-11-05-002, Minus Sewer Service, 103 West Murray Street, St. George
- Request for New Water Service, TMS #172-00-00-013, Limited, Inc., 184 Stratton Drive, near North Charleston

6. APPOINTMENTS TO BOARDS AND COMMISSIONS

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

-2nd Reading for “A Seventh Supplemental Ordinance Providing For the Issuance and Sale of a Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bond, Series 2012B, in The Principal Amount of Not Exceeding \$1,700,000; Prescribing the Form and Details of Such Bond; and Other Matters Relating Thereto”

-Executive Session Legal Advice

Contractual Matters

- Dorchester Seniors, Inc.
- Installment Purchase Revenue Bonds
- Dog Noise 452 and 456 Old Fort Drive
- SC Highway 27 Sewer Diversion
- Potential Real Estate Purchase
- Feasibility Study for Southwestern Dorchester County Wastewater Treatment Plant
- Givhans Fire District
- 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

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

MINUTES

DORCHESTER COUNTY COUNCIL HUMAN SERVICES BUILDING SUMMERVILLE COUNTY COUNCIL CHAMBERS

SEPTEMBER 4, 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 invited all to stand for the invocation given by Councilman Byars, which was followed by the Pledge of Allegiance.

CHAIRMAN'S TIME – MR. LARRY HARGETT REQUESTS TO ADDRESS COUNCIL

The Chairman recognized the following citizens to address Council.

- Mr. Patrick Mulheir of Ridgeville addressed Council regarding problems he has had with stormwater drainage in ditches on his property for years. He reported calling Public Works on numerous occasions for help. But, after finding no resolution, he was now seeking assistance from Council. Chairman Hargett told Mr. Mulhier that the Director of Public Works was present tonight and he felt sure Mr. Byrd could provide him with the assistance he needed.

REQUESTS TO ADDRESS COUNCIL-CONTINUED

- Ms. Peggy Bangle, Summerville, first thanked Councilman Bailey, along with the other members of Council for the reduction in the amount of Stormwater Fee. She then voiced concerns about the Federal Government, and spoke about concerns over the Town of Summerville, raising a fee from 3% to 5% on utilities, and said she was in opposition to this increase in taxes. Ms. Bangle requested Council to be very cautious before spending any more taxpayers' money.
- Ms. Anne Kennedy, St. George, spoke in favor of the recently tabled proposed Ordinance dealing with the control of noise, and spoke on other ordinances that related to noise.
- Ms. Tammy Edwards, 242 Infinger Road, and Ms. Carolyn Butler of 256 Infinger Road, St. George, addressed Council regarding her neighbor blocking her driveway, causing the Dorchester County EMS difficult in accessing her home this past Sunday to help her sick child, who has sickle cell. Her neighbor insists she use a field for ingress/egress and she requested Council's assistance with this problem. Chairman Hargett placed this item in the Public Safety, Health and Human Services Committee and requested Councilman Davis work with Chairman Bailey on this matter.
- Mr. Mike Dawson addressed Council on behalf of the Conservation Commission to remind Council of the wording from the November 2010 Bond Referendum. He read the words from the original "Bond Question" that was on the ballot, and stated that the bond money should be used as the words said "*for the purpose of protecting and improving land and water by purchasing land*", instead of buying land for parks for sport complexes. He requested for Council to obligate the remainder of the funds for pure conservation use and not to use it for anymore parks for recreational use, such as ball fields, etc.... Mr. Dawson stated the Commission requested for Council to consider spending the balance of the fund exclusively on actual purchases of land or conservation easements. He also gave each member a copy of his statement, which contained a small portion of the wording of the November 2010 Conservation and Parks Bond Referendum.
- Mr. Norman Brunswig, Ridgeville, stated he came to reiterate the statements made by Mr. Dawson, and that he too supported the remainder of the funds being used for pure conservation, which he believed, was the intent of the bond referendum. In addition, Mr. Brunswig spoke to Council about the unbelievable conservation accomplishment of the Audubon Society, which had protected 20,000 acres in Dorchester County mostly by private donations and grants and the 13 miles of scenic Highway they preserved. In conclusion, he requested for Council to use the remainder of the bond funds for conservation.
- Mr. Jake Libair, East Bay Street, Charleston, addressed Council on behalf of the Coastal Conservation League and stated he agreed with Mr. Dawson and Mr. Brunswig and requested that Council spend the remainder of the funds from the November 2010 Bond Referendum for acquiring land for public open space and not for buying land for recreational facilities or for items for the facilities.

ADOPTION OF AUGUST 13, 2012, COUNTY COUNCIL MINUTES AND AUGUST 15, 2012, SPECIAL CALLED COUNTY COUNCIL MINUTES

1. On the motion of Mr. Hearn, seconded by Mr. Chinnis, Council voted unanimously to adopt the minutes from both meetings, as listed above.

ADOPTION OF RESOLUTION #12-18, "AN ENDORSEMENT BY DORCHESTER COUNTY COUNCIL FOR A 50/50 GRANT FROM SCDOT FOR THE RESURFACING OF U.S. HIGHWAY 78 PHASE 3"

2. On the motion of Mr. Rosebrock, seconded by Mr. Davis, Council voted unanimously to adopt Resolution #12-18, "An Endorsement by Dorchester County Council for a 50/50 Grant from SCDOT for the Resurfacing of U.S. Highway 78 Phase 3". This resolution was recommended by the Dorchester County Sales Tax Transportation Authority.

ADOPTION OF PROCLAMATION #12-06, "IN HONOR OF INTERNATIONAL LITERACY MONTH, SEPTEMBER 2012 AND INTERNATIONAL LITERACY DAY, SEPTEMBER 8, 2012"

3. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to adopt Proclamation #12-06, "In Honor of International Literacy Month, September 2012 and International Literacy Day, September 8, 2012". Chairman Hargett read this Resolution aloud and Council presented it to Mrs. Judianne Schmenk of the Trident Literacy Association. Mrs. Schmenk thanked Council for their continued support on behalf of the Association.

CORRESPONDENCE There was no correspondence to report.

GUESTS: **MAYOR ANNE JOHNSTON, TOWN OF ST. GEORGE**

Mayor Johnston addressed Council and thanked them for giving her time to speak on behalf of the Town of St. George. She first commended Mr. Ward for his immediate attention when she called and requested the county's assistance with cleaning and maintaining ditches in the Town. Mayor Johnston said she received quick results from the County's GIS Department (Mr. David Garber and staff) and stated she had a map on her desk within 24 hours of her first call and had a meeting setup with Mr. Jack Ellis, the Stormwater Manager, for the County. The Mayor explained that after her meeting, it was determined that some of the ditches were on private property and easements must be acquired by the Town before the County could provide assistance. She explained her understanding of the situation of the maintenance of the ditches, which was some maintenance was provided by the State and some by the County, and she felt the State and County could work out a plan together on getting the ditches cleaned and then graded at the same level so that water flowed toward the large drainage canal, which needed work. The Mayor stated she realized this was no small task and would be working on this project with the County. Mayor Johnston stated on behalf of the Town, she was requesting for Council to fund the cleanup of the ditches within the Town with Stormwater Funds, which was a tax levied and paid by the citizens of the Town. Next, Mayor Johnston spoke on an issue, which she stated affected the County as much as it does the Town, which were beavers. She stated that they are responsible for flooding and for a huge lose in timber on usable property, and since the beavers do affect stormwater control, she felt this problem could be addressed with stromwater funds. In conclusion, Mayor Johnston thanked Council and requested their positive support on this proposal which would help safeguard the health and property of the citizens of her Town.

MRS. KARA GUNTER, INTERIM BUDGET AND FINANCE DIRECTOR
BUDGET REPORT MONTH ENDED JULY 31, 2012 – FY11-12 CARRYOVER BUDGET

Mrs. Gunter presented the budget report for the month ended July 31, 2012. She stated the County began the new Fiscal Year on a positive note. Mrs. Gunter then presented the "Fiscal Year 2011-2012 Carryover Budget", for Council's approval. She first announced one correction to a line item description on the Fire Coordinator's request. Councilman Bailey had a question concerning the Stormwater Account with regard to the Carryover Budget, and a question regarding the County's Fund Balance. Mrs. Gunter explained she was waiting on additional revenue to come in and would get this to him as soon as she had an answer. Chairman Hargett had a question regarding a telephone call from the Treasurer, on a carryover request she made. Mrs. Gunter stated she would need additional information regarding the request, and Mr. Ward suggested that this be addressed later and maybe a meeting could be setup with the Treasurer and the issue be addressed at the next meeting. Mrs. Gunter stated the Carryover Budget included projects that needed completing or were on going in the upcoming year.

4. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted unanimously to approve the "Fiscal Year 2011-2012 Carryover Budget".

COUNTY ADMINISTRATOR'S TIME – MR. JASON WARD

1ST READING FOR REZONING REQUEST #667, FOR ALAN REYNOLDS, TMS #137-07-03-001

5. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to give 1st Reading and to refer to the Planning, Development and Building Committee for further consideration Rezoning Request #667, for Alan Reynolds, TMS #137-07-03-001, located at 151 Alicia Drive, and TMS #136-07-03-009, located at 1215 Central Avenue, both properties are in Summerville, and both are adjoining lots with a total acreage of 1.51 acres. The requested changes in zoning for both lots are from R-4 (Multi-Family Residential District) to CG (General Commercial District).

3RD READING FOR ORDINANCE #12-13, "AN ORDINANCE POSTPONING THE QUADRENNIAL DORCHESTER COUNTY REASSESSMENT PURSUANT TO S.C. CODE ANN. SEC. 12-43-217"

6. On the motion of Mr. Chinnis, seconded by Mr. Davis, Council voted six in favor, and one opposed, to give 3rd Reading to Ordinance #12-13, "An Ordinance Postponing the Quadrennial Dorchester County Reassessment Pursuant to S.C. Code Ann. Sec. 12-43-217". This Ordinance will postpone the 2014 Reassessment until 2015, which will give county staff time to install and test a new Computer Aided Mass Appraisal System (CAMA) prior to beginning reassessment.

Chairman Hargett opposed.

APPROVAL OF REORGANIZATION

7. On the motion of Mr. Chinnis, seconded by Mr. Byars, Council voted unanimously to approve a reorganization that will create a Chief Financial Officer position and realign financial departments under that position, as well as the creation of a Deputy Administrator for Community Services, to be housed in Summerville, and realign departments under that position. The total number will not increase as a result of this reorganization, but the Administrator's span of control will be reduced from 12 positions to a more manageable 8 positions.

COMMITTEE REPORTS

PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE REPORT

CHAIRMAN GEORGE H. BAILEY

UPPER DORCHESTER COMMUNITY MINISTRIES, REQUEST FOR SPACE FOR COMMUNITY FOOD BANK

8. Chairman Bailey first reported on the Committee's recommendation on the request for space for the Community Food Bank from the Upper Dorchester Community Ministries. He stated the Committee's recommendation to Council was to approve the request by leasing space at the former County Courthouse for the Community Food Bank for \$1 dollar per year to the Upper Dorchester Community Ministries, who would be responsible for providing liability insurance before taking occupancy, with the County Attorney handling all the necessary details of the lease and making sure the insurance was provided. Council voted unanimously in favor of the recommendation.

**PUBLIC SAFETY, HEALTH AND HUMAN SERVICES COMMITTEE REPORT-
CONTINUED
BELT SHOOTING RANGE**

9. Chairman Bailey reported the Committee made a trip to the BELT Shooting Range and found them in compliance with all State and County laws and regulations. Therefore, it was the recommendation of the Committee that Council take no action. Chairman Hargett asked if there were any questions. Upon hearing none, Chairman Hargett stated he personally questioned whether we were in compliance with County Law on this issue, and stated he had discussed the matter with the County Attorney. In addition, he said he believed Council needed to continue looking into this issue, due to the fact the Kennedys were not heard from tonight. Chairman Bailey said he heard from the Kennedys last time and that it was this Committee's recommendation that no action be taken against the BELT Shooting Range after looking into the matter. Chairman Hargett asked if all were in favor of the Committee's recommendation. Council voted six in favor and one opposed.

Chairman Hargett opposed.

WATER AND SEWER AT ROSEBROCK PARK

10. Chairman Bailey stated the Committee's recommendation to Council was for approval of the appropriation of \$150 from council's contingency fund to be used for payment of fees to DHEC for a site evaluation at the Rosebrock Park to see if a septic system would be an option for the restroom facilities. However, Chairman Bailey stated that the Council Chairman informed him that his brother, who has a Doctorate in environmental science, would be willing to come and look at the site (Chairman Bailey requested to be the one to meet with the Chairman's brother if possible.) Chairman Bailey requested to have the recommendation to Council from the Committee for the funds approved in case the DHEC option was still necessary. Chairman Hargett asked for comments or questions. After hearing none, he stated that he had spoken to his brother, and he would be glad to come and look at the site. He also discussed a unit that Charleston County Parks uses at its Caw Caw Park in Ravenel, which is a self-contained composting unit facility that comes with a building that houses the restroom and suggested it, might be an option for the Rosebrock Park. Councilman Byars asked the question as to why none of this had come before the Parks and Recreation Commission. In addition, he stated that the Parks Commission would be the best place to handle these issues. After discussion ended, Chairman Hargett requested Council to vote on the recommendation of the Committee, which was for approval to appropriate \$150 from council's contingency fund to be used for payment of fees to DHEC for a site evaluation at the Rosebrock Park to see if a septic system would be an option for restroom facilities. Council voted unanimously in favor of the Committee's recommendation.

EAST BUTTERNUT ROAD REDUCTION IN SPEED LIMIT

Chairman Bailey reported on a request from Mr. Walter Larabee on a reduction in the speed limit on East Butternut Road, which was placed in this Committee. He stated that he had spoken to SCDOT about the request, because the state has jurisdiction to determine speed limits on this road. Chairman Bailey stated the County had forwarded Mr. Larabee's request to SCDOT for consideration, therefore, no action was required on this item.

PUBLIC WORKS, PROPERTY, AND UTILITIES COMMITTEE REPORT
CHAIRMAN RICHARD ROSEBROCK
REQUEST FOR APPROVAL OF FY 2012-2013 STORMWATER PROJECTS

11. Chairman Rosebrock reported the Committee's recommendation to Council was for approval of the seven stormwater projects, with the funding to come from the balance of the stormwater fund, at an estimated cost of \$1,260,000 which includes engineering design and construction costs. Chairman Rosebrock read the list of projects including the description and the estimated cost. They are as follows: Clemson Terrace \$250,000 to install 250 linear feet of 5 foot stacked block wall to solve an erosion problem and stabilize a drainage channel at 1210 Azalea Drive; Replace the bridge at Sandy Pines with double box culvert \$175,000 to eliminate washouts from storm flow; Grace Lutheran Church property easement on Dorchester Road East and Ashley Phosphate Road \$40,000 for channel stabilization and to correct current erosion and to prevent future erosion; Rebuild Botany Bay Court \$130,000 and rebuild the road and drainage system to improve drainage and eliminate flooding; Modify drainage and road at Lewisfield Drive and Scottsword Intersession to eliminate flooding in Archdale \$125,000; Install 275 linear feet of sheet piling bulkhead wall at Edisto River Road and Edisto River to preserve road from encroachment of river due to flood waters \$525,000; Modify current drainage at Bent Green Court (Legend Oaks) to eliminate a flooding problem \$15,000. Council voted unanimously in favor of the Committee's recommendation.

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, TMS #123-13-05-015, JOSPEHINA AND
CARLOS CALLE

12. Chairman Hargett reported the Committee met earlier and the Committee's first recommendation to Council was for approval of new sewer service to TMS #123-13-05-015 for Jospehina and Carlos Calle, located at 169 West Medina Drive, near Summerville. Council voted unanimously in favor of the Committee's recommendation.

REQUEST FOR NEW SEWER SERVICE, TMS #058-02-13-006, FRANCES HORNE

13. Chairman Hargett reported the Committee's recommendation to Council was for approval of new sewer service to TMS #058-02-13-006, for Frances Horne, located at 315 South Parler Ave, St. George. Council voted unanimously in favor of the Committee's recommendation.

REQUEST FOR NEW SEWER SERVICE, TMS #045-11-05-002, MINUS SEWER
SERVICE

14. Chairman Hargett reported the Committee's recommendation to Council was for approval of new sewer service to TMS #045-11-05-002, for Minus Sewer Service, located 103 West Murray Street, St. George. Council voted unanimously in favor of the Committee's recommendation.

REQUEST FOR NEW WATER SERVICE, TMS #172-00-00-013, LIMITED, INC.

15. Chairman Hargett reported the Committee's recommendation to Council was for approval of new water service to TMS #172-00-00-013, for Limited, Inc., at 184 Stratton Drive, near North Charleston. Council voted unanimously in favor of the Committee's recommendation

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

2ND READING FOR "A SEVENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A DORCHESTER COUNTY, SOUTH CAROLINA, WATERWORKS AND SEWER SYSTEM REVENUE BOND, SERIES 2012B, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,700,000; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; AND OTHER MATTERS RELATING THERETO"

16. On the motion of Mr. Chinnis, seconded by Mr. Byars, Council voted unanimously to give 2nd Reading for "A Seventh Supplemental Ordinance Providing For the Issuance and Sale of a Dorchester County, South Carolina, Waterworks and Sewer System Revenue Bond, Series 2012B, in The Principal Amount of Not Exceeding \$1,700,000; Prescribing the Form and Details of Such Bond; and Other Matters Relating Thereto".

REQUEST FOR EXECUTIVE SESSION

The County Attorney requested Council's consideration to enter executive session to give legal advice on composition of the Board of Directors for the Dorchester Seniors, Inc., the use and sale of Installment Purchase Revenue Bonds, continuing noise violations at 452 and 456 Old Fort Drive, and an issue on sewer diversion on SC Highway 27, and the following contractual matters, a potential real estate purchase, a feasibility study for the southwestern County Wastewater Treatment Plant, a contractual agreement with Old Fort to service Givhans Fire District and a contract for the Emergency Operations Center.

17. On the motion of Mr. Davis, seconded by Mr. Rosebrock, Council voted unanimously to enter into Executive Session at 7:55 p.m., as requested by the County Attorney.

RECONVENE FROM EXECUTIVE SESSION 10:35 P.M.

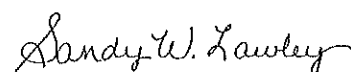
The County Attorney reported Council discussed the previously announced items, but no action was taken. Councilman Davis did not return after executive Session.

FEASIBILITY STUDY FOR SOUTHWESTERN DORCHESTER COUNTY

18. On the motion of Mr. Chinnis, seconded by Mr. Byars, Council voted six in favor and one absent, to approve allocating \$60,000 from the sewer impact fee account for Phase I for a Feasibility Study with Jacobs Engineering Group for a portion of Southwestern Dorchester County and to authorize the County Administrator to execute the contract. Councilman Davis was absent.

ADJOURNMENT

19. On the motion of Mr. Byars, seconded by Mr. Hearn, Council voted six in favor and one absent to adjourn. Time of adjournment was 10:38 p.m. Councilman Davis was absent.



Sandy Lawley, Clerk 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
SEPTEMBER 24, 2012
5:00 P.M.**

Pursuant to the Freedom of Information Act, The 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 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, 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

REQUEST FOR EXECUTIVE SESSION WITH MEADWESTVACO

1. On the motion of Vice Chairman Bailey, seconded by Councilman Davis, Council voted unanimously to enter into Executive Session with executives from MeadWestvaco to discuss the East Edisto Development Agreement.

During discussion, Councilman Chinnis asked that Council first meet with County staff in Executive Session before having MeadWestvaco executives join them. There were no objections.

COUNTY ATTORNEY'S TIME – MR. JOHN FRAMPTON

REQUEST FOR EXECUTIVE SESSION

2. On the motion of Councilman Davis, seconded by Councilman Hearn, Council voted unanimously to enter into Executive Session to discuss two contractual matters: MeadWestvaco East Edisto Development Agreement and a potential real estate purchase at 235 Deming Way.

RECONVENE FROM EXECUTIVE SESSION

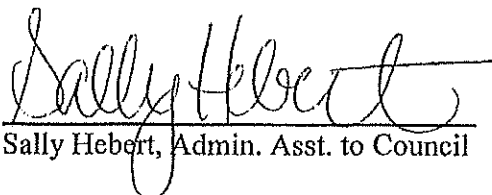
Mr. Frampton announced that Council discussed the items previously announced before going into Executive Session, and no action was taken.

REAL ESTATE PURCHASE

3. On the motion of Vice Chairman Bailey, seconded by Councilman Davis, Council voted unanimously to authorize the County Administrator to execute the first amendment to the purchase and sale agreement for the real property located at 235 Deming Way so as to reduce the purchase price to \$2,050,000.00 and to proceed with closing the purchase as provided for in the agreement.

ADJOURNMENT

4. On the motion of Vice Chairman Bailey, seconded by many, Council voted unanimously to adjourn.


Sally Hebert, Admin. Asst. to Council